

Chapter II

Responses to Comments

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Responses to Comments

1. Introduction

Section 15088(a) of the State California Environmental Quality Act (CEQA) Guidelines states that “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.” In accordance with these requirements, this Chapter of the Final Environmental Impact Report (Final EIR) provides responses to each of the written comments received during the Draft EIR public comment period. **Table II-1**, *Written Comments Received in Response to the Draft EIR*, provides a list of the comment letters received and a summary of the issues that were raised in comments.

Subsection 2, *Topical Responses to Comments*, provides comprehensive responses to address multiple, similar comments that have been raised on key topics during the Draft EIR public review period. Where appropriate, references to the topical responses are provided within the individual responses to comments prepared in Sections 2.3 and 2.4, which are described below. The Topical Responses in this section include the following:

- Topical Response No. 1: Alternative 5
- Topical Response No. 2: Scope of the Project and Alternative 5
- Topical Response No. 3: Traffic Impacts
- Topical Response No. 4: Emergency Access
- Topical Response No. 5: Alternative 3
- Topical Response No. 6: University Entitlement History and Enrollment Cap
- Topical Response No. 7: Project Impact on Student Enrollment

Section 3, *Responses to Organization and Individual Comment Letters*, presents comments submitted during the public comment period from interested community organizations and individuals. Table II-1 lists community organizations and individuals alphabetically and indicates the area of environmental concern brought up in the comment letter. In accordance to CEQA Guidelines Section 15088(c), the focus of the responses to comments is on “the disposition of significant environmental issues raised.” Comments that do not relate to environmental issues are noted for the record and will be forwarded to the decision-makers for review and consideration.

TABLE II-1
WRITTEN COMMENTS RECEIVED IN RESPONSE TO THE DRAFT EIR

Letter Name	Commenter	Aesthetics	Air Quality	Biological Resources	Cultural Resources	Geology and Soils	Greenhouse Gas Emissions	Hydrology and Water Quality	Land Use and Planning	Noise	Fire Protection Services	Police Protection	Transportation and Traffic	Water Supply	Solid Waste	Alternatives	Growth Inducing	Other (Non-specific)	Other (General Support)
Agency																			
SCH -1	State Clearinghouse (May 30, 2018)																	X	
Organizations																			
BHA	Brentwood Homeowners Association and Brentwood Community Council (June 13, 2018)	X							X		X	X	X			X	X	X	
CHATTEN -1	Bundy Canyon Association (June 13, 2018)	X	X	X					X		X	X	X			X	X	X	
CHATTEN-2	Sunset Coalition (June 12, 2018)								X		X		X					X	
GETTY CENTER	Gregory W. Swartz Latham & Watkins LLP 335 South Grand Ave, Suite 100 Los Angeles, 90071 (June 13, 2018)												X			X			
MOSMA	MOSMA (June 12, 2018)										X		X						

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MSMU	Ann McElaney-Johnson, President of Mount Saint Mary's University (June 8, 2018)												X			X		X	
Individual																			
ABELL	Leslie Abell leslieabell@abelllaw.com (April 16, 2018)												X						X
AHMADI	Amir Ahmadi mamirahmadi@gmail.com (June 7, 2018)										X		X						
ALLEN-NIESEN	Kim Allen-Niesen 251 N. Bundy Drive Los Angeles, CA 90049 (June 13, 2018)																		X
ANTOLA	Victor Antola vicantola@yahoo.com (April 17, 2018)												X						

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ASHWORTH, C.	Chris Ashworth 1212 N. Bundy Dr. Brentwood, CA 90049 (June 9, 2018)		X										X						
ASHWORTH, V.	Veronica Ashworth 1212 N. Bundy Dr. Brentwood, CA 90049 (June 9, 2018)												X						
BACAL-1	Howard A. Bacal, M.D. 1221 N. Norman Place Los Angeles, CA 90049 (May 23, 2018)										X		X						
BACAL-2	Howard A. Bacal, M.D. 1221 N. Norman Place Los Angeles, CA 90049 (May 23, 2018)										X		X						
BACAL-3	Howard A. Bacal, M.D. 1221 N. Norman Place Los Angeles, CA 90049 (June 8, 2018)										X		X						

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JBACAL 1	Jacqueline Bacal 1221 N Norman Place Los Angeles, 90049 (May 23, 2018)												X						
BATTARRA	Vincenzo and Deirdre Battarra 125 N Bundy Dr. 90049 (May 26, 2018)												X						
BAUER	Fredric B. Bauer 12006 Chalon Road Los Angeles, California 90049 (June 6, 2018)												X						
BAUM-1	Carol and Tom Baum 570 N. Bundy Drive Los Angeles, CA 90049 (May 23, 2018)		X							X			X						
BAUM-2	Tom Baum 570 N. Bundy Dr. (June 5, 2018)												X						
BERBERIAN	Craig H Berberian N Westgate Ave Resident (May 26, 2018)												X				X		

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BERGMAN	Barbara and Richard Bergman 11995 Brentridge Drive Los Angeles, CA 90049 (June 12, 2018)								X				X						
BERK	Michael Berk mdb@mdberklaw.com (May 25, 2018)												X				X		
BILL	Anders Bill anders@darkroom.tech (June 8, 2018)																		X
BLOOMGARDEN	David Bloomgarden 1350 N. Bundy Los Angeles, CA 90049 (June 11, 2018)									X			X						

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BRAM	Steve and Julie Bram 12147 Travis Street Los Angeles, CA 90049 Sbram@gspartners.com (June 10, 2018)																		X
BROWN	Lawrence and Ronna Brown 1010 North Bundy Drive Los Angeles, CA 90049-1511 (June 9, 2018)												X						
CANTWELL	Craig Cantwell 1065 North Norma (June 13, 2018)			X							X								
CHAPMAN	Michael Chapman eskimodog35@gmail.com (June 13, 2018)												X						X
CHICCARELLI	Joe Chiccarelli 1234 N. Bundy Drive LA, CA. 90049 (June 18, 2018)		X							X			X						

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CIARLO	Teri Ciarlo tc@teryldesigns.com (June 12, 2018)																		X
CUEVA	Nancy Cueva ncueva2@gmail.com (June 10, 2018)																		X
DAVIS	Gabrille Davis 4gabrielledavis@gmail.com (April 18, 2018)												X						
DISNER	Sandra Disner Sandra Disner and family 619 Tuallitan Road Los Angeles 90049 (May 26, 2018)												X						
DUNCAN	Kathleen Duncan kathleenmduncan@aol.com (June 11, 2018)																		X

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EBIN 1	Joseph M. Ebin, 1216 Norman Place (May 25, 2018)		X							X			X				X		
EBIN 2	Joseph M. Ebin, 1216 Norman Place (May 26, 2018)		X							X			X				X		
EBIN 3	Joseph M. Ebin, 1216 Norman Place (May 29, 2018)		X							X			X				X		
EBIN 4	Joseph M. Ebin, 1216 Norman Place (July 27, 2018)												X						
EBIN 5	Joseph M. Ebin, 1216 Norman Place (July 30, 2018)										X		X				X	X	
EPSTEIN	Mrs. George N. Epstein 672 MacCulloch Drive Los Angeles, CA 90049 (May 18, 2018)												X						

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FELDMEN	Raines Feldman, LLP 1800 Avenue of the Stars, 12th Floor, Los Angeles, CA 90067 (April 30, 2018)																	X	
FIELDS	Bethany Fields bmw332@earthlink.net (June 8, 2018)								X										
FOX	Emily Fox 740 Marzella Ave Los Angeles, CA 90049												X						
GAGNE	Carla Gagne 769 Marzella Ave. LA 90049 (June 6, 2018)												X						

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GLENN, D.	Danna Glenn 1247 N. Bundy Dr. Los Angeles, CA 90049 (May 23, 2018)												X						
GLENN, J.	Jonathan Glenn 1247 N. Bundy Dr. Los Angeles, CA 90049 (May 23, 2018)												X						
GOETZ	Majorie Goetz 11355 Farlin St Los Angeles, CA 90049 (May 23, 2018)												X						
GRAYSON	Todd Grayson tig@graysonesq.com (June 8, 2018; Jun 11, 2018)												X						

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GREENBERG	Claire Greenberg 1334 North Bundy Drive Los Angeles CA 90049 (April 16, 2018)									X									
HAHN	Jessica Hahn bradyhahn@mac.com (June 13, 2018)																		X
HARWOOD	Paula Harwood 1130 N. Bundy Drive, Los Angeles, CA 90049 (May 18, 2018)												X						
HAVERIM	Shahrzad Haverim shahrzadhaverim@gmail.com (April 16, 2018)												X						
HELIN-1	James Helin jasdhelin@gmail.com (June 12, 2018)																		X

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HELIN-2	Sally and James Helin 12156 La Casa Lane Los Angeles, CA 90049 (June 11, 2018)																		X
HOPKINS	Paige Hopkins paigekiera@gmail.com (June 13, 2018)																		X
JACOBSON	Sandy Jacobson 11955 Azure Place Los Angeles, 90049 (June 7, 2018)												X						
JAFFE	Mark Jaffe mrjaffe@gmail.com (May 30, 2018; Jun 5, 2018)												X			X			
JEAN-1	Alfred Jean alfredejean@yahoo.com (May 22, 2018)												X			X			

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JEAN-2	Stephanie Jean Stephaniejean777@gmail.com (May 8, 2018)												X			X			
JMBM	Jeffer Mangels Butler & Mitchell LLP 1900 Avenue of the Stars, 7 th floor Los Angeles, 90067 (June 11, 2018)		X				X		X	X			X			X	X	X	
JOHNSON	Autumn Johnson acj2000@gmail.com (June 8, 2018)																		X
JULIEN 1	Laurie Julien 1274 North Norman Place lauriesjulien@gmail.com (April 28, 2018)			X									X			X			
JULIEN 2	Laurie Julien 1274 North Norman Place lauriesjulien@gmail.com (May 2, 2018)												X						

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KAMRAVA	Nancy Cohen Kamrava nancyecohen@gmail.com (May 2, 2018)										X								
KANTOROVICH,P.	Phil Kantorovich 1278 N. Norman Place Los Angeles, CA										X		X						
KANTOROVICH, S.	Stephanie Kantorovich 1278 N. Norman Place Los Angeles, CA										X		X			X	X		
KEZAR	Adrianna Kezar 1262 North Norman Place kezar@rossier.usc.edu (May 5, 2018)												X			X			
KIM	Mun Kim Munkim613@gmail.com (June 13, 2018)																		X
KLEIN	Raymond Klein (April 19, 2018)								X										

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KOSLOW	Ronald Koslow 1014 N. Bundy Dr, Los Angeles 90049 (April 23, 2018)												X						
KURTZMAN	Wendy Kurtzman smcproductions@roadrunner.com (June 13, 2018)												X						
LAZAR-1	Alex Lazar, MD alexlazar@hotmail.com (April 16, 2018)												X						
LAZAR-2	Alex Lazar, MD alexlazar@hotmail.com (May 22, 2018)									X			X						
LEIWEKE	Bernadette Leiweke bleiweke@gmail.com (June 11, 2018)									X	X		X						

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LEVIN	Bonnie Levin 12227 Octagon St, Los Angeles, CA 90049 blevin8252@aol.com (June 5, 2018)																X		
LIU	Katherine Liu Kjliu789@gmail.com (June 11, 2018)																		X
MAHGEREFTEH	Dr. Hengameh Mahgerefteh doctorh.psych@gmail.com (April 16, 2018)												X						
MARLIS	Rand and Jane Marlis 409 North Bundy Dr. Janemarlis4@gmail.com (May 23, 2018)												X						
MCALPIN-GRANT	Lola McAlpin-Grant Lmcag@msn.com (June 11, 2018)																		X

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MCMULLEN	Sister Anne McMullen 11999 Chalon Road, Los Angeles, CA 90049 amcmullen@csjla.org (June 12, 2018)																		X
MENDELSON	King M Mendelsohn 862 North Norman Place, Los Angeles, CA 90049 kmmend@gte.net (June 4, 2018)												X						
MOHABER	Gita Mohaber 844 Norway Lane, Los Angeles, CA goojie@yahoo.com (June 12, 2018)												X						

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MOHSENI	Ramtin Massoudi and Mahfam Mohseni 11956 Azure Place, Los Angeles, CA 90049 mahmoseni@yahoo.com (June 10, 2018)												X				X		
NATKER	Andy and Roslyn Natker 1501 N. Bundy Drive, Los Angeles, CA, 90049 anatker@haagenco.com (June 12, 2018)																		X
NAVI	Jonathan Navi jbnesq@gmail.com (June 10, 2018)									X	X		X						
NAZZARO	Christopher Nazzaro chris.nazzaro13@gmail.com (June 11, 2018)																		X

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NIK	Fred and Parvaneh Nik 153 N Bowling Green Way, Los Angeles, 90049 (May 29, 2018)												X						
PAKFAR	Hooshang Pakfar 801 Lockearn St., Los Angeles, CA, 90049 Pakfar11@att.net (June 11, 2018)												X						
PEREZ	Jackie Perez jackie.perez@me.com (June 8, 2018)																		X
PERRY	Susan and Barclay Perry 350 No. Saltair Ave, Los Angeles, 90049 (April 17, 2018)											X	X						
POPE	Katherine Pope 978 North Norman Place popekatherine@gmail.com (June 9, 2018)												X						

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PRESS	Leo C. Press 815 Norway Lane, Los Angeles, CA 90049 leopress@msn.com (June 8, 2018)																		X
RADOW	Vikki Radow 1191 North Bundy, 90049 vikki@radow.net (April 16, 2018)												X						
REUBEN	Timothy Reuben, Reuben Raucher and Blum Attorneys At Law 12400 Wilshire Boulevard, Suite 800, Los Angeles, California 90025 treuben@rrbattorneys.com (April 30, 2018; May 1, 2018)		X										X						
ROBINSON	Scott and Patricia Robinson robinscottw@gmail.com (June 9, 2018)												X						

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ROSCOE	Chris Roscoe 641 North Saltair Avenue, Los Angeles, 90049 chrisroscoe641@gmail.com																		X
ROSENTHAL	Diane Rosenthal soldiane@gmail.com (June 3, 2018)												X						
ROSENTERER	Ken Rosentreter 1255 N. Bundy Dr Ken.rosentreter@gmail.com (April 23, 2018)												X						
ROSS	Zhila Ross, Architect, LEED AP 1331 North Bundy Drive, Los Angeles, CA 90049 zhila.ross@yahoo.com	X					X	X	X				X				X		
RUXIN-1	Jimmy Ruxin jimruxin@yahoo.com (April 13, 2018)												X						

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RUXIN-2	Jimmy Ruxin jimruxin@yahoo.com (April 13, 2018)																	X	
SALKA	Fern Topas Salka 11661 San Vicente Blvd., Suite 500, Los Angeles, CA 90049 ernsalka@gmail.com (May 30, 2018)												X						
SCHUMACHER	Gretchen and Jack Schumacher 401 North Barrington jjschumas@aol.com (June 4, 2018)												X						
SCOTT	Timothy Scott 1263 N Norman Place Los Angeles, CA 90049 tjs2bin@earthlink.net								X				X			X			
SHELTON	Ginny Shelton ginginhs@aol.com (April 15, 2018)												X						

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SHRIVER	Pamela H. Shriver pam@phsltd.com (April 28, 2018)															X			
SKOOTSKY	Stephen and Lynn Skootsky 1469 North Bundy Drive, Los Angeles, CA 90049 sskootsky@yahoo.com (June 8, 2018)																		X
STEINBERG 1	Claire James Steinberg clairejames@earthlink.net (April 16, 2018)												X						
STEINBERG 2	Claire James Steinberg clairejames@earthlink.net (April 16, 2018)												X						
SUMMERS	Valerie Summers 1007 North Bundy Drive, Los Angeles, CA 90049 (May 24, 2018)												X						

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SUNSHINE	Debra and Randall Sunshine debrasunshine@yahoo.com (June 13, 2018)										X		X			X			
THAKKAR	Avni Thakkar avni211@gmail.com (June 7, 2018)																		X
TIPPL	Laura Tippl 601 N Saltair Ave., Los Angeles, CA 90049 tomson9@yahoo.com		X								X		X				X		
TIZABGAR	Mark Tizabgar 870 N. Norman Place mark.tizabgar@gmail.com (June 6, 2018)												X				X		
TRAMER	Bradley Tramer tramerbrad@gmail.com (June 8, 2018)																		X

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TRAPNELL	Mark Trapnell marktrapp@hotmail.com (May 30, 2018)												X			X			
TRUBY	Phyllis Truby 1241 North Bundy Drive phyllistruby@gmail.com (June 11, 2018)			X									X						
URENA-STEVENSON	Vivian Urena-Stevens Vivian.urena@yahoo.com (April 16, 2018)												X						
VICTOR	Linda Victor amslsv@gmail.com (May 22, 2018)		X										X						
VUYLSTKE	Bill Vuylstke 230 N Barrington Ave bbillv@aol.com												X						

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WERTHEIMER-1	Sharon Wertheimer 11991 Brentridge Drive, Los Angeles, 90049 sharonrosew@gmail.com (May 23, 2018)												X						
WERTHEIMER-2	Sharon Wertheimer 11991 Brentridge Drive, Los Angeles, 90049 sharonrosew@gmail.com (May 23, 2018)																X		
WESTHEIMER-1	Nicole Westheimer nicolewestheimer@yahoo.com (April 16, 2018)		X										X						
WESTHEIMER-2	Nicole Westheimer nicolewestheimer@yahoo.com (April 16, 2018)												X						
WHITEHEAD	David Whitehead 12151 La Casa Lane, Los Angeles, 90049 (June 7, 2018)												X						

TABLE II-1
WRITTEN COMMENTS RECEIVED IN RESPONSE TO THE DRAFT EIR

Letter Name	Commenter	Aesthetics	Air Quality	Biological Resources	Cultural Resources	Geology and Soils	Greenhouse Gas Emissions	Hydrology and Water Quality	Land Use and Planning	Noise	Fire Protection Services	Police Protection	Transportation and Traffic	Water Supply	Solid Waste	Alternatives	Growth Inducing	Other (Non-specific)	Other (General Support)
WISHINGRAD	Marc Wishingrad Deborah Lehman 490 N. Bowling Green Way Los Angeles, 90049 (June 10, 2018)																		X
WOODS	Helene Woods helenerwoods@me.com (June 9, 2018)																		X

2. Topical Responses to Comments

a) Topical Response No. 1: Alternative 5

As discussed in Chapter I, *Introduction*, and Chapter II, *Responses to Comments*, of this Final EIR, a new alternative, Alternative 5, was formulated in response to comments received during the Draft EIR public comment period and feedback. As required by the California Environmental Quality Act (CEQA), the Draft EIR analyzed a reasonable range of potentially feasible alternatives that could attain most of the Project objectives, while reducing or substantially lessening the significant environmental impacts of the Project. However, in a letter dated February 5, 2021, MSMU (the Applicant) requested that the Department of City Planning consider the approval of Alternative 5.

Alternative 5 is smaller in size and scale than the Project. Alternative 5 includes operational changes that would reduce the Project's significant and unavoidable operational traffic impacts identified in the Draft EIR to a level of less than significant, would incrementally reduce the Project's significant and unavoidable off-site construction noise impacts, and would also ensure that the significant and unavoidable construction traffic impacts at study intersections would remain less than significant after implementation of MM TRAF-1, similar to the Project. With respect to the Project's significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard), Alternative 5 would incrementally reduce these impacts, but they would remain significant at these same three street segments. As explained in Chapter III, subsection 3, *Environmentally Superior Alternative*, of the Final EIR and shown in Table III-15, *Comparison of Impacts Summary*, Alternative 5 would also reduce the Project's environmental impacts over a broad range of other environmental issues in the categories of Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Public Services, Tribal Cultural Resources, and Utilities.

Other than the physical and operational differences discussed below (including modifications to project design features, the deletion of one project design feature, and the addition of several new project design features), Alternative 5 is the same as the Project and will include the implementation of all of the Project's project design features and mitigation measures.

And, as discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of the Final EIR, Alternative 5 would meet all of the Project Objectives (see the Draft EIR, Chapter II, *Project Description*).

(1) Physical Differences between the Project and Alternative 5

Table II-2, *Physical Changes to the Project under Alternative 5*, below, summarizes the primary physical changes between the Project and Alternative 5.

Although Alternative 5 would not change the architectural style of the Project's Wellness Pavilion, physical changes under Alternative 5 include the Wellness Pavilion's reduction from 38,000 square feet under the Project to 35,500 square feet, the elimination of the Project's parking deck, and shifting the Wellness Pavilion to the north where the Project parking deck was proposed. This shift accomplishes two things: (1) it relocates the Wellness Pavilion to a portion of the Project Site that reduces the need for extensive buttressing otherwise required under the Project; and (2) it reduces construction demands, including reducing the amount of concrete by 78 percent, required for the construction of the parking deck. The relocation would also allow for the preservation of the existing two-story facilities management building (the largest of the existing buildings that would require demolition under the Project). These physical changes would reduce the overall length of Alternative 5's construction activities by approximately two months, resulting in a 20-month construction period as compared to the Project's 22-month construction period.

Alternative 5 would remove 232 existing surface parking stalls and replace 186 stalls, leaving the Campus with a new total of 515 stalls, a net reduction of 46 spaces compared to existing conditions. As explained in greater detail in Chapter III, Section 2, Alternative 5 would result in a Campus total of 515 parking spaces, exceeding the Los Angeles Municipal Code (LAMC) applicable parking requirements by 209 spaces.

In addition to the physical changes described in Table II-2 below, physical changes to Alternative 5 include the following:

- Replacement of the Project's biofiltration planter box system with a different stormwater retention system using multiple underground water storage tanks for rainwater harvesting, while remaining compliant with the City's Low Impact Development (LID) program;
- The installation of solar panels on the Wellness Pavilion roof;
- Preservation of 20 additional mature, non-protected trees (the Project would require removal of 66 non-protected trees as compared to Alternative 5, which would remove 46 non-protected trees); and
- The Campus Green included as part of the Project, proposed to be located on an existing surface parking lot and informal open area between Rossiter Hall and Mary Chapel, would not be constructed. Instead, this area would remain a surface parking lot.

TABLE II-2
PHYSICAL CHANGES TO THE PROJECT UNDER ALTERNATIVE 5

	Project as Evaluated in the Draft EIR	Alternative 5
Wellness Pavilion Floor Area	38,000 square feet	35,500 square feet
Wellness Pavilion Building Footprint	24,605 square feet (not including columns)	23,598 square feet (not including columns)
Building Height	42 feet	42 feet
Architectural Character	Modern, with features and color palette to complement existing historical character and colonnades of the Campus Circle	Similar design and color palette
Parking Facilities	Replacement of 226 existing surface parking spaces with two-story parking deck comprised of 281 spaces (a net increase of 55 spaces compared to existing conditions)	Replacement of 232 existing surface parking spaces with 186 new spaces (a net decrease of 46 parking spaces compared to existing conditions)
Wellness Pavilion Location	At the site of the existing tennis courts, pool, facilities management buildings, and fitness center (see Figure II-3 of the Draft EIR)	In the surface parking lot area to the north of the existing tennis courts, pool, facilities management buildings, and fitness center
Required Demolition	Existing tennis courts, pool, two facilities management buildings, and fitness center, and surface parking lots	Existing tennis courts, pool, one facilities management building (the smaller, single-story of the two existing facilities management buildings), fitness center, and surface parking lots
Site Geology/Stabilization	Installation of 120 concrete soldier piles for site stabilization	Installation of 27 or fewer concrete soldier piles for site stabilization (a 78 percent reduction from the Project)
Grading Cubic Yards	10,699 cubic yards of cut and approximately 9,825 cubic yards of fill (a total of 20,524 cubic yards)	4,884 cubic yards of cut and approximately 4,459 cubic yards of fill (a total of 9,343 cubic yards) (a 54 percent reduction from the Project)
Concrete Cubic Yards	8,155 cubic yards of concrete	1,864 cubic yards of concrete (a 77 percent reduction from the Project)

NOTE: The physical characteristics and impacts of Alternative 5 are compared to the Project in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

SOURCE: ESA, 2021.

(2) Operational Differences Between the Project and Alternative 5

Operational changes to the Project under Alternative 5 include a reduction in the frequency of new Wellness Pavilion events and the implementation of new PDFs to address traffic concerns.

Alternative 5 would reduce the frequency of the Project's Other Wellness/Sports Activities from 48 times per year to twelve times per year (a reduction of 75 percent). With Other Wellness/Sports Activities occurring up to twelve times per year and Health and Wellness Speaker Series occurring up to eight times per year under Alternative 5, the frequency of any traffic impacts associated with Alternative 5 during the school year would be reduced to a maximum of 20 new events.

Alternative 5 would implement modified versions of PDF-TRAF-1, PDF-TRAF-2, and PDF-TRAF-7, and would implement new PDF-TRAF-9 through PDF-TRAF-18. The Project's PDF-TRAF-8, which imposed a daily limit of 400 outside guests for new Wellness Pavilion events, has been eliminated in Alternative 5 because the new PDFs impose a restrictive trip cap, as opposed to guest limit, that will result in a substantial reduction in trips as compared to the Project. Further, under both the Project and Alternative 5, MM-TRAF-1 would be revised to no longer require an off-site parking program and shuttle for construction workers, as all construction workers would be required to park on the Campus.

The revised and new PDFs are provided in their entirety in Chapter III, Section 4, *Other Revisions, Clarifications, and Corrections*, and in Chapter IV, *Mitigation Monitoring Program*, of this Final EIR. Please refer to these sections for the full text of the revised and new PDFs.

Key features of PDF-TRAF-9 through PDF-TRAF-18 are summarized below.

- PDF-TRAF-9 requires MSMU to maintain a publicly accessible events calendar that will identify all Campus events with more than fifty outside guests.
- PDF-TRAF-10 requires a parking reservation/ticketing system and prohibits entry onto the Campus for outside guests of new events that do not use the system. No additional reservations/tickets shall be issued once applicable attendance or trip cap limits are reached.
- PDF-TRAF-11 requires all Other Wellness/Sports Activities and Health and Wellness Speaker Series events to begin and end at times that would ensure no outside guests would travel to or from the event between 7:00 to 9:00 AM and 4:00 to 7:00 PM.
- PDF-TRAF-12 imposes a 310 outside guest vehicle trip cap applicable to Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports. It also provides that the trip cap is applicable to TNCs (such as Uber or

Lyft), and that TNC reservations made through the parking/reservation system will count as two trips for each arrival to or departure from Campus.

- PDF-TRAF-13 requires shuttles or carpools when more than 50 campers are anticipated at Summer Sports Camps, and places restrictions on allowable trips during peak periods that are designed to reduce traffic impacts to a level of less than significant.
- PDF-TRAF-14 imposes a daily vehicle trip cap of 236 for Summer Sports Camps.
- PDF-TRAF-15 requires that two existing MSMU events, Homecoming and Athenian Day, be held only on weekends.
- PDF-TRAF-16 requires that Club Sports activities scheduled during the week not begin prior to 7:30 PM, eliminating peak hour trips associated with outside guests for Club Sports, and also requires MSMU to inform outside guests of this limitation and the limitations in PDF-TRAF-10 and PDF-TRAF-12.
- PDF-TRAF-17 requires that MSMU maintain a policy prohibiting entry on to the Campus for all pedestrians (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip). This restriction on pedestrian access will ensure that it is not possible for outside guests to park on streets in the vicinity of the Campus and then walk onto Campus. Together with the reduction of on-Campus parking spaces, the elimination of any potential for parking in the community will further MSMU's goals to reduce single-occupancy vehicle dependency and encourage use of public transportation, MSMU shuttles, and car-pooling where feasible.
- PDF-TRAF-18 requires MSMU to limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus.

With implementation of Alternative 5's PDFs all operational-related traffic impacts would be reduced to a level less than significant.

(3) Differences in Levels of Environmental Impact Between the Project and Alternative 5

Alternative 5 would reduce the Project's significant and unavoidable operational traffic impacts identified in the Draft EIR to a level of less than significant. With respect to construction traffic impacts at study intersections, these would remain less than significant after implementation of MM-TRAF-1, similar to the Project. With respect to the Project's significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard), Alternative 5 would incrementally reduce these impacts, but they would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur. Alternative 5 would

incrementally reduce the Project's significant and unavoidable off-site construction noise impacts, but these would remain significant and unavoidable under Alternative 5. As explained in Chapter III, subsection 3, *Environmentally Superior Alternative*, and shown in Table III-15, *Comparison of Impacts Summary*, Alternative 5 would also reduce the Project's environmental impacts over a broad range of other environmental issues in the categories of Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Public Services, Tribal Cultural Resources, and Utilities.

Alternative 5's daily trip caps for new Wellness Pavilion events and activities represent a substantial reduction in operational trips as compared to the Project's Wellness Speakers Series, Other Wellness/Sports Activities, and Summer Sports Camps. The Draft EIR's Traffic Study projected up to 400 daily trips for Other Wellness/Sports Activities and Wellness Speakers Series events, and up to 480 daily trips for Summer Sports Camps under the Project. Several commenters noted that the EIR's daily trip projections were based on unsupported assumptions about carpooling and therefore the Project could, in fact, lead to 800 new daily trips for Other Wellness/Sports Activities and Wellness Speakers Series events (or even more if outside guests used TNCs). The Traffic Study assumed that campers would arrive for Summer Sports Camps via carpools with two campers in each car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns. Given that the Project's new events were social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two campers per vehicle would also account for the occasional vehicle arriving with a single camper and other vehicles arriving with more than two campers. The Traffic Study assumed an average vehicle occupancy rate of two guests per car for new school year events. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns, in which most attendees at events such as the new Wellness Pavilion events proposed as part of the Project would not arrive alone. Given that the Project's new events are social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two per vehicle also accounts for the occasional guest who drove alone and multiples arriving in a carpool. Therefore, the trip generation rates used in the Traffic Study were reasonable and supported by substantial evidence.

While the Draft EIR's Traffic Study's Summer Sports Camps ridership assumptions were supported by substantial evidence, in response to such comments, all of Alternative 5's events and activities are now subject to explicit trip caps as opposed to guest limitations to ensure that impacts will be less than significant under any ridership conditions. Explicit trip caps address concerns about any prior carpooling assumptions and will ensure that impacts are reduced to a level of less than significant under Alternative 5. The daily trip caps for new Wellness Pavilion events and activities in the new PDF-TRAF-12 and PDF-TRAF-14 would reduce Alternative 5's maximum daily trips to 310 for Other Wellness/Sports Activities and Wellness Speakers Series events, and 236 for Summer Sports Camps, respectively.

In addition, some commenters expressed concern about the growth-inducing impacts of the Wellness Pavilion, expressing their belief that the Wellness Pavilion would lead to significant traffic impacts from undisclosed operations and/or increased sports activity on Campus. The Wellness Pavilion will serve the existing students and will not lead to increased usage and/or commercialization of the Campus as was alleged by some of the commenters. MSMU would reduce average daily trips to Campus as part of Alternative 5 through PDF-TRAF-18, which in tandem with PDF-TRAF-17, will ensure that Alternative 5 will result in a reduction in average daily trips from the 2016 Project baseline.

Alternative 5 would also eliminate peak hour outside guest vehicle trips for Health and Wellness Speaker Series, Other Wellness/Sports Activities and Club Sports and place restrictions on peak hour trips for Summer Sports camps. As a result of these reductions, Alternative 5 would reduce all of the Project's operational traffic impacts to a level of less than significant.

Alternative 5 also reduces the Project's construction impacts. Under Alternative 5, the overall construction period would be reduced by two months because of the incremental reduction in floor area and the elimination of the concrete parking deck that was proposed as part of the Project. Thus, it would reduce the duration of the Project's construction activities and the time over which the Project's significant and unavoidable construction noise and traffic (street segment) impacts would occur. In addition, Alternative 5 would reduce the scale of potential impacts associated with earthwork and, as such, would further reduce the Project's less than significant impacts regarding air quality, geology, hydrology, and water quality. Construction impacts associated with the Project's less than significant impacts to archaeological and paleontological resources would also be incrementally reduced.

Because Alternative 5 would generate the same maximum number of daily and peak hour construction trips as the Project, Alternative 5 would result in similar impacts on intersection capacity criteria and neighborhood intrusion criteria for traffic at study area intersections and neighborhood street segments during construction. Alternative 5, like the Project, would implement MM-TRAF-1 which would reduce intersection capacity impacts during construction to a less than significant level.

Both the Project and Alternative 5 would result in significant and unavoidable traffic impacts during periods of peak construction at three street segments: Bundy Drive north of Norman Place, with a projected increase of 11.7 percent, exceeding the applicable impact criteria of 10 percent, Chalon Road east of Bundy Drive with an increase of 18.3 percent, exceeding the applicable impact criteria of 12 percent, and Bundy Drive north of Sunset Boulevard with an increase of 8 percent, exceeding the applicable impact criteria of 8 percent. While Alternative 5's construction period would be shorter by two months, as compared to the Project's, as stated above, both the Project and Alternative 5 would generate the same maximum number of daily construction trips, and thus impacts to three street segments would remain significant and unavoidable.

(4) Neither Alternative 5 Nor Any Portion of the Draft Environmental Impact Report Trigger Recirculation Under the California Environmental Quality Act

As discussed in Chapter I, Introduction, of this Final EIR, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred. Specifically, new information added to an EIR is not “significant” unless it deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Because Alternative 5 would serve the same purpose as the Project, would not result in any increases in the Project’s impacts, and would not introduce new mitigation measures that would generate new environmental impacts, the inclusion of Alternative 5 in this Final EIR does not require recirculation of the Draft EIR. Likewise, no other information has been added to the Final EIR that would be deemed significant as none of it points to a substantial adverse environmental effect that has not previously been disclosed.

In order to give a degree of finality to EIR documentation, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred, but before the EIR is certified.¹ The State CEQA Guidelines define “significant new information” as changes to an EIR which “deprive[] the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”² The State CEQA Guidelines further provide four examples of categories of “significant new information,” as follows:

1. “A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043).”

¹ California Public Resources Code Section 21092.1 and State CEQA Guidelines Section 15088.5.

² CEQA Guidelines Section 15088.5 (a)

State CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”³

The addition of Alternative 5 to this Final EIR does not constitute “significant new information” pursuant to State CEQA Guidelines Section 15088.5 because it does not “deprive[] the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement,”⁴ nor does it fall into any of the four categories of “significant new information” provided in State CEQA Guidelines Section 15088.5(a).

Alternative 5 does not fall into Category 1 because implementing Alternative 5 and its PDFs would not result in any new significant environmental impacts. Alternative 5 does not fall into Category 2 because it would not result in a substantial increase in the severity of any environmental impacts. Rather, as discussed in Chapter III of this Final EIR, under Alternative 5, the Project’s significant and unavoidable construction off-site noise and traffic impacts would be incrementally reduced and the Project’s significant and unavoidable operation traffic impacts would be reduced to a level of less than significant. As discussed in detail in Chapter III, Alternative 5 would not increase the Project’s levels of impacts in any of the analyzed environmental factors, and would reduce the Project’s level of impacts over a broad range of environmental issues in the categories of Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Public Services, Transportation/Traffic, Tribal Cultural Resources, and Utilities.

Alternative 5 does not fall into Category 3 because Alternative 5 would be the Environmentally Superior Alternative and would reduce most of the significant environmental impacts of the Project, as evaluated in Chapter III. Further, similar to Alternative 5, Alternative 4, which was included in the Draft EIR, also proposed trip caps as a means to reduce the Project’s significant and unavoidable operational traffic impacts.

Alternative 5 is a feasible alternative that would avoid or substantially lessen the significant environmental effects of the Project, in keeping with the legislative intent of CEQA.⁵ Therefore, the introduction of Alternative 5 into this Final EIR does not fall into Category 3 because while it does represent a feasible project alternative that would lessen the significant environmental impacts of the Project, if recommended by the City for approval, MSMU has stated that they would not decline to adopt it.

Alternative 5 does not fall into Category 4 because the Draft EIR provided a comprehensive analysis of the environmental issues determined to have potentially

³ CEQA Guidelines Section 15088.5 (b)

⁴ CEQA Guidelines Section 15088.5 (a)

⁵ Public Resources Code Section 21002

significant impacts following completion of the Project's Initial Study and EIR scoping process, and that analysis is also applicable to Alternative 5. Technical analysis was provided by experts in their respective fields for those issues evaluated in the Draft EIR, where necessary. Responses to the Draft EIR comment letters were prepared in accordance with CEQA Guidelines Section 15088 and have been provided in Chapter II of this Final EIR. The responses clarify information and analysis presented in the Draft EIR, with corrections and additions provided in Chapter III. The Draft EIR also comprehensively evaluated the Project and Alternatives 1 through 4. As explained further in Chapter III, Alternative 5 was specifically designed to lessen or eliminate the Project's significant environmental impacts. As analyzed in Chapter III, Alternative 5 does not have any additional significant impacts other than those already disclosed under the Project in the Draft EIR, nor does Alternative 5 have any impacts of a different type or character from those studied under the Project in the Draft EIR. Alternative 5 would implement limitations on daily trips during the school year and the summer that are similar, but more restrictive, than those studied as part of Alternative 4 in the Draft EIR, but a complete analysis of Alternative 5's specific traffic impacts is also included in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR. Therefore, the analysis of the Project's impacts in the Draft EIR applies to Alternative 5, providing the public with a meaningful chance to evaluate and comment on all of the potential impacts of Alternative 5.

For the reasons explained above, no new significant information is introduced in the Final EIR that would warrant recirculation as set forth in CEQA Guidelines Section 15088.5. Therefore, recirculation of the Draft EIR is not required.

b) Topical Response No. 2: Scope of the Project and Alternative 5

All responses in this Topical Response No. 2 apply equally to both the Project and Alternative 5. Accordingly, for simplicity, "the Project" is used in this Topical Response No. 2 to describe both the Project in the Draft EIR and Alternative 5 in this Final EIR, unless a distinction is necessary in the explanations below.

Several comments on the Draft EIR raised concerns about existing MSMU operations and the Project scope evaluated in the Draft EIR, including suggestions that existing MSMU operations be considered within the Project scope. Under CEQA, a project is defined as "the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies."⁶ A project does not include a proponent's entire enterprise for which approvals are not required for continued operation.⁷ As explained further below, the Draft EIR appropriately evaluated the entire Project scope. Some of those commenters point to the recent entitlement processes for

⁶ CEQA Guidelines § 15378(c)

⁷ See, e.g., *Citizens for E. Shore Parks v. California State Lands Com.* (2012) 202 Cal.App.4th 549, 565, as modified on denial of reh'g (Jan. 27, 2012)

two high schools in the Brentwood community to support their position that campus-wide operations must be studied in the EIR. Those schools, however, were seeking approval of master plans or campus-wide building projects for their campuses, which entailed significant changes to their existing approvals and operations, including enrollment in one case.

The Project is limited to a single wellness facility and would serve the existing student body. As explained in the Draft EIR, the whole of the Project otherwise, including the demolition of existing buildings, physical improvements, operations, changes to and the addition of new periodic events, would occur on the Project Site. Operations that would occur at the Project Site, and the distinction between the Wellness Pavilion's operations and non-Wellness Pavilion Campus operations, were described in detail and evaluated throughout the Draft EIR. As stated above, the Project would not result in an increase in student enrollment and/or permit any operational changes to the Campus other than those described in the Draft EIR and this Final EIR.

Chapter III, Section 2, *Alternative 5*, of this Final EIR includes a detailed description of the physical changes and activities that would be included as part of Alternative 5. Apart from the physical and operational modifications from the Project identified therein, Alternative 5 has a scope that is consistent with that of the Project, including with respect to the Project Site and the daily operations of the Wellness Pavilion. Differences between existing events with potential changes and potential new events/activities under Alternative 5 are discussed in detail in Chapter III, Section 2, *Alternative 5*, of this Final EIR. Like the Project, Alternative 5 would not result in an increase in student enrollment and/or permit any operational changes to the Campus other than those described in the Draft EIR and this Final EIR.

Several commenters maintained that the Draft EIR did not provide a detailed description of the Project's operational events and activities. As required under CEQA, Chapter II, *Project Description*, of the Draft EIR, identifies the activities that would be included as part of the Project, and require discretionary approval from the City. An overview of the Wellness Pavilion's daily operations is provided in Chapter II, *Project Description*, Section II-6(a), of the Draft EIR. A complete description of existing events, existing events with potential changes and potential new events/activities is discussed in Chapter II, *Project Description*, in Sections II.3(d) (Page II-13), II.5 (Page II-17) and II.6(e) (Pages II-34-38). As discussed on Pages II-34 through II-38 of the Draft EIR, the Project would allow for an increased number of attendees at two existing events currently held on Campus—Homecoming and Athenian Day. However, those events have been moved to weekends as part of Alternative 5. Additionally, as shown in Table II-4, on Pages II-35 through II-37, Summer Sports Camps, a Health and Wellness Speaker Series, and Other Wellness/Sports Events/Activities, would be held at the Wellness Pavilion.

Certain commenters allege that the Project includes the Carondelet Center, located at 11999 W. Chalon Road (APN 4429-003-034). Page II-2 of Chapter II, *Project Description*, of the Draft EIR, explains that the Carondelet Center is “a facility that serves as the

provincial headquarters for the Sisters of St. Joseph of Carondelet, a separate entity from MSMU.” As described in the Draft EIR, the Project Site does not physically encompass the Carondelet Center, and the Carondelet Center is not part of the Project and/or part of the Campus. As shown in Figure II-2, of the Draft EIR, the Project would occupy a 3.8-acre portion of the Campus. A complete description of the proposed physical improvements are provided in Chapter II, *Project Description*, Section II-6(a) through (d), of the Draft EIR.

c) Topical Response No. 3: Traffic Impacts

A substantial number of comment letters expressed concern with regard to the Project’s traffic impacts, particularly those impacts determined to be significant and unavoidable. The Project’s traffic impacts are fully discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and the *Mount Saint Mary’s University Wellness Pavilion Transportation Impact Analysis* (Traffic Impact Analysis). Alternative 5’s traffic impacts are fully discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR. The Draft EIR disclosed that the Project would result in the following significant and unavoidable traffic impacts:

- Construction Traffic Impact at the following street segments (Summer and School Year):
 - Bundy Drive north of Norman Place
 - Chalon Road east of Bundy Drive
 - Bundy Drive north of Sunset Boulevard
- School Year Operation Traffic impacts at the following intersections:
 - Bundy Drive & Sunset Boulevard (5:00 PM to 6:00 PM and 6:00 PM to 7:00 PM)
 - Saltair Avenue & Sunset Boulevard (5:00 PM to 6:00 PM and 6:00 PM to 7:00 PM)
 - Barrington Avenue & Sunset Boulevard (all peak hours)
 - Church Lane & Sunset Boulevard (AM peak hour)
- School Year operation traffic impacts at the following street segments:
 - Chalon Road east of Bundy Drive
 - Chalon Road west of Norman Place
 - Norman Place north of Bundy Drive
- Summer operation traffic impacts at the following intersections:
 - Bundy Drive & Sunset Boulevard (3:00 PM to 4:00 PM)
 - Saltair Avenue & Sunset Boulevard (3:00 PM to 4:00 PM)
 - Barrington Avenue & Sunset Boulevard (AM peak hour and 3:00 PM to 4:00 PM)

- Summer operation traffic impacts at the following street segments:
 - Bundy Drive north of Norman Place
 - Chalon Road east of Bundy Drive
 - Chalon Road west of Norman Place
 - Norman Place north of Bundy Drive
 - Bundy Drive north of Saltair Avenue
 - Bundy Drive north of Sunset Boulevard

Alternative 5 would reduce all of the Project's significant and unavoidable operational traffic impacts identified in the Draft EIR to a level of less than significant. Both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Alternative 5 would incrementally reduce the Project's construction impacts at neighborhood street segments, but these impacts would remain significant and unavoidable, as follows:

- Construction Traffic Impact at the following street segments (Summer and School Year):
 - Bundy Drive north of Norman Place
 - Chalon Road east of Bundy Drive
 - Bundy Drive north of Sunset Boulevard

This topical response is intended to address and clarify the issues regarding the Project's traffic impacts, including: (1) Existing Traffic Conditions, (2) Construction Traffic Impacts, (3) Operation Traffic, and (4) Intermittent Character of Wellness Pavilion Traffic. Sections (2) through (4) include a subsection that discusses differences between the traffic impacts of the Project and Alternative 5, as applicable. Section (1) discusses the Draft EIR's analysis of existing traffic conditions, which is applicable to both the Project and Alternative 5.

(1) Existing Traffic Conditions

Many commenters expressed concern regarding the area's existing traffic conditions. Section IV.K, *Transportation and Traffic*, of the Draft EIR and the *Pavilion* Traffic Impact Analysis included as Appendix I of the Draft EIR, describes the existing traffic conditions, including congestion or high daily counts, at Study Area intersections and neighborhood streets (refer to pages IV.K-10 through IV.K-16 of the Draft EIR). Existing intersection service levels (LOS) are presented in Tables IV.K-2 and IV.K-3 of the Draft EIR. Detailed information about existing baseline vehicle trips during the school year and summer is shown in Tables IV.K-11 (school year) and IV.K-12 (summer) of the Draft EIR. As discussed in the Draft EIR (see page IV.K-11), field observations during the school year and summer months indicated that three intersections along Sunset Boulevard

experienced acute traffic congestion during the afternoon peak traffic period on certain approaches of the intersection, resulting in a reduced number of vehicles traversing the intersection. This reduction in vehicle throughway was determined to inaccurately reflect the existing LOS experienced by motorists along the following three study intersections:

- Intersection No. 3: Bundy Drive and Sunset Boulevard
- Intersection No. 4: Saltair Avenue and Sunset Boulevard
- Intersection No. 5: Barrington Avenue and Sunset Boulevard

In other words, a very high level of traffic congestion during the afternoon peak period at these intersections meant that traffic flow was reduced and fewer vehicles were able to get through those intersections. Therefore, counts made in the typical fashion at those intersections were artificially suppressed to a level below the true demands and did not accurately reflect the high level of congestion or LOS. In situations such as this, the practice of LADOT, in accordance with LADOT's Traffic Impact Analysis Guidelines, is to apply a mathematical adjustment in the LOS calculation designed to make the LOS calculations more accurate. LADOT methodology allows for the override of intersection capacity at acute traffic congested locations to reflect the operating conditions that are observed in the field and subsequently experienced by motorists. This approach was followed for the Project's Traffic Impact Analysis. In consultation with LADOT, reduced capacity denominators were used to reflect conditions where acute traffic congestion has led to underestimated congestion during the 5:00 PM to 6:00 PM hour and 6:00 PM to 7:00 PM hour during the school year analysis and 3:00 PM to 4:00 PM hour and 5:00 PM to 6:00 PM hour during the summer analysis. The reduced capacities were calculated based on observations of flows at the above intersections. Worksheets for these intersections, including the reduced capacity denominators, are included in Appendix D of the Traffic Impact Analysis (Appendix I of the Draft EIR). Although 11 of 14 study intersections operate at LOS D⁸ during morning and afternoon/evening peak hours, the intersections of Sunset Boulevard at Bundy Drive and Saltair Avenue operates at LOS F⁹ during the 5:00 PM to 6:00 PM peak hour and the intersection of Sunset Boulevard and Barrington Avenue operates at LOS F between the peak hours of 5:00 PM and 7:00 PM.

In consultation with LADOT regarding neighborhood streets, ten local, neighborhood street segments were selected for evaluation. The selection of neighborhood street segments, which reflect an entire roadway between intersections, includes those streets that are anticipated to experience increased vehicle traffic between the MSMU Campus and Sunset Boulevard. The streets that are not directly located between the MSMU Campus and Sunset Boulevard are evaluated for the potential for cut-through or indirect vehicle traffic increases. The street segments selected for analysis include Bundy Drive,

⁸ LOS D is defined as "fair," in which delays may be substantial during portions of the rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive backups.

⁹ LOS F is defined as "failure," in which backups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. This results in tremendous delays with continuously increasing queue lengths.

Norman Place, and Chalon Road along the primary access route to/from the Campus and streets along other more circuitous routes such as Benmore Terrace, Bowling Green Way, Saltair Avenue, and Barrington Avenue that could also be used. Twenty-four-hour machine counts were conducted at each segment listed below. These street segments are shown in Figure 6 in the Traffic Impact Analysis and include the following:

- A. Bundy Drive north of Norman Place
- B. Chalon Road east of Bundy Drive
- C. Chalon Road west of Norman Place
- D. Norman Place north of Bundy Drive
- E. Bundy Drive north of Saltair Avenue
- F. Benmore Terrace between Bundy Drive and Saltair Avenue
- G. Bowling Green Way north of Sunset Boulevard
- H. Bundy Drive north of Sunset Boulevard
- I. Saltair Avenue north of Chaparal Street
- J. Barrington Avenue north of Chaparal Street

Of these streets, Bundy Drive, Norman Place, and Chalon Road provide the primary access to the Campus north of Sunset Boulevard. In accordance with the City's 2035 Mobility Plan designations, the Draft EIR describes these streets as "local," with one through lane in each direction (see pages IV.K-8 and IV.K-9 of the Draft EIR). On-street parking is permitted on both sides of Bundy Drive north of Sunset Boulevard, except between Chalon Road and Norman Place, where on-street parking is provided on the west side of the road but restricted on the east side. Chalon Road provides one lane in each direction and on-street parking on both sides of the road between Norman Place and the Campus driveway, with no parking on either side between the Campus driveway and Bundy Drive. Norman Place provides one lane in each direction with on-street parking provided intermittently along the roadway, depending on the available right-of-way.

As discussed in the Draft EIR (page IV.K-35), the determination of impacts for neighborhood streets is based on a certain percentage increase of vehicle trips on neighborhood streets that experience daily traffic loads ranging from 1,000 vehicles per day to over 3,000 vehicles per day. The higher the traffic on the street, the lower the percentage of increase is needed to trigger a significant impact. At an existing level of 1,000 to 1,999 vehicles per day, a 12 percent increase would constitute a significant impact; at an existing level of 2,000 to 2,999 vehicles per day, a 10 percent increase would constitute a significant impact; and at an existing level of 3,000 vehicles or more per day, an 8 percent increase would constitute a significant impact. As well as illustrating the extent of existing conditions, existing vehicle traffic loads on local streets determine the potential for significant impacts that are of concern to the surrounding community.

(2) Construction Traffic Impacts

Commenters expressed concerns regarding the Project's construction traffic impacts and raised the possibility that construction traffic could be reduced. Set forth below is a discussion of construction traffic impacts for the Project, followed by construction traffic impacts for Alternative 5. At the outset, it is important to clarify that the Draft EIR took a conservative approach and analyzed the Project's construction traffic impacts against the operative threshold. Further, under CEQA, a project may be deemed to have significant operative-related impacts based on the applicable threshold being exceeded on just one day. For example, on a day when a project would have significantly more construction traffic due to a concrete pour, that single day may result in the entire project being considered as having a significant construction traffic impact even if the threshold of significance is not exceeded on any other day. As such, the discussion below analyzes the Project's construction traffic impacts against the operative threshold, but also notes if these impacts would be reduced as a result of other non-threshold factors (e.g., a reduction in total construction days). It should be noted that LADOT does not consider construction traffic impacts to intersections when determining the threshold of significance for construction traffic, and has not required such an analysis. MSMU chose to undertake this additional analysis as a conservative approach.

A discussion of the Project's construction traffic impacts is set forth below to describe the analysis completed in the Draft EIR in compliance with the requirements of CEQA, and to facilitate a comparison to Alternative 5's traffic impacts.

(a) *The Project's Construction Traffic Impacts*

As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts on neighborhood street segments at Chalon Road and Bundy Drive during construction. As explained in Section IV.K, *Transportation and Traffic*, of the Draft EIR, impacts at study area street intersections under the Project would be reduced to a less than significant level through the implementation of Mitigation Measure MM-TRAF-1.

Commentators raised questions regarding the number of truck trips anticipated during construction of the Project. The traffic analysis in the Draft EIR appropriately converted construction trucks into PCE for analysis purposes, in which PCE factors ranging from 1.0 to 2.0 were used to convert light to heavy vehicles to PCE trips. Hauling hours would occur from 7:00 AM to 3:00 PM and are expected to be spread throughout the day. During Phase IV (Concrete Pouring), concrete trucks trips are assumed to occur between 7:00 AM and 5:00 PM. Construction phases are provided in Table II-3, below.

The construction phases with the highest number of actual trucks per day are Phase II (Demolition), (up to 41 truckloads per day for 1.5 months) and Phase IV (Concrete Pouring), (up to 60 truckloads per day for up to 75 total days). Phase VII (Site Concrete & Asphalt Paving) would have up to 20 truckloads per day, and all other phases would have between only one and five truckloads per day (see Table IV.K-7 in the Draft EIR).

Spread across an entire workday, the truck activity would not be a constant stream, even during the heaviest phases.

The analysis of the Project's peak construction traffic in Section IV.K of the Draft EIR finds that the highest number of trips during a peak hour would occur during the overlap of Phase IV (Concrete Pouring) and Phase V (Building Construction - Structural Steel). The maximum AM peak hour trip generation would total 66 total AM peak hour PCE trips (40 inbound/26 outbound). During the PM peak hour, peak construction activity would occur during the overlap of Phase VI (Building Construction - Framing/Walls/Finishes) and Phase VII (Site Concrete and Asphalt Paving). The maximum PM peak hour trip generation would total 46 total PM peak hour PCE trips (0 inbound/46 outbound).

The Project's highest level of daily construction trips would occur during the overlap of Phase VI (Building Construction - Framing/Walls/Finishes) and Phase VII (Site Concrete & Asphalt Paving) with a daily maximum of 330 PCE trips. The overlap of Phase IV (Concrete Pouring) and Phase V (Building Construction - Structural Steel) would have a similar daily maximum of 326 PCE trips. Due to the projected vehicle mix of large construction vehicles and employees during the overlap of Phase IV Concrete Pouring and Phase V (Building Construction - Structural Steel), the number of impacted locations is greater; therefore, the overlap of these phases was used for the impact analysis determination.

The Project's peak daily trips of 330 PCE truck trips would occur only on days in which pouring was taking place. Each period during which pouring was taking place, known as a "pour," would last fifteen days or less. During Phase IV (Concrete Pouring), which is anticipated to last seven months, various pours would be conducted for a collective total of up to 75 days of concrete pouring (including approximately 12 days of maximum truck traffic).

The Draft EIR analyzed the construction phases with the potential to generate the highest levels of trips. The construction traffic impacts identified in the Draft EIR would not occur continuously throughout the construction period but are anticipated to occur in sequences, some of which are anticipated to overlap.

Daily significant and unavoidable impacts on neighborhood streets are projected to occur during peak daily construction activity during the overlap of Phase VI (Building Construction - Framing/Walls/Finishes) and Phase VII (Site Concrete & Asphalt Paving) with a daily maximum of 330 PCE trips, the highest daily traffic period.

(b) Alternative 5's Construction Traffic Impacts

Alternative 5 would reduce the overall amount of construction activity required to complete the Wellness Pavilion and parking. With Alternative 5's reduced floor area, elimination of the two-story concrete parking deck, and reduction in concrete pilings from 120 under the Project to 27 or fewer under Alternative 5, the duration of Phase IV (Concrete Pouring) and days of activity would be reduced by at least 10 percent as compared to the Project. General reductions in the duration of the construction phases is provided in **Table II-3, Duration of Construction Phases – Alternative 5 Compared to the Project**. However,

during construction of Alternative 5, daily maximum truck traffic would be similar to that of the Project, and would result in similar significant and unavoidable construction traffic impacts at the following three neighborhood street segments:

- Bundy Drive north of Norman Place
- Chalon Road east of Bundy Drive
- Bundy Drive north of Sunset Boulevard

As evaluated in detail in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the duration (total number of days) of the Project's Phase IV (Concrete Pouring) and the duration of overlap with other phases in which heavier construction traffic is anticipated. Thus, Alternative 5 would reduce the overall construction period in which both the Project and Alternative 5's significant and unavoidable construction traffic and noise impacts occur. However, even with this reduction, Alternative 5 will cause significant and unavoidable construction noise impacts along Chalon Road during Phase IV (Concrete Pouring), and will cause significant and unavoidable construction impacts at the three street segments referenced above.

TABLE II-3
DURATION OF CONSTRUCTION PHASES – ALTERNATIVE 5 COMPARED TO THE PROJECT

Construction Phase	Project ^a	Alternative 5	Reduction
Phase I – Site Preparation	1 month	1 month	0%
Phase II – Demolition	1.5 months (6 weeks)	1.3 months (5 weeks)	15%
Phase III –Grading	1.5 months	1.5 months	0%
Phase IV – Concrete Pouring	7 months ^b	5.6 to 6.3 months	10 - 20%
Phase V – Building Construction (Structural Steel	3 months	3 months (with minimal reduction)	0%
Phase VI – Building Construction (Framing/Walls/Finishes)	9 months	8 months	10%
Phase VII – Paving	6 months	5.4 months	10%
Total months (taking into account overlapping phases)	22 months	20 months	10%

NOTES:

^a Includes revisions to the length of certain construction phases as they were stated in the Project Schedule of Construction Activity on page 62 of Appendix I, *Transportation and Traffic*, of the Draft EIR

^b Concrete pouring activities would be intermittent, in which various concrete pours would be conducted for a total collective of approximately 75 days under the Project, and a total collective of approximately 60 to 67 days under Alternative 5.

SOURCE: Illig Construction Company, 2020.

(3) Operation Traffic Impacts

The discussion of the Project's operation traffic impacts is set forth below to describe the analysis completed in the Draft EIR in compliance with the requirements of CEQA, and to facilitate a comparison to Alternative 5's impacts.

(a) *The Project's Operation Traffic Impacts (School Year)*

A large number of comments received on the Draft EIR expressed concern regarding the Project's projected operation traffic impacts on existing congestion at Sunset Boulevard and Bundy Drive, as well as existing high daily traffic on local streets. As discussed in the Draft EIR Section IV.K, *Transportation and Traffic*, the Project would result in significant traffic impacts at four study area intersections and three neighborhood street segments under Future plus Project (School Year) conditions during the school year. The specific impacts were:

- School Year Operation Traffic impacts at the following intersections:
 - Bundy Drive & Sunset Boulevard (5:00 PM to 6:00 PM and 6:00 PM to 7:00 PM)
 - Saltair Avenue & Sunset Boulevard (5:00 PM to 6:00 PM and 6:00 PM to 7:00 PM)
 - Barrington Avenue & Sunset Boulevard (all peak hours)
 - Church Lane & Sunset Boulevard (AM peak hour)
- School Year operation traffic impacts at the following street segments:
 - Chalon Road east of Bundy Drive
 - Chalon Road west of Norman Place
 - Norman Place north of Bundy Drive

(b) *Alternative 5's Operation Traffic Impacts (School Year)*

Alternative 5 reduces all of the Project's significant and unavoidable operational intersection and street segment impacts listed above to a level of less than significance (see Chapter III, *Revisions, Clarification, and Corrections*, of this Final EIR). The complete text of Alternative 5's new PDFs and a detailed discussion of how they would reduce these impacts can be found in Chapter III, Section 2, *Alternative 5*.

With respect to school year operational intersection impacts, PDF-TRAF-11 requires all Other Wellness/Sports Activities and Health and Wellness Speaker Series events to begin and end at times that would ensure no outside guests would travel to or from the event between 7:00 to 9:00 AM and 4:00 to 7:00 PM. This PDF would reduce all of the Project's school year operational traffic impacts at the intersections identified above to a level of less than significant.

With respect to school year operational street segment impacts, PDF-TRAF-12 imposes a 310 outside guest vehicle trip cap applicable to Other Wellness/Sports Activities, Health

and Wellness Speaker Series events, and Club Sports. This PDF would reduce all of the school year operational street segment impacts identified above to a level of less than significant. It should be noted that this is an explicit vehicle trip cap as opposed to a limitation on the number of guests for each of those events. Some commenters asserted that the Draft EIR's daily trip projections were based on unsupported assumptions about carpooling, which meant that the Project's prior limit on 400 outside guests could, in fact, lead to 800 new daily trips for Other Wellness/Sports Activities and Wellness Speakers Series events (or more if outside guests used transportation network companies (TNCs) such as Uber or Lyft) if the assumed carpooling did not take place. The Traffic Study assumed that campers would arrive for Summer Sports Camps via carpools with two campers in each car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns. Given that the Project's new events were social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two campers per vehicle would also account for the occasional vehicle arriving with a single camper and other vehicles arriving with more than two campers. The Traffic Study assumed an average vehicle occupancy rate of two guests per car for new school year events. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns, in which most attendees at events such as the new Wellness Pavilion events proposed as part of the Project would not arrive alone. Given that the Project's new events are social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two per vehicle also accounts for the occasional guest who drove alone and multiples arriving in a carpool. Therefore, the trip generation rates used in the Traffic Study were reasonable and supported by substantial evidence. Although the Traffic Study's ridership assumptions were reasonable and supported by substantial evidence, Alternative 5, unlike the project, now subjects new events to daily outside guest trip caps rather than limitations on number of outside guests, which will ensure that impacts are less than significant under Alternative 5 under any ridership conditions.

PDF-TRAF-12 would be enforced through provisions in the other PDFs, including PDF-TRAF-10, which requires MSMU to institute a parking reservation/ticketing system for outside guests arriving to Campus in non-shuttle vehicles for any Other Wellness/Sports Activities, Health and Wellness Speaker Series events, or Club Sports Activities. No additional parking reservations/tickets shall be issued once the maximum permitted attendance or trip cap limits are reached.

It should be noted that Club Sports have been brought under Alternative 5's limitations for total outside guest vehicle trips included in PDF-TRAF-12, in response to comments that the Wellness Pavilion could lead to traffic increases from Club Sports even though traffic from Club Sports predates the Project and would, in fact, decrease as a result of either the Project or Alternative 5. Specifically, under existing operations, MSMU generates vehicle trips in connection with travel by students and coaches who must practice at off-site locations due to the fact that MSMU currently lacks athletic facilities for Club Sport practices. Upon completion of the Wellness Pavilion, all trips for Club Sport

practices would be eliminated since those practices could now be conducted on Campus. While Alternative 5 would enable new Club Sports events at the new Wellness Pavilion, such events would be much more limited in comparison to the number of practice days and, like the trips for practices, would not generate much traffic (approximately 20 to 40 outside guests) because, unlike intercollegiate sporting events, which would not take place on Campus, Club Sports events are typically attended primarily by participants, coaches, and occasionally friends and family of participants, and do not attract significant spectators. In addition, PDF-TRAF-16 requires that Club Sports activities scheduled during the week not begin prior to 7:30 PM, eliminating peak hour trips associated with outside guests for Club Sports, and also requiring MSMU to inform outside guests of this limitation and the limitations in PDF-TRAF-10 and PDF-TRAF-12. Together with the peak hour restrictions and the requirement that Club Sports fall under the trip cap for new events, Club Sports would not result in any significant impacts on traffic.

In addition, under Alternative 5, Health and Wellness Speaker Series would only occur up to eight times per year and Other Wellness/Sports Activities would only occur twelve times per year. This is a significant decrease from the frequency of the Project's Other Wellness/Sports Activities, which were going to take place up to 48 times per year (a reduction of 75 percent). With Health and Wellness Speaker Series occurring up to eight times per year and Other Wellness/Sports Activities occurring up to twelve times per year under Alternative 5, the frequency of any traffic impacts associated with these types of events under Alternative 5 would be reduced to 20 new events, as opposed to 56 under the Project.

Finally, commenters expressed concern about the growth-inducing impacts of the Wellness Pavilion, including their belief that the Wellness Pavilion would lead to significant traffic impacts from undisclosed operations and/or increased sports activity on Campus. All traffic generating operations that would result from the construction of the Wellness Pavilion were fully disclosed and analyzed in the Draft EIR. However, to reinforce its position that the Wellness Pavilion would only serve the existing students and would not lead to increased usage and/or commercialization of the Campus as was alleged by some of the commenters, PDF-TRAF-18 would be implemented and would reduce average daily trips to Campus as part of Alternative 5. Specifically, PDF-TRAF-18 requires MSMU to limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Together with PDF-TRAF-17, which requires that MSMU maintain a policy prohibiting entry onto the Campus for all pedestrians (with certain exceptions for pedestrians whose arrival onto Campus would not generate a vehicle trip), MSMU will be able to ensure that Alternative 5 will actually lead to a reduction in average daily trips from the 2016 Project baseline. The restriction on pedestrian access would ensure that it is not possible for outside guests to park in the community and thereby avoid being counted. Together with Alternative 5's reduction of on-campus parking spaces, the elimination of any potential for parking in the community would further MSMU's goals to reduce single-

occupancy vehicle dependency and encourage use of public transportation, MSMU shuttles, and car-pooling where feasible.

(c) *The Project's Operation Traffic Impacts (Summer)*

Many comments on the Draft EIR were concerned with Project operation traffic impacts associated with summer camps at the Wellness Pavilion. As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant traffic impacts at three study area intersections and six neighborhood street segments under Future plus Project (Summer) conditions. The specific impacts were:

- Summer operation traffic impacts at the following intersections:
 - Bundy Drive & Sunset Boulevard (3:00 PM to 4:00 PM)
 - Barrington Avenue & Sunset Boulevard (3:00 PM to 4:00 PM)
 - Barrington Avenue & Sunset Boulevard (AM peak hour and 3:00 PM to 4:00 PM)
- Summer operation traffic impacts at the following street segments:
 - Bundy Drive north of Norman Place
 - Chalon Road east of Bundy Drive
 - Chalon Road west of Norman Place
 - Norman Place north of Bundy Drive
 - Bundy Drive north of Saltair Avenue
 - Bundy Drive north of Sunset Boulevard

Summer Camp traffic is anticipated to occur on consecutive weekdays during the summer months. Traffic from Summer Camps would occur during those times of the year when the Campus is not actively occupied by students and MSMU's contributions to existing traffic conditions are lighter. As such, Summer Camp activities would not represent a year-round increase during the high-traffic cycle under either the Project or Alternative 5.

(d) *Alternative 5's Operation Traffic Impacts (Summer)*

As with school year operational traffic impacts, Alternative 5 was specifically designed to reduce the Project's operational traffic impacts during the summer to below the level of significance. As explained below and in detail in Chapter III, *Revisions, Clarification, and Corrections*, of this Final EIR, Alternative 5 will reduce all of the Project's operational traffic impacts during the summer, including the significant impacts identified at the intersections and street segments above, to a level of less than significant. The complete text of Alternative 5's new PDFs and a detailed discussion of how they will reduce these impacts can be found in Chapter III, Section 2, *Alternative 5*.

With respect to summer operational intersection impacts, PDF-TRAF-13 requires that campers attending Summer Sports Camps with more than 50 campers travel via shuttles

and/or carpools, and imposes detailed trip caps during peak periods. The number of allowable trips for each peak period would be restricted to 71 inbound and 31 outbound trips during any single hour within the weekday 7:00-9:00 AM peak period, 8 inbound and 34 outbound trips during the weekday 3:00-4:00 PM peak hour, and 3 inbound and 9 outbound trips during any single hour within the weekday 4:00-6:00 PM peak period. These trip caps were specifically designed to limit Summer Sports Camps trips during peak periods to below the applicable levels of significance. PDF-TRAF-13 would also require MSMU to provide a Campus entry reservation system when Summer Sports Camps begin or end during the AM-PM peak hours, to the satisfaction of LADOT, to log and ensure AM-PM peak period trip caps are not exceeded. These logs would be available for LADOT to audit at any time. In addition, Summer Sports Camps with up to 50 campers would be subject to the parking reservation/ticketing system in PDF-TRAF-10. Together, PDF-TRAF-13 and PDF-TRAF-10 will reduce all of the Project's summer operational traffic impacts at the intersections identified above to a level of less than significant.

With respect to summer operational street segment impacts, PDF-TRAF-14 imposes a 236 vehicle trip cap on Summer Sports Camps, applicable to all vehicles, including shuttles. As with school year operational traffic impacts, it should be noted that PDF-TRAF-14 is an explicit vehicle trip cap as opposed to a limitation on the number of attendees at Summer Sports Camps. As with school year operations, some commentators asserted that the Draft EIR's daily trip projections for Summer Sports Camps were based on unsupported assumptions about carpooling. Under Alternative 5, Summer Sports Camps would now be subject to an explicit trip cap as opposed to guest limitations. Accordingly, the 236 vehicle trip cap addresses concerns about any prior carpooling assumptions and will ensure that operational summer traffic impacts are less than significant under Alternative 5.

With respect to enforcement, PDF-TRAF-17 requires MSMU to maintain a policy prohibiting entry on to the Campus for all pedestrians (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip), which will ensure that all trips actually generated by Summer Sports Camps will be accounted for by either PDF-TRAF-10's reservation system for Summer Sports Camps with under 50 campers or PDF-TRAF-13's Campus entry reservation system for Summer Sports Camps that begin or end during the AM-PM peak hours.

(4) Intermittent Character of the Project's Operational Traffic

Comments on the Draft EIR expressed concern with a potential permanent increase in daily vehicle trips experienced by MSMU's surrounding community. As shown in Section II, Table II-4, of the DEIR, the activities associated with the Project would be intermittent and would not occur on a daily basis. As such, events held at the Wellness Pavilion would not increase traffic on a day-to-day basis. Unlike a project that creates an expansion of workforce or attracts outside guests on a daily basis, the Wellness Pavilion would be used either by existing students and faculty or would be used as an event space for outside

guests at certain times. During the school year, events drawing outside guests to the Wellness Pavilion would be Health and Wellness Speaker Series, Other Wellness/Sports Activities, and Club Sports. During the school year, the traffic impacts of the Wellness Pavilion are anticipated to occur only on days when one of these events with outside guests has been scheduled. The operational traffic impacts of the Project would therefore be intermittent in character, rather than occurring on a daily basis.

(a) *The Intermittent Character of Alternative 5's Traffic*

As a result of the decrease in new school year Wellness Pavilion events under Alternative 5, the operational traffic produced by Alternative 5 would be even more intermittent than that of the Project. Specifically, Alternative 5 would reduce the number of Other Wellness/Sports Activities from up to 48 events per year to 12 events per year (a reduction of 75 percent). This reduction in frequency of events would substantially reduce the number of days per year when new outside guest trips would be generated by Other Wellness/Sports Activities. With Health and Wellness Speaker Series occurring up to eight times per year and Other Wellness/Sports Activities occurring up to 12 times per year, Alternative 5's school year operational traffic impacts for those events would occur, on average, less than twice per month, and would remain less than significant at all times. As such, vehicles trips that would be generated by these activities would be more intermittent than under the Project, and as discussed above, Alternative 5's operational traffic impacts would be less than significant.

d) Topical Response No. 4: Emergency Access

Numerous comment letters received on the Draft EIR expressed concern regarding the ability to maintain adequate emergency access along the neighborhood streets with access to the Campus and surrounding neighborhood, including Chalon Road, Norman Place, and Bundy Drive, for the fire department and other emergency responders during construction and operation of the Project. The primary issues raised in comments and addressed in this Topical Response focus on: (1) emergency response distance of the Project Site from the nearest fire station (Station No. 19), (2) MSMU's emergency response program, (3) secondary emergency access, (4) emergency access conditions on local streets, (5) emergency access during construction, (6) emergency access during operation, and (7) personnel data for Fire Station 19. Fire Station 19 is the Project Site's nearest responder (first-due station) and serves the Project Site and the Brentwood area.

(1) Emergency Response Distance to the Project Site from the Nearest Fire Station

Comments received in response to the Draft EIR expressed concern that the Project Site exceeds the maximum emergency fire distance of 1.5 mile for an Engine Company, as established under Fire Code Section 57.507.3.3. As discussed in Section IV.J.1, *Fire Protection*, of the Draft EIR, the first-due station to the Project Site is Fire Station 19, an Engine Company located at 12229 W. Sunset Boulevard approximately 2.6 miles from the Campus. For project sites that are located beyond the 1.5-mile response distance,

the City's Fire Code requires additional fire protection features to be incorporated into a building's design to reduce the rate of a fire's progress. In the event that a project site exceeds the 1.5-mile emergency response distance, Fire Code Section 57.512, "Response Distances that if Exceeded Require the Installation of an Automatic Fire Sprinkler System," requires the installation of automatic fire sprinkler systems for buildings. Accordingly, because the Project Site's response distance would exceed the Fire Code response distance standard, the Project is required to provide an automatic sprinkler system. As discussed in the Draft EIR (see pages IV.J.1-11 and IV.J.1-33), the Wellness Pavilion would include a fire alarm and a complete hydraulically calculated automatic sprinkler system consistent with the Fire Code and in accordance with the requirements of the National Fire Protection Association (NFPA). With the installation of this system, the Project and Alternative 5 would be consistent with the Fire Code's distance standards.

In addition, the Project and Alternative 5 would comply with the list of requirements provided by the LAFD in response to the request for information that was issued for the Draft EIR. These include the following:

- Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- Submit plot plans indicating access road and turning area for Fire Department approval.
- Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- Private streets and entry gates will be built to City standards to the satisfaction of the City Engineer and the Fire Department.

- Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- Standard cut-corners will be used on all turns.
- Private roadways for general access use shall have a minimum width of 20 feet.
- Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 503 of the City of Los Angeles Municipal Code.
- No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

It should be noted that Fire Station 19 serves a large mountainous area to the north of Sunset Boulevard, to the east and west of the I-405 Freeway on the east and to Topanga Canyon State Park on the west. This large geographic area is characterized by curved, narrow, mountain roads and a variety of fire roads on which the Engine Company is equipped to access. As shown on the Station 19 map included on the LAFD's Website, the majority of the service area north of Sunset Boulevard is greater than 1.5 mile from the Fire Station.¹⁰

(2) MSMU's Emergency Response Plan

Comments were received that the activity and outside guest attendance generated by the Wellness Pavilion would create greater fire hazards to the Campus and the surrounding community. As discussed in Section J.1, *Fire Protection*, page IV.J.1-1 of the Draft EIR, MSMU maintains an Emergency Response Plan to ensure appropriate action during emergency situations. A component of the Emergency Response Plan is the existing, on-Campus Command Center, consisting of a Watch Commander, MSMU Incident Commander, Patrol Officer, Main Gate Officer, and Community Relations Officer who provide security and emergency management to ensure personal safety of students, fire

¹⁰ LAFD website at: <https://www.lafd.org/fire-stations/station-results?address=12001%20Chalon%20Road>. Accessed May 1, 2020.

prevention, evacuation management, and other duties. Watch Commanders are responsible for conducting vehicle patrols both on Campus and in the immediate surrounding area, and responding to Campus emergencies as well as regular non-emergency calls for service. The 24-hour Command Center monitors MSMU's automatic fire/life/safety systems and receives emergency calls from within the Campus. In addition to its Emergency Response Plan, MSMU also maintains a Chalon Wildfire Emergency Plan that was developed in consultation with LAFD to ensure appropriate action during wildfires.¹¹

As discussed in Draft EIR Section IV.J.1 (see pages IV.J.1-1 and 2, IV.J.1-4, IV.J.1-9, IV.J.1-18, IV.J.1-20, IV.J.1-20, IV.J.1-23 and 24, IV.J.1-31 through 34, and IV.J-65) the Campus is located within the LAFD-designated Very High Fire Hazard Severity Zone (VHFHSZ), which includes all of the City's hillside areas and the area of the Brentwood community north of Sunset Boulevard. The Draft EIR describes regulations and procedures pertinent to wildfire exposure, as well as the conditions that lead to the classification of most of the Brentwood Community west of Sunset Boulevard, including the Campus area, as a VHFHSZ. As discussed on page IV.J.1-9, the conditions for this designation include any area within the City of Los Angeles that are subject to a significant threat of fire from adjoining natural brush hillside areas as determined by the following factors: topography, infrastructure, fire protection, population density, types of construction, weather, existing fire codes and ordinances, and fire history. With respect to the VHFHSZ, the LAFD has instituted Red Flag warnings which restricts vehicle parking on surrounding roadways when winds are stronger than 25 mph and humidity is less than 15 percent in the VHFHSZ. During Red Flag warning days, posted streets must be clear of parked vehicles and residents are asked to: (1) report any signs of smoke immediately by calling 911; (2) use extreme caution when operating spark or flame producing machinery in grass or brush areas; (3) have an evacuation plan in place and identify two exit routes and, if told to evacuate by fire or police officials, do so immediately; and (4) report any suspicious activity to law enforcement.¹² Additional measures would be taken into advisement by the City and LAFD if considered important to public safety. Any evacuation orders would prevent new visitors to the Campus, service vehicles, and other activities that would otherwise increase the number of vehicles accessing the Campus, because LAFD and LAPD block vehicular entry into neighborhoods that are being evacuated.

In the event a wildfire encroaches the hills near MSMU, University Incident Commanders may call for evacuation preparation prior to receiving evacuation orders from the LAFD. In this context, "evacuation" refers to the evacuation of individual buildings to a designated location on the Campus and does not mean evacuation of the Campus itself. The call for evacuation preparation includes informing the MSMU community of the situation, and

¹¹ <https://www.msmu.edu/media/website/content-assets/msmuedu/home/student-life/campus-security/documents-/ExecSummary-ChalonWildfire.pdf>

¹² LAFD website at: <https://www.lafd.org/news/lafd-declares-red-flag-alert-tuesday-october-24-2017>. Accessed January 20, 2020.

reaching out to service providers or other sources for the most current information. Certain Campus Security personnel subscribe to a mobile application (PulsePoint), which currently incorporates LAFD dispatch. From the moment a fire is reported to LAFD, PulsePoint sends an alert with the location of the reported fire. MSMU's incident commanders are able to see the type of equipment that is dispatched as well as the number of units assigned. PulsePoint consistently provides reliable information and thus allows the University's Incident Commanders to determine the action, if any, that would be needed to prepare the student population and the community. Once the decision to evacuate individual buildings has been made, all occupants are expected to proceed to the primary evacuation location on the Campus, which is the Circle. Should this location be impacted, the secondary location is the upper parking lot area. If both locations are impacted, the Incident Commander determines the safest location available for people to seek shelter.

Once buildings have been evacuated and all individuals are congregated in the designated evacuation location, MSMU's policy is to follow the direction of LAFD based on the specific nature of the fire. In various meetings between MSMU and LAFD, and as articulated by LAFD at broader meetings with the Brentwood community in the aftermath of the November, 2019 Getty Fire, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. MSMU's shelter in place policy is consistent with that of other institutions of higher education near wildlands such as Pepperdine University in Malibu, which has successfully employed a shelter in place policy for wildfires since 1993.¹³ Sheltering in place calls for Campus occupants, including outside guests attending events at the Wellness Pavilion, to relocate to safe locations on the Campus and remain there until LAFD deems it safe to leave and provides an "all clear." Occupants would stay inside an enclosed building with windows shut to prevent sparks from entering the building, and inflammable objects would be moved away from windows to prevent combustion. Lights would be kept on within occupied buildings to make them easier to see under smoky conditions. In the event that a fire emergency occurred during a large event at the Wellness Pavilion, MSMU's shelter in place protocols would ensure that individuals are all gathered at a safe location on Campus under the direction and protection of LAFD. Campus buildings feature fire-resistant materials such as stucco and tile roofs, with little exposed wood, and MSMU's brush clearance around the campus exceeds that required by LAFD. That, together with perimeter roads that serve as natural fire breaks, make MSMU a defensible space during a fire emergency. In the November 2019 Getty Fire the adjacent Carondelet Center successfully sheltered in place during the entirety of the Getty Fire, and LAFD successfully defended the entire perimeter of the MSMU campus.

In instances when the Brentwood community is not being evacuated because a brush fire does not pose an immediate risk, and, accordingly, no emergency response vehicles are

¹³ <https://emergency.pepperdine.edu/shelter-in-place/>

traveling up the roadways north of Sunset, MSMU may choose to evacuate the Campus due to air quality or other operational considerations (as it did with the December, 2017 Skirball Fire on the opposite side of the 405).

Both the early evacuation and shelter in place strategies ensure that MSMU does not increase the number of vehicles evacuating the Brentwood community at the same time on neighborhood streets. By evacuating well before emergency vehicles are traveling to the area, or sheltering in place, MSMU allows for clear roadways for emergency vehicles entering the area and the Campus. To date, this process has facilitated the ability of fire apparatus making their way into the surrounding area or onto the Campus.

Neither the Project nor Alternative 5 would have any impact on MSMU's emergency response protocols. As with activities anywhere on Campus, activities at the Wellness Pavilion would be canceled if an evacuation order is issued prior to an event, whether preemptive by MSMU or ordered by the LAFD for the Brentwood community. The need to cancel or postpone Wellness Pavilion events would be evaluated on a case-by-case basis in consultation with MSMU Incident Commanders and/or on information provided by the LAFD/LAPD Unified Command Post. In the event that a fire emergency occurred during a large event at the Wellness Pavilion, MSMU's shelter in place protocols would ensure that individuals are all gathered at a safe location on Campus under the direction and protection of LAFD. As such, there would be no traffic associated with the Project or Alternative 5 during announced evacuation periods.

(3) Secondary Emergency Access

Several comments received during the Draft EIR comment period expressed concern that the Mount Saint Mary's Fire Road is not an adequate fire road or secondary emergency access for fire personnel or equipment. As discussed in the Draft EIR Section J.1.1, pages J.1.1-19, J.1.1-28, and J.1.1-31, *Fire Protection*, emergency access for fire personnel and equipment would be available via the Mount Saint Mary's Fire Road, a physical continuation of MSMU's driveway off-Campus to the north, or via the Getty Fire Road, which is a continuation of Chalon Road to the east. With regard to the Mount Saint Mary's Fire Road, this road is maintained by the Getty on the portion located on Getty property and by MSMU on that portion located on MSMU property, in accordance with LAFD requirements. The LAFD inspects the Mount Saint Mary's Fire Road on a regular basis and reports any issues to MSMU or the Getty regarding road conditions that need to be addressed. The LAFD, MSMU, and the Getty have keys to the Mount Saint Mary's Fire Road entrance. Having been recently used by the LAFD during the November, 2019 Getty Fire, there is no indication that the Mount Saint Mary's Fire Road is not suitable for LAFD emergency access.

(4) Emergency Access Conditions on Local Streets

Comments received during the Draft EIR comment period expressed concern that emergency access on local streets is substandard. In the preparation of the Draft EIR, a list of questions was sent to the LAFD regarding fire safety in the Project area and any

history of bottlenecks or street blockages during fire or wildfire emergencies (see LAFD Correspondence, November 7, 2016, in Appendix H, *Public Services*, pages IV.K-93 through IV.K.93 of the Draft EIR). The request for information contained maps of the Project Site and Project area, as well as ingress and egress routes within the Campus and surrounding area. In addition, the LAFD is familiar with the Campus from their many visits to the Campus for emergency response planning and coordination, as well as the November, 2019 Getty Fire. In response to the request for information, the LAFD responded that, with the implementation of recommended on-site improvements listed in the letter, along with any additional recommendations to be made during later reviews of the Project, all of which involved improvements within the Project Site, impacts to fire protection services would be reduced to an acceptable level (see Fire Department Letter, dated October 17, 2017, in Appendix H of the Draft EIR). The Truck Company (Fire Station No. 19), which serves the Brentwood Area north of Sunset Boulevard, did not indicate existing or future emergency access problems with the neighborhood streets serving the Project Site.

With respect to mountain roads, Fire Station 19 Engine Company is equipped to manage mountain roads and the types of fires that occur in wildland areas. For instance, Fire Station 19 does not have hook and ladder trucks that would, otherwise, be more suitable to an urban setting or that would have difficulty maneuvering the terrain and road conditions in the Fire Station 19 service area.

(5) Emergency Access during Construction

Comments have expressed concern regarding emergency access during specific construction phases. As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, PDF-TRAF-1 (see pages IV.K-37 and 38 of the Draft EIR), requires the preparation and enforcement of a Construction Traffic Management Program. The Project's Construction Traffic Management Program requires the contractor to maintain access for land uses in proximity to the Project Site during construction, to minimize obstruction of through traffic lanes on surrounding public streets, to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences at all times, and other measures to reduce congestion in the area. Coordination with the LAFD would include apprising the LAFD of haul truck activity, including the days, times, and routing of trucks. In addition, the Project's PDF-TRAF-3 requires MSMU to coordinate with the Archer School for Girls and the Brentwood School to coordinate the periods of heaviest construction activity in order to avoid overlapping hauling activities. Under PDF-TRAF-3, MSMU shall also provide advance notification to LADOT, the Archer School for Girls, and the Brentwood School of its upcoming construction activities, including durations and daily hours of construction. Alternative 5 incorporates all of the substantive provisions of PDF-TRAF-3, including those discussed above, in a modified PDF-TRAF-1.

Regarding LAFD capabilities, upgrades on LAFD fire apparatus include automated vehicle locating systems that facilitate the selection of alternative routes. Furthermore,

communication between the LAFD and MSMU would allow MSMU to notify the contractor and request that the contractor cease sending any vehicles along a particular route in order to not interfere with the passage of an emergency vehicle. Emergency response is also routinely facilitated, particularly for high priority calls, through driving in opposing traffic lanes. In addition, the Project's high levels of truck traffic would not be continuous over a long period of time and would be limited to specific hours on a particular day.

Alternative 5 would incrementally reduce the Project's scale of development and reduce the number of days during which traffic impacts on Study Area streets and intersections would occur. For a discussion of the reduced construction period please see Topical Response No. 1 and the evaluation of Alternative 5 in Chapter III, Clarifications, Revisions, and Corrections, of this Final EIR.

(6) Emergency Access During Operation

Comments on the Draft EIR expressed concern regarding emergency access degraded by passenger vehicle congestion. As discussed in the Draft EIR, Section IV.K, *Transportation and Traffic*, the Project would generate intermittent significant and unavoidable traffic impacts during operation at four signalized intersections on Sunset Boulevard and at several roadway segments on Bundy Drive and Norman Place. As explained in Topical Response No. 3 above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce all of the Project's significant operational traffic impacts to levels of less than significant. The Draft EIR, Section IV.J.1, *Fire Protection* analyzes impacts of vehicle trips on emergency access and discusses measures available to the LAFD to address projected street congestion and existing crowded roadways. To facilitate operation, the LAFD has developed new computer aided automated vehicle locating systems on all LAFD apparatus which allow for the selection of alternative routes to an emergency as warranted by traffic conditions. Emergency response is also routinely facilitated, particularly for high priority calls, through the use of sirens to clear a path of travel and driving in opposing traffic lanes. The LAFD's priority use of the roadway would serve to maintain adequate emergency access during the Project's high traffic periods, and the LAFD has aerial/helicopter fire-fighting operations which are not dependent on roadway access.

It should also be noted that neither the Project nor Alternative 5 would increase student enrollment or expand the size of the MSMU Campus and, as such, would not increase existing vehicle trips to the Campus by outside visitors on a daily basis. In fact, Alternative 5 would actually improve access to the Campus on neighboring streets by reducing average daily traffic. Specifically, PDF-TRAF-18 requires MSMU to limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Accordingly, any increase in vehicle trips caused by Alternative 5 would only occur during intermittent periods in which outside guests would attend specific activities at the proposed Wellness Pavilion. Other Wellness/Sports Events, which are anticipated to generate the maximum attendance of new Wellness Pavilion activities, would have occurred up to 48 times per

year under the Project, whereas under Alternative 5, Other Wellness/Sports Events would occur no more than 12 times per year. Alternative 5 would also limit the permitted maximum daily vehicle trips associated with operation of the Project and reduce the Project's significant and unavoidable operational traffic impacts to less than significant levels. Because Alternative 5 would reduce the Project's scale and frequency of activity and respective vehicle trips, as well as eliminate peak hour trips for new Wellness Pavilion events, it would further improve vehicle access at intersections and neighborhood street segments and reduce potential conflict between off-site guest vehicles and emergency vehicles.

(7) Personnel Data for Fire Station 19

Several comment letters stated that the number of staff (18) working at Fire Station 19 as stated in the Draft EIR is incorrect. The LAFD provided the personnel data for Fire Station No. 19 and four other fire stations in the region (see Fire Department Letter, dated October 17, 2017, in Appendix H, Public Services, of the Draft EIR). As indicated therein, and in Section J.1, *Fire Protection*, of the Draft EIR, Fire Station No. 19 has a staff of 18. The letter is signed by Ralph M. Terrazas, Fire Chief, and Kristin Crowley, Fire Marshal, Bureau of Fire Prevention. The total staff of 18 consists of three platoons, with six fire fighters per shift.

e) Topical Response No. 5: Alternative 3

Several comments raised concerns over whether Alternative 3 (Alternate Construction Route) met the requirements (pursuant to CEQA Guidelines Section § 15126.6(a)) to be considered a legally sufficient Alternative. These comments allege that Alternative 3 has become “infeasible” and that the Draft EIR is legally defective for including it. A series of related comments question whether the Draft EIR evaluated a reasonable range of alternatives.

An EIR must describe a reasonable range of potentially feasible alternatives to the project that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project.¹⁴ The standard for determining whether an alternative should be analyzed in an EIR is whether the alternative is potentially feasible. Subsequently the Lead Agency must determine whether the alternatives included in the EIR are actually feasible, based on the analysis in the EIR as well as factors external to the environmental analysis such as social or economic concerns.¹⁵ Additionally, the “discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to the construction of reasonableness. The statute does not demand what is not realistically possible given the

¹⁴ CEQA Guidelines § 15126.6(a), (f)

¹⁵ *Id.* at § 15125.6(a); see also *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 489 (although the respondent city ultimately rejected as infeasible several alternatives that were evaluated in an EIR, “this conclusion does not imply these alternatives were improperly included for discussion”; “[a]lternatives included in the EIR need only be potentially feasible”)

limitation of time, energy, and funds. ‘Crystal ball’ inquiry is not required.”¹⁶ This means that CEQA requires an EIR to evaluate alternatives, and assess the feasibility of those alternatives, only according to information that is reasonably available at the time of the preparation of the EIR. The CEQA Guidelines direct that the range of alternatives be guided only by the “rule of reason.” “The rule of reason ‘requires the EIR to set forth only those alternatives necessary to permit a reasoned choice’ and to ‘examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.’”¹⁷

Alternatives to the Project were evaluated in Chapter V of the Draft EIR. As described on page V-47 in Chapter V of the Draft EIR, Alternative 3 “would require construction employees and all construction-related traffic to access the Project via Getty Center Drive.” The route would “shorten the distance between the I-405 freeway and the Project Site by approximately two miles and would eliminate construction traffic from travelling along Sunset Boulevard, Bundy Drive, and Norman Place” (see page V-48). With the exception of this change in the construction route, “all other aspects of Alternative 3 would be the same as the Project” (see page V-48). This alternative was included in the Draft EIR because it had the potential to reduce vehicle trip-related impacts by reducing the distance vehicles would travel and directing construction vehicles away from certain residential streets.

Although the route identified by Alternative 3 traverses a 40-foot wide private access easement that is not generally available for public use, MSMU holds an easement over this property via an express grant dating to 1930. In addition, Getty, the owner of the real property over which this easement runs, is obligated to maintain the easement “in a safe condition for vehicular use at all times.” This obligation is documented in a covenant between the City of Los Angeles and Getty, recorded October 27, 1994 as Instrument No. 94-1949116. Thus, at the time the Draft EIR was prepared and circulated, it could reasonably be concluded that: (1) MSMU would be able to use the easement for construction; and (2) the easement was maintained in a condition that would allow it to be used safely by construction vehicles.

After the Draft EIR was released for public review and comment, it became clear to the City and MSMU that Getty disputed that MSMU still had any access rights pursuant to the easement and that Getty would not allow use of the easement for construction vehicles under any circumstances. In addition, many commenters did not view use of the Getty easement as beneficial and Getty also raised safety and operational concerns regarding use of the easement described in Alternative 3. In light of opposition from both Getty and

¹⁶ *Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; *Foundation for San Francisco’s Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 910.

¹⁷ *Mount Shasta Bioregional Ecology Ctr. v. Cty. of Siskiyou* (2012) 210 Cal.App.4th 184, 196 (quoting CEQA Guidelines § 15126.6(f))

the affected community, as well as MSMU's desire to no longer use the easement for construction vehicles, Alternative 3 has been withdrawn.

Nonetheless, Alternative 3 was properly included as an alternative as it addressed significant construction noise and traffic impacts identified in the Draft EIR and was potentially feasible at the time that the Draft EIR was published in that MSMU hoped that it would be able to resolve access issues with Getty. The fact that an alternative has been shown to be infeasible during the subsequent public comment process in no way negates the inclusion of that alternative in the first place.

Chapter V of the Draft EIR evaluates three other alternatives in addition to Alternative 3. Alternative 1 evaluates a "no Project" scenario (see pages V-4 through V-25). Alternative 2 evaluates a reduced-size version of the Project, reducing the Project's square footage by 50 percent (see pages V-26 through V-47). Alternative 4 would implement a number of measures that reduce operation traffic impacts (see pages V-64 through V-93). The evaluation of these alternatives follows an analysis of other alternatives considered and rejected as infeasible (see pages V-2 through V-4). As noted above, the CEQA Guidelines direct that the range of alternatives be guided only by the "rule of reason." The range of alternatives presented in the Draft EIR permits a reasoned choice in light of the Project's objectives.

f) Topical Response No. 6: University Entitlement History and Enrollment Cap

Numerous comments received on the Draft EIR concern the following reference to total student enrollment in connection with the Project Description, page II-12:

Per MSMU's current land use entitlement as a deemed approved conditional use, the Campus' maximum student enrollment is tied to the number of parking spaces on Campus. Specifically, condition number three of City Plan Case No. 4072 CU dated July 27, 1984 provides as follows: 'That the ratio of parking to students shall not be less than 1/4 parking spaces for each student enrolled at Mount St. Mary's College.' The Campus currently provides 561 spaces, which results in a maximum enrollment of 2,244 students (561 x 4 = 2,244).

The Project's parking component would provide an additional 55 parking spaces over existing conditions. The Project would not increase permitted student enrollment. Further as a condition of approval for the Project the 55 net new spaces will be excluded from being used to increase permitted student enrollment. Accordingly, the maximum permitted student enrollment on Campus shall remain 2,244 students.

As shown in Chapter III, *Revisions, Clarification, and Corrections*, of this Final EIR, this language has been removed from the Draft EIR as neither the Project nor Alternative 5 would increase student enrollment. The Final EIR does not take any position on student

enrollment and the Draft EIR utilized the existing student enrollment to form the baseline conditions.

Commenters on the Draft EIR stated that a previous plan approval only permitted a parking structure and did not allow for any increase in student enrollment, and thus MSMU is limited to a student enrollment of 750 students per the plan approval dated January 31, 1984. Other commenters stated that the condition included as part of Case No. 4072, which permitted the enrollment of four (4) students per every one (1) parking space, applied only to the 268 spaces approved for the parking structure, effectively capping enrollment at 1,072 students for the approved parking structure spaces, or alternatively, 948 students for the 237 spaces that were actually constructed in the parking structure.

The Final EIR has therefore removed the question of student enrollment from MSMU's proposed Wellness Pavilion as it is not pertinent to CEQA review. As stated in the Notice of Preparation (NOP) and the Draft EIR, the Wellness Pavilion would not increase student enrollment. In accordance with CEQA Guidelines Section 15125, the Draft EIR properly analyzed Project impacts by comparing the environmental conditions after implementation of the Project to the existing environmental conditions (i.e., the baseline), including with respect to existing enrollment. The proposed Project is for the Wellness Pavilion only and MSMU is not requesting any increases to its student enrollment.

When a project will not induce student enrollment growth, an analysis of enrollment is not necessary or proper under CEQA. There is no evidence that the proposed Wellness Pavilion will lead to any increase in student enrollment.

Finally, several comments received on the Draft EIR concern the legality of MSMU's current student enrollment and existing operations. None of these comments relate to the adequacy or inadequacy of any aspect of the EIR under CEQA. In accordance with PRC§§ 21002, 21002.1(a), 21061 and CEQA Guidelines §15362, the purpose of an EIR is to provide public agencies and the public with detailed information about the effect that a proposed project is likely to have on the environment, list ways in which the significant effects of a project might be minimized, and identify alternatives to the project.

Nonetheless, given several incorrect comments about MSMU's existing right to operate the Campus and MSMU's entitlements, for clarification purposes, set forth below is an overview of the establishment of the Campus and its entitlements.

MSMU currently operates at the Campus as a "deemed approved" conditional use. In 1929, pursuant to Ordinance No. 62,642 (City Planning Department Case No. 3066), MSMU was granted a zone variance to allow the establishment of a college on a then 33.3-acre site in the "A" zone, subject to the condition that "[t]he plans for [t]he buildings and the location of the same upon the land be approved by the City Council prior to the issuance of building permits." MSMU subsequently received City Council approval for a faculty building in 1939 and a library in 1946.

Revisions to the City's zoning code in 1946 designated educational institutions as conditionally permitted uses (per then-codified Los Angeles Municipal Code (LAMC) Section 12.24.B.4). These changes became effective after the 1946 approval of the MSMU library, and therefore did not apply to that approval. While these revisions imposed a conditional use requirement on future uses, they also provided for the "deemed approval" of pre-existing uses, including educational institutions such as MSMU. Thus, MSMU became conditionally permitted as a result of the zoning code revisions and the City accordingly began treating MSMU as a "deemed approved" conditional use. Deemed-approved conditional uses may be enlarged pursuant to Plan Approvals under LAMC Section 12.24 M.

As a "deemed approved" conditional use, MSMU then undertook the acquisition of an additional 17 acres in 1952. This acquisition grew the size of MSMU's Chalon Campus to approximately 50.3 acres. Several comments on the Draft EIR incorrectly state that MSMU illegally undertook educational activities on land it did not own, when in fact those activities took place on land acquired in this acquisition.

Finally, between 1964 and 1984, MSMU sought Plan Approvals for additional buildings at its now-50.3-acre Campus, including for a four-story parking structure. No additional Plan Approvals have been requested from the City until now.

g) Topical Response No. 7: Project Impact on Student Enrollment

Several comments received on the Draft EIR concern the Project's impact on student enrollment. For simplicity, "the Project" is used to also mean the "Alternative 5" in this response unless otherwise noted. The majority of these comments allege that the Project will cause student enrollment to increase beyond the existing enrollment levels, and that the Draft EIR does not take into account the environmental impact(s) associated with the alleged increase in student enrollment.

An EIR must discuss the ways in which a project could directly or indirectly foster economic or population growth or encourage development or other activities that could affect the environment. See Pub Res C §21100(b)(5); CEQA Guidelines §15126.2(d). This discussion should also describe growth-accommodating features of a project that may remove obstacles to population growth. However, nothing in the Guidelines, or in the cases, requires more than a general analysis of projected growth. See *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 369.

One example of a growth-accommodating project is a major expansion of a wastewater treatment plant that removes wastewater treatment capacity as a constraint on growth in its service area.¹⁸ As a second example, the CEQA Guidelines note that increases in population resulting from a residential project can indirectly lead to further development

¹⁸ CEQA Guidelines § 15126.2(d)

by overburdening existing community service facilities, which could in turn require construction of new facilities. A growth-accommodating impact may be precluded, however, if the infrastructure is sized to serve only the project, or the surrounding property cannot be developed because of physical or legal constraints.

As discussed in Topical Response No. 6 above, the Project would not result in any change to the existing enrollment. Moreover, the Project would serve MSMU's existing student body and is being built within an already-developed portion of the Campus. Because the Project has no causal effect on student enrollment increases or decreases, it does not qualify as a growth-accommodating project under CEQA.

Moreover, there is ample evidence in the record to demonstrate that the Project will not directly or indirectly promote population growth or construction of other new facilities. As discussed in Chapter VI, Other CEQA Considerations, regarding growth inducing effects, the Project would demolish and replace existing recreational facilities within the Project Site. The Wellness Pavilion would contain a gymnasium and other recreational and health facilities, which improves the existing function of the current recreational facilities.

The Project would not provide for, or increase, housing, nor would it increase other Campus educational facilities, such as classrooms and dormitories. As discussed in the Draft EIR, the Project replaces one existing fitness center with another. See Draft EIR at Section II-1, page II-18. The Project is not a new business park with the potential to promote subsequent residential development for relocating employees. It is not a freeway extension with the potential to promote new commercial corridor development along that extension. The Project would be constructed within the boundaries of an active university campus and is physically constrained by those boundaries. See Draft EIR Figures II-6, II-12, II-15, and II-16.

3. Responses to Comments

Letter SCH

Scott Morgan
Director, State Clearinghouse
1400 10th Street
Sacramento, 95812
(May 30, 2018)

Comment SCH 1

Dear Kathleen King:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 29th, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

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

Response to Comment SCH 1

The comment does not include any statement regarding the content or adequacy of the Draft EIR. The notification that the State Clearinghouse received and submitted the Project Draft EIR to state agencies for review is acknowledged.

Brentwood Homeowners Association and Brentwood Community Council (BHA)

Comments BHA 1 to BHA 52 are from Letter dated June 12

Comment BHA 1

Dear Ms. King.

Please acknowledge by reply email receipt of the attached comment letter regarding the MSMU Draft EIR, submitted on behalf of the Brentwood Community Council and the Brentwood Homeowners Association.

For your convenience, and to ensure proper delivery of the 134-Page letter and attachments, a dropbox link of the attached document is included below.

Thank you.

Response to Comment BHA 1

The receipt of the Brentwood Homeowners Association (BHA) and Brentwood Community Council (BHA) comment letter is acknowledged.

Comment BHA 2

Dear Ms. King,

These comments on the Draft EIR for the above referenced Project are submitted jointly by The Brentwood Homeowners Association (“BHA”) and the Brentwood Community Council (“BCC”). BHA represents approximately 3,200 single-family homes within the 90049 neighborhood surrounding the Project. Our members live on the narrow residential streets that are most impacted by vehicles travelling between Sunset Blvd and the Project. The BCC is the broadest based Brentwood community organization, representing approximately 50,000 stakeholders of the 90049 neighborhood. The BCC includes homeowners’ associations, multi-family residential dwellers, business organizations, schools, religious groups, volunteer service groups, public safety and environmental organizations.

Response to Comment BHA 2

The information regarding the membership of the BHA and BCC is acknowledged and incorporated, herein, as part of the administrative record for the consideration of Project decision-makers.

Comment BHA 3

INTRODUCTION

Mount Saint Mary's University ("MSMU") is located in a quiet residential neighborhood in Brentwood approximately two miles north of Sunset Boulevard. The school can only be accessed through winding and narrow residential streets. MSMU's site is zoned not for commercial or school use, but for very low density residential use and the surrounding area is exclusively residential. The school operates as a conditional use in recognition that it could have potential adverse impacts on its surroundings. It does not operate by right within the zone.

Sunset Boulevard is the primary access route to MSMU. It is shared by seven other schools - Archer School for Girls, Brentwood School East Campus, Brentwood School West Campus, St. Martin of Tours School, Sunshine Preschool, University Synagogue School and Kenter Canyon School. Sunset is one of the most gridlocked streets in Los Angeles. As is noted in the Draft EIR, the intersections of Bundy Drive/Sunset Blvd, Saltair Ave/Sunset Blvd, 26th Street/San Vicente Blvd, Mandeville Canyon Road/Sunset Blvd, and Kenter Ave/Sunset Blvd all operate at a Level of Service ("LOS") D or worse during AM or PM peak period. While not included in the Draft EIR for this Project, the intersections of Barrington Place/Sunset Blvd, Barrington Ave/Montana Ave, San Vicente Blvd/Montana Ave, Barrington Ave/Wilshire Blvd, and San Vicente Blvd/Federal Ave/Wilshire Blvd. also operate at a LOS D or worse.¹

Traffic in the area is so bad that our Councilman Mike Bonin (Council District 11) has stated that any schools that undertake construction projects requiring City Council approval must reduce their traffic below today's levels.² The community and CD-11 worked with the Archer School for Girls and Brentwood School to establish agreements under which these schools agreed to reduce their peak hour traffic in return for Project approval. However, not only has MSMU not agreed to reduce traffic, it proposes significantly increasing traffic impacts after completing this Project.

¹ These intersections were in the study areas of the DEIRs for Brentwood School (2015) and the Archer School for Girls (2014).

² Councilman Bonin has referred to this as his "Sunset Standard."

Response to Comment BHA 3

The comment expresses concern over traffic conditions in the surrounding area, but does not raise any issues with respect to the content and adequacy of the Draft EIR. The Draft EIR includes a traffic study approved by the Los Angeles Department of Transportation (LADOT), which identifies existing service levels at Study Area intersections and defines the impact of the Project at those intersections. The comment references the intersections of Barrington Place/Sunset Blvd, Barrington Ave/Montana Ave, San Vicente Blvd/Montana Ave, Barrington Ave/Wilshire Blvd, and San Vicente Blvd/Federal Ave/Wilshire Blvd, and accurately notes that none of these intersections were included in

the Draft EIR's Traffic Study. As explained on page eight of the Traffic Study, the intersections analyzed in the Traffic Study were chosen in consultation with LADOT. The intersections studied in the Traffic Study were chosen based on estimated trip distribution, and were selected in order to capture potential impacts to those intersections that were estimated to receive those trips. The EIR's Initial Study identified eleven study intersections, which was increased to the fourteen intersections included in the Draft EIR's Traffic Study in response to public comments received on the Initial Study. The Traffic Study only found significant impacts at four of the fourteen intersections included in the Traffic Study: Sunset at Bundy Drive, Saltair Avenue, Barrington Avenue, and Church Lane, none of which were located at the edge of the study area, indicating that the fourteen study area intersections represented a conservative approach. Intersections in the vicinity of the Project Site that were not included in the Traffic Study, including those mentioned in the comment, were not chosen to be included for a variety of reasons, including distance from the Campus, anticipated trip distribution patterns, whether intersections were signalized or non-signalized, and whether the particular configuration of certain intersections made it unlikely that trips generated by the Project would make certain turning movements at those intersections, among other reasons.

The comment mentions the 26th Street/San Vicente Boulevard intersection. For clarity, it should be noted that the 26th Street/San Vicente Blvd intersection operates at LOS D only under City of Santa Monica thresholds.

The listed schools, above, are separate schools occupying separate campuses. However, the Brentwood School is a single school occupying two different campuses. Schools and universities have historically been located in residential areas. For instance, many schools throughout the City operate under Conditional Use Permits in residential neighborhoods, which provides convenient and safe access for neighborhood children. The purpose of the Conditional Use for educational institutions is that they are not residences, but are recognized through the required findings as a use that may be appropriately permitted in a residential zone. The original permit for the Campus dates to 1928, prior to the majority of residential development in the Brentwood Area. The comment incorrectly states that the school operates as a conditional use in recognition that it could have potential environmental impacts on its surroundings. The Campus is a deemed-approved conditional use, which means that the use predates the current Zoning Code and there is no nexus between requested entitlements and the question of whether the operation of the Wellness Pavilion creates adverse impacts.

The comment is acknowledged and incorporated into the record for the consideration of Project decision-makers.

Comment BHA 4

A number of controllable factors contribute to the traffic generated by schools including:

Enrollment – MSMU falsely claims the right to increase enrollment at the Chalon Campus by 50% above today’s levels and then fails to study the impacts at its claimed enrollment level in the Draft EIR. The Draft EIR also includes no information on the number of classes or schedules and includes no commitments to schedule classes at times that reduce peak period driving. It includes no proposals to encourage carpools or taking shuttles beyond the current ineffective TDM.^{3,4}

Events – MSMU proposes significant increases in the number of events held on Campus and proposes up to 400 outside guests per event with no limits on events starting and ending during peak hours.

Sports activities – The Draft EIR includes conflicting information on whether competitions are held on Campus, and no information on the number of attendees, or the number and time of practices.

³ The Mount Saint Mary’s University: TDM and Three-Year Action Plan Report updated April 2015 (described further in the section on MSMU’s TDM) provided by MSMU to BHA shows low rates or participation in carpools by most students, faculty, and staff drive to campus.

⁴ It should also be noted that many students who are technically enrolled at the Doheny campus take classes at Chalon and use facilities such as Chalon’s library.

Response to Comment BHA 4

The comment notes three factors which the commentator believes contribute to traffic caused by schools. It is important to note that CEQA does not require MSMU to reduce or mitigate total Campus traffic, and that the Draft EIR’s analysis of the Project’s environmental impacts, including traffic impacts, was appropriately limited to an analysis of the traffic that would be generated as a result of the Project. Similarly, this Final EIR provides a complete analysis of the environmental impacts, including traffic impacts, caused by Alternative 5.

In accordance with CEQA Guidelines Section 15125, the Draft EIR properly analyzed Project impacts by comparing the environmental conditions after implementation of the Project to the existing environmental conditions (i.e., the baseline). Further, it should be noted that the Final EIR takes the same approach when analyzing Alternative 5’s impacts.

With respect to enrollment, the Draft EIR properly utilized current student enrollment at the Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA¹⁹. Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured. As discussed in the Draft EIR and in

¹⁹ See CEQA Guidelines § 15125(a)

Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. As to the commenter's statements alleging that the Draft EIR failed to evaluate impacts associated with additional student enrollment, please refer to Topical Response No. 6, University Entitlement History and Enrollment Cap, above.

The comment states that the Draft EIR does not contain information about existing classes or schedules. This is accurate, and reflects the fact that existing enrollment will not increase as a result of the Project nor as part of Alternative 5. Although traffic caused by existing classes is not an impact of either the Project or Alternative 5, it should be noted that Alternative 5 will reduce total Campus traffic by the implementation of PDF-TRAF-18, which will limit average daily total Campus vehicle trips, inclusive of trips generated by existing Campus operations and events, to 1 percent below the 2016 baseline trip counts taken for the Campus.

The comment asserts that the Project contains no "proposals to encourage carpools or taking shuttles." It should be noted that unlike the Project, which imposed a limit on the number of daily guests on days when new Wellness Pavilion events would be held, Alternative 5 regulates trips through trip caps (PDF-TRAF-12 and PDF-TRAF-14), a required reservation system (PDF-TRAF-10), and the elimination of off-Campus parking by MSMU users (PDF-TRAF-17). Carpools and shuttles would both be used by MSMU to keep outside guest trip generation below the applicable trip caps. Therefore, Alternative 5 is specifically designed to encourage both carpools and taking shuttles, but also is designed in such a way that whether or not carpools and shuttles are taken, the trip caps will not be exceeded.

The commenter asserts that MSMU's current TDM measures are not effective, but provides no substantial evidence to support a claim that any traffic control measures, or mitigation measures proposed in the Draft EIR would not be effective. It should be noted the 2015 TDM referenced by the commenter is not a component of the Project and was a voluntary action implemented by MSMU. The existing operational traffic was included as part of the Project's and Alternative 5's baseline trip counts, but MSMU's existing TDM program is not otherwise relevant to the Project or Alternative 5.

The commenter also notes that some students take classes both at MSMU's Doheny campus and the Campus, and use facilities such as the Campus library. This is accurate. In the context of the commenter's statements regarding traffic, it should be noted that any traffic generated by students coming to the Campus from the Doheny campus to either attend classes or use library facilities would have been captured by the trip counts that formed the basis for the baseline of the traffic study. And, neither the Project nor Alternative 5 is anticipated to cause an increase in the number of students traveling from the Doheny Campus to the Campus because the Doheny campus not only has its own physical fitness facilities, but is also several miles away. Rather than generating new trips

as a result of students coming from the Doheny campus for the sole purpose of using the Wellness Pavilion, it is expected that every-day use of the Wellness Pavilion will be but one part of a student's use of the Campus throughout the day, inclusive of other uses (classroom instruction, library studying, extracurricular activities, etc.).

With respect to events, the comment accurately notes that the Project would increase the number of events held on Campus, would impose a 400 outside guest limit on new Wellness Pavilion events, and would not restrict new Wellness Pavilion events in terms of peak hours. As noted in the Draft EIR's Chapter II, the Project would add a total of 56 new school year events in the categories of Health and Wellness Speaker Series (8 per year) and Other Wellness/Sports Activities (48 per year). Alternative 5, described in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the frequency of potential Other Wellness/Sports Activities from approximately 48 per year to 12 per year (a decrease of approximately 75 percent), and maintain 8 Health and Wellness Speaker Series events per year, for a total of 20 new school year events in these categories. Both the Project and Alternative 5 would add Summer Sports Camps for 12 weeks during the summer.

The commenter refers to "sports activities" held on Campus, and states that the Draft EIR provides conflicting information, but does not specify what information the commentator believes to be conflicting. Please see Response to Comment BHA 26 below for a discussion of Club Sports under the Project and Alternative 5.

Comment BHA 5

The Draft EIR is deficient because it fails to provide data that accurately and completely describes these factors and possible mitigations of their adverse impacts. Both Brentwood School and Archer agreed to restrictions on all of these areas in their CUPs.

Response to Comment BHA 5

Please refer to Response to Comment BHA 4 above regarding the reliance on existing conditions to establish the Project's baseline, in compliance with CEQA Guidelines Section 15125, events for both the Project and Alternative 5 and information regarding Club Sports activities.

As noted above, Comment BHA 4 does not accurately distinguish between those traffic impacts which would be caused by the Project and the total traffic of existing Campus operations. The Draft EIR fully disclosed all traffic impacts that would be caused by the Project, and included all feasible mitigation measures. This Final EIR fully disclosed all traffic impacts that would be caused by Alternative 5, and included all feasible mitigation measures, which are sufficient to reduce Alternative 5's operational traffic impacts to a level of less than significant. Therefore, both the Project and Alternative 5 have adopted all feasible mitigation measures in compliance with CEQA.

With respect to the commenter's statements regarding the Brentwood School and Archer projects, it should be noted that both of these projects were comprehensive master plan projects impacting all facets of the operations of those schools. In addition, many of the restrictions agreed to by Brentwood School and Archer were the product of private agreements with neighbors and the Brentwood Homeowners Association that were then incorporated into the CUPs. As such, many of the restrictions were not CEQA project design features or mitigation measures.

Comment BHA 6

While traffic is one important concern, the community is also concerned about the size, height, lighting, and signage of structures; parking on and off Campus; noise emanating from the Campus are also concerns.

Response to Comment BHA 6

The commenter provides a general statement regarding their concerns with several Project characteristics, but does not specify what those concerns are and/or provide substantial evidence to support the statement. Lighting, building size, height, parking and noise were all analyzed in the Draft EIR. Please refer to Section IV.A, *Aesthetics*, regarding lighting, building massing, and height. As discussed therein, construction activities would occur primarily during daylight hours and any construction related illumination would be used for safety and security purposes only and would be required to comply with LAMC light intensity requirements (Building Code Sec. 93.0117(b)). During operation of the Wellness Pavilion, exterior lighting would be comprised of building mounted lights, pool deck lights, interior building lights visible through glass/windows, pathway lighting, tree up-lighting, parking field lighting and street lighting. Pedestrian areas would be illuminated for security. Similar to construction activities, operation of the Project would be required to comply with Building Code Sec. 93.0117 (b) which states no exterior light may cause more than two foot-candles of lighting intensity or generate direct glare onto exterior glazed windows or glass doors on any property containing residential units; elevated habitable porch, deck, or balcony on any property containing residential units; or any ground surface intended for uses such as recreation, or lawn areas or any other property containing a residential unit or units. Because the Project Site is not within a line-of-sight from adjacent residences, Project lighting would not exceed two-foot candles at any adjacent residential location, or locations that are approximately 0.3 mile away that have views of the Project Site. Thus, it was concluded that the Project would not create a new source of substantial light that would adversely affect day or nighttime views in the area and impacts related to light would be less than significant.

The commenter also refers to the proposed size of the Wellness Pavilion under the Project, which was 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet, and eliminates the parking deck previously proposed as part of the Project.

The Wellness Pavilion would include a building identification sign which would comply with the LAMC signage requirements and would not be visible from any of the nearby residences. Regarding building height and size, as shown in Figure IV.A-8, *Wellness Pavilion Height Compared to Adjacent Existing Campus Buildings to the South*, the highest point of the Wellness Pavilion roofline would be 36 feet 6 inches above the new Plaza, whereas, the gable of Mary Chapel is 37 feet 9 inches above the new Plaza, even though Mary Chapel is situated at a lower point in elevation on the Campus. The Wellness Pavilion would not introduce a new precedent with respect to a building's height within the Campus and, as further illustrated in Figures IV.A-2 through IV.A-7, the Wellness Pavilion would be minimally visible from any surrounding areas. Further, Figure IV.A-9, *Accessory Parking Deck Height Compared to Adjacent Existing Campus Buildings to the North*, shows that the top of the parking deck would be at approximately the same elevation as the existing surface parking lot in front of the Yates, Aldworth, and Burns Houses.

As discussed in Topical Response No. 1, Alternative 5 would include similar lighting as the Project, all signage would comply with the LAMC, and Alternative 5 would be the same height as the Project. Alternative 5 would not include the construction of the parking deck, and the location of the Wellness Pavilion would be at a slightly higher elevation under Alternative 5, as compared to the Project. However as discussed in Chapter III, *Clarifications, Revisions, and Corrections*, and illustrated in Figures III-7 through III-12, of this Final EIR this building would be minimally visible from the Campus Circle and from off-site locations.

With respect to parking, it should be noted that parking is not a category of environmental impact analyzed under CEQA. Both the Project and Alternative 5 would provide vehicle parking in compliance with applicable LAMC requirements. Further, Alternative 5 would incorporate PDF TRAF-2 and PDF TRAF-17, prohibiting on-street parking for construction workers, students, and visitors accessing the Campus. Also, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, PDF-TRAF-7 would require a Campus Event Coordination Plan (applicable to both the Project and Alternative 5) that would define the parameters of a valet parking program, monitor off-Campus parking during events, and provide staff/signage to direct traffic during events. This Plan, along with other key elements of Alternative 5's new PDFs, must be submitted to LADOT for review and approval prior to issuance of a certificate of occupancy for the proposed Wellness Pavilion.

Section IV.I of the Draft EIR, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in

Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Regarding potential operational noise impacts, as discussed on page IV.1-52 of the Draft EIR, and as shown in Tables IV.I-10 through Table IV.I-14, Project operations would not result in a substantial permanent increase in ambient noise levels at the nearest noise-sensitive receptors, and, as such, impacts would be less than significant. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5's operational noise impacts would also be less than significant.

Comment BHA 7

EXECUTIVE SUMMARY OF DRAFT EIR ISSUES:

Any objectives of the proposed Project for this educational institution, together with any possible Overriding Considerations, are grossly outweighed by the significant and unavoidable environmental impacts on the surrounding residential community, including impacts relating to the circulation system, intersection congestion, air quality, noise, and neighborhood intrusion. The Draft EIR fails to include substantial evidence that would support a different conclusion.

As will be demonstrated in this comment letter, the Draft EIR fails to include substantial evidence supporting the necessary findings. Our comments with respect to the deficiencies, inaccuracies, omissions, and misleading statements in the Draft Environmental Impact Report ("Draft EIR") for MSMU's proposed Wellness Center can be summarized as follows:

Response to Comment BHA 7

The comment incorrectly notes that the Project would result in significant and unavoidable impacts to air quality and neighborhood intrusion. As disclosed in Section IV.A, *Air Quality* construction and operation impacts associated with the Project, were determined to be less than significant with mitigation. Construction and operational impacts, for both the Project and Alternative 5, to air quality would be less than significant with the incorporation of Mitigation Measure MM-AQ-1. This measure requires that mobile off-road construction equipment (wheeled and tracked) used during construction of the Project shall meet or exceed the USEPA Tier 4 standards. A copy of each unit's certified tier specification or model year specification shall be available upon request at the time of mobilization of each applicable unit of equipment.

Note that CEQA does not include a specific threshold for “neighborhood intrusion.”

Project traffic impacts were analyzed in Section IV.K, *Transportation and Traffic*, of the Draft EIR. As noted, the Project would result in significant and unavoidable construction traffic impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). During operation, the Project would result in significant and unavoidable operational impacts at three intersections (Sunset at Bundy Drive, Saltair Avenue, and Barrington Avenue) during the school year and summer; at three neighborhood street segments during the school year; and at six neighborhood street segments during the summer.

Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project’s operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips to and from the Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation.

Alternative 5 would also reduce the Project’s frequency of activity in that the number of the Project’s Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5’s reduction in floor area and elimination of the parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The commenter is directed to Response BHA 6 above regarding potential noise impacts for both the Project and Alternative 6.

Comment BHA 8

The Project and Project Site Descriptions Fail to Provide the Required Information and Analysis of the True Nature of the Project, which is a Facility for Events Benefiting External Groups not Affiliated with the University, not only a Wellness Center for the Benefit of Students, Faculty, and Staff.

MSMU’s existing CUP limits the Campus’ uses to educational. However, MSMU proposes to use the new Wellness Center for outside groups that have no affiliation with MSMU’s students, faculty and staff. Three new series of “Future Campus Events” events (II-38) are proposed after the Project is built:

Summer sports camps - 400 outside guests per day.

Lecture series - 8 per year with 250 outside guests per event.

Other wellness/sports activities - 4 per month, or 48 per year, with 400 outside guests per event.

Most of these events have nothing to do with the education of MSMU's university level students and students constitute less than half of the projected attendance for the only ones that do the 8 lectures. The Draft EIR notes that MSMU already holds 12 events per year for external groups not affiliated with the university --- which is not permitted under the existing CUP—and then proposes to significantly expand upon that violation. The 12 existing external events are not included in the 48 Other wellness/sports activities listed above.

Response to Comment BHA 8

Contrary to the commenter's statement, Section II, Project Description, of the Draft EIR discloses all proposed events that could potentially be hosted at the Wellness Pavilion, in Table II-4, Potentially Changed and New Campus Events/Activities. As noted in Section II, Project Description, of the Draft EIR, the Project would add a total of 56 new school year events in the categories of Health and Wellness Speaker Series (8 per year) and Other Wellness/Sports Activities (48 per year). Both the Project and Alternative 5 would add Summer Sports Camps for 12 weeks during the summer.

Alternative 5, described in Topical Response No. 1, above, and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, would reduce the frequency of potential Other Wellness/Sports Activities, as indicated in Table III-3 of this Final EIR. from approximately 48 per year to 12 per year (a decrease of approximately 75 percent), and maintain 8 Health and Wellness Speaker Series events per year, for a total of 20 new school year events in these categories. Both the Project and Alternative 5 would add Summer Sports Camps for 12 weeks during the summer.

Further, the comment incorrectly asserts that the Wellness Pavilion would be a facility for events benefiting external groups not affiliated with the MSMU. The Wellness Pavilion would provide a gymnasium with associated wellness and athletic uses for the existing student body that would also be used for occasional events open to outside visitors (as noted in Table II-4 of the Project Description). Such events, as with most universities, would include groups such as parents, academics, potential students, and students of peer institutions, all in furtherance of MSMU's academic mission. That non-students may access the Campus, as they currently do today, does not change the character of the Project, and no evidence in the record supports the commenter's position otherwise.

With respect to the commenter's statements regarding the status of MSMU's previously-granted entitlements for ongoing Campus activities, they do not relate to the adequacy of the Draft EIR. Nevertheless, for a complete discussion of the status of MSMU's entitlements for ongoing Campus operations, please see Topical Response No. 6, University Entitlement History and Enrollment Cap, above. Further, please see Topical

Response No. 2, which explains that compliance with existing entitlements is not a CEQA issue relevant to the Wellness Pavilion and is therefore outside the scope of this EIR.

The commenter asserts that three new categories of events proposed as part of the Project (which are also proposed as part of Alternative 5), Summer Sports Campus, the Health and Wellness Speaker Series, and Other Wellness/Sports Activities, are outside the scope of what is permitted as an “educational” use under the existing Campus entitlements. This is not accurate. Each of these three categories of event is clearly educational in nature, and consistent with activities at other educational institutions in the City of Los Angeles, and therefore within the scope of the “educational” use permitted under the existing Campus entitlements. With respect to Summer Sports Camps, these are in alignment with the concept of health and wellness, and educational in nature. The Health and Wellness Speaker Series and Other Wellness/Sports Activities are also educational in nature, and are in conformance with the State Educational Code. In regards to the educational purpose of the events, please see Topical Response No. 2, Scope of Project. As discussed above, all Project activities would serve an educational purpose and would support the viability and continuation of the Campus, as stated in the Draft EIR on Page II-17, Page II-18, Page II-37, Page II-38, Page IV.H-22, Page IV.H-24, Page IV.H-26, and Page IV.H-33.

The comment indicates that the commenter believes that “12 existing external events” mentioned in the Draft EIR but not included in the total of 48 Other Wellness/Sports Activities, serve “external groups not affiliated with the university” but provides no substantial evidence in support of this assertion, and provides no information about which events are specifically being referred to.

Comment BHA 9

Analysis of Activities in the Draft EIR Fails to Capture the Full Range of Potential Traffic or to Offer Effective Mitigations

The traffic analysis in the Draft EIR is faulty because it fails to provide information on existing activities on Campus or to appropriately measure their impact. Without an appropriate analysis, MSMU cannot offer potential mitigations such as moving existing events out of peak hours, cancelling them, or reducing their size. All these options should be considered before MSMU assesses how many significant impacts the Project generates. Examples of inadequacies in the Draft EIR include:

Events- No list or schedule of existing events is included. Nothing prevents MSMU from increasing the size of these existing events or moving them to peak hours, potentially adding significant impacts that were not studied.

Sports- The Draft EIR has limited yet conflicting information as to whether sports competitions will be held on Campus. Competitions have the potential to generate significant traffic from guests.

Summer camp – The Draft EIR makes the unjustified assumption that every car will transport an average of 2 campers and then erroneously describes it as the “worst case scenario.” A worst case scenario is 1 camper per car.

Unsupported back-up for assumptions- The Draft EIR incorporates an inaccurate analysis of zip codes for students, faculty, and staff, and then uses this erroneous information for its traffic analysis. The analysis of peak hour events is limited to a few hours each day instead of the full peak period, and doesn’t take into account overlapping events (which cannot be proven or disproven because no schedules are provided.)

Construction – Inadequate mitigations are proposed as compared to those agreed to by other local schools

Response to Comment BHA 9

The commenter asserts that the Draft EIR’s traffic analysis is deficient because it did not include information on existing events or measure the environmental impacts of those events. This statement seems to be based on a basic misunderstanding of the scope of the Draft EIR. Existing events, other than those for which attendance could potentially increase as a result of the construction of the Wellness Pavilion, are not part of the Project or Alternative 5, and CEQA does not require this EIR to analyze the impacts, or propose mitigation measures for, the entire scope of existing Campus operations.

The existing conditions at the Campus and in the surrounding area were accurately reflected as the baseline in the Draft EIR’s environmental analysis, and in this Final EIR’s environmental analysis of Alternative 5. As discussed in Topical Response No. 2, Scope of Project, existing Campus events with the potential to increase attendance as a result of the construction of the Wellness Pavilion are identified in the Draft EIR (with particular reference to Section II-6(e) and Table II-4), and the impacts of those increases were fully disclosed in the Draft EIR with respect to the project, and are disclosed in this Final EIR with respect to Alternative 5.

Events – Regarding scheduling of existing events, as noted above, existing events were not the focus of the traffic analysis in the Draft EIR as they already take place on the Campus. The scope of the Project in the Draft EIR included only those existing events with a potential to increase as a result of the construction of the Wellness Pavilion. Whether existing events that have nothing to do with the Wellness Pavilion are expanded or their times changed has nothing to do with the Project or Alternative 5 and is outside the scope of this EIR.

The commenter’s statements regarding existing events misapprehend the purpose of a Draft EIR. The purpose of the Draft EIR is to describe and analyze the environmental effects of the Project and discuss ways to mitigate or avoid those effects²⁰, all of which the Draft EIR did. It is not the role of the Draft EIR for a single building to speculate as to

²⁰ See CEQA Guidelines § 15362

how the entire university's operations—operations not connected to the Project—might evolve in the future.

Sports – As stated in Section IV.K, *Transportation and Traffic*, page IV.K-26, of the Draft EIR, and stated on page 1 of the Traffic Study: “The existing recreational facility does not provide space for existing team sports, such as volleyball and basketball and, as such, teams must commute to off-site facilities for routine practice. The Wellness Pavilion gymnasium would allow a space for routine on-site practice. To be conservative, the trip generation analysis does not take credit for reductions in the off-site practice trips that would no longer occur under the Project. As discussed in Chapter II, pages II-18 and II-22, of the Draft EIR, the facility would not be used for intercollegiate competition.” Proposed Project events are identified in the Draft EIR (with particular reference to Section II-6(e) and Table II-4) and all potential impacts associated with the addition of Project events at the Campus are evaluated. A complete analysis of Project impacts on traffic is provided in Section IV.K.3(d) of the Draft EIR.

The Draft EIR further states that under the Project, no intercollegiate competitions will be held on the Campus, only Club Sports practices. See Pages II-17, II-18, II-22 and IV.K-26 of the Draft EIR. For clarity, intercollegiate sporting events are events that are sanctioned by one of the collegiate sport governing bodies. Such sporting events may often attract large followings. Club Sports, on the other hand, are any sports offered at a university or college that compete with other universities or colleges but are not regulated by the National Collegiate Athletic Association (NCAA) or National Association of Intercollegiate Athletics (NAIA) and do not have varsity status. As described in the Draft EIR, Club Sports practices included in the Project are not anticipated to generate any meaningful guest attendance. Because vehicle trips that may occur from any future guest attendance under the Project would be lower than existing vehicle trips from practices having to be held off-site without the Project, no additional impacts from any de minimis guest vehicle trips would occur. Furthermore, no club sports competitions would take place during the am-pm peak hours, as opposed to off-site practices which currently may occur during the peak hours.

Alternative 5, like Alternative 4 as studied in the Draft EIR, permits both Club Sports practices and Club Sports competitions to be held in the Wellness Pavilion, and regulates Club Sports through a number of new PDFs that are specifically designed to ensure that Club Sports will not have parking, traffic, or other impacts. Outside guests attending Club sports activities will be required to use an online ticketing and parking reservation system as per PDF-TRAF-10, and are subject to a daily outside guest trip cap per PDF-TRAF-12. PDF-TRAF-16 requires that Club Sports activities scheduled during the week begin only after 7:30 PM, thus ensuring that Club Sports outside guests will not arrive or depart during the weekday peak period. And Club Sports outside guests are subject to PDF-TRAF-17's general limitation on pedestrian access to Campus, which will ensure that Club Sports outside guests do not park in the surrounding neighborhood.

Summer Sports Camps – With respect to the trip generation rates used in the Traffic Study for Summer Sports Camps, the commenter incorrectly asserts that they were based on an unjustified assumption. The Draft EIR’s Traffic Study assumed that campers would arrive for Summer Sports Camps via carpools with two campers in each car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns. Given that the Project’s new events were social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two campers per vehicle would also account for the occasional vehicle arriving with a single camper and other vehicles arriving with more than two campers.

Although the Draft EIR’s Traffic Study’s Summer Sports Camps ridership assumptions were reasonable and supported by substantial evidence, it should also be noted that Alternative 5 controls trips generated by Summer Sports Camps through PDF-TRAF-14, which imposes a daily trip cap of 236 trips rather than the Project’s outside guest cap. Therefore, no matter how many campers arrive in any vehicle, trips will always be maintained below the daily cap.

Unsupported Back-up for Assumptions – The commenter asserts that the Draft EIR’s analysis of zip codes for students, faculty, and staff is inaccurate, but provides no substantial evidence in support of this assertion, or any description of how the commenter believes the Draft EIR’s analysis is inaccurate. Notably, the zip codes of students is largely irrelevant to the vehicle trips studied in the Draft EIR since most of the measured traffic is that of outside guests visiting the Campus for special events – not students. The commenter further asserts that the Draft EIR’s analysis of peak hour impacts is deficient because it does not use what the commenter calls “the full peak period.” The commenter provides no substantial evidence in support of this assertion, and provides no description of what they believe to constitute the “full peak period.” It should be noted that the peak periods used in the Draft EIR were selected in coordination with LADOT to capture the periods with the greatest traffic.

The commenter further asserts that the Draft EIR doesn’t take into account overlapping events. With respect to the Project, it was not anticipated that existing events would occur on the same day as new Wellness Pavilion events. As discussed in the Draft EIR, under the Project, certain existing events would be moved into the Wellness Pavilion, and would therefore not overlap with new Wellness Pavilion events because they could not both be accommodated in the Wellness Pavilion at the same time. The intention of the Project was not to have any of the other existing events directly overlap with the Wellness Pavilion events. This point has been clarified with additional text added to the Draft EIR as shown in Chapter III, *Revisions, Clarifications, and Corrections*, Subsection 4 of this Final EIR.

With respect to the possibility of overlapping existing and Wellness Pavilion events under Alternative 5, no additional restrictions are required in order to prevent additional significant environmental impacts from such overlap, and the analysis of Alternative 5’s impacts in this Final EIR fully accounts for this possibility. With respect to traffic impacts, such impacts are based, under the method of traffic analysis used in this Final EIR, on

intersection LOS impacts and on street segment impacts. For intersection LOS impacts, Alternative 5 requires that all new school year Wellness Pavilion events be scheduled such that outside guests will neither arrive or depart during the AM and PM peak periods through the imposition of PDF-TRAF-11 and PDF-TRAF-16. Therefore, Alternative 5 will not add any new AM or PM peak period trips for school year events. Because LOS intersection impacts are measured only during AM and PM peak periods, this means that Alternative 5 cannot cause any LOS intersection impacts, no matter what the baseline traffic conditions are on any given day of Campus operation, including a day when an existing event is scheduled. With respect to street segment impacts, Alternative 5 would not contribute to any significant impacts to street segments because street segment impacts occur when the percentage of traffic from any given project constitutes a large percentage addition to existing traffic. In other words, the busier the street segment under existing conditions, the less likely that a new project will create a significant impact on street segments. To the extent that an existing event would take place at the same time as an event in the Wellness Pavilion, the event in the Wellness Pavilion would contribute an even smaller percentage of total traffic to the street segments surrounding the Campus, thereby resulting in a smaller street segment impact. Therefore, no traffic impacts in either the LOS intersection criteria or street segment criteria would result from the overlap of an existing event with a new Wellness Pavilion event under Alternative 5 during the school year.

With respect to non-traffic impacts, the only other category of impact that uses the traffic study's traffic baseline in order to measure impacts is operational traffic noise. Operational traffic noise is measured using a criteria that assesses the marginal decibel increase of noise caused by operational traffic. Therefore, whether or not additional traffic noise is added to the baseline conditions does not change the impact analysis. Alternative 5 will therefore not cause any additional operational traffic noise impacts if an existing event is scheduled concurrently with a new Wellness Pavilion event.

Construction – The comment notes that the mitigation measures are inadequate as compared to mitigation measures proposed by other schools. It should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments, including cumulative construction traffic impacts, was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments.

Further, it should be noted that the construction of the Wellness Pavilion is different from both the Brentwood School and Archer projects, both of which were master plan projects. CEQA does not require that mitigation measures be analyzed in terms of whether they are consistent with those of other, unrelated projects. Instead, CEQA requires that all feasible mitigation measures be considered. With respect to construction traffic impacts, the Draft EIR fully analyzed all feasible mitigation measures for the Project, while this Final EIR fully analyzes all feasible mitigation measures for Alternative 5.

Comment BHA 10

The Draft EIR Misstates the Allowed Maximum Enrollment, and then Fails to Provide a Traffic Analysis Based on its Claimed Enrollment Number.

MSMU claims that it can have up to 2,244 students enrolled at Chalon, but prior reports by the city in 1984 and 1996 support a maximum of 1,072 students. The current student enrollment at Chalon is approximately 1,500 and this is the number that MSMU has used for its traffic analysis. However, if MSMU feels that it can have an enrollment of 2,244 students without requiring additional approval by the city, the 2,244 number should have been used for the traffic analysis in the Draft EIR.

Having a theoretical maximum enrollment cap of 2,244 at Chalon does not limit student traffic, however, as students enrolled at the Doheny Campus also take classes at Chalon. Additional restrictions are needed to limit traffic from Doheny students; otherwise MSMU could circumvent any enrollment caps by enrolling the students at Doheny and scheduling their classes on Chalon.

Response to Comment BHA 10

The Draft EIR properly utilized current student enrollment at the Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly consistent with CEQA Guidelines. Pursuant to CEQA Guidelines § 15125(a), and as stated in the Draft EIR Chapter II on pages II-11 and II-12, the Draft EIR relied upon existing student enrollment conditions to establish the baseline conditions. As set forth in the CEQA Guidelines, the use of existing enrollment conditions is appropriate because such conditions “constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.”²¹ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured. This Final EIR similarly uses current enrollment to establish the baseline against which Alternative 5’s impacts are evaluated.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of the Project and Alternative 5 and the effects of the Project and Alternative 5 on student enrollment, and which clarify that neither the Project nor Alternative 5 would increase student enrollment or otherwise increase occupancy at the Campus, with the exception of one new staff member.

The commenter notes that the Draft EIR stated that the maximum current enrollment at the Campus was 2,244. This text has been deleted by this Final EIR and the deletion from the Draft EIR is shown in Chapter III, *Revisions, Clarifications, and Corrections*, Subsection 4 of this Final EIR. Any discussion of student enrollment is not germane to

²¹ See CEQA Guidelines §15125(a).

the Project or Alternative 5, and is therefore being deleted in its entirety to clarify this point.

With respect to the commenter's statements regarding the use of the Campus by students enrolled at MSMU's Doheny Campus and traffic generated by such students, again, it should be noted that any traffic generated by students coming to the Campus from the Doheny Campus would have been captured by the trip counts that formed the basis for the baseline of the traffic study. And, neither the Project nor Alternative 5 is anticipated to cause an increase in the number of students traveling from the Doheny Campus to the Campus because the Doheny Campus not only has its own physical fitness facilities, but is also several miles away. Rather than generating new trips as a result of students coming from the Doheny Campus for the sole purpose of using the Wellness Pavilion, it is expected that every-day use of the Wellness Pavilion will be but one part of a student's use of the Campus throughout the day, inclusive of other uses (classroom instruction, library studying, extracurricular activities, etc.).

Comment BHA 11

The Draft EIR States that MSMU has Successfully Reduced its Traffic Impact Prior to This Project yet Provides No Evidence to Support This Statement.

MSMU provided BHA with a Transportation Demand Management ("TDM") study commissioned by MSMU in 2014 which was critical of the school's existing traffic management plan, comparing it unfavorably to those at other local universities such as UCLA, USC, and CSUN. MSMU committed to paying for the first year of a three-year recommendation. No evidence is provided that it ever provided funding for the other two years, or that any changes led to traffic reductions. MSMU should not be permitted to add significant numbers of activities when it has not yet demonstrated that it has an adequate TDM in place for its existing traffic. The Draft EIR is inadequate because it lacks any explanation of how it plans to measure the success of its program.

Response to Comment BHA 11

The comment relates to MSMU's existing operations, specifically a TDM Action Plan for ongoing educational activities at the Campus. The TDM Action Plan was voluntarily prepared by MSMU for purposes of managing traffic associated with ongoing educational activities and is not part of the proposed Project or Alternative 5. The existing operational traffic was included as part of the Project's and Alternative 5's baseline trip counts, but MSMU's existing TDM program is not otherwise relevant to the Project or Alternative 5.

The commenter's assertion that MSMU is out of compliance with a voluntary TDM plan, and that this lack of compliance indicates that MSMU will not be able to successfully undertake any traffic control measures in connection with the Project, is not supported by substantial evidence. Further, MSMU's compliance with a voluntary TDM plan is not a CEQA issue relevant to this EIR.

Comment BHA 12

Alternative 3 (“Alternative Construction Route”) is not a feasible alternative and should not have been included.

This alternative requires that Getty Center (“Getty”) provide access for construction vehicles to travel through Getty’s property, something that Getty had continually refused to agree to prior to MSMU’s issuance of the Draft EIR. After the Draft EIR was issued, MSMU asked the city to remove this as a feasible alternative because of the Getty’s objections. This alternative should never have been included, and hence the Draft EIR should be revised and recirculated with a new feasible alternative incorporated

Response to Comment BHA 12

Please refer to Topical Response No. 5 regarding the use of the Getty Fire Road. As noted therein, Alternative 3 was properly included in the Draft EIR as an alternative and considered potentially feasible at the time the Draft EIR was prepared and circulated. CEQA requires a reasonable range of alternatives, and the range of alternatives included in the Draft EIR is reasonable with or without Alternative 3. As such, recirculation is not required. Moreover, MSMU has introduced a new alternative, Alternative 5.

Comment BHA 13

Alternative 4 (“Reduced Event Alternative”) is insufficient to Mitigate the Traffic Impacts Generated by the Project.

Other local schools such as the Archer School for Girls and Brentwood School reduced peak hour traffic from existing operations in order to reduce traffic overall. MSMU’s Draft EIR is silent on existing operations (classes, events, and sports) so that no baseline traffic numbers can be calculated that take into account variations between days with and without big events on Campus. In addition, MSMU offers no commitments that traffic from existing activities won’t increase in the future, which was not analyzed. Therefore, this alternative is insufficiently analyzed.

Response to Comment BHA 13

With respect to the Draft EIR’s analysis of existing conditions, including existing operations at the Campus, please refer to Chapter II, *Project Description*, and Section IV.K, *Transportation and Traffic*, of the Draft EIR. Existing traffic-generating events are detailed therein. With respect to the commenter’s statements regarding the baseline used in the traffic study and potential changes to existing events, please see Response to Comment BHA 9.

With respect to the commenter’s statement regarding the Brentwood School and Archer project’s inclusion of measures meant to reduce overall traffic, it should be noted that Alternative 5 includes PDF-TRAF-18, which will limit average daily total Campus vehicle

trips, inclusive of trips generated by existing Campus operations and events, to 1 percent below the 2016 baseline trip counts taken for the Campus.

The commenter's assertion that Alternative 4 was somehow deficient because it failed to fully mitigate all traffic impacts generated by the Project is not supported by substantial evidence. Under CEQA, an alternative need not eliminate a project's significant adverse environmental impacts; it need only substantially lessen them. See, e.g., *California Oak Found. v. Regents of Univ. of California* (2010) 188 Cal.App.4th 227, 275. As noted on Draft EIR pages V-64 through V-93, Alternative 4 would eliminate the Project's significant and unavoidable operation traffic impacts through the implementation of reduced peak hour trips, a cap on total daily summer camp trips, and other measures.

Comment BHA 14

The Draft EIR Fails to Validate the Parking Demand for Events or to demonstrate that the amount of parking on Campus is adequate during construction or when the Project is operational.

MSMU states that adding 55 parking spaces will solve all parking problems yet provides no analysis to back up that fact. Its entire parking plan appears to be based on three days of surveys, without analyzing the plans for days with higher attendee or properly surveying the number of cars parked on Chalon outside of the Campus. The Draft EIR needs to have an adequate parking analysis that backs up its claims of having adequate parking, particularly for days with higher attendee.

Response to Comment BHA 14

While the Draft EIR included a discussion of parking, it should be noted that parking is not a category of environmental impact under CEQA. Therefore, the commenter's statements regarding the Draft EIR's deficiency on the basis of its parking analysis are not supported by substantial evidence. No residential permit restrictions are in place on Chalon Road. Both the Project and Alternative 5 provide for parking sufficient to meet LAMC parking requirements.

The commenter incorrectly notes that the Draft EIR concluded that the additional parking spaces initially proposed for the Project will address parking issues in the surrounding area. Additionally, it is not clear from the comment what parking issues are being referenced. Page IV.K-75 of the Draft EIR states that the Project would provide an additional 55 new spaces to help make parking on Campus more convenient and safe. Specifically, it stated that the additional parking spaces would assist with Campus events and, through consolidation of previously scattered parking areas, would make parking on Campus more convenient and easy to find.

The parking study dated May 2015 collected vehicle counts on Chalon Road outside of the Campus to assess off-site parking by MSMU's students. As stated on page IV.K-24, the highest on-Campus parking utilization of 76 percent (425 spaces) was observed

across three survey days, indicating adequate parking supply for typical school operations. This indicates that there are more than 100 additional striped spaces generally available even under peak usage. This, together with the fact that MSMU can implement a valet parking program to park vehicles in aisles and tandem arrangements, ensures that MSMU has more than sufficient parking spaces to satisfy its needs. With respect to off-site parking on Chalon, MSMU reports that this parking is the result of students who are unable or do not wish to pay for Campus parking. It should be noted that MSMU does not offer free parking to students in order to disincentivize single-occupancy vehicle travel, thereby making use of MSMU's shuttles more attractive to students.

Like the Project, Alternative 5 would also comply with all Los Angeles Municipal Code requirements with respect to the provision of parking. As described in Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements. The reduction in parking for Alternative 5, in part, was geared at addressing concerns of the commenters that increased parking would lead to increased traffic. With the implementation of PDF-TRAF-18 for Alternative 5, which would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study), there will be no need for additional parking as MSMU will be required to reduce vehicle trip generation.

It should also be noted that Alternative 5 includes new PDFs that have been specifically designed to eliminate MSMU-related parking on neighborhood streets. PDF-TRAF-10 requires the use of tickets and a parking reservation system for all new Wellness Pavilion events, so that parking demand would not outstrip available supply. PDF-TRAF-17 requires MSMU to institute and maintain a policy prohibiting entry to the Campus by all pedestrians except those who have not parked in the surrounding neighborhood. And Alternative 5's PDF-TRAF-7 would require a Campus Event Coordination Plan that would define the parameters of a valet parking program, monitor parking at designated off-Campus parking locations during events, and provide staff/signage to direct traffic during events.

Comment BHA 15

The Draft EIR is inadequate because it attempts to address only the Project Site, yet it is impossible to separate the development of the Project Site from its impact on the overall operations of the School.

Changes to Campus operations extend well beyond the limited area defined as the "Project Site", yet MSMU has chosen only to analyze the Project Site itself. Attendees to large events will undoubtedly drive through the Campus and park in areas not on the Project Site. The Draft EIR states that objectives of the Project include unifying the north

and south ends of the Campus and improving pedestrian safety across the Campus, not just on the Project Site itself. Even MSMU's legal counsel recently wrote to BHA that "the entire Campus functions as an integrated whole." Therefore, the Draft EIR cannot narrowly discuss the Project Site only. All operations of the Campus are impacted by the Project and therefore the entire Campus must be included in any analysis in the Draft EIR. The Draft EIR should be revised and recirculated based on the impact of the Project on the entire Campus.

Response to Comment BHA 15

The commenter asserts that the Draft EIR's analysis of environmental impacts was limited only to the Project Site. This is not accurate. In several categories of environmental impacts, including traffic impacts at area intersections and street segments, the Draft EIR's analysis extended well beyond the Project Area when appropriate.

The commenter states the commenter's opinion that attendees of "large events" will park in areas not on the Project Site, but provides no substantial evidence in support of this assertion, and does not specify whether the events being referred to are existing events or new Wellness Pavilion events. In either case, parking is not a category of impact under CEQA, and the location on Campus where any attendee of an event, either existing or new, parks is not a subject of environmental analysis required under CEQA.

The commenter correctly notes that unification of the Campus and the improvement of pedestrian safety on the Campus are goals of the Project. The Draft EIR analyzed all aspects of the Project that would contribute to these goals, including a specific analysis of the improvement of pedestrian safety on Campus, included in Section IV.K, pages 84-85, which concluded that the project would not result in significant impacts related to pedestrian access.

The commenter asserts that the Project would impact all existing Campus operations and therefore the Project Site should include the entire Campus, but provides no substantial evidence in support of this statement.

Finally, the commenter is directed to Topical Response No. 1 as to why recirculation of the Draft EIR is not required.

Comment BHA 16

The Draft EIR is inadequate because it incorporates many unauthorized uses of the Campus as if they were approved and then tries to expand them.

Response to Comment BHA 16

The comment is a general statement that is not supported by substantial evidence. It is also not clear as to what are the "unauthorized" uses that MSMU allegedly seeks to expand. As explained in Topical Response No. 2, MSMU's compliance with existing

entitlements or other provisions of the LAMC are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

Comment BHA 17

ANALYSIS OF THE Draft EIR

The Draft EIR Fails to Include Substantial Evidence Supporting the Necessary Findings.

MSMU has existed --- and could continue to exist – without the Project for 88 years. Over 300 single-family residences on Bundy Drive, Norman Place, and Chalon are already affected every day by over 2,000 daily MSMU related vehicle trips. This number is only for traffic on the most direct routes to and from Sunset Blvd; it doesn't include residences impacted by MSMU students, faculty, staff, and guests taking more circuitous routes on streets such as N. Bowling Green Way, N. Barrington Ave, and N. Saltair Ave to avoid congestion on Sunset. As will be demonstrated below, the Draft EIR fails to provide the required information and analysis regarding the adverse impacts caused by those vehicle trips.

Response to Comment BHA 17

The comment alleges that the Draft EIR did not adequately document the number of existing vehicle trips to and from the Campus. Section IV.K, *Traffic and Transportation*, of the Draft EIR and the Traffic Study, contained in Appendix I of the Draft EIR, describe the methodology by which the Traffic Study was developed. As set forth therein, the scope of analysis and Study Area were developed in consultation with the Los Angeles Department of Transportation using all appropriate analytical methodologies and guidelines (see Traffic Study, pages 6-9, Appendix I of the Draft EIR).

Pages IV.K-5 through IV.K-17 of Section IV.K, *Traffic and Transportation*, of the Draft EIR comprehensively document the existing traffic conditions in the Project vicinity. Project impacts to existing traffic and circulation systems were fully evaluated prior to any and all feasible mitigation measures being implemented, to reduce and/or avoid those impacts identified, as required under CEQA.

Comment BHA 18

The Project and Project Site Descriptions Fail to Provide the Required Information and Analysis of the True Nature of the Project

Draft EIR descriptions of the “Project” and “Project Site” (Page S-1, Figure II-1) are deficient, inaccurate, and inadequate because the Project objectives, proposed uses and requested approvals exceed the unduly and arbitrarily limited descriptions of the Project and Project Site. The Draft EIR must be amended throughout in order to accurately describe and analyze the true nature of the Project and Project Site.

The Draft EIR consistently describes the Project as “provid[ing] students, faculty, and staff with comprehensive health and wellness services including modern amenities needed for physical and health education.” (II-1)

However, the Draft EIR goes on to state that the Project will also include programs that are not for the benefit of existing students, faculty, and staff such as “Campus programming [that]...create[s] the opportunity for new external Summer Sports Camps, a Health and Wellness Speaker Series, and other activities or events that complement the purpose of the proposed Wellness Pavilion (i.e., MSMU community or external rental health, wellness, and sports activities).” Draft EIR (II-17)

Response to Comment BHA 18

The proposed Project, including the Project Site are accurately described throughout Chapter 2 of the Draft EIR. The 3.8-acre Project Site is clearly outlined in Chapter 2 of the Draft EIR and in Figures II-1 and II-2 of the Draft EIR and will only encompass a portion of the Campus. Beginning on Page II-18 of the Chapter 2, Project Description, of the Draft EIR, the proposed Project is described, including the demolition of the existing structures, the construction and operation of a 38,000 square foot Wellness Pavilion and two-story parking deck, and the change to the existing events as well as the proposed new events that could be held at the Wellness Pavilion.

CEQA Guidelines § 15124(b) states that a project description must include a clear statement of “the objectives sought by the proposed project” to help the lead agency “develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision-makers in preparing findings of a statement of overriding consideration, if necessary.” Significantly, “CEQA does not restrict an agency’s discretion to identify and pursue a particular project designed to meet a particular set of objectives.”²² The Project objectives include updating inadequate facilities, providing new facilities and programming for student health and well-being, compatible design, enhancing campus programming, and improving pedestrian safety, circulation, and parking. The Project includes construction of a new 38,000 square-foot, two-story facility that would accommodate new on-site practice facilities for volleyball and basketball Club Sports, general physical education classes, dedicated spaces for student peer mentoring on wellness topics, and an enhanced outdoor pool area. The Project’s objectives (Pages II-7 and II-8) are in compliance with CEQA Guidelines Section 15124(b) in that they include the underlying purpose of the Project. The requested entitlements (Pages II-49 and II-50) would need to be approved to build the proposed Project. Therefore, the Project’s purpose and objectives stated in the Draft EIR, detailed in full under Section II-5 of the Draft EIR, are neither arbitrary nor too narrow.

²² See California Oak Foundation v. Regents of University of California (2010) 188 Cal.App.4th 227, 276-277.

All of the programs and events under the Project would be educational and consistent with the stated purpose of the Project, and are fully analyzed as such in the Draft EIR. The nature of the attendees of the existing and proposed events and programs is not related to the adequacy of the Draft EIR's analysis. The end user of a project need not be included in the project description when the identity does not implicate potential physical environmental impacts.²³ This is also true of Alternative 5 in that all programs and events would be educational and consistent with the stated health and wellness purpose of the Project.

The changes that would occur under Alternative 5 as compared to the Project, including a reduction in the overall building envelope, a reduction in the number of new events proposed, and the location of the Project Site are clearly outlined in Table II-2, *Physical Changes to the Project under Alternative 5* and in Chapter III, Table III-3, *Operational Changes under Alternative 5*. Alternative 5 would reduce the scale of the Project and the duration of construction and would reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction).

Under Alternative 5, the 35,500-square-foot Wellness Pavilion would also provide for on-site practice facilities for volleyball and basketball club sports, general physical education classes, dedicated spaces for student peer mentoring on wellness topics, and an enhanced outdoor pool area and, as such, would also meet the Project Objectives outlined in Chapter II of the Draft EIR.

Finally, the statements in the comment that the Draft EIR consistently describes the Project as "providing students, faculty, and staff with comprehensive health and wellness services including modern amenities needed for physical and health education," and that "the Project will also include programming that creates the opportunity for new external Summer Sports Camps, a Health and Wellness Speaker Series, and other activities or events that complement the purpose of the proposed Wellness Pavilion" are not mutually exclusive objectives and are consistent with the standard use of educational facilities which are made available to the community.

Comment BHA 19

The Draft EIR is deficient and inaccurate because it fails to describe and incorporate the existing limitations placed on Campus use, which date back to the variance issued in 1929 and the conditions of the Conditional Use Permits issued in 1952 and 1984 which restrict the uses of the Campus to "educational subjects." The Draft EIR states that the "existing use of the site includes external events" -- defined as "non-MSMU events for which MSMU rents out its facilities" -- and notes that there were 12 external events in

²³ See *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal. App.4th 430, 445-446.

2016. Renting the facilities should not be allowed under any circumstances, as this is commercial use of the Campus which is not authorized under MSMU's existing CUPs.

Response to Comment BHA 19

This comment concerns the status of entitlements for ongoing activities at MSMU and does not concern the adequacy of the Draft EIR under CEQA. Nevertheless, the commenter is directed to Topical Response No. 6, University Entitlement History and Enrollment Cap, which addresses the status of MSMU's entitlements.

MSMU's current activities, including outside rentals, are consistent with the operation of an education institution and are in conformance with the State's Educational Code, which does not contain any provisions restricting a school's use of its own property. In addition, existing activities of the Campus by third parties are not the subject of the Project. Please refer to Topical Responses No. 2, Scope of the Project, and No. 6, University Entitlement History.

The commenter has not provided substantial evidence demonstrating that MSMU is not a school involving educational subjects and is not in conformance with the State Education Code, religious services, and religious practices. Moreover, the citation provided by the commenter does not indicate that MSMU cannot rent its facilities. Many, if not most, educational institutions rent their facilities for temporary events and/or uses such as filming. Again, such comments do not pertain to the adequacy of the Draft EIR under CEQA. Regardless, all Project activities would serve an educational purpose and would support the viability and continuation of the Campus, as stated in the Draft EIR on Page II-17, Page II-18, Page II-37, Page II-38, Page IV.H-22, Page IV.H-24, Page IV.H-26, and Page IV.H-33.

Alternative 5 would allow for the same activities, Health and Wellness Speaker Series, Other Wellness/Sports Activities, and Summer Camps, as under the Project described in the Draft EIR, all of which would serve the same educational purposes.

Comment BHA 20

MSMU proposes to continue and expand upon its previous violations by proposing additional uses by outside groups that have no affiliation with MSMU's students, faculty and staff. In fact, three new series of "Future Campus Events" events (II-38) are proposed after the Project is built: summer sports camps, lecture series and other wellness/sports activities.

Summer sports camps – These camps are for children, not university students, and the Draft EIR acknowledges that "No SFS" (students/faculty/staff) (II-36) will be part of these camps. This activity is clearly not currently allowed, and given the severe impact on traffic --- 400 outside guests per day during the only time of year that residents currently get a respite from Campus traffic --- should absolutely not be allowed in the future.

Health and Wellness Speaker Series (up to 8 per year) – While these are described as a “new lecture series designed to complement MSMU Wellness Movement with periodic lectures in health and wellness for students, faculty, and staff,” as many as 250 attendees to any event are projected to be outside guests, not students, faculty or staff. Furthermore, MSMU offers no limits on the number of people --- more importantly no limits on the number of vehicles--- that could come to Campus to attend these events. Nor does MSMU propose any restrictions on the scheduling of these lectures so as to avoid adding significant levels of traffic during peak hours. By way of comparison, both Brentwood School and Archer agreed to move higher attendee out of peak hours or to limit the number of outside vehicles allowed in during peak hours.

In summary, any new events added that might use the new Wellness Center must be limited to those for the benefit of students, faculty, and staff only, without allowing significant numbers of outside guests. In addition, larger events that would cause a significant impact on intersections in the area must be scheduled outside of peak hours.

Other Wellness/Sports Activities (up to 4 per month) – The Draft EIR makes no pretense that these events are for students, faculty, and staff. The Draft EIR states that up to 400 attendees would be “All OG” (outside guests.) Using the Campus for outside events is currently not allowed under the existing CUPs and must remain that way.

Response to Comment BHA 20

With respect to the commenter’s statements regarding existing uses of the Campus and MSMU’s rental of existing Campus facilities, please see Response to Comment BHA 19.

The Project would provide for Health and Wellness Speaker Series, Other Wellness/Sports Activities, and Summer Camps, which are consistent activities with the function of the Wellness Pavilion as a university gymnasium. The use of the facility by outside guests is consistent with common university activities and is not restricted under the CUP. All visitors to the Campus do not require a direct affiliation with the university, as shown in the current use of Campus recreational facilities by neighbors in the area.

No restrictions are set forth in MSMU’s CUP to prohibit summer camps, Health and Wellness Speaker Series, or Other Wellness/Sports Activities that allow for outside guests since these all represent uses associated with the normal functioning of an academic campus. These types of uses are standard practices conducted at university campuses.

With respect to the commenter’s statements regarding Summer Sports Camps, the use of the Wellness Pavilion for such camps is in alignment with the concept of health and wellness, educational in nature, and is permitted within the scope of the educational uses permitted by MSMU’s CUP. The Draft EIR fully analyzed the traffic impacts of Summer Sports Camps under the Project, and concluded that during summer operations, when Summer Sports Camps are operating, the Project would result in significant impacts at the intersections of Bundy Drive and Sunset Boulevard and Barrington Avenue and

Sunset Boulevard, and at the following six street segments: Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, Chalon Road west of Norman Place, Norman Place north of Bundy Drive, Bundy Drive north of Saltair Avenue, and Bundy Drive north of Sunset Boulevard. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels, including all of the above-referenced operational traffic impacts during the summer.

With respect to the commenter's statements regarding the Health and Wellness Speaker Series, no restrictions are set forth in MSMU's CUP that would prohibit the attendance of outside guests at this type of event. The commenter's statement that the Project does not provide a limit on the number of outside guests who could attend a Health and Wellness Speaker Series event is not accurate. As described in the Draft EIR, the Project included PDF-TRAF-8, which imposed a total daily limit of 400 outside guests that would be applicable to any day on which a Health and Wellness Speaker Series would be held. The Draft EIR complied with all CEQA requirements in disclosing all of the Project's significant and unavoidable environmental impacts, including operational traffic impacts during the school year, and concluded that the Project would result in significant impacts at the intersections of Bundy Drive and Sunset Boulevard, Saltair Avenue and Sunset Boulevard, and Barrington Avenue and Sunset Boulevard, and at the following three street segments: Chalon Road east of Bundy Drive, Chalon Road west of Norman Place, and Norman Place north of Bundy Drive. With respect to the commenter's statements regarding measures taken by recent projects at the Brentwood School and Archer, it should be noted that Alternative 5 was specifically developed in response to input from the community, including input from BHA, contains restrictions that would prevent new Wellness Pavilion events from contributing to any new peak hour trips, and would also impose specific daily limitations on outside guest vehicle trips. These restrictions, and others, would reduce all of Alternative 5's operational traffic impacts, including at those intersections and street segments referenced above, to a level of less than significant. These aspects of Alternative 5 are discussed in Topical Response No. 1, above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

With respect to the commenter's statements regarding Other Wellness/Sports Activities, MSMU's CUP does not provide any restrictions that would prohibit the attendance of outside guests at this type of event.

Comment BHA 21

The following specific concerns and questions should be addressed in the Draft EIR:

- What justification does MSMU consider acceptable for imposing significant impacts on the community by renting the facility out to third parties? Why does MSMU feel that it has the right to rent out the facility to outside guests under its existing conditions of approval to operate?

- Why does MSMU feel that it should rent out the new Wellness Center to third parties, creating significant traffic impacts on the community?
- What would the traffic analysis look like if MSMU limits the Draft EIR to the Project's stated intention, which is to provide health and wellness services to students, faculty, and staff and eliminates the external events which are not planned or provided primarily for the benefit of existing students? Inclusion of a sports camp is not consistent with operating an institution of higher learning. These camps have no benefit to the students, faculty, or staff and their heavy traffic impacts a significant detriment to the community. They are inconsistent with the stated purpose of the university. Why does MSMU believe that a sports camp is an appropriate addition to Campus activities?

Response to Comment BHA 21

The comment does not relate to the adequacy or inadequacy of the Draft EIR's analysis under CEQA. As discussed in Topical Response No. 2, Scope of Project, proposed Project events are identified in the Draft EIR (with particular reference to Section II-6(e) and Table II-4) and all potential impacts associated with Project events at the Campus are evaluated. The complete analysis of Project traffic impacts is provided in Section IV.K.3(d) of the Draft EIR. As required by CEQA, the Draft EIR disclosed the environmental impacts that would occur under the maximum use of the Wellness Pavilion, including significant and unavoidable operation traffic impacts. The commenter questions what traffic impacts would occur if events with outside guests were eliminated. The Draft EIR did not analyze this scenario as the Project would include events with outside guests.

With respect to the commenter's statements regarding existing uses of the Campus and MSMU's rental of existing Campus facilities, please see Response to Comment BHA 19. With respect to the commenter's statements regarding new Wellness Pavilion events, please see Response to Comment BHA 20.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

The commenter's questions regarding potential differences in the analysis of the Project's impacts had the Project been different in several respects are noted for the record, but do not concern the adequacy of the Draft EIR. It should be noted that the purpose of an EIR is to provide public agencies and the public with detailed information about the effect that a proposed project is likely to have on the environment, implement all feasible

mitigation to reduce potential significant impacts, and identify alternatives to the project.²⁴ To be legally adequate, an EIR must provide decision-makers with sufficient information to enable them to make a decision that accounts for environmental consequences, in the light of what is reasonably feasible.²⁵ The Draft EIR has met the standard for adequacy under CEQA, and with these responses makes a further effort in good faith to clarify the effects of the Project and, by introducing Alternative 5, to reduce impacts on the surrounding community.

Comment BHA 22

Analysis of Activities in the Draft EIR Fails to Capture the Full Range of Potential Traffic Impacts

Failure to consider existing activities

The three areas listed above address new activities that don't exist today. However, once the Project is built, MSMU could also use the new facilities to increase the size of existing activities. The Draft EIR is inadequate because it fails to address impacts from increasing the size of most existing activities. It fails to include a full list of the existing activities so that they can be tracked, and proposes no restrictions on increasing the size of them. The Draft EIR is also inadequate because it failed to properly analyze and incorporate the traffic impacts of the existing activities, as described further below.

By failing to provide schedules of both existing and proposed events as part of the Draft EIR, MSMU is ignoring potential mitigations that include moving existing events out of peak hours, cancelling them, or reducing their size. All these options should be considered before MSMU assesses how many significant impacts the Project generates.

Response to Comment BHA 22

As required by CEQA, the Draft EIR analyzes the whole of the Project's activity. As shown in Chapter II, *Project Description*, Table II-4 (*Potentially Changed and New Campus Events/Activities*) of the Draft EIR, the Draft EIR acknowledges greater participation in certain existing Campus activities as a result of the Project and the full range of anticipated activity. The Draft EIR then duly evaluates the impacts that could result from that greater participation in existing events. No new activities would be permitted in the Wellness Pavilion that are not outlined and evaluated by the EIR.

With respect to the commenter's statements regarding existing events, please see Response to Comment BHA 9.

²⁴ See Pub. Res. Code §§ 21002, 21002.1(a), 21061.

²⁵ See CEQA Guidelines § 15151

Comment BHA 23

Failure to properly analyze traffic from Events

The list of events in the Draft EIR does not include all events ---it includes only a limited number of events that MSMU has decided “have the potential to change.” (Table II-4) A schedule that includes the timing and size of existing events is necessary to determine the full impact of traffic of events. If the Draft EIR were to be approved as is, nothing prevents MSMU from moving other events to the Wellness Center or from having more people come to existing events because they like the improved facilities. Without knowing the size and timing of existing events, no one would know whether an increase moves an existing event into “significant impact” territory.

Without a commitment from MSMU not to increase the size of existing events nothing prevents more people from attending them once the new Wellness Center is built.

Response to Comment BHA 23

The commenter correctly notes that the Draft EIR’s Table II-4, which is clearly labeled “Potentially Changed and New Campus Events/Activities,” is limited to potentially changed and new campus events and activities, rather than the entire scope of existing Campus events, most of which will not change as a result of the construction of the Wellness Pavilion. With respect to the commenter’s statements regarding the baseline used in the traffic study and potential changes to existing events, please see Response to Comment BHA 9.

With respect to the commenter’s statement that nothing would prevent MSMU from moving other existing events to the Wellness Pavilion, or increasing the attendance of those events, this is not accurate. The scope of what events would be permitted inside the Wellness Pavilion would be limited to what was specifically studied as the scope of either the Project or Alternative 5 (depending on the Lead Agency’s decision). Operation of the Wellness Pavilion must comply with the definition of the Project, or Alternative 5, including the schedule and type of events, as presented in the Draft EIR or Final EIR.

Comment BHA 24

Robert Kahn, P.E., T.E., a civil engineer with extensive experience in the analysis and management of traffic (Exhibit A), conducted an analysis of the Draft EIR and the Transportation Analysis Report presented in Appendix 1 of the Draft EIR and other associated documents. His analysis is attached (Exhibit B). Mr. Kahn expresses a number of concerns regarding the Draft EIR’s analysis of traffic and transportation impacts, as well as the Draft EIR’s reliance on uncertain mitigation measures to address these recognized impacts. Exhibits A and B are incorporated herein by this reference, and we request that each item in Mr. Kahn’s expert analysis and recommendations be addressed in the recirculated Draft EIR or the Responses to Comments prepared for the final EIR.

Mr. Kahn questions key assumptions in the traffic study regarding the evaluation of the three (3) types of new activities listed above. He asks why Event Trip Generation on which the traffic study is based was not determined by measuring traffic at actual events currently occurring at the University and expanded based upon the expected attendance figures for the proposed Project. Instead, the Event Trip Generation assumes hypothetical attendance figures and event sizes, failing to properly analyze real traffic impacts.

Furthermore, he notes the traffic analysis provided in the Draft EIR assumed that no events would occur concurrently, and their impacts were evaluated separately. However, nothing prohibits new events from being scheduled at the same time as existing events, and without a schedule of existing events or proposed new events multiple events could occur at the same time. The Draft EIR fails to state that new and existing would not occur concurrently and the increased traffic and parking impacts of several events occurring on the same day were not analyzed or mitigated.

By failing to provide schedules of both existing and proposed events as part of the Draft EIR, MSMU is ignoring potential mitigations that include moving existing events out of peak hours, cancelling them, or reducing their size. All these options should be considered before MSMU assesses how many significant impacts the Project generates.

Response to Comment BHA 24

Specific responses to the Robert Kahn, P.E letter, Exhibits A and B begin at Response to Comment BHA-58, below.

The methodology for determining the Project's impacts on surrounding roadways is to compare anticipated future traffic conditions with existing conditions, which include the existing vehicle trips on local streets and Project Study Area intersections, as defined by the LADOT. Impacts are based on an anticipated increase in existing conditions associated with operation of the Project. This Final EIR analyzes Alternative 5's traffic impacts using a similar methodology.

The anticipated attendance for events, represented in Table II-4 of the Draft EIR, is not hypothetical and reflects the maximum number of attendees that would be permitted at each event.

With respect to the commenter's statements regarding existing events and the potential for an overlapping existing and new event, please see Response to Comment BHA 9. To the extent that the commenter is raising the issue of two new Wellness Pavilion events being held on the same day, it should be noted that this is not anticipated, but the Draft EIR accounted for this situation by including PDF-TRAF-8 as part of the Project, which imposed a daily limit of 400 outside guests on days when a new Wellness Pavilion event would take place, and this Final EIR accounts for this situation with respect to Alternative 5 by imposing daily trip caps for new Wellness Pavilion events during both the school year and summer.

Comment BHA 25

The following specific concerns and questions should be addressed:

How many existing events were held on Campus during the 2015-16, 2016-17, and 2017-18 school years? What time were they held (start and end of timeslot?)

Did MSMU provide any incentives for carpooling, such as limiting the availability of parking, or providing shuttles beyond the normal shuttles for attendees to these events?

How many guests were estimated to attend each event, both outside guests and student/faculty/staff?

What percentage of the students/faculty/staff for each event were estimated to be on Campus prior to the start of the event? What is this estimate based on?

Why does the Draft EIR state that only two events would have the potential to increase the number of attendees once the Wellness Center is operational (II-34)? Given that these are very higher attendee of 300- 350 people, what prevents MSMU from increasing the size of other existing events and using the same space that these use?

Why does the Draft EIR state that there is an “existing range of attendees (approximately 50 to 450 people per event) permitted for existing External Events and Internal Events with Outside Traffic? What states that these are “permitted”?

Why hasn't MSMU proposed mitigations on Table II-4 that move the events listed so that entries and exits are during non-peak times (i.e. other than 7-9 am M-F and 3-7 pm M-F) in order to reduce impacts? Is it possible to move all these events so that they do not have exit and entry outside?

The Draft EIR states that MSMU moved non-traditional programs to the Doheny Campus. What prevents MSMU from bringing them back to Chalon, or considering the students “enrolled” at Doheny but moving many of the classes to Chalon?

The Draft EIR states that commencement activities were moved off Campus. What prevents MSMU from bringing them back to the Chalon Campus in the future once the Wellness Center is operational?

Response to Comment BHA 25

The comment presents a number of questions that are unrelated to the adequacy of the Draft EIR and raise concerns about activities outside the scope of the Project and Alternative 5, including existing events.

With respect to the commenter's question regarding existing events in previous years at the Campus, and their start and end times, this information is unrelated to the adequacy of the Draft EIR and outside the scope of both the Project and Alternative 5. Please see Draft EIR p. II-13 for a discussion of existing Campus events. Although the Draft EIR attempted to provide a general summary of existing events for background purposes,

there is no completely defined set of “existing” events given that events, as well as their attendance, vary from year to year. MSMU has encouraged the use of shuttles for larger events with outside guests to reduce traffic impacts and Campus parking; however, this is done voluntarily by MSMU and such events will not be regulated through this Final EIR’s PDFs or mitigation measures because they are not part of the Project and would take place irrespective of whether or not the Project was built or not.

The commenter’s question regarding the provision of incentives for carpooling at previously held events is unrelated to the adequacy of the Draft EIR and outside the scope of any CEQA considerations.

The commenter’s question regarding the total outside guest and student/faculty/staff attendance at previously held events is also unrelated to the adequacy of the Draft EIR and outside the scope of any CEQA considerations.

The commenter’s question regarding the percentage of student/faculty/staff at each existing event is unrelated to the adequacy of the Draft EIR and outside the scope of any CEQA considerations.

With respect to the commenter’s question regarding the Draft EIR’s analysis of existing events with a potential to increase as a result of the construction of the Wellness Pavilion, as explained in the Draft EIR on page II-34, the majority of existing Campus events will be unaffected by the construction of the Wellness Pavilion because they will not be moved into the Wellness Pavilion from their typical location elsewhere on Campus. The Draft EIR’s analysis of those events that would be moved in the Wellness Pavilion either increasing or maintaining the same attendance is based upon MSMU’s experience with those events, and the specific characteristics of the events in question, and is therefore based upon substantial evidence. With respect to the commenter’s question regarding the potential for changes to existing events that will not change as a result of the construction of the Wellness Pavilion, please see Response to Comment BHA 9. With respect to the commenter’s question regarding the potential for existing events that move into the Wellness Pavilion other than Athenian Day and Homecoming, to expand in scope, those are the only two existing events having the potential to change as a result of the construction of the Wellness Pavilion. Should an existing Campus event that moves into the Wellness Pavilion change in scale, that would no longer be considered an existing event, and such an existing event would become an “Other Wellness/Sports Events/Activities” event or Health and Wellness Speaker Series event as studied in the Project’s Draft EIR, subjecting such event to all the PDFs of Alternative 5, including trip caps and hour limitations, that they would otherwise not be subjected to if they occurred elsewhere on Campus.

With respect to the commenter’s question regarding the Draft EIR’s reference to the Athenian Day (with 350 attendees) and Homecoming (with 300 attendees), even after increasing attendance as a result of the construction of the Wellness Pavilion, having attendance within the “existing range of attendees (approximately 50 to 450 people per

event) permitted for existing External Events and Internal Events with Outside Traffic,” (Draft EIR p. II-34), the word “permitted” in this sentence refers to consistency with the Draft EIR’s attendance range for External Events and Internal Events with Outside Traffic. The point of this sentence in the Draft EIR is to convey that even after increasing attendance as a result of the construction of the Wellness Pavilion, the total projected attendance for Athenian Day and Homecoming will be within the same general range of attendance for existing events.

With respect to the commenter’s question regarding the potential for mitigation measures to be incorporated into the Project which would move the times outside of the AM and PM peak periods, it should be noted that CEQA does not require the analysis or incorporation of mitigation measures that would change the underlying project. The Project specifically included AM and PM peak period new events, so the commenter’s suggested mitigation measure would not have been feasible with respect to the Project. However, it should be noted that Alternative 5 incorporates PDF-TRAF-11 and PDF-TRAF-16, which require Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports activities to be scheduled so that outside guests will not arrive or depart during the AM or PM peak period.

With respect to the commenter’s question regarding the potential for programs to shift in the future between the Doheny campus and the Campus, no such shifts are anticipated as a result of the Project and this potential is therefore merely speculative and outside the scope of this EIR.

With respect to the commenter’s question regarding the possibility of commencement activities being moved to the Campus, it should be noted that MSMU does not foresee or anticipate that occurring at this time. But, to the extent that the commenter is asking about whether commencement activities could be moved into the Wellness Center, as explained above, this would not be permitted as it exceeds the scope of both the Project and Alternative 5.

Comment BHA 26

Failure to include Sports

The Draft EIR is inadequate because it does not analyze the impact of sports teams. The Draft EIR has limited but conflicting information on what sports are on and off Campus now and what sports will be on and off Campus once the Project is built. The Draft EIR states that no sports competitions will use the Project Site, only practices. (Page II-18) However, Alternative 4 (limited traffic, Table V-3) lists 30 club sports competitions.

- Why does Alternative 4 discuss competitions when Draft EIR states that no competitions will take place on Campus?
- What sports teams does MSMU have?
- Where do they practice, on Chalon Campus, Doheny Campus, or elsewhere?

- How many people are on each team?
- Where are “at home” competitions held for each sport?
- Which sports will move after the new Wellness Center is built?
- What is to prevent other sports from moving to Campus regardless of whether or not they use the Wellness Center?
- What prevents MSMU from moving additional sports or competitions to Campus in the future? Will MSMU agree to limit the number of sports practicing or competing on Chalon to today’s levels?
- How many outside guests (and vehicles) come to see each type of competition?
- Please provide a schedule for all team sports practices and competitions held on the Chalon Campus in 2016-17 and 2017-18.

Response to Comment BHA 26

For clarification, the page from the Project Description of the Draft EIR cited by the commenter (II-18) states the following: “The proposed Wellness Pavilion would also provide a practice facility for MSMU’s volleyball and basketball club sports teams. MSMU’s volleyball and basketball team practices are currently held off-site. Both teams are shuttled to and from the Campus to off-site practice facilities.” Therefore, no schedule for Club Sports practices or competitions held on the Campus in 2016-17 and 2017-18 exists, because no such practices or competitions were held.

Upon completion of the Project, team practices would be held on-site, eliminating the team shuttle trips to and from the Campus. No intercollegiate competitions would be held at the proposed Wellness Pavilion. The Draft EIR does not state that no sports competitions will take place at the Project Site, and Page II-22 of the Draft EIR notes that the gymnasium will be used for recreational sports.

To be clear, the Project would have sports of some kind, but they would be of an informal nature. Examples of MSMU sports range from informal games amongst friends to intramural MSMU teams.

The commenter may be conflating intercollegiate sporting events with club sporting events. As noted in the Draft EIR, the Project will not be used for intercollegiate events, which are the types of sporting events that are regulated by the National Collegiate Athletic Association (NCAA) or National Association of Intercollegiate Athletics (NAIA), and that generally have spectator followings. For additional clarity on the difference between intercollegiate athletics and club sports, the National Association of Intercollegiate Athletics clarifies as follows:

Competing for a college or university club team is not “intercollegiate participation” in the same way that playing on a varsity or junior varsity team would be. For a contest to be considered intercollegiate, the team must be

sponsored by the institution's athletics department. For NAIA institutions, [the NAIA relies] on an institution's Declaration of Intent form to determine institutional sponsorship.

Since a college club team is not intercollegiate participation, it is therefore considered non-intercollegiate or "outside" competition.²⁶

Because club sports do not have spectator followings, attendance at club sports games is generally limited to players, coaches, and others intimately involved with the respective teams. At present, these activities, as with basketball and volleyball practices, are performed off-site. The team sports include basketball and volleyball (sports held within a gymnasium) and have a limited attendance (with generally fewer than 30 outside visitors including players). Unlike the Project described in the Draft EIR, Alternative 4, as with Alternative 5 (Alternative 5), would allow club sports competitions.

While the Project in the Draft EIR did not contemplate any club sports, and thus, outside guests in connection with club sports, Alternative 4 did allow for outside guests. The commenter is incorrect that this constitutes conflicting information. By their very nature Project alternatives are supposed to be different to the Project studied in a Draft EIR; the fact that an alternative has a different type of activity than the Project does not constitute a conflict. In the case of Alternative 4, the cap on the maximum visitor attendance at the Project's Other Wellness/Sports Events and Health & Wellness Speaker Series events allowed for a trade-off that would allow limited club sports outside of am-pm peak hours. In connection with Alternative 4, the Draft EIR also notes that the total outside guests for club sports, including the participating off-Campus teams and their guests, would total 30 outside visitors. Alternative 4 did not, as the commenter states, list 30 Club Sports competitions in Table V-3. The number "30" refers to outside visitors. Under Alternative 4, Club Sports activities would also take place after 8:00 PM during weeknights and any time during the day on weekends.

Under Alternative 5 additional measures will ensure club sports would not result in significant operational impacts to traffic. Please see Topical Response Nos. 1 and 3 for more details; Club Sports have been brought under Alternative 5's limitations for total outside guest vehicle trips included in PDF-TRAF-12, in response to comments that the Wellness Pavilion could lead to traffic increases from Club Sports even though traffic from Club Sports practices is an aspect of existing conditions and would, in fact, decrease as a result of either the Project or Alternative 5. Specifically, under existing operations, MSMU generates vehicle trips in connection with travel by students and coaches who must practice at off-site locations due to the fact that MSMU currently lacks athletic facilities for Club Sport practices. Upon completion of the Wellness Pavilion, all trips for Club Sport practices would be eliminated since those practices could now be conducted on Campus. While new Club Sports events would be permitted at the Wellness Pavilion

²⁶ <https://www.naia.org/legislative/2013-14/releases/20131101gncvh>

under Alternative 5, the number of events is anticipated to be less than compared to the number of existing practices that are currently required to be held off-site.

In addition, Alternative 5's PDF-TRAF-16 requires that Club Sports activities scheduled during the week not begin prior to 7:30 PM, eliminating peak hour trips associated with outside guests for Club Sports, and require MSMU to inform outside guests of this restriction and the restrictions in PDF-TRAF-10 and PDF-TRAF-12. Together with the peak hour restrictions and the requirement that Club Sports fall under the trip cap for new events, Club Sports would not result in any significant impacts on traffic under Alternative 5.

With respect to the commenter's question regarding the number of players on each Club Sports team, this information is not relevant to the analysis of either the Project or Alternative 5 because the number of players on each team is not anticipated to change as a result of either the Project or Alternative 5, and further, all Club Sports team members are by definition students who are already present on Campus on a regular basis.

Comment BHA 27

Overly Optimistic Analysis of the Summer Camp (that is improperly called a "Worst Case Scenario")

The transportation analysis in the Draft EIR is inadequate because the impact of the summer camp on traffic is not appropriately addressed. Page 7 of the Fehr and Peers report states that the Draft EIR assumes the worst-case scenario regarding traffic generated by a twelve-week summer camp, but this is not correct. The Draft EIR suggests that every parent would be allowed to bring their child to school and drop them off every day, but then states that only 100 cars would be used for 200 campers, which assumes two campers per car. The worst-case scenario would be one camper per car, and the Draft EIR is inadequate because it failed to measure the worst-case scenario even though it stated otherwise.

- Why is MSMU assuming that parents should be allowed to drive their kids to school every day instead of being required to take them to an offsite location from which they can be bused to the school?
- Why has MSMU assumed that the camp starts at 9 am? What are the additional impacts if the camp day starts earlier so that both entry and exit of cars is during AM peak?
- Why has MSMU only looked at the camp ending during the 3 to 4 pm hour? Given that the camp doesn't exist yet, what would be the impact of the camp running until the 4 to 5 pm or 5 to 6 pm hours?
- On what basis does MSMU assume that two campers will be brought per car? (IV. K-27) Does MSMU plan to implement any requirements for carpooling? What are the traffic impacts if only one child per car is assumed?

Response to Comment BHA 27

With respect to the commenter's statements regarding the Draft EIR's assumption of two campers per car for the purposes of the Traffic Study's trip generation estimates for the Project's Summer Sports Camps and why this assumption is supported by substantial evidence, please see Response to Comment BHA 9.

The comment refers several times to "school," but it should be noted that the Summer Sports Camps included as part of the Project and Alternative 5 are not schools, but are educational summer camps.

With respect to the commenter's question regarding campers at Summer Sports Camps being driven directly to the Campus rather than taken to an off Campus location and then bused to the Campus, or alternate operation hours for Summer Sports Camps other than those indicated in the Draft EIR, none of these were aspects of the Project and therefore, the Draft EIR did not study this possibility. CEQA does not require a Draft EIR to consider the impacts of hypothetical situations that are not part of the Project.

Even though the carpooling assumption used in the Draft EIR's Traffic Study with respect to the number of campers who would arrive in each vehicle for Summer Sports Camps was supported by substantial evidence, Alternative 5 specifically contains additional measures that are responsive to commenter's statements questioning that carpooling assumption, and which specifically require shuttles and/or carpools in order to keep daily trips generated by Summer Sports Camps below levels that would cause significant traffic impacts. These include Alternative 5's PDF-TRAF-10, PDF-TRAF-13, and PDF-TRAF-14. Under PDF-TRAF-10, Summer Camp attendees will be required to identify at the time they register in the parking reservation/ticketing system whether they will be traveling in a private vehicle or via transportation network companies (TNCs) (such as Uber or Lyft) and their permit will specify their selected mode. Summer Camp attendees arriving by either private or TNC vehicles that do not have either a private vehicle or TNC permit, respectively, will not be allowed to enter the Campus. A reservation for a private vehicle or a Summer Sports Camp staff vehicle will count as two trips. A reservation for a TNC vehicle or private vehicle dropping off/picking up Summer Camp attendees will count as four trips. Under PDF-TRAF-13, MSMU shall require that campers attending Summer Sports Camps with more than 50 campers travel via shuttles and/or carpools. The number of allowable trips for each peak period would be restricted to 71 inbound and 31 outbound trips during any single hour within the weekday 7:00-9:00 AM peak period, 8 inbound and 34 outbound trips during the weekday 3:00-4:00 PM peak hour, and 3 inbound and 9 outbound trips during any single hour within the weekday 4:00-6:00 PM peak period. If MSMU permits Summer Sports Camps to begin or end during the AM-PM peak hours, it shall provide a Campus entry reservation system, to the satisfaction of LADOT, that shall log and ensure AM-PM peak period trips are not exceeded, and that can be audited by LADOT at any time. Under PDF-TRAF-14, total daily vehicle trips to/from Summer Sports Camps will be limited to 236 trips (118 inbound and 118 outbound), which will be applicable to all vehicles, including shuttles. Pedestrian access shall be restricted in

accordance with PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users, including Summer Sports Camps attendees and parents driving campers to the Campus, by prohibiting pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

Comment BHA 28

Lack of Back-up for Assumptions

Another problem with the Transportation Analysis is that MSMU has failed to provide back-up for the assumptions used in its transportation analysis. For example, according to Table 6 in Appendix I Transportation and Traffic, MSMU assumes that an event with 400 outside guests will generate 200 vehicles. However, given that MSMU has given no explanation of incentives to make people carpool such as restrictions on parking, and has provided no shuttle services, the assumption that two (2) people will travel in every vehicle is unwarranted.

In addition, the DEIR uses trip distribution from the City of Los Angeles' Travel Demand Management ("LATDM") program (IV.K – 28) but this does not reflect the distribution of MSMU students, faculty, and staff by zip code.⁵ The analysis based on the LATDM assumes 11% of departing traffic goes north on the I-405 to the Valley, 26% goes west, 28% goes south, and 20% goes east. (Figure IV.K-5) However, the distribution by zip code shows only 12% of the MSMU population living in the surrounding area (who could drive west, south, or east when leaving the Chalon campus) and only 3% driving further west, far short of the 26% assumption.

- On what basis does MSMU assume that 2 people will travel in every vehicle? Does it have any data that measures how many people actually traveled in each vehicle? If not, why isn't a safe assumption that each person drives separately?
- Given the increase in usage of services like Uber and Lyft, does the traffic analysis take into account that additional trips should be assumed because these vehicles both enter and exit the facility when a passenger is dropped off as well as when they are picked up?
- Does MSMU plan to put any requirements in place for parking reservations to limit the number of guests?
- What does the analysis of significantly impacted intersections look like if the analysis is changed to show 1 person per car (excluding any rideshare drivers)?
- Why does the Draft EIR assume that events cause either entrance or exit during peak times but not both? Does MSMU have any existing events with both arrivals and departures during peak hours? (A schedule of existing events is necessary to confirm this.)
- Why has MSMU selected entry at 6 - 7 pm and exit at 5 - 6 pm as the only times that were analyzed? What does the analysis look like if entry is at 3 – 4 pm, 4 - 5

pm or 5 - 6 pm? What does the analysis look like if exit is at 3 - 4 pm, 4 - 5 pm or at 6 - 7 pm? What are the start and end times of existing events—do all end and begin during the windows listed?

- How does the transportation analysis change if an accurate trip distribution based on the actual zip codes of Chalon students is used? What is the additional impact on intersections caused by the Project?
- What does the traffic analysis look like if MSMU uses the correct zip code distribution for students, faculty, and staff instead of the theoretical LATDM?

⁵ The Mount Saint Mary's University: TDM and Three-Year Action Plan Report Updated April 15 (described further in the section on MSMU's TDM) page 13.

Response to Comment BHA 28

With respect to the trip generation rates used in the Traffic Study, including carpooling assumptions, the commenter incorrectly asserts that they were based on unsubstantiated assumptions. The Draft EIR's Traffic Study assumed an average vehicle occupancy rate of two guests per car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns, in which most attendees at events such as the new Wellness Pavilion events proposed as part of the Project would not arrive alone. Given that the Project's new events are social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two per vehicle also accounts for the occasional guest who drove alone and multiples arriving in a carpool. However, it should be noted that in response to comments, and as discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has been developed to place limitations on daily vehicle trips, rather than outside guest attendance, and includes measures designed to ensure that no matter what vehicle ridership actually occurs, those vehicle trip caps will not be exceeded.

Trip distribution for the Project, as discussed on page IV.K-28 of the Draft EIR, is based on the LADOT's Travel Demand Model. The Project does not involve any change or increase in student enrollment or staffing, with the exception of a single additional employee. Therefore, the Draft EIR's Traffic Study was properly focused on trips generated by outside guests, rather than students, faculty, or staff. For that reason, it would not have been appropriate for the Traffic Study to use student and staff zip codes in connection with trip distribution. In order to accurately reflect the traffic impacts of the outside guests visiting the Wellness Pavilion's events, an evaluation of the general population and the distribution model used by the LADOT was implemented.

With respect to the commenter's question regarding the Traffic Study's carpooling assumptions, see the explanation above.

With respect to the commenter's question regarding the use of ride-sharing services, as explained above, the trip generation rates used in the Traffic Study were supported by

substantial evidence. However, in response to several comments received relating to concerns about vehicle occupancy, including the use of ride-sharing services, Alternative 5 imposes daily vehicle trip caps, rather than a guest cap, which will ensure that no matter the vehicle occupancy rate, trips will remain less than significant. Alternative 5 also specifically includes transportation network companies (TNCs) such as Uber and Lyft in trip caps. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would impose PDF-TRAF-10, which requires both outside guests and Summer Camp attendees to identify in a new parking reservation/ticketing system whether they will be traveling in a private vehicle or via TNCs and requires their permit to specify their selected mode, and TNC trips will count as two trips for each arrival to or departure from Campus.

With respect to the commenter's question regarding a parking reservation system, as explained above, Alternative 5 incorporates the requirement of a parking reservation system/ticketing system through PDF-TRAF-10. And, as explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates daily trip caps applicable to both new school year events and Summer Sports Camps.

With respect to the commenter's question regarding whether the Traffic Study's conclusions would change had different trip generation assumptions been used, as mentioned above, the trip generation assumptions are supported by substantial evidence, and are therefore compliant with CEQA. CEQA does not require a Draft EIR to consider the impacts of hypothetical situations that are not part of the Project.

With respect to the commenter's questions regarding the use of zip code information for students, faculty and staff in the Traffic Study, please see above discussion.

The commenter raises a number of questions regarding the Traffic Study's analysis of peak hour impacts, the periods analyzed, and the trip distribution used to estimate the time periods when various trips would be generated. The commenter provides no substantial evidence that the Traffic Study was deficient in any of these respects. It should be noted that the peak periods used in the Draft EIR were selected in coordination with LADOT to capture the periods with the greatest traffic. With respect to the commenter's questions regarding existing events, please see Response to Comment BHA 9. Finally, it should be noted that Alternative 5, as described in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would eliminate am-pm peak hour trips for new events during the school year.

Comment BHA 29

Inadequate Mitigations for Construction Traffic

The Draft EIR calls for scheduling of construction-related deliveries between 7 am and 3 pm to reduce traffic during peak travel periods (see PDR-TRAF-1). However, given

MSMU's distance from the 405 freeway, trucks will be on the street during peak congestion (which begins at 3 pm Monday through Friday). Brentwood School has agreed that any construction trucks will only use Sunset Blvd. between 9:30 am and 2:30 pm so that they are not on Sunset during peak hours.

Will MSMU agree to the same time restrictions for construction trucks as Brentwood School? If not, why not?

Response to Comment BHA 29

The statement that the Project's distance from the I-405 Freeway would place trucks on Sunset Boulevard during peak congestion is a general statement not supported by evidence. However, in order to further clarify the issue of construction traffic mitigation, the Draft EIR, Section IV.K, *Transportation and Traffic*, disclosed potential traffic impacts at Sunset Boulevard intersections during construction under existing and future conditions (see Section IV.K, Tables IV.K-9 and IV.K-10). As also discussed in the Draft EIR, mitigation measure MM-TRAF-1 would reduce PM peak period construction trips to a level of less than significant. In addition, the Project would implement PDF-TRAF-3, which requires MSMU to attend bi-monthly (or at a frequency determined appropriate by City Staff) construction management meetings conducted by City Staff and the operators or contractors for the Archer School for Girls and the Brentwood School to coordinate the periods of heaviest construction activity in order to avoid overlapping hauling activities. Coordination shall ensure that construction activities associated with these concurrent related projects and hauling activities are managed in collaboration with one another. MSMU shall provide advance notification to LADOT, the Archer School for Girls, and the Brentwood School of its upcoming construction activities, including durations and daily hours of construction. Alternative 5 incorporates all of the substantive provisions of PDF-TRAF-3, including those discussed above, in a modified PDF-TRAF-1.

Finally, it should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments, including cumulative construction traffic impacts, was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments.

Comment BHA 30

The Draft EIR states that MSMU will "maintain ongoing communication with school administrators at affected schools along the haul route including Archer School for Girls, Brentwood School, and St Martin of Tours school." (PDF-TRAF-1). Archer and Brentwood School have agreed to stagger their construction schedules so that they do not overlap.

Will MSMU agree to schedule its construction so that periods with large numbers of construction vehicles do not overlap with those of the other schools whose projects have already been approved? If not, why not?

Response to Comment BHA 30

Please refer to Response to Comment BHA 29 regarding the requirements included as part of PDF-TRAF-3.

It is speculative and beyond the scope of the Project to determine the future construction schedules of the other projects at this point in time. Any further agreements by MSMU not required by CEQA are outside the scope of this Final EIR.

Comment BHA 31

The Draft EIR states that construction workers will park on Campus. (PDF-TRAF-2). However, Brentwood School agreed that construction workers for any construction on West Campus, which is far from the 405 freeway (yet much closer than MSMU) will park offsite and go to the Campus on shuttles (Condition 33 of Staff Report). A mitigation measure for offset parking is proposed when more than 37 outbound construction vehicles are anticipated.

How was the 37 outbound number determined? Can this number be reduced so that more of MSMU's construction workers park off-site in a location that is not near Sunset/Bundy and take shuttles to the Project site?

Response to Comment BHA 31

The comment does not relate to the adequacy of the Draft EIR under CEQA.

The Project's PDF-TRAF-2 included in the Draft EIR required that construction workers park either in designated areas on Campus or in available off-site parking facilities, with no worker parking allowed on neighborhood streets. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, PDF-TRAF-2 has been modified to require all construction workers to park on Campus under either the Project or Alternative 5, while continuing to prohibit parking on neighborhood streets.

The commenter refers to MM-TRAF-1. MM-TRAF-1, as originally included in the Draft EIR, was designed to mitigate construction traffic impacts at Study Area intersections to a level of less than significant by implementing an off-site parking and shuttling program for construction workers when more than 37 outbound PCE vehicle trips were anticipated in any hour within the PM peak period.

37 outbound PM peak hour trips is the maximum number of trips that could occur in any hour within the PM peak period without significantly impacting any of the Study Area intersections. This number was determined through sensitivity testing of intersection LOS and reducing the trips until the impact was less than significant. It should be noted, however, that in reviewing the potential traffic impacts of a shuttle that was traveling back-and-forth between an off-site parking lot and the Campus, it was determined that 6 inbound PCE vehicle trips would also trigger an impact (because of how the critical

movements work at the intersection in the PM peak hour), which is why construction worker shuttle trips were limited to 6 total trips (because the *inbound* trips trigger the impact).

During the preparation of this Final EIR, it was determined that at no time would construction worker outbound trips exceed 37 outbound trips during a peak hour, thereby rendering a shuttle system unnecessary, and further determined that all construction worker parking could be accommodated on the Campus. Therefore, MM-TRAF-1 has been revised in this Final EIR to serve as an hourly inbound and outbound trip cap, rather than a threshold that triggers the implementation of a shuttling program. As shown in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, MM-TRAF-1 has been revised so that it limits trips during construction to a maximum of 37 outbound PCE vehicle trips and 6 inbound PCE vehicle trips in each individual hour within the PM peak period (4 PM to 6 PM). To be clear, the impacts are triggered by either 37 outbound trips or 6 inbound trips in each peak hour, so the total number of maximum construction vehicle trips would be as follows: 4-5 pm (37 vehicles outbound, 6 vehicles inbound); 5-6 pm (37 vehicles outbound, 6 vehicles inbound); 6-7 pm (37 vehicles outbound, 6 vehicles inbound). In short, MSMU can have up to 37 PCE vehicles leaving during each hour within the PM peak hour or up to 6 inbound PCE vehicles during each hour within the PM peak period. Whichever one of those is exceeded first would trip the significant impact at the Bundy/Sunset intersection. As revised, MM-TRAF-1 will reduce impacts to Study Area intersections during construction to a level of less than significant without requiring the shuttle program and off-site parking contemplated in the Draft EIR.

MM-TRAF-1, as revised in this Final EIR, is incorporated into both the Project and Alternative 5, and will serve to keep construction traffic impacts to Study Area intersections below the threshold of significance during construction of either the Project or Alternative 5.

With respect to the commenter's suggestion regarding the shuttling of construction workers, as explained above, PDF-TRAF-2 has been modified to prohibit off-site parking by construction workers and therefore no shuttling of construction workers will occur under either the Project or Alternative 5.

Comment BHA 32

The Draft EIR assumes that only 40% of the construction workers would arrive during AM peak and only 40% would leave during PM peak. It claims that the "analysis period is representative of the worst traffic conditions in the Study Period." Construction traffic is projected to have significant impacts at Bundy/Sunset and Saltair/Sunset (Table IV.K-9) and also on neighborhood streets (Table IV.K-13)

- On what basis is only 40% assumed if MSMU does not plan to require offsite parking and shuttle buses? If the analysis is meant to consider "the worst traffic

conditions” why isn’t an assumption that 100% of construction workers drive the correct one to use?

- What would be the impact if 100% of the construction workers drive their own cars to and from the Project Site during peak hours?
- Why can’t MSMU move traffic out of peak hours and provide shuttles to eliminate all significant impacts?

Response to Comment BHA 32

The comment includes text in quotation marks stating that the “analysis period is representative of the worst traffic conditions in the Study Period,” but no such quote appears in the text of the Draft EIR. Instead, on Page IV.K-40, the Draft EIR refers to the Traffic Study’s construction period vehicle trip generation analysis and its use of the AM peak hour and 5:00 to 6:00 PM peak hour and notes that “[t]his analysis period is representative of the worst traffic conditions in the Study Area.” This statement is meant to indicate that the periods being analyzed are those in which the worst traffic conditions exist within the Study Area.

Section IV.K, *Transportation and Traffic*, page IV.K-40 of the Draft EIR states that construction hours will adhere to the LAMC requirement, in which construction is permitted between 7:00 AM and 9:00 PM and further states that construction workers often travel to and from a worksite outside of the typical peak commute hours. Haul and delivery/equipment trucks were assumed to occur between 7:00 AM and 3:00. At this point, workers must be on-site to receive deliveries. The majority of construction workers would not travel during the peak hours.²⁷ However, to be conservative, the traffic analysis assumed that 40 percent of the construction workers would arrive during the peak AM hours and 40 percent would depart during the peak PM hours.

An analysis based on 100 percent of workers traveling on Sunset Boulevard and on the local streets during the peak commute hours is not supported by the character of construction activities and when workers need to be on the job. The comment’s question regarding the “worst traffic conditions” refers to the quote discussed above, and appears to mistakenly interpret the language in that quote as referring to a worst case scenario of analysis, which it does not.

With respect to the commenter’s question regarding the potential impact if 100 percent of workers arrived during the AM peak hour and departed during the PM peak hour, this is a hypothetical scenario that is not supported by substantial evidence, and CEQA does not require this EIR to consider such a scenario.

²⁷ Fehr and Peers, Mount Saint Mary’s University Wellness Pavilion, Traffic Study, January 2018, page 69 (See Appendix I of the Draft EIR).

The commenter asks why all significant construction traffic impacts cannot be eliminated by moving construction traffic out of peak hours and using shuttles.

Section IV.K, *Transportation and Traffic*, of the Draft EIR fully analyzed all of the Project's construction traffic impacts, and all feasible mitigation measures that could potentially reduce those impacts. As discussed therein, the intersections of Sunset Boulevard/Bundy Drive, Sunset Boulevard/Saltair Avenue, and Sunset/Barrington Avenue currently operate at poor (LOS E) or failure (LOS F) during the PM peak hours. During construction, implementation of MM-TRAF-1 under Existing and Future plus Project conditions would reduce the Project's construction traffic impacts at these intersections to less than significant levels. However, construction traffic impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would remain significant and unavoidable, even with implementation of all feasible mitigation measures, primarily as a result of haul truck traffic and not construction worker trips. Impacts to neighborhood street segments are based on daily trips and not only peak hour trips. Further, as shown in the Draft EIR, only a low number of daily trips are needed to exceed the neighborhood street segment threshold for the neighborhood streets surrounding the Site. Thus, neither AM and PM peak hour restrictions nor any additional shuttling requirements for construction workers would reduce the significant and unavoidable impacts on surrounding neighborhood street segments to a level of less than significant.

Comment BHA 33

The Draft EIR Misstates the Allowed Maximum Enrollment, and then Fails to Provide a Traffic Analysis Based on its Claimed Enrollment Number.

Enrollment on Campus clearly impacts the number of vehicle trips, so getting a definitive number of how many students can be enrolled at Chalon is essential to any accurate analysis in the Draft EIR.

Response to Comment BHA 33

Pursuant to CEQA Guidelines § 15125(a), as discussed in Section II, pages II-11 and II-12, of the Draft EIR, the EIR analysis utilized existing student enrollment at the Campus in evaluating all environmental impacts, including traffic impacts, associated with the Project. Under CEQA, the use of existing enrollment conditions is appropriate because such conditions "constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."²⁸

As disclosed in the Draft EIR, the operation of the Project will not increase student enrollment and would result in the addition of one new staff member. See Topical Response Nos. 2, 6, and 7, for a detailed discussion of this matter. Therefore, existing traffic and circulation systems would not be impacted by additional students enrolling at

²⁸ See CEQA Guidelines § 15125(a).

the Campus as a direct or indirect result of the Project. The conditions regarding enrollment and hiring of one new staff member would be the same under Alternative 5.

Comment BHA 34

The Draft EIR misstates the Maximum Enrollment at Chalon, which is 1,072 not 2,244.

The Draft EIR erroneously assumes that Maximum Enrollment can be based on the Number of Parking Spaces and describes the maximum permitted enrollment on Campus as 2,244 based on Condition 3 of City Plan Case No. Plan Case No. 4072 CU dated July 27, 1984 (p. II-12).

Response to Comment BHA 34

The comment alleges that the Draft EIR does not correctly identify the maximum number of students MSMU may enroll at the Campus, but does not explain how this renders the Draft EIR's analysis of the Project legally defective under CEQA. The comment expresses concern with the permitted number of student enrollment.

The Draft EIR properly utilized current student enrollment at the Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA. Pursuant to CEQA Guidelines § 15125(a), and as stated in the Draft EIR Chapter II on pages II-11 and II-12, the Draft EIR relied upon existing student enrollment conditions to establish the baseline conditions. As set forth in the CEQA Guidelines, the use of existing enrollment conditions is appropriate because such conditions "constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."²⁹ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured. This Final EIR similarly uses current enrollment to establish the baseline against which Alternative 5's impacts are evaluated.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body (as well as outside guests when applicable), and neither the Project nor Alternative 5 would result in an increase in student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. As noted, therein, the language discussing parking spaces in relation to student enrollment has been deleted from the Draft EIR and is not included in the Alternative 5 Project Description.

²⁹ See CEQA Guidelines §15125(a).

Comment BHA 35

Regarding Case No. 4072 CU dated July 27, 1984 (p. II-12): However, that Condition controls parking spaces, not enrollment: it reads:

“The ratio of parking to students shall not be less than ¼ parking spaces for each student enrolled at Mount St. Mary’s College.” MSMU’s claim that 2,224 students can be enrolled is based on 561 parking spaces x 4.”

However, the Staff Report for Case No. 4072-CU in 1984 states:

“If the current ratio of students to parking available is used, the enrollment on Campus could increase to 1037 from 750 with the additional 188 spaces (244-56 existing).”

The final approval of the City Planning Commission, July 27, 1984, made specific reference to Staff’s Condition No. 4 which changed the parking number and said:

“That not more than 268 automobile parking spaces be constructed on the subject site.” (Condition No. 4 of that Case No 4072 CU)

Hence, enrollment was limited to 1,072 in 1984 (268 x 4). That 1,072 maximum enrollment number is incorporated in the letter, dated January 25, 1996, from Bob Rogers, Principal City Planner for DCP, to Councilman Marvin Braude when Rogers describes maximum enrollment. The interpretation by Bob Rogers in 1996 must be given great weight since he was the Senior City Planner who approved the Staff Recommendation in the 1984 case and knows what was intended. If Applicant maintains a different approval or analysis by a City agency, it is not described in the EIR.

The Illegality of basing maximum student enrollment on total parking spaces is evidenced by reference to LAMC Section 12.21A4⁶ which states that required parking for college auditoriums is based on sq. ft. or fixed seats. It also states that required parking for classrooms and assembly areas of trade, professional, or similar schools is based on 1 per 50 sq. ft or 1 per 5 fixed seats, whichever is greater. Hence, there is no basis for determining enrollment based on parking, and the 1,072 maximum enrollment that was referenced in the 1984 CPC decision (discussed above) is consistent with the LAMC that determines required parking based on the physical size of the school.

The absurdity of claiming that maximum enrollment should be based on total parking spaces is further demonstrated by the fact MSMU reserves many parking spaces for faculty/staff. Clearly spaces reserved for faculty and staff should not be considered available for student parking.

Figure IV.K-4 in the Draft EIR shows the number of parking spaces in each of the existing parking lots (561 total), and notes that 36 of those spaces are reserved and 129 of those spaces are designated for faculty/staff, leaving only 391 for students. Hence, it makes no

sense to claim student enrollment based on 561 parking spaces when students may only use 396 of them. Exhibit C shows the parking available on the Chalon Campus.⁷

Any future CUP must include a firm number on Maximum Enrollment that cannot be disputed in future Project approval requests.

The Draft EIR fails to disclose the required information under this heading and analyze its impacts on the requested approvals and on the Chalon Campus as a whole.

⁶ Summarized in the LADBS "Summary of Parking Regulations."

⁷ From MSMU website

Response to Comment BHA 35

Please see Response to Comment BHA 34 regarding the Draft EIR's discussion of student enrollment and the appropriate use of existing student enrollment for the purposes of environmental analysis.

Also, please refer to Table III-2, *Alternative 5 and Campus Parking Requirements*, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR regarding MSMU's existing required parking and parking that would be required under Alternative 5. The same criterion, which is based on one space per 5 fixed seats within the assembly area (the gymnasium) would also apply to the Project or Alternative 5. As shown in Table III-2, Alternative 5 would be consistent with LAMC parking requirements.

Comment BHA 36

Failure to incorporate claimed maximum enrollment into the traffic analysis

Mr. Kahn notes that the entire traffic study in the Draft EIR assumes that the current student enrollment would remain as it currently exists (approximately 1,500 students). We note that the current enrollment of 1,500 is higher than the 1,072 Maximum Enrollment authorized under the 1984 and 1996 reports by the city. Given that the University believes that enrollment could increase to 2,244 without approval, the traffic study should have included 2,244 students from a traffic and parking standpoint. This increase in number of students would be considered a related Project just like the other 67 related projects that were included in the traffic analysis. If MSMU's claim of 2,244 potential students were correctly incorporated, the impacts from a traffic and parking standpoint would be significantly greater than those documented in the traffic study and Draft EIR.

- What would the traffic analysis look like at 2,244 students, as is claimed by the University to be the maximum enrollment allowed? Why wasn't this number used for the traffic analysis?
- Is the University committing to limit enrollment to a fixed number of students enrolled on the Chalon Campus or taking classes at MSMU?

Response to Comment BHA 36

As discussed under Responses to Comment No. BHA 33-35, neither the Project nor Alternative 5 would increase student enrollment. The Draft EIR duly evaluated the Project's potential to result in growth-accommodating impacts and determined that the Project would not directly or indirectly foster growth. Specifically, as discussed in Topical Response No. 7, Project Impact on Student Enrollment, the Project would not induce an increase in student enrollment and would result in the addition of one new staff person. Also, please refer to Response to Comment BHA 10 regarding CEQA Guidelines § 15125(a), which allows the use of existing student enrollment conditions to establish baseline conditions.

The comment suggests that an increase in student enrollment should be considered a related project for the purposes of the Draft EIR's environmental analysis. This statement is based on a mistaken understanding of what constitutes a "related project" under CEQA. Related projects are other development projects that are taking place within the vicinity of a project for which an EIR is being prepared.

Please also note that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the Traffic Study). This reduction in vehicle trips will further ensure that Alternative 5 will not result in any significant traffic impacts.

Comment BHA 37

Failure to include Doheny students and faculty/staff that go to both Campuses on a regular basis.

The maximum number of students that can be enrolled at Chalon Campus is not the only enrollment number relevant to the Draft EIR. The number of students enrolled at Doheny who take classes at Chalon is also relevant. MSMU has said that many students at Doheny take classes at Chalon but has provided no information on the daily impact of those students. Given the number of shuttles between the Campuses, many students from Doheny are taking classes at Chalon and vice versa. However, without having such baseline information on these trips, nothing prevents MSMU from circumventing any enrollment caps listed in Chalon's CUP. MSMU could simply enroll students at Doheny but schedule classes and activities for them at Chalon.

- Approximately what percentage of the number of students taking classes above are enrolled at the Doheny Campus?
- Table II-2 lists the current number of full-time and part-time students on each Campus in 2017. How do these numbers compare to the number of students in prior years (2014, 2015, 2016) and with 2018?

- (Please provide numbers as they are shown in the chart, which uses part-time and full-time students instead of FTEs).
- Does MSMU plan to increase enrollment at the Doheny Campus in the future? Does it have caps on Doheny enrollment? If so, what are these caps? If not, does it plan to cap the Doheny enrollment to prevent additional traffic coming to Chalon?
- Can classes be shifted to Doheny to reduce traffic coming to Chalon? If not, why not?
- What, if anything, prevents more students from Doheny taking classes at Chalon, or more classes being offered at Chalon?
- The Draft EIR is inadequate because it fails to show the zip codes of where students live. What are these zip codes, and how many students that take classes at Chalon live in each zip code?
- We have been told that Freshmen are not allowed to own cars, but there is a “Resident’s” parking lot next to the Freshmen dorm. How many Freshmen live on the Campus and drive? How many use Uber, Lyft or other car companies as transportation for recreational activities?

Response to Comment BHA 37

The comment relates primarily to operations outside of the scope of the Project under CEQA, as discussed in further detail in Topical Response No. 2, Scope of Project.

- The number of students from the Doheny Campus and vice-versa (Chalon students attending classes at the Doheny Campus) are an existing baseline condition and any shuttle traffic would be reflected in peak hour and 24-hour traffic counts conducted for the Traffic Study and are evaluated as an existing condition. Please see Response to Comment BHA 4 regarding Doheny campus students and the environmental analysis of the Draft EIR. Also, please note that the Project or Alternative 5 would not provide additional classrooms or increase student enrollment. In addition, the Wellness Pavilion is not needed to accommodate physical education or sports activities for Doheny students as Doheny has its own facilities for physical education and sports activities.
- The number of full-time and part-time students on each Campus in 2015 is listed on Table II-2, which provides a profile of the existing Campus enrollment for background purposes. Neither the Project nor Alternative 5 would increase student enrollment; one new staff member would be hired as part of the Project or Alternative 5.
- The reference to “FTEs” is not defined or understood.
- The Campus has a specific classroom capacity, which is currently operating at maximum. Because of the specific classroom capacity at the Campus, changes at the Doheny campus would not impact visitation at the Campus. In addition, this issue is not pertinent to the evaluation of the Wellness Pavilion in the Draft EIR.

- The Project would not increase enrollment. The current classroom attendance at the Campus is an existing condition and is not pertinent to the evaluation of the impact of future visitors and use of the Wellness Pavilion for team sports and practices, to which Chalon students are currently shuttled off-site to attend.
- No additional classrooms for outside students would be added under the Wellness Pavilion. The Wellness Pavilion would offer physical education and athletic opportunities that are currently available to Doheny students at the Doheny Campus but not to students at the Campus.
- The zip codes of students at the Campus has no relevance to the traffic study or other aspects of the Draft EIR's environmental evaluation. Because the Project or Alternative 5 do not provide for an increase in enrollment, traffic distribution patterns or other aspects of this information is not relevant. The existing distribution of students as it applies to traffic patterns is demonstrated in the existing conditions study in the Traffic Study and in Section IV.K, *Transportation and Traffic*, of the Draft EIR. The exclusion of student residence zip codes does not constitute a "failure" to meet environmental analysis requirements under CEQA. The analysis of Alternative 5 in this Final EIR is based upon the same existing conditions as the Project.
- The issue of student vehicle trips, including the use of Uber, Lyft or other car companies as transportation for recreational activities, is reflected in the existing conditions and is evaluated in the Traffic Study and in Section IV.K, *Transportation and Traffic*, of the Draft EIR. The analysis of Alternative 5 in this Final EIR is based upon the same existing conditions as the Project.

Comment BHA 38

In addition to students, the Draft EIR states that the 176 staff members (II-13) oversee both Campuses yet no breakout is given as to how many have offices at Chalon vs. Doheny. Similarly, no break-out is given on how many of the 273 faculty members (63 full-time and 210 part-time) (II-13) teach at Chalon or Doheny only or at both Campuses. Without such a break-out, there is no way to know whether the mix will change if MSMU alters the facilities through this Project. While this Project is designated a "Wellness Center" for students, faculty, and staff, that term in itself does not imply that space for numerous lectures and events will be added. This same space could be used to increase courses or other activities at the Chalon Campus.

- Draft EIR is also inadequate because it fails to discuss mitigations that would prevent moving classes and other activities from Doheny to Chalon once the Wellness Center is completed.
- How many faculty and staff go to the Chalon Campus each day of the week? (including part-time as well as full-time people)
- How many arrive and leave at each time of day?

- How many of them drive one to a car as opposed to carpooling or taking shuttles? Do all receive access to onsite parking? If not, how many receive parking?
- How many of the faculty and staff have their primary offices on the Chalon Campus as opposed to on the Doheny office?
- What would prevent MSMU from changing the mix and moving more faculty and staff to the Chalon Campus or having them work more often on the Chalon Campus in the future?

Response to Comment BHA 38

Comment BHA 38 relates to ongoing activities at the Campus and the Doheny Campus. In addition, the number of existing students and staff at the Campus, even those in attendance from the Doheny Campus, are reflected in the existing baseline conditions, as evaluated in the Draft EIR. Also, please refer to Topical Response No. 2, Scope of Project, for a detailed discussion of the scope of the Project.

Portions of the comment also speculate about a future exchange of staff and/or students between MSMU campuses and the impacts such exchange may or may not have. Neither the Project nor Alternative 5 would provide additional classroom space to accommodate additional students from the Doheny Campus. As such, the break-out of how many staff would serve each Campus is not relevant, since the academic classroom space (not including physical education) will not change. The only altered facilities at the Campus would be the addition of the gymnasium and other physical education facilities such as a pool, which already exist at the Doheny Campus. These facilities would provide for on-site physical education, wellness, and sports, which the Campus currently lacks appropriate facilities for. As discussed in the Draft EIR, one staff person would be added to the Campus as a result of the Project.

The focus of the EIR and the environmental effects of the Wellness Pavilion is the potential impacts from construction and operation of the Project (or Alternative 5), including the lectures and wellness and sports events at the Wellness Pavilion that will attract outside visitors. Such visitor trips are accounted for in the Draft EIR traffic analysis discussed in Section IV.K, *Transportation and Traffic*. A primary environmental issue of the Project is the conclusion in the Draft EIR that the Project would result in significant and unavoidable impacts related to operational traffic.

In this regard, Alternative 5 would establish maximum vehicle trips for Wellness Pavilion events, as discussed in detail in Topical Response No. 3, that would apply to all vehicles, including shuttles, Uber and other transportation modes.

The Draft EIR is not inadequate for not discussing mitigations that would prevent moving classes and other activities from Doheny to Chalon once the Wellness Center is completed because the Wellness Pavilion would not increase on-site classroom capacity or provide the same types of academic classes that Doheny students currently attend at

the Campus. In addition, Doheny students have respective physical education and sports facilities at their own campus and would have no need for such services provided by the Wellness Pavilion. Further, under Alternative 5 all outside attendance at the Wellness Pavilion would be subject to the restricted daily vehicle trips under PDF-TRAF-12, which requires that total daily outside guest vehicle trips to/from Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports activities will be limited to 310 outside guest vehicle trips (155 inbound and 155 outbound), which will be applicable to all vehicles, including shuttles. Pedestrian access would be restricted in accordance with PDF-TRAF-17. And PDF-TRAF-18 requires MSMU to limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to one percent below the 2016 baseline trip counts taken for the Campus. The latter PDF would eliminate any potential traffic impacts generated by any additional trips between the two campuses.

All of the comments regarding how many students and faculty arrive and leave at each time of day; how many of them drive one to a car as opposed to carpooling or taking shuttles; whether all receive access to onsite parking; and how many of the faculty and staff have their primary offices on the Campus as opposed to on the Doheny office are not pertinent to the impacts of the Project and are reflected in the existing baseline conditions analysis in the Draft EIR.

Regarding the comment as to how MSMU would be prevented from changing the mix and moving more faculty and staff to the Campus or having them work more often on the Campus in the future, this is addressed through the fact that no additional academic classroom space would be provided under the Project. However, as discussed in the Draft EIR, one faculty member would be added to total existing staff under the Project. This is also true of Alternative 5.

Comment BHA 39

4) The Draft EIR Fails to Include Sufficient Evidence to Support its Claim That It Has Reduced the Number of Single-passenger Vehicles Traveling to and from the Campus.

4a) MSMU's 2015 TDM study listed many deficiencies in MSMU's transportation plans, and MSMU provides no evidence that its recommendations have been implemented or traffic reduced.

MSMU states in the Draft EIR⁸ that it has “implemented transportation demand management (TDM) strategies to encourage alternative mode choices such as subsidies and shuttle improvements as described in Mount Saint Mary's College: Three Year TDM Action Plan (September 2014).”

A review of a report, updated in April 2015 by Steer Davies Gleave (SDG),⁹ (Exhibit D) reveals that while MSMU has implemented certain elements from this plan, including “providing transit subsidies, marketing and informational campaigns, discounted parking

fees for carpoolers, carpool online matching service (Zimride), on-site rental cars, and additional shuttle service to new connections such as the Expo Line Shuttle,”

It has glaringly avoided implementing the most important component of the program recommended by Steer Davies Gleave¹⁰:

“Develop and implement a sustainable TDM with MEASURABLE RESULTS for parking demand, transit usage, reductions in global warming pollutants. “

SDG’s review of UCLA, USC and CSUN TDM programs revealed all of them, except for MSMU, used some kind of reporting mechanism to track their progress and how transportation behaviors changed or remained the same on their Campuses.¹¹ MSMU has no means for measuring, monitoring and enforcing its current TDM program and does not propose one for the Project.

Therefore, when MSMU states that additional measures listed below reduce the number of single-passenger vehicles traveling to and from the Campus as well as ensure traffic laws are followed:

- Where is the data to support this claim?

- In fall 2007 a camera was installed at MSMU’s entrance at Chalon Road to monitor violations of the policy mandating the prescribed routes for traffic traveling to and from the Campus. Vehicles are not permitted to make a left turn when exiting or entering the Campus. Those in violation are fined \$75.00. How many vehicles were cited and fined? What steps were taken to prevent repeat offenses? In June 2008 MSMU paid for the installation of a radar speed traffic calming sign. The sign was installed in the public right of way near Bundy Drive and Benmore Terrace. Has this been effective?

⁸ Transportation Impact Analysis in Appendix I, page 60.

⁹ Mount Saint Mary’s University: TDM and Three-Year Action Plan Report updated April 2015

¹⁰ Mount Saint Mary’s University: TDM and Three-Year Action Plan Report updated April 2015, page 34.

¹¹ Ibid, p. 42

Response to Comment BHA 39

The comment contains a number of questions relating to MSMU’s existing operations, specifically a TDM Action Plan for ongoing educational activities at the Campus. Please see Response to Comment BHA 11 regarding the TDM Action Plan. This is discussed in greater detail in Response to Comment BHA 40, below. Because the Project is characterized by intermittent traffic for large events or summer traffic associated with a number of summer camps, it would not generate the type of daily commuting traffic patterns managed under a TDM. Instead, both the Project and Alternative 5 include PDFs and MMs that specifically address traffic impacts. Unlike MSMU’s voluntary TDM plan, these measures would be enforced through the EIR process and the Mitigation Monitoring Program (MMP) outlined in Chapter IV of this Final EIR.

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

Comment BHA 40

As the Draft EIR makes clear, MSMU makes assumptions about the effectiveness of its TDM without the real data to support its claims. For example, Table 6, in Appendix I LADOT Traffic Study letter, assumes that attendees to the new events will have an average vehicle occupancy of two persons. Based on a review of the SDG report, and MSMU's lack of a TDM compliance report for existing operations, this assumption is inaccurate. The assumption should be one (1) person per vehicle. The Draft EIR should explain why real numbers from the Annual TDM Program Report were not used or why this compliance report does not exist.

SDG goes on to state how and why the Program should be evaluated:

"There are two components of monitoring the effectiveness of the TDM program—traffic counts and employee surveys. These two evaluation metrics should be included in the Annual TDM Program Report. To ensure MSMU is making progress toward a reduction in single-occupant travel, the TDM program management should report annually on the effectiveness of the program in reducing vehicle trips. Phase 1¹², MSMU should set a reduction goal. Annual traffic counts should be conducted at the secure access points for employees and visitors and should be conducted at the peak hour, either AM or PM. Vehicle counts are typically conducted during a typical weekday with data collected at 15-minute intervals and supplementing that data with manual peak hour turning counts at select locations. Traffic counts are a very accurate snapshot of the real impact of a TDM program and provision of alternative modes and services. To supplement these counts, an annual employee and student survey is also recommended."¹³

A review of the SDG TDM and Three-Year Action Plan begs the question, why did MSMU choose to implement only a few items and ignore the most important findings that would lead to a true TDM Program with an annual reduction in trips? And why did it ignore the most important recommendation of the report, develop a program with measurable results?

¹² MSMU has already implemented Phase I, which SDG defined as: Start roll out of new programs including an online carpool matching service, pre-tax option, create gamification platform (p.48 for definition) and begin offering transit subsidies to students.

¹³ Ibid. p. 66.

Response to Comment BHA 40

Please see Response to Comments BHA 11 and BHA 39 regarding MSMU's 2015 TDM Action Plan. As discussed under Response to Comments BHA 11 and BHA 39, the TDM Action Plan is not relevant to the Project. MSMU's TDM program is not part of the Project and was not relied on to evaluate Project impacts nor used in the characterization of

existing conditions in the traffic analysis (see Section IV.K, *Transportation and Traffic*, of the Draft EIR).

With respect to the commenter's statements regarding the Traffic Study's vehicle occupancy assumptions, please see response to Comment BHA 28

Comment BHA 41

Transportation Demand Management Program Described in Draft EIR is inadequate

The description of Transportation Demand Management measures currently used at MSMU on pages II 10-11 are inadequate and deficient, given there were no targets, no numbers, no data associated with any of the measures currently undertaken, or from the past for comparison, to understand their effectiveness in mitigating traffic or parking. This is especially important given the proposed increase in events and attendees, and potential increase in future enrollment.

MSMU should complete a thorough analysis of vehicles --- not people --- coming to Campus at each hour of the day. This analysis should be undertaken during the regular school year. This information would establish a verifiable baseline number of vehicles coming to and leaving the Campus on an hourly basis. MSMU, CD-11, and the community could then use these baseline numbers to determine whether traffic can be reduced from the current levels, in keeping with what other schools in the area have agreed to do to meet Bonin's Sunset Standard.

Quarterly reporting and fines need to be stipulated. The TDM measures should also be tied to a parking capacity study. Participation in The Sunset Traffic Solutions Initiative and other such traffic reduction initiatives and studies would be required.

Response to Comment BHA 41

The TDM measures discussed in Section IV.K, *Transportation and Traffic*, pages IV.K-4 and IV.K-20, and Chapter II, *Project Description*, pages II-10 and II-11, of the Draft EIR describe MSMU's current shuttle schedule and are provided only as background information to establish MSMU's current use of such systems. The TDM was not used as a basis for the EIR traffic analysis, including existing conditions, and it is not a mitigation measure or standard for the determination of significance for the Project's traffic impacts. Also, please refer to Response to Comments BHA 11 and 39 discussing the irrelevance of the TDM program with respect to activity associated with the Wellness Pavilion. In addition, MSMU's TDM Action Plan is self-enforced and would not be applicable to the Project. As discussed in Response to Comment BHA 39, under the Project or Alternative 5 controls on vehicle trips generated by the Wellness Pavilion would be enforced through the MMP and would not be subject to MSMU's discretion.

As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the evaluation of traffic impacts is based on vehicle trips, not individuals in attendance. These trips are

compared to existing and future conditions (which add anticipated growth) at Study Area intersections and neighborhood streets during both School Year and Summer. The evaluation of traffic impacts applies to both construction period and operation periods of activity.

The analysis of traffic impacts in the Draft EIR traffic analysis applies to new vehicle trips generated by the Project. All existing MSMU vehicle trips are baseline conditions and evaluated in the existing conditions analysis in Section IV.K, Transportation and Traffic, and do not constitute environmental impacts.

MSMU's existing use of the shuttles are reflected (counted) in the existing 24-hour traffic counts described on page IV.K-10 and in Tables IV.K-11 and IV.K-12 of the Draft EIR, against which the traffic generated by the Project is compared.

Comment BHA 42

Alternative 3 ("Alternate Construction Route") is not a feasible alternative and should be replaced by an alternative that is feasible.

Alternative 3 states that construction vehicles can be routed through a road through the Getty Center ("Getty") instead of on Sunset. This alternative is not feasible because Getty has consistently said that MSMU may not use this route for construction. MSMU should not have included this alternative in the Draft EIR given Getty's clear and consistent objections.

Since the Draft EIR was issued, MSMU has sent a letter to City Planning asking for this Alternative to be withdrawn because of the Getty's opposition. The Draft EIR should be revised with a different Alternative and recirculated.

At a neighborhood meeting on April 26, 2018 Getty advised members of the community that Alternative 3 is not viable and they will vigorously fight the use of the easement MSMU claims they have through the Getty Center. The Getty, through the use of their outside counsel, sent MSMU a letter with their objections to Alternative 3 prior to the release of the Draft EIR, which included the following:

Easement hasn't connected to Sepulveda since the 1960's.

Easement doesn't always follow the Getty's road and they have built on and near it; it is also on neighbors' property.

Abandonment: gates have been in place since before the Getty Center was built; Getty has sole control. (California law states an easement that has not been used in five years is considered abandoned.)

Safety issues:

- i. Steep, unstable hillside along Chalon Road with mudslides.
- ii. Old road not always wide enough and not in a condition that can support construction traffic.
- iii. Bridge that is very old with homes below that could be at risk.
- iv. Getty pedestrian traffic along Getty Center Drive and Sepulveda exit

Getty CUP prohibits vehicular use of Chalon Road except for emergency vehicles; also requires locked gates. No comment from MSM at time CUP was issued.

•Why was Alternative 3 included in the Draft EIR given that it is not a viable alternative?

Response to Comment BHA 42

Please refer to Topical Response No. 5, Alternative 3, above. Alternative 3 was properly included in the Draft EIR as an alternative as it was potentially feasible at the time the Draft EIR was prepared and circulated. It was MSMU's hope that its private property dispute with Getty would be resolved in a manner that would allow the implementation of Alternative 3. Please also note that Alternatives analyzed in the EIR need only be "potentially feasible."³⁰

The route identified by Alternative 3 traverses a 40-foot wide private access easement. MSMU had stated that its rights of access via this easement originated through an express grant in 1930. Moreover, MSMU's stated position was that the J. Paul Getty Trust is obligated to maintain the easement "in a safe condition for vehicular use at all times" per a covenant between the City of Los Angeles and the Trust, recorded October 27, 1994 as Instrument No. 94-1949116 and that nothing prohibited MSMU's use of the easement for construction traffic.

With respect to the total number of alternatives, the range of alternatives, including Alternative 3, presented in the Draft EIR permitted a reasoned choice in light of the Project's objectives. CEQA Guidelines Section 15126.6 allows that even with the Alternative removed from the Draft EIR, the Draft EIR still meets the requirements of CEQA and recirculation is not necessary or required. In addition, this Final EIR introduces an additional alternative, Alternative 5, which significantly improves upon the alternatives in the Draft EIR. Finally, the commenter is directed to Topical Response No. 1 as to why recirculation of the Draft EIR is not required.

³⁰ CEQA Section 15125.6(a); see also *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 489

Comment BHA 43

Alternative 4 (“Reduced Event Alternative”) is Insufficient to Mitigate the Traffic Impacts Generated by the Project. It Falls Far Short of What Other Local Schools Have Agreed to Do to Mitigate the Traffic for Their Projects.

As had already been noted, other schools on Sunset (Archer School for Girls, Brentwood School) committed to reduce their traffic impacts to get Project Approval. MSMU asks to increase traffic significantly. As examples:

- The Archer School for Girls agreed to limit the number of vehicles entering the Campus for events in the 6 to 7 pm time period to a maximum of 126 to keep it below the level at which they calculated a significant impact on Sunset/Barrington Avenue.
- Brentwood School agreed to move all events that started at 7 pm to a 7:30 pm start date in order to move traffic out of peak hours.

In contrast, MSMU proposes having 400 outside guests per event for 60 events per year. (PDF-TRAF-8). It offers no limits on the number of vehicles, which is more important than outside guests.

This alternative also suggests that MSMU can have 30 sports competitions on Campus-- when other sections of the Draft EIR state that MSMU won't have any sports competitions on the Chalon Campus.

As is the case with the rest of the Draft EIR, MSMU provides extremely limited information on existing events so that the extent of any reductions cannot be verified.

The following concerns and questions need to be addressed:

Is the proposed cap of 400 meant to be a total of 400 per day across all events that day? Or 400 per event? For two-day events, is this meant to be 400 guests per day?

How many cars are assumed for 400 people? Why is MSMU using guests when Archer and Brentwood School looked at vehicle trips, which is a more relevant metric?

How many cars cause a significant impact during each peak hour period at Sunset/Bundy? Will MSMU commit to keeping traffic below a level that causes a significant impact and to move events that conflict with that objective as the other schools have agreed to do? If not, why not?

Why doesn't MSMU reduce peak hour traffic from existing events in order to mitigate the proposed traffic? For example, events scheduled to start 6 to 7 pm could be moved to 7:30 as Brentwood School agreed to do.

Why is MSMU proposing any new events that are for third parties not for existing students, faculty, and staff in this alternative?

Why doesn't MSMU eliminate the sports camp in order to reduce traffic impacts, as this is not within the stated purpose of the Wellness Center?

Why isn't MSMU proposing to use shuttles, limit the number of cars, or reduce traffic in other ways in this "reduced traffic" alternative? Fehr and Peers states that the school has a parking reservation system in place, so this could be used.

Why doesn't MSMU put a shuttle service from a remote location in place as BWS has agreed to do for higher attendee?

Alternative 4 should include a specific target for vehicle trips to be less than current vehicle trips, with required TDM policies and targets for students, faculty and staff.

Response to Comment BHA 43

The commenter asserts that while other local primary and secondary schools have reduced their traffic impacts as part of City approvals, the Wellness Pavilion will increase traffic. The commenter's statement that MSMU is "asking" to increase traffic is not an accurate characterization of the EIR process. MSMU proposed the Project, for which the Draft EIR was prepared. The Draft EIR fully analyzed all of the Project's environmental impacts, including traffic impacts. Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. Alternative 5 will also decrease overall Campus traffic through the incorporation of PDF-TRAF-18. PDF-TRAF-18 will require that total daily vehicle trips generated by the Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). This reduction in vehicle trips is being implemented with the intention to improve existing conditions related to Campus traffic.

The commenter states that the Project will involve 60 events per year. This is not accurate. Please see response to Comment BHA 4, which notes that the Project would add a total of 56 new school year events and describes the reduction in total events proposed under Alternative 5.

The commenter correctly states that the Project included limitations on number of outside guests rather than vehicle trips for new events, but it should be noted that Alternative 5 imposes daily outside guest vehicle trip limits on new Wellness Pavilion events rather than guest attendance limits. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. The full text of PDFs

and mitigation measures that impose vehicle trip caps and peak hour limitations are included in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and in Chapter IV, Mitigation Monitoring Program, of the Draft EIR. Alternative 5's PDFs and mitigation measures are also described in Responses to Comment BHA-17, BHA-24, BHA-38, and BHA-40, above.

The commenter refers to "sports competitions" being held in the Wellness Pavilion. The commenter correctly notes that Alternative 4 incorporates Club Sports competitions taking place within the Wellness Pavilion, while the Project does not. As explained in Response to Comment BHA-26, the Club Sports activities proposed to be held in the Wellness Pavilion are relatively limited and unlikely to attract outside spectators, and further, are anticipated to reduce existing traffic impacts by eliminating the need for MSMU Club Sports participants to travel off Campus to attend practices, as they do now. Further, Alternative 5 brings Club Sports activities under an overall daily outside guest vehicle trip cap pursuant to PDF-TRAF-12.

With respect to the commenter's statements regarding existing events, please see Response to Comment BHA 9.

Regarding the list of concerns and questions included in the comment:

- As discussed in the Draft EIR, the Project incorporated PDF-TRAF-8, which imposed a cap of 400 outside guests per new Wellness Pavilion event. Table II-4, Potential Changes and New Campus Events and Activities, in the Draft EIR does not indicate any two-day school year events. However, as mentioned above, Alternative 5 imposes a daily vehicle trip cap rather than an outside guest attendance cap. The daily vehicle trip caps are applicable to both new school year Wellness Pavilion events (310 daily trips, as per PDF-TRAF-12) and Summer Sports Camps (236 daily trips, as per PDF-TRAF-14).
- The Draft EIR's Traffic Study assumed two passengers per car. Please see Response to Comment BHA 28 regarding the reasons for this assumption, and why this assumption was supported by substantial evidence with respect to the Project's Traffic Study. However, with respect to Alternative 5, this methodology has been replaced by a cap on vehicle trips imposed by PDF-TRAF-12 and PDF-TRAF-14, and is thus not pertinent to the traffic analysis of Alternative 5.
- Alternative 5 incorporates PDF-TRAF-11 and PDF-TRAF-16, which require that all new school year Wellness Pavilion events start and end at times that will not generate AM or PM peak period trips. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce all of the Project's operational traffic impacts, including those at the intersection of Sunset Boulevard and Bundy Drive, to a level of less than significant.
- As explained above, PDF-TRAF-18 would decrease overall Campus traffic. No alterations to existing Campus events is required to achieve Alternative 5's

reduction of the Project's operational traffic impacts to a level of less than significant, and therefore none are proposed.

- The Wellness Pavilion is primarily intended for MSMU's physical education program and would therefore primarily serve students. However, the function of a university is also to connect with the community and, as in the case of the Wellness Pavilion, provide activities that maximize and complement the use of its facilities. In this regard, the Wellness Pavilion would provide Health and Wellness Speaker Series and Other Wellness/Sports Activities during the school year, and Summer Sports Camps during the summer.
- The Project did not study the reduction or elimination of Summer Sports Camps, as they were considered an aspect of the Project. Alternative 5 does in fact eliminate all of the Project's operational traffic impacts, but the elimination of Summer Sports Camps is not required in order to do so. Instead, Alternative 5 implements PDF-TRAF-14, which imposes a total daily vehicle trip cap of 236 trips on Summer Sports Camps, and PDF-TRAF-13, which limits number of allowable trips for each peak period during summer camps. Specifically, PDF-TRAF-13 limits Summer Sports Camps trips to 71 inbound and 31 outbound trips during any single hour within the weekday 7:00-9:00 AM peak period, 8 inbound and 34 outbound trips during the weekday 3:00-4:00 PM peak hour, and 3 inbound and 9 outbound trips during any single hour within the weekday 4:00-6:00 PM peak period. The implementation of PDF-TRAF-13 and PDF-TRAF-14, together with Alternative 5's other PDFs, would keep operational impacts during the summer below the level of significance. It should also be noted that Summer Sports Camps consistent with the purpose of the Wellness Pavilion, and a standard use of university and college athletic facilities throughout the region during the summer period when such facilities are underutilized.
- Alternative 5 includes the use of shuttles, as well as the use of a parking reservation/ticketing system. PDF-TRAF-10 through PDF-TRAF-14 discuss aspects of shuttle use.
- As discussed under PDF-TRAF-10 through PDF-TRAF-14, MSMU would implement shuttle service if needed for new events at the Wellness Pavilion in order to limit vehicle trips below the applicable daily caps. Note, however, that such shuttle use would be intermittent and that the situation is not analogous to the Brentwood School, which anticipates a permanent daily increase in student attendance. Because neither the Project nor Alternative 5 would result in an increase in enrollment, a permanent off-site shuttle site, similar to a daily park-and-ride, is not necessary to reduce operational traffic impacts to below the level of significance.

The commenter's belief that Alternative 4 should include vehicle trip targets, and associated TDM policies and targets applicable to students, faculty and staff is noted for the record. The commenter's assertion that Alternative 4 was somehow deficient because it failed to fully mitigate all traffic impacts generated by the Project is not supported by substantial evidence. Under CEQA, an alternative need not eliminate a

project's significant adverse environmental impacts; it need only substantially lessen them. See, e.g., *California Oak Found. v. Regents of Univ. of California* (2010) 188 Cal.App.4th 227, 275. As noted on Draft EIR pages V-64 through V-93, Alternative 4 would eliminate the Project's significant and unavoidable operation traffic impacts through the implementation of reduced peak hour trips, a cap on total daily summer camp trips, and other measures.

Comment BHA 44

The Draft EIR Fails to Validate the Parking Demand for Events or to demonstrate that the amount of parking on Campus is adequate during construction or when the Project is operational.

Goal 15 of the Applicable Community Plan goals and policies (IV. K-4) requires

"A sufficient system of well-designed and convenient on-street parking and off-street parking facilities throughout the Plan area."

There is no proof that this system currently exists for the Project and, thus, it is impossible to state with any credibility that the additional 55 parking spaces "would decrease demand for on-street parking" on Chalon and other streets. The Draft EIR makes this assertion and numerous others (below) about parking on and off Campus on Chalon Road that are unsubstantiated, without any supporting data or study results. The existing parking demand on the MSMU Campus for current students, staff and faculty as well as current events has not been evaluated.

A parking study conducted for MSMU in 2014 (Draft Parking Analysis Report, May 2015) is referenced under IV.K-24 Existing Parking Demand, stating "the highest on-Campus parking utilization of 76 percent (425 spaces) was observed across three survey days." This study is inadequate to apply to the current Project. This deficiency extends to parking needs under the scenarios presented for expanded events or future growth in enrollment.

For example, Project Description (Existing Campus Events) II-13 states there were 42 total events in 2016 that generated outside traffic, and "a relatively similar number of events were held on the Campus" in 2017. The Draft EIR is deficient in supplying a specific number for 2017 or any other meaningful numbers, such as car trips. The SDG TDM analysis lists the following information.

	External Events	Internal Events with Outside Guests	Weddings	Events Total	Attendees per Year
June – Dec 2014	10	9	1	19	3,754
Jan – Dec 2015	12	10	0	42	10,416
Jan – July 2066 (est.)	13	19	0	32	6,855

Response to Comment BHA 44

Ongoing Campus-wide operations are not part of the proposed Project. Please refer to Topical Response No. 2 for a detailed discussion of the scope of the Project. Please refer to Response to Comment BHA 9 regarding the commenter's assertions regarding information about existing events.

Although the Draft EIR discusses the effects of the Project on parking (see page IV.K-77), CEQA does not provide a threshold or criterion specific to parking impacts. The adequacy of parking in general is based on compliance with LAMC parking regulations, with which the Project and Alternative 5 would be consistent (see Table III-2, *Alternative 5 and Campus Parking Requirements*, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR). No further analysis of parking is required for the purpose of the EIR.

Regarding operation period parking, it is noted, based on the results of parking surveys performed in the fall of 2014 (during which time enrollment was 1,487 and generally equivalent to current enrollment), the highest on-campus parking utilization of 76 percent (425 spaces) was observed across three survey days. In addition, on-campus events are provided free valet parking to encourage attendees to park on Campus and not on Chalon Road. Parking ticket reservations are pre-arranged with MSMU prior to all events and are limited to a certain number of spaces so that MSMU can ensure that valet parking is available on Campus for all events. At the end of large campus events, Campus Security stations Community Relations Officers in the neighborhood around Bundy/Saltair to monitor traffic leaving campus and to remind event attendees to slow down in the neighborhood.

Regarding future parking requirements under Alternative 5, as described in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements. With the implementation of PDF-TRAF-18 for Alternative 5, which would require that total daily vehicle trips generated by the Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study), there will be no need for additional parking as MSMU will be required to reduce vehicle trip generation. In addition, Alternative 5 would ensure that there is no parking spill-over into the surrounding community. As explained in Topical Response No. 1, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users through the prohibition of pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

Comment BHA 45

This continuing increase in event attendees along with the proposed increase in number of events needs to be studied for its impact on parking on and off Campus. While parking for all events is provided on Campus and events with 50 or more people requires valet parking, there are no studies giving any limits on vehicles. There are events with 400 or more people. How much stacking can MSMU do before fire safety laws are violated?

The Draft EIR is also deficient in analyzing what will happen with parking when only 335 parking spaces will be available for 16 months during construction. Based on the 2014 parking utilization rate of 76%, MSMU will be short more than 100 spaces even if construction workers do not park on Campus.

There needs to be a parking survey that gives an hour-by-hour count of available parking spaces, along with parking on Chalon Drive, from 8 a.m. to 5 p.m. and concurrent with any outside events. (MSMU stated it monitors the number of cars parked on Chalon Road throughout the day and night, maintaining a daily/weekly parking lot during the school year.) The LAFD needs to assess the safety and capacity of the valet stacked parking for small and higher attendee when classes are in session.

Response to Comment BHA 45

As discussed above in Response to Comment BHA 44, parking is not a CEQA issue and is not evaluated as an environmental impact in the Draft EIR. However, as a construction traffic safety issue, PDF-TRAF-2 (Construction Parking Plan), has been modified to require construction worker parking to be located on-site, ensuring that there are no impacts on Chalon Road and that no streets are blocked under either the Project or Alternative 5. In addition, PDF-TRAF-2 will ensure that MSMU makes provision to have sufficient parking available on Campus for construction at all times, and that means that during the highest periods of construction activity, MSMU would not schedule any high attendance events that would create parking conflicts. Should it become necessary, MSMU can also manage classroom schedules to temporarily avoid peak hours of construction activity and/or implement online learning, although it is not anticipated that such measures would be necessary. Furthermore, because of the shelter-in-place policies requested by LAFD for the MSMU campus, valet parking or stacking does not create any issues relative to any emergency evacuations.

With respect to construction worker parking, as shown on Table IV.K-7 in the Draft EIR, the number of construction workers would vary by phase. Between 10 and 20 construction workers per day are estimated for Phases I, II, III, IV, V, and VII, with up to 100 per day for Phase 6 (building construction). Thus, parking for construction workers could be readily accommodated on Campus during Phases I, II, III, IV, V, and VII. Phase IV, like events, would require the implementation of a valet program and the addition of 100 vehicles would not pose a challenge for valet operations as MSMU currently holds events with a greater number of outside guests and can accommodate them on Campus through stacking.

Finally, see Response to Comment BHA 44 above regarding the ways in which Alternative 5 will reduce parking demand and prevent parking in the neighborhood by MSMU users.

Comment BHA 46

The Draft EIR is inadequate because it attempts to address only the Project Site, yet it is impossible to separate the development of the Project Site from its impact on the overall operations of the School.

MSMU seeks approval for a Project whose uses of the Chalon Campus necessarily go beyond the limited and arbitrary outline of the Project Site on Figure II-1 of the Draft EIR (3.8 acres out of 45 acres); for example, the proposed additional parking spaces must contemplate additional vehicles driving to, from, and on the Chalon Campus beyond the outline of the Project Site. Another example is on Page IV.H-20 where the Draft EIR states: “The Project would . . . unify the north and south portions of the Campus through improved and safer pedestrian access . . .” and “The Project would, however, have the potential to result in existing changed or new Campus events and/or activities.” Further, on Pages II-17-18, the Project objectives include the enhancement of Campus wide existing events in addition to the new events described previously (300 – 650 additional attendees in Table II-4) that anticipate use of more than merely the use of the “Project Site” which has been incorrectly defined as a small portion of the entire Campus that is actually used for operations.

Hence, any approval pursuant to the Draft EIR must include Conditions that affect and mitigate impacts for the use of site, hours, activities, parking and vehicle trips for the entire Chalon Campus not just an arbitrary Project Site. The Draft EIR is deficient in not analyzing the impacts on the entire Chalon Campus in order to allow decision-makers. and the public to consider possible mitigations and alternatives.

If Applicant does not agree that more than the arbitrarily defined Project and Project Site needs to be analyzed in the Draft EIR, then the Draft EIR must explain why each of the affected areas of the Campus, individually and cumulatively, are not relevant to a full and accurate understanding of the requested approvals. Legal counsel for MSMU recently wrote: “As I have explained, the entire Campus functions as an integrated whole.” If MSMU does not agree that the entire Chalon Campus and use of the entire Chalon Campus is necessarily integrated with the Applicant's requested approvals, the EIR is deficient unless it explains why the Project and Project Site should not be described as the entire Chalon Campus and all operations thereon.

Although MSMU Chalon Campus might enjoy a certain, limited “deemed to be approved” use status, the use of the entire MSMU Chalon Campus would become more intensive and therefore requires review in the EIR and review by decision-makers.

Response to Comment BHA 46

With respect to the commenter's assertions regarding the scope of the Project Site studied in the Draft EIR, please see Response to Comment BHA 15.

With respect to the commenter's statements regarding the potential for driving and parking on portions of the Campus not included in the Project Site, it should be noted that parking, including the relative location of parking within the Campus, is not a category of environmental impact under CEQA. Further, as discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter quotes a statement in the Draft EIR regarding unification of the north and south portions of the Campus. It should be noted that this characterization of the Project as helping to "unify" disparate portions of the Campus is not an indication that the Project Site extends beyond the boundaries indicated in the Draft EIR. The commenter also quotes another statement in the Draft EIR indicating that certain existing events and activities on Campus would change as a result of the construction of the Wellness Pavilion. As described in the Draft EIR, these changes consist of events currently held elsewhere on Campus being brought into the Wellness Pavilion. Therefore, to the extent these changes to existing operations would result in changes to the Campus outside of the Project Site, those changes would be decreases, rather than increases, in activity. The commenter's assertion that those changes to existing Campus events studied as part of the Project entail use of the entire Campus rather than the Project Site is inaccurate for the same reason.

The commenter suggests that the "project" studied in the Draft EIR should include all existing Campus operations and the project site should include the entire Campus. This is not required under CEQA. As stated in Topical Response No. 2, Scope of Project, a "project" under CEQA is only the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies.³¹ Please refer to this topical response for a detailed discussion of the scope of the Project. As noted therein, the Project would not increase student enrollment, increase student or faculty vehicle trips (excluding the addition of one new staff member), affect the physical character or structures on portions of the Campus outside the Project Site, or result in any changes to day to day operation of the Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and significantly the same scope as the Project.

³¹ See CEQA Guidelines § 15378(c).

The commenter suggests that the Project would result in the intensification of the use of the entire Campus. This statement is not accurate and is unsupported by substantial evidence.

Comment BHA 47

For each day of the week:

- Based on the class schedules and enrollment at Chalon, how many students on average currently come to the Campus every day?
- What is the schedule of classes for each day and how many students on average are taking classes during each hour?
- When do classes end for the day?
- How many classes on average does a student take on each day of the week?
- What percentage of those students live on Campus (estimates are ok)?
- What percentage carpool (Please include back-up for carpool estimates)?
- What percentage take a shuttle (please provide back-up of shuttle ridership)?
- What percentage take other public transportation (please provide back-up)?

Response to Comment BHA 47

The comment poses a series of questions but does not articulate a specific concern regarding adequacy of the Draft EIR under CEQA. Additionally, it should be noted that this series of questions concerns ongoing, Campus-wide operations, including classroom activities, which are not part of the Project or Alternative 5 and will not change as a result of the Project or Alternative 5.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The Draft EIR properly utilized current student enrollment at the Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA. Pursuant to CEQA Guidelines § 15125(a), and as stated in the Draft EIR Chapter II on pages II-11 and II-12, the Draft EIR relied upon existing student enrollment conditions to establish the baseline conditions. As set forth in the CEQA Guidelines, the use of existing enrollment conditions is appropriate because such conditions “constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.”³² Had the Draft EIR used any enrollment

³² See CEQA Guidelines §15125(a).

figure other than the existing student enrollment, environmental impacts would not have been accurately measured. This Final EIR similarly uses current enrollment to establish the baseline against which Alternative 5's impacts are evaluated.

Comment BHA 48

9) The Draft EIR is inadequate because it incorporates many unauthorized uses of the Campus as if they were approved and then tries to expand them.

9a) Section IV. Campus Land Use History Fails to Include Substantial Evidence Supporting the Assumption That the 17 Acre Addition in 1952 Has the Status of a Deemed to be Approved Conditional Use.

P. IV. H-14 inaccurately and incompletely summarizes the Campus land use history, which is actually as follows:

- Ordinance 42,666 –only residential zoning by right of land comprising Chalon Campus
- Zone Variance Ordinance 62,642, Jan 3, 1929 –approved certain MSMU college uses on 33.3-acre site; any plans for any buildings to be built there under and their location must be approved by the City Council
- 1939 – Council approves faculty building
- March 18, 1946 – Council approves memorial library building
- Ordinance 90,500, June, 1946 – grandfathered uses legally existing (deemed to have been approved), and enlargement of existing buildings for such uses; public hearing required for conditional use grants for educational institutions
- 1949 – construction, without approval, of swimming pool, bathhouse, and tennis courts on 17 acres acquired in 1944
- May 23, 1952 – CPC approves a conditional use application to add the 17 acres to the college site subject to conditions, including with respect to use and a requirement for prior approval of all buildings, parking areas, walls, fences, hedges, driveways, and paved parking areas; Case 4072
- 1979 – CPC approves 4 temporary housing units
- January 26, 1984 – CPC approves Faculty Residence facility
- July 12, 1984 – CPC conditionally approves parking structure with 268 spaces; Case No. 4072 CU

Since pursuant to Ordinance No. 90,500, only uses legally existing in June 1946, and only the enlargement of existing buildings for such uses became deemed approved in 1946, the Draft EIR is deficient in not explaining and specifying the limited structures and uses (i) legally approved by Ordinance No. 62,642 on January 3, 1929, and between 1929 and 1946, and (ii) existing in 1946, including explaining exactly which 33.3 acres are

claimed deemed approved for such uses. The Draft EIR is deficient because it does not explain and list each of the claimed deemed to be approved structures and improvements, and each of the claimed deemed to be approved uses on the Chalon Campus for which there has been no Plan Approval or other legal approval.

Since the Staff Findings in the 1952 conditional use application, Case No. 4072, relating to the 17 acres acquired after 1929 state: “The fact that the site had no legal status [for college purposes] was not brought to light until a building application was submitted for a small 20 x 54 foot athletic and storage building and in checking the legal description it was discovered that it was not included in the original zone variance.” Hence, it is impossible that any use on these 17 acres had, or has, deemed to be approved status. In fact, the Condition 1 of that Case 4072 in 1952 refers to it as a Conditional Use permitting applicant “to extend its school facilities onto the subject property.” The Draft EIR is therefore inaccurate when it describes any use on these 17 acres as deemed to be approved, including any use relevant to the current application.

ZIMAS shows a case filed on 03/07/2017, Case No. CPC-1952-4072-CU, requesting “Pursuant to LAMC 12.24 a Conditional Use application to add to the existing college site” for a Project described as “Approval of a 17-acre addition to Chalon Campus site, as a deemed to be approved conditional use.” This kind of tactic must not be permitted. There was a case with the same number in 1952 which already granted MSMU the right to extend its school facilities onto the 17 acres that were acquired AFTER the original 1929 variance. The 1952 case is history that may not be re-written. MSMU may not leverage uses on those 17 acres to deemed approved status as if the property was owned in 1929 and part of the original variance. In case we weren’t looking under that shell, MSMU filed still another application on 03/07/2017 (with a new and different Case number), ZA-2017-928-ZAD, asking for the exact same approval for the same Project already approved in 1952.

LAMC 12.24L in the Zoning Manual states:

“L. Existing Uses. Any lot or portion of a lot which is being lawfully used for any of the purposes enumerated in this section at the time the property is first classified in a zone in which the use is permitted only by conditional use or at the time the use in that zone first becomes subject to the requirements of this section, shall be deemed to be approved for the conditional use and may be continued on the lot. Further, the conditions included in any special district ordinance, exception or variance which authorized the use shall also continue in effect.”

The Zoning Manual states:

“A “Deemed to be approved site” is a lot or portion which is lawfully being used for any of the uses enumerated in Section 12.24 where such uses are no longer permitted by right due to a zone change or an amendment to the Code.”

The Draft EIR is inaccurate when it claims such deemed approved status for the 17 acres since that is in direct conflict with the Staff Findings in 1952 which said: “The fact that the site had no legal status [for college purposes] was not brought to light until a building application was submitted for a small 20 x 54 foot athletic and storage building and in checking the legal description it was discovered that it was not included in the original zone variance.” The only possible lawful structures or operations on the 17 acres are due to the conditional use first approved in 1952, and subsequent plan approvals such as of the parking structure in 1984. Prior to the conditional use granted in 1952, MSMU was using the residentially zoned 17 acres UNLAWFULLY for school buildings and school purposes.

The Draft EIR is deficient and inaccurate when it does not explain that the only proper, current, legal route for the Applicant is to file a new case for a Conditional Use Permit that covers the entire Chalon Campus, rather than unlawfully try to bootstrap approvals on a theory of deemed approved status.

Response to Comment BHA 48

This comment concerns the status of entitlements for ongoing educational activities at MSMU and does not concern the adequacy of the Draft EIR under CEQA. Nevertheless, the commenter is directed to Topical Response No. 6, University Entitlement History and Enrollment Cap, which addresses the status of MSMU’s entitlements. The comment asserts that the Draft EIR is deficient in several respects because it does not include a detailed discussion of the entitlement history of the Campus. This is not accurate, as the scope of the Project and description of the Project required to assess the Project’s environmental impacts as required by CEQA did not require this information.

As discussed in Topical Response No. 2, the scope of the Project is confined to the replacement of a fitness center within the Campus with the Wellness Pavilion. The Project does not implicate any of the existing entitlements relating to ongoing campus operations. Please see Topical Response No. 2, Scope of Project, for additional discussion on this matter.

With respect to the commenter’s assertion that the Draft EIR is deficient insofar as it assumes that the entire Campus, including the Project Site, operates as a “deemed approved” conditional educational use, this is not accurate and is unsupported by substantial evidence. Please see Topical Response No. 6 regarding the operation of the entire Campus, including the Project Site, as a “deemed approved” conditional use.

Comment BHA 49

9b) The DEIR Fails to Provide the Required Information Regarding the Structures and Lots Listed in Table II-1, and the Use Thereof.

The Draft EIR is deficient in not explaining why the addition of new structures, and new surface parking lots, constructed after 1946 and listed on Table II-1 on Pages II-6 – II-7, such as the Fitness Center in 1949, the Facilities Management Buildings in 1952 and

1964, and the pool and tennis courts in 1962, were not illegal intensifications of use that could not have been legally done with proper approval (prior City Council approval before March 1950, and prior Plan Approval or conditional use action that includes required Findings after 1950).

The Draft EIR is deficient in not explaining the violations by the school of its commercial use of the property in violation of the 1929 educational use restriction, and in violation of the 1952 restriction (Case 4072) "school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious educational activities." Notice it says school use for education, not use by others for education. The Draft EIR is deficient in not explaining the violations of Condition 4 of Case 4072: "That a precise plot plan showing the location of all buildings on the property involved, parking areas, walls, fences, hedges, driveways, and paved parking areas, be submitted to the City Planning Department for approval prior to the issuance of any and all subsequent building permits or certificates of occupancy." This needs to be done for each item on Table II-1 plus all paved parking areas.

Response to Comment BHA 49

This comment concerns the status of entitlements for ongoing educational activities at MSMU and does not concern the adequacy of the Draft EIR. Nevertheless, the commenter is directed to Topical Response No. 6, University Entitlement History and Enrollment Cap, which addresses the status of MSMU's entitlements. As further discussed in Topical Response No. 2, Scope of Project, neither the Project nor Alternative 5 implicate any of the existing entitlements relating to ongoing Campus operations.

Comment BHA 50

9c) The Project Description Fails to Clarify That the Requested Approval of a Total of 281 Parking Spaces on the Project Site Would Replace Surface Parking Lots Containing a Total of 226 Parking Spaces That Were Never Approved and are Non-permitted Improvements on the Chalon Campus.

The "Project Description" is an attempt to legitimize parking spaces that were never approved prior hereto (and hence increase enrollment using the flawed analysis of enrollment based on parking spaces).

The Project Description describes the replacement of "several surface parking lots containing a total of 226 parking spaces" (never approved by City Council or CPC). The accessory parking deck would include parking at grade with one level above grade atop a concrete deck. A total of 281 parking spaces would be provided on the Project Site, compared to the existing 226 spaces, a net increase of 55 spaces." In other words, despite the incorrect, evasive and misleading wording of the Project Description regarding enrollment ("The Project does not include a request to increase the maximum student enrollment on the Campus"), MSMU is, in fact, attempting to increase the enrollment by 904 students (226 x 4). That would be an enormous 84% increase in the current maximum

permitted enrollment of 1,072 set forth in the 1996 letter from Principal City Planner Bob Rogers to Councilman Marvin Braude ("In a Plan Approval, dated July 12, 1984, enrollment was limited to 1,072, based on 268 parking spaces"). Unapproved surface parking spaces were ignored by the CPC in its Plan Approval in 1984 and in the Rogers letter. Nevertheless, MSMU is now describing the "Project" as if those 226 unapproved, surface spaces are lawful, approved spaces, but that is not true.

The Project Description, and the entire EIR must be revised and completely redone to accurately describe the proposed approval of additional parking spaces and proposed approval of a higher permitted maximum student enrollment. The EIR must describe the environmental impacts of increasing legal parking spaces by adding 281 spaces and increasing legal maximum enrollment by adding 904 students to the current maximum enrollment of 1,072. The affected environmental impacts include the 16 items I.VA - IV.M.2 on Pages i - ii of the Draft EIR Table of Contents. After revising the Draft EIR to disclose, evaluate, and mitigate the potential impacts of an 84% increase in enrollment, the Draft EIR must be recirculated.

Response to Comment BHA 50

With respect to the commenter's statements regarding parking supply, it should be noted that parking is no longer a category of environmental impact assessed under CEQA. As described in Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements.

With respect to the commenter's statements regarding student enrollment, please see Topical Response No. 6, University Entitlement History and Enrollment Cap.

The Draft EIR properly utilized current student enrollment at the Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA. Pursuant to CEQA Guidelines § 15125(a), and as stated in the Draft EIR Chapter II on pages II-11 and II-12, the Draft EIR relied upon existing student enrollment conditions to establish the baseline conditions. As set forth in the CEQA Guidelines, the use of existing enrollment conditions is appropriate because such conditions "constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."³³ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured. This Final EIR similarly uses current enrollment to establish the baseline against which Alternative 5's impacts are evaluated.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing

³³ See CEQA Guidelines §15125(a).

student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Comment BHA 51

The Carondelet Center and CSJ Residence Halls are not included as part of the MSMU Campus.

The Draft EIR states that the Carondelet Center is a separate entity that is not under the control of MSMU. However, ZIMAS and the Assessor's Map shows that Carondelet Center is part of MSMU's property and is not separately owned.

The CSJ Residence Halls are also part of MSMU's property but are never discussed, nor are their uses made clear.

What is the status of the CSJ Residence Halls? Who owns them?

Who is housed in the residence halls? Are any students living there? Do any outside guests stay there?

How much traffic is in and out of these residence halls?

Are they ever used for events?

Where do residents park?

Response to Comment BHA 51

As discussed in Topical Response No. 2, Scope of Project, the Carondelet Center, located at 11999 W. Chalon Road (APN 4429-003-034), is not part of the proposed Project. As such, none of the commenter's questions have any bearing on the Wellness Pavilion, which is the subject of this EIR. For clarification purposes, the Carondelet Center is owned by the Sisters of Saint Joseph of Carondelet and serves as a residence and nursing home for retired nuns. It is not true that ZIMAS or Assessor Maps show that the Carondelet Center is owned by MSMU. The Sisters of Saint Joseph residences and retirement facilities are located within the Carondelet facility. No MSMU students reside in the Carondelet Center. Additionally, as Page II-2 of the Draft EIR explains, the Carondelet Center is "a facility that serves as the provincial headquarters for the Sisters of St. Joseph of Carondelet, a separate entity from MSMU."

Comment BHA 52

Conclusion

The Draft EIR contains numerous deficiencies that prevent the document from complying with the California Environmental Quality Act ("CEQA"). The Draft EIR is based on

premises that are contradicted by evidence, and it fails to address the concerns BHA and BCC submitted during the scoping process. MSMU must not be allowed to claim that crucial, relevant information is not available since MSMU could have easily captured and accumulated the data by reason of having one access road that is controlled by a guard gate and 24-hour guard. The Draft EIR recognizes significant impacts (but omits other significant impacts) and fails to develop a full range of effective mitigation measures, or adequately analyze alternatives to avoid the impacts, as required by CEQA. Since the Draft EIR was issued, a letter from the president of MSMU to the community committed to meeting the “Sunset Standard.”

For the reasons outlined above, the Draft EIR must be revised and recirculated.

Please add us to your list to receive all Notices and Decisions relating to this Project, addressed to: rklein908@gmail.com and infor@brentwoodhomeowners.org

Sincerely,
Raymond Klein
President
BHA

Kyle Kozloff
Chair
BCC

Response to Comment BHA 52-A

The comment expresses general, conclusory statements regarding alleged deficiencies of the Draft EIR. Pursuant to established case law, general comments can be met with general responses.³⁴ Please refer to Chapter IV, *Environmental Impact Analysis*, and Chapter V, *Alternatives*, of the Draft EIR. Also, please refer to the Draft EIR’s summary of mitigation measures at pages S-15 through S-44.

Comment BHA 52-B

The June 12 BHA letter responded to above in Response to Comments BHA 1 to 52-A included four exhibits, as follows: Exhibit A is a resume for Robert Kahn, P.E., T.E., with RRK Engineering Group, Inc. Exhibit B is a letter from RK Engineering, Group that provided comments on the Project’s Traffic Study, dated June 4, 2018. Exhibit C is a parking map of the Chalon Campus. Exhibit D is MSMU’s 2015 TDM Report and Three Year Action Plan.

³⁴ See, e.g., *Los Angeles Conservancy v. City of W. Hollywood* (2017) 18 Cal.App.5th 1031, 1040.

Response to Comment BHA 52-B

Exhibit A consists entirely of a resume and does not address environmental issues or include Project-specific comments. Exhibit A is noted for the record and will be forwarded to the decision-makers for review and consideration.

Responses to Exhibit B, the June 4, 2018 RK Engineering Group letter, are provided below in Response to Comments BHA 53 to BHA 69.

Responses to Exhibit C and D are provided below in Response to Comment BHA 70.

Refer to Appendix A of this Final EIR for the complete text of Exhibits A through D.

Comment BHA 53

INTRODUCTION

RK Engineering Group, Inc. (RK) has reviewed the LADOT (Los Angeles Department of Transportation) Traffic Assessment for the Proposed Mount Saint Mary's University Wellness Pavilion Project to be located at 12001 West Chalon (April 4, 2018), the draft EIR (Draft EIR) Transportation Section (April 2018) and the Mount Saint Mary's University (MSMU) Wellness Pavilion Transportation Impact Analysis, prepared by Fehr and Peers (January 2018) for the Brentwood Homeowners' Association ("BHA"). RK would offer the following comments with respect to the various documents and the traffic impacts of the Project upon the adjacent neighborhood and street systems.

RK has identified a number of issues associated with the traffic analysis which need to be further evaluated to fully review the traffic impacts of the proposed Mount Saint Mary's University Wellness Pavilion Project. These include the potential growth in student body at the university, the actual trip generation of the planned events on the Campus, the trip distribution of these events, the impact of concurrent events at the Campus, a means of reducing the construction related traffic impacts to neighborhood streets, the need for a meaningful monitoring of future traffic impacts and a mitigation program to actually reduce the adverse traffic impacts identified in the traffic study. The mitigation program needs to not only reduce traffic impacts from the Project, but also the current significant traffic impacts that are currently occurring on the local neighborhood streets and at the Sunset Boulevard intersections that are operating at a poor level of service.

Response to Comment BHA 53

The comment is introductory in nature and summarizes a list of issues that the commenter claims are deficient in the traffic analysis portion of the Draft EIR. This summary of issues is not specific and is intended to be addressed in additional comments and responses below. However, regarding enrollment, please refer to Topical Response No. 6, University Entitlement History and Enrollment Cap, above. Also, please refer to Topical Response No. 2, Scope of the Project regarding proposed activities. The evaluation of existing

conditions reflects current traffic, including that are generated by the Campus during peak hours. The Draft EIR, Section IV.K, *Transportation and Traffic*, sets forth Project Design Features (PDFs) and all feasible mitigation measures to reduce traffic impacts and identifies significant and unavoidable traffic impacts. However, Alternative 5 discussed in this Final EIR would incorporate additional PDFs to limit peak hour and daily vehicle trips that would avoid the Project's significant and unavoidable operation traffic impacts. Please refer to PDF-TRAF-11 through PDF-TRAF-14, regarding specific limitations on peak hour and total daily vehicle trips. Please also see Topical Response No. 1, and Chapter III, *Clarifications, Revisions, and Corrections*, and Chapter IV, *Mitigation Monitoring Program*, of this Final EIR.

The commenter's assertion that the Draft EIR must provide mitigation not only for the Project's traffic impacts, but for existing conditions, is based upon a fundamental misunderstanding of the requirements of CEQA. CEQA require the analysis, and assessment of potential mitigation for, those impacts caused by a project, and does not require the proposal or adoption of mitigation measures that address the underlying conditions that are not caused by the project.

Comment BHA 54

COMMENTS

1. The entire traffic study assumed that the current student enrollment would remain as it currently exists (approximately 1,500 students) and no increase in the student body would occur with the buildout of the Project. The University has indicated in the past that they have the right to have an increased number of students, based upon the availability of parking on the Campus. Although we understand that BHA disputes this claimed right, there is the potential for the number of students to increase from 1,500 to 2,244 students. The traffic study did not take into consideration this potential increase in the number of students from a traffic and parking standpoint. This increase in number of students would be considered a related Project just like the other 67 related projects that were included in the traffic analysis. As a result of this, the potential impacts from a traffic and parking standpoint would be significantly greater than those documented in the traffic study and Draft EIR. The Draft EIR does not evaluate and analyze the adverse impacts of a larger enrollment on traffic and parking, and whether potential mitigation of those impacts is possible. Further, the Draft EIR is deficient in not analyzing the potential of unlimited students and staff being shuttled from the school's Doheny Campus in downtown Los Angeles.

Response to Comment BHA 54

With respect to the commenter's assertions regarding the Traffic Study's use of existing student enrollment, it should be noted that the Draft EIR properly utilized current student enrollment at the Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA. Pursuant

to CEQA Guidelines § 15125(a), and as stated in the Draft EIR Chapter II on pages II-11 and II-12, the Draft EIR relied upon existing student enrollment conditions to establish the baseline conditions. As set forth in the CEQA Guidelines, the use of existing enrollment conditions is appropriate because such conditions “constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.”³⁵ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured. This Final EIR similarly uses current enrollment to establish the baseline against which Alternative 5’s impacts are evaluated.

With respect to the commenter’s statements regarding the consideration of an enrollment increase as a “related project,” please see Response to Comment BHA 36.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

With respect to the commenter’s statements regarding the Doheny campus, please see Response to Comment BHA 4.

Comment BHA 55

2. The traffic study evaluated three (3) types of events at the Campus. These included the “Other Wellness/Sports Events”, the “Health and Wellness Speaker Series” and the “Summer Sports Camps” as individual events not occurring on the same day. It was assumed that these events would not occur concurrently; therefore, their impacts were evaluated separately. Is there a possibility that that these events could occur concurrently? If so, what would be the increased traffic and parking impacts of several events occurring on the same day? If this is not planned to occur, then a Condition of Approval would be required in order to disallow any concurrent events on the same day.

Response to Comment BHA 55

As explained in the Draft EIR’s Section IV.K, *Transportation and Traffic*, the Project includes PDF-TRAF-8, which specifically limits the total number of outside guests to 400 on any combination of new Wellness Pavilion events. Further, Summer Sports Camps would by definition not occur on the same day as a Health and Wellness Speaker Series or Other Wellness/Sports Event, because they occur during the summer and not during the school year. Health and Wellness Speaker Series or Other Wellness/Sports Event only occur during the school year. Under the Project, if a Health and Wellness Speaker Series and Other Wellness/Sports Event were to occur on the same day, both events

³⁵ See CEQA Guidelines §15125(a).

would be subject to PDF-TRAF-8's overall daily outside guest limit of 400. Therefore, the Traffic Study accurately accounted for all possible impacts related to the potential of concurrent new Wellness Pavilion events. With respect to the commenter's questions regarding parking impacts, it should be noted that parking is no longer a category of environmental impact under CEQA.

With respect to Alternative 5, this Final EIR fully addressed the possibility of multiple new Wellness Pavilion events during the school year occurring on the same day, because Alternative 5 would impose PDF-TRAF-12 to cap outside guest daily vehicle trips at 310 (155 trips inbound and 155 trips outbound) on days on which any combination of Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports events were held; and would impose PDF-TRAF-14 to cap daily vehicle trips at 236 (118 trips inbound and 118 trips outbound) for Summer Sports Camps. As with the Project, there is no possibility for Summer Sports Camps to overlap with school year events because they will occur during different times of the year.

Comment BHA 56

3. The traffic study calculated Event Trip Generation based upon the assumed attendance figures and event sizes. Why wasn't the trip generation determined by measuring traffic at actual events currently occurring at the University and expanded based upon the expected attendance figures for the proposed Project? Traffic counts during actual events could be used to evaluate the trip characteristics of these events, rather than making assumptions on the number of trips and vehicle occupancies that may occur.

Response to Comment BHA 56

With respect to the Traffic Study's trip generation estimates for Summer Sports Camps, please see Response to Comment BHA 9. With respect to the Traffic Study's trip generation estimates for school year new Wellness Pavilion events, please see Response to Comment BHA 28.

The new events and Summer Camps anticipated under the Project would be of a different nature than existing events on the Campus. As a result of the potential high attendance by outside guests and Summer Camp attendees, who are not part of existing conditions, the Traffic Study contained in Appendix I of the Draft EIR and Section IV.K, *Transportation and Traffic*, of the Draft EIR determined that operation traffic impacts would be significant and unavoidable. A description of the existing events on the Campus is provided in Table II-4 in the Draft EIR.

While there were no feasible mitigation measures for new Project events, the refinements to proposed operations associated with Alternative 5 include limitation on daily and peak hour vehicle trips, implemented through vehicle trip caps under PDF-TRAF-12 and PDF-TRAF-14 and peak hour limitations under PDF-TRAF-11 and PDF-TRAF-13, to reduce the Project's significant and unavoidable operation traffic impacts to a less than significant

level. Rather than estimate what attendance and associated vehicle trips might be, Alternative 5 imposes strict vehicle trip limits ensuring that Alternative 5 events will not have significant operational traffic impacts, therefore rendering any estimates of event size unnecessary. Please see Topical Responses No. 1 and 3 regarding trip reductions and further detail regarding Alternative 5 in Chapter III, *Clarifications, Revisions, and Corrections*, of this Final EIR.

Comment BHA 57

4. The Neighborhood Street analysis was based upon assumed local traffic routes on seven (7) streets. What about the other local streets in the area that could serve as potential access to the site? A license plate matching survey of existing traffic going to/from the University could be conducted to track the actual routes that are currently used by students and other visitors to access the site to make this assessment. With this study, actual field data could be used to verify the assumed routes to/from the University.

Response to Comment BHA 57

The neighborhood streets included in the Traffic Study were selected in consultation with LADOT and included streets identified as being of concern during the EIR public scoping process. The analysis included segments along the access routes to and from the Campus (Bundy Drive, Norman Place, and Chalon Road). Per LADOT consultation, the Traffic Study also included other streets that could potentially be used to access the Campus, including segments along Bowling Green Way, Benmore Terrace, Saltair Avenue, and Barrington Avenue. No other neighborhood streets that could be impacted by MSMU traffic have been identified by this or other commenters.

Comment BHA 58

5. The Project trip distribution was based upon a Select Zone run for the LA Travel Demand Model. This was based upon the TAZ (traffic analysis zone) which includes the University. Was this TAZ strictly the University, or did it also include a substantial amount of existing residential development? These non-University trips would have a different set of destinations than students or others attending the special events at the University.

The distribution patterns should be cross-checked with zip code numbers for the students and event attendees. The ZIP code evaluation was done in the Mount Saint Mary's TDN Report and Three Year Action Plan Updated in April 2015 (Steer Davies Gleave). That study (strictly of MSMU and not the general population) showed much more traffic originating in the San Fernando Valley and less traffic orientated towards the west. This would have an impact to the traffic analysis that was performed for the current traffic study. This could also be cross-checked by doing a survey of current event attendees to see if the generalized trip distribution patterns match the Traffic Model results. A change in trip distribution patterns could have a significant impact on the results of the traffic study.

Response to Comment BHA 58

The Traffic Study is based on a traffic impact Study Area, which extends from Allenford Avenue/26th Street to the west, Wilshire Boulevard to the south, MSMU to the north, and the I-405 to the east. The Study Area was determined in consultation with the LADOT. A select zone analysis was conducted for the proposed uses using the City of Los Angeles' Travel Demand Model to inform the general distribution pattern for traffic impact study.

The comment offers alternative methods to collecting data for the Traffic Study; however, the methodology used for the Draft EIR is a standard practice with consultation of LADOT and appropriate for the Project, which will generate trips from entirely different locations than those of the existing student body (because the proposed Wellness Pavilion seeks to welcome and engage surrounding communities that do not necessarily comprise only the locations from which the student body comes from). As shown on page 28 of the Traffic Study, the trip distribution of Project trips was developed based on the characteristics of the street system serving the Project Site, the level of accessibility of the routes to and from the proposed Project Site, and the locations of residences from which the event guests, campers, parents, camps staff, and camp instructors would be drawn. The anticipated event guests and summer campers were assumed to exhibit origin-destination trips similar to the general distribution of population within the city. The zip code data of the students, faculty, and staff would not be representative of the origin/destinations of the outside event visitors and therefore not utilized. Alternative 5 would generate similar types of trips, along similar routes, as the Project, and the same analysis is therefore used in this Final EIR for Alternative 5.

Comment BHA 59

6. The proposed Project has direct significant impacts at three (3) Study Area intersections during the school year and four (4) intersections for the cumulative conditions. Again, the study assumed no "concurrent events" which would have even more significant impacts than were identified in the traffic study. The study does not identify any feasible mitigation measures for these impacts as a result of the Project. A reduced level Project and reduced enrollment numbers should be considered given the significant unavoidable impacts of the proposed Project.

Response to Comment BHA 59

With respect to the portion of the comment regarding concurrent events, see Response to Comment BHA 55.

With respect to the comment regarding the lack of feasible mitigation measures, the traffic study explored the potential for physical mitigation measures at the impacted intersections and found that no physical improvements would be feasible (p. 45 of the Traffic Study).

The Draft EIR identifies and evaluates a reduced level Project alternative. For a detailed discussion of alternatives, please refer to Chapter V, *Alternatives*, of the Draft EIR. As discussed therein, Alternative 4 (discussed on pages V-64 through V-93 of the Draft EIR) would reduce the Project's significant and unavoidable operation traffic impacts.

A reduction in impacts would be achieved through the implementation of Alternative 5 as discussed under Topical Response No. 1, above, and evaluated in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. With respect to the suggestion that the University reduce its enrollment, please refer to Topical Responses Nos. 6 and 7, regarding MSMU's enrollment, as well as Topical Response No. 2, regarding the scope of the Project, and Chapter II, *Project Description*, of the Draft EIR. As discussed therein, neither the Project nor Alternative 5 would increase MSMU's enrollment. Finally, an alternative or mitigation measure calling for reduced enrollment was not considered because the issue of student enrollment is not a factor of the Project or the EIR analysis.³⁶

Comment BHA 60

7. The Project has direct significant impacts at up to six (6) neighborhood streets (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, Chalon Road west of Norman Place, Norman Place north of Bundy Drive, Bundy Drive north of Saltair Avenue, Bundy Drive north of Sunset Boulevard). No mitigation measures are suggested to reduce or eliminate these impacts. Additionally, the Project should implement "traffic calming" techniques on all of the affected neighborhood streets to reduce the traffic impacts from the Project.

These neighborhood streets are "local" roads in the Brentwood-Pacific Palisades Community Plan and "Hillside Limited Streets" in the Baseline Hillside Ordinance, and intended to accommodate lower volumes of vehicle traffic. Consideration should be given to how each of these limited streets can handle either increased volume and/or larger vehicles.

MSMU and the neighborhood streets used for access to MSMU are located within an area designated by the City as "Very High Fire Hazard Severity Zone." Consideration should be given to how each of these limited streets can accommodate emergency fire vehicles and emergency evacuation by MSMU students and staff and by neighborhood residents.

Response to Comment BHA 60

The comment accurately restates the finding of the Draft EIR regarding significant impacts of the Project at up to six neighborhood streets. No feasible mitigation measures for the Project's operational traffic impacts were found as any mitigation measures that would

³⁶ See CEQA Guidelines § 15126.6(a) ("An EIR shall describe a range of reasonable alternatives . . . which would feasibly attain most of the basic objectives of the project . . ."); *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1164 (holding that an EIR need not present alternatives that are incompatible with the project's fundamental purpose).

effectively reduce the Project's significant and unavoidable traffic impacts would change the character and scale of the Project and, as such, would not enable the Project to meet the Project Objectives set forth in the Draft EIR.

However, the refinements to proposed operations associated with Alternative 5 include a reduction in the event sizes and limitation on vehicle trips through traffic PDFs which would reduce traffic impacts of the new events to a level below significance. Alternative 5 presented in this Final EIR would restrict the Project's events by imposing maximum number of vehicle trips permissible for new events to avoid significant traffic impacts during peak hours, as well as on a daily basis. Please see Topical Response No. 1 and further detail regarding Alternative 5 in Chapter III, *Clarifications, Revisions, and Corrections*, of this Final EIR. Also, please see Topical Response 4 regarding emergency access.

Comment BHA 61

8. The Project should consider an off-site staging area and shuttle service for event attendees to further reduce traffic and parking impacts.

Response to Comment BHA 61

This comment offers a suggested mitigation measure related to the Project's traffic impacts and does not articulate any specific deficiency in the Draft EIR. As discussed in Section H, *Land Use and Planning*, pages IV.H-40, IV.H-45 and IV.H-46 of the Draft EIR, shuttle services may be available to visitors during the Project's higher attendance events and for attendees of Summer Camps on a case-by-case basis. However, shuttles could also be used to maintain low daily vehicle trip requirements under Alternative 5. Under Alternative 5 discussed in Topical Response No. 1 of this Final EIR, PDF-TRAF-12 would limit total daily outside guest vehicle trips to/from Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports activities to 155 inbound and 155 outbound vehicle trips, and PDF-TRAF-14 would limit total daily vehicle trips to/from Summer Sports Camps to 118 inbound and 118 outbound. The limits would be applicable to all vehicles, including shuttles. Pedestrian access would be restricted in accordance with PDF-TRAF-17. One of the ways that MSMU could stay below the applicable trip caps would be through the use of shuttles. Please see Topical Response No. 1 and further detail regarding Alternative 5 in Chapter III, *Clarifications, Revisions, and Corrections*, of this Final EIR.

Comment BHA 62

9. A parking study was previously prepared for the University in 2014 (over four years old) and was not updated as part of the current traffic study. It indicated that a maximum occupancy of 76% (425 spaces) occurred at that time. It is not clear whether this was for a normal day condition or whether it included any special events. A current parking demand analysis should be conducted to evaluate the potential demand when the

University is in session and when special events occur. The results of these surveys should be compared to the available parking capacity with and without Valet Service. Also, if Valet service is to be considered, a plan should be included in the traffic study that shows where it is to be located, how it is to be designed and how it is to function.

Response to Comment BHA 62

Although the Draft EIR discusses the effects of the Project on parking (see page IV.K-77), CEQA does not provide a threshold or criterion specific to parking impacts. The adequacy of parking in general is based on compliance with LAMC parking regulations, with which the Project and Alternative 5 would be consistent (see Table III-2, *Alternative 5 and Campus Parking Requirements*, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR). No further analysis of parking is required for the purpose of the EIR.

However, the parking study referred to in the comment and the Draft EIR was prepared in 2015 and included parking demand surveys conducted in the fall of 2014. The Campus enrollment in the fall of 2014 was 1,487. Based on the results of the surveys, the highest on-campus parking utilization of 76 percent (425 spaces) was observed across three survey days. In addition, events on Campus are provided free valet parking to encourage attendees to park on Campus and not on Chalon Road. Parking ticket reservations are pre-arranged with MSMU prior to all events and are limited to a certain number of spaces so that MSMU can ensure that valet parking is available on campus for all events.

At the end of large campus events, Campus Security stations Community Relations Officers in the neighborhood around Bundy/Saltair to monitor traffic leaving campus and to remind event attendees to slow down in the neighborhood. Enrollment in the fall of 2016 was 1,498 which corresponds with the year of the EIR notice of preparation and when the majority of the traffic counts were conducted. This represents a minor increase in enrollment of less than 1 percent. Enrollment in the fall of 2017 was 1,448, lower than the enrollment at the time of the parking demand surveys in the fall of 2014. Therefore, it is not necessary to redo the parking demand surveys. Note also that under Alternative 5, PDF-TRAF-17, which disallows pedestrian access to the Campus, would reduce, if not eliminate, the potential for student or visitor parking on local streets.

Comment BHA 63

10.The actual parking demand during construction should be quantified and compared to the available parking capacity of the site during each phase of construction. As a mitigation measure, it is recommended that an off-site parking area and shuttle service be provided for construction workers. This would also reduce the traffic impacts to intersections and neighborhoods streets.

On Page 66 of the Traffic Study, it suggests valet parking in parking lot aisles as a solution to the loss of 222 parking spaces during construction. There should be a disclosure of the

maximum number that valet could stack in the aisles, and the number of cars anticipated to park on residential streets.

Response to Comment BHA 63

The comment refers to potential mitigation measures related to parking, but it should be noted that parking is no longer a category of environmental impact under CEQA.

With respect to the commenter's statements regarding construction traffic impacts, it should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments, including cumulative construction traffic impacts, was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments.

The comment correctly notes that the Draft EIR discusses the potential for an off-site parking area and shuttle service for construction workers as mitigation for traffic impacts (see (p. IV-K-59) and PDF-TRAF-2 (Construction Parking Plan)), in the Draft EIR. Since the preparation of the Draft EIR, MSMU has determined that all construction worker parking can take place on Campus without triggering any significant traffic impacts and, as such, does not anticipate off-site parking and shuttling for construction workers. Therefore, both the Project and Alternative 5 incorporate a modified PDF-TRAF-2 that requires all construction workers to park on-site. As previously discussed, based on the results of parking utilization surveys completed by MSMU, the highest on-campus parking utilization of 76 percent (425 spaces) was observed across three survey days. MSMU would be able to accommodate all construction workers on Campus even during the most intense construction phases by not simultaneously scheduling any special events during this time. The increased parking utilization by construction workers, combined with the temporary loss of parking spaces, would still result in less aisles parking by valet drivers.

Also, with regard to parking on residential streets, under both the Project and Alternative 5, PDF-TRAF-2, the Construction Parking Plan, specifically requires that construction worker parking will be prohibited on residential streets.

With respect to construction worker parking, please also see Response to Comment BHA 45.

Comment BHA 64

11. On Page 74 of the Traffic Study, it suggests that when 37 outbound PCE's (Passenger Car Equivalents) occur, the off-site parking program should be implemented. This will be very hard to monitor and determine, therefore, it is recommended that the construction worker off-site parking program be implemented at all times during construction to reduce local parking impacts in the area. The off-site construction parking program would also reduce the traffic impacts at the two (2) affected intersections and at Neighborhood local streets. The location and operating parameters should be identified in the traffic study and be made a "Condition of Approval" of the Project.

Response to Comment BHA 64

The comment does not relate to the adequacy of the Draft EIR under CEQA. The commenter's suggested condition of approval is noted for the decision-makers.

The commenter refers to a suggested mitigation measure included in the Traffic Study. This suggestion was the basis for the inclusion of Mitigation Measure MM-TRAF-1 in the Draft EIR. Please see Response to Comment BHA 31 regarding MM-TRAF-1. As discussed therein and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, MM-TRAF-1 has been revised so that it limits trips during construction to a maximum of 37 outbound PCE vehicle trips and 6 inbound PCE vehicle trips in each individual hour within the PM peak period (4 PM to 6 PM).

From a practical standpoint, MSMU anticipates that construction workers would generally leave the Campus before 4 pm, so it is not expected that there would be anywhere close to 37 outbound trips in each peak hour, and MSMU has since determined during the preparation of this Final EIR that at no time would construction worker outbound trips exceed 37 outbound trips during a peak hour, thereby rendering a shuttle system unnecessary. Therefore, MM-TRAF-1 has been revised in this Final EIR to serve as an hourly inbound and outbound trip cap, rather than a threshold that triggers the implementation of a shuttling program. From a monitoring standpoint, should there be departures in the PM peak period, MSMU would be able to easily monitor the number of trips through construction worker schedules, and as stated previously, it is not anticipated that construction worker outbound trips will approach 37.

The Traffic Study, on the same page 74 referenced by the commenter, concluded that mitigation of construction-related intersection impacts "would require reducing the number of construction vehicle trips" during peak hours to a level below the threshold of significance. MM-TRAF-1, as revised, accomplishes the reduction of vehicle trips required to mitigate significant impacts at Study Area intersections without the need for off-site parking or shuttling.

The commenter suggests that an off-site shuttling program be implemented at all times in order to avoid construction workers parking in the area. PDF-TRAF-2 under either the Project or Alternative 5 would require all construction workers to park on Campus, and prohibit construction worker parking on neighborhood streets. Therefore, under either the Project or Alternative 5, no construction workers will park on local streets.

The Draft EIR was not required to include the location and operating parameters of off-site parking locations contemplated by the original version of PDF-TRAF-2, because it would have been impossible to determine the exact locations at the time of the preparation of the Draft EIR, or what operating parameters would have been appropriate for those locations.

Comment BHA 65

12.As identified in the Traffic Study, Alternatives #3 and #4 would have the potential to reduce the direct significant impacts of the Project to intersections and Local Neighborhood Streets. This will require a significant reduction in event size and not allowing any concurrent events or events when other schools in the area are also having events. In order for these alternatives to be effective, there must be an enforceable means of measuring the amount of traffic that needs to be developed and implemented on an ongoing basis. Since there is only one main access point to the Campus this can be done with current technology and will have to be monitored on an ongoing basis. A required ongoing mitigation monitoring program and transportation demand management plan will be needed to assess traffic conditions and reduce traffic from the existing Campus and the proposed Wellness Pavilion. By monitoring certain traffic thresholds an action plan can be implemented to make sure that adverse traffic impacts do not occur.

Response to Comment BHA 65

This comment expresses support for a transportation demand plan and monitoring program for ongoing supervision of Project traffic conditions as a way to improve the effectiveness of Alternative 3 and Alternative 4 of the Draft EIR. The Mitigation Monitoring Program as part of this Final EIR (see Chapter IV) requires the enforcement of the measures set forth to limit Alternative 5's daily and peak hour vehicle trips. The comment does not raise any issues regarding the content and adequacy of the Draft EIR.

The comment incorrectly notes that the reductions in traffic achieved by Alternatives #3 and #4 would require "a significant reduction in event size," not allowing concurrent events, and not allowing events when other local schools are also hosting events. This is not accurate, is not reflective of the analysis included in the Draft EIR for Alternatives #3 and #4, and is not supported by substantial evidence. None of the suggested conditions is required in order for Alternatives #3 and #4 to achieve reductions in traffic impacts. See Response to Comment BHA 55 regarding concurrent events.

As detailed by Alternative 5, operations have been refined in this Final EIR to restrict the maximum number of vehicle trips permissible for new events to avoid significant traffic impacts during peak hours and daily. Monitoring the main access point to the Campus would not be an appropriate means for enforcing these limits since vehicles on the Campus driveway would not solely be generated by the new events. Instead, methods to implement these limits could include requiring pre-registration for events and issuance of a restricted number of parking permits or use of shuttles.

Comment BHA 66

13.The actual traffic impacts to all of the affected local streets needs to be monitored on an ongoing basis. This will be necessary to identify where traffic calming needs to be implemented based upon existing and future traffic from the University. Some form of

“Traffic Calming” should be implemented in that area to further reduce the Project’s impact to the area. A “Condition of Approval” will be required to review the appropriate “traffic calming” techniques to be implemented in the neighborhood street system. Also, as previously mentioned, the Project should not be allowed to have concurrent events on the same day. If they were to simultaneously occur, the impacts would be compounded and substantially worse than what has been identified to date in the traffic study.

Response to Comment BHA 66

The commenter’s suggested conditions of approval are noted for the Project decision-makers. This comment does not raise any issues regarding the content and adequacy of the Draft EIR under CEQA. With respect to the commenter’s statements regarding concurrent events, see Response to Comment BHA 55.

Comment BHA 67

14.No increase in the number of students over the maximum determined to be lawfully approved (and certainly no increase over the current approximately 1,500 students) should be permitted without additional environmental/traffic review, including an evaluation of the mitigation monitoring program and transportation demand management plan. The objective of these programs would be to not only reduce the traffic impacts from the Wellness Pavilion, but from the existing University as a whole.

Response to Comment BHA 67

The comment does not raise any issues regarding the content and adequacy of the Draft EIR under CEQA. However, the comment regarding no increase in student enrollment over the current approximately 1,500 students is noted. Please see Topical Responses Nos. 2, 6, and 7 regarding the scope of the Project and student enrollment. With respect to the commenter’s statement regarding the desirability of reducing total Campus traffic, it should be noted that Alternative 5 incorporates PDF-TRAF-18, which would require that total daily vehicle trips generated by the Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Comment BHA 68

CONCLUSIONS

RK has reviewed the transportation documents for the Mount Saint Mary’s University Wellness Pavilion Project. A number of issues have been identified with the traffic analysis that warrant additional review and evaluation. These include the potential growth in student body at the university, the actual trip generation from the planned events on the campus, the trip distribution of these events, the impact of concurrent events at the campus, a means of reducing the construction related traffic impacts to neighborhood streets and the need for a meaningful means of monitoring future traffic impacts and a

mitigation program to actually reduce the adverse traffic impacts identified in the traffic study.

The mitigation program and mitigation monitoring program needs to not only reduce traffic impacts from the Project, but also the current significant impacts that are currently occurring on the local neighborhood streets and at the intersections that are operating at a poor level of service impacted along Sunset Boulevard.

Response to Comment BHA 68

This comment provides a summary of issues raised throughout the text of the RK Letter in previous Comments BHA 53 through 69, above, each of which was previously responded to. See Response to Comment BHA 54 regarding student enrollment, Response to Comment BHA 56 regarding trip generation, Response to Comment BHA 57 and 58 regarding trip distribution, Response to Comment BHA 55 regarding concurrent events, Response to Comment BHA 63 regarding construction traffic impacts, Response to Comment BHA 65 regarding monitoring of future traffic impacts and suggestions regarding the Mitigation Monitoring Program, and Response to Comment BHA 52 regarding the commenter's suggestion that mitigation is required with respect to baseline traffic conditions outside that are not caused by either the Project or Alternative 5.

Comment BHA 69

RK appreciates the opportunity to work with the Brentwood Homeowners Association and provide this evaluation of the Mount Saint Mary's University Wellness Pavilion Project. If you have any questions, please call me at (949) 474-0809.

Response to Comment BHA 69

The comment does not raise any issues regarding the content and adequacy of the Draft EIR under CEQA.

Comment BHA 70

Exhibit C to the BHA letter is a parking map of the Chalon Campus. Exhibit D is MSMU's 2015 TDM Report and Three Year Action Plan.

In addition to Exhibits A and B (referred to in Comment BHA 52-B), two additional exhibits are included in the BHA letter. Exhibit C includes a parking map of the Chalon Campus and Exhibit D includes a 2015 TDM Report and Three Year Action Plan for MSMU. Neither Exhibit C or D include specific comments on the Project.

Response to Comment BHA 70

Exhibits C and D do not address significant environmental issues or provide specific comments on the Project. Exhibits C and D are noted for the record and will be forwarded to the decision-makers for review and consideration. With respect to Exhibit D, please see Response to Comment BHA 4, BHA 11, and BHA 40, above, regarding the BHA Letter's statements with respect to MSMU's 2015 TDM Report and the Draft EIR.

Refer to Appendix A of this Final EIR for the complete text of Exhibits C and D.

Chatten-Brown and Carstens for Bundy Canyon Association (CHATTEN-1)

Comment CHATTEN-1 1

Dear Ms. King,

Attached please find a comment letter from Douglas Carstens regarding the above-captioned subject. I am sending you a paper copy via FedEx overnight.

Please feel free to contact me with any questions or concerns

Cynthia Kellman

Response to Comment CHATTEN-1 1

The comment is introductory in nature and does not provide any information pertinent to the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment CHATTEN-1 2

Dear Ms. King:

On behalf of the Bundy Canyon Association, representing 545 homes in the contiguous Bundy Canyon area from Bowling Green to Barrington Avenue, north of Sunset, we object to the approval of the Mount St. Mary's University (MSMU or University) proposed expansion Project at the Chalon Campus (Project). The Bundy Canyon Association is an Alliance for the protection and safety of Bundy Canyon Residents. The Bundy Canyon Association includes the most impacted residents of the Project.

Our community is deeply concerned about the Project and the effects it will have on our neighborhood in general, and more specifically, on traffic, fire safety, air quality, parking, noise, lighting, wildlife, safety, and aesthetics of the Bundy Canyon neighborhood. The proposed 38,000 square foot MSMU expansion would compromise BCA members' safety in terms of increasing the risk of accidents involving faculty, staff, students that live on Campus, and commuter students. Expansion of the Campus would also aggravate the existing fire risk in this Very High Fire Hazard Severity Zone. We oppose this Project in its entirety.

Response to Comment CHATTEN-1 2

The comment expresses concern regarding traffic, fire safety, air quality, parking, noise, lighting, wildlife, safety, and aesthetics of the Bundy Canyon neighborhood, but does not provide specific information with respect to the content and adequacy of the Draft EIR. Specific concerns are addressed in responses to further comments, below. This comment

is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

Comment CHATTEN-1 3

The Project would be one of the largest in the area in years. The Project entails demolition of the existing fitness center, facilities management building, tennis courts and pool on a 3.8-acre portion of the 45-acre MSMU site and the construction of a Wellness Pavilion and swimming pool. The proposed “Wellness Pavilion” would replace existing 1,110 square foot facilities with a two-story, approximately 38,000-square foot multiuse building with outdoor pool area and new parking deck. The Wellness Pavilion would house a recreation and practice gym, multi-purpose rooms, exercise rooms, physical therapy lab, dance and cycling studios, offices and support space (i.e. lockers, showers, restrooms, equipment storage, and mechanical spaces). A total of 279 parking spaces would be provided rather than the existing 226.

Response to Comment CHATTEN-1 3

The comment repeats information regarding the Project provided in the Draft EIR (see page II-21).

The comment claims that the Project would be “one of the largest in the area in years,” but does not provide any substantial evidence to support this, or indicate the geographic extent of the referenced “area.” Further, the size of the Project relative to others completed in the area is not a CEQA consideration and is therefore outside the scope of the EIR.

It should be noted that a number of the aspects of the originally proposed Project cited in this comment have been reduced in various respects by Alternative 5. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet, would not include the Project’s two-story parking deck, would replace 186 existing spaces for a net reduction of 46 spaces compared to existing conditions, and would preserve the largest of the three existing buildings that would require demolition under the Project.

Comment CHATTEN-1 4

While MSMU may be 3/10 of a mile off the I-405 freeway there is no direct access to that freeway. The only ingress and egress to 12001 Chalon Road is off of Sunset Boulevard

and Bundy Drive to Norman Place onto Chalon Road through two miles of narrow, winding residential streets, many with no sidewalks and parking on both sides.

Response to Comment CHATTEN-1 4

The comment refers to existing conditions with respect to the Campus and access to the I-405 but does not remark on the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The Draft EIR describes the Campus distance from the I-405 Freeway as three miles via City streets (see Section IV.K, *Transportation and Traffic*, of the Draft EIR) and provides maps such as Figure II-1, *Regional and Vicinity Map*, Figure IV.K-1, *Traffic Study Area and Analyzed Intersection Locations*, showing access to the Project Site. The neighborhood streets serving the Project Site are discussed on Page IV.K-9, and the Project's impacts to neighborhood streets are evaluated in the Draft EIR in accordance with LADOT requirements. Alternative 5's impacts to neighborhood streets are evaluated in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR.

Also, please see Topical Response No. 3 for additional clarification of existing conditions on local neighborhood streets.

Comment CHATTEN-1 5

The Draft EIR Fails to Adequately Analyze and Mitigate the Adverse Environmental Impacts of the Project as Required by CEQA.

The Draft EIR is inadequate because it fails to fully analyze the Project's environmental impacts, propose sufficient mitigation for those impacts, or analyze alternatives that would avoid those impacts. The requirement for an EIR under CEQA serves the dual purpose of enabling a reviewing agency to make an informed decision and making the decision-makers' reasoning accessible to the public, thereby protecting informed self-government. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 670.) Preparation of an EIR for the Project may facilitate better decision-making and properly involve the public only if the EIR provides a meaningful analysis of impacts, alternatives, and mitigation measures. The Draft EIR should be an environmental full-disclosure document. As the California Supreme Court has said:

CEQA compels an interactive process of assessment of environmental impacts and responsive Project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described Project, with flexibility to respond to unforeseen insights that emerge from the process.

(*Concerned Citizens of Costa Mesa v. 32nd District Agricultural Association* (1986) 42 Cal.3d 929, 936.)

Response to Comment CHATTEN-1 5

The commenter provides a general statement regarding the Draft EIR's inadequacy but does not provide any substantial evidence to support this statement.

This comment contains general statements regarding CEQA and CEQA case law. As such, this comment does not address significant environmental issues, and no further response is necessary. *See, e.g., City of Irvine v. City of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

Comment CHATTEN-1 6

A Thorough Analysis of Impacts Is Required.

CEQA Guidelines section 15126.2 subdivision (b) requires an EIR to describe a Project's potentially significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, the EIR must describe their implications and the reasons why the Project is being proposed, notwithstanding its impacts. CEQA also provides that an EIR must not merely identify the impacts; it must describe their severity. As stated in *Santiago County Water Dist. v. County of Orange*, (1981) 118 Cal. App. 3d 818, 831:

What is needed is information about how adverse the adverse impact will be. An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences (CEQA Guidelines, Section 15150.)

(Id. at 831.) This Draft EIR fails to meet that mandate.

Response to Comment CHATTEN-1 6

This comment contains general statements regarding CEQA and CEQA case law. As such, this comment does not address significant environmental issues, and no further response is necessary. *See, e.g., City of Irvine v. County of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

The comment asserts that the Draft EIR fails to provide information about the level of environmental impacts identified, and does not provide decision-makers with enough information to make a decision that takes account of environmental consequences, but does not provide any substantial evidence of this assertion or any examples. Contrary to

this statement, the extent or level of each identified environmental impact was discussed and analyzed in the Draft EIR.

Comment CHATTEN-1 7

The Draft EIR Must Consider and Adopt Reasonable Mitigation Measures to Avoid Significant Impacts.

CEQA requires every EIR to contain a complete discussion of potential mitigation measures available to avoid or reduce adverse environmental effects (Pub. Resources Code section 21000(b)(3); Guidelines Section 15126(c)) because one of the basic purposes of an EIR is to indicate the manner in which significant effects can be mitigated or avoided. (Pub. Resources Code section 21002.1(a).) Mitigation measures must be concrete and enforceable through a mitigation monitoring plan. (Pub. Resources Code Section 21081.6(b); *Lincoln Place Tenants Ass'n v. City of Los Angeles* (2007) 155 Cal. App. 4th 425, 445.) Before it may approve a Project that will have significant impacts on the environment, a public agency must determine that all proposed mitigation measures and/or Project alternatives capable of substantially reducing environmental impacts have either been incorporated into the Project or that the proposed mitigation measures or alternatives are infeasible. (Pub. Resources Code section 21081(a); *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30.) To be considered infeasible, it must be demonstrated that an alternative or mitigation measure is more than just more costly. "What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the Project." (*Citizens of Goleta Valley*, supra, 197 Cal.App.3d 1167, 1181.) As discussed below, the Project fails to mitigate its extensive adverse impacts on aesthetics, biological resources, land use, noise, traffic, air quality and the safety of the hillside neighborhood during fires, seismic activity, storms and other emergency situations.

Response to Comment CHATTEN-1 7

This comment contains general statements regarding CEQA and CEQA case law. As such, this comment does not address significant environmental issues, and no further response is necessary. See, e.g., *City of Irvine v. County of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

As noted in the comment, CEQA requires implementation of all feasible mitigation measures that can reduce significant environmental impacts to a level of less than significant. The comment claims that "the Project fails to mitigate its extensive adverse impacts on aesthetics, biological resources, land use, noise, traffic, air quality and safety of the hillside neighborhood during fires, seismic activity, storms and other emergency situations." However, as demonstrated in the Draft EIR and supported by substantial

evidence, the Project would not result in significant and unavoidable impacts to land use, geology and soils, storms, and/or fire protection services, including other emergency situations. Further, impacts to aesthetics, air quality, and biological resources would be less than significant with implementation of the feasible mitigation measures included in the Draft EIR and the Final EIR's Monitoring, Mitigation Program. It should be noted that the conclusions for each of these environmental factors would be similar and in many cases less under Alternative 5, as compared to the Project, because Alternative 5 would result in the construction of a smaller Wellness Pavilion and a reduction in the number of new events proposed. The relative reductions in impacts as between the Project and Alternative 5 are discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*.

Section IV.I of the Draft EIR, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic, the commenter is directed to Topical Response No. 3. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). While the Project's construction traffic impacts would remain significant and unavoidable under Alternative 5, Alternative 5 would reduce the overall construction period in which both the Project and Alternative 5's significant and unavoidable construction traffic impacts occur.

Comment CHATTEN 1 8

The Draft EIR's Analysis of Numerous Impacts and Mitigation Measures is Deficient.

We request that each of these comments receive a reasoned, good faith response, as required by CEQA, so that important issues will not be “swept under the rug.” (People v. County of Kern (1974) 39 Cal.App.3d 830, 841.) Without detracting from the need for the City to fully respond to those comments, we wish to emphasize certain particular points set forth below.

The Project's sensitive location is critical to the analysis of its environmental impacts. The significance of a Project's impacts varies with its setting. (CEQA Guidelines section 15125(c).)

Response to Comment CHATTEN-1 8

While the comment notes the sensitivity of the Project Site, it should be noted that the existing on-site conditions were considered in the Draft EIR analyses.

This comment contains general statements regarding CEQA and CEQA case law. does not address specific significant environmental issues, and no further response is necessary. See, e.g., *City of Irvine v. County of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

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

Comment CHATTEN-1 9

The Draft EIR's Analysis Must Be Improved to Be Legally Adequate.

A. Fire safety and emergency access must be ensured. Potential public safety impacts must be disclosed, analyzed, and mitigated. (City of Maywood v. LAUSD (2012) 208 Cal.App.4th 362, 391-396.) Professional analysis of the draft EIR's fire safety section by The McMullen Company indicates that there are “several significant impacts which are not accurately reported and thus cannot effectively be mitigated.” (Enclosure 1, McMullen Report, p. 2.) The McMullen Company determined that the following measures were necessary:

Accurate traffic studies with all anticipated vehicles that could be expected to evacuate and emergency vehicles entering the area;

Secondary/additional access constructed for emergency apparatus/vehicles;

Fuel modification/brush clearance conducted annually to meet State/LAFD requirements;
Implementation of effective and complete measures for a mandatory evacuation

Response to Comment CHATTEN-1 9

Please refer to the summary regarding fire hazard and emergency access provided in Topical Response No. 4 about the Draft EIR's discussion of fire safety impacts in Section IV.J.1. Topical Response No. 4 provides further discussion of information contained in Section IV.J.1, *Fire Protection*, of the Draft EIR.

Applicable subjects discussed therein include MSMU's Emergency Evacuation Program, secondary emergency access, emergency access during construction, and emergency access during operation. Regarding the Project's compliance with fuel modification requirements, please refer to Section IV.J.1, pages IV.J.1-8, 18, 27, and 31 through 33, and Section IV.C, *Biological Resources*, pages IV.C-8 and IV.C-19, of the Draft EIR. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to fuel modification regulations.

Further, as stated in the Draft EIR, the LAFD has established a Brush Clearance unit operating in the City's hillside areas, to ensure noncompliant properties are cleared of hazardous brush. As described in Section IV.J.1, page 32, of the Draft EIR, "The Project would be required to comply with CFC and LAFD Fire Code brush clearance requirements applicable to a VHFHSZ such as those with wildland interface. Wildland interface means that a property adjoins hillsides, canyons, or fields that have not been developed or changed from their natural condition. Wildland conditions adjacent to the Project Site require compliance with Los Angeles Fire Code Section 57.322.1 for general brush clearance, including vegetation within 100 feet of buildings (Section 57.322.1.1.1), trees within 100 feet of buildings (Section 57.322.1.1.2), road clearance (Section 57.322.1.1.6), and a second 100-foot fuel modification zone in which all hazardous vegetation and other combustible growth within the first 100 feet surrounding structures are cleared (Section 57.322.1.17). In accordance with Section 57.322.1.1.1, any dead trees would be removed from the property and all weeds and other vegetation would be maintained at a height of no more than three inches, if such weeds or other vegetation are within 100 feet of a building. Trees and shrubs (not ornamental landscaping) less than 18 feet in height would be trimmed up 1/3 their height. Thus, the Project and Alternative 5 would be required to comply with existing fuel modification regulations.

Also, please note that this comment contains general statements regarding CEQA and CEQA case law. As such, this comment does not address significant environmental issues, and no further response is necessary. See, e.g., *City of Irvine v. County of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

The fact that the McMullen Company analysis disagrees with certain aspects of the expert analyses contained in the Draft EIR does not invalidate or otherwise undermine the Draft EIR's analyses. See CEQA Guidelines § 15151 (“[D]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts”). The McMullen Company analysis alleges that the Project will result in significant fire safety impacts that require the imposition of mitigation measures other than those identified in the Draft EIR. Specifically, the McMullen Company analysis asserts that the measures set forth in Comment Chatten 1-9 are “necessary,” but does not provide specific information, or substantial evidence, about how the proposed measures relate to applicable thresholds of significance. Additionally, as noted above, the “necessary” measures identified by The McMullen Company above were addressed in Section IV.J.1 of the Draft EIR.

Please also see Response to Comment CHATTEN-1 70, which addresses the text of the McMullen Company analysis including the “necessary” measures mentioned above.

Comment CHATTEN-1 10

The McMullen Company Report contains extensive, detailed comments. We ask that you respond in a similar level of detail to each of these comments as required by CEQA.

The McMullen Report observes “The traffic studies included in the Draft EIR.... [D]o not include all persons that must exit in a mandatory evacuation from the University.” (Report, p. 3.) The Report states “The existing roadways are too narrow for effective evacuation and ingress of emergency apparatus/vehicles with the permitted parking.” (Report, pp. 3-4.) “Some roadways are as narrow as 19 feet; they are below the minimum California Fire Code requirement.”

Response to Comment CHATTEN-1 10

Please see full responses to the entirety of the McMullen Company Report in Response to Comment CHATTEN-1 65 through 88, which address the comments included in quotations above and below.

As discussed in Section IV.J.1, *Fire Protection*, of the Draft EIR, the LAFD posts Red Flag warning days during certain dry, windy conditions or during wild fires, in which no parking is allowed on neighborhood streets north of Sunset Boulevard. In the preparation of the Draft EIR, a request for information was sent to the LAFD regarding fire safety in the Project area and any history of bottlenecks or street blockages during fire or wildfire emergencies (see LAFD Correspondence, November 7, 2016, in Appendix H, Public Services, of the Draft EIR). The request for information contained maps of the Project Site and Project, as well as ingress and egress routes within the Campus and surrounding area. In response to the request for information, the LAFD responded that, with the implementation of recommended measures listed in the letter, along with any additional recommendations to be made during later reviews of the Project, impacts would be

reduced to an acceptable level (see Fire Department Letter, dated October 17, 2017, in Appendix H of the Draft EIR). All measures recommended in the LAFD letter would be required and implemented by the Project or Alternative 5. The Truck Company (Fire Station No. 19), which serves the Brentwood Area north of Sunset Boulevard, did not indicate existing or future emergency access problems with the neighborhood streets serving the Project Site. The issue of emergency access is further summarized in Topical Response No. 4, above.

Comment CHATTEN-1 11

Referring to Table IV.J.1-1, the Report states “The number of personnel and apparatus at Station 19 does not appear accurate.... The distance to the closest fire station is 2.6 miles; this distance FAR EXCEEDS the national standards, especially when the travel route is uphill through narrow streets and into the VHFHSZ.” (Report, p. 5.)

Response to Comment CHATTEN-1 11

Please see Topical Response No. 4 with respect to the Campus’s distance to the closest fire station and compliance with LAFD regulations. As explained in Topical Response No. 4, the Project or Alternative 5 would comply with all applicable City regulations for additional fire safety measures required when the distance to the closest fire station exceeds 1.5 miles, including the installation of automatic fire sprinkler systems. The comment references national standards, but provides no substantial evidence as to what such national standards are. No federal fire safety standards exist which are applicable to the Campus.

Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Regarding adequacy of fire safety services to the community, in *City of Hayward v. Board of Trustees of California State University* (2015) 242 Cal.App.4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including fire protection services, and that it is reasonable to conclude that the city will comply with that provision to ensure that public safety services are provided.

The LAFD provided the personnel data for Fire Station No. 19 and four other fire stations in the region (see Fire Department Letters, dated October 17, 2017, March 15, 2018, and April 3, 2018 in Appendix H, Public Services, of the Draft EIR). As indicated therein, and in Section IV.J.1, *Fire Protection, of the Draft EIR*, Fire Station No. 19 has a staff of 18. The Station 19 service area is primarily hillside areas and canyons in the Brentwood Community. The Project Site’s distance from the nearest LAFD Fire Station (approximately 2.6 miles) is addressed in Fire Code Section 57.507.3.3 (Land Use). As

discussed in Section IV.J.1, Fire Code Section 57.507.3.3, establishes a maximum response distance of 1.5 mile for an Engine Company. The first-due Engine Company to the Project Site is Station 19, located approximately 2.6 miles from the Campus. The establishment of the response distance value of 1.5 mile allows the City (through the Fire Code) to require additional fire protection features in a building's design. It is not intended to mean that a site cannot be adequately served beyond the distance of 1.5 mile, but that specific features must be added to a building to reduce the rate of a fire's progress. In the event that a Project site would exceed the 1.5 mile fire distance, Fire Code Section 57.512 (Response Distances that if Exceeded Require the Installation of an Automatic Fire Sprinkler System) requires the installation of automatic fire sprinkler systems for buildings. Accordingly, the Project would provide an automatic sprinkler system. As discussed in the Draft EIR, the Wellness Pavilion would include a complete hydraulically calculated automatic sprinkler system consistent with the Fire Code and in accordance with the requirements of the National Fire Protection Services Association (NFPA). As explained in Topical Response No. 1, No. 4, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to the above-referenced fire safety measures. With the installation of this system, Alternative 5 would be consistent with Fire Code standards with respect to fire distance.

Emergency access is discussed in detail in Section IV.J.1 of the Draft EIR as well as in Topical Response No. 4. With respect to mountain roads, Fire Station 19 Engine Company is equipped to manage mountain roads and the types of fires that occur in wildland areas. Fire Station 19 does not have hook and ladder trucks that would, otherwise, be more suitable to an urban setting or that would have difficulty maneuvering the terrain and road conditions in the Fire Station 19 service area. Additionally, Chalon Road east of Bundy Drive, Chalon Road west of Norman Place, and Norman Place north of Bundy Drive are designated within the LAFD's Red Flag Alert Program, in which when winds are stronger than 25 mph, and humidity less than 15 percent, LADOT is authorized to provide notice that prohibits the curbside parking of vehicles on these days. Vehicles parked in violation of the signs may be towed. In the event of large-scale emergencies, secondary access for fire emergency vehicles is available via Getty Center Drive/Chalon Road.

Comment CHATTEN-1 12

Whereas the Draft EIR states the Project site is accessible by fire emergency vehicles from the Mount Saint Mary's fire road (Draft EIR, p. IV.J.1-19), the McMullen Report states "This dirt road is not suitable for any emergency fire apparatus response, nor evacuation by University persons. It is too dangerous to use for vehicular traffic." (Report, p. 5.)

Response to Comment CHATTEN-1 12

See Response to Comment CHATTEN-1 77 below, which responds to the quoted section of the McMullen Letter.

Comment CHATTEN-1 13

The McMullen Report further states, contrary to the EIR's assurance emergency vehicles would have priority access in emergencies (Draft EIR, p. IV.J.1-24), "Sirens and red lights do nothing to move stalled traffic when there is congestion... The number of 'haul trips' during demolition and the number of deliver trips for materials including slow moving concrete trucks traveling up hill will significantly impact traffic and emergency response during those phases of construction. Large trucks cannot simply pull to the right for emergency responding apparatus/vehicles when there is no place on the roadway to pull over." (Report, p. 5.) "Twenty-two months of construction will greatly impact emergency apparatus/vehicle response times." (Report, p. 6.)

Response to Comment CHATTEN-1 13

See Response to Comment CHATTEN-1 78, 82, and 84 below, which responds to the quoted section of the McMullen Letter.

Comment CHATTEN-1 14

The McMullen Report points out a letter of April 4 from the Los Angeles Fire Department that stated "Based on these criteria (response distance from existing fire stations), fire protection would be considered inadequate." The Draft EIR has not appropriately addressed the excessive distance, nor the lengthy travel times.

Response to Comment CHATTEN-1 14

The letter from the Los Angeles Fire Department referenced in the comment above is dated April 3, 2018. While that letter does contain the statement quoted above, that letter goes on to provide a list of recommended measures that would "reduce impacts to an acceptable level."

The commenter's statement that the Draft EIR did not appropriately address distance to the nearest fire station or travel times between that fire station and the Campus is not accurate. Section IV.J.1, *Fire Protection*, Page IV.J.1-11, of the Draft EIR, addressed the issue of maximum response distances. As discussed therein, Fire Code Section 57.507.3.3 (Land Use) establishes a maximum response distance of 1.5 miles. The Draft EIR further stated that, in regard to sites that exceed the distance of 1.5 mile, the Fire Code sets forth additional building requirements that allow such response distance to be exceeded. As provided in Fire Code Section 57.512, land uses that exceed 1.5 mile are required to install automatic fire sprinkler systems (see Draft EIR, Pages IV.J.1-11, IV.J.1-28, and IV.J.1-33). As discussed on Page IV.J.1-33 of the Draft EIR, the proposed Wellness Pavilion would be fitted with a complete hydraulically calculated automatic sprinkler system in accordance with the requirements of the NFPA, and, as such, the Project would be consistent with regulations pertinent to response distances. The Wellness Pavilion would also be designed to comply with applicable provisions of the

California Fire Code (CCR Title 24, Part 9), and the Los Angeles Fire Code (LAMC Chapter V, Article 7). The Project would incorporate a fully automatic Code-compliant fire alarm system with voice evacuation. The new communications panel would annunciate building fire alarm status to the existing onsite Command Center. The on-site Command Center consists of a Watch Commander, Patrol Officer, Main Gate Officer and Community Relations Officer who provide security to ensure the personal safety of students, fire prevention, evacuation management, and other duties. Watch Commanders are responsible for conducting vehicle patrols both on Campus and in the immediate surrounding area.

As explained in Topical Response No. 1, No. 4 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, all of the Project's fire safety measures are incorporated into Alternative 5.

Comment CHATTEN-1 15

How would emergency vehicles enter Bundy Canyon when the roads are filled with construction vehicles, regular parking by homeowners, and delivery vehicles?

How can emergency vehicles operate on streets with widths that in many places are smaller than the minimum code requirements?

Response to Comment CHATTEN-1 15

Emergency access during construction of the Project was analyzed in Section IV.K, *Transportation and Traffic*, of the Draft EIR. As discussed in Topical Response No. 1, No. 3, and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction traffic, but the significant and unavoidable traffic impacts at three street segments: Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard would remain. It should be noted that, unlike the LOS impacts at intersections, the street segment impacts are largely the result of there being little existing traffic on these street segments, such that a minor, incremental increase in Project traffic is sufficient to create a significant impact; the impact determination is not the result of there being any bottlenecks on these streets.

In response to direct questions regarding potential bottlenecks and other emergency access issues, the LAFD did not identify emergency access problems on adjacent streets. In addition, the Project's PDF-TRAF-1, as well as Alternative 5's modified PDF-TRAF-1 as described in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, require the contractor to maintain access for land uses in proximity to the Project Site during construction, to minimize obstruction of through traffic lanes on surrounding public streets, to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences at all times, and other measures to reduce congestion in the area. PDF-TRAF-1 would be

enforced through the MMP, as outlined in Chapter IV, *Mitigation Monitoring Program*, of this Final EIR. Construction vehicles for single-family homes, trash trucks, and other large vehicles currently use these streets. However, unlike these vehicles, Project and Alternative 5 construction vehicles would be subject to PDFs, as noted above, which would provide greater assurances for emergency access. Please also see Topical Response No. 4, Emergency Access, for additional details.

The comment suggests that existing streets in the vicinity of the Campus are smaller than “minimum code requirements” but it is not clear what this is referencing. The commenter may be referring to certain streets in the area being Substandard Hillside Limited Streets. The Los Angeles Municipal Code (“LAMC”) defines a Standard Hillside Limited Street as a “street (public or private) with a minimum width of 36 feet and paved to a minimum roadway width of 28 feet, as determined by the Bureau of Engineering.” (LAMC Section 12.03). According to LAMC Section 12.03, a Substandard Hillside Limited Street is any street that does not meet the minimum total width and roadway widths of a Standard Hillside Limited Street. A Substandard Hillside Limited Street creates certain requirements in connection with the construction of residential homes; however, many streets throughout the City are designated Substandard Hillside Limited Streets and there are no limitations or prohibitions in place on construction vehicles for these streets.

The impacts on emergency access from the Project’s construction traffic were analyzed in the Draft EIR’s Section IV.K, *Transportation and Traffic*. Alternative 5’s impacts on emergency access from construction traffic are discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and as stated therein, would be less than significant.

Comment CHATTEN-1 16

The Draft EIR may not ignore or downplay the fire and life-threatening dangers that the Project will cause to all of Bundy Canyon and indeed to the students, faculty and staff of the University.

Brentwood north of Sunset Boulevard is an area of severe fire danger, as fires in the past have shown. Residents must share the same narrow evacuation routes of Bundy Drive, Norman Place, Saltair, and Chalon Road as all persons located at MSMU.

As explained in the May 29, 2018 letter submitted by Sunset Coalition and Brentwood Residents Coalition to Councilmember Bonin and Planning Director Bertoni, the Chalon Campus suffered significant damage in the Bel Air Fire on November 6, 1961. One-fifth of the Campus and part of the Carondelet Center were destroyed. The Bel Air Fire was not the first or last time the Chalon Campus faced fire danger. On Friday afternoon, September 14, 2012, fire erupted in the Sepulveda Pass near the Getty Center burning for two days and destroying 70 acres, the largest fire in the area since the Bel Air fire. The Getty Center and the University voluntarily evacuated using Chalon Road because of the location and direction of the fire.

The September 2012 evacuation clearly illustrates the risk to all area residents. Chalon Road connects the Getty Center with Mount St. Mary's University at the top of Norman Place. Hundreds of vehicles exiting from both Campuses poured onto the narrow and winding hillside streets of Chalon Road, Norman Place and Bundy Drive and prevented the residents from evacuating their homes.

On December 6, 2017, the Skirball Fire struck—the most damaging fire in the area since the 1961 Bel Air Fire. The blaze began as a brush fire near the 1-405 and Skirball Center Drive. Evacuation orders covered a 3.2 mile range and many neighboring residents evacuated, while others were on mandatory evacuation watch for three days. Mount St. Mary's transported its students to its Doheny Campus.

Following the Skirball fire, experts opined that the state has seen its most destructive year of wildfires in its history. The majority of California's 10 largest wildfires have occurred in the last decade. California Governor Jerry Brown described the ongoing blazes as “the new normal.”

The dire combination of high fire danger and substandard hillside streets leading to and from the Chalon Campus, create a dangerous situation not only for the University's constituents, but also for many neighboring families along the evacuation route. With the history of fires in this Very High Fire Hazard Severity Zone, the increased risk due to climate change, and the substandard hillside streets that must be used in any evacuation, the proposed Project with more students, more events, large buses and shuttles, and more traffic is a recipe for disaster. The Project should be denied outright.

Response to Comment CHATTEN-1 16

The comment makes a series of general statements regarding the history of fires in the area surrounding the Campus, but provides no substantial evidence to establish any of the claims presented. The comment incorrectly asserts that the Draft EIR “ignored” or “downplayed” fire safety issues.

The Draft EIR has analyzed the location of the Project within a designated VHFHSZ, which includes all of Brentwood to the west of Sunset Boulevard. The Draft EIR describes regulations and procedures pertinent to wildfire exposure, as well as discussion of the conditions that lead to the classification of the Project area as a VHFHSZ (see pages IV.J.1-1 through IV.J.1-2, IV.J.1-4 and 5, IV.J.1-8 and 9, IV.J.1-18, IV.J.1-20, IV.J.1-23, 24 and 25, and IV.J.1-31, 32, 33, and 34). As discussed on Page IV.J.1-33 of the Draft EIR, the Project would be required to comply with the Fire Code pertinent to response distance. The Project would incorporate a fully automatic Code-compliant fire alarm system with voice evacuation. The new communications panel would annunciate building fire alarm status to the existing onsite Command Center, consisting of a Watch Commander, MSMU Incident Commander, Patrol Officer, Main Gate Officer, and Community Relations Officer who provide security and emergency management to ensure personal safety of students, fire prevention, evacuation management, and other

duties. Watch Commanders are responsible for conducting vehicle patrols both on Campus and in the immediate surrounding area, and responding to Campus emergencies as well as regular non-emergency calls for service. The 24-hour Command Center monitors MSMU's automatic fire/life/safety systems and receives emergency calls from within the Campus. In addition, the proposed Wellness Pavilion would include a complete hydraulically calculated automatic sprinkler system in accordance with the requirements of the NFPA.

With respect to the commenter's concern about an evacuation of the Campus during a fire emergency, this would not occur because of the protocols in place with LAFD. Once buildings have been cleared and all individuals are congregated in the designated evacuation location, MSMU's policy is to follow the direction of LAFD based on the specific nature of the fire. In a meeting with MSMU, the Department of City Planning, and LAFD, and as articulated by LAFD at broader meetings with the Brentwood community in the aftermath of the November, 2019 Getty Fire, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Campus buildings feature fire-resistant materials such as stucco and tile roofs, with little exposed wood, and MSMU's brush clearance around the campus exceeds that required by LAFD. That, together with perimeter roads that serve as natural fire breaks, make MSMU a defensible space during a fire emergency. In the November, 2019 Getty Fire, the adjacent Carondelet Center successfully sheltered in place during the entirety of the Getty Fire, and LAFD successfully defended the entire perimeter of the MSMU Campus.

In instances when the Brentwood community is not being evacuated because a brush fire does not pose an immediate risk, and, accordingly, no emergency response vehicles are traveling up the roadways north of Sunset, MSMU may choose to evacuate the Campus due to air quality or other operational considerations (as it did with the December, 2017 Skirball Fire on the opposite side of the 405).

Both the early evacuation and shelter in place strategies ensure that MSMU does not increase the number of vehicles evacuating the Brentwood community at the same time on neighborhood streets. By evacuating well before emergency vehicles are traveling to the area, or sheltering in place, MSMU allows for clear roadways for emergency vehicles entering the area and the Campus. To date, this process has facilitated the ability of fire apparatus making their way into the surrounding area or onto the Campus. Please refer to Topical Response No. 4 for a more detailed response regarding emergency access.

As explained in Topical Response No. 1, No. 4, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to fire safety measures.

Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to

wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment CHATTEN-1 17

Enrollment Must Be Defined and Enforceably Capped and Sufficient Parking Provided.

As was explained in the letter of Sunset Coalition and Brentwood Residents Coalition dated May 29, 2018 and separately submitted to the City, the EIR's Project description is misleading because the enrollment number of 2,244 is an intensification of use that is illegal without disclosure and necessary permitting. The current 1984 CUP, under which MSMU continues operating, states that the parking structure of 244-268 spaces is to allot 1/4 students per space. Therefore, the 1984 CUP mandated a certain amount of parking; it did not permit enrollment increases.

The Mount Saint Mary's facility was originally approved in 1928. Minutes for Petition 3066 include a statement from "the sisters" that they would have between 100 and 200 students, with a maximum cap of 500. A January 1984 staff report for City Plan Case No. 4072 CU to allow a new residence hall indicated that the college had maintained a constant enrollment of 700 to 750 (Page 2) and there were no plans to increase the number of students (Page 1). It is not clear how or if the increase above 500 students was granted. Later the same year, in July 1984, the Planning Commission approved construction of a parking garage at what was then Mount Saint Mary's College under Case No. 4072 CU. Under conditions of approval adopted for Case No. 4072 CU at that time, at least 4 parking space was to be provided for each student (Condition 3), and on-site parking was capped at 268 spaces, effectively capping enrollment at 1,072 students. However, the initial study stated that 561 parking spaces are provided on Campus, (p. A-6.) Documents available for review via the City's on-line Zoning Information and Map Access System and from Piper Tech show no major changes in permitted activity levels since 1984.

Los Angeles Municipal Code section 12.24 states that a use that is deemed approved on a lot "may be continued on the lot." (LAMC s. 12.24.L.) However, only the use that exists may be deemed approved. The 1928 CUP called for a small college with a maximum of 500 students. This is the deemed approved use of the lot. How can MSM justify usage of the lot for any larger enrollment?

Response to Comment CHATTEN-1 17

The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please see Topical Response Nos. 2 and 6, which contain a detailed discussion on the Scope of the Project, as well as MSMU's existing entitlements, student enrollment, and the status of ongoing operations at MSMU. As explained in Topical Response No. 2,

MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. Please also see pages III-104 and III-105 in Chapter III, *Revisions, Clarifications and Corrections*, of this Final EIR, providing for the deletion of text in the Draft EIR discussing enrollment and parking.

Comment CHATTEN-1 18

MSMU has a history of building first and seeking permits after the fact. This has occurred with the addition of the Campus's existing swimming pool and one of the buildings on the property. MSMU has made modifications without proper permits or permissions from the City. The Carondelet Center is part of the MSMU property footprint. Is there any plan for future expansion to include this Center?

Furthermore, approval of a CUP requires that a Project not be a detriment to the area in which it is located. (LAMC section 12.24.E.2 [requiring "that the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety."]) With the significant impacts the proposed Project would cause, how can this finding be made?

Describe clearly all current parking including the number of parking spaces available in the parking structure and around the Campus.

Who utilizes all the current parking spaces?

Response to Comment CHATTEN-1 18

The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please see Topical Responses Nos. 2 and 6, which contain a detailed discussion on the Scope of the Project, as well as MSMU's existing entitlements, student enrollment, and the status of ongoing operations at MSMU. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

MSMU has no current plans for future expansions and, contrary to the commenter's statement, the Carondelet Center is not part of the Campus and is not owned by MSMU.

The comment requests a description of existing parking. A complete description of existing parking on the Campus can be found in the Draft EIR's Section IV.K, *Transportation and Traffic*. The specifics with respect to user groups and existing parking on Campus is outside the scope of CEQA and not germane to this EIR.

Alternative 5's compliance with applicable parking regulations is detailed in Topical Response No. 1 above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

As explained in Topical Response No. 1, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users through the prohibition of pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

Comment CHATTEN-1 19

Construction Impacts Must Be Reduced.

While MSMU anticipates demolishing the current facility and parking lot, where does the EIR discuss the removal and digging out the dirt for the new pool? The demolition and construction phases may generate numerous airborne contaminants that the draft EIR must address.

The cumulative and long-term impacts of the proposed Project and related projects that currently have approvals or applications pending with the City or that will be approved for construction at the same time as MSMU's, including the Archer School for Girls, Brentwood School East and West Campus expansion projects, Caruso Palisades Project, and any others that will impact Sunset Boulevard or the Bundy Canyon streets used for ingress and egress to the MSMU's Chalon Campus.

Response to Comment CHATTEN-1 19

The first paragraph of the above comment asks about whether the construction of the pool proposed as part of the Project was appropriately addressed in the Draft EIR. Potential airborne contaminant impacts related to the excavation, demolition, and construction required for the new pool, and every other aspect of the Project, are discussed in the Draft EIR's section IV.B, *Air Quality*. Further, as stated in Topical Response No.1, Project construction activities would result in 10,699 cubic yards of cut as compared to Alternative 5 which would result in 4,884 cubic yards of cut. Thus, both the Project and Alternative 5 accounted for all construction activities associated with the pool.

The second paragraph of the above comment is not a question and does not raise any issues with respect to the adequacy of the Draft EIR. The comment mentions the cumulative impacts of the Project, all of which were adequately studied in the Draft EIR, including the cumulative traffic analysis in IV.K, *Transportation and Traffic*.

Each of the named schools located in the Project Study area were addressed as related projects in the analysis of future (cumulative) traffic impacts in the Transportation Impact Analysis (see Appendix I of the Draft EIR) and in Section IV.K, *Transportation and Traffic*,

of the Draft EIR. The cumulative traffic analysis in the Draft EIR includes the Archer School for Girls and Brentwood School East and West Campus expansion projects. The Caruso Palisades project is not included in the study area for the Transportation Impact Analysis established by LADOT, and is located over 2 miles from the closest study intersection. (It has also been completed). The traffic forecasts, however, included a background ambient growth rate intended to encompass background growth beyond the study area.

In addition, the Project's PDF-TRAF-1, and Alternative 5's modified PDF-TRAF-1 as stated in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, require MSMU to coordinate with the Archer School for Girls and the Brentwood School to coordinate the periods of heaviest construction activity in order to avoid overlapping hauling activities.

Comment CHATTEN-1 20

The construction workers are to be shuttled using a maximum of 6 inbound and 6 outbound trips. Is this an hourly rate or a daily rate?

How does the University intend to use a substandard roadway for construction related traffic when The Getty and the neighbors are opposed to such a plan?

Wouldn't construction for the Project that is 6 days a week starting at 7:00 a.m. adversely affect the surrounding quiet residential area?

What is the proposed concrete pouring time frame that will require additional hours to the proposed start and finish time of 7.00 am to 3.00 pm 6 days per week?

How many weeks will be concrete pouring trucks be in operation?

Response to Comment CHATTEN-1 20

The commenter asks whether the trip restrictions contained in MM-TRAF-1 are hourly or daily. As clearly explained in MM-TRAF-1 on page IV.K-89 of the Draft EIR, these trip restrictions are hourly. The peak hour trips in MM-TRAF-1 are the maximum number of trips that could occur in the PM peak hour without significantly impacting any of the study area intersections. During the preparation of this Final EIR, it was determined that at no time would construction worker outbound trips exceed 37 outbound trips during a peak hour, thereby rendering a shuttle system unnecessary. Therefore, MM-TRAF-1 has been revised in this Final EIR to serve as an hourly inbound and outbound trip cap, rather than a threshold that triggers the implementation of a shuttling program. As shown in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, MM-TRAF-1 has been revised so that it limits trips during construction to a maximum of 37 outbound PCE vehicle trips and 6 inbound PCE vehicle trips in each individual hour within the PM peak period (4 PM to 6 PM). Further, PDF-TRAF-2 has been modified to require all construction

workers to park on Campus and eliminates off-site parking for construction workers under either the Project or Alternative 5.

With respect to the commenter's comment about the "use [of] a substandard roadway for construction-related traffic when The Getty and the neighbors are opposed to such a plan," it appears that the commenter is referring to the use of the east extension of Chalon Road (the Getty Fire Road) for the use of construction traffic, which was evaluated as a potential Alternative to the Project, as discussed in Chapter V, Alternative 3, of the Draft EIR. The purpose of this Alternative was to reduce noise and construction activity on Norman Place and Bundy Drive. However, this Alternative is no longer under consideration as a Project Alternative. Also, please refer to Topical Response No. 5, above, for detailed discussion regarding the City's determination that this Alternative is no longer feasible. No private road traffic, other than private roads located on the Campus, is contemplated in connection with the Project or Alternative 5.

The Project's construction traffic and noise impacts are fully discussed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed therein, the intersections of Sunset Boulevard/Bundy Drive, Sunset Boulevard/Saltair Avenue, and Sunset/Barrington Avenue currently operate at poor (LOS E) or failure (LOS F) during the PM peak hours. During construction, implementation of MM-TRAF-1 under Existing and Future plus Project conditions would reduce the Project's construction traffic impacts at these intersections to less than significant levels. However, construction traffic impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would remain significant and unavoidable. Alternative 5 would also implement MM-TRAF-1, as modified in this Final EIR. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

With respect to construction noise, the Draft EIR disclosed that significant and unavoidable construction noise impacts would occur only during the concrete pour phase, which would occur along Chalon Road for a total collective of approximately 75 days under the Project, and a total collective of approximately 60 to 67 days under Alternative 5. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction noise impacts but not to a level of less than significant, and would reduce the Project's construction traffic impacts, but these would remain significant and unavoidable at the three noted street segments.

As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project's Phase IV (Concrete Pouring), would be 7 months. Under Alternative 5, Phase IV (Concrete Pouring) would be reduced from 7 months to approximately 5.6 to

6.3 months. Concrete pouring activities would be intermittent, in which various concrete pours would be conducted for a total of approximately 75 days under the Project (including approximately 12 days of maximum truck traffic), and a total collective of approximately 60 to 67 days under Alternative 5.

Comment CHATTEN-1 20

Traffic Impacts from Expansion Must Be Reduced.

As was explained in the letter of Sunset Coalition and Brentwood Residents Coalition dated May 29, 2018 and submitted to the City separately, over the years, there have been numerous complaints about the traffic and public safety impacts created by MSMU. There has been a huge increase of student body, MSMU transport vehicles, constant and ongoing traffic on the narrow and winding roadways, and MSMU has done little to address these problems. That is why the increase of enrollment from the 1984 CUP is such a concern to the community.

MSMU buses are large trucks with a diesel truck cab. These trucks have a hard time staying in the lines on the roadway and navigating curves so they are creating slower traffic in the neighborhood. The buses roar loudly, creating noise issues on all streets in Bundy Canyon.

The existing shuttle program is not working. At times, shuttles travel empty as was observed in June 2018. Shuttles are adding to traffic and pollution.

Response to Comment CHATTEN-1 21

The comment does not raise any issues regarding the content and adequacy of the Draft EIR and is limited to statements concerning existing conditions at the Campus with respect to traffic, none of which is relevant to the EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The comment expresses concern with an increase in student enrollment. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed

in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Comment CHATTEN-1 22

The Draft EIR mentions a Bicycle-Enhanced Network (BEN). (Draft EIR, p. IV.K-3.)

How is this even applicable, when streets are so steep?

How is this applicable when streets are so narrow, there is no space for Tier 2/3 bicycle lanes?

Tier 2 bicycle lanes are "most likely to be built by 2035", so how does this help in mitigating transportation at this current 2018 time?

How could the BEN network help with MSM transportation issues?

Response to Comment CHATTEN-1 22

The discussion of the Bicycle Enhanced Network is in reference to street classifications in the Project Study Area under the City's Mobility Plan 2035 (see Draft EIR Pages IV.K-2, IV.K-3, IV.K-8, IV.K-9, IV.K-21 and IV.K-84). As shown on Figure 5 in the Traffic Impact Analysis appendix to the Draft EIR, none of the hillside streets north of Sunset Boulevard nor Sunset Boulevard itself are proposed to be part of the Mobility Plan 2035's Bicycle Enhanced Network. The closest street within the study area with bicycle facilities proposed in the Mobility Plan 2035 is San Vicente Boulevard. The Project Site is not easily accessed by bicycles and therefore, the Bicycle Enhanced Network was not factored into the Project's impact analysis.

Comment CHATTEN-1 23

Regarding Construction Impacts discussed in the EIR (EIR, p. IV.K-25), the plan would be for MSM to operate at 100% capacity during the school year along with 100% construction at the same time. How will this extreme traffic from both Campus and construction not be a major impact and issue for neighbors?

Also, would the school year stated in the Draft EIR be year-round? The Draft EIR does not mention this as a factor. Please explain how this would impinge neighbors year-round.

Response to Comment CHATTEN-1 23

Existing Campus traffic is reflected in the Existing Conditions discussion in Section IV.K, *Transportation and Traffic*, of the Draft EIR, and the baseline traffic counts taken for the Draft EIR's traffic study. As such, the construction traffic impacts analyzed in the Draft EIR include precisely the conditions contemplated by the commenter.

The Draft EIR distinguishes between the school year and the “summer months when school is not in session.” (Draft EIR Section IV.K, *Transportation and Traffic*). Generally, the school year runs September through May and the summer runs from June through August.

Additionally, the Draft EIR states that Summer Camps would occur during the summer months when school is not in session (see page II-30 and IV.K-77 of the Draft EIR). Section IV.K provides separate existing and projected traffic counts based on both summer months and school-year scenarios to reflect the difference in Campus traffic between the times MSMU is in session and summer months.

As explained in Topical Response No. 3, Alternative 5 would reduce the Project’s construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). A complete discussion of the Project’s operational traffic impacts, including differences between operational traffic impacts during the school year and during the summer, are included in the Draft EIR’s Section IV.K, *Transportation and Traffic*). A discussion of Alternative 5’s operational traffic impacts, all of which would be less than significant, and the differences between summer and school year operational traffic impacts, are found in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR.

Comment CHATTEN-1 24

School Year Event Day traffic is discussed (EIR, p. IV-26.)

Is there more than one event planned at the same time being proposed?

In the future, will there be more than one event proposed at the same time?

“It was assumed that attendees would carpool to the events with an average vehicle occupancy rate of two guests per car.” What is the basis for this assumption?

Have past events included attendees who have carpooled?

What kind of vehicle numbers have been counted at prior MSM outside events?

How many people carpooled?

What will MSM do to make sure attendees to outside events carpool?

How will carpooling be regulated by MSM?

Response to Comment CHATTEN-1 24

As explained in the Draft EIR's Section IV.K, *Transportation and Traffic*, the Project would have implemented PDF-TRAF-8, which prohibited overlapping events. As explained in Topical Responses No. 1 and No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 utilizes different operational restrictions to limit the potential traffic impacts of Wellness Pavilion events, using trip caps rather than overlapping events. While overlapping events would not be prohibited under Alternative 5, the daily trip caps applicable to all Wellness Pavilion events and Summer Sports Camps would limit the traffic impacts of even overlapping events to a level of less than significant throughout the year.

The Draft EIR's traffic study assumed an average vehicle occupancy rate of two guests per car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns, in which most attendees at events such as the new events proposed as part of the Project would not arrive alone. Given that the Project's new events were social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two per vehicle would also account for the occasional guest who drove alone and multiples arriving in a carpool.

In response to several comments received relating to carpools, Alternative 5 imposes daily vehicle trip caps, rather than a guest cap, which will ensure that no matter the vehicle occupancy rate, trips will remain less than significant. See Topical Response No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR for a complete discussion of the ways in which Alternative 5 limits trips with various operational restrictions.

The commenter's questions about past MSMU events are not relevant to this EIR.

Comment CHATTEN-1 25

Regarding the Summer Analysis discussed in the Draft EIR. (EIR, p. IV.K-27.)

How old will the campers be?

Why is there a need for "camper daycare"?

Is this a summer camp for minors?

Is this a summer camp for MSM students?

How will these camps be evacuated during an emergency?

Response to Comment CHATTEN-1 25

The Draft EIR does not place restrictions on the age of the campers. No daycare associated with Summer Sports Camps is contemplated in the Draft EIR or as part of Alternative 5. The Draft EIR provides the following with respect to Summer Sports Camps at page S-2:

First, external Summer Sports Camps could be held on the Project Site. These camps could be made available to the public. While it would be speculative to define the exact nature of these camps, they are expected to have attendees ranging from approximately 50 to 200 campers, with a maximum attendance up to 400 persons inclusive of instructors, parents/drivers, etc. Camps could be single-day or multi-day (i.e., week-long camp), whereby campers could arrive and stay the night in the dormitories. Camps could occur throughout the week during the summer over a 12-week period. All campers would have access to on-Campus parking. With no summer student sessions occurring at the Campus, the camps would not overlap with student school sessions.

As discussed in Topical Response No. 2, Scope of the Project, the Summer Sports Camps are described in the Draft EIR under Section II.6(e) and Table II-4. The Summer Sports Camps would teach athletic, health, and wellness instructional programs consistent with the purpose of the Project and similar to programs offered by other Los Angeles area educational institutions.

The commenter asks about a potential evacuation of the Campus during a Summer Sports Camp. As explained in Topical Response No. 4, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Therefore, the potential for an evacuation of the Campus itself, which is the basis of the commenter's expressed concern, will not occur.

Comment CHATTEN-1 26

Regarding Parking during Construction (Draft EIR, p. IV.K-47):

How would it be possible that Construction worker parking would be provided on-site or within the Campus as MSM plans to be 100% operational year-round?

How would this be possible during construction as 226 spaces are to be removed for the construction of a parking deck?

How would this be safe for an evacuation?

How would this impact Sunset traffic?

How many “temporary shuttles” would it take to get workers to and from Campus each day? Each week? Each month?

“Once the proposed Wellness Pavilion parking deck is completed, construction workers would park in the parking structure.”

If this should be the case, then where would faculty, staff, students, miscellaneous MSM vehicles and support vehicles park?

Would this be the case during MSM educational calendar year?

Response to Comment CHATTEN-1 26

The comment does not articulate a specific deficiency in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Regarding construction parking, PDF-TRAF-2 has been modified, as described in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, to require all construction workers to park on Campus, with no construction worker parking permitted on neighborhood streets, under either the Project or Alternative 5.

As shown on Table IV.K-7 in the Draft EIR, the number of construction workers would vary by phase. Between 10 and 20 construction workers per day are estimated for Phases I, II, III, IV, V, and VII, with up to 100 per day for Phase 6 (building construction). Initially, MSMU believed that off-site parking may be needed for construction workers during Phase VI if a large event were to occur on Campus at the same time. However, MSMU has now committed to manage Campus visitors during this period and will be able to require all construction workers to park on Campus.

The Project’s construction traffic impacts, including impacts to traffic at intersections on Sunset Boulevard, is fully discussed in the Draft EIR’s Section IV.K, *Transportation and Traffic*. Alternative 5’s construction traffic impacts are discussed in Topical Response No. I, No. III and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

Comment CHATTEN-1 27

Regarding the Haul Truck discussion of the EIR (Draft EIR, p. IV.K-41):

Cut and Fill of Soils within the Project Site are required. How deep would these be?

How secure is grading of soil to the hillside?

How can Haul trucks go up Norman when it is narrow and steep, in some places less than 20 feet across?

Will heavy trucks cause sinkholes, which happened in 2017, caused from MSMU busses?

What if an evacuation was to take place when 40 haul truckloads are happening per day?

What kind of evacuation measures would take place?

If the plan is for MSM to run at 100% capacity with students, faculty, staff, deliveries, and construction workers parking on-site, then how can haul trucks park on-site on “a dedicated staging area [that] would be located on the Project Site” (to ensure haul trucks would not park off-site)?

What about the 100 construction employees parking on-site as noted in (iii) Construction Employees section on Page IV.K-47?

Response to Comment CHATTEN-1 27

Cut and Fill of Soils, including depth, is discussed in Appendix E of the Draft EIR’s geotechnical report. As further discussed in Table III-1, *Physical Changes under Alternative 5*, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would substantially reduce the Project’s cut and fill volumes. As shown in Table III-2, the Project would require a total of 20,524 cubic yards of cut and fill (10,699 cubic yards of cut and approximately 9,825 cubic yards of fill), while Alternative 5 would require a total of 9,343 cubic yards of cut and fill (4,884 cubic yards of cut and approximately 4,459 cubic yards of fill).

Hillside geological stability issues, including with respect to potential construction impacts, are discussed in the Draft EIR’s Section IV.E, Geology and Soils.

Haul truck routes, including on Norman Place, are discussed in the Draft EIR’s Section IV.K, *Transportation and Traffic*.

The potential for sinkholes is a geological stability issue, and the Project’s potential impacts regarding site stability are discussed in the Draft EIR’s Section IV.E, Geology and Soils.

All differences, if any, between the Project and Alternative 5 with respect to the above-referenced categories of environmental impacts are provided in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR. As discussed therein, with respect to Geology and Soils, impacts under both the Project and Alternative 5 would be less than significant, but Alternative 5 would reduce the Project’s impacts in several categories. With respect to Transportation and Traffic, as discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce all of the Project’s operational traffic impacts to a level of less than significant and would reduce the Project’s construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

The commenter raises the question of what would occur should an evacuation of the Campus be required during a period of construction when construction vehicles are on nearby roads. As explained in Topical Response No. 4, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Therefore, the potential for an evacuation of the Campus itself, which is the basis of the commenter's expressed concern, will not occur.

PDF-TRAF-2 under either the Project or Alternative 5 would require the development of a Construction Parking Management Plan in which all parking arrangements would require approval prior to commencement of construction activities. The Project Site (3.8 acres) is anticipated to have adequate space to allow construction truck and worker parking since all of the site would not be under construction on any single day. However, PDF-TRAF-2 requires construction workers to park in designated areas on Campus when all workers cannot be parked on the Project Site, with no off-site parking allowed under either the Project or Alternative 5. All construction contractors must be provided with written information on where their workers and their subcontractors are permitted to park, and provide clear consequences to violators for failure to follow these regulations. All contracts with construction contractors shall expressly prohibit construction worker parking on residential streets. The contractor must be responsible for informing subcontractors and construction workers of this requirement, for monitoring compliance of the subcontractors, and if necessary, for hiring a security guard to enforce these parking provisions. Regarding student and staff parking, under both the Project and Alternative 5, during construction, parking for MSMU students, faculty/staff, and visitors shall be accommodated via a valet service on the Campus. Valet operations would enable vehicles to be stacked in parking lot aisles to maximize available vehicle parking space on Campus.

Comment CHATTEN-1 28

Regarding Parking during Construction (Draft EIR, p. IV.K-47), how many shuttle trips per day, per week, per month to get off-site construction workers to and from the designated offsite parking location to MSM Campus?

Response to Comment CHATTEN-1 28

This comment does not articulate a specific deficiency in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As shown in Table IV.K-7 in the Draft EIR, the number of construction workers would vary by phase. Between 10 and 20 construction workers per day are estimated for Phases I, II, III, IV, V, and VII, with up to 100 per day for Phase VI. The Draft EIR assumed that off-site parking could be needed for construction workers during Phase VI if a large event

were to take place on Campus concurrent with construction. The types of vehicles for shuttling off-site construction workers from an off-site parking location had not been determined, but could have ranged from 15-person vans to larger capacity 45-person buses. Thus, if the maximum number of construction workers during Phase 6 were to be shuttled, the number of shuttle trips per day could be up to seven trips each way. However, as explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, PDF-TRAF-2 has been modified to require all construction workers to park on Campus under either the Project or Alternative 5. As such, a shuttling program for construction workers will not be necessary.

Non-shuttle construction worker trips would be kept below thresholds of significance at Study Area intersections by the implementation of MM-TRAF-1 for either the Project or Alternative 5. As shown in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, MM-TRAF-1 has been revised so that it limits trips during construction to a maximum of 37 outbound PCE vehicle trips and 6 inbound PCE vehicle trips in each individual hour within the PM peak period (4 PM to 6 PM).

Comment CHATTEN-1 29

Regarding School Parking Locations (Draft EIR, p. IV.K-48), the Draft EIR states that because “onsite parking capacity is insufficient to meet the school’s parking demand, MSMU would arrange for valet parking for some or all of the employees, students and guests on Campus.”

Does this create more vehicles than would legally allowed by fire officials to be up on Campus?

Response to Comment CHATTEN-29

This comment does not raise any issues regarding the content and adequacy of the Draft EIR. MSMU is obligated to comply with all applicable fire safety regulations, and the Draft EIR does not contain any assumptions to the contrary.

Comment CHATTEN-1 30

What kind of dangerous conditions does this mean for the college students, staff, and others visiting Campus? For the neighbors?

What happens during an emergency when there are a limited number of valets and all vehicles must get out of Campus?

How long does it take (how many seconds) for valets to get vehicles out?

Response to Comment CHATTEN-1 30

This comment does not articulate any specific deficiency in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please see Topical Response No. 4, Emergency Access, and Section IV.J.1 of the Draft EIR for discussion of emergency response procedures.

As explained in Topical Response No. 4, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Therefore, the potential for an evacuation of the Campus itself, which is the basis of the commenter's expressed concern, would not occur.

Comment CHATTEN-1 31

What about all the other vehicles, construction equipment, haul trucks utilizing the small and narrow canyon streets during an emergency?

How long would it take them to get out?

How will this affect neighbors' evacuation?

What is the evacuation protocol during a fire? Earthquake? Construction accident?

What are the protocols for students? For Staff? For visitors? For additional support vehicles? For construction workers?

How will evacuation protocols be passed on to Students? Staff? Visitors? Construction workers? And all others utilizing the Campus during construction?

Why is satellite parking not anticipated?

If there are no measures to mitigate these issues, why would this proposed Wellness Pavilion be able to be built on the Chalon MSMU Campus, when lives could and would be compromised in an emergency?

Response to Comment CHATTEN-1 31

This comment does not articulate any specific deficiency in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please see Topical Response No. 4, Emergency Access, and Section IV.J.1 of the Draft EIR for discussion of emergency response procedures.

As explained in Topical Response No. 4, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Therefore, the potential for an evacuation of the Campus itself, which is the basis of the commenter's expressed concern, will not occur.

Comment CHATTEN-1 32

Regarding valet parking, can the University describe in detail the use of valet parking for events with more than 50 attendees?

Where would the valet be parking all the extra vehicles?

How many events per year would have over 50 attendees who would be offered valet parking?

How does the proposed valet parking for over 50 attendees fall in with the proposed 400 trips?

What is the emergency exit plan for valet parked events? Especially with tandem parking or off-site parking, does the emergency exit plan consider the two miles of narrow windy streets before reaching a major highway?

Response to Comment CHATTEN-1 32

This comment does not articulate any specific deficiency in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As to valet parking, the Draft EIR describes existing valet services as follows: "Parking for all events is provided on the Campus. If events are scheduled for over 50 people (outside guests) during the day between 8:00 AM and 5:00 PM Monday to Friday and could impact parking on the Campus, MSMU provides free valet parking" (Draft EIR, page II-8).

With respect to future parking, Alternative 5's modified PDF-TRAF-7, set forth in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and the Project's PDF-TRAF-7, require a Campus Event Coordination Plan that would define the parameters of the valet parking program, monitor off-Campus parking during events, and provide staff/signage to direct traffic during events. This Plan shall be submitted to LADOT for review and approval prior to issuance of a certificate of occupancy for the proposed Wellness Pavilion. No street parking occurs under MSMU's existing valet program, nor will any street parking occur under the valet parking program required by modified PDF-TRAF-7 and the Project's PDF-TRAF-7. The purpose of valet parking is to coordinate parking on-site, including stacking if necessary, so that visitors do not park along the

adjacent roadway. It should also be noted that in most instances the valet parking is provided as a convenience (to prevent outside guests from having to walk across Campus to their destination and because outside guests may not know the various locations on campus where parking is located) – not because there is insufficient parking on Campus for these events.

Emergency protocols for the Project are set forth in MSMU's Emergency Response Plan, described in Section IV.J.1, *Fire Protection*, pages IV.J.1-18 and IV.J.1-19, of the Draft EIR. Please refer to Topical Response No. 4 regarding emergency access and fire safety protocols for Alternative 5. The Draft EIR's analysis of fire protection services applies to new operations associated with the Wellness Pavilion, which would occur intermittently with outside guests. Therefore, during hazardous conditions, the intermittent rather than continual character of operations at the Wellness Pavilion allows meeting times to be altered to address such conditions.

As explained in Topical Response No. 4, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Therefore, the potential for an evacuation of the Campus itself will not occur.

The comment refers to a projected 400 trips. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would impose a maximum daily vehicle trip cap for school year new Wellness Pavilion events of 310 trips per day, and 236 trips per day for Summer Sports Camps. Therefore, Alternative 5 will never generate 400 daily vehicle trips.

Comment CHATTEN-1 33

Regarding Temporary Loss of On-Street Parking (Draft EIR, p. IV.K-59), the Draft EIR states "The Project may require the temporary removal of on-street parking at or next to the Bundy Drive and Chalon Road and Norman Place and Chalon Road intersections to accommodate truck turns during construction."

How can this be proposed, when many neighbors on these streets utilize street parking for their own vehicles?

Where would MSMU suggest neighbors park their own vehicles if not on their own streets in front of their own homes?

How many neighbors would be affected?

How would MSMU mitigate neighbors being able to park in front of their own homes?

Why should neighbors be put out because of MSMU's un-mitigatable construction Project?

Would there be compensation for neighbors affected by MSMU utilizing their streets for this purpose?

Since “the exact quantity is not known at this time”, then when will it be known?

How can the City approve such a suggestion, when these homeowners pay property taxes and MSMU does not?

Response to Comment CHATTEN-1 33

The comment does not relate to the adequacy of the Draft EIR’s analysis under CEQA. The Draft EIR noted that the Project may require the temporary removal of on-street parking at or near the Bundy/Chalon and Norman/Chalon intersections during construction. This was noted to be conservative in case street parking were to be allowed in the future at the intersection of Bundy/Chalon. (It is not anticipated that Norman/Chalon would actually be used for larger construction vehicles). At present, street parking is not allowed at the Bundy/Chalon intersection, and thus, large vehicles would be able to maneuver without having to temporarily put any parking spaces out of service. If, in the future, parking were to be allowed at Bundy/Chalon, the number of spaces that would be impacted is minimal – anywhere from one to four spaces depending on the size of the vehicle. Impacts to the parking supply near affected intersections is anticipated to be relatively minor given that the area is made up entirely of single-family homes, most of which have on-site parking, and there are no nearby retail or other uses that generate parking demand beyond that of nearby residences. Signs would be posted in advance of any temporary parking restrictions, and flaggers would be used to facilitate the movement of vehicles through the intersection. The Project incorporated PDF-TRAF-1, requiring a Construction Traffic Management Plan, subject to the advance approval of LADOT, requiring a variety of construction traffic control measures. Alternative 5 incorporates a modified PDF-TRAF-1 that adds further requirements for the Construction Traffic Management Plan. The Draft EIR determined that this impact would be less than significant under the Project as access to on-street parking is readily available and the existing on-street parking is typically available. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5’s impacts in this regard would be similar to those of the Project, and also less than significant.

As explained in Topical Response No. 3, Alternative 5 would reduce the Project’s construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would not result in any other significant construction-related impacts besides temporary noise impacts during the most intense period of construction.

Comment CHATTEN-1 34

Regarding Operation Impacts- Project Trip Generation (Draft EIR, p. IV.K-59), how would MSMU limit the total number of outside guests, if guests determine to bring other guests along with them?

If “the new summer camp” proposed for the Project is expected to generate estimated vehicle trips, why is this allowed to be “estimated”?

How does this affect the MSM CUP if it is only possible to “estimate” these vehicle trips?

Response to Comment CHATTEN-1 34

The comment relates to the Project’s number of outside guests, but does not articulate a specific concern regarding adequacy of the Draft EIR under CEQA.

With respect to the commenter’s question regarding limitations on total numbers of outside guests, the Project would have incorporated PDF-TRAF-8, limiting the daily number of outside guests to 400 for new events. The phrase “outside guests” by definition encompasses guests of guests.

With respect to limitations on total outside guests under Alternative 5, Alternative 5 limits traffic impacts by restricting vehicle trips rather than total outside guest numbers. As explained in Topical Response No. 1, No. 3, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, an online reservation system and other measures included in Alternative 5 will work together to require all outside guests visiting the Wellness Pavilion to register prior to arriving at Campus. Therefore, the total number of outside guests for Wellness Pavilion events will not be limited, but vehicle trips will be.

With respect to the commenter’s question about the estimation of trips generated by Summer Sports Camps, the Draft EIR’s traffic study estimated future vehicle trips for Summer Sports Camps, and all other events, on the basis of the best available data and generally-accepted methodologies. Because EIRs by their very nature predict future environmental impacts, they necessarily rely on estimates such as the trip generation estimates used in traffic studies.

MSMU’s existing CUP does not regulate vehicle trips or outside guests in any way. Therefore, the Draft EIR’s use of estimates for future vehicle trips does not affect MSMU’s existing CUP.

Comment CHATTEN-1 35

The Draft EIR states (Draft EIR, p. IV.K-78) “During operation, the Project would result in significant impacts at three Study Area intersections during the school year and two Study Area intersections during summer under Existing (2016) Plus Project conditions. Under Future (2020) Plus Project conditions, the Project would result in significant impacts at

four Study Area intersections during the school year and at three Study Area intersections during the summer. The Project would result in significant impacts at three neighborhood street segments during the school year and six neighborhood street segments during the summer under Existing (2016) Plus Project and Future (2020) Plus Project conditions. No feasible mitigation measures are available to mitigate impacts to a less than significant level. Thus, the Project would result in significant and unavoidable traffic impacts during operational activities along neighborhood street segments and intersections.”

If this statement above is true, then how can this Project be built?

Why is this Project not being proposed for MSMU’s Doheny Campus?

How will this Project affect the Sunset and Barrington choke point, if there are no sufficient mitigating factors?

How will MSMU notify travelers of this non-mitigatable issue to Sunset Boulevard travelers?

Response to Comment CHATTEN-1 35

The commenter refers to the Project’s projected operational traffic impacts discussed in the Draft EIR. As stated above, and further explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project’s traffic impacts, and would reduce all of the Project’s operational traffic impacts to less than significant levels.

With respect to the commenter’s question as to how the Project can be built given its significant and unavoidable traffic impacts, CEQA allows lead agencies to approve projects that are found to have significant and unavoidable impacts.

The commenter’s question about why the Project is not being proposed for the Doheny Campus is not relevant to any CEQA considerations and is outside the scope of this EIR.

The commenter refers to the intersection of Barrington Avenue and Sunset Boulevard. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project’s significant operational traffic impacts at this intersection to a level of less than significant. The Project’s traffic impacts on the intersection of Barrington Avenue and Sunset Boulevard were fully analyzed and disclosed in Section IV.K, *Transportation and Traffic*, of the Draft EIR. The evaluated service levels during construction and operation under existing and future conditions at this intersection are evaluated in Table IV.K-9, *Existing (2016) Plus Construction Activities: Intersection Service Levels*; Table IV.K-10, *Future Baseline (2020) Plus Construction Activities*; Table IV.K-16, *Existing (2016) plus Project: Intersection Service Levels - School Year*; Table IV.K-17, *Existing (2016) plus Project: Intersection Service Levels – Summer*; Table IV.K-20, *Future Baseline (2020) plus*

Project: Intersection Service Levels - School Year; and Table IV.K-21, Future Baseline (2020) plus Project: Intersection Service Levels -Summer.

Because Alternative 5 would not result in any significant operational traffic impacts to the intersection of Barrington Avenue and Sunset Boulevard, there is no significant impact that the public could be notified of, nor does any legal requirement for any such notification exist. It should be noted that Alternative 5 includes PDF-TRAF-9, which requires MSMU to maintain a publicly accessible calendar identifying all Campus events with over fifty outside guests.

The Draft EIR has been issued to public libraries, public agencies, home-owners associations, and other interested parties. In addition, the Draft EIR is a public document available to interested readers. The City will provide public notification of pertinent hearings in which the findings of the EIR would be available.

Comment CHATTEN-1 36

On Page IV.K-83 the Draft EIR states that “During the summer, MSMU does not operate shuttle service. It is assumed that all campers, staff and instructors would arrive at the Campus by automobile. Because of the distance of transit from the Project Site and anticipated ridership, the Project would not adversely impact transit services”. However, on previous Pages of the Draft EIR, public transportation is used as a mitigation measure. Please explain and define when public transportation is used and when it is not?

If MSMU chooses to use shuttles, how many per day, per week, and per month during the summer would be for the new campers?

Response to Comment CHATTEN-1 36

The commenter refers to “public transportation” being used in connection with a mitigation measure for the Project in the Draft EIR, which is not accurate. None of the Project or Alternative 5’s proposed mitigation measures include the use of public transportation services, nor are they necessary to mitigate any significant impact by either the Project or Alternative 5.

Under Alternative 5, shuttle trips during the summer are subject to the overall vehicle trip cap during the summer in PDF-TRAF-14, of 236 daily vehicle trips. Further, Alternative 5’s PDF-TRAF-13 requires the use of shuttles for Summer Sports Camps with greater than 50 campers. Therefore, daily shuttle trips during Summer Sports Camps would be limited to 236 per day.

The mitigation measures for traffic-related impacts on Page IV.K-88 of the Draft EIR provide for the following:

MM-TRAF-1: During the PM peak hour when more than 37 outbound PCE vehicles are anticipated, implement an off-site parking program and shuttle for construction

workers to the Chalon Campus that allows a maximum of 6 inbound and 6 outbound PCE vehicle trips during the PM peak hour.

As stated in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the text of MM-TRAF-1 has been revised to the following:

MM-TRAF-1: During each individual hour within the PM peak period (4 PM to 6 PM), allow a maximum of 37 outbound PCE vehicle trips and 6 inbound PCE vehicle trips.

Thus, shuttling for construction workers is no longer contemplated for the Project. As stated in Topical Response No. 1 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would adopt all of the Project's mitigation measures, including MM-TRAF-1, and would require all construction workers to park on Campus and, as such, no construction worker shuttling will occur under Alternative 5.

Though MSMU does offer shuttles to bus and train stops as detailed on Page IV.K-20 of the Draft EIR, public transportation is not specifically identified as a mitigation measure for traffic impacts of the Project and/or Alternative 5.

Potential increases in public transit person trips generated by the Project during the school year are provided on Page IV.K-82 of the Draft EIR. The vehicle trip generation analysis for the summer is provided on Page IV.K-27 of the Draft EIR. The existing shuttle service, including operation times, is described on Page II-10 of the Draft EIR. As stated on Page IV.H-40 of the Draft EIR, "some shuttle services may be available to visitors during the Project's higher attendee or attendees of summer camps. The use of any shuttle services would be determined on a case-by-case basis since the occurrence of higher attendee and summer camps would be intermittent and not part of the MSMU's daily activity."

Comment CHATTEN-1 37

Noise from Construction and Operational Activities Must Be Minimized.

Noise from construction activities and construction vehicles in the neighborhood must be addressed. Nuisance noise from people parking in the neighborhood must also be addressed, especially noise in the early morning or late evening hours. The EIR must consider increased propagation of noise from the outdoor pool area echoing into the neighborhood.

The Project would generate onsite and off-site construction noise. (Draft EIR, p. V 16.) Noise from concrete trucks would remain significant and unavoidable along Chalon Road.

Every feasible mitigation measure to reduce these impacts must be adopted.

How does the University justify the significant and unavoidable noise that the concrete trucks will cause the residential homeowners regardless of the routing of the trucks?

Response to Comment CHATTEN-1 37

Section IV.I, *Noise*, of the Draft EIR evaluates noise impacts during construction and operation, and identifies mitigation measures to reduce construction traffic noise impacts. As discussed therein, MM-NOISE-1 requires that on-site construction equipment be equipped with noise mufflers to achieve a minimum noise reduction of up to 10 dBA from construction equipment engine noise. The on-site noise levels during construction would be reduced to below the applicable noise standards. MM-NOISE-2 requires that all on-road heavy duty trucks accessing the Project Site during the demolition, concrete pouring, and asphalt paving phase shall install noise dampening mufflers that achieve a minimum 10 dBA noise level reduction, whose effectiveness of mufflers shall be verified by manufacturer specifications. With implementation of this mitigation, off-road construction noise impacts would be reduced to less than significant levels during Phase II (Demolition) and Phase VII (Paving) of construction. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 will implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2, and will similarly reduce off-road construction noise impacts to less than significant levels during Phase II (Demolition) and Phase VII (Paving) of construction.

Continuous trips by concrete trucks will be required during Phase IV (Concrete Pouring). During Phase IV (Concrete Pouring) various pours will be conducted for a total collective of seven weeks of concrete pouring. Due to the number of concrete trucks accessing the site within any given hour, installation of noise dampening mufflers would not sufficiently reduce noise impacts to less than significant levels along Chalon Road. As such, the Project's off-site construction noise impacts would be significant and unavoidable during the concrete pouring phase of construction along Chalon Road.

As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

The Draft EIR had evaluated an alternative route for construction traffic (Alternative 3) in order to reduce overall exposure of the residential neighborhood to truck noise. Under Alternative 3, truck noise levels on Chalon Road would not be reduced. As discussed in Topical Response No. 5, above, this Alternative is no longer considered feasible and is no longer being considered by MSMU.

Alternative 5 will adopt and implement every feasible mitigation measure to reduce significant impacts to a level of less than significant.

Alternative 5 is being proposed in spite of the short-term, significant, and unavoidable truck noise impacts in order to meet the physical education needs of the Campus and

Project objectives. Also, please see Chapter III, *Revisions, Clarifications, and Corrections*, Subsection 4.b. *Reasons Why Alternative 5 is Being Proposed, Notwithstanding Significant Unavoidable Impacts*, of the Final EIR for a detailed explanation why Alternative 5 is being considered, notwithstanding its significant unavoidable impacts.

Comment CHATTEN-1 38

Land Use Impacts Must Be Accurately Disclosed.

The subject property is located in the RE-40-1-H Zoning District. In accordance with Los Angeles Municipal Code Section 12.21.1: No building or structure shall be erected or enlarged which exceeds the total floor area, the number of stories or the height limits hereinafter specified for the district in which the building or structure is located. ...

... In the RA, RE, RS, and R1 Zones in Height District No. 1, located in a Hillside Area, as defined in Section 12.03 of this Code, no Building or Structure shall exceed the height limits established in Paragraph (d) of Subdivision 10 of Section 1, Subsection d). of Section 12.21 of this Code.

In accordance with Section 12.21.C.10(d):

No portion of a Building or Structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table 12,21 C.10-4

In accordance with Table 12.21.C.10-4, maximum allowable height would be 30 or 36 feet, depending on roof slope. While elevations of the proposed structures are provided, roof slope is not defined. The EIR must identify roof slope and the normally required height limitation. The proposed structure would be 42 feet in height. Additional height may not be approved in connection with a Plan Approval for a deemed-approved conditional use.

Response to Comment CHATTEN-1 38

The comment states that the proposed height of the Wellness Pavilion cannot be approved. This is not accurate. The Draft EIR provides a detailed discussion of entitlements required for the approval of the Project, including a Determination to Permit a Building Height Modification. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, all of the Project's pending entitlement applications, including the application for a Determination to Permit a Building Height Modification, would also be applicable to Alternative 5. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Wellness Pavilion under Alternative 5 would be the same height as under the Project.

Section IV.H, *Land Use*, of the Draft EIR, discusses the Project Site's existing zoning and several entitlement actions to which regulations set forth in the LAMC are applicable. As

discussed in Section IV.H, Page IV.H-11, LAMC Section 12.21 (General Provisions) establishes standards for building heights and grading in designated Hillside Areas. As stated in the Draft EIR, the Project Site is located within a designated Hillside Area, as defined in LAMC Section 12.03 (Definitions) and shown in the Department of City Planning Hillside Area Map, dated September 23, 2009. Under LAMC Section 12.21-C,10(d) (Height Limits) buildings or structure in the RE40 Height District 1 zone within a designated Hillside Area shall not exceed 36 feet in height (LAMC Table 12.21-C,10(4) (Maximum Height of Structures (in feet))).

As discussed therein, LAMC Section 12.24 (Conditions of Approval), which applies to Conditional Use Permits, allows for the conditional permitting of schools and other educational institution uses in residential zones.

Under LAMC Section 12.24-E (Findings for Approval), a decision-maker shall not grant a conditional use without finding:

- That the Project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- That the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
- That the Project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

LAMC Section 12.24-F (Conditions of Approval) provides that a decision-maker may impose conditions related to the findings set forth in Subsection E. As discussed in the Draft EIR, a decision approving a conditional use may state that the height and area regulations required by other provisions of this Chapter shall not apply to the conditional use approved. In enforcing Conditions of Approval, the Department has the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar quasi-judicial approval granted pursuant to LAMC Section 12.24-F.

The Project is seeking a Determination to Permit a Building Height Modification, per LAMC Section 12.24-F (Conditions of Approval) (see page IV.H-20). As further discussed in Section IV.H (page IV.H-19), the proposed Wellness Pavilion would be two stories with a maximum height of 42 feet. This would be lower than, or consistent with, existing Campus buildings that range in height from Mary Chapel (54 feet); Humanities Building (65 feet); Carondelet Hall (54 feet); Charles Willard Coe Memorial Library (50 feet); Brady Hall (50 feet); Yates, Aldworth, and Burns Houses (43 feet); and the existing parking structure (70 feet) at the south edge of the Campus.

Comment CHATTEN-1 39

As noted the Los Angeles Superior Court in Donald Kottler and Marlene Kottler v. City of Los Angeles; Central Area Planning Commission of the City of Los Angeles, in addressing the inappropriate granting of a zoning “adjustment”:

The "adjustment" provided for in LAMC section 12.28 is "a permit to build a structure or engage in an activity that would not otherwise be allowed under the zoning ordinance ... ". Neighbors in Support of Appropriate Land Use v. County of Tuolumne (2007) 157 Cal. App.4th 997, 1007; see also Hamilton v. Board of Supervisors of Santa Barbara County (1969) 269 Cal.App.2d 64, 66. In other words, it is a variance. Under the plain terms of the City's own charter any such variance could only be made after the ZA made five findings relating to the need for a special exception to the zoning requirements. See Los Angeles City Charter § 562(c); Petitioners RJN, Ex. 1, p. 5. Accordingly, Respondents erred when they approved a variance without making the required findings under City Charter section 562(c).

... Condition use permits, on the other hand, relate to the permitted use of a property, not the size or design features of the buildings on that property. See Essickv. City of Los Angeles (1950) 34 Cal.2d 614, 623 ("[A] conditional use is a separate and distinct concept from a variance and ... is granted for a public or quasi-public purpose within the terms of the ... ordinance itself rather than to obviate the 'practical difficulties, unnecessary hardships or results inconsistent with the general purposes of the zoning regulations' as applied to individual property owners, which must be shown before a variance may be granted ").

Thus, a variance would be required for the additional height. In accordance with Los Angeles City Charter Section 562(c), a variance could only be granted if all of the following findings could be made:

- (1) that the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;
- (2) that there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;
- (3) that the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;

(4) that the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and

(5) that the granting of the variance will not adversely affect any element of the General Plan.

These required findings for a variance cannot be made.

Response to Comment CHATTEN-1 39

The majority of the comment is devoted to legal argument and legal conclusions based on an inapplicable trial court decision regarding a single-family home, and thus different Code provisions, that is also not binding precedent. As such, no further response as to those arguments and conclusions is required under CEQA. See, e.g., *City of Irvine v. County of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

As detailed on pages 49 and 50 of Chapter II, *Project Description*, of the Draft EIR, a variance is not among the approvals sought for the Project. The commenter's contention that a variance is required for approval of the Wellness Pavilion is not accurate. As explained in Response to Comment CHATTEN-1 38 above, a building height modification is sufficient for the approval of the Wellness Pavilion, and therefore no variance is required. The Project is requesting a building height modification, as authorized by LAMC Section 12.24 F, which states: "In approving a project, the decision-maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. The decision may state that the height and area regulations required by other provisions of this Chapter shall not apply to the conditional use approved." Subsection E, in turn, provides that: "A decision-maker shall not grant a conditional use or other approval specified in Subsections U., V., W., or X. of this Section without finding: 1. that the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region; 2. that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and 3. that the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan." No variance findings are referenced in LAMC Section 12.24 F. Also see *Sunset Coal. v. City of Los Angeles* (2018) No. B279644, 2018 WL 1046243, at *8 ("LAMC section 12.24.F . . . allows the decision maker to state that the height and area regulations required by other provisions of the code do not apply to the conditional use project.").

Potential impacts associated with the Project's height were duly evaluated on pages IV.A-25 through IV.A-33 of Section IV.A, *Aesthetics*, of the Draft EIR. Impacts associated with Alternative 5's height, which would be the same as the Project's, were discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR.

Comment CHATTEN-1 40

Aesthetics Impacts Must Be Accurately Described and Mitigated. CEQA establishes that any substantial, negative aesthetic effect of a Project is a significant environmental impact for CEQA purposes. (Quail Botanical Gardens Foundation, Inc. v. City of Encinitas (1994) 29 Cal.App.4th 1597, 1604.) Thus, any substantial, negative effect of a Project on a view could constitute a significant environmental impact under CEQA and require the incorporation of all feasible mitigation. (Ibid.) The EIR must examine the scale of the proposed structures in the context of existing on and off Campus structures in the area. Light and glare from expanses of glass and additional lighting must be addressed.

The Draft EIR states that the Project would cause visual effects resulting from haul trucks passing along Chalon Road, Norman Place and Bundy Drive. (Draft EIR, p. V 6.) Therefore, mitigation measures for these impacts must be provided. Because the Wellness Centre is to be taller than the existing facilities more lighting would be added. Such lighting can adversely affect aesthetics of the area and interfere with wildlife.

Response to Comment CHATTEN-1 40

The aesthetics analysis in Section IV.A, *Aesthetics*, of the Draft EIR provided a thorough discussion of aesthetic impacts (including graphics and photos), addressing Light and Glare impacts and every other required topic, and concluded that the Project would not have a substantial adverse impact with respect to views or visual character and quality of the site or surrounding area. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR (which includes additional graphics related specifically to Alternative 5), Alternative 5 would have similar levels of aesthetic impacts as compared to the Project in the categories of Views, Scenic Resources, Visual Character, and Light and Glare, all of which would be less than significant. Because all aesthetic impacts of Alternative 5 would be less than significant, no mitigation measures are warranted or required by CEQA.

As discussed in the Draft EIR, the visual effects of haul trucks would be temporary and periodic and, as such, would not substantially detract from the visual character of the surrounding area (see pages IV.A-24 and 25 of the Draft EIR). As such, this impact would not warrant a mitigation measure. The Draft EIR also provided graphics that demonstrate the scale of the Wellness Pavilion with respect to existing adjacent buildings (See Figures IV.A-8 and IV.8-9) and provides information as to the height and scale of the Wellness Pavilion. As discussed therein, "the proposed Wellness Pavilion would be two stories with a maximum height of 42 feet. This would be lower than, or consistent with, existing Campus buildings that range in height from Mary Chapel (54 feet); Humanities Building

(65 feet); Carondelet Hall (54 feet); Charles Willard Coe Memorial Library (50 feet); Brady Hall (50 feet); Yates, Aldworth, and Burns Houses (43 feet); and the existing parking structure (70 feet) at the south edge of the Campus” (see Draft EIR, page IV.H-19).

Regarding outdoor lighting, PDF-AES-1 requires that walkway security lighting, landscape lighting, and lighting in the parking lot, which constitute all outdoor lighting for the Project, shall be designed and installed with shielding, such that the light source cannot be seen from residential properties in the area, or the off-site public right-of-way (see Draft EIR, page IV.A-13). As discussed in Topical Response No. 1 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would adopt all of the Project’s aesthetic project design features, including PDF-AES-1.

No lighting would be installed on the roof or upper outside walls of the Wellness Pavilion. Further, as demonstrated in Figures IV.A-2 through IV.A-7 of the Draft EIR, the Project Site is minimally visible from the surrounding area. With the shift toward the north portion of the Project Site under Alternative 5, visibility would continue to be minimal.

Comment CHATTEN-1 41

The Range of Alternatives Must Be Expanded and Realistically Assessed.

CEQA Requires Analysis of a Reasonable Range of Alternatives.

CEQA requires a lead agency to analyze alternatives to a Project that will avoid or substantially lessen a Project’s significant environmental impacts, both on-site and offsite. Discussion of Project alternatives and mitigation measures has been described by the California Supreme Court as the core of an EIR. (*Citizens for Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.) An EIR is required to consider those alternatives that will “attain most of the basic objectives” while avoiding or substantially reducing the environmental impacts of the Project. (Guidelines, § 15126.6(a).) Alternatives are not required to meet all Project objectives, and in reality it “is virtually a given that the alternatives to a Project will not attain all of the Project’s objectives.” (*Watsonville Pilots Ass’n v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1087.) However, “the willingness or unwillingness of a Project proponent to accept an otherwise feasible alternative is not a relevant consideration.” (*Save Round Valley*, supra, 157 Cal.App.4th at 1460, fii. 10, citing *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 602.) Reasonable alternatives should only be eliminated from consideration in the EIR if the alternative would not meet most of the basic Project objectives, is infeasible, or would not reduce significant environmental impacts. (Guidelines § 15126.6(c); *Save Round Valley*, supra., 157 Cal. App. 4th at 1457.) Here, the Draft EIR improperly rejects alternatives to the Project that would limit enrollment and events.

As stated in the CEQA guidelines:

Because an EIR must identify ways to mitigate or avoid the significant effects that a Project may have on the environment (Public Resources Code Section 21002.1),

the discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.

(CEQA Guidelines, Section 15126.6 (b), emphasis added.)

In fact, “One of [an EIR’s] major functions...is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by responsible officials.” (Wildlife Alive v. Chickering (1976) 18 Cal.3d 190, 197, emphasis added.) The EIR must “produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” (San Bernardino Valley Audubon Society, Inc, v. County of San Bernardino (1984) 155 Cal.App.3d 738, 750-751.)

Response to Comment CHATTEN-1 41

The comment expresses the commenter’s understanding of various CEQA requirements, but does not state a particular concern about the adequacy of the Draft EIR aside from the general statement that the Draft EIR improperly rejects alternatives to the Project that would limit enrollment and events.

First, with respect to enrollment, enrollment is not a part of the Project, and as such, an alternative focused on enrollment would not be appropriate. Specifically, reduced enrollment is not pertinent to the Project, would not feasibly advance any of the Project’s Objectives, nor would a reduction in enrollment attain the purpose of the Project, to develop a new on-Campus facility that provides all existing MSMU students “with comprehensive health and wellness services including modern amenities needed for physical and health education.” (Draft EIR p. II-17) CEQA Guidelines § 15126.6(a) (“An EIR shall describe a range of reasonable alternatives . . . which would feasibly attain most of the basic objectives of the project . . .”); In re Bay-Delta etc. (2008) 43 Cal.4th 1143, 1164 (holding that an EIR need not present alternatives that are incompatible with the project’s fundamental purpose). Please also see Topical Responses Nos. 2, 6, and 7, regarding the scope of the Project and student enrollment. With respect to events, which are appropriately the subject of the Draft EIR to the extent that they involve the Wellness Pavilion, the Draft EIR does, in fact, identify and evaluate a reduced event alternative, Alternative 4 (see pages V-64 through V-93). Please refer to Chapter V, *Alternatives*, of the Draft EIR as well as Topical Response No. 5 regarding Alternative 3 for a detailed discussion of alternatives. It should also be noted that this Final EIR adds a fifth alternative, Alternative 5, which would further limit events beyond Alternative 4.

As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has the same Objectives as the Project, and therefore the same analysis above applies to Alternative 5.

Comment CHATTEN-1 42

Operations Must Be Limited.

Rather than approving the expansion Project, stricter limits on the hours and types of operations conducted on Campus must be imposed. Commercial activities must be prohibited. MSMU states that use of the new Project facility, will be used “primarily” by student body, staff and faculty but if MSMU can rent, lease, invite any other entity private or public to participate in the use of these facilities in the future, this could enormously increase traffic into and out of Bundy Canyon. MSMU Chalon Campus has weddings and it is also used as a filming location. The community would like a prohibition on filming and outside uses for anything other than educational purposes on Campus. MSMU must agree to prohibit filming and other outside uses on their Campus. Condition 3 of the approval of plans in 1952 stated the approval “shall only apply to a school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious activities.”

Response to Comment CHATTEN-1 42

The comment does not state a particular concern about the adequacy of the Draft EIR, and instead focuses on proposing restrictions to existing Campus operations. Existing Campus operations are outside the scope of this EIR.

MSMU’s current and proposed activities are consistent with the operation of an educational institution in conformance with the State Educational Code. Furthermore, Campus filming and other existing uses of the Campus by third parties are not the subject of the Project or Alternative 5. Please refer to Topical Responses No. 2, Scope of the Project, and Topical Response No. 6, University Entitlement History and Enrollment Cap. The commenter has not provided any substantial evidence indicating that MSMU is not a school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious activities. Moreover, the condition cited by the commenter does not indicate that MSMU cannot rent its facilities. Many, if not most, educational and religious institutions rent their facilities for temporary events and/or uses such as filming.

The comment expresses a concern regarding a potential increase in traffic should the Wellness Pavilion be used by individuals other than MSMU students, staff and faculty. The operational limitations imposed on events at the Wellness Pavilion, including Other Wellness/Sports Activities, Health and Wellness Speaker Series events, Club Sports activities, and Summer Sports Camps, and the imposition of vehicle trip restrictions applicable to each of the above-referenced event categories, will serve to limit traffic impacts from events at the Wellness Pavilion to below the level of significance, as outlined in Topical Responses No. 1, No. 3, and discussed in detail in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. It should also be noted that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU

Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). This reduction in vehicle trips will further ensure that outside uses of the Campus will not result in any significant traffic impacts.

Comment CHATTEN-1 43

Where do the students currently go to practice and play their sports program?

How does the proposed external Summer Sport Camp enhance the University and its mission statement?

What demographics will the Summer Sports Camp attract?

Doesn't the Summer Sports Camp constitute commercialization as a commercial rather than educational activity?

Why does a Health and Wellness Speaker Series require a new 38,000 square foot Wellness Centre?

Response to Comment CHATTEN-1 43

The comment does not state a particular concern about the adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As explained in Section II, Project Description, of the Draft EIR, Club Sports activities, including practices, are all currently conducted off of the Campus, and therefore result in traffic generation when students travel to and from Club Sports activities. Recent locations where MSMU students have practiced include John Adams Middle School, Santa Monica Airport Park, UCLA, and Lincoln Middle School. However, these locations change due to availability and schedules of students each semester. Furthermore, it should be noted that most of the educational institutions that MSMU uses for club sports practices charge MSMU for the use of their facilities, undercutting the commenter's stated position in this comment letter that such use constitutes "commercialization" of educational institutions, violates the State's Education Code, or is otherwise prohibited and contrary to MSMU's permits. As explained in Topical Response No. 3 of the Final EIR, Alternative 5 is anticipated to reduce trips by bringing Club Sports activities onto Campus.

With respect to the commenter's questions about how the proposed Summer Sports Camps enhance MSMU and its mission statement, and what demographics Summer Sports Camps will attract, these are questions outside the scope of CEQA and it is not clear how such questions have any bearing on the Project's environmental impacts. However, it should be noted that Summer Camps can support MSMU's overall mission

to foster health and wellness, assist with familiarizing pre-college students with MSMU, and also provide financial support for other MSMU educational programs.

Further, the Draft EIR explains how Project activities (which are the same type of activities, with less restricted operations, than those of Alternative 5) would serve an educational purpose and would support the viability and continuation of MSMU on Page II-17, Page II-18, Page II-37, Page II-38, Page IV.H-22, Page IV.H-24, Page IV.H-26, and Page IV.H-33. It is not clear why the commenter believes that Summer Sports Camps would constitute a commercialization of the Campus. Sports camps are in alignment with the concept of health and wellness, and are also educational in nature. Likewise, MSMU will also retain its nonprofit status as an educational institution.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

Health and Wellness Speaker Series is only one of the types of events and other uses proposed for the Wellness Pavilion. See Chapter II, Project Description, of the Draft EIR for a discussion of how the Wellness Pavilion will meet the Project Objectives, which are the same as those of Alternative 5.

Comment CHATTEN-1 44

Facility Users Must Be Limited.

MSMU operates at another location known as the Doheny Campus. The EIR must address increased visits to the Chalon Campus Wellness facility by students enrolled in programs at Doheny, focusing on traffic and parking.

The EIR must address any re-alignment of activities between the Doheny and Chalon Campuses or student bodies as a result of the proposed Project. Will any programs now being conducted at the Doheny Campus be relocated to the Chalon Campus?

A university should be located near freeway access to reduce vehicle miles traveled by its students and staff. However, the Chalon Campus is far from freeway access. Would it reduce vehicle miles traveled to expand activities at the Doheny Campus, which has much closer freeway access, rather than expanding at the Chalon Campus?

It is not clear if any of the Wellness facilities will be used for training of students in physical therapy or other health care fields or whether this would involve treatment of off-Campus individuals. This must be addressed along with associated impacts on traffic and related factors. Use of the proposed athletic facilities must be limited to students and faculty. Outside use of the proposed athletic facilities must not be permitted. Conditions of approval must be clear and enforceable.

The University currently has a policy allowing registered neighbors to use the facilities. However, if the Project is implemented it would seem that there would be very little time available to accommodate neighbors as the University would be in use every day and night throughout the year. How would this policy be affected?

Even Alternative 4 allows for Summer Camp Operation albeit at a reduced level. Thus, again neighbor access would be limited.

Response to Comment CHATTEN-1 44

Operations at MSMU's Doheny Campus lie outside the scope of the Project under CEQA and therefore do not require additional analysis. Please see Topical Response No. 2, Scope of the Project, and Response to Comments BHA 37 and BHA 38. With respect to the commenter's concern about "any re-alignment of activities between the Doheny and Chalon Campuses or student bodies as a result of the proposed Project," no re-alignment of any sort will occur as a result of the Project. The commenter also states the opinion that universities "should" be located near freeway access to reduce vehicle miles traveled. However, freeways are conduits for vehicles, and therefore facilitate vehicle travel from distant locations (and thus vehicle mileage), making the commenter's position on this issue unclear. It should also be noted that the Campus was established in the 1920s, and the Project does not seek to establish a new university, but rather, seeks to provide a fitness facility for its existing student body.

The full scope of all operations at the Wellness Pavilion is discussed in the Draft EIR in Chapter II, Project Description. Operational changes between the Project and Alternative 5 are discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

The comment's speculations regarding potential reduction in vehicle miles traveled if the Doheny campus were expanded, or if the Wellness Pavilion was not constructed on the Campus, does not consider how existing students at the Chalon Campus would otherwise exercise or partake in health and wellness activities (i.e., presumably students would have to drive elsewhere). The commenter also appears to speculate that Doheny campus students would travel approximately one hour one way to use the Project even though the Doheny campus already has its own athletic facilities and Doheny students can turn to a multitude of commercial fitness centers in the surrounding area of Downtown Los Angeles. Just as Chalon Campus students would be unlikely to travel to Doheny for everyday health and wellness facilities, it is not realistic and entirely speculative to assume that Doheny students will travel to the Chalon Campus for use of the Project.

All operations at the Wellness Pavilion for the Project were fully disclosed and analyzed in the Draft EIR. All operational changes between the Project and Alternative 5 are discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. As noted therein, Alternative 5 substantially reduces the

operations proposed under the Project. No physical therapy treatment for outside patients is proposed as part of the Project and/or Alternative 5.

The user groups for the athletic facilities at the Wellness Pavilion are discussed in Draft EIR Chapter II, Project Description, and as discussed in Topical Response No. 1 and as discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would be the same for Alternative 5. The Wellness Pavilion would be open to students, faculty, staff as well as registered neighbors and alumni, similar to existing conditions at the current fitness center. MSMU's existing arrangement allowing use of MSMU's facilities by the community is outside the scope of this EIR.

The commenter notes that Alternative 4 includes Summer Sports Camps operations, but does not raise any issues with respect to the adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment CHATTEN-1 45

Events Must Be Limited.

The EIR must address both Campus events and external events, listing the type, number, and anticipated attendance at events. Attendance must be capped at no more than the attendance numbers used in the EIR analyses. All events must be required to end fifteen minutes before the latest regularly scheduled shuttle leaves the Campus and no event must be permitted to begin prior to the arrival of the first shuttle of the day. Start and end times for events must be offset from peak traffic hours.

Alternate locations should include location of the Wellness Pavilion at the Doheny site or nearby environs. Provision of a park and ride outside the neighborhood in an area with easy access to the freeway or metro line should be considered

Response to Comment CHATTEN-1 45

The comment does not articulate a specific concern regarding adequacy of the Draft EIR under CEQA. The Draft EIR's Chapter II, *Project Description*, Table II-4, *Potentially Changed and New Campus Events/Activities*, provides a list of events, including type, number, and anticipated attendance for the Project. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Table III-3, *Operational Changes Under Alternative 5*, provides a chart with this same information for Alternative 5.

With respect to the commenter's statements regarding the scheduling of new Wellness Pavilion events and existing events, Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR provides a correction which clarifies that the Project does not permit overlap between an existing event and a new Wellness Pavilion event.

As discussed in Topical Responses No. 1 and No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 regulates trip generation through the use of vehicle trip caps rather than attendance caps, and provides detailed restrictions on the start and end times of events for all event types proposed as part of Alternative 5. Together, Alternative 5's operational restrictions will reduce all of the Project's significant operational traffic impacts to a level of less than significant. Therefore, regulation of start and end times for events to correspond to shuttle service, as proposed by the commenter, is not necessary to mitigate any significant environmental impact.

The commenter suggests that alternate locations of the Wellness Pavilion, including the Doheny Campus, should be considered. This suggestion does not raise any issues regarding the content and adequacy of the Draft EIR. This suggestion is noted for the record and will be forwarded to the decision-makers for review and consideration. The Wellness Pavilion, as explained in the Draft EIR, is a proposal specifically for the Chalon Campus, and the Draft EIR included a reasonable range of alternatives.

See Topical Response No. 1 and No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR for a discussion of shuttle services proposed, and in certain instances required, in connection with the operations of Alternative 5.

Comment CHATTEN-1 46

Additional Questions Regarding Alternatives.

If a No Project Alternative is superior in every way, how does the University justify the Project or any of the stated alternatives?

Why has the University not considered acquiring and building its own roadway which would not entail the use of Bundy Canyon, which is ill equipped to facilitate the Project?

Would the University not enhance the safety of all the students, faculty and support staff if they were to provide a private ingress and egress to all of the above?

Response to Comment CHATTEN-1 46

The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Pursuant to CEQA Guidelines § 15126.6(e), the "purpose of describing and analyzing a no project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." It should also be noted that the No Project Alternative does not meet the Project Objectives.

The commenter's suggestion that MSMU build a private roadway in connection with the Project is outside the scope of this EIR. Please also refer to Topical Response No. 5,

regarding Alternative 3, for a discussion on MSMU's consideration of alternative vehicular access to the University for construction purposes, which was rejected and deemed infeasible.

Comment CHATTEN-1 47

Alternative 1— No Project/No Build Alternative.

The Draft EIR states "...No additional parking would be added that could help relieve offsite parking issues." Would this then be an excuse for more students based on more parking?

The Draft EIR states "No practice facilities would be provided for MSMU's volleyball and basketball club sports teams, which would continue to be shuttled to and from the off-site practice facilities as under existing conditions."

Where is the current facility?

Would there be games and practice at the new facility once completed?

What additional traffic impacts would this cause?

Response to Comment CHATTEN-1 47

The quotation that appears in the comment above does not appear in the Draft EIR. As noted in the Draft EIR the Project would provide 281 number of parking spaces, an increase of 55 spaces as compared to existing conditions. As described in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements. The reduction in parking for Alternative 5, in part, was geared at addressing concerns of the commenter and others that increased parking would lead to increased traffic. With the implementation of PDF-TRAF-18 for Alternative 5, which would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study), there will be no need for additional parking as MSMU will be required to reduce vehicle trip generation. With respect to student enrollment, as discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

See Response to Comment CHATTEN-1 43 regarding Club Sports. Existing Club Sports activities are conducted off-Campus at a variety of locations. Existing Club Sports activities and Club Sports activities proposed as part of the Project were discussed in the

Draft EIR on pages II-10, II-17 and II-18 of the Draft EIR. The complete extent of Club Sports activities proposed as part of Alternative 5, operational restrictions imposed on those activities, and an analysis of all environmental impacts from those operations, are discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. Traffic impacts from Club Sports activities, along with all other operational traffic impacts of Alternative 5, would be less than significant. Please also note that Club Sports would be subject to Alternative 5's PDF-TRAF-7 requiring a Campus Event Coordination Plan, PDF-TRAF-10's parking reservation/ticketing system for outside guests, would be subject to PDF-TRAF-12's total 310 daily outside guest trip cap, and would be required to begin only after 7:30 PM pursuant to PDF-TRAF-16.

Comment CHATTEN-1 48

Alternative 2~Reduce Intensity—50% Floor Area Reduction.

The Draft EIR states Alternative 2's reduced floor area would not change attendance capacity at the proposed Wellness Pavilion's "potentially changed" and "new" events during the school year or alter summer camp activities.

What are the new events?

How many new events?

If there is no practice currently at Chalon Campus, how could attendance capacity not be changed or altered to add this increase of usage?

Response to Comment CHATTEN-1 48

The Draft EIR's Chapter II, *Project Description*, Table II-4, *Potentially Changed and New Campus Events/Activities*, provides a list of potentially changed and new events for the Project, including the type and number of new events. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Table III-3, *Operational Changes Under Alternative 5*, provides a chart with the same information for Alternative 5.

See Response to Comment CHATTEN-1 43 for a discussion of Club Sports activities and their impacts. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, analyzes potential impacts of Club Sports activities at the Wellness Pavilion, and operational restrictions imposed as part of Alternative 5 will reduce all operational traffic impacts, including impacts from Club Sports activities, to a level of less than significant.

Comment CHATTEN-1 49

Alternative 3—Alternative Construction Route.

The Draft EIR states "Alternative 3 would require construction employees and all construction-related traffic to access the Project Site via Getty Center Drive".

It is our understanding that the Getty is not in favor of this road being publicly available. Would this not be a cut through from Sepulveda/the Valley into the Westside and vice versa for normal non-MSM or neighborhood traffic to avoid the Sunset Barrington intersection, also known as the “worst choke point in LA”?

The Draft EIR states “The Objective of Alternative 3 is to reduce the Project’s significant construction traffic and noise impacts.” This would not only impact 9 houses backing the Getty Fire Road but would it not then open up issues on the road and significant impacts of noise and potential issues such as fire?

Also, the road proposed by MSM is a fire road that is only 18 feet in width. Has this road been measured from the 9 homeowner’s properties to the hillside/easement? Alternative 3 describes an Alternate Construction Route. (EIR, p. V 47.) Alternative 3 would require construction employees and all construction related traffic to access the Project Site via Getty Centre Drive.

Eight residences of Brentridge Drive, Brentridge Lane and Bel Terrace adjoining the private segment of Chalon Road would be newly impacted during the concrete pour phase. How long is the concrete pour phase?

All properties under Alternative 3 that back up to the private segment of Chalon Road, or are along Chalon Road between the Campus driveway and Norman Place would experience ground-borne vibration from construction trucks.

The Draft EIR states Alternative 3 would reduce construction traffic impacts on Bundy Drive and Norman Place by re-routing all construction traffic to Getty Center Drive and the private portion of Chalon Road (aka Getty Fire Road) but that it would not reduce the Project’s significant and unavoidable construction traffic impact at Chalon Road east of Bundy Drive. (EIR, p. S-13.)

How can a Project of this magnitude be approved if there is such an impact to streets, neighbors, wildlife, and Bundy Canyon all together? What about dust, diesel particulate matter, and odors from this Project’s significant and unavoidable impacts for construction alone, not to mention once the Project is completed and running at full capacity?

The Draft EIR states Alternative 3 would eliminate the Project’s less than significant construction truck noise, structural damage vibration, and human annoyance vibration impacts at dozens of residences on Bundy Drive and the majority of Norman Place, but that concrete truck noise under Alternative 3 would continue to significantly and unavoidably impact residences along Chalon Road during concrete pours.

Since MSM intends to be running at 100% capacity, wouldn’t there be additional congestion at the top of Norman and Chalon as students, MSM Trucks, Delivery Vehicles, MSM Staff, Lyft/Uber, be clogged as trucks coming through fire road would be backed

up as well? What about fire safety and emergency evacuation for residences along Chalon Road? What about noxious fumes from diesel engines of trucks?

Response to Comment CHATTEN-1 49

Several of the comments above refer to the Draft EIR's Alternative 3. Please refer to Topical Response No. 5. As discussed therein, Alternative 3, the use of the Getty Fire Road (extension of Chalon Road) is no longer under consideration as a Project Alternative. Also note that under CEQA, an alternative need not eliminate a project's significant adverse environmental impacts; it need only substantially lessen them. See, e.g., *California Oak Found. v. Regents of Univ. of California* (2010) 188 Cal.App.4th 227, 275. As evaluated in the Draft EIR, Alternative 3 would reduce the Project's significant construction traffic and noise impacts.

As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project's Phase IV (Concrete Pouring) would be 7 months, which would be reduced under Alternative 5 to 5.6 to 6.3 months.

Alternative 5's environmental impacts are disclosed and analyzed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR. As discussed therein and in Topical Response No. 1, Alternative 5's only significant and unavoidable impacts are construction noise and construction traffic, the latter only occurring during periods of peak construction at three street segments: Bundy Drive north of Norman Place, with a projected increase in average daily trips of 11.7 percent, exceeding the applicable impact criteria of 10 percent; Chalon Road east of Bundy Drive with an increase of 18.3 percent, exceeding the applicable impact criteria of 12 percent; and Bundy Drive north of Sunset Boulevard with an increase of 8.6 percent, exceeding the applicable impact criteria of 8 percent. Alternative 5 will not cause significant environmental impacts in any other category, including operational traffic, or air quality, as suggested in the comment.

For a discussion of emergency access, see Topical Response No. 4.

Comment CHATTEN-1 50

Alternative 4- Reduced Event Alternative.

The Draft EIR states Alternative 4 would reduce the size of certain new Wellness/Sports events, new Health and Wellness Speaker Series events, and summer camps and would include new club sporting events during the school year and during the summer.

The Draft EIR states new morning events would be limited to 220 outside attendees arriving in the morning PEAK hour.

How is this mitigating and reducing traffic impacts?

How many events are being proposed?

How often would events take place per day, per month, per year?

Response to Comment CHATTEN-1 50

Under CEQA, an alternative need not eliminate a project's significant adverse environmental impacts; it need only substantially lessen them. *See, e.g., California Oak Found. v. Regents of Univ. of California* (2010) 188 Cal.App.4th 227, 275.

However, please note that Alternative 4 would, in fact, reduce all operational traffic impacts to a level less than significant. As noted on pages V-64 through V-93 of the Draft EIR, Alternative 4 would reduce the Project's significant and unavoidable operation traffic impacts through the implementation of reduced peak hour trips, a cap on total daily Summer Sports Camp trips, and other measures. The description of Alternative 4, including Table V-3, *Comparison of Alternative 4 to the Project*, on pages V-64 through V-66 of the Draft EIR, state the purpose, the types of events, and number of events per year. Alternative 5 would further reduce impacts by eliminating peak hour trips for all academic year events and imposing various additional traffic reduction measures.

Comment CHATTEN-1 51

The Draft EIR states new afternoon events would be limited to 74 outside attendees departing in the afternoon peak hour. What does MSM consider to be peak hour? (Since traffic backups begin at 2:00 pm on Barrington and Sunset). How would attendees get in? How often? How many events would occur per day, per month, and per year? How would MSM prevent attendees from exiting during the peak hour?

Response to Comment CHATTEN-1 51

The comment poses a series of questions regarding afternoon peak period traffic generation under Alternative 4. See Draft EIR pages V-64 through V-67 for a complete discussion of the proposed operations, including event frequency, and operational restrictions included as part of Alternative 4. With respect to the commenter's question regarding what time range is encompassed by the 74 outside guest restriction, as noted on the bottom of page V-66, the limitation would apply to any of the 3:00 to 4:00 PM, 4:00 to 5:00PM, or 5:00 to 6:00 PM hours.

The commenter refers to the intersection of Barrington Avenue and Sunset Boulevard. Please note this intersection was included in the Traffic Study completed for the Project, and thus, for Alternative 4.

Comment CHATTEN-1 52

The Draft EIR states new Evening events would be limited to 25 outside attendees arriving in the 6:00-7:00 PM hour. Does MSM not believe this is peak hour for traffic? What time would these attendees depart? How many events per day, per month, per year?

Response to Comment CHATTEN-1 52

See Draft EIR pages V-64 through V-67 for a complete discussion of the proposed operations, including event frequency, and operational restrictions included as part of Alternative 4.

The peak hours selected for the Draft EIR's Traffic Study, and therefore for Alternative 4, were selected in consultation with LADOT in order to identify those hours during which peak traffic impacts were likely to occur, which were found to be 3:00-6:00 pm. No limitations on outside guest departure times during the 6:00-7:00 pm hour are necessary in order to mitigate any significant environmental impact under Alternative 4 because the thresholds of significance for LOS intersection analysis apply only to the peak hours.

Comment CHATTEN-1 53

The Draft EIR states new recreational club sport contests occurring on weekdays after 8:00 pm and anytime on weekends with a maximum of 30 outside guests per contest. What time would these events end in the evening? Bundy Canyon Association and other groups met with MSM on several occasions and were promised no games, only practices. Why did this change? How can they guarantee just 30 guests per event? How many events over all per day, per week, per month?

Response to Comment CHATTEN-1 53

As mentioned in Response to Comment CHATTEN-1 52 above, trips generated outside of the peak hours studied in the Draft EIR's Traffic Study, such as those generated by departures from a Club Sports activity that would begin after 8:00 PM on a weekday, or anytime on a weekend, cannot cause LOS intersection threshold impacts.

With respect to the commenter's questions regarding Club Sports activities, it should be noted that the commenter may be conflating intercollegiate sporting events with Club Sports activities.

Alternative 4, like the Project and Alternative 5, does not propose any intercollegiate events, which are the types of sporting events that have spectator followings. Club Sports do not have spectator followings and are generally limited to players, coaches, and others intimately involved with the respective teams. Nonetheless, no significant and unavoidable impacts would occur from Club Sports activities under Alternative 4, and by bringing current Club Sports games and practices that are currently exclusively held off

Campus into the Wellness Pavilion, Alternative 4 is anticipated to result in no net increase in vehicle trips as a result of Club Sports activities.

See Topical Response No. 1 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, for a complete discussion of Club Sports activities and restrictions on their operations for Alternative 5. No significant operational traffic impacts will result from any of Alternative 5's operations, including Club Sports activities. Please see Topical Response Nos. 1 and 3 for more details; however, it should be noted that the estimate of a maximum of 30 guests per event is not relevant to any threshold of significance for traffic because all Alternative 5 impacts are addressed through vehicle caps, which are enforced by various means, including a parking reservation system as further discussed in the aforementioned topical responses and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. Further, Alternative 5 restricts the start times of Club Sports activities to after 7:30 PM on weekdays so that they will not generate any trips during peak periods.

Comment CHATTEN-1 54

The Draft EIR states for all new events across a single day during the school year, the total number of outside attendees would be limited to 310. How did MSM come up with these numbers overall? What new events are being planned for? What is the basis for the number of 310? How do they assure the number is set? How many events per day, month, year?

In order to mitigate the traffic problems caused by the new Wellness Centre and its planned other sports events, Health and Wellness Speaker Series and Summer Camps MSMU would limit the total number of outside guests. The reduction on outside guests from 400 to 310 hardly seems like a large reduction on a daily basis.

Response to Comment CHATTEN-1 54

The comment refers to the Draft EIR's Alternative 4. The Draft EIR's description of Alternative 4, including Table V-3, *Comparison of Alternative 4 to the Project*, on pages V-64 through V-66 of the Draft EIR, state the purpose, the types of events, and number of events per year under Alternative 4. The limitation of outside guests to 310 was designed to keep operational traffic impacts below the level of significance. Alternative 4 would enforce its outside guest limitations in the same manner as the Project, by limiting admission to Wellness Pavilion events.

Comment CHATTEN-1 55

If the potential Wellness Pavilion is to replace outdated fitness room, why must it be commercialized to add extra non-curricular events, meetings and otherwise to this so-called Wellness Pavilion for their own students to have a better place to work out other than an outdated gym?

Response to Comment CHATTEN-1 55

The comment does not articulate any specific defect in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

However, to clarify, the Wellness Pavilion under both the Project and Alternative 5 is not a commercial enterprise. The primary purpose of the Wellness Pavilion is to serve as a health and wellness center and fitness facility/gymnasium for existing students.

Further, the Draft EIR explains how all Project activities (which are the same type of activities, with less restricted operations, than those of Alternative 5) would serve an educational purpose and support the viability and continuation of MSMU on Page II-17, Page II-18, Page II-37, Page II-38, Page IV.H-22, Page IV.H-24, Page IV.H-26, and Page IV.H-33.

Comment CHATTEN-1 56

The Draft EIR states for summer camps, the total number of daily vehicle trips would be limited to 236. What is the basis for the 236 number? What would be the number of campers? Per day, per month, per year? From when to when is the summer camp season? How many camps per day, per month, per year? Would there be college age, underage or adult campers? Does this include both week and weekend camping events? How many events would go on simultaneously? What are the camping hours? Are there curfews? What about fire prevention? What about emergency evacuation?

Response to Comment CHATTEN-1 56

This comment refers to the Draft EIR's Alternative 4. The basis for the 236 Summer Sports Camp daily outside guest limit in Alternative 4 is that it is the number of daily vehicle trips that would keep daily operations below the threshold of significance. Alternative 4, like the Project and Alternative 5, would not impose age restrictions on campers at Summer Sports Camps. The Draft EIR estimated and established the parameters for Summer Sports Camps in order to assess the maximum traffic, air quality, noise, public services (fire and police services), and other environmental effects; however, specific uses and variations in daily attendances (below the maximum assessed) have not been determined and are not necessary to provide an environmental evaluation of the use. As discussed in the Draft EIR, it is estimated that most Summer Camp activities would terminate by 3:00 PM (see page IV.K-2 of the Draft EIR). Camps could be single-day or multi-day (i.e., week-long camp), whereby campers could arrive and stay the night in the dormitories. Camps could occur throughout the week during the summer over a 12-week period. All campers would have access to on-Campus parking. With no summer student sessions occurring at the Campus, the camps would not overlap with student school sessions (see page II-38 of the Draft EIR). Summer Camps were taken into consideration in the

evaluation of fire safety. In this regard, please refer to Section IV.J.1, *Fire Protection*, of the Draft EIR and Topical Response No. 4.

Comment CHATTEN-1 57

The Draft EIR states new other Wellness/Sports Events and NEW Health and Wellness Speaker Series events would not be held during the summer months when school is not in session. Is this a permanent condition? Meaning, could MSM change its policy and provide events such as this during the summer and concurring with camping events? When would they be held? How many events per day, per month, per year? How many daily vehicle trips would there be?

Response to Comment CHATTEN-1 57

As school is not in session during the summer months, MSMU would not hold any Health and Wellness Speaker Series or Other Wellness/Sports Activities during this time. The City can condition the Project independent of CEQA considerations in connection with MSMU's requested entitlements, to ensure that permitted activities comply with the parameters of the Project or Alternative 5 as they are proposed and analyzed in the EIR. As discussed on page II-49 of the Draft EIR, restrictions on events and other aspects of the Project would be enforceable under the City's Conditions of Approval for the proposed Deemed-to-be-Approved Plan Approval pursuant to LAMC Section 12.24 M. As conditions of approval, such restrictions would be a permanent condition and not subject to change absent subsequent City action.

Comment CHATTEN-1 58

Alternative 4 suggests that it would reduce the Project's significant and unavoidable operation traffic impact on Bundy Canyon. Thus, the University is admitting that the Project will have a deleterious effect on Bundy Canyon. Therefore, how can the Project be justified?

How can the University justify disrupting Bundy Canyon on weeknights after 8:00 p.m. and any time during the day on weekends?

Response to Comment CHATTEN-1 58

The commenter is correct that the Project would result in significant and unavoidable operational traffic impacts. CEQA allows for the approval of a project that would result in significant and unavoidable impacts through the approval of a Statement of Overriding Considerations. However, it should also be noted Alternative 5 would reduce all of the Project's operational traffic impacts to less than significant levels.

Comment CHATTEN-1 59**Environmentally Superior Alternative.**

Of the alternatives analyzed in this Draft EIR, the No Project/No Build Alternative would be considered the environmentally superior alternative because it would avoid the Project's significant and unavoidable construction noise, ground-borne human annoyance construction vibration impacts, construction and operation traffic impacts, as well as the Project's less than significant impacts in other issue areas.

Why can't MSM continue with their current external sporting option and existing gym, which no students are seen using?

Why can't MSM seek out another facility with limited environmental impacts, versus the damaging impacts to humans, animals and safety of the area?

Why can't MSM build this at their downtown Doheny Campus, where there is an existing sporting facility, gym and otherwise?

Response to Comment CHATTEN-1 59

The questions posed by this comment do not raise any issues with respect to the content or adequacy of the Draft EIR and are not relevant to an analysis of the potential environmental impacts of the Project, Alternative 5, or any of the other alternatives. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

An EIR is required to identify an environmentally superior alternative, and, if the "no project" alternative is that alternative, the EIR must also identify an environmentally superior alternative among the remaining alternatives. See CEQA Guidelines § 15126.6(e)(2). As noted on pages V-93 through V-100 of the Draft EIR, the Draft EIR identified Alternative 4 as the environmentally superior alternative besides Alternative 1 (the No Project/No Build alternative). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would be environmentally superior to Alternative 4.

As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 is the environmentally superior alternative, superior both to the Project and Alternative 4, because it would reduce the Project's significant and unavoidable operation traffic impacts to less than significant levels; limit vehicle trips to a greater extent than the Project or any other alternative and thus, reduce emissions and energy demand to a greater degree; and substantially reduce the concrete needed for construction as compared to the Project or any other alternative and thus, reduce the significant and unavoidable construction noise and traffic impacts related to construction.

Comment CHATTEN-1 60

The EIR states Alternative 2 would meet the purpose of the Project to provide students with facilities and wellness programming, including group fitness facilities that would address specific health challenges and goals of MSMU's diverse student body. However, because of the reduction in floor area, Alternative 2 would potentially not meet the Project objective to accommodate club sports (basketball and volleyball) to the same extent as the Project.

Is this not attainable at the MSM downtown Campus at Doheny?

Are there not already existing programming for health and fitness at the downtown MSM Doheny Campus?

Why would MSM add a facility, only to have to bus MSM Doheny Campus students to Chalon Campus? What is the cost to do this?

How many vehicle trips per day, per month, per year?

How many Basketball games per day, per month, per year?

How many Volleyball games?—per day, per month, per year?

Response to Comment CHATTEN-1 60

The primary purpose of the Project is to provide a gymnasium (the Wellness Pavilion) on the Campus for students of the Chalon Campus – not for Doheny students. There would be no transportation for Doheny students for the purpose of accessing the Project because the Doheny campus has its own fitness facilities for its own student body. Just as MSMU will not transport Doheny students to the Chalon Campus for fitness facilities, it would make little sense for Chalon students to travel to Doheny for club sports and other fitness activities as travel between the two campuses can take approximately one hour, or more, one way. Furthermore, such hypothetical travel of Chalon students to Doheny as advocated by the commenter, would likely increase traffic, not reduce. Having a facility on Campus reduces the need of Chalon Campus students to travel elsewhere for health and wellness activities.

The commenter's question regarding proposals for expansion of operations at the Doheny Campus and existing operations at the Doheny Campus are outside the scope of this EIR.

The commenter's questions regarding the potential impacts caused by commutes by students between the Doheny Campus and the Campus appear to relate to the Project, rather than Alternative 2. A complete discussion of operations included as part of Alternative 2, and an analysis of traffic impacts associated with those operations, is found in Draft EIR Section IV.K, *Transportation and Traffic*. As discussed in Topical Response

No. 3, the Project's traffic impacts, including traffic impacts from Club Sports activities, were fully analyzed in the Draft EIR's Section IV.K. Please refer to Topical Response No. 1, No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR for a discussion of Alternative 5's Club Sports operations, restrictions on those operations, and an analysis of the traffic impacts of those operations. It should be noted that the exact number of volleyball games or basketball games is not known; however, all club sports activities take place outside of peak hours and are included as part of Alternative 5's overall trip caps.

Comment CHATTEN-1 61

None of the Alternatives would reduce or eliminate all of the Project's significant and unavoidable construction and operation impacts. Therefore, the determination of Environmentally Superior Alternative between the three Alternatives would be a value judgement based on which significant and unavoidable environmental impacts (construction or operation) would be more important to address.

Response to Comment CHATTEN-1 61

The comment does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that CEQA does not require the analysis of an alternative that reduces or eliminates all of the Project's significant and unavoidable impacts. See *Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274 (an EIR's discussion of alternatives need not be exhaustive, and is subject to a construction of reasonableness). Therefore, the commenter's assertion that the determination of the environmentally superior alternative as between alternatives that do not completely reduce or eliminate the Project's significant and unavoidable impacts would involve a value judgement is not an assertion of any CEQA violation. Furthermore, the alternatives do reduce impacts to different degrees, and the commenter has not stated otherwise.

Comment CHATTEN-1 62

A Statement of Overriding Considerations May Not be Adopted for the Project as Proposed.

A statement of overriding considerations would be necessary to approve the Project but environmentally superior alternatives that do not have impacts are feasible. Therefore, a statement of overriding considerations would not be supportable.

CEQA's substantive mandate prohibits approval of a Project with significant impacts unless all feasible mitigation measures and alternatives have been adopted: "A statement of overriding considerations is required, and offers a proper basis for approving a Project despite the existence of unmitigated environmental effects, only when the measures

necessary to mitigate or avoid those effects have properly been found to be infeasible.” (Uphold Our Heritage v. Town of Woodside (2007) 147 Cal.App.4th 587, 603, emphasis added, citing City of Marina v. Board of Trustees of California State University (2006) 39 Cal.4th 341, 368 and County of San Diego v. Grossmont-Cuyamaca Community College Dist. (2006) 141 Cal.App.4th 86, 108, fn. 18.) The “policy of the state” reflected in CEQA is that projects with significant environmental impacts may not be approved “if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects. (P u b. Resources Code § 21002.) More specifically, CEQA states:

Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a Project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the Project is approved or carried out unless

(a). . . (3) Specific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Pub. Resources Code § 21081.) Thus, a court has summarized:

CEQA contains substantive provisions with which agencies must comply. The most important ... is the provision requiring agencies to deny approval of a Project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.

(Sierra Club v. Gilroy City Council (1990) 222 Cal.App.3d 30, 41, italics added.)

The Project may not be approved on the basis of a statement of overriding considerations. The Project must be rejected.

Response to Comment CHATTEN-1 62

In general, the comment states provisions of CEQA but does not articulate a specific concern with respect to the adequacy of the Draft EIR. The comment also states legal argument and legal conclusions. As such, no further response as to those arguments and conclusions is required. See, e.g., *City of Irvine v. Cty. of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

Comment CHATTEN-1 63**CONCLUSION**

Even after mitigation, the Project will result in significant and unmitigated negative impacts on Brentwood and the residents who live in the area. We respectfully request that the City reject this Project in its entirety and heed the concerns in the letters submitted by the neighborhood residents in response to this Draft EIR. Only the no Project alternative would avoid unacceptable significant impacts that are created by the Project.

Response to Comment CHATTEN-1 63

The commenter correctly notes that as stated in the Draft EIR, the Project would result in significant and unavoidable impacts and requests that the City not approve the Project.

While the commenter is correct that Alternative 1, “No Project/No Build,” would avoid all significant environmental impacts, it is also the case that Alternative 1 would not accomplish any of the Project Objectives, as explained in Chapter V of the Draft EIR.

Comment CHATTEN-1 64

Thank you for consideration of these comments. Although the City should deny the Project outright, any continued consideration of it must be on the basis of a legally adequate environmental impact report that is meaningful to the decision-makers. and the public, and that will afford the protection for our environment envisioned by CEQA.

Sincerely,
Douglas P. Carstens

Response to Comment CHATTEN-1 64

The comment is a salutation and not pertinent to the content of the Draft EIR. However, it is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

Comment CHATTEN-1 65**The McMullen Company, Inc. Letter of June 12, 2018**

We are filing the following comments to the Draft EIR CASE NO. ENV-2016-2319-EIR (SCH N0.2016081015) (here after referred as Draft EIR) in opposition to the proposed development/building Mount Saint Mary’s University Chalon Campus Wellness Pavilion Project (University Pavilion Project) until at such time the fire and life safety concerns for the residents, students, and faculty can be adequately addressed and mitigated, and the Draft EIR revised.

Response to Comment CHATTEN-1 65

This comment and all remaining comments through Comment CHATTEN-1 88 are included in a letter from The McMullen Company, Inc. included as Enclosure 1 of Comment CHATTEN-1.

The comment expresses opposition to the Project but does not raise any specific issues with respect to the content and adequacy of the Draft EIR. However, it is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

Comment CHATTEN-1 66

Based on the below analysis, The McMullen Company believes that there exists several significant impacts which are not accurately reported and thus cannot effectively be mitigated. The analysis presented here in clearly indicates that the listed criteria below are exceeded.

State CEQA Guidelines Appendix G:

In accordance with the State CEQA Guidelines Appendix G (Appendix G), a Project would have a significant impact related to fire protection services if it would: a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

Response to Comment CHATTEN-1 66

Please refer to Topical Response No. 4 for a discussion of the Project and Alternative 5's fire protection services impacts.

The Draft EIR determined that the Project would not have an adverse impact with respect to fire emergencies, nor lead to the requirement for new fire protection facilities. Please refer to Section IV.J.1, *Fire Protection*, pages IV.J.1-39, of the Draft EIR, which states: "the LAFD has not indicated in correspondence with the Department of City Planning (see Appendix H of this Draft EIR) that it would expand Station 19 fire facilities." Furthermore, over time, the LAFD would continue to monitor population growth and land development throughout the City and identify additional resource needs including staffing, equipment, vehicles, and possibly station expansions or new station construction that may become necessary to achieve the desired level of service. If a new fire station, or the expansion, consolidation, or relocation of a station were determined to be warranted by the LAFD, because the Station 19 service area is highly developed, the site of a fire station would likely be an infill lot that would be less than an acre in size. Also, please see Response to

Comment Chatten-1 11, above regarding the City's constitutional requirement to provide adequate fire services.

Based on the above considerations, the addition of a new fire service facility, or the expansion, consolidation, or relocation of an existing facility is not needed to maintain service, and the operation of the Project (or Alternative 5) and related projects would not result in a cumulative impact related to the fire protection services threshold standard. As the Project, in itself, would not cause a significant impact to fire services and emergency medical services during operation, and the related projects' operational activities would be subject to existing regulations (similar to the Project), cumulative operational impacts to fire and medical emergency services would be less than significant. There would be no need for a new or expansion of an existing fire facility.

Comment CHATTEN-1 67

State CEQA Guidelines Appendix G:

In accordance with the State CEQA Guidelines Appendix G (Appendix G), a Project would have a significant impact related to transportation and traffic if it would: e) Result in inadequate emergency access.

Response to Comment CHATTEN-1 67

The Draft EIR, on page IV.K-83, found that the Project would not result in inadequate emergency access and would therefore not have a significant impact with respect to threshold e referenced in this comment. As discussed in Topical Response No. 4 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would similarly not result in inadequate emergency access and would therefore also have a less than significant impact with respect to this threshold.

Comment CHATTEN-1 68

2006 L.A. Thresholds Guide:

The L.A. CEQA Thresholds Guide (Thresholds Guide) identifies the following factors to evaluate fire protection impacts: A Project would normally have a significant impact on fire protection if it requires the addition of a new fire station, or the expansion, consolidation or relocation of an existing facility to maintain service.

Response to Comment CHATTEN-1 68

As discussed in Topical Response No. 4 and in the Draft EIR's Section IV.J.1, *Fire Protection*, the Project would not require the addition of a new fire station, or the expansion, consolidation or relocation of an existing facility to maintain service, and would therefore not cause a significant fire protection impact. As discussed in Topical Response No. 4 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would similarly not require the addition of a new fire station, or the expansion, consolidation or relocation of an existing facility to maintain service.

As discussed in Section IV.J.1, *Fire Protection*, page IV.J.1-27 of the Draft EIR, compliance with applicable regulations, including LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects, would ensure that adequate fire prevention features would be provided that would reduce the demand on LAFD facilities and equipment. In addition, in accordance with the fire protection-related goals, objectives, and policies set forth in the Framework Element, the Safety Element, and the Brentwood-Pacific Palisades Community Plan, as listed in the regulatory framework (see pages IV.J.1-1 through IV.J-13), the City along with LAFD would continue to monitor the demand for existing and projected fire facilities (Objective 9.16 of the Framework Element, Policy 2.1.6 of the Safety Element, and Fire Protection Policy 9-1.1 of the Brentwood-Pacific Palisades Community Plan) and coordinate the development of new fire facilities to be phased with growth (Objective 9.18 of the Framework Element).

Given LAFD's fire/life safety plan review, LAFD's fire/life safety inspection, and LAFD's continued evaluation of existing fire facilities and consistency with applicable regulations (building design, sprinklers and other fire safety features, LAFD access, brush clearance) along with indications in research of the City's capital improvement records and no mention in correspondence with LAFD (contained in Appendix H of the Draft EIR), the LAFD has no known or proposed plans to expand Station 19 facilities. As such, the Project is not expected to result in a substantial increase in demand for additional fire protection and emergency medical services that would exceed the capability of the LAFD to serve the Project such that it would require construction of new fire facilities. If the LAFD had determined that the Project created the need for a new fire station, or the expansion, consolidation, or relocation of an existing station, the impacts associated with the construction and operation of such station would be analyzed at that time under CEQA, independent of the Project or Alternative 5. Moreover, the Brentwood community is highly developed, and the construction of a fire station or expansion of a fire station would likely be on an infill lot that would likely be less than an acre in size and would, thus, not constitute a major construction activity that would generate adverse environmental impacts.

Comment CHATTEN-1 69

The McMullen Company reviewed the following documents and materials in order to conduct our analysis.

Executive Summary

Chapter II Project Description

IV.J.1. Fire Protection Services

IV.K. Transportation and Traffic

Current Roadway Conditions and Widths

Current Roadway Access and Circulation

Historical Wildland Fire Conditions and Fire Responses

IV.M.1. Water Supply

Appendix H Public Service Correspondence Appendix A Notice of Preparation (NOP), Initial Study, Scoping Meeting Materials, and NOP Comments

Appendix I Transportation and Traffic

Response to Comment CHATTEN-1 69

The comment is a summary of the EIR sections reviewed by the McMullen Company and is introductory in character. The comment does not pertain specifically to the content and adequacy of the Draft EIR but is included here as part of the administrative record and for consideration by Project decision-makers.

Comment CHATTEN-1 70

Based on our experience and expertise in the fire and life safety arena, there are several items that contribute to proper fire and life safety for all persons who are faced with wildland fires. The McMullen Company has determined that many critically necessary fire and life safety measures have not been addressed, mitigated, or included in the proposed new construction of the University Pavilion Project. The needed measures include the following.

Accurate traffic studies with all anticipated vehicles included that could be expected to evacuate and emergency apparatus/vehicles entering the area.

Secondary/additional access constructed for emergency apparatus/vehicles.

Fuel Modification/brush clearance conducted annually to meet State/LAFD requirements.

Implementation of effective and complete measures for a mandatory evacuation.

Response to Comment CHATTEN-1 70

The comment includes a list of measures and analyses that the commenter claims must be included in the EIR in order to adequately evaluate and mitigate fire and life safety impacts. The comment is introductory in character and does not pertain to specific content of the Draft EIR. However, it is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

With respect to the commenter's assertion that accurate traffic studies are needed, it should be noted that the Draft EIR's Traffic Study was complete, accurate, and approved as such by LADOT prior to the publication of the Draft EIR.

With respect to the commenter's statement regarding secondary or additional access for emergency vehicles, it should be noted that access for the Project or Alternative 5 would be reviewed by the LAFD as part of the City approval process.

With respect to the commenter's statement regarding fuel modification and brush clearance that would comply with State and LAFD requirements, the Project or Alternative 5 would be required to comply with LAFD's fuel modification and brush requirements.

Comment CHATTEN-1 71

The traffic studies included in the Draft EIR and conducted in the years 2015-17 account for routine vehicle numbers during regular periods of activity. They do not include all persons that must exit in a mandatory evacuation from the University, all residents in the area, all the various service and delivery vehicles, and emergency apparatus/vehicles that responding into the area. Such Traffic Impact Analysis seldom, if ever, occurs because of the feasibility of conducting such a study. What must be done is a count of ALL the vehicles in the area, both post construction and during construction to determine worse case scenarios, and add in "maximum special event attendance" at the University, construction, service and delivery vehicles in the "Bundy Canyon area", as well as the ingress of all the anticipated emergency apparatus/vehicles. Using this TOTAL count could give a more realistic indication of the effectiveness of a mandatory evacuation. Until such a study is completed, there will be persons left behind in a massive fire. Additionally, the Los Angeles Fire (LAFD) and Police (LAPD) Departments' response to the December 2017 wildland fire should be evaluated to determine the number of responding LAFD and LAPD apparatus/vehicles to the Bundy Canyon area necessary; this number should be added into the Traffic Impact Analysis.

Response to Comment CHATTEN-1 71

The comment contends that the Draft EIR's traffic study was deficient because it did not conduct a comprehensive analysis of all potential traffic in the vicinity of the Campus, of any kind, both generated by the Project and not, in order to gauge the effectiveness of a mandatory evacuation of the Campus. A traffic study of the type suggested by the comment is not required in order to evaluate any of the Project's environmental impacts, including traffic impacts or fire protection impacts. Further, as noted by the comment itself, such a study would be infeasible for any project applicant to perform.

As explained in Topical Response No. 4, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Therefore, the potential for an evacuation of the Campus itself, which is the basis of the commenter's expressed concern, will not occur.

The commenter suggests that the Draft EIR's Traffic Study must analyze potential LAFD and LAPD emergency response vehicle traffic. Such traffic would by its very nature not be caused by the Project nor would it have any rationally measurable impact on the daily traffic levels that formed the basis of the Draft EIR's Traffic Study. Further, such emergency response vehicle traffic is not required as part of the analysis of the Project's emergency access impacts under CEQA.

Comment CHATTEN-1 72

Secondary/additional access must be more effectively evaluated in the EIR and provided for emergency apparatus/vehicles. The "Transportation and Traffic Study Area" (Bundy Canyon area) is lacking adequate roadways and access; each new development/occupied building contributes to the problem of evacuation and emergency apparatus access because of a contributed amount of congestion. The un-improved roadway from the Getty could provide for emergency fire apparatus access if the roadway was improved to carry the weight of fire apparatus on an all-weather surface minimum 20 feet wide with gated access electrically controlled by the type of traffic signal pre-emption utilized by the LAFD. The existing roadways are too narrow for effective evacuation and ingress of emergency apparatus/vehicles with the permitted parking (the minimum street width should be 36 feet to allow parking on two sides, 28 feet with parking on one side only). Some roadways are as narrow as 19 feet; they are below the minimum California Fire Code requirement. On-site roadways need to meet the same width requirements; the Draft EIR does NOT specify whether the University roadways will or will not permit parking.

Response to Comment CHATTEN-1 72

Please refer to Topical Response No. 4 regarding the use of Mount Saint Mary's Fire Road for LAFD secondary emergency access. As discussed therein, Mount Saint Mary's Fire Road and the Getty Fire Road are maintained per LAFD requirements and are regularly inspected by the LAFD. The LAFD, MSMU, and the Getty have keys to the Mount Saint Mary's Fire Road entrance. Having been recently used by the LAFD during the November, 2019 Getty Fire, there is no indication that the Mount Saint Mary's Fire Road is not suitable for LAFD emergency access.

As discussed in Draft EIR, Section IV.J.1, *Fire Protection*, Page IV.J.1-33, the LAFD has instituted Red Flag days in the VHFHSZ. Please refer to the discussion of Red Flag postings on Page IV.J.-33, of the Draft EIR. As explained therein, Red Flag postings call for posted streets to be kept clear of parked vehicles and residents are asked to: (1) report any signs of smoke immediately by calling 911; (2) use extreme caution when operating spark or flame producing machinery in grass or brush areas; (3) have an evacuation plan

in place and identify two exit routes and, if told to evacuate by fire or police officials, do so immediately; and (4) report any suspicious activity to law enforcement.³⁷

With respect to the commenter's statement regarding Campus roadways, it should be noted that access for the Project or Alternative 5 would be reviewed by the LAFD in connection with City approval, and LAFD requires that access be available to allow for emergency vehicles at all times.

Comment CHATTEN-1 73

Fuel Modification (brush clearance) is paramount. California chaparral is approximately 80-95 percent dead, year round. Only a small amount of vegetation is green; the remainder is ready to burn. Fuel modification a minimum 100 feet is required by the CA Public Resources Code. 200 feet is required when there are steeper slopes surrounding any building. The brush must be cut down to minimal height and thinned out without getting down to bare soil which can prompt mud flows during heavy rains. The removed material must be transported off the site and disposed of. The cut material **MUST NOT** remain on site. There has not been enough work done to remove hazardous brush from the canyons surrounding the University. The Draft EIR does **NOT** specify the details of fuel modification that the University achieves nor the effectiveness of the current annual work to remove flammable chaparral (the Draft EIR simply states the LAFD requirements). IV.J.1-32 clearly indicates brush clearance standards, but there is **NO INDICATION** that the University currently achieves these standards.

Response to Comment CHATTEN-1 73

Fuel modification is currently implemented by MSMU as legally required and will continue to be enforced under the Project or Alternative 5 along with detailed regulations pertinent to fuel modification. The Project's compliance with fuel modification regulations is discussed in Section IV.J.1, *Fire Protection*, pages Section IV.J.1, pages IV.J.1-8, 18, 27, and 31 through 33, and Section IV.C, *Biological Resources*, pages IV.C-8 and IV.C-19, of the Draft EIR. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to fuel modification regulations.

Comment CHATTEN-1 74

The California fire service has adopted the safety measures of Ready, Set, Go. ALL persons facing wildland fire risks in the Very High Fire Hazard Severity Zones (VHFHSZ) **MUST** prepare and adopt these measures in order to survive wildland fires. Failure to do so, can and often does result in injuries and even death when they are over-run by fast moving fires. The difficulty is getting ALL persons to prepare and practice for the inevitable. **READY** involves persons having their important belongings (medicines,

³⁷ LAFD website at: <https://www.lafd.org/news/lafd-declares-red-flag-alert-tuesday-october-24-2017>. Accessed June 25, 2018.

medical records, property records, irreplaceable belongings, pets and pet items) ready to leave at a moment's notice. SET requires people to be aware of their surroundings and "subscribing" to various notifications that provide "real time" evacuation notices. GO is the most difficult to achieve; getting all persons to leave when notified...immediately; even with mandatory evacuation notices it is never even near 100% effective. All this said, any physical barriers to getting persons evacuated at the same time emergency responders are trying to enter into the fire area to move people and fight fire greatly increases the chances people will become trapped and will be injured or killed. "Red Flag Alert" days should require NO PARKING on all streets less than 36 feet wide in order to provide necessary emergency evacuation and emergency apparatus/vehicles response. Additionally, construction vehicles exceeding 10,000 pounds GVWR should be prohibited on Red Flag Alert days in order to improve emergency evacuation and emergency apparatus/vehicles response. Signs should be posted at the entrance to each street leading north from Sunset Blvd. that serves this area setting forth the Red Flag Alert day's restrictions and penalties (white sign with red characters)

Response to Comment CHATTEN-1 74

This comment is not pertinent to the content and adequacy of the Draft EIR and is included here only as part of the administrative record and for consideration by Project decision-makers. The comment suggests the implementation of a series of measures the commenter believes are necessary for fire safety, some of which would apply at a general policy level and not necessarily to the Project itself. Insofar as the measures suggested are different from those included in the Project or Alternative 5, they are not necessary to reduce any fire protection impacts to below a level of significance.

Please also see Response to Comment CHATTEN-1 72 regarding Red Flag days in the VHFHSZ.

Comment CHATTEN-1 75

Itemized comments to the Draft EIR include the following.

TABLE IV.J.1-1: The Response Times are listed as "average"; average is no longer accurate, the national standard is referred to as "90th percentile/percent". Response Times for the included stations should be revised to use the national standard. The national standard for career fire departments published by the National Fire Protection Services Association, referred to as NFPA 1710 (sections 3.3.53 and 4.1.2) sets forth Response Time standards; the City of Los Angeles does not have their own published standards. Even the antiquated use of "average" response time exceeds these national standards by several minutes. When the correct 90th percentile data is published, the station response times will fall even farther away from the national time standard. Every additional development/building will contribute to worsening these response times, unless adequate mitigation measures are included.

Response to Comment CHATTEN-1 75

Table IV.J.1-1, *Fire Stations Located in the Project Site Vicinity*, Page IV.J.1 of the Draft EIR, includes the location, distance from the Project Site, 2017 staffing, equipment, and the average operational response times for emergency medical services (EMS), non-emergency medical services (Non-EMS), advanced life support (ALS) Critical, and structure fires for each of these fire stations serving the Brentwood area. The LAFD website, the source of this information,³⁸ provides average response time data. The purpose of the information in Table IV.J.1-1, is to illustrate the relative differences in existing conditions between the five evaluated stations and not to develop the Project's fire protection impact analysis. As discussed in Table IV.J.1-1, travel time can differ considerably among stations. Many factors, such as traffic, topography, road width, and unspecified incident locations, may impact travel time. As shown on the LAFD website, the great majority of the service area for Station 19 extends into the Santa Monica Mountains and is more than 1.5 mile from the station.³⁹ The geographic expanse of the Station 19 service area is reflected in the relatively greater response times shown in Table IV.J-1 of the Draft EIR, and as it relates to Station 19, the greater response times are not indicative of a need for an additional service station.

Comment CHATTEN-1 76

TABLE IV.J.1-1: The number of personnel and apparatus at Station 19 does not appear accurate (i.e. Station 19, the number of personnel on duty for a BLS Engine and an ALS Ambulance is generally not 18). The distance to the closest fire station is 2.6 miles; this distance FAR EXCEEDS the national standards, especially when the travel route is uphill through narrow streets and into the VHFHSZ.

Response to Comment CHATTEN-1 76

Staffing information (18 personnel) for Station 19 was provided to the Department of City Planning by LAFD in all three of their letters provided (please refer to Appendix H, Public Services, LAFD Correspondence and Fire Department Letter, October 17, 2017, March 15, 2018, and April 3, 2018), in the Draft EIR). The information provided by the LAFD is correct in that Station 19 supports 18 personnel. However, as discussed in Topical Response No. 4, the total staff of 18 consists of three platoons, with six fire fighters per shift.

³⁸ LAFD website at: <https://www.lafd.org/fsla/stations-map>. Accessed August 4, 2020.

³⁹ LAFD website at: <https://www.lafd.org/fire-stations/station-results?address=12001%20Chalon%20Road>. Accessed August 4, 2020.

See Response to Comment CHATTEN-1 11, above, which responded to this comment's statement regarding the Campus's distance to the closest fire station.

Comment CHATTEN-1 77

IV.J.1-19: The Draft EIR states, "The Project Site is also accessible by fire emergency vehicles from the Mt. Saint Mary's fire road. The fire road runs between the Campus and the Mountain Gate subdivision to the north of the crest of the Santa Monica Mountains and terminates at the north end of the Campus." This dirt fire road is not suitable for any emergency fire apparatus response, nor evacuation by University persons. It is too dangerous to use for vehicular traffic.

Response to Comment CHATTEN-1 77

See Topical Response No. 4 regarding emergency access and the Mount Saint Mary's Fire Road. As discussed therein, the Mount Saint Mary's Fire Road, which is a continuation of MSMU's north/south driveway, is maintained by The Getty on the portion located on Getty property and by MSMU on that portion located on MSMU property in accordance with LAFD requirements. The LAFD, MSMU, and The Getty possess keys to Mount Saint Mary's Fire Road entrance. The LAFD inspects the fire road on a regular basis and reports back to MSMU with any issues that need to be addressed. With regular maintenance and inspections by the LAFD, there is no indication that the road is not suitable for emergency access. Engine Company No. 19 serves a large hill and mountain area to the north of Sunset Boulevard, to the east and west of the I-405 Freeway on the east, and to Topanga Canyon State Park on the west. This large geographic area is characterized by curved, narrow, mountain roads and a variety of fire roads to which the Engine Company is equipped to take access. Engine Company No. 19 does not have hook and ladder trucks or other equipment which would be typical in a more urbanized setting, but which could pose issues for access in this area.

Comment CHATTEN-1 78

IV.J.1-24: The Draft EIR states, "The increase in construction traffic along neighborhood streets could potentially result in a conflict between emergency vehicles and haul trucks. In any event, emergency services have the first right to the use of the roadway during high priority calls, may use sirens to clear a path of travel, drive in the lanes of opposing traffic, bypass signals and stopped traffic, and implement other emergency measures in the use of the roadway." Sirens and red lights do nothing to move stalled traffic when there is congestion. The narrow streets in the area significantly limit the ability of emergency fire apparatus to respond quickly to the University and surrounding homes. Construction traffic only serves to increase the difficulty of emergency apparatus response. The number of "haul trips" during demolition and the number of delivery trips for materials including slow moving concrete trucks traveling up hill will significantly impact traffic and emergency response during those phases of construction. Large trucks

cannot simply pull to the right for emergency responding apparatus/vehicles when there is no place on the roadway to pull over.

Response to Comment CHATTEN-1 78

The Project would include PDF-TRAF-1, which requires the preparation and enforcement of a Construction Traffic Management Plan. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates a modified PDF-TRAF-1 which also required the preparation and enforcement of a Construction Traffic Management Plan. The Construction Traffic Management Plan under either the Project or Alternative 5 requires the contractor to maintain access for land uses in proximity to the Project Site during construction, to minimize obstruction of through traffic lanes on surrounding public streets, to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences at all times, and other measures to reduce congestion in the area. Coordination with the LAFD would include apprising the LAFD of truck activity, including the days, times, and routing of trucks. This would allow fire officials to access the emergency destination via alternative routes, if applicable. Upgrades on LAFD fire apparatus include automated vehicle locating systems, so that the alternative routes could be selected. If an alternative route is not feasible, communication between the LAFD and contractor would allow the contractor to pause activity along a particular route to allow passage of an emergency vehicle. Emergency response is also routinely facilitated, particularly for high priority calls, through driving in opposing traffic lanes. In addition, both the Project and Alternative 5's high levels of truck traffic would not be continuous over a long period of time and would be limited to specific hours on a particular day (please refer to Topical Response No. 3 regarding the intermittent character of Alternative 5's construction traffic). The intermittent activity would reduce the potential for fire emergency vehicle and construction truck conflicts.

Comment CHATTEN-1 79

IV.J.1-28: The Draft EIR states, "Because the Project exceeds these distance standards, it would be required to install an automatic fire sprinkler system. The installation of an automatic fire sprinkler system would ensure that fire and emergency medical service impacts associated with the response distance between the Project Site and Fire Station Nos. 19 and 37 would be consistent with the Code requirement." A fire sprinkler system will NOT have ANY mitigation action on the majority of responses, Emergency Medical Services responses (rescues and medical emergencies such as illnesses and accidents)

Response to Comment CHATTEN-1 79

As discussed in Section IV.J.1, *Fire Protection*, of the Draft EIR, Fire Code Section 57.507.3.3, establishes a maximum response distance of 1.5 mile for an Engine Company. The first-due Engine Company to the Project Site is Station 19, located approximately 2.6 miles from the Campus. The establishment of the response distance

value of 1.5 mile allows the City (through the Fire Code) to enforce additional fire protection features in a building's design. It is not intended to mean that a site cannot be adequately served beyond the distance of 1.5 mile, but that specific features must be added to a building to reduce the rate of a fire's progress. In the event that a site would exceed the 1.5-mile emergency response distance, Fire Code Section 57.512 (Response Distances that if Exceeded Require the Installation of an Automatic Fire Sprinkler System) requires the installation of automatic fire sprinkler systems for buildings. Because the response distance would exceed the Fire Code response distance standard, the Project and Alternative 5 would provide an automatic sprinkler system accordingly. As discussed in the Draft EIR, the Wellness Pavilion would include a complete hydraulically calculated automatic sprinkler system consistent with the Fire Code and in accordance with the requirements of the NFPA. With the installation of this system, the Project and Alternative 5 would be consistent with Fire Code and emergency response standards. The commenter states that the fire sprinkler system will not impact non-fire related emergencies. That is correct; however, the stated distance standard is for the purpose of addressing fire-related building measures, and the commenter has not otherwise indicated that the Project would have an impact on non-fire emergencies. Notably, both the Project and Alternative 5 will not result in an increase in student enrollment, and as a result, the potential for additional non-fire emergency services does not exist.

As explained in Topical Response No. 1, No. 4, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to the above-referenced fire safety measures.

Comment CHATTEN-1 80

IV.J.1-29: The Draft EIR states, "In the event of large-scale emergencies, secondary access for fire emergency vehicles is available via Getty Center Drive/Chalon Road." The access mentioned is extremely sub-standard and the surface, width, and possibly grade/angles of approach and departure exceed State and LAFD code requirements. It is not safe nor practical to use this access until it is improved.

Response to Comment CHATTEN-1 80

The Getty Fire Road (the easterly extension of Chalon Road) is maintained by the property owner (Getty) in compliance with LAFD requirements. Both the LAFD and Getty have keys to the gate and there is no indication that the road is substandard for emergency access. In addition, the same arrangement is true for Mount Saint Mary's Fire Road, which is a continuation of MSMU's north/south driveway. This roadway is maintained by The Getty on the portion located on Getty property and by MSMU on that portion located on MSMU property in accordance with LAFD requirements. As with the Getty Fire Road, the LAFD and MSMU have keys to the Mount Saint Mary's Fire Road entrance. The LAFD inspects the fire road on a regular basis and reports back to MSMU with any issues that need to be addressed. With regular maintenance and inspections by

the LAFD, there is no indication that the road is not suitable for emergency access by the LAFD.

Comment CHATTEN-1 81

IV.J.1-34: The Draft EIR states, "Further, a city-wide traffic pre-emption system allows the normal operation of traffic lights to be preempted by an emergency vehicle"; it does not clearly indicate that all intersections in the area are fully-equipped from all travel directions. Traffic signal preemption equipment is should be expanded to each intersection that any of the fire stations listed in the Fire Protection Services section, and other intersections with a travel direction from other nearby fire stations, where there does not already exist such equipment.

Response to Comment CHATTEN-1 81

The discussion of measures implemented by the LAFD to pre-empt access at intersections was provided only for informational purposes, as stated on page IV.J.1-34 in Section IV.J.1, *Fire Protection*, of the Draft EIR. As such, a discussion of the signal pre-emption system directional aspects is not necessary for the analysis of impacts in regard to fire protection, which ultimately determines if LAFD would require a new or physically altered facility to maintain acceptable service levels, the construction of which could result in a potentially significant environmental impact. The comment, however, is acknowledged and will be submitted to the decision-makers for their consideration.

Comment CHATTEN-1 82

TABLE IV.K-9: "Existing + Construction" traffic will greatly impact emergency response for each location with an estimated LOS of greater than "A" (EXCELLENT. No vehicle waits longer than one red light and no approach phase is fully used). When vehicles wait longer than one red light the delay and back up significantly increases emergency apparatus/vehicle response time. The Draft EIR includes "average" response times (which is an antiquated measure) and those times already exceed the national standard. Twenty-two months of construction will greatly impact emergency apparatus/vehicle response times.

Response to Comment CHATTEN-1 82

Regarding construction traffic impacts on emergency access, the Project would implement Mitigation Measure MM-TRAF-1 to reduce construction traffic impacts at intersections to less than significant levels. Alternative 5 would also implement MM-TRAF-1. It should be noted that, unlike the LOS impacts at intersections, the street segment impacts are largely the result of there being little traffic on these street segments, such that a minor, incremental increase in Project traffic is sufficient to create a significant impact; the impact determination is not the result of there being any bottlenecks on these streets.

Furthermore, as discussed on page IV.J.1-23 of the Draft EIR, the Project's implementation of PDF TRAF-1 through PDF TRAF-6 would reduce the potential for delays to fire and emergency services associated with construction related traffic. Alternative 5 will incorporate all of the substantive provisions of the Project's PDF-TRAF-1 through PDF-TRAF-6 in revised and expanded PDF-TRAF-1 and PDF-TRAF-2.

Both the Project and Alternative 5's PDF-TRAF-1 include a Construction Traffic Management Plan, which requires the contractor to maintain access for land uses in proximity to the Project Site during construction, to minimize obstruction of through traffic lanes on surrounding public streets, to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences at all times, and other measures to reduce congestion in the area. In any event, emergency service vehicles have the first right to the use of the roadway during high priority calls, may use sirens to clear a path of travel, drive in the lanes of opposing traffic, bypass signals and stopped traffic, and implement other emergency measures in the use of the roadway. With LAFD's high priority use of the roadway during emergencies and the Project and Alternative 5's prohibition of construction workers from parking on the adjacent residential streets (PDF-TRAF-2 for both the Project and Alternative 5), and requirement of coordination of hauling activities with other concurrent projects (the Project's PDF-TRAF-3 and Alternative 5's modified PDF-TRAF-1 for Alternative 5), construction traffic is not anticipated to significantly impair fire and medical emergency responders from responding to emergencies in the area. Also, the quantified response times in the Draft EIR were provided for informational purposes only, as stated on Draft EIR page IV.J.1-34.

The commenter notes that the Project's overall construction period was anticipated to be 22 months. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project's construction period to 20 months.

Comment CHATTEN-1 83

TABLE IV.K-11, TABLE IV.K-12, TABLE IV.K-13, and TABLE IV.K-14: These tables show three repetitive locations with significant traffic impacts during construction, during both school year and summer time. The Draft EIR includes "average" response times (which is an antiquated measure) and those times already exceed the national standard. Twenty-two months of construction will greatly impact emergency apparatus/vehicle response times.

Response to Comment CHATTEN-1 83

As discussed under Response to Comment Chatten-1 13, above, the various construction phases would not have identical impacts on study area streets. As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Construction Phases I through VI, would occur over an approximately 16-month period. Regarding construction truck traffic,

the periods with heaviest truck traffic would be Phase 2, Demolition, and Phase 4, Concrete Pours. As discussed in Project Schedule of Construction Activity (Traffic Impact Analysis, Page 62, Appendix I, of the Draft EIR), Phase 2 would occur over a period of one and one-half months and Phase 4 would occur over a period of six months. According to the Traffic Impact Analysis (Page 65), Phase 2 is expected to generate up to 41 haul truckloads during peak activity days. Phase 4 is expected to generate up to 60 equipment/delivery truckloads during peak activity days. Phase 6, construction of walls and finishes, is expected to involve a total of 100 workers, but a maximum of 20 delivery/equipment trucks per day. As indicated therein, the flow of trucks would not be continuous.

As discussed in Response to Comment Chatten-1 78 and 82, both the Project and Alternative 5 would implement various measures to reduce and manage construction traffic, and interference with emergency vehicle response is therefore not anticipated.

Comment CHATTEN-1 84

TABLE IV.K-18 and TABLE IV.K-19: These tables show three-six locations with significant traffic impacts during construction, during both school year and summer time. The Draft EIR includes "average" response times (which is an antiquated measure) and those times already exceed the national standard. Twenty-two months of construction will greatly impact emergency apparatus/vehicle response times.

Response to Comment CHATTEN-1 84

In response to an information request presented to the LAFD during the preparation of the Draft EIR, including specific questions regarding emergency access, bottlenecks and other access issues in the Project area, the LAFD did not indicate problems with access on the neighborhood streets leading to the Project Site. Additionally, the LAFD responded that, with the inclusion of the several required on-site improvements along with any additional recommendations made during later reviews of the Project, impacts would be reduced to an acceptable level (please refer to Appendix H, Fire Department Letters, October 17, 2017, March 15, 2018, and April 3, 2018 of the Draft EIR). Also see Response to Comment Chatten-1 82 with respect to average response times.

Comment CHATTEN-1 85

IV.K-83: The Draft EIR states, "Threshold e) Would the Project result in inadequate emergency access? As discussed in Chapter VI (subsection Impacts Found not to be Significant) of this Draft EIR and in the Initial Study (Appendix A of this Draft EIR), construction and/or operation of the Project would not result in inadequate emergency access. The Project would have a less than significant impact with respect to Threshold e. As described therein, secondary emergency access would be available to the Project Site during large scale fire emergencies. In addition, emergency services have the first right to the use of the roadway during high priority calls, and may use sirens to clear a

path of travel, drive in the lanes of opposing traffic, bypass signals and stopped traffic, and implement other emergency measures in the use of the roadway. With LAFD's high priority use of the roadway during emergencies, Project traffic is not anticipated to significantly impair the LAFD or LAPD from responding to emergencies in the area. No further analysis is required." As presented above, this section of the analysis contained in the Draft EIR is not accurate. The access mentioned is extremely sub-standard and the surface, width, and possibly grade/angles of approach and departure exceed State and LAFD code requirements. It is not safe nor practical to use this access until it is improved. Sirens and red lights do nothing to move stalled traffic when there is congestion. The narrow streets in the area significantly limit the ability of emergency fire apparatus to respond quickly to the University and surrounding homes. Construction traffic only serves to increase the difficulty of emergency apparatus response.

Response to Comment CHATTEN-1 85

The analysis in the Draft EIR cited by the commenter is accurate and is supported by substantial evidence. With respect to the commenter's statements that street access to the Campus is "sub-standard," please see Response to Comment Chatten-1 15 above. It is safe and practical for vehicles, including emergency response vehicles, to use the roadways around the Campus in their current condition. With respect to the commenter's statements regarding construction traffic potentially increasing emergency response times, please see Response to Comment Chatten-1 78 and 82.

Comment CHATTEN-1 86

Appendix H Public Service Correspondence, Letter of April 4 from the LAFD: The LAFD indicated, "Based on these criteria (response distance from existing fire stations), fire protection would be considered inadequate." The Draft EIR has not appropriately addressed the excessive distance, nor the lengthy travel times

Response to Comment CHATTEN-1 86

The commenter is selectively quoting from the LAFD letter of April 4, which after stating that fire protection would be considered inadequate, subsequently goes on to list various measures that are standard for development projects, and that will be incorporated into the design of the Wellness Pavilion. The LAFD letter notes that the incorporation of its recommended measures, a majority of which are requirements for any development project, would render fire protection satisfactory. In addition, the LAFD statement did not identify expansion needs at any specific location or location proposed in a capital improvements program in the region or at Station 19, the Project Site's nearest responder. With respect to the distance and travel times from the Campus to Station 19, also see Response to Comment CHATTEN-14.

The response distance referenced in the LAFD comment is based on an established Fire Code maximum emergency response distance standard of 1.5 mile and is addressed through the Fire Code (Response Distances that if Exceeded Require the Installation of an Automatic Fire Sprinkler System). The 1.5-mile standard is not intended to mean that fire protection services would not be adequate or would be unavailable, but the standard is intended to establish a threshold by which additional fire prevention features must be included in the design of a building. Under this Code section, commercial or multi-family uses located more than 1.5 mile from a fire station must install an automatic sprinkler system, the purpose of which is to delay the spread of fire in a building and, thus, accommodate building evacuation. This issue is discussed in more detail in Section IV.J.1, *Fire Protection*, of the Draft EIR. Please refer to Draft EIR, Pages IV.J.1-11 and IV.J.1-37.

Also, please see Response to Comment CHATTEN-1 11, above regarding the City's constitutional requirement to provide adequate fire services.

Comment CHATTEN-1 87

Appendix H Public Service Correspondence, Letter of April 4 from the LAFD: The LAFD indicated, "The Los Angeles Fire Department continually evaluates fire station placement and overall Department services for the entire City, as well as specific areas. The development of this proposed Project, along with other approved and planned projects in the immediate area, may result in the need for the following: 1. Increased staffing for existing facilities. (I.E., Paramedic Rescue Ambulance and EMT Rescue Ambulance resources.) 2. Additional fire protection facilities. 3. Relocation of present fire protection facilities. There is NO INDICATION that this Project has committed to its share of funding and based on the size of the Project and its remote location in the VHFHSZ. The finished operation, increased occupancy numbers and increased events will increase the number of responses, forever

Response to Comment CHATTEN-1 87

General conditions and statements about potential future growth and expansion of facilities in the City are provided by the LAFD to all new projects in the City and, as such, are not specific to the Project's service area. In addition, no new fire stations or other facilities expansions are planned in the Project's service area under the City's Capital Improvements Program. Project-specific fee assessments have not been developed by the City for the development of additional fire facilities in the Project area. Also, please refer to Response to Comment CHATTEN-1 86. Finally, LAFD makes clear that it will be able to accommodate emergency response during and after completion of the Project. After listing various measures that will be incorporated into the Project, LAFD states that "[t]he inclusion of the above recommendations, along with any additional recommendations made during later reviews of the proposed project. Will reduce the impacts to an acceptable level."

Comment CHATTEN-1 88

Appendix I Transportation and Traffic, Letter of April 4 from the DOT to Planning Department: The letter indicates that the DOT identified "several mitigation measures for the traffic impacts, but that all WERE NOT FEASIBLE."

Response to Comment CHATTEN-1 88

The comment does not address issues regarding the content and adequacy of the Draft EIR under CEQA. The comment correctly restates a finding of the City of Los Angeles DOT that physical mitigation measures were not feasible. This finding was also a finding of the Draft EIR for the Project. Alternative 5 would restrict vehicle trips and events with peak hour travel such that impacts during Alternative 5 operation would be less than significant. The mitigation measures to improve intersection capacity suggested by the LADOT are specifically evaluated in the Traffic Impact Analysis (see Appendix I, pages 45 and 51, of the Draft EIR). As discussed therein, the suggested changes in roadway alignment or intersection approaches would be physically infeasible or generate greater secondary environmental impacts.

Comment CHATTEN-1 89

As an attachment to The McMullen Company, Inc. letter dated June 12, 2018, a resume is provided for Peter M. Bryan of the The McMullen Company, Inc.

Response to Comment CHATTEN-1 89

The resume for Peter M. Bryan does not address environmental issues or include Project-specific comments. The resume is noted for the record and will be forwarded to the decision-makers for review and consideration. Refer to Appendix A of this Final EIR for the complete text of the resume.

Chatten Brown and Carstens for Sunset Coalition and Brentwood Residents Coalition (CHATTEN-2)

Comment CHATTEN-2 1 (e-mail dated June 1, 2018)

Dear Ms. King,

Below please find a Dropbox link to a letter from Douglas Carstens regarding the above-captioned subject.

<https://www.dropbox.com/sh/i9op068xgq7ax75/AAC345BRpG8jwmh9eEmVjARKa?dl=0>

I am mailing you a paper copy as well.

Please feel free to contact me with any questions or concerns.

Cynthia Kellman
CHATTEN-BROWN and CARSTENS
2200 Pacific Coast Highway, Ste. 318
Hermosa Beach, CA 90254

Response to Comment CHATTEN-2 1

This comment is introductory in character and does not raise any issues with respect to the content and adequacy of the Draft EIR. It is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

Comment CHATTEN-2 2 (Comments CHATTEN-2 2 to CHATTEN-2 4 from letter dated June 12, 2018)

Dear Ms. King:

On behalf of the Sunset Coalition¹ and the Brentwood Residents Coalition², we object to the approval of the Mount St. Mary's University (MSMU or University) proposed expansion Project at the Chalon Campus (Project). Both groups strongly oppose the Project and the effects it will have on traffic, fire safety, parking, public safety, aesthetics, air quality, noise, and other issues.

Through extensive research done by the Sunset Coalition and Brentwood Residents Coalition, it was discovered that the University has been violating its permits for decades by increasing enrollment and commercializing the Campus with no requests for expansion or the proper CEQA review that would accompany such requests. This intensification of use has added hundreds of car trips to the local substandard hillside streets, created traffic hazards and parking shortages, and increased fire risk. On May 29, 2018, these organizations submitted a detailed letter to Councilmember Bonin and Planning Director Bertoni to request that revocation proceedings be immediately commenced to revoke,

partially revoke, or further condition MSMU's deemed approved CUP (see attached). The letter set out the extensive factual and legal basis for this revocation request.

Given the University's past history and continuing violations, the revocation request must be processed without delay even though portions of that revocation request are relevant to the Project that the Draft EIR analyzes. While the revocation request is being considered no further allowances or expansions can be permitted. Therefore, the Project should be denied entirely outright.

However, if the Project is further considered, we ask that you address the points raised in the Revocation letter, including but not limited to the following:

1. The enrollment assumed in the Project description is inaccurate and must be reassessed based upon documented past approvals limiting enrollment to 750 (Revocation Letter, pp. 11-24);
2. Events that commercialize the Campus and that are not consistent with the educational mission of the University must be prohibited, including but not limited to non-student events such as camps, weddings, filming, leasing/renting the facility (Revocation Letter, pp. 24-29);
3. Mitigation measures for traffic and parking impacts have been tried but have not worked because they are not enforceable or effective (Revocation Letter, pp. 35-45);
4. It would not be possible to use certain roadways for construction and fire route access because they are private and are substandard (Revocation Letter, Enclosure 1, p. 3);
5. MSMU first year students are not allowed to have cars on Campus so rental car services and Transportation Network Companies such as Uber and Lyft will generate trips to and from Campus that have not been accounted for in the traffic analysis.
6. Valet service as proposed not only does not work as it has been tried in the past but also adds traffic by requiring valet employees to be added to other staff traffic trips.

- ¹ The Sunset Coalition is an unincorporated organization founded by concerned residents and organizations and represents the thousands of individual residents from Pacific Palisades to Brentwood impacted by the unprecedented number of large development projects that threaten to impact traffic, safety, and the environment in the Sunset Corridor between the 405 freeway and the Pacific Ocean. The organization includes Residential Neighbors of Archer, Brentwood Residents Coalition, Brentwood Hills Homeowners Association, Upper Mandeville Canyon Association, Bel Air Skycrest Property Owners' Association and Bundy Canyon Association.
- ² The Brentwood Residents Coalition is a grass roots, non-profit advocacy group whose purposes are to preserve and enhance the environment and quality of life in Brentwood, to protect the integrity of residential neighborhoods, to assist with planning, to uphold zoning and municipal codes, to encourage traffic safety, and to educate the public on issues that affect quality of life and the environment.

Response to Comment CHATTEN-2 2

A portion of this comment concerns the status of MSMU's previously-granted entitlements for ongoing campus activities and does not relate to the adequacy of the Draft EIR under CEQA. Please see Topical Response No. 6 for a complete discussion of the status of MSMU's entitlements for ongoing campus operations. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. The existing conditions at the Campus and in the surrounding area were accurately reflected as the baseline in the Draft EIR's environmental analysis, and in this Final EIR's environmental analysis of Alternative 5.

It should be noted that the Project would not expand the physical Campus site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

The comment expresses objections to the Project's environmental effects in the areas of traffic, fire safety, parking, public safety, aesthetics, air quality, and noise. The Project's environmental impacts in each of these categories was analyzed in the Draft EIR, which correctly concluded that the Project's environmental impacts in the categories of fire safety, public safety, aesthetics, and air quality would be less than significant. With respect to parking, it should be noted that parking is not a separate CEQA category, but the Draft EIR's Section IV.K, *Transportation and Traffic*, analyzed the adequacy of parking for the Project and concluded that adequate parking would exist for all new events contemplated as part of the Project. With respect to noise, the Draft EIR disclosed that significant and unavoidable construction noise impacts would occur only during the Project's concrete pour phase, which would occur along Chalon Road for a total collective of approximately 75 days. With respect to vibration, the Draft EIR conservatively anticipated that the Project will contribute to significant cumulative human annoyance impacts, but concluded that project-level human annoyance impacts would be less than significant. The Draft EIR also disclosed significant and unavoidable construction and operational traffic impacts, which are fully discussed in the Draft EIR's Section IV.K, *Transportation and Traffic* and summarized in Topical Response No. 3. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

As explained in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, neither the Project nor Alternative 5 propose commercial uses within the Wellness Pavilion. The commenter correctly notes that the Wellness Pavilion is proposed to be used for camps, specifically Summer Sports Camps, but such camps do not constitute a commercialization of the Campus. Summer Sports Camps are in alignment with the concept of health and wellness, and are also educational in nature. Likewise, MSMU will retain its nonprofit status as an educational institution following the completion of the Project or of Alternative 5.

It should also be noted that MSMU currently has to use facilities at other area institutions for club sports practices, including John Adams Middle School, Santa Monica Airport Park, UCLA, and Lincoln Middle School. Most of the educational institutions that MSMU uses for club sports practices charge MSMU for the use of their facilities, undercutting the commenter's stated position in this comment letter that leasing or otherwise allowing guests to use a facility, or permitting Summer Sports Camps, constitutes "commercialization" of an educational institution that is prohibited and contrary to MSMU's permits.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K *Transportation and Traffic*. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

No fire road traffic, or private road traffic apart from private roads on the Campus, is contemplated in connection with the Project or Alternative 5. Use of the Getty's private road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please refer to Topical Response No. 5.

With respect to the commenter's statements regarding the generation of trips by first year student's use of Uber and Lyft, it should be noted that no additional enrollment will be generated by the Project or Alternative 5, and any existing Uber and Lyft traffic from student use would have been captured by the counts conducted by the Draft EIR's traffic study and is reflected in the existing traffic baseline. Further, Alternative 5 described in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would impose PDF-TRAF-10, which requires outside guests and Summer Camp attendees to identify, in a new parking reservation/ticketing system, whether they will be traveling in a private vehicle or via transportation network companies (TNCs) (such as Uber or Lyft) and requires their permit to specify their selected mode. Per PDF-TRAF-10, a reservation for a TNC vehicle or private vehicle for outside guests will count as two trips for each arrival to or departure from Campus. Together, the am-pm peak hour trip

restrictions and trips caps would reduce the Project's significant and unavoidable traffic impacts to less than significant levels. In addition, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). Therefore, TNC traffic generated by Alternative 5 will be fully accounted for by the new parking reservation/ticketing system.

Alternative 5 would also eliminate am-pm peak hour trips for new events during the school year; would reduce the frequency of potential Other Wellness/Sports Activities from approximately 48 per year to 12 per year (a decrease of approximately 75 percent); would impose PDF-TRAF-12 to cap outside guest daily vehicle trips at 310 (155 trips inbound and 155 trips outbound) for Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports; and would impose PDF-TRAF-14 to cap daily vehicle trips at 236 (118 trips inbound and 118 trips outbound) for Summer Sports Camps.

With respect to the commenter's claim that previously enacted measures related to traffic and parking impacts have been ineffective because they are unenforceable, it should be noted that the Project or Alternative 5 would provide a robust program of enforcement through the mitigation and monitoring program included in this Final EIR and additionally through enforcement measures included in the traffic PDFs, described in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

The comment asserts that valet service will not work on the Campus, but provides no substantial evidence in support of that claim.

Comment CHATTEN-2 3

Furthermore, we are herewith submitting a traffic analysis prepared by Allyn D. Rifkin of the Rifkin Transportation Planning Group, RTPG. Among other points, this detailed traffic analysis identifies significant underestimations and inaccuracies in the Draft EIR's traffic analysis including the following:

Trip generation numbers are unsubstantiated and must be based on traffic surveys of other similar projects;

Detailed operations analysis should assess traffic impacts including spreading to off-peak traffic hours;

Peak hour traffic flows must be evaluated to determine if local streets are limited by roadway widths;

Construction impact mitigation must be detailed further and include a cumulative impact analysis;

Enrollment may not exceed a cap of 750 under prior approvals yet the analysis assumes a higher baseline of enrollment.

These and other significant flaws in the Draft EIR's analysis must be remedied and recirculated for further comment.

Response to Comment CHATTEN-2 3

The fact that the RTPG analysis disagrees with certain aspects of the expert analyses contained in the Draft EIR does not invalidate or otherwise undermine the Draft EIR's analyses. See CEQA Guidelines § 15151 which states, "[D]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts". The summary of the RTPG analysis in this comment contains generalized allegations regarding the accuracy of the Draft EIR's Traffic Study. Responses to the complete text of the RTPG analysis follows below in Responses to Comments Chatten-2 18 through 38.

The commenter asserts that trip generation estimates are unsubstantiated and should instead be based on traffic surveys of similar projects. As explained on pages 27-28 of the Traffic Study, Draft EIR Appendix I, trip generation rates were based on the specific characteristics of the Project's operations. Because the trip generation rates were based on the specific characteristics of proposed operations, they more accurately reflect actual the Project and Alternative 5's trip generation than the use of only partially analogous trip generation rates in a different project.

Peak hours were analyzed according to standard procedure for level of service (LOS) traffic analyses at signalized intersections to represent the most conservative analysis. Additional hours were analyzed due to peak spreading (6:00 AM to 7:00 PM for new school year events and 3:00 PM to 4:00 PM for Summer Camps).

The commenter also refers to potential limitations to "local streets" due to roadway width. The Draft EIR's traffic study looked at the street segment impacts on local streets, which include those streets that are considered Substandard Hillside Limited Streets, and found that the Project's operations would result in significant impacts at three neighborhood street segments during the school year and six neighborhood street segments using the summer under Existing (2016) Plus Project and Future (2020) Plus Project conditions. As discussed in Topical Response No. 1, No. 3, and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce these impacts to a level less than significant. With respect to the adequacy of local street roadway widths to accommodate peak hour traffic flows, as discussed in Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 restricts all new school year Wellness Pavilion events start and end times to ensure that no outside guests would travel to or from the new events between 7:00 to 9:00 AM and 4:00 to 7:00 PM.

A cumulative construction traffic analysis was conducted as presented beginning on page IV.K-85 of the Draft EIR. It should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments, including cumulative construction traffic impacts, was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments. The cumulative analysis included the effects of specific projects, called related projects, expected to be implemented in the vicinity of the Project Site prior to the completion of the Project. The list of related projects was prepared based on data provided by LADOT and the City of Santa Monica. A total of 67 cumulative projects were identified in the study area. The Traffic Study also included a background ambient growth rate intended to encompass background growth beyond the study area.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA⁴⁰. Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

The commenter asserts that the Draft EIR contains flaws which require recirculation under CEQA, but provides no substantial evidence in support of this assertion. See Chapter I, *Introduction*, of this Final EIR for a discussion of the circumstances under which recirculation is required and an analysis of why recirculation of this EIR is not required.

Comment CHATTEN-2 4

CONCLUSION

Even after mitigation, the Project will result in significant and unmitigated negative impacts on Brentwood and the residents who live in the area. The City must reject this Project in its entirety and instead address the concerns in the letters submitted by neighborhood residents in response to this Draft EIR. Only the no Project alternative would avoid unacceptable significant impacts that are created by the Project.

Thank you for consideration of these comments.

Response to Comment CHATTEN-2 4

The comment states that the Project would result in significant and adverse impacts. The commenter correctly notes that the Draft EIR identified significant and unavoidable

⁴⁰ See CEQA Guidelines § 15125(a)

environmental impacts that would result from the Project, and as discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would also result in significant and unavoidable environmental impacts in the categories of construction traffic and noise. However, it should be noted that CEQA does not require the City to reject the Project or Alternative 5 on the basis that even after mitigation, it will still result in significant and unavoidable impacts.

The DEIR identified the Project's significant and unavoidable impacts as short-term construction traffic impacts during the concrete pour, significant and unavoidable traffic impacts at intersections and neighborhood streets during operation, construction noise impacts associated with off-site construction noise, and cumulative human annoyance vibration impacts. Impacts with respect to all other issue areas, including Aesthetics (views, scale and mass, and light and glare), Air Quality, Greenhouse Gas Emissions, Cultural Resources, Geology, Hydrology, Land Use and Planning, Operational Noise, Public Services (police and fire), Utilities and Energy Demand were determined to be less than significant for the Project as well as Alternative 5. In addition, wildfire hazards pertinent to changes in CEQA Guidelines Appendix A were further evaluated in Appendix B, *Appendix G Modifications*, of this Final EIR.

As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant and unavoidable operational traffic impacts identified in the Draft EIR to a level of less than significant and would incrementally reduce the Project's significant and unavoidable off-site construction noise impacts. Like the Project, Alternative 5's human annoyance vibration impacts would be less than significant at the project level, but are conservatively considered to be cumulatively significant. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR and shown in Table III-15, *Comparison of Impacts Summary*, Alternative 5 would also reduce the Project's environmental impacts over a broad range of other environmental issues in the categories of Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Public Services, Tribal Cultural Resources, and Utilities.

As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). It should be noted that, unlike the LOS impacts at intersections, the street segment impacts are largely the result of there being little traffic on these street segments, such that a minor, incremental increase in Project traffic is sufficient to create a significant impact; the impact determination is not the result of there being any bottlenecks on these streets.

With respect to construction noise, the Draft EIR found that significant and unavoidable construction noise impacts would occur only during the concrete pour phase, which would occur along Chalon Road for a total collective of approximately 75 days under the Project,

and a total collective of approximately 60 to 67 days under Alternative 5. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction noise impacts but not to a level of less than significant.

Alternative 5's only significant and unavoidable impacts would be the above-noted construction noise, construction traffic impacts, and cumulative human annoyance vibration impacts.

Comment CHATTEN- 2 5 (Comments CHATTEN-2 5 to CHATTEN-2 17 from Enclosure 1 to the June 12, 2018 CHATTEN-2 letter. Enclosure 1 is a May 29, 2018 letter from Chatten-Brown & Carstens LLP addressed to Honorable Mike Bonin and Vincent Bertoni)

Dear Councilmember Bonin and Director Bertoni:

On behalf of Sunset Coalition and Brentwood Residents Coalition (BRC), we hereby request that formal revocation action be initiated in accordance with the provisions of sections 12.24.Z and 12.27.1.B of the Los Angeles Municipal Code to revoke the current conditional use authority for Mount St. Mary's University (referred to as "University," "Chalon Campus," and "MSMU").

The University has violated conditions of its Conditional Use Permit (CUP) and it has been operated in a way that adversely affects the public health, peace, or safety of persons residing or working on the premises or in the surrounding area, adversely impacts nearby uses, violates provisions of the Los Angeles Municipal Code, and violates conditions imposed by prior discretionary land use approvals.

Sunset Coalition is an unincorporated organization founded by concerned residents and organizations and represents the thousands of individual residents from Pacific Palisades to Brentwood impacted by the unprecedented number of large development projects that threaten to impact traffic, safety, and the environment in the Sunset Corridor between the 405 freeway and the Pacific Ocean. The organization includes Residential Neighbors of Archer, Brentwood Residents Coalition, Brentwood Hills Homeowners Association, Upper Mandeville Canyon Association, Bel Air Skycrest Property Owners' Association and Bundy Canyon Association.

The Brentwood Residents Coalition is a grass roots, non-profit advocacy group whose purposes are to preserve and enhance the environment and quality of life in Brentwood, to protect the integrity of residential neighborhoods, to assist with planning, to uphold zoning and municipal codes, to encourage traffic safety, and to educate the public on issues that affect quality of life and the environment.

As detailed further below, the Brentwood community first sought revocation of the University's CUP to operate a school in a residential neighborhood in 1996, through the Bundy/Norman Place Committee and the Brentwood Homeowners Association. That

revocation request was based on the University's (1) renting and leasing of the Chalon Campus for outside events in violation of the Municipal Code and (2) exceeding enrollment limits imposed through a 1984 CUP for a parking structure on the University's Campus.

The community presented a comprehensive list of CUP violations and followed it up with a full Traffic Impact Analysis that provided evidence to the city of detrimental impacts from excessive Campus operations. Unfortunately, Bob Rogers, the city planner who reviewed the case, failed to address the community's concerns stating he found insufficient evidence to support the initiation of a revocation action. He recommended University staff meet with affected residents to resolve long simmering traffic issues and stated that if additional evidence were submitted regarding uses not permitted by conditional use grants or evidence of excessive traffic, the city planning department would further consider initiation of revocation proceedings.

The substantial evidence provided with this letter is more than sufficient to establish the CUP violations that Mr. Rogers failed to recognize. We provide a detailed, evidence-based history spanning 90 years of problems due to University expansion, enrollment increases outside events, commercial use of the Campus, and generally wholesale intensification of use. This intensification has led to traffic congestion, hazardous driving and roadway conditions, parking shortages, and the exacerbation of fire hazards that make all residents of this residential neighborhood less safe.

This evidence documents the University's longstanding pattern and practice of creating significant negative impacts on the community by its actions as well as its unreasonable failures to act. The University has promoted a multitude of different self-imposed but futile "mitigation" measures that have had little if any effect. There has been little success due to the failure to control impacts in the most effective ways, i.e., by limiting enrollment and commercial events. Because of MSMU's illegal intensification of use in violation of CUP and zone variance conditions, with continuous increases in enrollment and outside events and ongoing unmitigated traffic and safety impacts, we are requesting revocation of the University's deemed approved CUP.

Response to Comment CHATTEN 2- 5

A portion of this comment consists of introductory statements regarding the Sunset Coalition, Brentwood Residents Coalition and other organizations, but these statements do not raise any issues with respect to the content and adequacy of the Draft EIR. The comment raises concerns about past and existing Campus operations and the impact of those operations on traffic, parking, and fire safety, but such concerns do not relate to the Wellness Pavilion, or new operations proposed as part of the Project or Alternative 5. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

Comment CHATTEN- 2 6

BACKGROUND

Legal Background.

Revocation of a conditional use permit is provided for in the Los Angeles Municipal Code when various conditions are met.

LAMC Section 12.24.Z provides:

If the applicant fails to comply with the conditions of any conditional use or other similar quasi-judicial approvals granted pursuant to this section, the Director or the appropriate Area or City Planning Commission..., upon knowledge of the fact of non-compliance, may give notice to the record owner or lessee of the real property affected to appear at a time and place fixed by the Area or City Planning Commission or Director and show cause why the decision granting the approval or conditional use should not be repealed or rescinded.... [T]he Area or City Planning Commission or the Director may revoke, temporarily suspend or impose further restrictions on the conditional use or other similar quasi-judicial approval.

(LAMC Section 12.24.Z.)

LAMC Section 12.27.1.B provides:

[T]he Director may require the modification, discontinuance or revocation of any land use or discretionary zoning approval if it is found that the land use or discretionary zoning approval as operated or maintained:

Jeopardizes or adversely affects the public health, peace, or safety of persons residing or working on the premises or in the surrounding area; or

Constitutes a public nuisance; or...

Adversely impacts nearby uses; or...

Violates any provision of this chapter; or any other city, state, or federal regulation, ordinance, or statute; or

Violates any condition imposed by a prior discretionary land use approval including approvals granted pursuant to ... this Code....

(LAMC Section 12.27.1.B.)

The Municipal Code refers to a "public nuisance" created by a permitted use and a use that unreasonably "adversely impacts nearby uses." Such a use is a private nuisance. A nuisance may be both a public nuisance and a private nuisance at the same time. (*Newhall Land and Farming Co. v. Superior Court* (1993) 19 Cal. App. 4th 334.) A private nuisance is the unreasonable, unwarranted, or unlawful use by an individual of his or her own property so as to interfere with the rights of others. (*Wolford v. Thomas* (1987) 190 Cal. App. 3d 347, 358.)

A claim for private nuisance involves three elements: interference with use and enjoyment of property, invasion of a property owner's interest in the use and enjoyment of the land, and actions of 'such a nature, duration or amount as to constitute unreasonable interference with the use and enjoyment of the land.' (San Diego Gas and Electric Co., 13 Ca1.4th at p. 938.) So long as the interference is substantial and unreasonable, and would be offensive or inconvenient to the normal person, virtually any disturbance of the enjoyment of private property may amount to actionable private nuisance. (*Monks v. City of Rancho Palos Verdes* (2008) 167 Ca1.App.4th 263.)

A public nuisance is one that encompasses the foregoing definition of private nuisance and affects an entire community or neighborhood or a considerable number of persons, even though the extent of the annoyance or damage may be greater for some individuals than for others. (Civ. Code, § 3480; *People ex rel. Gallo v. Acuna* (1997) 14 Cal. 4th 1090, 1104.)

The University operates and maintains its Campus in such a way as to create both public and private nuisances as described below.

Response to Comment CHATTEN-2 6

As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements or other provisions of the LAMC are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

The majority of the comment is devoted to legal argument and legal conclusions unrelated to the Draft EIR. As such, no further response as to those arguments and conclusions is required. See, e.g., *City of Irvine v. Cty. of Orange* (2015) 238 Cal.App.4th 526, 555-58 (a lead agency may cursorily respond to comments that do not raise significant environmental issues); *Citizens for E. Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 568 (a lead agency is not required to respond to a comment that does not raise a significant environmental issue).

Comment CHATTEN-2 7

The Chalon Campus of Mount St. Mary's University.

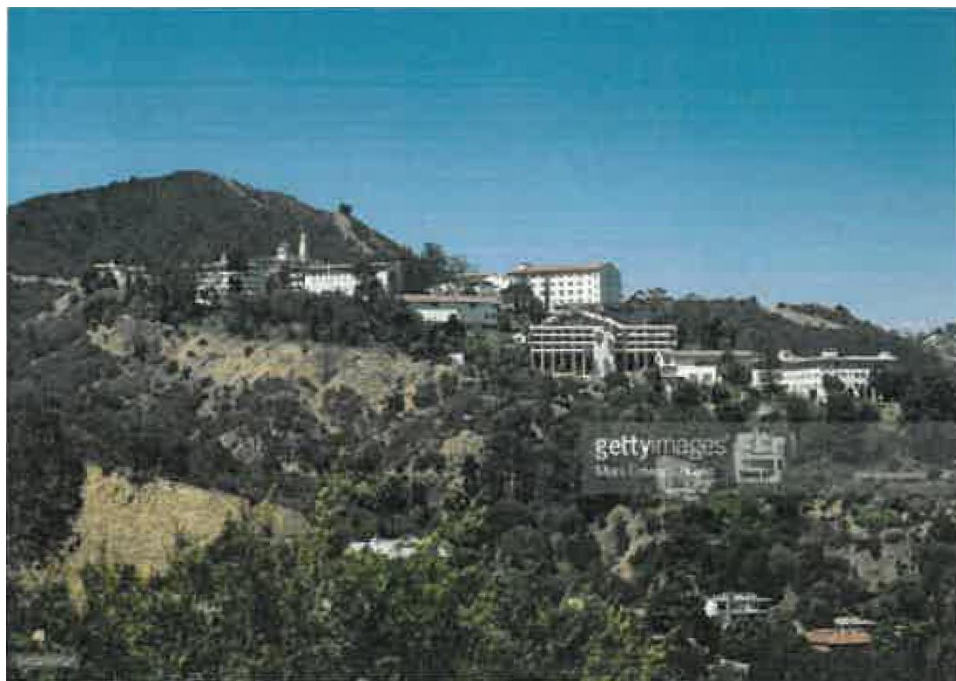
Existing Condition.

The Chalon Campus Setting.

Mount St. Mary's University is located at 12001 Chalon Road in the Brentwood neighborhood within the City of Los Angeles. The 45-acre Chalon Campus is set along a ridge crest on the southern flank of the Santa Monica Mountains.

The University's entrance is accessible only from Bundy Drive and Chalon Road, approximately 2 miles north of Sunset Boulevard. Immediately south and adjacent to the Campus along Chalon Road is the Carondelet Center, a large building that serves as the provincial headquarters for the Sisters of St. Joseph of Carondelet, a separate entity from MSMU (although ingress and egress is shared with the University).

The Chalon Campus is bounded on three sides by undeveloped open space owned by the University. The Getty Center is located .5 miles southeast and owns open space which abuts the Campus. MSMU's irregularly-shaped and steeply sloping property is located at an elevation above surrounding properties on the east, south and west, all zoned RE15-1-H, low density residential. The Campus and properties to the north are zoned RE40-1-H, low density residential.



b. Street Conditions.

The narrow, winding hillside roads leading to the Chalon Campus are designated as substandard hillside local limited streets. Allyn Rifkin, former Chief of LADOT, Bureau of Planning and Land Use Development, explains in his report that the roads accessing the Chalon Campus are designated as "local" because they are "very narrow, windy, lacking sidewalks, and with limited sight-lines." The roads (Bundy Drive, Norman Place, Chalon Road and Saltair Avenue to the north of Sunset) range between 30 to just 19 feet wide. "[These roads... *'are intended to accommodate lower volumes of vehicle traffic.'*" And the *"sections of roadway below 20-feet are substandard by any of the City applicable standards and unsafe for two-way traffic."* (See Allyn Rifkin, P.E., report, "Traffic and Circulation Issues — Regarding the proposed Mount St. Mary's University Expansion," May 23, 2018, Enclosure 1, p. 3, emphasis added.)



Indeed, these local roads are so narrow in places that cars traveling in opposite directions have difficulty passing each other, especially where vehicles are parked on one or the other side of the street. The driver of one vehicle is frequently forced to quickly pull over to the side to allow the other vehicle to pass. This unsafe roadway condition is commonly experienced by neighboring Bundy Canyon residents.

The situation is even more challenging and dangerous when MSMU's buses, shuttles and large delivery trucks are navigating these hillside roads to or from the Campus. As Rifkin explains, large vehicles like buses necessitate wider widths than on these narrow local roads.

Very High Fire Hazard Severity Zone.

What makes the location of the Chalon Campus even more precarious is its hillside location within a designated Very High Fire Hazard Severity Zone (VHFHSZ). The designation is based on the area's vegetation density, slope severity and several other factors that heighten the risk and severity of fire. The designation requires responsible authorities to identify measures that will limit or halt the rate of fire spread and reduce the intensity of uncontrolled fire through vegetation management and the implementation of development standards to minimize loss of life, resources and property.

In that manner, fire-safety risk must be managed through sensitive planning focused not only on fire prevention and mitigation, but also ready access for fire fighters and safe egress for residents and visitors if evacuation is necessary. Unfortunately, the University has a long history of violating development conditions on enrollment and events intended to protect the safety of its students, faculty and staff, as well as the hundreds of neighboring resident families, during fire emergencies and at other times

Response to Comment CHATTEN-2 7

In general, the comment describes the Project site and surrounding locations and street conditions and the Very High Fire Hazard Severity Zone (VHFHSZ) designation. The comment accurately states the zoning designation of neighboring properties.

With respect to the commenter's statements regarding the conditions of public streets in the vicinity of the Project Site, see Response to Comment CHATTEN-2 3. Also, as regards the commenter's statement that the designation of streets in the vicinity of the Campus is "local," it should be noted that in the City's Mobility Plan, the streets surrounding the Campus are in fact designated "Hillside Local," which is a designation determined by their width in addition to their delineation on relevant Circulation Maps and the fact that they are located within the Hillside Area.

The commenter asserts that certain streets in the vicinity of the Project Site are "substandard." The commenter may be referring to certain streets in the area being Substandard Hillside Limited Streets. The Los Angeles Municipal Code ("LAMC") defines a Standard Hillside Limited Street as a "street (public or private) with a minimum width of 36 feet and paved to a minimum roadway width of 28 feet, as determined by the Bureau of Engineering." (LAMC Section 12.03). According to LAMC Section 12.03, a Substandard Hillside Limited Street is any street that does not meet the minimum total width and roadway widths of a Standard Hillside Limited Street. A Substandard Hillside Limited Street creates certain requirements in connection with the construction of residential homes; however, many streets throughout the City are designated Substandard Hillside Limited Streets and there are no generally applicable citywide limitations or prohibitions in place on construction vehicles for these streets.

The Draft EIR has analyzed the location of the Project within a designated VHFHSZ, which includes all of Brentwood to the west of Sunset Boulevard. The Draft EIR describes regulations and procedures pertinent to wildfire exposure, as well as discussion of the conditions that lead to the classification of the Project Site as within a VHFHSZ (see pages IV.J.1-1 through IV.J.1-2, IV.J.1-4 and 5, IV.J.1-8 and 9, IV.J.1-18, IV.J.1-20, IV.J.1-23, 24 and 25, and IV.J.1-31, 32, 33, and 34). As discussed on Page IV.J.1-33 of the Draft EIR, the Project would be required to comply with the Fire Code pertinent to response distance. The Project would incorporate a fully automatic Code-compliant fire alarm system with voice evacuation. The new communications panel would annunciate building fire alarm status to the existing onsite Command Center, consisting of a Watch Commander, MSMU Incident Commander, Patrol Officer, Main Gate Officer, and Community Relations Officer who provide security and emergency management to ensure personal safety of students, fire prevention, evacuation management, and other duties. Watch Commanders are responsible for conducting vehicle patrols both on Campus and in the immediate surrounding area, and responding to Campus emergencies as well as regular non-emergency calls for service. The 24-hour Command Center monitors MSMU's automatic fire/life/safety systems and receives emergency calls from within the Campus. In addition, the proposed Wellness Pavilion would include a complete hydraulically calculated automatic sprinkler system in accordance with the requirements of the National Fire Protection Association (NFPA). Please see pages A-3, A-5, and A-6 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

With respect to the commenter's concern about an evacuation of the Campus during a fire emergency, this would not occur because of the protocols in place with LAFD. Please refer to Topical Response No. 4 regarding emergency access and fire safety protocols for the Project and Alternative 5. Once buildings have been cleared and all individuals are congregated in the designated evacuation location, MSMU's policy is to follow the direction of LAFD based on the specific nature of the fire. LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is identified as a defensible and safe space by LAFD to be during a brush fire. Campus buildings feature fire-resistant materials such as stucco, concrete and tile roofs, with little exposed wood, and MSMU's brush clearance around the campus exceeds that required by LAFD. Also, the Project would provide an automatic sprinkler system. As discussed in the Draft EIR, the Wellness Pavilion would include a complete hydraulically calculated automatic sprinkler system consistent with the Fire Code and in accordance with the requirements of the National Fire Protection Services Association (NFPA). As explained in Topical Response No. 1, No. 4, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to the above-referenced fire safety measures. That, together with perimeter roads that serve as natural fire breaks, make MSMU a defensible space during a fire emergency. In the November, 2019 Getty Fire,

the adjacent Carondelet Center successfully sheltered in place during the entirety of the Getty Fire, and LAFD successfully defended the entire perimeter of the MSMU campus.

In instances when the Brentwood community is not being evacuated because a brush fire does not pose an immediate risk, and, accordingly, no emergency response vehicles are traveling up the roadways north of Sunset, MSMU may choose to evacuate the Campus due to air quality or other operational considerations (as it did with the December, 2017 Skirball Fire on the opposite side of the 405). MSMU evacuated the Campus in response to the Skirball Fire prior to a formal LAFD evacuation was issued, and as such, no vehicle conflicts were created in connection with that evacuation.

Both the early evacuation and shelter in place strategies ensure that MSMU does not increase the number of vehicles evacuating the Brentwood community at the same time on neighborhood streets. By evacuating well before emergency vehicles are traveling to the area, or sheltering in place, MSMU allows for clear roadways for emergency vehicles entering the area and the Campus.

As explained in Topical Response No. 1, No. 4, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 is identical to the Project with respect to fire safety measures. Also, please refer to Topical Response No. 4 regarding emergency access.

Regarding the comment's allegations of violations of permit conditions related to enrollment, please see Topical Response No. 6, which explains that compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

Comment CHATTEN-2 8

History of Fires near the Chalon Campus.

Brentwood north of Sunset Boulevard is an area of severe fire danger, as fires in the past have shown. Residents must share the same narrow evacuation routes of Bundy Drive, Norman Place, Saltair, and Chalon Road as all persons located at MSMU.

The 1961 Bel Air Fire.

On November 6, 1961, the infamous Bel Air Fire, fueled by strong Santa Ana winds, destroyed 484 homes, 21 other buildings and burned 16,090 acres in Bel Air and Brentwood. Thousands of people were forced to evacuate. The 405 freeway was newly constructed and thought to be a great manmade barrier, but embers from the massive flames jumped across it. The Los Angeles Fire Department called The Bel Air Brentwood Fire one of the worst fires in the history of Los Angeles. (See Los Angeles Fire Department Historical Archives, http://www.lafire.com/famous_fires/1961-1106_BelAirFire/1961-1106_LAFD-Report_BelAirFire.htm, see also The Los Angeles Fire Department-produced documentary film "Design For Disaster," <http://www.scp.org/news/2011/11/07/29756/50->

years-ago-today-bel-air-fire/.) In response to that tragedy, Los Angeles banned wood shingle roofs and adopted one of the most stringent brush clearance policies in the country.

The Chalon Campus suffered significant damage in the Bel Air Fire. One-fifth of the Campus and part of the Carondelet Center were destroyed. According to the Mount Archives Blog, "At one point, the Chalon Campus was almost completely surrounded by fire." (See "Fire on the Mountain," The Mount Archives history blog, July 5, 2011, Enclosure 2, emphasis added.) The possibility of the entire Campus going up in flames was so close to reality, the local evening news (wrongly) reported that the College had burned to the ground.



11-7-61

PACIFIC AIR PHOTOGRAPHS

The Bel Air Fire was not the first time the Chalon Campus faced fire danger. Two or three times in the past, "the College was in imminent danger of destruction by brush fire, going right back to the beginning in the 1930s." (Id., emphasis added.)

The Many Fires Threatening Brentwood over the Past 15 Years.

Thankfully, the Bel Air Fire was the only fire that caused significant damage to the Chalon Campus. Since then, however, the University (as well as the Carondelet Center) has been impacted by a number of area fires, some of which were so threatening that full

evacuations were required. That should not be a surprise because the threat of hillside brushfire has dramatically increased in recent years.

Just focusing on the past 15 years, there have been far too many warnings to ignore. On May 4, 2004, a fire broke out in the kitchen of the Carondelet Center. The residents were evacuated to neighboring Mount St. Mary's University. As reported in MSMU's magazine, "...the road to the College had been closed because of the fire engines and possible danger.... Father George O'Brien recalled wondering if there was a brush fire—not uncommon in the surrounding hills. " (See "Remarkable Service to Our Dear Neighbors," The Mount, Summer 2004, Enclosure 3, emphasis added.)

On July 9, 2009, a brush fire broke out above the Getty Center's parking facilities. Before it was contained, it quickly burned through 80 acres forcing the Getty Center and MSMU to evacuate: "College was not in session but 100 staff members were being evacuated along with 200 other people attending a conference... The school used Campus shuttles to take them out... " (See "L.A. Fire Forces Evacuation of Getty Center, Mount St. Mary's College," Fox News, <http://www.foxnews.com/story/2009/07/09/1a-fireforces-evacuation-getty-center-mount-st-mary-college.html>, emphasis added.)

On September 4, 2010, a small fire scorched 10 acres of brush on the east side of the 1-405 freeway at Getty Center Drive. The next day, the fire reignited brush along the freeway, forcing firefighters to get back on the hillside and closing one lane of the freeway over the Sepulveda Pass. A city fire dispatcher reported that firefighters had remained on site all night in case of just such a flare-up: "We're baby sitting this whole thing. We always have flare ups." (See "Bel Air Brush Fire Flares Up Again Next To 405 Freeway," Beverly Hills Courier, <http://bhcourier.com/bel-air-brush-fire-flares-up-againnext-to-405-freeway/>, emphasis added.)

On Friday afternoon, September 14, 2012, fire erupted in the Sepulveda Pass near the Getty Center burning for two days and destroying 70 acres, the largest fire in the area since the Bel Air fire. The Getty Center and the University voluntarily evacuated using Chalon Road because of the location and direction of the fire: "A fast-moving, rapidly growing brush fire along the Sepulveda Pass was causing students and staff to evacuate Friday afternoon from Mount St. Mary's College near the Getty Center." (See "Sepulveda brush fire: Mount St. Mary's College evacuating," LA Times blog, <http://latimesblogs.latimes.com/lanow/2012/09/sepulveda-brush-fire.html>.)

The September 2012 evacuation clearly illustrates the risk to all area residents. Chalon Road connects the Getty Center with Mount St. Mary's University at the top of Norman Place. Hundreds of vehicles exiting from both Campuses poured onto the narrow and winding hillside streets of Chalon Road, Norman Place and Bundy Drive. As Ellen King, a former Norman Place resident recalls, the resulting gridlock left local residents blocked and stuck in their driveways and unable to evacuate: "We residents were left alone twiddling our thumbs. Once MSM was gone so were the [fire] trucks." (See Ellen King email, April 17, 2017, Enclosure 4, emphasis added.)

That terrifying experience should be a lesson learned—and not forgotten as the University now seeks to expand its Chalon Campus. And that lesson was reinforced again on September 16, 2014, when a brush fire ignited in the 1200 block of Getty Center Drive in the Sepulveda Pass, burning 80 acres and forcing the Getty Center to evacuate. More than 200 firefighters battled the flames as Getty visitors and staff were evacuated.

By 2017, it was clear we had entered a new era in fire danger—as evidenced by the many recent threats in the immediate area, in the region, and across the state. On May 28, 2017, an accidental blaze sparked by brush clearance workers in Mandeville Canyon, approximately 1.5 mile from the Chalon Campus, was declared a "major emergency." The fire charred 55 acres, forced evacuations, and took three days to attain full containment. (See "Mandeville Canyon 'major emergency' fire near Getty Center 95 percent contained," Daily News, <https://www.dailynews.com/2017/05/29/mandevillecanyon-major-emergency-fire-near-getty-center-95-percent-contained/>.)

Then on December 6, 2017, the Skirball Fire struck—the most damaging fire in the area since the 1961 Bel Air Fire. The blaze began as a brush fire near the 1-405 and Skirball Center Drive. It burned for 10 days, scorched 422 acres, injured three fire fighters, destroyed 6 and damaged 12 structures, closed schools and cultural facilities, caused multiple evacuations and shut down the 1-405 freeway and Sepulveda Boulevard. Evacuation orders covered a 3.2 mile range and many neighboring residents evacuated, while others were on mandatory evacuation watch for three days. Mount St. Mary's transported its students to its Doheny Campus.

Had the winds been blowing westward—as during the Bel Air fire and is typical during wind-driven fire events—the Skirball Fire could have easily crossed the 405 to threaten the Chalon Campus. Luckily, the winds chose another route and heroic firefighters managed to tame it before they changed course. Reasonable public safety decisions, however, cannot be based on the hope that favorable wind conditions will spare the area when the next brushfire erupts.

Realities of Living in a Very High Fire Hazard Severity Zone.

Just eight months before the Skirball Fire, a neighbor living within 500 feet of the Chalon Campus received a notice of non-renewal for fire coverage. It read, *"The property listed above poses an unacceptable risk for wildfire."* (See Liberty Mutual Insurance letter, April 15, 2017, Enclosure 5, emphasis added.) The insurer listed the conditions justifying denial of coverage: *"close proximity to native and/or non-native flammable vegetation, wind patterns relative to fire fuel during typical wildfire season, and poor road accessibility for firefighting/emergency response equipment."*



Following the Skirball fire, experts opined that the state has seen its most destructive year of wildfires in its history: *"Researchers warn that **2017 is a sign of what's to come...** The study concluded that property loss was most likely in neighborhoods with low to intermediate densities and in areas with a history of frequent fire" such as Mount St. Mary's. (See "After California's most destructive fire season, a debate over where to rebuild homes," LA Times, <http://www.latimes.com/local/lanow/lame-ln-rebuilding-in-hazard-zones-20171216-story.html>.)*

Experts and elected officials weighed in on the realities of living in areas prone to wildfire. The majority of California's 10 largest wildfires have occurred in the last decade. California Governor Jerry Brown described the ongoing blazes as *"**the new normal.**"* (See "How much did climate change affect California's wildfires? Depends on where you are." Vox, <https://www.vox.com/energy-andenvironment/2017/12/12/16762120/los-angeles-california-fire-climate-change>.) According to Joe Edmiston, Executive Director of the Santa Monica Mountains Conservancy, *"Southern California has moved into a climate regime resulting in all-year wildfire danger."*

The dire combination of high fire danger and substandard hillside streets leading to and from the Chalon Campus, create a dangerous situation not only for the University's constituents, but also for many neighboring families along the evacuation route. With the history of fires in this Very High Fire Hazard Severity Zone, the increased risk due to climate change, and the substandard hillside streets that must be used in any evacuation,

more students, more events, large buses and shuttles, and more traffic has been a recipe for disaster.

Response to Comment CHATTEN-2 8

The comment provides a history of the wildfires that have occurred in the area and expresses concern over danger of wildfires in the general area of the Project site, but does not raise any issues with respect to the content and adequacy of the Draft EIR. It is included here as part of the administrative record for the consideration of Project decision-makers.

Please note that Topical Response No. 4, Emergency Access, provides a comprehensive discussion of fire-related issues and MSMU's Emergency Response Plan. In the aftermath of many of the fires discussed in the above response, LAFD has determined that MSMU should shelter in place in connection with a fire emergency, and MSMU is in regular contact with LAFD about protocols to be implemented during a wildfire.

Further, if an evacuation order is issued by LAFD, a timeframe for evacuation would be provided and once that timeframe has passed all occupants of the Campus would be required to shelter in place. As with activities anywhere on Campus, activities at the Wellness Pavilion would be canceled if an evacuation order is issued prior to an event, whether preemptive by MSMU or ordered by the LAFD for the Brentwood community. The need to cancel or postpone Wellness Pavilion events would be evaluated on a case-by-case basis in consultation with MSMU Incident Commanders and/or on information provided by the LAFD/LAPD Unified Command Post. As such, there would be no traffic associated with the Project or Alternative 5 during announced evacuation or shelter in place periods. It should also be noted that the Project nor Alternative 5 does not seek to increase student enrollment and Alternative 5 will result in a reduction of total vehicle trips to the Campus. Specifically, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

The commenter refers to the "expansion" of the Campus. It should be noted that the Project would not expand the physical Campus site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

Also see Response to Comment CHATTEN-2 7 regarding the fire safety measures proposed with Alternative 5.

Comment CHATTEN- 2 9

History of Chalon Campus Entitlements.

1930-1983: Promises Made.

Mount St. Mary's University was established as a College in 1925 and became a University in 2015. At its inception, the institution was housed at St. Mary's Academy at Slauson and Crenshaw in Los Angeles. In 1928, the University purchased a property consisting of about 33 acres of land from the Los Angeles Mountain Park Company located in the Santa Monica Mountains (Brentwood), which became the site for the future Chalon Campus. The Chalon Campus opened in 1930 and in 1962, the University also opened another location, known as the Doheny Campus, located just south of downtown Los Angeles.

In the 1920's, the area surrounding the Chalon Campus was blanketed with an "A" zoning designation, which qualified as residential area and permitted only single-family homes. On October 20, 1928, Mount St. Mary's applied to the City of Los Angeles for a permit to establish a college for girls on the subject property. The "Application For Special Permit" stated that *"Property is now included within Zone A, which does not permit schools. Said change will not be materially detrimental to public welfare because of its use as an educational institution of the highest order."* (See Application For Special Permit, October 20, 1928, Enclosure 6, emphasis added.) Later that year, during a public hearing, in front of the City Planning Commission, a representative of the University stated, *"they will have between 150 and 200 students and the maximum number will be 500, about 75 of the students will be resident and 75 will be day pupils."* This statement was confirmed by one of the Commissioners *"it is the intention to have a minimum of 150 students and a maximum of 500 students."* (See Planning Commission Hearing transcript, 1928, Enclosure 7, emphasis added.)

On December 5, 1928, the City Council denied a report and recommendation from the Planning Commission, under Case No. 3066, that recommended that the property purchased by the College be classified in the "B" zone, thereby permitting the establishment of Mount St. Mary's College by right. Instead, the City Council partially adopted a report from the City Planning Committee, which stated that *"...in view of the special circumstances that attach to the property and in order to protect the adjoining property to the fullest extent, that the action of said Board (i.e., Board of City Planning Commissioners) in recommending that the property be placed in the "B" zone be not concurred in and that the City Attorney be instructed to prepare an ordinance under the terms of Section 4 of the Zoning Ordinance, allowing the establishment of said college on the property therein described..."* subject to the following condition - ***"That the plans for the buildings and the location of same be approved by this Council prior to the issuance of building permit."*** (See Zone Variance approval, December 5, 1928, Enclosure 8, emphasis added.)

On January 4, 1929, the City Council approved Ordinance No. 62642, granting an exception (i.e., variance) from the provisions of an earlier Ordinance, No. 42,666 that became effective on October 21, 1921. (See Ordinance No. 62642, January 4, 1929, Enclosure 9, emphasis added.) Ordinance No. 42,666 (New Series) passed by the Los Angeles City Council, provided for the creation of five zones in the City of Los Angeles ("A", "B", "C", "D" and "E"), with the subject property placed in "A" zone by the adoption of Ordinance No. 58283 which became effective on September 2, 1927. As mentioned previously, Zone "A" only permitted single family dwellings by right. This zone variance was granted ***"...but only so far as such exception is necessary to establish a college on that certain property..."*** (Id., emphasis added.)

In accordance with the condition of Ordinance No. 62642, which required that the City Council must approve any plans for new buildings, on December 22, 1939, a permit or a Faculty Building was approved. (See Faculty Building approval, December 22, 1939, Enclosure 10, emphasis added.) In 1944, the University concluded the purchase of an additional 17 acres of land, adjoining the Campus to the north. (See Application For Conditional Use, March 14, 1952, Enclosure 11 and Mary Germaine McNeil, "History of Mount St. Mary's College, Los Angeles, California: 1925-1975, Enclosure 12, p. 63.)

On June 1, 1946, under Ordinance 90,500 for the City of Los Angeles, the Comprehensive Zoning Plan became effective (see Los Angeles Zoning Code, 1946, Enclosure 13) and the property occupied by Mount St. Mary's College was classified under R1 One-Family Zone, subsequently changed to the RE40-1-H "low density residential" Zone in 1982. (See Zone Change Recommendation Report, May 10, 1982, Enclosure 14.)

In addition, Ordinance No. 90,500 placed "Educational Institutions" under the authority of the Planning Commission as a Conditional Use. (See Los Angeles Zoning Code, 1946, Enclosure 13, p. 49.) Section 12.24 B.9 of this Ordinance states that *"Any of the ... uses existing at the time this Section (i.e. Section 12.24) became effective, shall be deemed to have been approved by the Commission and nothing in this Section shall be construed to prevent the enlargement of existing buildings for such uses if all other regulations of this Article are complied with, including the conditions of any special district ordinance, exception or variance heretofore granting authorizing said use."* (Id., emphasis added.)

Additionally, under the newly adopted Zoning Code, Section 12.24.A.1, conditional uses for Educational Institutions required a mandatory public hearing: *"Uses for which at least one public hearing shall be held include: airports or aircraft landing fields; cemeteries; educational institutions; and golf courses (except driving tees or ranges, miniature courses and similar uses operated for commercial purposes)."* (Id., emphasis added.)

In 1949, MSM built a swimming pool, bathhouse and tennis courts on the 17-acre lot. It was not until 1952, however, that the University applied for a conditional use for those structures and uses already existing. In its application, the University wrote, *"Inadvertently Parcel A was used for swimming pool, bathhouse, and tennis courts, as we did not realize at the time that it was not included in the original application for zoning. This was brought*

to our attention recently when a building permit was being taken out for a proposed building." (See Application for Conditional Use, March 14, 1952, Enclosure 11, emphasis added.)

On May 23, 1952, the City Council, under Case No. 4072, Conditional Use for expansion, approved plans to allow the addition of 17 acres of new land to the existing College site for future expansion and the construction of athletic facilities. (See City Plan Case 4072-CU, May 23, 1952, Enclosure 15.) Condition No. 3 states ***"This grant shall only apply to school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious educational activities."*** (Id., emphasis added.)

An exhibit to the 1952 Plot Plan contains a list of 161 then-existing parking spaces required for the buildings on the Chalon Campus at that time. (See Plot Plan, Exhibit A, 1952, Enclosure 16.) City records also show that additional buildings were constructed between 1952 and 1984: two Facilities Management Buildings (1952 and 1964), Carondelet Hall (1958), William H. Harmon Theater and Humanities Building (1965), Jose Drudis-Biada Art Gallery and the Fine Arts Building (1974) and Yates, Aldworth and Burns Houses (1984.)

On March 5, 1964, the City approved a plot plan for a new Arts and Humanities building as a replacement for the old Arts Building, which was destroyed by fire in 1961. The report stated, *"The parking requirements for the Science Building, the Humanities Building, the Chapel and the Residence Hall, were found to be 161 spaces. As shown on Exhibit '24-1,' the school will be able to accommodate 201 cars, including the new proposed parking area."* (See Approval of Plot Plan Report, March 5, 1964, Enclosure 17, emphasis added.) It is important to note that the report also addressed enrollment: *"This new building is not intended to house any additional students but to accommodate the existing enrollment."*

In 1979, the City Planning Commission approved a plan for four temporary housing units, to be located on an existing parking area behind the tennis courts. (See City Planning Commission Approved Plan, August 29, 1979, Enclosure 18.)

1984: More Promises Made for a Modest Expansion of Facilities— Expressly Disavowing Any Increase in Enrollment.

On January 26, 1984, the City Planning Commission approved plans for the construction of a Faculty Residence Hall facility. Condition No. 1 stated, *"There shall be no increase in student enrollment beyond 750 students, until a parking structure is constructed at the southern end of the Campus. In lieu of this, when an increase in enrollment beyond 750 students is contemplated, the college may apply to the City Planning Commission for a review of the adequacy of existing and any proposed on Campus surface parking."* Staff Report Comments noted *"The new residence hall is therefore being built to increase the number of students living on-Campus, **not to increase enrollment.**"* (See City Plan Case 4072-CU, January 26, 1984, Enclosure 19, emphasis added.)

The Staff Report also stated, *"It should also be noted that, at the southern end of the Campus, there is a proposed future parking structure. While no new parking is needed at the present time, future changes in enrollment could create a demand for more parking."* (Id. emphasis added.)

Further, the Staff Report concluded, *"That staff has recommended that any future expansions of enrollment be predicated upon the construction of the future parking structure at the southern end of the Campus. While it is true, as the applicant has noted, that the proposed faculty residence hall contemplates a net addition of 10 parking spaces on-Campus, with no increase in student enrollment, there would be no inherent control in this approval to insure that enrollment would not grow in an ad hoc fashion, apart from the condition relating future increases to the proposed parking structure."* (Id., emphasis added.)

On March 26, 1984, The Blurock Partnership, an architectural firm representing Mount St. Mary's University, sent a letter to the Los Angeles Planning Department notifying the City that *"[a]t this time, the Mt. St. Mary's College would like to begin construction of this proposed parking structure."* The letter further suggested, *"If the current ratio of students to parking available is used, the enrollment on Campus **could increase to 1037** from 750 with the additional 188 spaces (244-56 existing)."* (See The Blurock Partnership letter, March 26, 1984, Enclosure 20, emphasis added.)

In the process of reviewing the application for the proposed parking structure, on April 18, 1984 the City Planning Department issued a Mitigated Negative Declaration (MND.). The Project description in the MND included no increase in enrollment, describing the Project as, *"Conditional Use for a 4-story, 80,000 sq. ft. parking structure for 244 cars located on the Mount St. Mary's College Campus on 45.5 net acres, zoned RE40-1-H"* The MND *"concluded that no significant impacts are apparent which might result from this Project's implementation. This action is based on the Project description."* (See MND, April 18, 1984, Enclosure 21, emphasis added.)

The Mitigated Negative Declaration was further supported by an Initial Study Traffic Analysis, signed by the Los Angeles Department of Transportation (LADOT). The LADOT Analysis concluded *"Impact of Traffic Generation: Not Significant. **Provided that no enrollment increase is allowed.**"* (See LADOT Initial Study Traffic Analysis, April 4, 1984, Enclosure 22, emphasis added.)

On July 12, 1984, the City Planning Commission conditionally approved plans for a multi-level parking structure on the University's site with 244 parking spaces, which later was amended to allow 268 spaces. Bob Rogers, Senior City Planner, signed the Staff Recommendation Report. Amongst the various conditions imposed, Condition No. 3 stated, *"That the ratio of parking to students shall not be less than 1/4 parking spaces for each student enrolled at Mount St. Mary's College."* (See City Plan Case 4072-CU, July 12, 1984, Enclosure 23, emphasis added.)

Based on the Project description in the Initial Study Traffic Analysis and MND and as recommended by City staff in the January 1984 CUP, the condition related only to *“future increases to the proposed parking structure.”* It did not permit an enrollment increase, which would have required an additional environmental review and traffic analysis, disclosure of potential significant impacts, and mitigation measures under CEQA.

This is further evidenced by the July 27, 1984 letter from the City Planning Commission to the University: *“Please be advised that the City Planning Commission on July 12, 1984 conditionally approved **the plans for a multi-level parking structure** on the Mount St. Mary’s College site ...Condition No. 4 revised to permit 268 spaces.”* (See City Plan Case 4072-CU, July 27, 1984 Enclosure 23, p. 1, emphasis added.)

1984-1995: Promises Broken.

Despite the validly and prudently imposed conditions on the Chalon Campus, the University has continuously—and illegally—acted without the requisite permission to increase its enrollment, expand the number of special events, and even going so far as renting-out Campus facilities for large revenue-generating events. Similarly, illegal was the University's unilateral decision to expand its programming by offering evening and weekend classes, thereby operating seven days a week from early morning to late evening, without requesting the requisite approval.

The very substantial intensification of use has negatively and significantly impacted the surrounding residential community's quality of life.

Accordingly, in 1995, the Brentwood Homeowners Association (BHA) and a group of neighbors who were most immediately affected by the University's operations (the Bundy/Norman Place Committee “BNPC”), filed a request with the City to initiate a formal revocation of the University's conditional use authority. The BHA/BNPC letter was written by James J. Crisp, a former City of Los Angeles Associate Zoning Administrator. The request was based on the provisions of Section 12.24-J of the Los Angeles Municipal Code and by evidence of long-term and ongoing commercial use, significant traffic and noise, endangering public safety and other impacts created by the University's illegal intensification of use. (See James J. Crisp letter, August 29, 1995, Enclosure 24.)

The BNPC letter referred to the renting and leasing of the Campus facilities for outside events and stated, *“use of the site for commercial use stands in direct violation of past and current provisions of the Los Angeles Municipal Code and there is no indication that any effort to reduce or eliminate these activities is being voluntarily undertaken at the present time. To the contrary, these commercial activities have been consistently promoted and expanded.”* (Id., p. 6, emphasis added.)

The letter also raised the issue of enrollment not being in compliance with the 1984 CUP for parking structure *“Potentially and knowingly violating the Conditions of Operation imposed under a Plan Approval dated July 12, 1984 which limited parking on the site to*

268 automobile parking spaces and enrollment to a maximum of 1072 students." (Id., p. 7, emphasis added.)

The impacted neighbors further complained about the lack of response and cooperation from the University in addressing the serious concerns: *"Records and information received from the "BHA" and "BNPC" indicate that individuals and groups from the community have consistently tried to reach some degree of compromise or problem recognition from college representatives since at least 1989. All efforts have failed with the college representatives taking no initiative to resolve concerns or mitigate potential and real problems. Therefore, revocation is both needed and necessary with no other form or reasonable dialogue or solution available or acceptable to the parties involved."* (Id., p. 6, emphasis added.) Upon receiving this request for revocation of MSM's conditional use permit, the City initiated an investigation that was led by Bob Rogers, Principal City Planner.

During the time the City was reviewing the case, the neighbors and the Brentwood Homeowners Association submitted an additional letter with the results of a very comprehensive Traffic Impact Analysis that was commissioned by the Association. The letter stated, *"Both BNPC and BHA believe the results are highly pertinent to your and the City's determination regarding the previously submitted request for revocation of the CUP of Mount St. Mary's College and, further, buttress our contentions, made so often over the years, that the College, in conjunction with the Carondelet Center, are the source of traffic volumes far in excess of what the canyon can bear ... The results were impressive (or appalling, depending on your point of view!). **Between 2,500 and 2,700 vehicle trips through the canyon take place on weekdays as a result of the College and Center's operations.** Even on an unremarkable Saturday or Sunday, 1,700 vehicles pour through the neighborhood each day. The volumes mean residents must put up with, on average, one car going by each and every minute of every waking hour and, for many of those hours, well over two cars per minute."* (See BHA letter, November 2, 1995, Enclosure 25, p. 1, emphasis added.)

The University formally responded to the various complaints raised by impacted neighbors: *"With regard to rentals, the College rents its facilities, mainly in the summer months, to **selected outside groups** which have educational purposes. The sole rentals **not strictly for educational uses** are for weddings and receptions held in our chapel."* (See MSMC letter, November 7, 1995, Enclosure 26, p. 2, emphasis added.)

MSM also addressed the enrollment issues: *"The total enrollment of the College was 1,935 students in the fall of 1994, but students attended different programs split between the two Campuses. On the Chalon Campus, the College **enrolled 790 students** in the weekday B.A. program, 744 of whom were full time. Our Weekend College program enrolled an average of **235 students** for the 1994-1995 academic year. The remaining students were enrolled at our Doheny Campus... I was concerned that the analysis appears to have been completed using an incorrect enrollment figure. As I noted above,*

the actual enrollment at the Chalon Campus is considerably lower than that of the entire College." (Id., pp. 1-2, emphasis added.)

Upon completion of the investigation, Bob Rogers submitted a report to the Councilmember with a recommendation and a conclusion: *"Based on my research, there is insufficient evidence to support the initiation of a revocation action. However, **it is recommended that the school meet with the residents to try and resolve long simmering traffic issues.** Should additional evidence be submitted regarding uses not permitted by the conditional use grants or excessive traffic, this office will give further consideration to initiation of revocation proceedings."* (See Bob Rogers report, January 25, 1996, Enclosure 27, p. 2, emphasis added.)

Bob Rogers also commented on the enrollment issue: *"In 1984 ... The Commission did not specifically limit enrollment in its approval, but in approving the plans for the parking structure, they imposed a condition requiring 1/4 parking space per student. **In a Plan Approval, dated July 12, 1984, enrollment was limited to 1,072, based on 268 parking space.**"* (Id., p. 4, emphasis added.) It is important to note that Bob Rogers was the same Senior City Planner who signed the Staff Recommendation Report for that approval in 1984, which included the enrollment limit.

Within a few months following the Rogers Report, the issues raised by the impacted neighbors continued and they were forced once again to return to the City to ask for help, *"The neighbors sent another letter to Braude in June 1996, stating that their concerns were not fully addressed by Rogers. They asked for a hearing on behalf of surrounding neighbors."* (See "Neighborhood Concerns Over Traffic to Chalon Causes Formation of a New Committee," The Oracle, December 1996, Enclosure 28, emphasis added.) As a result, a special group was formed (called the "Town and Gown" committee) to address the concerns of the community and *"to find cooperative solutions to problems."* The committee was made up of the most impacted neighbors, BHA, MSMU and Council office representatives.

Through the "Town and Gown" committee, the University was forced to address and to attempt to mitigate the significant traffic impacts to the neighboring community. One of the proposed solutions, was an agreement between MSMU and the BHA, to establish a bi-directional traffic "loop," whereby all vehicles were required to travel up Bundy Drive to Norman Place to access the Campus and down Chalon Road to South Bundy to exit the Campus. This traffic-flow pattern was intended to disperse traffic impacts, so that residents living along Norman Place and Bundy Drive would be impacted equally by the University's traffic. MSMU's self-imposed measures, including the "loop," all failed.

Response to Comment CHATTEN-2 9

This comment concerns the status of MSMU's previously-granted entitlements for ongoing campus activities and does not relate to the adequacy of the Draft EIR under CEQA. As explained in Topical Response No. 2, MSMU's past operations, student

enrollment, and compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁴¹ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

Comment CHATTEN-2 10

Mount St. Mary's University Draft EIR Circulated in April, 2018.

In August 2016, Mount St. Mary's held a Public Scoping Meeting announcing plans for the expansion of its Chalon Campus. According to the Draft EIR (ENV-2016- 2319-EIR) circulated in April 2018, "The current fitness facilities are not adequate for the existing number of students on Campus; the proposed Wellness Pavilion would offer fitness programming that would be able to serve the existing student body."

The University's "need" is based on a self-imposed hardship.

The University proposes to demolish its existing 1,030 square foot Fitness Center, including tennis courts, swimming pool and several surface parking lots containing a total of 226 parking spaces approved in 1952 and replace it with a 38,000 square foot, 2-story Wellness Pavilion, which will have a recreation and practice gym, multi-purpose rooms, exercise rooms, physical therapy lab, dance and cycling studios, offices and support space, tennis courts, outdoor pool area and 281 parking spaces.

The document goes on to say that the University intends to rent its Wellness Pavilion for events that will draw 50 to 450 attendees from outside the Campus. As conceded in the Draft EIR, "Events hosted on the Campus throughout the year draw visitors beyond the student body, staff and faculty already on Campus."

The proposed use is not permitted by the applicable CUP, nor is it a deemed approved use. In 1952, when the City approved plans for the addition of these 17 acres of new land to the existing College site for future expansion and the construction of athletic facilities, it was under the condition that ***"[t]his grant shall only apply to school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious educational activities."*** (See City Plan Case 4072- CU, May 23, 1952, Enclosure 15, emphasis added.) Renting or leasing Campus facilities for outside or revenue-generating events is not a "school use" and is therefore not permitted under the terms of the CUP—nor can it be treated as a deemed approved use because the CUP is expressly limited to school uses within the residential zone.

⁴¹ See CEQA Guidelines § 15125(a)

The University makes the circular argument that the proposed fitness facility with increased capacity and intensified uses is necessary to serve (1) the current student enrollment—despite the fact that the current enrollment is *substantially greater* than the enrollment cap previously approved by the City, and (2) the substantial expansion of special events necessitated by the illegal enrollment expansion. Thus, the asserted "need" is nothing more than a self-imposed hardship that can be remedied by compliance with existing enrollment limitations. As courts have made clear, that type of self-imposed hardship is not a proper basis for granting special privileges or deviations from applicable zoning requirements. (City of San Marino v. Roman Catholic Archbishop (1960) 180 Cal.App.2d 657, 673; Broadway, Laguna, Vallejo Ass'n v. Board of Permit Appeals of City and County of San Francisco (1967) 66 Ca1.2d 767, 778.)

The Draft EIR also fails to recognize the Project would significantly increase enrollment.

The Draft EIR's Project Description is fundamentally flawed because it fails to recognize that the Project would result in a substantial increase in student enrollment to 2,244 students. The Draft EIR incorrectly states that the Project would not increase enrollment on the Campus, nor would it create any need for a future increase in the maximum enrollment.

The Draft EIR fails to recognize that the City has only approved enrollment for 750 students. To avoid that inconvenient fact, the University relies on a 1984 CUP that has been improperly construed as authorizing an increase in enrollment. The Draft EIR states that "condition number three of City Plan Case No.4072-CU dated July 27, 1984 provides as follows: 'That the ratio of parking to students shall not be less than 1/4 parking spaces for each student enrolled at Mount St. Mary's College.' The Campus currently provides 561 spaces, which results in a maximum enrollment for 2,244 students (561 x 4 = 2,244)." (Draft EIR, *Project Description*, 11-12.) Enrollment of 2,244 would be a 200% increase over the 750 enrollment permitted in January 1984.

However, according to Allyn Rifkin, the City's Transportation Bureau Chief at the time the 1984 CUP was approved, there was no request for an enrollment increase in 1984 and, if there had been, further environmental review would have been mandated under CEQA: "From the Project description it is clear that the request was to build a parking structure and *not for an enrollment increase*. That is how the City should have processed the entitlement. If the City instead permitted an increase of enrollment to 1,072 students (a 43% increase without additional traffic analysis and new environmental review), that would have been a *critical error*." As Mr Rifkin explains, the July 1984 CUP was approved based on an initial transportation study that was found sufficient by LADOT for purposes of environmental review "provided that *no enrollment increase* is allowed." Thus, the 1984 CUP did not authorize an increase to the then existing 750 student enrollment cap.

As Mr. Rifkin also explains, the Draft EIR contains an even more extreme error, relied upon by the University in claiming that the 1984 CUP increased the enrollment cap to 2,244—even though (1) no enrollment increase was sought and (2) the traffic review was

conditioned on the assumption that no increase from the 750 student cap would be granted. The Draft EIR's erroneous assumption that the 1984 CUP implicitly increases the 750-student enrollment cap to 2,244 is based on a gross misreading of the 1984 CUP: "The current MSMU Draft EIR includes a misleading assumption which asserts that the ratio of 1 to 4 parking spaces to students applies to all of the parking on Campus...If the permit was to provide for increased student enrollment, LADOT would have required further assessment of the added vehicle trips to determine the need for a Traffic Impact Analysis and ultimate assessment of traffic impacts." (See Allyn Rifkin report, Enclosure 1, p. 1, emphasis added.)

Indeed, the University's theory is absurd. One would have to assume that the City would allow every single parking space on Campus to park four students and leave no parking for any other use, including for all of its buildings: Mary Chapel, Rossiter Hall, St. Joseph Administration and Saver Science Center, William H. Hannon Theater, Humanities Building, Jose Drudis-Biada Art Gallery (open to the public) and the Fine Arts Building, the Charles Willard Coe Memorial Library, Carondelet Hall, Brady Hall, Facilities Management Buildings, Fitness Center, Yates, Aldworth and Burns Houses, pool, tennis courts, or to park its 176 staff and 273 faculty members, Doheny students attending Chalon classes, guests, deliveries, etcetera.

Despite the lack of any City approval for an enrollment increase, the University is already far in excess of the 750-approved enrollment. According to the Draft EIR, total enrollment at the Chalon Campus in 2016 reached 1,498 (down from 1,561 in 2015). The maximum number of students living on Campus is 470. MSMU employs 176 staff members (administration, maintenance, executive, etc.), 63 full-time and 210 part-time faculty teach at the Campus, 42 external and internal events with outside visitors. (Draft EIR, *Project Description*, 11-12 —11-13.) These numbers exceed by far anything ever contemplated by the City in any of its approvals.

It is clear that the Project Description in the Draft EIR is flawed in that it claims a deemed approved enrollment of 2,244 students and a deemed approved right to lease or rent its facilities to outside uses. The Draft EIR must be held in abeyance to allow the Campus to begin to operate legally so the community and experts can assess the actual impact of the legally operating enrollment numbers and events that are associated with the University's mission as required by its current entitlements.

Response to Comment CHATTEN-2 10

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

The comment refers to the Public Scoping Meeting at which MSMU allegedly announced an "expansion" of the Campus. This is not accurate. It should be noted that the Project

would not expand the physical Campus site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter asserts that the renting or leasing of Campus facilities is not a “school” use under the LAMC, but provides no substantial evidence in support of this assertion. MSMU’s current and proposed activities are consistent with the operation of an educational institution in conformance with the State Educational Code. Furthermore, Campus filming and other existing uses of the Campus by third parties are not the subject of the Project or Alternative 5. Please refer to Topical Responses No. 2, Scope of the Project, and Topical Response No. 6, University Entitlement History and Enrollment Cap. The commenter has not provided any substantial evidence indicating that MSMU is not a school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious activities. Moreover, the condition cited by the commenter does not indicate that MSMU cannot rent its facilities. Many, if not most, educational and religious institutions rent their facilities for temporary events and/or uses such as filming.

As explained in Topical Response No. 2, MSMU’s existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA.⁴² Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

Finally, the commenter notes that the Draft EIR states that “condition number three of City Plan Case No.4072-CU dated July 27, 1984 provides as follows: ‘That the ratio of parking to students shall not be less than 1/4 parking spaces for each student enrolled at Mount St. Mary’s College.’ The Campus currently provides 561 spaces, which results in a maximum enrollment for 2,244 students (561 x 4 = 2,244).” (Draft EIR, *Project Description*, 11-12.) This text has been deleted by this Final EIR and the deletion from the Draft EIR is shown in Chapter III, *Revisions, Clarifications, and Corrections*, Subsection 4 of this Final EIR. Any discussion of student enrollment is not germane to

⁴² See CEQA Guidelines § 15125(a)

the Project or Alternative 5, and is therefore being deleted in its entirety to clarify this point.

Comment CHATTEN-2 11

INTENSIFICATION OF USE

As described above, enrollment increases and Campus facility expansions have contributed to substantially intensified use of the Chalon Campus. Making the adverse effect of these changes more pronounced is the fact that the University has also increased its commercial and non-educational activities over time.

Unpermitted Increases in Enrollment.

After Mount St. Mary's University was established as a "small college for girls" in 1925, the institution's leaders chose to relocate its Campus from downtown Los Angeles to a residentially zoned hillside area in the Santa Monica Mountains in a wildfire zone. During a 1928 public hearing, in front of the City Planning Commission, a representative of the University stated that *"they will have between 150 and 200 students and the **maximum number will be 500**, about 75 of the students will be resident and 75 will be day pupils."* (See Planning Commission Hearing transcript, 1928, Enclosure 7, emphasis added.) This statement was further confirmed by one of the Commissioners: *"it is the intention to have a minimum of 150 students and a maximum of 500 students."*

However, City decision-makers were concerned about the impact of an educational institution on the neighboring residential area and stated that *"...in view of the special circumstances that attach to the property and in **order to protect the adjoining property to the fullest extent...**"* the requested zone variance should be subject to a condition requiring ongoing planning review: *"That the plans for the buildings and the location of same be approved by this Council prior to issuance of building permit."* (See Zone Variance approval, December 5, 1928, Enclosure 8, emphasis added.)

The first building on Chalon Campus was built out by 1931 as *"...13 resident students, and 45 commuter students became well situated within the Campus. As the number of students gradually increased, so did the desire to structurally expand the college."* (See "Mount Celebrates 55th Year," The View, 1955, Enclosure 29, emphasis added.) By 1950, MSMU has grown, *"...from one room at St. Mary's Academy with an enrollment of 25 students, to a group of 5 buildings in the Brentwood Hills with a student body of 561."* (See "Quarter Century Notes Changes—One to Five," The View, October 12, 1950, Enclosure 30, emphasis added.)

In the span of 25 years, the University's curriculum expanded from music, languages, history and art to include elementary teaching, pre-nursing, home economics, secondary teaching, social welfare, cancer research, physical education, drama and a four-year nursing program. (See "New Mount Departments Reflect Changing College Curriculum," The View, October 12, 1950, Enclosure 31.) In 1957, the University opened its second

Campus, downtown Los Angeles, which later became known as the Doheny Campus and started offering a variety of programs and degrees. In the spring of 1980, the University began offering evening classes on its Chalon Campus.

In the years following the addition of the Evening College, the University continued to increase enrollment at both Campuses and expanded its curriculum by a multitude of programs. By academic year 1982-83, *"Enrollment at Mount St. Mary's ...totaled 1,099 in the spring and increased to 1,252 in September 1983."* (See "Mount St. Mary's at a Glance," MSMC Magazine, Fiscal Year 1983, Enclosure 32, emphasis added.) The MSMC Magazine also reported that, *"In May 1983, the College awarded 80 Associate in Arts degrees, 191 baccalaureate degrees, and 69 graduate degrees and teaching credentials."*

In addition to tuition revenue, MSMU relies on other funding sources, such as private gifts and grants. The University is a member of the Independent Colleges of Southern California (ICSC). According to Wikipedia, the ICSC is *"an association that secures 'money and other resources' for its seventeen member institutions."* (See https://en.wikipedia.org/wiki/Category:Independent_Colleges_of_Southern_California.) *"As you know, the ICSC fund supports 15 local liberal arts colleges and universities through contributions from the business community. **The size of the gift allocated to an individual college is related to the size of the enrollment.**"* (See "How to Read Mount St. Mary's Development Report," MSMC Magazine, Winter 1983, Enclosure 33, emphasis added.) In other words, MSMU has a vested financial interest in expanding enrollment, regardless of the resulting impacts to the surrounding community.

It became evident the continuous increase in enrollment exceeded the physical capacity of capital improvements on the Chalon Campus and in 1984, the City granted two approvals to expand the University's facilities: (1) residence hall with a one-story garage and (2) multi-level parking structure. The January 1984 CUP for a residence hall stated, *"The College, for the past five years, has maintained a constant enrollment of between 700 and 750 students... The new residence hall is therefore being built to increase the number of students living on-Campus, not to increase enrollment."* (See City Plan Case 4072-CU, January 26, 1984, Enclosure 19, emphasis added.)

The July 1984 approval for a multi-story parking structure for 268 spaces included a condition limiting the enrollment number on Chalon Campus to the number of parking spaces available in the approved structure, as *"there would be no inherent control in this approval to insure that enrollment would not grow in an ad hoc fashion, apart from the condition relating future increases to the proposed parking structure."* (Id., emphasis added.)

Based on the review of various documents in the City's files, there's no evidence that the University ever applied to the City for approval to increase enrollment above 750. However, as reported in The Winter 1985 MSMC Magazine, a University publication, *"Official enrollment for the current academic year is 1,222 students... Students currently*

enrolled...at the Chalon Campus total 833, of whom 354 are in residence." (See "At A Glance," MSMC Magazine, Winter 1985, Enclosure 34, emphasis added.)

In 1992, the University further expanded its enrollment by offering a Weekend College program on the Chalon Campus, *"The program enrollment is expected to reach 400 by the Fall of 1994, up from its current enrollment of 142."* (See "Weekend Program Offers Full Degrees At Reduced Rates," The View, Spring 1993, Enclosure 35, emphasis added.)

The University continued unpermitted expansion in enrollment and by 1995, *"MSMC 's enrollment has increased by more than 20% over the last three years. Our total of 1,935 students...represents an all-time high (for both campuses)."* (See "Mount St. Mary's," Los Angeles Times, February 21, 1995, p. B4, Enclosure 36, emphasis added.) In this article, the President of the University also stated, *"It was dismaying, however, that Mount St. Mary's College, the only women's college right here in Los Angeles, was overlooked in the sidebar about enrollment increases."*

By 2006, the decades of overcapacity expansion in enrollment at the Chalon Campus resulted in such an impact to the residential community, the University was forced to relocate, *"all of the nontraditional programs...and Weekend/Evening College program from the Campus to the Doheny Campus between 2006 and 2008 (reduction of approximately 400 students in all programs total)."* (Draft EIR, Project Description, II-11, emphasis added)

Currently, according to the University's website, MSMU offers Undergraduate Bachelor Programs in more than 30 majors and concentrations (Chalon Campus), Undergraduate Associate Programs, Graduate Programs (in business, creative writing, nursing, health policy and management, physical therapy, education, psychology, religious studies, humanities and film and television), as well as Weekend/Evening College (Doheny Campus). The 2018 Draft EIR states that as of fall 2016, total student enrollment was 3,554 for both Campuses, and of these, 1,498 students were enrolled on the Chalon Campus.

Over the last 90 years, Mount St. Mary's has morphed from a "small college for girls" into a large educational institution and events center that is still located in a remote residential neighborhood.



Response to Comment CHATTEN-2 11

This comment concerns the status of MSMU's previously-granted entitlements for ongoing campus activities and does not relate to the adequacy of the Draft EIR under CEQA. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA.⁴³ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

Comment CHATTEN-2 12

University-Related Activities and Events Have Grown in Size with Unauthorized Enrollment Increases.

Every year, the University hosts a large number of activities and events on the Chalon Campus that are related to its educational program and mission. Some of these events, such as open house, student orientation, move-in day and commencement, are operational in nature. These types of events are a normal part of providing educational services.

Additionally, the Chalon Campus offers a multitude of educational, social and cultural events aimed at enhancing the program curriculum, fundraising and generating new business. From a land use perspective, these types of events are more intensive because they are not limited to students, staff and faculty, but also bring to Campus a large number of family member, guests and other visitors.

As the University has expanded over the years, increasing its enrollment and program offerings in violation of its approvals, these types of events have grown in number and size. Given the remote location of the Chalon Campus in a low density residential zone, even these "internal" (a term the University uses) Campus events have become very impactful to the neighboring community.

Currently, according to the 2018 Draft EIR, some of the events hosted at the Chalon Campus include the following: student orientation (1,000 attendees), admitted students day (300 attendees), residence move-in days (500 attendees), Mary's Day (500 attendees), open house (500 attendees). (Draft EIR, *Project Description*, 11-13.)

⁴³ See CEQA Guidelines § 15125(a)

Response to Comment CHATTEN-2 12

This comment concerns the status of MSMU's current operations and enrollment and does not relate to the adequacy of the Draft EIR under CEQA. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA.⁴⁴ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

With respect to existing events, as explained in the Draft EIR's Chapter II, *Project Description*, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and in Topical Response No. 2, the marginal increase in attendance of existing events as a result of the Project or Alternative 5 is within the scope of this EIR, but not the total attendance of existing events.

However, it should be noted that two Project Design Features included as part of Alternative 5 will also serve to reduce the Project's significant and unavoidable traffic operation impacts. As explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users by prohibiting pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip). And PDF-TRAF-18 will limit average daily total Campus vehicle trips, inclusive of trips generated by existing Campus operations and events, to 1 percent below the 2016 baseline trip counts taken for the Campus.

Comment CHATTEN-1 13

Unpermitted Commercial Activities Have Increased Over Time.

Leasing and rental of facilities for commercial, noneducational purposes.

The 1952 Conditional Use was approved with the following condition: ***"This grant shall only apply to school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious educational activities."*** (See City Plan Case 4072-CU, May 23, 1952, Enclosure 15, emphasis added.) A review of City records indicates that no authority has ever been granted for the commercial exploitation of the Campus property by leasing or renting Campus facilities. Indeed, the only use ever permitted is limited to "school use involving educational subjects."

⁴⁴ See CEQA Guidelines § 15125(a)

Despite that limitation, the University has a long history of advertising and profiting from leasing its facilities for commercial, non-academic program events and activities. Currently, in the "Campus Events" section of its website, the University advertises the availability and benefits of its location and facilities: *"Our mission at the Office of Campus Events is to help you find the perfect place for your conference, special event, workshop or meeting, and work with you to ensure the total success of your event."* (See <https://www.msmu.edu/resources-culture/Campus-events.aspx>.)

The University especially promotes its facilities for summer rental when regular classes are not in session. We *"market our college in order to bring in different resources during the summer. We have groups that come in and hold conferences and workshops, and stay in residence the dorms... We should have over 200 in residence and I'm really looking forward to meeting this group. Then there's a group of about 200... So, although most of our summer groups are education-related, they're not the sort of groups we can host during the school year, since all require residency."* (See "An Interview with Lisa Melou," The Oracle, 2008-2009, Enclosure 37, emphasis added.)

In addition, the University advertises the availability of a 350-seat William Hannon Theatre, a 4,800 sq. ft. Conference Center, and the "classic" Mary Chapel with seating for 350, as well as many conference rooms at the Chalon Campus. As mentioned above, housing is offered for long term events during summer months (May to July).

Over the decades, the University has been the site of hundreds of commercial events, bringing in tens of thousands of visitors and vehicles that all have to traverse the local narrow and windy roads. A sampling of past events includes weddings, large national conferences with hundreds of attendees, film festivals, movie screenings, Mount Orchestra festivals, High School Choral Festival (with *"hundreds of high school choristers from the Los Angeles area"*), Concerto Competition for High School Students, Invitational Youth Chess Tournament, multi-day yoga retreats (with up to 500 attendees a day), workshops, art exhibitions, wine tastings, etc. These are just some examples of the plethora of commercial events and non-program related activities that take place on the Campus. (See MSMU Events, Enclosure 38, emphasis added.) The continuous use of the Chalon Campus for such events has detrimentally impacted the surrounding residential community by adding to traffic burdens already heavy from education-related functions, thereby creating additional noise, pollution, traffic and safety hazards.

Mary Chapel, located on the Chalon Campus, has routinely been available for rent and lease for weddings. Generally, weddings take place on weekend afternoons or evenings, lasting late into the night and attracting scores of visitors from outside areas not familiar with the local hillside streets—or the risks inherent in the windy, view-limited roads—or local traffic patterns, often causing problems for neighbors.

The University has previously conceded it has used the Campus for weddings and implicitly acknowledged the impact by promising to limit future weddings to only students and alumni: *"Representatives of the Mt. St. Mary's administration did admit there were*

numerous weddings in the chapel for a short period following the Northridge earthquake, pending repairs to Saint Monica Church. They indicate that weddings are now limited to registered students enrolled in the school's B.A. program or alumni of the institution." (See Bob Rogers report, January 25, 1996, Enclosure 27, p. 4, emphasis added.)

Regardless of who uses the Chapel for wedding events (alumni or not), the significant negative impacts of the additional visitors driving through the residential neighborhood is considerable. Following the City review in the 1990s, the University continued to allow weddings at the Chapel, despite many complaints from its residential neighbors. Most recently, the Draft EIR addressed this issue: *"The Campus wedding ceremony and wedding reception policy has been updated to no longer allow wedding receptions on the Campus and restrict the number of wedding ceremonies permitted annually on Campus."* (Draft EIR, *Project Description*, II-11, emphasis added.) The problem is that the area is not compatible with events like weddings, which is why the use has never been permitted.

The Jose Drudis-Biada Art Gallery is another Chalon Campus attraction that is advertised to draw visitors. The gallery is open to the public on most days of the week, including the weekends, and has an ongoing exhibition program. (See <https://www.msmu.edu/resources-culture/jose-drudis-biada-art-gallery/hours-anddirections!>)

Since 2013, the University has rented out its facilities to accommodate the annual "Ready to Run" Campaign Training for women interested in running for political office, which usually takes place on Saturdays and attracts at least 200 attendees. Individual general tickets were \$110 per person this year and the sponsorship packages varied from \$10,000 to \$30,000. (See <https://www.msmu.edu/ready-to-rwi/sponsorship-packages>.) The event, which starts at 8:30 am, brings dozens of speeding cars onto local narrow roads on what otherwise should be a quiet Saturday morning in a low density residential area. In fact, the adverse traffic impacts were so significant that the University was forced to move the event to its Doheny Campus after several impactful years *"in order to help alleviate neighborhood traffic from the event."* (See Chalon Neighbor Newsletter, January 2016, Enclosure 39, emphasis added.)

During the spring 2016 semester alone, the following events were advertised in the

"Chalon Neighbor Newsletter:"

Sunday, Jan. 17: C.G. Jung Retreat (approx. 50 outside guests)

Wednesday, Jan. 27: Cokie Roberts event (approx. 200 outside guests)

Wednesday, Feb. 4: Live at the Mount Admission Event. Annual event held for high school students to introduce them to the college experience, (approx. 280 outside guests, and about five school buses.)

Friday, Feb. 19: High School Choral Festival (approx. 200)

Saturday and Sunday, Feb. 27-28: Music Teachers Association of California open house/student evaluations (approx. 600 over two full days, with parents)

Sunday, April 10: Admitted Students Day (approx. 800)

Sunday, April 24: National Coalition of Girls Schools (approx. 150)

Saturday, April 30: Expanding Your Horizons conference (approx. 250)

The variety of commercial use activities and events, which are not permitted under the CUP, impose significant, unmitigable adverse impacts to the residential neighborhood.

Commercial filming.

Commercial activities are prohibited in the Residential Estate (RE) Zone where the MSMU Campus is located. (LAMC section 12.07.01 [Stating "No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained except for the following uses" which do not include commercial activities.] Commercial filming is not a permitted use and for good reason, it brings large trucks with large crews to filming locations. It exposes neighbors to excessive traffic, noise, light-intrusion, and assorted other impacts inherent in film production.

Throughout the years, the University has rented out the Chalon Campus for movies and TV shows, music videos and commercials. According to the Internet Movie Database IMDb and a report from Film LA, Inc., the Chalon Campus has been used in over 20 movies, TV shows, music videos, pilots and commercials, including but not limited to: "Falcon Crest," "Less Than Zero," "Death Becomes Her," "The Glass House," "90210," "Modern Family," and "Monk." (See Film LA and IMDb Titles with Filming Locations, Enclosure 40.) As evidenced by the University's financial statements, during the time from July 1, 2010 to June 30, 2016, it has reported over \$800,000 in revenues from such filmmaking activities. (See MSMU Form 990, July 1, 2010 — June 30, 2016, Enclosure 41.)

Renting out its facilities for filmmaking is obviously a lucrative side business for the University: ***"One of the ways that Mount St. Mary's College raises money is by renting its Campuses as a location for movies, television and commercials... The majority of actors who come to Doheny or Chalon really enjoy our Campuses. They really are, in general, very generous with their time and understand that filming is an interruption to our regular business."*** (See "An Interview with Lisa Melou," The Oracle, 2008-2009, Enclosure 37, emphasis added.) But that is no justification for violating the land use limitations designed to protect the residential neighborhood from the impact of such non-permitted uses.

The negative, unmitigable impacts from filming are so significant that, even the University's own students are adversely affected. A letter, written by a resident student, published in MSMU's student newsletter, describes the problem: *"The television show,*

MONK, seemed to invade the entire Campus... Crews arrived at six in the morning the first day, seven the next. Rattling generators and crashing equipment were unwelcome early morning wake-up calls. Even worse was the situation with parking... and still at eleven o'clock Tuesday night" (See "Solitude Lost...Monk Set on Campus," The Oracle, April 28 2003, Enclosure 42, emphasis added.) Filming activities also have other negative impacts on the adjacent residential community. A 2016 email from the Brentwood Homeowners Association alerted Brentwood residents *that "Next Wednesday and Thursday... There may be simulated gunfire associated with filming taking place on the Campus of Mount St Marys University."* (See BHA Weekend Update, December 9, 2016, Enclosure 43, emphasis added.)

This use is a clear violation of the Community Plan, which protects residential neighborhoods from incompatible commercial uses. The restriction is even more important for a Campus located deep in the Santa Monica Mountains, within a high fire hazard zone, where access is limited by substandard streets.

Response to Comment CHATTEN-2 13

This comment concerns the status of entitlements for ongoing educational activities at MSMU. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

MSMU's current and proposed activities are consistent with the operation of an educational institution in conformance with the State Educational Code. It should be noted that many, if not most, educational and religious institutions rent their facilities for temporary events and/or uses such as filming. Moreover, the condition cited by the commenter does not indicate that MSMU cannot rent its facilities. Please also see Response to Comment CHATTEN-1 43, which notes that MSMU pays many other educational institutions to use their athletic facilities.

As discussed in the DEIR, all Project activities would serve an educational purpose and would support the viability and continuation of MSMU's Chalon Campus, as stated in the Draft EIR on Page II-17, Page II-18, Page II-37, Page II-38, Page IV.H-22, Page IV.H-24, Page IV.H-26, and Page IV.H-33. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5's activities would serve the same purpose as those of the Project.

Please also refer to Topical Responses No. 2, Scope of the Project, and Topical Response No. 6, University Entitlement History and Enrollment Cap.

Comment CHATTEN- 2 14

The Adverse Impacts of MSMU's Unpermitted Enrollment Increases and Intensification of Use.

For decades Mount Saint Mary's University has knowingly caused more significant negative and dangerous impacts on local residents, by its self-interested, continuous increases in enrollment and intensification of on-Campus activities. It has done so, without ever providing the public and the City any analysis of the resulting impacts, and opportunity for comment and independent review thereof, as should have occurred under CEQA.

Together, the enrollment expansions and intensification of use have created an intolerable situation in the Brentwood area along the roads used by University students, faculty, and guests. These effects are manifested in the significant traffic impacts, parking shortages, and fire risks that are currently unacceptable and would be made worse by continued uncontrolled operations.

Significant Traffic Impacts Occur and Are Made Worse by MSMU Actions.

The University has already induced far more traffic than can be accommodated in this hillside residential neighborhood.

Ninety years ago, the University was permitted to operate a "small college for girls" in a quiet residentially-zoned canyon located deep in the Santa Monica Mountains, which was accessible only by substandard hillside streets. Today, after years of expansion and intensification far greater than necessary for the "small college" that was permitted to invade this residential hillside neighborhood, the University has forced the substandard local streets to bear more than 2,000 vehicles on any given day. The University draws to its Campus hundreds of student and visitor vehicles, University shuttles and buses, large delivery trucks, and even large tour and event buses. For years now, the University's ever-expanding traffic demands have made a mockery of the formerly "small" school's promise it would not burden the neighboring residential community. Unfortunately, the community has also been consistently burdened by University students and visitors engaging in unsafe driving practices—putting everyone at risk.

The increased volume of traffic has unfairly institutionalized the neighboring residential area.

The incongruity of the neighborhood's residential zone status and the operation of an educational institution—even just a "small college"—raised concerns from the beginning. At a 1928 Planning Commission hearing a resident testified the he *"objects to the amount of traffic, the entire amount will pass behind his house to get to the school and he will have between 50 and 200 cars pass morning and night and the additional traffic will be objectionable; that the traffic must pass behind his house and he will catch the dust from the dirt road."* The concern was and remains compelling. As one of the Planning Commissioners summarized it, *"the protestants took the position that this property was*

purchased by them under the representation that it was to be used for single family residential use only and that the cars used by the day pupils will cause noise and dust and traffic congestion and will commercialize the district." (See Planning Commission Hearing transcript, 1928, Enclosure 7, emphasis added.)



The same intensification that exacerbated the overflow-parking problem (discussed below) also caused increased traffic congestion. This was one of the main complaints raised by residents in the August 1995 revocation request: *"This amount of traffic on a deficient street system raises the potential for accident or injury to an unacceptable level of risk; and has direct traffic related impacts of accident, injury, noise, lighting and general disturbance on residential properties."* (See James J. Crisp letter, August 29, 1995, Enclosure 24, p. 5, emphasis added.)

The revocation request was supported by a comprehensive Traffic Impact Analysis stating that the residents' *"contentions, made so often over the years, that the College, in conjunction with the Carondelet Center, are the source of traffic volumes far in excess of what the canyon can bear... The results were impressive (or appalling, depending on your point of view!). Between 2,500 and 2,700 vehicle trips through the canyon take place on weekdays as a result of the College and Center's operations. Even on an unremarkable Saturday or Sunday, 1,700 vehicles pour through the neighborhood each day."* (See BHA letter, November 2, 1995, Enclosure 25, p. 1, emphasis added.)

One band-aid mitigation measure was agreed upon in the 1990's in negotiations between City Council District-11, Brentwood Homeowners Association and the University. A bi-

directional traffic "loop" was intended to mitigate University-induced traffic by dispersing the number of vehicles traveling on the local streets leading to Chalon Campus: *"Why has the Mount asked that we drive up Norman Place and down Bundy Drive? In the early 1990's a few surrounding neighbors began to voice their concern through letters and phone calls about the Chalon Campus' traffic volume. In 1992, the addition of Weekend College created an increase in traffic. 'This was the straw that broke the camel's back,' said Jill Perry, Director of Public Relations."* (See "Neighborhood Concerns Over Traffic to Chalon Causes Formation of a New Committee," The Oracle, December 1996, Enclosure 28, emphasis added.)

To implement the loop, the University required that *"All vehicles traveling to the Chalon Campus ... must turn north on Bundy Drive from Sunset Boulevard, RIGHT ON NORMAN PLACE, left on Chalon Road and right into the Mount St. Mary's College driveway. When exiting the College, all vehicles must turn RIGHT ON CHALON ROAD and left on Bundy.... The Speed limit is 25 mph on these streets. This traffic route has been made in agreement with the Brentwood Homeowners Association. Help the College maintain a good relationship with its neighbors."* (See "What's Happening," The Oracle, February 2, 1998, Enclosure 44, emphasis added.) To induce compliance, the University implemented a \$75 citation penalty and/or loss of parking permit privileges. (See MSMU Student Handbook, 2017-2018, Enclosure 45, p. 85.)

Unfortunately, the University has not effectively enforced the "loop" requirement and the traffic impacts remain substantially unmitigated. After receiving neighbor complaints that students were not honoring the loop requirement, the University installed a camera at the Chalon Campus entrance *"to monitor violations of the policy mandating the prescribed routes for traffic traveling to and from the Campus... Those in violation are fined \$75.00."* (Draft EIR, *Project Description*, II-11, emphasis added.) The University also paid for the installation of a *"radar speed traffic calming sign."*

But its efforts have been futile. Even at the outset of the program a Norman Place resident reported that *"I have a few cars to report coming down Norman. Two today—the other a couple of days ago."* The University representative's email reply confirmed that, *"I just wanted to get back to you and let you know we were successful in identifying two of the three vehicles you noted below, and the students have been referred to Student Affairs."* (See Community Emails, September 2012, Enclosure 46, p. 1, emphasis added.) But another Norman Place email described more "loop" violations as well as dangerous driving, and complaining that *"[w]e're being patient, we're working with you all, but at the same time—feeling frustrated."* (See Community Emails, April 2013, Enclosure 46, p. 2, emphasis added.)

As illustrated by yet another email from a neighbor, non-compliance with the mandated traffic "loop" created dangerous conditions not only for the neighbors, but also the University's own students, *"This morning at 6:30 am, we heard a crunch. Sure enough two students, one coming down Norman, one going up, crashed into each other. Phil went out to make sure everyone was ok, and it seemed so and amicable as they exchanged*

information. Just thought, I'd give you the heads up. It's dark and poorly lit up here now at that time in the a.m. Not sure how you can make these kids understand why they shouldn't speed, or turn down Norman?????" (See Community Emails, October 2013, Enclosure 46, p. 3, emphasis added.)

In addition to not being able to enforce "loop" compliance with its own students, the University lacks effective control over the many large delivery trucks arriving at the Chalon Campus: *"I just caught the HUGE Semi-truck heading down Norman right now. It seems nothing has changed and the disrespect to our neighborhood continues... The truck is too massive, the hill too steep for it to come down on Norman."* (See Community Emails, February 2010, Enclosure 46, p. 4, emphasis added.) The response from the University confirmed the ineffectiveness of the loop monitoring: *"I've checked with Security, and there were about 4 trucks that left our Campus about that time. Do you recall what type of truck it was, so we can follow up with the appropriate vendors? Any additional information you can provide will help us as we talk to them."* (Id., emphasis added.)

The students' often-dangerous driving exacerbates the impacts.

Even apart from the adverse impacts of traffic congestion, residents have faced safety concerns because college-age students simply drive too fast and without due regard for the hazards of speeding on the substandard roads. This too has been a constant, decades-long problem: *"The Mount girls drive fast; they drive much too fast along Bundy... We've been lucky this year, only two little dogs — family pets — have been killed; but unless something is done, unless you slow down, it won't be too long until a child follows his dog into the street — then the score, thanks to you — will be three dogs and a child. Bundy is a residential street, not a speedway. Why should the Bundy residents — mothers especially — be terrorized because of our selfishness."* (See "Perspective," The View, November 20, 1947, Enclosure 47, emphasis added.)

The students' dangerous driving habits have been likened to a deadly sport: *"Mount students fail to realize the responsibility of safe driving that has come upon them in the last few years. They do not regard Bundy Drive as a hazard, but merely as an obstacle course... Today students drive a road bordered with residences; they dodge children who spring from behind bushes at the shoulder of the road and dogs that dash in front of cars."* (See "Attention Wanted-- All Mount Drivers," The View, April 19, 1955, Enclosure 48, emphasis added.) Thus, in 1957, after accidents occurred on Chalon Road, the University tried to address the consequences of unsafe driving by its students: *"Recent accidents on Chalon Road have called the Student Council to establish a Traffic Safety Committee."* (See "Council Initiates Safety Committee," The View, December 13, 1957, Enclosure 49, emphasis added.) But that did not solve the problem.

In 1959, the City paved Norman Place to provide access to the Chalon Campus. The inevitable result of that paving was highlighted in a morbidly satirical commentary published in The View, the University's newsletter: *"The Mountie coming down the hill is also in a hurry. There are some children who live at the bottom of Norman Place, so, not*

being accustomed to the fact that their once quiet, peaceful street is now a direct routed freeway from Bundy Drive to the Mount play in the aforesaid street. If the Mount girl hurries, she may get there in time to kill one of them. After all, a really astute and observant driver can gain 15 points for each moving object he or she is able to wipe out of existence." (See "Our New Road; High, Wide and...", The View, December 15, 1959, Enclosure 50, emphasis added.)

By 1960, LAPD had received so many complaints that *"Officer Leo Long of the West Los Angeles Police Department came up to the Mount to inform the administration of the many complaints being received at the police station concerning the careless and rapid driving of the Mount students along Bundy, Chalon, Bowling Green, and Norman streets. Particularly heavy are the complaints from the Norman Place area where the children play on the street for lack of backyard... The parents are incensed over the driving of the students."* (See "Careless Drivers Censured," The View, October 4, 1960, Enclosure 51, emphasis added.)

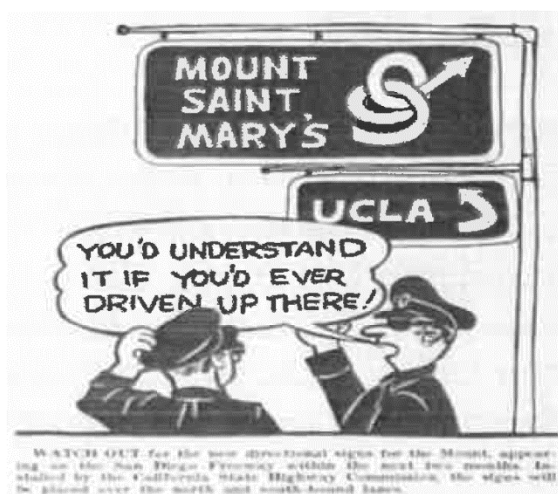
However, the traffic burden was not limited to daytime driving. As one University alum reminisced about her time at the Campus in the 1960s, *"the traffic jam up Chalon Road on Saturday night so our dates could get us in before lock-out."* (See "Three Years of Challenge," MSMC Magazine, Spring 1986, Enclosure 52, emphasis added.) And with weekend traffic comes dangerous driving: *"Two policeman had to leave their posts ...to catch a speeder on Campus two Saturdays ago. The speeding on Bundy Drive and Norman Place has been so flagrant as to prompt residents of these streets to complain to the Los Angeles Police Department."* (See "Speeder Pays," The View, October 31, 1962, Enclosure 53, emphasis added.)

As recognized in The View, *"the situation is pretty serious when the people who live on these streets have to register formal complaints to the college... because the students persist in speeding, persist in turning left where a sign explicitly says right... The situation is a lot worse when parents have to organize mothers to stand by groups of children to protect them from the drivers who are rushing to college..."* (See "Rationalize," The View, November 3, 1964, Enclosure 54, emphasis added.)

A year later, The View again reported on the problem: *"Traffic lawlessness can become an epidemic at the Mount... Today we remind you again that speed laws and stop signs are reasonable demands...Police officers have reported that Mounties have trouble reading the sign at Saltair -- it says Stop."* (See "Traffic again," The View, February 9, 1965, Enclosure 55, emphasis added.)

By 1967, the University tried to mitigate the problem by posting traffic signs around the Campus and on nearby roads: *"The 'No Left Turn' sign at the bottom is not mandatory... Very few realize that there is an unwritten law that you go up Norman Place and come down Chalon... Norman Place is not the Indianapolis Speedway... There have been more near-fatal accidents at the two blind curves on Norman than any other place."* (See "Do

You Have a Right to Turn Left," The View, October 13, 1967, Enclosure 56, emphasis added.)



This unfortunate University tradition of unsafe driving has been the source of self parody by students: *"Drivers also get a peculiar enjoyment out of the agility of many Mount students and Norman Place inhabitants who leap out of the way of cars bearing the Mount emblem. Try walking down the hill some day, and see if your attitude of driving changes any."* (See "Sliding Away," The View, April 28, 1969, Enclosure 57 emphasis added.)

The University attempted to mitigate hazardous driving on Campus by installing speed bumps in 1979: *"Many Mount students, as well as faculty members are discouraged by MSMC's attempt to stop the alleged 'speeding problem' here — the bright yellow speed bumps drivers cannot miss seeing on the road to the Mount."* (See "Speed Bumps 'Drive' Students Mad," The View, 1979, Enclosure 58, emphasis added.)

As the University is well aware, the safety problems have gotten worse over time. One email describes a persistent problem: *A "black car blew through one of the Norman stop signs on the way up the And...small car who almost hit me as she turned down Norman and I was turning back into my driveway... What more can be done to stop this ...? ... These are dangerous situations-especially since I was almost body injured a couple of months ago... Also-no security vehicle from MSM has been spotted lately."* (See Community Emails, April 2013, Enclosure 46, p. 2, emphasis added.)

Response to Comment CHATTEN-2 14

The comment presents a number of claims and statements concerning historical traffic conditions which are all outside the scope of the DEIR. The commenter comments on traffic, fire safety, and parking impacts from past and existing operations, none of which are within the scope of the Project or Alternative 5. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing

entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁴⁵ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

The comment refers to a voluntary traffic-control measure undertaken by MSMU that is referred to as the “loop.” The commenter refers to the loop as a “mitigation measure,” but it should be noted that it is not a mitigation measure pursuant to CEQA, or any City regulation.

The commenter states that traffic conditions, parking, and fire risk are unacceptable and expresses a concern that they will grow worse with continued operation, but does not provide any substantial evidence to support these assertions. Further, this comment does not refer to the Wellness Pavilion or the adequacy of the EIR.

Comment CHATTEN-2 15

MSMU's buses, shuttles and trucks exacerbate the problems.

The Draft EIR proposes a mitigation measure that has already been implemented without success—busing and shuttling.

As Allyn Rifkin explains, the substandard roads cannot safely accommodate large vehicles: “these substandard roads in a high fire area [] are inadequate for the amount of current and future traffic generated by Mount St. Mary's University.” (See Allyn Rifkin report, Enclosure 1, p. 4.)

Moreover, busing and shuttling have been tried and failed. In addition to exacerbating traffic conditions on the local residential streets, shuttle and bus programs had problems with schedule times and late arrivals. The Transportation Services addressed students concerns, “...will make every effort to meet the needs of the students, from Chalon, Doheny, and the University of Judaism. We take the students at both Campuses, and UJ very seriously. In fact, we have gone as far as to provide a shuttle service for those few students who have classes early in the morning. For instance, we provide an early shuttle to accommodate only two or three students. At times you will see a shuttle with only about 3 students riding on it.” (See “Transportation Concerns,” The Oracle, November 5, 1999, Enclosure 59, emphasis added.)

In addition to “regular” MSMU traffic clogging and endangering the narrow local roads, The University hosts higher attendee that bring hundreds of visitors and guests to the Chalon Campus. The Inauguration of the new University president is one example of how large and impactful these events are to the community, “The overall guest list for the Inauguration tops an estimated 1200 people. We have tried to make this as convenient

⁴⁵ See CEQA Guidelines § 15125(a)

as possible... Students can park at Doheny and at a Park n' Ride lot near Chalon...with shuttles running constantly." (See "Doud's Inauguration Marks the End of an Era," The Oracle, October 10, 2000, Enclosure 60, emphasis added.)

The University's unpermitted commercial uses result in large tour and event buses coming to the Chalon Campus. In addition to not following the mandated traffic "loop," these massive buses frequently end up getting stuck on the local narrow winding roads. An email from a resident describes an incident when multiple large buses heading to the Chalon Campus for an outside event got stuck in front of his house on his particularly narrow street, *"You should inform the homeowners of such events and you should make sure these buses do not come through streets like Saltair."* (See Community Emails, July 2015, Enclosure 46, p. 5, emphasis added.)

A picture is worth a thousand words:



The University's representative addressed this issue of large buses getting stuck by explaining that there was a miscommunication between the University and the event organizers.

The history shows that there is no effective mitigation for the University's intensified use of the Chalon Campus. The exponential and non-permitted increases in enrollment and special events have created significant traffic impacts on the residential neighborhood. The supposed mitigation efforts have done nothing to improve the problem. Inadequate measures such as street signs, speed bumps, shuttle and bus programs, housing

students off Campus, bi-directional traffic flow, street cameras, radar speed traffic calming sign, moving programs and events off Chalon Campus have been merely cosmetic—used to create the false impression of real solutions. But none of these, nor the combination of all of them together, have been enough to relieve the aggravation and safety hazards suffered by residents in the area.

Response to Comment CHATTEN-2 15

The comment presents a number of claims and statements concerning existing traffic conditions, which are noted for the decision-makers. The comment primarily relates to the University's existing operations and existing conditions, both of which are outside the scope of this EIR. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁴⁶ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

The comment states the commenter's opinion that one of the traffic control measures included as part of the Project and Alternative 5, the use of shuttles, will be ineffective on the basis of the commenter's understanding of past MSMU shuttle operations. Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic, including shuttle traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. PDF-TRAF-12 and PDF-TRAF-14 specifically provide that shuttle trips will be counted as part of the overall trip caps applicable to new Wellness Pavilion events and Summer Sports Camps. PDF-TRAF-13 provides specific limitations on the number of shuttle trips permitted AM-PM peak period trips using a Campus entry reservation system subject to audit by LADOT. PDF-TRAF-11 and PDF-TRAF-16 requires new Wellness Pavilion events to begin and end at times that will not generate trips, including shuttle trips, during AM or PM peak hours during the school year.

The commenter also refers to "substandard roads" in the vicinity of the Project Site. The commenter may be referring to certain streets in the area being Substandard Hillside Limited Streets. The LAMC defines a Standard Hillside Limited Street as "street (public or private) with a minimum width of 36 feet and paved to a minimum roadway width of 28

⁴⁶ See CEQA Guidelines § 15125(a)

feet, as determined by the Bureau of Engineering.” (LAMC Section 12.03). According to LAMC Section 12.03, a Substandard Hillside Limited Street is any street that does not meet the minimum total width and roadway widths of a Standard Hillside Limited Street. A Substandard Hillside Limited Street creates certain requirements in connection with the construction of residential homes; however, many streets throughout the City are designated Substandard Hillside Limited Streets and there are no limitations or prohibitions in place on construction vehicles for these streets.

The comment asserts that roads in the vicinity of the Project Site are unable to accommodate large vehicles safely, but provides no substantial evidence in support of this assertion. Moreover, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. This shelter in place strategy will ensure that MSMU does not increase the number of vehicles evacuating the Brentwood community at the same time on neighborhood streets. By evacuating well before emergency vehicles are traveling to the area, or sheltering in place, MSMU allows for clear roadways for emergency vehicles entering the area and the Campus. Please refer to Topical Response No. 4 for a more detailed response regarding emergency access.

Comment CHATTEN-2 16

Significant Parking Impacts Already Occur and Are Made Worse.

There has long been a shortage of onsite parking for University students, faculty and staff. MSMU's perpetual intensification of the Chalon Campus by increasing enrollment, special events and programming has necessitated the use of local substandard hillside streets for overflow Campus parking. The adverse impact on the hillside neighborhood is well documented in the City's files.

The neighborhood's vulnerability to excessive Campus development was evident as far back as 1928. The original zoning variance that permitted the University to operate as a college in this residential zone included a condition intended to control impactful development, requiring *"[t]hat the plans for the buildings and the location of same be approved by this Council prior to the issuance of building permit."* (See Zone Variance approval, December 5, 1928, Enclosure 8, emphasis added.) Over the years, as the University built-out the Chalon Campus and constructed multiple buildings, the City tied code-required parking to each building to protect the neighborhood from problems associated with overflow parking.

In 1964, the University applied for approval of a new Arts and Humanities Building and for additional parking area. (See Approval of Plot Plan Report, March 5, 1964, Enclosure 17, emphasis added.) This building was a replacement for a building destroyed in the 1961 Bel Air fire. The report stated, *"The parking requirements for the Science Building, the Humanities Building, the Chapel and the Residence Hall, were found to be 161*

spaces. As shown on Exhibit 'A-1, ' the school will be able to accommodate 201 cars, including the new proposed parking area."

The historical documents reveal that the University was already experiencing a shortage of parking, as students were humorously complaining about the difficulty of finding available spaces: *"It might be sporting of the Mount to advertise... if it plans to continue with the delightful parking situation it has created... Or at least it might add a few courses to its curriculum. Courses like 'Hitch-hiking LA' and 'The Subtle Art of Ride-Bumming.' There are rumors that some of you have been complaining about the difficulty of piloting an automobile to within hiking distance of the Mount... Why just think of those poor kids at UCLA who have to park in eight-story air-conditioned lots, right near their classes."* (See "About Parking," The View, May 26, 1964, Enclosure 61, emphasis added.)

In November 1968, the University announced that more parking would become available: *"January 1969 will mark the opening of the \$80,000 parking lot on the Mount Campus. The site, located behind the swimming pool, will facilitate approximately 150 cars in a three level lot."* (See "Parking Lot Ready for 1969," The View, November 4, 1968, Enclosure 62, emphasis added.) While the new parking lot was being constructed, one of the existing lots became structurally unsound adding to the parking shortage: *" 'Please move your car; it's about to slide down the hill. ' True, the lower parking lot is slipping away and may soon be part of the 'great ravine.' But dozens of cars 'slide' down the hill every day, heedless of pedestrians, parked cars, and falling mountain sides, gaining break-free speed as they go."* (See "Sliding Away," The View, April 28, 1969, Enclosure 57, emphasis added.)

During this time, students were forced to use tennis courts for parking: *"For some time, the parking situation had been critical; even the tennis courts in front of the swimming pool as well as behind the garages had become temporary parking areas when college events brought numbers of visitors on campus."* (See Mary Germaine McNeil, "History of Mount St. Mary's College, Los Angeles, California: 1925-1975, Enclosure 63, p. 307, emphasis added.)

Over the next several years, the University continued to increase enrollment by accepting more resident students than its facilities could accommodate: *"At the beginning of this 1977-78 school year...Director of Residence was faced with the problem of lack of sufficient dorm facilities at the Mount... This year however, there are not nearly enough rooms to meet the demands of the number of students who desire residence at the Mount, and consequently a number of Mount students were forced to temporarily reside at the Holiday Inn of Westwood."* (See "Holiday Inn Becomes Temporary Residence," The View, October 1977, Enclosure 64, emphasis added.)

The University then attempted to mitigate the dorm shortage by adding more students per room: *"Because of a shortage of dorm facilities to accommodate this year's 325 resident students...Director of Residence was forced to convert single rooms on First Floor Brady to double rooms, giving each inhabitant half as much space as before."* (See "First Floor Brady Goes Double," The View, November 1977, Enclosure 65, emphasis added.)

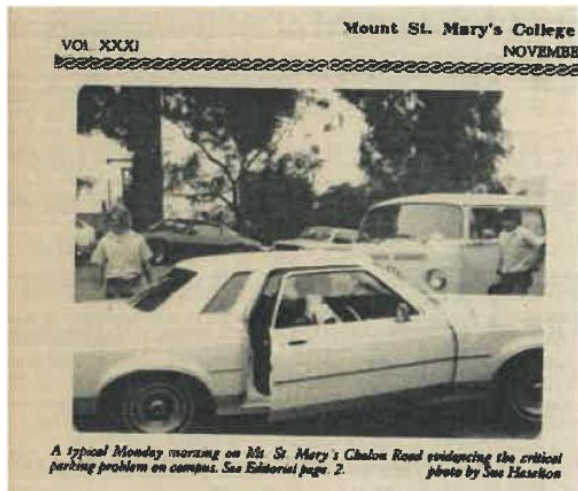
This large increase in resident student enrollment once again resulted in parking shortages. A University student addressed the parking issue with humor: *"There's a new class being offered at the Mount, Beginning Hill Climbing. You get zero units, and many students are finding themselves unwillingly enrolled. This new class is needed because of the parking situation... The solution to the parking situation may be costly, but something must be done."* (See "New Class at Mount," The View, November 1977, Enclosure 66, emphasis added.)

In 1979, the City approved temporary housing to accommodate additional resident students. The temporary structures replaced existing parking behind the tennis courts and eliminated 20 parking spaces—reducing parking capacity even further. (See City Planning Commission Approved Plan, August 29, 1979, Enclosure 18.) To address the parking shortage, a Parking Committee was formed, comprised of representatives of University resident and commuter students and its Parking Board.

That same year an article asked, "Where Have All the Parking Spaces Gone?" and affirmatively stated what the title implied: *"There appears to be a tremendous amount of concern regarding the parking situation at the Mount."* (See "Where Have All the Parking Spaces Gone?," The View, 1979, Enclosure 67, emphasis added.) Some of the commuter students were forced to use Chalon Road, where they experienced problems that are common to today's University commuters and neighborhood residents: *"[A]s I drove along Chalon Road I was puzzled at all the cars parked on both sides of the street... but I soon realized that these cars were the cars of students who had not been able to find parking spaces on Campus. The parking situation... is BAD...there are more students coming to the Mount this year... There are actually not enough parking spaces to accommodate all of the students' vehicles."* MSMU's representative confirmed that *"Parking at the Mount is a difficult situation..."* (Id., emphasis added.)

As a result of the Parking Committee's deliberations, the University attempted to mitigate the parking problem by (1) directing students to park on Chalon Road, where they would be shuttled to the Campus and (2) renting parking space from the University Synagogue and shuttling students to the Campus. However, the students complained that this was ineffective because *"the shuttle bus schedule was poorly publicized to the commuters."* (Id., emphasis added.)

In the end, the University's Parking Committee was unable to mitigate the parking crises: *"It is estimated that 80 cars belonging to Mount St. Mary's College students will be forced to park along Chalon every Monday and Wednesday of the school year. The problem is simple — a lack of sufficient parking space on Campus. The solution is clearly more complex, but the tuition paying student body deserves better efforts than the present non-action that is based on the assumption that the college is doing the best it can. The shuttle bus from Chalon Road is an appropriate effort to bring a commuter student closer to the classrooms without the uphill hike."* (See "Mount Faces Crisis," The View, November 1980, Enclosure 68, emphasis added.)



The shortage of student parking became so dire that the *"Director of Business and Finance... counts as many as 150 cars parked along Chalon Road this semester."* (See "Parking Problem Confronted," The View, March-April 1981, Enclosure 69, emphasis added.) To try and further resolve this problem, the University attempted to add more parking spaces by restriping existing lots and thus creating more, but smaller spaces: *"During the spring semester break, the parking spaces behind the Art Building and Chapel were restriped, creating an additional 34 spaces."* (Id., emphasis added.)

In addition, the University's faculty and staff were instructed to park tandem on Campus, with a low-cost/low-tech method for extricating blocked vehicles—the blocking driver was instructed to leave a note on the windshield of the blocked vehicle. As the University explained, *"This is designed so that when someone wants to leave, he knows who owns the blocking car."* (Id., emphasis added.)

Blocking other cars was apparently a common practice on the Campus, as the parking shortage was a daily struggle for students, staff and faculty. The University's representatives also considered adding a new parking lot behind the existing three level lot: *"The idea is to cut the slope existing between each level. Then a retaining wall would be built, and a few more spaces would be gained. If this slope is removed...about 70 additional parking spaces will result."* (Id., emphasis added.) Another less expensive option was restriping all three levels of the existing lot, as well as replacing the temporary resident structures, which were located on one of the parking lots and taking up parking spaces.

The parking crisis and student housing shortage continued until 1984, when the University applied to the City for two separate approvals: (1) a faculty residence hall with three dwelling units and a one-story parking garage, and (2) a multi-level parking structure. As with past City approvals for new buildings, the parking requirements were tied to the approved buildings. The Staff Report Comment section of the Jan 1984 CUP for the residence hall stated, ***"By Code, the proposed residence hall will require seven***

additional parking spaces. *This includes two parking spaces for each of the three dwelling units, and one additional space for three guest bedrooms (the latter requirement is so low because more than 60 guest rooms are located elsewhere within the campus.)* (See City Plan Case 4072-CU, January 26, 1984, Enclosure 19, emphasis added.)

The residence hall and one-story garage were approved in January 1984 and in March, the University returned to the City proposing a multi-level parking structure for 268 parking spaces, which was approved in July 1984. The CUP tied enrollment to the number of available parking spaces in the approved structure to mitigate the risk of overflow parking on residential streets.

According to transportation engineering expert and former LADOT official Allyn Rifkin, *"There is no basis in City of Los Angeles entitlements to calculate student enrollment based upon the number of parking spaces provided."* (See Allyn Rifkin report, Enclosure 1, p. 3.)

Once the parking structure was built, MSMU continued to expand enrollment over the next several years. Additionally, in 1992, the University added a weekend program offering classes on Saturdays and Sundays. By 1995, *"MSMC's enrollment has increased by more than 20% over the last three years. Our total of 1,935 students in associate, baccalaureate and graduate degree programs represents an all-time high!"* (See "Mount St. Mary's," Los Angeles Times, February 21, 1995, p. B4, Enclosure 36, emphasis added.) The Chalon Campus was over capacity and parking became an issue once again: *"Parking on the Campus is also difficult ...I used to be able to pull up and get a space, now not always. When I asked about it, I was told that enrollment was up, but no allowances were made for that increase."* (See "The Bumpy Road of Commuter Life," The Oracle, December 1995, Enclosure 70, emphasis added.)

In January 1996, following a request for revocation from the community, Bob Rogers, Senior City Planner submitted a report to the City. Remarkably, the report denied the existence of any overflow parking problem—contrary to the real-world parking conditions described by everyone else: *"A visit to the Campus clearly established that there is no problem with overflow parking from the school using Bundy Drive to park Because of very steep terrain in the area any off Campus on-street parking would be at an elevation well below Campus and would require a very substantial uphill hike to the school."* (See Bob Rogers report, January 25, 1996, Enclosure 27, p. 5, emphasis added.)

It is clear that the conclusion of Rogers' report was mistaken. Indeed, later the same year, the University's own Transportation Coordinator described the parking problem that somehow eluded Mr. Rogers' view: *"It is as bad as it's ever been."* (See "Increase in Cars Causes Overcrowding in Student and Faculty Parking Areas," The Oracle, November 1996, Enclosure 71, emphasis added.) The article continues, *"As students and faculty trek up the Mount, they encounter daily the difficulty of finding a parking space... The parking pandemonium was reflected... when the fire department penalized the Mount for letting students park on the road."* (Id., emphasis added.)

The parking shortage was so serious that the University hired extra security guards to help students find parking spaces. The illegally parked students were not ticketed "as long as they did not block others or the fire lanes." The commuter students were often, "...circling 45 minutes for a space, before sometimes resorting to parking illegally" and some "...have not purchased their parking permits because they do not feel the college can guarantee them a parking spot." (Id., emphasis added.)



By 1998, the University implemented a carpool program in a further attempt to mitigate the ongoing parking shortages resulting from its over-enrollment and unpermitted special events: "Tired of looking for parking spaces or of taking the bus to school everyday? Well, now your frustration can come to an end because the Mount has started the Student Carpool Program. According to the ...brochure, the purpose of the carpool program is to 'reduce parking congestion on the Chalon Campus in a way that is beneficial to everyone.'" (See "Reaping the Benefits of Carpooling," The Oracle, February 2, 1998, Enclosure 72, emphasis added.)

Another parking problem faced by University students was the too-narrow parking spaces. As one student lamented, "much of the problem must be attributed to a really bad parking lot. The parking spaces are tiny at best and ridiculously close together. The aisles are so narrow that anything larger than a clown car has to make a series of complicated maneuvers just to get in or out." (See "Careless Drivers, Beware!," The Oracle, September 24, 1999, Enclosure 73, emphasis added.)

It appears that during this time, the University was bursting at the seams due to its non-permitted enrollment increases and parking shortages on the Chalon Campus. That caused another problem that also impacted parking—a housing shortage. The

University's enrollment swelled to such an extent that there was no more room for students to board on the Chalon Campus: *"[T]here was no housing available on Campus (the waiting list for on-Campus housing is approximately ten students long), the only available housing being at the University of Judaism, about fifteen minutes from Campus."* (See "Battling Bureaucratic Run Around," The Oracle, September 9, 1999, Enclosure 74, emphasis added.)

Given the lack of parking on the Chalon Campus, students housed at the University of Judaism were shuttled to the Campus and told that the University's Transportation Services *"...will make every effort to meet the needs of the students, from Chalon, Doheny, and the University of Judaism."* (See "Transportation Concerns," The Oracle, November 5, 1999, Enclosure 59, emphasis added.)

As the University increased enrollment and special events, the parking issues worsened: *"There are significantly more cars in the lots this year, making parking especially more difficult. I've noticed that empty spaces are hard to find. Many students are forced to park illegally, often blocking in other cars or parking lot entrances. There also seems to be an increase of cars parked up and down Chalon and Bundy."* (See "Buses, Parking, Senioritis," the Oracle, October 10, 2000, Enclosure 75, emphasis added.)

By 2006, the University made some changes to the traffic flow and the layout of parking spaces: *"In a continuing effort to improve our Campus environment and provide adequate parking for Students, Faculty, and Staff, the following changes have been made to the Chalon Campus: Additional parking spaces have been added along the Fitness Center and behind Carondelet residence hall. The road along the tennis courts, leading up to the Fitness Center is now a ONE-WAY route going north."* (See "To the Mount Community," Chalon Student News, January 20, 2006, Enclosure 76, emphasis added.)

Limiting parking permits to selected students was another attempt by the University to mitigate its self-induced parking shortage. The 2012 Student Handbook stated, *"Parking is limited on the Chalon Campus, so only resident students in their second year or above may buy a parking pass... Commuter students of any year are eligible to buy a parking pass and may buy a parking pass and may park in lot G in front of the tennis courts and gym, or in the commuter parking structure."* Instead of allowing first year resident students to park on Campus, the University provided a car rental service, *"Need a car on Campus? The Hertz On Demand Car Sharing service is great for students living on Campus who may need a car for meetings, run errands or head out to have fun with friends. Rent by the hour, or by the day."* (See MSMU Chalon Campus Student Handbook, 2012, Enclosure 77, emphasis added.)

The most recent Student Handbook (2017-2018) refers to parking on Chalon Campus as a "privilege" and states, *"The registration of a vehicle on Campus and purchase of a parking permit does not guarantee a parking place, but affords the registrant the opportunity to park in designated parking areas when space is available...Everyone pays for parking. There is no free parking — everyone is required to pay to park on MSMU*

Campuses." (See MSMU Student Handbook, 2017-2018, Enclosure 45, p. 84, emphasis added.)

The Student Handbook also addresses parking on local residential streets: *"In addition, we ask that students not bring cars to Campus with the expectation that they can be parked on the streets or public areas of our neighboring communities within a two mile radius of the Chalon Campus only. **Mount St. Mary's University requests that Chalon commuter students refrain from parking in the neighborhood, including Chalon Road, Norman Place and Bundy Drive for the safety of the community.**"* (Id., pp. 85-86, emphasis added.)

Remarkably, the Draft EIR refers to overflow parking on the local residential streets as if it's part of an approved parking plan: *"On-street parking is unrestricted on the surrounding local streets near the Campus. **In addition to on-site Campus parking, Campus users currently park on Chalon Road along with non-Campus users.** Approximately 107 parking spaces are located within a quarter mile walking distance from the Campus along Chalon Road. MSMU monitors the number of cars parked on Chalon Road throughout the day and night, maintaining a daily/weekly parking log during the school year."* (Draft EIR, Project Description, II-8.)

But overflow parking on the substandard neighborhood streets has an obviously negative and well-documented impact on the environment. The only reason prior entitlements were granted was because mitigating conditions required sufficient onsite parking to prevent overflow parking. (See Allyn Riflén report, Enclosure 1, pp. 2-3.)

Consistent with the need to prevent overflow parking on neighborhood streets, the 2017-2018 Student Handbook asks students to refrain from parking in the neighborhood. But as decades of abuse have revealed, the University has used the neighborhood streets as its own overflow-parking lot to facilitate its unpermitted expansion of enrollment, programming and special events. The University very well understands that further intensification on the Campus will just make the problem worse—although that seems of little concern to the University.

Yet the Draft EIR proposes to "mitigate" the crush of traffic by the proposed increase in outside commercial events—which would bring hundreds more visitors to the Campus—by hiring a valet parking service: *"Parking for all events is provided on the Campus. As described above, if events are scheduled for over 50 people during the day and could impact parking on the Campus, MSMU provides on-Campus valet parking"* (Draft EIR, Project Description, 11-13.) While a valet benefits the University by making it easier for visitors to simply drop-off their vehicles at a valet station, it does nothing to mitigate the use of neighborhood streets as a de facto parking lot for commercial events, nor does it reduce traffic congestion on the substandard hillside streets.

It is evident from a long history of parking problems on Mount St. Mary's Chalon Campus as the University has continued to increase enrollment and lease and rent its facilities for

many small and large outside events, its informal attempts at "mitigation" measures have proven ineffective. These failed measures include the following: restriping of parking spaces; narrowing parking space; parking in undesignated parking areas, such as tennis courts; carpooling; busing; parking on local streets; car rental sharing; renting parking from offsite facilities; shuttles; tandem parking; eliminating a traffic lane for parking spaces on one side of the roadway; valet parking. Thus, none of these are true mitigation measures. Further, mitigation measures must be effective and enforceable. (Lincoln Place Tenants Ass'n v. City of Los Angeles, (2005) 130 Cal. App. 4th 1491, 1508.) The University's ineffectual attempts to resolve parking issues created by its over intensification of use and event scheduling are neither.

While MSM continuously attempted to address the parking problems that it had itself created through its persistent and unpermitted increases in enrollments it mostly ignored the severe and cumulative impacts on the surrounding community: congestion on the local substandard streets, dangers from speeding students, a growing impossibility of evacuating both the Campus and the residents during fire or earthquake emergencies. For decades MSMU has knowingly worsened these impacts on local residents without seeking City review that would be open to the public.

Response to Comment CHATTEN-2 16

This commenter's statements regarding the status of entitlements at MSMU, and existing and past operations are outside the scope of the Draft EIR. As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. In addition, all the measures cited by the commenter that have been implemented by MSMU (shuttling, valet parking, etc.) are not CEQA mitigation measures that have been imposed by the City as the result of any given project – they are simply voluntary measures that MSMU has taken in connection with its operations, and thus it is unclear why the commenter is citing to CEQA case law about the measures' effectiveness or enforceability. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁴⁷ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. Further, the Project or Alternative 5 will provide sufficient parking to meet applicable parking requirements.

⁴⁷ See CEQA Guidelines § 15125(a)

In response to concerns from commenters regarding MSMU users parking on the street in the surrounding neighborhood, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users by prohibiting pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip). This comprehensive elimination of street parking includes all Campus operations, both existing and new operations related to Alternative 5. PDF-TRAF-17 is further explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. It should be noted that PDF-TRAF-17's comprehensive elimination of street parking by MSMU users is a completely new measure that was designed specifically for Alternative 5; no similar measures have been used by MSMU in the past. It should also be noted that parking is not a category of environmental impact under CEQA, and impacts to parking supply are therefore not within the scope of this EIR.

The commenter also expresses the commenter's opinion regarding existing valet operations. It should be noted that no street parking occurs under MSMU's existing valet program, nor will any street parking occur under the valet parking program required by the Project's PDF-TRAF-7 or Alternative 5's modified PDF-TRAF-7.

The comment also expresses concern with increased traffic. Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Please see Topical Response No. 1 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, regarding Alternative 5's provision of parking and compliance with all applicable parking requirements.

With respect to the commenter's statements regarding the condition of roads in the area surrounding the Campus, see Response to Comment CHATTEN-2 3.

Comment CHATTEN-2 17

Conclusion: Revocation of MSMU's CUP is Necessary, Appropriate, and Long Overdue.

As shown above, Mount St. Mary's University displays a history of noncompliance with permit conditions and a willful disregard of adverse impacts it is creating to its neighbors. While certain aspects of MSMU's activities might be "deemed approved" because they existed prior to 1946, that "deemed approved" status does not insulate it from having that approval fully or partially revoked.

The provisions of Los Angeles Municipal Code sections 12.24.Z and 12.27.1.B for revocation are well met. The University's continual expansions and intensification of operations have created conditions that "jeopardize[] or adversely affect the public health, peace, or safety of person residing or working on the premises or in the surrounding area." MSMU's careless operation "adversely impacts nearby uses" who are affected by the significant parking, traffic, and fire safety hazards identified above.

The University's unpermitted expansions and commercial operations violate provisions of the Los Angeles Municipal Code and conditions imposed by prior discretionary land uses approvals.

Thus, we request that pursuant to Los Angeles Municipal Code section 12.24.Z and 12.27.1.B you immediately initiate proceedings to revoke MSMU's conditional use permit allowing its operations. The evidence we present here is a mere sampling of the evidence of the intensification of use and severity of impacts that are discussed and is not exhaustive. We reserve the right to submit additional evidence to supplement the record in the future.

Because revocation is appropriate, the University's current application for a CUP that relies upon its deemed approved status and contains significant materially misleading information in its EIR Project description must be held in abeyance while this revocation request is evaluated. No further approvals should be granted to an entity such as Mount St. Mary's University that has already made it abundantly clear it does not, and will not, respect the conditions that have been placed upon it by prior City approvals, and that does not have due regard for the adverse impacts its operations have on its surrounding neighbors.

The Brentwood community has suffered impacts from Mount Saint Mary's University for long enough. We request a prompt response to this application to initiate revocation proceedings.

Enclosures:

1. Allyn Rifkin Report, May 23, 2018
2. "Fire on the Mountain," The Mount Archives history blog, July 5, 2011
3. "Remarkable Service to Our Dear Neighbors," The Mount, Summer 2004
4. Ellen King email, April 17, 2017
5. Liberty Mutual Insurance letter, April 15, 2017
6. Application for Special Permit, October 20, 1928
7. Planning Commission Hearing transcript, 1928
8. Zone Variance approval, December 5, 1928
9. Ordinance No. 62642, January 4, 1929
10. Faculty Building approval, December 22, 1939
11. Application for Conditional Use, March 14, 1952
12. Mary Germaine McNeil, "History of Mount St. Mary's College, Los Angeles, California: 1925-1975
13. Los Angeles Zoning Code, 1946
14. Zone Change Recommendation Report, May10, 1982
15. City Plan Case 4072-CU, May 23, 1952

16. Plot Plan, Exhibit A, 1952
17. Approval of Plot Plan Report, March 5, 1964
18. City Planning Commission Approved Plan, August 29, 1979
19. City Plan Case 4072-CU, January 26, 1984
20. The Blurock Partnership letter, March 26, 1984
21. MND, April 18, 1984
22. LADOT Initial Study Traffic Analysis, April 4, 1984
23. City Plan Case 4072-CU, July 27, 1984
24. James J. Crisp letter, August 29, 1995
25. BHA letter, November 2, 1995
26. MSMC letter, November 7, 1995
27. Bob Rogers report, January 25, 1996
28. "Neighborhood Concerns Over Traffic to Chalon Causes Formation of a New Committee," The Oracle, December 1996
29. "Mount Celebrates 55th Year," The View, 1955
30. "Quarter Century Notes Changes—One to Five," The View, October 12, 1950
31. "New Mount Departments Reflect Changing College Curriculum," The View, October 12, 1950
32. "Mount St. Mary's at a Glance," MSMC Magazine, Fiscal Year 1983
33. "How to Read Mount St. Mary's Development Report," MSMC Magazine, Winter 1983
34. "At A Glance," MSMC Magazine, Winter 1985
35. "Weekend Program Offers Full Degrees At Reduced Rates," The View, Spring 1993
36. "Mount St. Mary's," Los Angeles Times, February 21, 1995
37. "An Interview with Lisa Melou," The Oracle, 2008-2009
38. MSMU Events
39. Chalon Neighbor Newsletter, January 2016
40. Film LA and IMDb Titles with Filming Locations
41. MSMU Form 990, July 1, 2010 — June 30, 2016
42. "Solitude Lost...Monk Set on Campus," The Oracle, April 28 2003
43. BHA Weekend Update, December 9, 2016
44. "What's Happening," The Oracle, February 2, 1998
45. MSMU Student Handbook, 2017- 2018
46. Community Emails
47. "Perspective," The View, November 20, 1947
48. "Attention Wanted-- All Mount Drivers," The View, April 19, 1955
49. "Council Initiates Safety Committee," The View, December 13, 1957
50. "Our New Road; High, Wide and...", The View, December 15, 1959
51. "Careless Drivers Censured," The View, October 4, 1960
52. "Three Years of Challenge," MSMC Magazine, Spring 1986
53. "Speeder Pays," The View, October 31, 1962
54. "Rationalize," The View, November 3, 1964
55. "Traffic again," The View, February 9, 1965
56. "Do You Have a Right to Turn Left," The View, October 13, 1967
57. "Sliding Away," The View, April 28, 1969
58. "Speed Bumps 'Drive' Students Mad," The View, 1979
59. "Transportation Concerns," The Oracle, November 5, 1999
60. "Doud's Inauguration Marks the End of an Era," The Oracle, October 10, 2000
61. "About Parking," The View, May 26, 1964
62. "Parking Lot Ready for 1969," The View, November 4, 1968
63. Mary Germaine McNeil, "History of Mount St. Mary's College, Los Angeles, California: 1925-1975
64. "Holiday Inn Becomes Temporary Residence," The View, October 1977

65. "First Floor Brady Goes Double," The View, November 1977
66. "New Class at Mount," The View, November 1977
67. "Where Have All the Parking Spaces Gone?," The View, 1979
68. "Mount Faces Crisis," The View, November 1980
69. "Parking Problem Confronted," The View, March-April 1981
70. "The Bumpy Road of Commuter Life," The Oracle, December 1995
71. "Increase in Cars Causes Overcrowding in Student and Faculty Parking Areas," The Oracle, November 1996
72. "Reaping the Benefits of Carpooling," The Oracle, February 2, 1998
73. "Careless Drivers, Beware!," The Oracle, September 24, 1999
74. "Battling Bureaucratic Run Around," The Oracle, September 9, 1999
75. "Buses, Parking, Senioritis," the Oracle, October 10, 2000
76. "To the Mount Community," Chalon Student News, January 20, 2006
77. MSMU Chalon Campus Student Handbook, 2012

Response to Comment CHATTEN-2 17

The commenter's statements regarding the status of MSMU's previously-granted entitlements for ongoing campus activities are outside of the scope of the Draft EIR.

As explained in Topical Response No. 2, MSMU's existing operations, student enrollment, or compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is expressly authorized under CEQA⁴⁸. Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

For a complete discussion of the status of MSMU's entitlements for ongoing campus operations, please see Topical Response No. 6 above.

With the exception of Enclosure 1, the 77 enclosures to the comment, listed above, are not pertinent to the content or adequacy of the Draft EIR. However, these enclosures are included in Appendix A of the Final EIR.

Comment CHATTEN- 2 18

CHATTEN-2, Enclosure 1

May 23, 2018

David Wright, Sunset Coalition

Wendy-Sue Rosen, Brentwood Residents Coalition

11845 Chaparal Street Los Angeles, CA 90049

Via email: zofia.wright@gmail.com

⁴⁸ See CEQA Guidelines § 15125(a)

Traffic and Circulation Issues — Regarding the proposed Mount Saint Mary's University Expansion

Dear Mr. Wright and Ms. Rosen:

This is a summary of my review of traffic issues and impacts related to the current operations of Mount Saint Mary's University (MSMU) and the proposed expansion of the Chalon Campus at 12001 Chalon Road in Brentwood. I have 30 years of experience in the field of transportation engineering and planning and until recently I held the position of Chief of the Los Angeles Department of Transportation (LADOT) Bureau of Planning and Land Use Development. In that role, I was responsible for managing a staff of 38 professionals and serving as the key department liaison between the development community and City Council on traffic mitigation and transportation planning issues, including supervision of the completion of numerous Project EIRs for the City of Los Angeles. I also have extensive experience working closely with residential neighborhood associations and developers to negotiate consensus on traffic mitigation measures in association with proposed development projects. Attached is EXHIBIT 1 with a complete summary of my credentials.

As you know, having reviewed school traffic issues regarding the Archer School and the Brentwood School in concert with your neighbor homeowner associations, I have specialized knowledge of school expansion programs in Brentwood and related traffic congestion issues affecting the Sunset Boulevard Corridor west of the I- 405 Freeway. Further, I held the position of Transportation Planning Bureau Chief for the LADOT in 1984, when MSMU submitted their application for conditional use for a parking structure. The application was reviewed and commented on by my department. It is important to note that the review at that time was in no way intended to be a finding of entitlement for increased attendance of the Campus.

Response to Comment CHATTEN-2 18

The comment is introductory in character and does not contain substantive comments regarding the Draft EIR. It is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

The comment notes that the following review includes a discussion of issues and impacts related to both (i) "current operations of Mount Saint Mary's University" and (ii) the "proposed expansion" of the Campus. It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. Further, as explained in Topical Response No. 2, any comments that relate to MSMU's current operations are not CEQA issues relevant to the Wellness Pavilion and are outside of the scope of this EIR. The Draft EIR properly utilized current

student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁴⁹ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

Comment CHATTEN-2 19

Review of Prior Documents

As mentioned above, I was Transportation Planning Bureau Chief at LADOT in 1984, when the Initial Study Traffic Analysis document (EXHIBIT 2) was signed by LADOT Traffic Engineer Charles King, and, at that time, I was his immediate supervisor. With direct knowledge of procedures in place at LADOT, I am especially qualified to interpret the findings of the Initial Traffic Study Analysis and the associated approval for the parking structure.

In an effort to evaluate the background for MSMU's current operational conditions, I have reviewed a number of historical documents that have been submitted to or issued by the City in reference to past entitlements and the current application for expansion (ENV-2016-2319- EIR). The Initial Study Traffic Analysis report by LADOT from March 28, 1984, was issued in response to an application to build a 244-space parking structure on top of an existing parking lot (EIR Case No: 113-84-CUZ). The important note on that document is that LADOT, pursuant to CEQA, did not require a traffic analysis of the requested permit and recommended a finding of NOT SIGNIFICANT impact for traffic "Provided that no enrollment increase is allowed." During that time, MSMU's enrollment was approximately 750 students (see the January 1984 CUP for the Faculty Residence Building). From the Project description it is clear that the request was to build a parking structure and not for an enrollment increase. That is how the City should have processed the entitlement. If the City instead permitted an increase of enrollment to 1,072 students (a 43% increase without additional traffic analysis and new environmental review), that would be a critical error.

Additionally, the July 1984 CUP approval was for a parking structure only --- with a condition that tied the ratio of students to the number of parking spaces in that structure. It did not address the remaining parking spaces on Campus that were required by code. The current MSMU Draft EIR includes a misleading assumption which asserts that the ratio of 1 to 4 parking spaces to students applies to all of the parking on Campus.

Contrary to what MSMU asserts, LADOT issued the "NOT SIGNIFICANT" traffic impact determination for the July 1984 CUP with the condition that enrollment would not increase. If the permit was to provide for increased student enrollment, LADOT would

⁴⁹ See CEQA Guidelines § 15125(a)

have required further assessment of the added vehicle trips to determine the need for a Traffic Impact Analysis and ultimate assessment of traffic impacts.

Response to Comment CHATTEN-2 19

The comment describes what the commenter views as errors in the Draft EIR's calculation of the maximum permissible student enrollment at the Campus, but does not explain how this renders the Draft EIR's analysis of the Project legally defective under CEQA. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project or Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Responses No. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. It should also be noted that Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, deletes all language about the student enrollment calculation in order to avoid any doubt that the Project or Alternative 5 seeks to impact the Campus's student enrollment.

The comment refers to EIR Case No: 113-84-CUZ. It should be noted that no EIR was prepared for this project.

The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁵⁰ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

The comment also contains a number of statements regarding past entitlements related to the Campus. In particular, the commenter raises concerns about the CEQA analysis for a parking structure that was approved in 1984. Both the comment period and CEQA statute of limitations for such project have long passed, and as explained in Topical Response No. 2, MSMU's existing operations and compliance with existing entitlements are not CEQA issues relevant to the Wellness Pavilion and are outside the scope of this EIR.

Comment CHATTEN- 2 20

Parking Requirements for Universities

As stated above, there are documents in the current application for expansion that stipulate the parking garage entitles the University to expand the number of students. In the field of transportation planning and engineering, as it applies to the City of Los Angeles, there is no documentation or guidelines that the provision of parking spaces generates additional traffic. Thus, the number of parking spaces is not considered a

⁵⁰ See CEQA Guidelines § 15125(a)

determination of the amount of traffic impact. Generally, the provision of adequate parking is a mitigation of neighborhood traffic impacts with regards to parking over-flow.

EXHIBIT 3 is a summary of a national data base (Institute of Transportation Engineers) regarding existing parking demands for universities. On average, the peak demand for parking at urban universities exceeded 0.22 parking spaces per student. A conservative practice would be to compare parking needs to the 85th percentile data (statistics which are exceeded only 15% of the time) implying a parking demand of 0.29 parking spaces per student. These data included all visitors to the surveyed universities — including students, staff and visitors. In comparison, the City parking requirements for learning institutions are not calculated upon the number of students, but rather, based upon an analysis of allocated square feet. Generally, the City requires only one space per 500 square feet with Auditoriums and administration office space treated separately (see EXHIBIT 4). There is no basis in City of Los Angeles entitlements to calculate student enrollment based upon the number of parking spaces provided.

Response to Comment CHATTEN-2 20

With respect to the commenter's statements regarding a potential expansion of student enrollment, please see Response to Comment CHATTEN-2 19.

The comment presents a number of claims and statements concerning parking guidelines and parking databases, which are noted for decision-makers. The comment, however, does not articulate any specific defect in the Draft EIR.

As described in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements. With the implementation of PDF-TRAF-18 for Alternative 5, which would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study), there will be no need for additional parking as MSMU will be required to reduce vehicle trip generation. It should also be noted that approximately thirty percent of MSMU entries into the Campus are via shuttle and this is not accounted for by the commenter's reference to the Institute of Transportation Engineers database, which is not tailored to the specific circumstances of individual institutions.

The commenter also references the potential for "over flow" parking in the surrounding neighborhood. As explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users by prohibiting pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

Comment CHATTEN- 2 21**Existing Roadways Are Inadequate for Current Traffic**

EXHIBIT 5 shows the route to the Campus from the Sunset Boulevard Corridor, namely Bundy Drive, Norman Place and Chalon Road. According to the Circulation maps from the latest adopted Brentwood-Pacific Palisades Community Plan and the Circulation Element of the Citywide Plan, all roads to the MSMU Campus are designated as local" roads (see EXHIBIT 6). This appears to be in conflict with more recently adopted designations from the Baseline Hillside Ordinances (Ordinance No. 181,624 and Ordinance # 168,159), wherein these roads are designated as "Hillside Limited Streets." In both of these criteria, the intention of these roads is that they "are intended to accommodate lower volumes of vehicle traffic."

The City standard for determining roadway width is based upon the street designation. documented in the recently adopted Complete Streets Design Guidelines. EXHIBIT 7 is a summary of what the City expects for "local" roadways pursuant to the recently adopted Complete Streets Design Guidelines in which the requirement is for 36-foot wide streets. EXHIBIT 8 shows that the requirement for Hillside Limited Streets is that the paved part of the street be at least 20-feet wide.

During my field investigation, I measured these roads and found the roadway width to narrow from 30 feet wide (nearest to Sunset Boulevard) down to less than 19 feet wide on Norman Place in its approach to Chalon Road which is the entrance to the Campus. As evidenced by pictures of the route which are attached in EXHIBIT 9, these roads are very narrow, windy, lacking sidewalks and with limited sight-line. Those sections of roadway below 20-feet are substandard by any of the City applicable standards and unsafe for two-way traffic.

MSMU proposes to add shuttles and busses to accommodate increased student population and events. The addition of busses to the mix of existing traffic would necessitate wider roadway widths as well as engineering design accommodations such as pavement thickness and minimum sight-line requirements. As evidenced by pictures in EXHIBIT 10, large busses bringing visitors to the MSMU Campus got stuck on Saltair Ave, a very narrow, substandard road.

Additionally, these substandard roads in a high fire area, are inadequate for the amount of current and future traffic generated by Mount St. Mary's University.

Response to Comment CHATTEN-2 21

The comment expresses opinions regarding what the commenter claims are deficiencies in public streets in the vicinity of the Campus. Please see Response to Comment CHATTEN-2 15 regarding City designations and regulations with respect to the width of these streets.

It should be noted that the width of public streets is not in control of MSMU, nor is it an issue within the scope of the Project, Alternative 5, or this EIR. Instead, the physical capacity of the existing public street network around the Campus factors into this EIR only through the analysis of the Project and Alternative 5's traffic impacts on neighboring intersections and street segments during construction and operation, and impacts on emergency services such as fire and police services. The comment states that some sections of roadway are substandard in certain locations. Whether one location (Norman Place on its approach to Chalon Road) may be 19 feet and thus considered substandard does not render the roadway unusable for two-way traffic. As evidenced in the pictures displayed in the comment's Exhibit 9, the roadways are passable, and neither the Project nor Alternative 5 seek to introduce the use of any vehicles that are not in use today.

As explained in Topical Response No. 3 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. Contrary to the commenter's assertion that nearby streets do not have the capacity to handle existing or increased traffic, this Final EIR concludes that Alternative 5 would not cause a significant impact on local street segments during operation. As described in the Draft EIR's Chapter IV.K Transportation and Traffic, the Project would result in operational traffic impacts to street segments including Chalon Road east of Bundy Drive, Chalon Road east of Bundy Circle, Chalon Road west of Norman Place, Norman Place north of Bundy Drive, Bundy Drive north of Norman Place, Bundy Drive north of Saltair Avenue, Bundy Drive north of Sunset Boulevard.

As explained in Topical Response No. 3, Alternative 5 would also reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). It should be noted that, unlike the LOS impacts at intersections, the street segment impacts are largely the result of there being little traffic on these street segments, such that a minor, incremental increase in Project traffic is sufficient to create a significant impact; the impact determination is not the result of there being any bottlenecks on these streets.

The comment mentions the size of shuttles and other vehicles used by MSMU. MSMU does not seek to change the vehicle types that are currently in use for Campus operations as part of Alternative 5. While MSMU will be encouraging and incentivizing greater use of MSMU shuttles in order to reduce total vehicular traffic to Campus, existing shuttles have capacity for any increases in usage and no additional vehicles would be needed for events on Campus. Furthermore, MSMU's long experience with the use of shuttles for the Campus has established that their use is not only feasible, but effective. The commenter incorrectly notes that additional shuttles would be needed for increases in student enrollment. That is incorrect as neither the Project nor Alternative 5 will increase student enrollment.

Alternative 5's new Project Design Features designed to reduce traffic are also applicable to shuttles in a variety of respects. PDF-TRAF-12 and PDF-TRAF-14 specifically provide that shuttle trips will be counted as part of the overall trip caps applicable to new Wellness Pavilion events and Summer Sports Camps. PDF-TRAF-13 provides specific limitations on the number of shuttle trips permitted during the AM-PM peak period and utilizes a Campus entry reservation system subject to audit by LADOT. PDF-TRAF-11 and PDF-TRAF-16 require new Wellness Pavilion events to begin and end in order to not generate trips, including shuttle trips, during AM or PM peak hours during the school year.

With respect to impacts on emergency services, Draft EIR Sections IV.J.1, *Fire Protection* and IV.J.2 *Police Protection*, concluded that the Project would not cause significant impacts on either fire protection or police protection. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5's impacts on fire protection and police protection would similarly be less than significant.

Please also see Topical Response No. 4, Emergency Access and Section IV.J.1, *Fire Protection* of the Draft EIR for discussion of emergency response procedures. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment CHATTEN- 2 22

Consideration of Other Major Projects in the Sunset Corridor

There have been two major development Project approvals with significant impacts on the Sunset Boulevard Corridor: Archer School and Brentwood School — both expansions of existing school sites. EXHIBIT 11 is a summary table of expected traffic impacts for these sites as reported in the Archer School Traffic Study. Traffic conditions projected to be Level of Service (LOS) E or F (unacceptable according to City Policies) at the following 6 intersections in the Sunset Corridor:

Bundy Drive

Saltair Avenue

Barrington Avenue

Barrington Place

Church Lane/I-405 Freeway

Veteran Avenue

All of these intersections are also expected to be traversed by MSMU students, faculty and visitors. The Draft EIR must take these cumulative impacts into consideration using the proper baseline of enrollment permitted.

Response to Comment CHATTEN-2 22

The Bundy Drive, Saltair Avenue, Barrington Avenue, and Church Lane intersections on Sunset Boulevard were included in the traffic analysis in the Draft EIR. The Barrington Place and Sunset Boulevard intersection was not selected as a study intersection as Barrington Place is not a route that leads to the Campus. The Veteran Avenue and Sunset Boulevard intersection was not selected as a study intersection because it is further away from the Project Site and less likely to be impacted by Project traffic than the selected study intersections. All study intersections were selected in consultation with, and approved by, LADOT.

Contrary to the commenter's statement, the cumulative traffic analysis in the Draft EIR did consider the traffic that would be generated by the Archer School for Girls and the Brentwood School projects, and both are included in the list of Related Projects included in Table 7 of the Draft EIR's Traffic Study included as Appendix I. Table 7 indicates that trip generation rates for both projects come directly from the traffic studies completed for both projects. As explained in Topical Response No. 3 and Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, on the basis of cumulative traffic conditions that include both the Archer School for Girls and Brentwood School projects, Alternative 5 will not generate any significant operational traffic impacts. Furthermore, both the Project and Alternative 5 specifically account for cumulative traffic in relation to both the Archer School for Girls and the Brentwood School projects through the implementation of PDF-TRAF-3 for the Project and modified PDF-TRAF-1 for Alternative 5.

With respect to the commenter's statement regarding student enrollment, please see Response to Comment CHATTEN-2 19.

Comment CHATTEN 2-23

SUMMARY

In conclusion, from the documents I have reviewed, the July 1984 CUP approval did not include any condition allowing an increase in enrollment and MSMU appears to be operating with an enrollment number in excess of any City approvals.

The increased enrollment on MSMU's Campus without the City's review and imposition of mitigation measures has added to the unacceptable traffic conditions in the Sunset Corridor. In my opinion, based on the current traffic and extent of substandard roadways serving access to the MSMU Campus from Sunset Blvd, the proposed expansion of the University will be significantly impactful to the community.

Please contact me if you have questions.

Very truly yours,
Allyn D. Rifkin, PE

Response to Comment CHATTEN-2 23

The comment is a general assertion about the increase in enrollment that does not specifically state a deficiency in the Draft EIR. With respect to the commenter's statement regarding student enrollment, please see Response to Comment CHATTEN-2 19.

The commenter asserts that the "proposed expansion" of the Campus will be "significantly impactful to the community." As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, neither the Project nor Alternative 5 will result in a physical expansion of the Campus. All of the Project's environmental impacts, including significant and unavoidable environmental impacts, are discussed in the Draft EIR. All of Alternative 5's environmental impacts are discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR. As stated therein, Alternative 5's only significant and unavoidable impacts are in the categories of construction traffic, construction noise, and cumulative human annoyance vibration.

Comment CHATTEN 2-23-B

The May 23, 2018 letter from Rifkin Transportation Planning Group includes the following 11 exhibits: Exhibit 1 – Resume for Allyn Rifkin, P.E.; Exhibit 2 – Initial Study Traffic Analysis data from 1986; Exhibit 3 – National parking Data for Universities; Exhibit 4 – City of Los Angeles Parking Regulations; Exhibit 5 – Map of Access Route to MSMU Campus; Exhibit 6 – Circulation Element for Brentwood/Pacific Palisades Community Plan; Exhibit 7 – City of Los Angeles Standard Street Cross Sections for a Local Street; Exhibit 8 – City of Los Angeles Standard Street Cross Section for a Standard Hillside Limited Street (example); Exhibit 9 – Photos of Access Route; Exhibit 10 – MSMU Bus Stuck on Saltair (photo); and Exhibit 11 – Sunset Blvd Intersection Level of Service data.

Response to Comment CHATTEN-2 23B

Exhibits 1 through 11 do not directly address environmental issues or include Project-specific comments. Exhibits 1 through 11 are noted for the record and will be forwarded to the decision-makers for review and consideration. Refer to Appendix A of this Final EIR for the complete text and graphics of Exhibits 1 to 11.

Comment CHATTEN 2-23-C

Following Enclosure 1, the May 23, 2018 letter from Rifkin Transportation Planning Group, the CHATTEN 2 letter includes Enclosures 2 to 77, which are listed in Response to Comment CHATTEN-2 17.

Response to Comment CHATTEN-2 23C

Enclosures 2 through 77 do not directly address environmental issues or include Project-specific comments. Enclosures 2 through 77 are noted for the record and will be

forwarded to the decision-makers for review and consideration. Refer to Appendix A of this Final EIR for the complete text and graphics of Enclosures 2 to 77.

COMMENT CHATTEN-2 24 TO CHATTEN 2-2 38 BELOW ARE FROM A JUNE 12, 2018 COMMENT LETTER PREPARED BY ALLYN D. RIFKIN, PE, RIFKIN TRANSPORTATION PLANNING GROUP, WHICH FOLLOWS ENCLOSURE 77 IN THE CHATTEN 2 LETTER BUT IS NOT NUMBERED ENCLOSURE 78.

Comment CHATTEN- 2 24

Mount Saint Mary's University is proposing the construction of a 38,000 square foot Wellness Pavilion on a site currently containing 226 parking spaces. The new facility would include 281 parking spaces, an addition of 55 parking spaces to the Campus.

On behalf of the Sunset Coalitions and Brentwood Residents Coalition, I have reviewed the draft Traffic Impact Analysis of the proposed Project dated January 2018 which was prepared by the consulting firm of Fehr and Peers. This Traffic Impact Analysis is the basis for the traffic impact analysis for the subject Draft EIR dated April 2018. I am qualified to conduct such a review based on my 34 years of experience working for the Los Angeles Department of Transportation, culminating with the supervision of the Transportation Planning Bureau of that department (See Exhibit 1 for a summary of my experience).

Response to Comment CHATTEN-2 24

The comment describes the Project's floor area and parking and explains the commenter's qualifications to review the Draft EIR's Traffic Study. The comment does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 sf. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 sf.

The commenter also refers to the addition of 55 parking spaces to the Campus as part of the Project. As described in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would not add additional parking spaces but would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements.

Comment CHATTEN- 2 25

The Traffic Impact Analysis is flawed for several reasons resulting in the under-estimation of the Project impacts:

The trip generation for the proposed Project is based upon the consultants unsubstantiated assumptions of the attendance to the Wellness Pavilion and the assumed occupancy of visitors to the center. Further, it does not include ride-sharing drop-off and pick-ups, valet employees to staff the events, other service, staff and maintenance vehicles, food supplies and other deliveries, Traffic surveys of similar projects need to be added into the record to evaluate the reasonableness of the assumptions.

Response to Comment CHATTEN-2 25

The comment states the commenter's opinion that the Draft EIR's Traffic Study contains a number of flaws.

With respect to the trip generation rates used in the Traffic Study, the commenter incorrectly asserts that they were based on unsubstantiated assumptions. The Draft EIR's Traffic Study assumed an average vehicle occupancy rate of two guests per car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns, in which most attendees at events, such as the new events proposed as part of the Project, would not arrive alone. Given that the Project's new events were social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two per vehicle would also account for the occasional guest who drove alone and multiples arriving in a carpool.

The commenter asserts that the Traffic Study's trip generation rates do not account for the use of ride-sharing services.

With respect to the trip generation rates used in the Traffic Study, the commenter incorrectly asserts that they were based on unsubstantiated assumptions. The Draft EIR's Traffic Study assumed an average vehicle occupancy rate of two guests per car. The basis of that assumption was the experience of the traffic engineer in understanding vehicle occupancy patterns, in which most attendees at events such as the new Wellness Pavilion events proposed as part of the Project would not arrive alone. Given that the Project's new events are social gatherings, it was reasonable to assume a driver and an additional rider or family member. The assumption of two per vehicle also accounts for the occasional guest who drove alone, multiples arriving in a carpool, and the use of transportation network companies (TNCs) such as Uber and Lyft.

In response to several comments received relating to the Traffic Study's assumptions as to the use of carpools or other concerns about estimated vehicle occupancy, Alternative 5 imposes daily vehicle trip caps, rather than a guest cap, which will ensure that no matter

the vehicle occupancy rate, trips will remain less than significant. See Topical Response No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR for a complete discussion of the ways in which Alternative 5 limits trips with various operational restrictions. Alternative 5 also specifically includes TNCs in trip caps. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would impose PDF-TRAF-10, which requires outside guests and Summer Camp attendees to identify in a new parking reservation/ticketing system whether they will be traveling in a private vehicle or via TNCs and requires their permit to specify their selected mode. Therefore, all TNC traffic generated by Alternative 5 will be fully accounted for by the new parking reservation/ticketing system.

The comment also mentions catering and similar services, or non-MSMU staff for new events potentially generating trips for new Wellness Pavilion events. It is anticipated that the majority of new events would use the catering services currently on the Campus and would therefore not generate any new trips. However, all catering or similar service vehicles associated with a new event or Summer Sports Camp and all non-MSMU staff for new events would be considered outside guests and would therefore be subject to Alternative 5's requirement of the use of a new parking reservation/ticketing system in order to enter the Campus, and would also be subject to applicable trip caps.

The commenter states that traffic surveys conducted for similar projects should be used to evaluate the reasonableness of the Draft EIR's Traffic Study's trip generation rates. It should be noted that the traffic surveys of other school projects, which are primarily based on increases in enrollment, do not provide a reasonable analogy to the traffic anticipated to be generated by the Wellness Pavilion, which would be intermittently used by outside guests. Also, see Response to Comment CHATTEN-2 3 regarding the fact that a disagreement between experts, such as the commenter's assertions regarding the reasonableness of the trip generation figures used in the Traffic Study, does not in and of itself represent an inadequacy with the Draft EIR.

Comment CHATTEN- 2 26

The baseline traffic conditions (existing without Project) are inconsistent with recently completed traffic studies of other proximate school expansion projects, painting a more optimistic scenario for the starting point of the analysis. Rather than relying on the standard CMA analysis for level of service analysis, more detailed operations analysis should be completed to gain a more pragmatic assessment of traffic impacts. The study must also document the amount of peak hour spreading to assure the assessment of so-called "off-peak" events at the Wellness Center can be accommodated.

Response to Comment CHATTEN-2 26

As stated on p. 20 of the Traffic Study, Draft EIR, Appendix I, Critical Movement Analysis (CMA) methodology for level of service analysis of study intersections in the City of Los

Angeles is a requirement of the City's Transportation Impact Study Guidelines (LADOT, December 2016).

The commenter suggests that the Traffic Study did not document peak hour spreading. This is not accurate. The Traffic Study included more hours of analysis than the typical AM and PM peak hours required by LADOT. Additional hours were analyzed due to peak spreading (6:00 PM-7:00 PM for new school year events and 3:00 PM-4:00 PM for Summer Camps). The reason for this is a recognition that the peak hour of congestion is beyond a single hour; therefore, additional hours were studied and analyzed to understand impacts throughout the peak congested periods.

Comment CHATTEN- 2 27

The assessment of neighborhood traffic impacts fails to consider the unique and constrained conditions of the sub-standard hillside streets leading to the University from Sunset Boulevard. There are a number of locations where the constrained topography limits the roadway making it difficult for two-way traffic at the traffic volumes projected and unsafe for existing bus shuttle programs necessary to mitigate the existing enrollment levels for the Project. Certainly, it is not clear if proposals to mitigate construction impacts by use of further bus shuttles would be feasible. The traffic analysis should evaluate peak hour traffic flows on the local streets to determine if the practical capacity limited width roadways may be exceeded.

Response to Comment CHATTEN-2 27

The Traffic Study's neighborhood street impacts were evaluated according to LADOT criteria, which are based on daily trips added to residential roadway segments.

With respect to the commenter's stated concerns regarding the conditions of public streets in the vicinity of the Campus and the relationship of the same to potential traffic impacts, see Response to Comment CHATTEN-2 21.

Comment CHATTEN- 2 28

The proposed mitigation of traffic congestion impacts is of concern. There are cumulative construction impacts with currently approved construction under-way at Archer School and at Brentwood School that were not considered. The proposed measures involving the use of alternative access through the Getty Museum property and Mountaingate fire roads has not been demonstrated as being feasible for a number of reasons. Further, the use of remote parking and shuttle buses to the Campus to mitigate the temporary elimination of on-site parking is not feasible. The traffic analysis of construction impact and emergency access mitigation needs to be further detailed in light of comments received.

Response to Comment CHATTEN-2 28

With respect to the commenter's statements regarding cumulative traffic impacts and the Archer School for Girls and Brentwood School projects, please see Response to Comment CHATTEN-2 22.

With respect to alternative access through the Getty and Mountaingate, fire road traffic is not contemplated in connection with either the Project or Alternative 5. The use of Getty property had been proposed in connection with construction traffic, but alternative access through Getty property in Alternative 3 has been determined to be infeasible. Please see Topical Response No. 5.

The commenter asserts that proposed measures including remote parking and the use of shuttles during construction are not feasible, but provides no substantial evidence in support of this conclusion. MSMU's long experience with the use of shuttles for the Campus has established that such measures are in fact feasible.

The commenter refers to construction traffic impacts. The Draft EIR properly concluded that the Project would result in traffic impacts during construction at both specific intersections and along certain street segments. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). It should be noted that, unlike the LOS impacts at intersections, the street segment impacts are largely the result of there being little traffic on these street segments, such that a minor, incremental increase in Project traffic is sufficient to create a significant impact; the impact determination is not the result of there being any bottlenecks on these streets. It should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments, including cumulative construction traffic impacts, was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments.

Please see Topical Response No. 4 with regard to emergency access. As concluded in Section IV.J.1 *Fire Protection* of the Draft EIR, and Chapter III, *Revisions, Clarifications, and Corrections*, of the Final EIR for Alternative 5, fire protection impacts, including emergency access impacts, would be less than and no mitigation measures are required.

Comment CHATTEN- 2 29

There is a basic mis-understanding regarding the baseline conditions and the University's entitlement for student enrollment. In a separate, May 29, 2018 communication to the Planning Director, the Sunset Coalition and Brentwood Residents Coalition (BRC) summarized my findings related to the LADOT review of a previous 1984 Conditional Use Permit (CUP) to build the existing parking facility. At that time, I was supervisor of the

LADOT's Transportation Planning Bureau and agreed with LADOT conclusion at that time that no Traffic Impact Analysis was necessary for the then new parking facility, "... provided that there was no increase in student enrollment." The enrollment prior to that time was capped at 750 students. Mount Saint Mary's 1984 CUP involved only an approval to build a parking structure and there has not been a request since then to increase enrollment. The Fehr and Peers Traffic Impact Analysis does not assume additional enrollment at the University as a result of the new facility, thus it must be more clearly stated that the permit for this new facility would not entitle additional enrollment above what has been permitted for the University or the Draft EIR must evaluate that increase.

Response to Comment CHATTEN-2 29

With respect to the commenter's statement regarding student enrollment, please see Response to Comment CHATTEN-2 19. With respect to the commenter's request that it be more clearly stated that construction of the Wellness Pavilion would not entitle additional enrollment, both the Draft and Final EIR make clear that there would be no increase in enrollment under either the Project or Alternative 5. Further, all references to the student enrollment calculation have been deleted from this Final EIR.

Comment CHATTEN- 2 30

DISCUSSION

TRIP GENERATION

In Chapter III of the Traffic Study, Fehr and Peers estimates the peak hour traffic to be:

AM 180 vehicles per hour (180 in and 0 out)

PM 200 vehicles per hour (90 in and 126 out)

This estimate is based upon presumed event types and attendance figures without any citations for precedence from similar facilities. Rather than unsubstantiated assumptions, the best practice would have been to survey a similar facility. In particular, it does not appear reasonable that there would be no out-bound trips in the AM peak hour as it is stated that the facility would be open to Doheny students and other visitors. The Wellness Pavilion may attract existing students to come to the Campus earlier, in the AM peak hour, to take advantage of the new facilities. Also, under current conditions, some college students are shuttled to school by friends, roommates, siblings, parents, or Uber/Lyft services with resultant outbound trips as those vehicles continue on to work or other destinations from the Campus. This phenomenon would also be extended to the Wellness Pavilion.

Response to Comment CHATTEN-2 30

The trip generation for the Traffic Study was developed based on specific information regarding proposed event operations in the Wellness Pavilion with data provided by MSMU.

Traffic surveys of similar projects would not be representative of the unique location and travel conditions to and from the Campus. The Wellness Pavilion will in part serve the existing student population, and while students may arrive and depart at different times to take advantage of the Wellness Pavilion, estimating these effects would be speculative and subject to inaccuracies. With respect to AM peak hour departures from the Wellness Pavilion, it is not expected that any students will be coming to Campus in morning traffic only to use the Wellness Pavilion and then depart in AM peak hour traffic. This is especially the case for Doheny students since the Doheny campus not only has its own physical fitness facilities, but is several miles away and doing so would require students to go through hours of rush hour traffic solely for use of the fitness facilities. Instead, it is expected that every-day use of the Wellness Pavilion will be but one part of a student's use of the Campus throughout the day, inclusive of other uses (classroom instruction, library studying, extracurricular activities, etc.) The Campus is too far removed from non-resident student homes and AM peak hour traffic is high, as noted by the commenter. As a result, AM peak hour trips solely for use of the Wellness Pavilion's fitness facilities is not expected. Likewise, Alternative 5 eliminates AM peak hour events altogether, such that no event departures can reasonably be expected from non-existing events. In general, changes to student travel patterns associated with the opening of the Wellness Pavilion are expected to be nominal.

With respect to the commenter's stated concerns regarding the use of Uber or Lyft, or other types of carpooling, and trip generation associated with same and the Wellness Pavilion, please see Response to Comment CHATTEN-2 25.

It should be noted that Alternative 5 imposes overall limits on daily vehicle trips and will therefore effectively limit daily trips to below levels of significance under any trip generation conditions. Further, the implementation of PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the Traffic Study).

Comment CHATTEN- 2 31**BASELINE TRAFFIC COUNTS**

This community has reviewed traffic conditions for two other academic Campuses in recent years. Many of the same intersections studied in this Traffic Impact Analysis were also evaluated for those projects as well. Below is a summary comparing existing conditions from this Traffic Impact Analysis and the Brentwood and Archer School EIR's

at, for example, Church Lane at Sunset Boulevard, a key intersection adjacent to the I-405 Freeway.

PM PEAK HOUR at Sunset Blvd/Church Lane			
	CMA Value	LOS	
Mt. St. Mary's University	0.701	C	(2016 baseline)
Brentwood School	0.789	C	(2014 baseline)
Archer School	0.821	D	(2013 baseline)

From the above summary, one would have to conclude that, based upon existing counts, traffic conditions have gotten better in the three years since the Archer School data were collected. Given that Brentwood School and Archer School have expanded during these intervening years, the conclusion that traffic conditions have improved is not apparent and needs to be re-examined. A more detailed operational analyses of level of service should be performed to clear this anomaly.

Response to Comment CHATTEN-2 31

It should be noted that the Archer School for Girls and Brentwood School projects were not completed at the time MSMU traffic counts were collected. In comparing the intersection volumes between the Traffic Study's 2016 baseline count and the Archer 2013 baseline count, the overall intersection AM peak hour volumes increase by 9 percent from 2013 to 2016, the PM peak hour (5:00PM-6:00 PM) volumes decreases by 10 percent from 2013 to the 2016 count, and the PM peak hour (6:00 PM-7:00 PM) volumes increased by 10 percent from 2013 to 2016. Variations in traffic volumes +/- 10 percent are common and within the normal range of variation in traffic counts. As such, the commenter's characterization of the Traffic Study's 2016 baseline count as an "anomaly" is not accurate, and further analysis as suggested by the commenter is not warranted.

Comment CHATTEN- 2 32

On page 23 of the Mount Saint Mary's Traffic Study, the consultant acknowledges that

"three intersections along Sunset Boulevard were observed to experience acute congestion during the afternoon peak traffic period...resulting in a reduced number of vehicles traversing the intersection."

In the traffic studies for the previous Sunset Corridor school projects, there was substantial comment regarding the peak hour spreading of traffic. In other words, because of the severe traffic conditions (i.e.: Level of Service F) along the Sunset corridor, commuter peak traffic demands extend over more than one hour. This is a concern over the assertion that the new facility may schedule additional events in the "off-peak" hours. The Traffic Impact Analysis must better discuss the amount of peak hour spreading and document how those schedules would not affect the peak traffic demands outside the so-called "peak hour."

Response to Comment CHATTEN-2 32

Peak hours were analyzed per LADOT's standard procedures for EIR traffic analyses at signalized intersections as representing the most conservative analysis. The Traffic Study included more hours of analysis than the typical AM and PM peak hours required by LADOT. Additional hours were analyzed due to peak spreading (6:00 PM-7:00 PM for new school year events and 3:00 PM-4:00 PM for Summer Camps). The reason for this is a recognition that the peak hour of congestion is beyond a single hour; therefore, additional hours were studied to understand impacts throughout the peak congested periods.

Further, as discussed in Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 restricts all new school year Wellness Pavilion events start and end times to ensure that no outside guests would travel to or from the event between 7:00 AM to 9:00 AM and 4:00 PM to 7:00 PM.

Comment CHATTEN- 2 33**NEIGHBORHOOD TRAFFIC IMPACTS**

The assessment of neighborhood traffic impacts is based upon an LADOT criterion using daily traffic volumes which was developed to assess whether residential residents could notice changes in traffic conditions. This assessment does not consider the restrictions of hillside local streets, which have limited roadway width and site distance that could further limit the amount of traffic feasible for those streets. Attached, as Exhibit 2 is a May 23, 2018 letter documenting my field review of the local hillside streets serving access to the Mount Saint Mary's Campus. The major conclusion is that there are sections of the roadway that limit the ability of the access road to handle two-way traffic over and above the existing levels. The addition of the peak hour traffic volumes expected to be added from the new facility may exceed those limits. To evaluate this concern, there should be a peak hour analysis of the local streets to assure the residents that the practical capacity of those streets is not exceeded.

Response to Comment CHATTEN-2 33

The neighborhood street impacts were evaluated according to LADOT criteria, which are based on daily trips added to residential roadway segments. As described in the Draft EIR's Chapter IV.K Transportation and Traffic, the Project would result in operational traffic impacts to street segments including Chalon Road east of Bundy Drive, Chalon Road east of Bundy Circle, Chalon Road west of Norman Place, Norman Place north of Bundy Drive, Bundy Drive north of Norman Place, Bundy Drive north of Saltair Avenue, Bundy Drive north of Sunset Boulevard.

With respect to the commenter's assertion that the roads in the area surrounding the Campus are not able to accommodate the addition of peak hour traffic, as discussed in

Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 restricts all new school year Wellness Pavilion events start and end times to ensure that no outside guests would travel to or from the new events between 7:00 AM to 9:00 AM and 4:00 PM to 7:00 PM. With respect to Summer Sports Camps, Alternative 5 would implement PDF-TRAF-13, which provides specific hourly trip caps during peak hours that have been specifically designed to keep operational traffic impacts below the level of significance.

Comment CHATTEN- 2 34

MITIGATION OF CONSTRUCTION IMPACTS

Chapter 8 (page 61) of the Traffic Impact Analysis provides a discussion of construction impacts.

The Archer School and Brentwood School have been under construction during the past year. The community is very much aware of construction impacts involving truck movements necessary to remove soil from the site and the delivery of construction materials to the site. The Traffic Impact Analysis for Mount Saint Mary's University Wellness Pavilion does not acknowledge those activities as cumulative construction impacts which also impact traffic flow through the Sunset Corridor.

Response to Comment CHATTEN-2 34

The cumulative impacts discussion in the Traffic Impact Analysis and Draft EIR, Section IV-K, *Transportation and Traffic*, discusses the potential for overlapping construction activities with the Archer School for Girls and Brentwood School East and West Campus expansion projects (see pp. IV.K-85 and IV.K-86 of the Draft EIR). In addition, PDF-TRAF-1 requires MSMU to coordinate the periods of heaviest construction activity with the Archer School for Girls and the Brentwood School in order to avoid overlapping hauling activities. It should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments, including cumulative construction traffic impacts, was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments.

Comment CHATTEN- 2 35

The proposed haul route (Figure 9A, page 63) faces the same limitations of topography described above under Neighborhood Traffic Impacts and there is no discussion of the feasibility of trucks travelling up and down the narrow hillside streets. An alternative haul route (see Alternative 3, Figure 10, page 85) was proposed using access through the use of fire roads on the Getty Museum property. There is no demonstration of the necessary permissions and approvals of the Getty Museum for that alternative.

Response to Comment CHATTEN-2 35

The route shown in Figure 9A of the Traffic Study (Appendix I of the Draft EIR) will be used for construction traffic and is the same public ingress and egress route currently used by MSMU for all vehicle access. The route is currently used for garbage collection and truck access for all building projects in the area, indicating that this route is indeed feasible for similarly sized construction vehicle access. The use of an alternative access through the Getty Museum property in Alternative 3 has been determined to be infeasible, and is no longer being considered, as explained further in Topical Response No. 5.

Concerns have been raised regarding potential traffic conflicts with construction trucks traveling on the hillside local streets (Bundy Drive, Norman Place, and Chalon Road) that provide access to MSMU. Under the Project, PDF TRAF-1 requires preparation of a Construction Traffic Management Plan including elements such as appropriate temporary traffic controls (signs and temporary signals), scheduling, maintaining access to surrounding residential uses, truck staging prior to arriving at the site, coordination with the City and emergency service providers, preparation of worksite traffic control plans in the event of any temporary lane closures, and coordination with nearby schools. PDF TRAF-6 limits construction truck travel on local streets to Bundy Drive, Norman Place, and Chalon Road.

To further alleviate such concerns, Alternative 5 will incorporate the following additional measures into a Modified PDF-TRAF-1:

- Temporary truck staging will not be permitted on local hillside streets.
- Truck loading/unloading will occur on the MSMU campus, not on local hillside streets.
- Safe truck driving practices, including low gear, not passing another vehicle, and deployment of optional 4th axle, if available, shall be required.

Comment CHATTEN- 2 36

There were recent serious of brush fires in this area surrounding the Campus site. Emergency evacuation routes have been designated, which include Chalon Road to Bundy Drive; Norman Place to Bundy Drive; and a third route through the Mountaingate community (with undeveloped fire roads over private property). The designation of these emergency routes and possible conflicts with construction access plans should be addressed in the construction impacts analysis.

Response to Comment CHATTEN-2 36

No fire road traffic is contemplated in connection with construction of the Project or Alternative 5. Specifically, the use of Mountaingate has never been referenced in connection with Project or Alternative 5 construction traffic. Furthermore, the use of an

alternative access through the Getty Museum property in Alternative 3 has been determined to be infeasible, as explained further in Topical Response No. 5.

Please also refer Topical Response No. 4 regarding emergency access.

The Project would include PDF-TRAF-1, which requires the preparation and enforcement of a Construction Traffic Management Plan. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates a modified PDF-TRAF-1 which also required the preparation and enforcement of a Construction Traffic Management Plan. The Construction Traffic Management Plan under either the Project or Alternative 5 requires the contractor to maintain access for land uses in proximity to the Project Site during construction, to minimize obstruction of through traffic lanes on surrounding public streets, to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences at all times, and other measures to reduce congestion in the area. Coordination with the LAFD would include apprising the LAFD of construction truck activity, including the days, times, and routing of trucks. This would allow fire officials to access the emergency destination via alternative routes, if applicable. Upgrades on LAFD fire apparatus include automated vehicle locating systems, so that the alternative routes could be selected. If an alternative route is not feasible, communication between the LAFD and contractor would allow the contractor to pause activity along a particular route to allow passage of an emergency vehicle. In this context, communication with LAFD would allow MSMU to stop any further construction vehicles from exiting the Campus until an “all clear” notification is received from LAFD. Advance notification from LAFD would also ensure that any construction vehicle would have already passed through the more narrow street segments of concern, well in advance of emergency vehicles arriving. Emergency response is also routinely facilitated, particularly for high priority calls, through driving in opposing traffic lanes. In addition, the Project and Alternative 5’s construction truck traffic would not be continuous over a long period of time and would be limited to specific hours on specific days (please refer to Topical Response No. 3 regarding the intermittent character of the Project and Alternative 5’s construction traffic). The intermittent activity would further reduce the potential for fire emergency vehicle and construction truck conflicts.

Comment CHATTEN- 2 37

Additionally, the construction involves the temporary elimination of 226 existing parking spaces for faculty and students. Mitigation of this parking impact is offered through a combination of valet parking and additional shuttle bus to the Campus. As described above under Neighborhood Traffic Impacts, additional shuttle bus operations would be problematic because of the limited roadway widths on the access route to the Campus.

Response to Comment CHATTEN-2 37

Please see Response to Comment CHATTEN-2 21 regarding the commenter's stated concern regarding shuttle operations on streets in the vicinity of the Project Site.

Comment CHATTEN- 2 38

BASELINE ASSUMPTIONS FOR ATTENDANCE

In a separate, May 29, 2018 communication to the Planning Director, the Sunset Coalition and Brentwood Residents Coalition (BRC) made the case for revocation of the University's current entitlements based upon the errant expansion of enrollment without traffic analysis and evaluation. To briefly summarize, the applicant has previously argued that the provision of additional parking at the required one parking space per four students would entitle the Campus to additional expansion. In 1984, when a previous conditional use permit was processed for a parking structure of approximately 268 parking spaces, LADOT concluded that no Traffic Impact Analysis was needed as long as there was no increase in the Campus enrollment— 750 students at that time. In the baseline conditions, the Campus enrollment is stated as approximately 1,500 students (according to the applicant). The Draft EIR and hence the Traffic Impact Analysis needs to evaluate the impact of increasing the enrollment beyond the 750-student limitation. Certainly, it needs to be re-stated again that the clearance of this proposed Wellness Center Project does not involve any approvals for increases in enrollment or the Draft EIR must evaluate that increase.

Response to Comment CHATTEN-2 38

With respect to the commenter's statement regarding student enrollment, please see Response to Comment CHATTEN-2 19. The Draft EIR properly utilized current student enrollment at the Chalon Campus to establish the environmental baseline against which Project impacts were evaluated. This approach is consistent with the CEQA Guidelines.⁵¹ Had the Draft EIR used any enrollment figure other than the existing student enrollment, environmental impacts would not have been accurately measured.

Comment CHATTEN- 2 39

The June 12, 2018 letter prepared by Allyn D. Rifkin, P.E, of Rifkin Transportation Planning Group, includes two exhibits. Exhibit 1 is a resume for Allyn Rifkin, P.E. Exhibit 2 is the May 23, 2018 letter prepared by Rifkin Transportation Planning Group, which provides comments on traffic-related issues and impacts related to the Project. Additional exhibits are attached to Exhibit 2. These documents are included in Appendix A and include a second copy of a resume for Allyn Rifkin, P.E., a page excerpt from an initial study completed for a separate project (Exhibit 2), ITE parking generate rates (Exhibit 3), a summary of the City's parking regulations (Exhibit 4), a screenshot of Google Maps and the general location of the Chalon Campus (Exhibit 5), a page from the

⁵¹ See CEQA Guidelines § 15125(a)

Brentwood-Pacific Palisades Community Plan (Exhibit 6), documentation related to street standards (Exhibits 7 and 8), photos of local roadways (Exhibits 9 and 10), and a LOS table related to the Archer School project (Exhibit 11).

Response to Comment CHATTEN-2 39

Exhibit 1 consists entirely of a resume and does not address environmental issues or include Project-specific comments. The resume is noted for the record and will be forwarded to the decision-makers for review and consideration. Responses to the May 23, 2018 Rifkin Transportation Planning Group letter are provided above in Response to Comments CHATTEN-2 18 to CHATTEN-2 23B. Refer to Appendix A of this Final EIR for the complete text of Exhibits 1 and 2 to the June 12, 2018 Allyn D. Rifkin letter, as well as the additional Exhibits (1-11) noted above.

Letter GETTY CENTER

Gregory W. Swartz
Latham & Watkins LLP
335 South Grand Ave, Suite 100
Los Angeles, 90071
(June 13, 2018)

Comment GETTY CENTER 1

Dear Ms. King,

On behalf of the J. Paul Getty Trust, we are submitting the attached comment letter regarding the Draft Environmental Impact Report for Mount Saint Mary's University Chalon Campus Wellness Pavilion Project (ENV-2016-2319-EIR). In addition, later today, we will be sending a hardcopy of the comment letter to the following address:

Kathleen King

City of Los Angeles, Department of City Planning

221 North Figueroa Street, Suite 1350

Los Angeles, CA 90012

Please let us know if you have any questions.

Sincerely,

Gregory W. Swartz

Dear Ms. King:

This letter provides comments on behalf of the J. Paul Getty Trust (the "Getty") in connection with the Mount Saint Mary's University Chalon Campus Wellness Pavilion Project's (the "Project") Draft Environmental Impact Report ("DEIR"). The Chalon campus of Mount Saint Mary's University ("MSM") is close to the world-renowned Getty Center, which attracts more than a million and a half visitors each year and houses priceless art and archival collections, public gardens, open spaces, libraries, scientific research laboratories and an art historical research institute. While this letter does not reflect a position of the Getty as to MSM's Project as proposed, the Getty is opposed to the proposed Alternative 3, in which MSM would use the Getty's private property and internal roadways for its construction traffic. As described in more detail below, Alternative 3 must be rejected in the Final EIR, as it is infeasible, creates significant safety and operational concerns, which have not been analyzed, and does not reduce significant impacts as compared to the Project. In fact, if Alternative 3 is not eliminated, recirculation of the DEIR

would be required to disclose the additional significant impacts this alternative would create.

I. ALTERNATIVE 3 MUST BE REJECTED AS INFEASIBLE BECAUSE MSM DOES NOT HAVE PERMISSION TO USE THE GETTY'S PRIVATE PROPERTY, INCLUDING ST. CHALON ROAD AND GETTY CENTER DRIVE, FOR ITS CONSTRUCTION TRAFFIC.

Alternative 3 does not meet the basic requirement of the CEQA Guidelines as to feasibility, including “whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.”¹ Alternative 3 would require construction vehicles to access MSM via Getty Center Drive and St. Chalon Road (a private road owned by the Getty extending from the intersection of Chalon Road and North Norman Place).² MSM does not possess any right to use these privately owned roads, especially for two years of construction traffic as described in the DEIR, and MSM is well aware of the Getty's safety and other concerns. Moreover, MSM has not adequately explained why it wishes to rely on private property for its purposes when it already has a feasible haul route through public roads. In addition, MSM's access to St. Chalon Road would contradict the City's approvals under which the Getty operates, as according to the Getty's 1985 Conditional Use Permit (“CUP”), St. Chalon Road is to remain unimproved and securely locked, without regular vehicular access.³ Finally, the Getty cannot agree to allow conditions to exist on its private property that threaten the safety of its employees and visitors. Alternative 3 must be rejected as infeasible in the Final EIR.

Footnote 1: CCR Title 14, Division 6, Section 15126.6(f)(1).

Footnote 2: DEIR, page V-49 (St. Chalon Road is identified as “Chalon Rd. (Private).”).

Footnote 3: CUP, Conditions 72, 86.

II. ALTERNATIVE 3 POSES SIGNIFICANT SAFETY AND OPERATIONAL CONCERNS.

MSM's proposed route for construction vehicles is unsuitable for the proposed purpose and would be highly unsafe for a number of reasons. First, St. Chalon Road is narrow, only half a road-width in parts with adjacent unimproved portions. It is located on a steep, unstable hillside and lacks guardrails. It also traverses an aging concrete bridge. The surrounding hillside is steep and rocks and debris are frequently shaken loose, even without the presence of heavy construction vehicles. As such, the road cannot safely accommodate thousands of heavy construction vehicles – and other associated traffic, including an undefined number of vehicles bringing construction workers and deliveries – over the nearly two-year construction period contemplated as part of the Project. The proposed volume of traffic far exceeds the current infrequent use of St. Chalon Road as a secondary route for emergency vehicles. Routing heavy construction vehicles and other construction-related traffic through St. Chalon Road would endanger not only the drivers

of the vehicles, but the residents of the homes situated below St. Chalon Road. For instance, drivers would be put at risk if the roadbed gives way, causing vehicles to slip backwards or over the edge of the road. Similarly, residents could be harmed by hillside subsidence, falling construction vehicles and other hazards posed by using St. Chalon Road as a haul route.

Allowing MSM access to the Getty property, as required by Alternative 3, would create a number of additional safety issues that the DEIR fails to analyze. As such, if this alternative is not rejected, recirculation would be required in order to analyze these issues further. For example, allowing numerous construction vehicles to traverse Getty Center Drive throughout the day will put pedestrians and motorists using the intersection of Sepulveda Boulevard and Getty Center Drive at risk of being struck and injured by construction traffic. This intersection is particularly busy, with public transit stops, pedestrian walkways and passenger vehicles all converging in the same heavily trafficked area (in fact, the Getty has undertaken numerous efforts over the years to alleviate the traffic at its Sepulveda entrance with tangible positive effects). Adding hundreds of construction vehicles per day to this intersection would be extremely hazardous.⁴

(Footnote 4: In addition, the intersection of Getty Center Drive and St. Chalon Road is not configured for construction vehicles. Such large vehicles would have extreme difficulty negotiating this intersection, further increasing the risk of accidents, injuries and property damage.)

As just one example, the intersection serves as the main entry and loading point for school buses carrying the nearly 140,000 students who visit the Getty each year. Groups of these children, who come from Title I schools and many others, visit almost every day. In addition to the risks to Getty staff and other visitors, this alternative raises the potential of risks from the interaction between proposed MSM construction vehicle traffic and school buses and their passengers over the proposed 22 months of usage for construction traffic. The DEIR does not consider this potential risk.

Similarly, the DEIR fails to analyze the potential for MSM's construction vehicles to interfere with the Getty's tram system, which passes close to the edge of Getty Center Drive. Nor does the DEIR analyze the security risks to the Getty property that would be caused by removing the existing locked gates at either end of St. Chalon Road. In doing so, MSM's Alternative 3 would interfere with the Getty's security program; security is essential for the Getty to protect its visitors, collections and employees by strictly regulating access to the property.

Finally, use of St. Chalon Road would undoubtedly require extensive road retrofitting, hill stabilization and other major construction to bring St. Chalon Road up to current safety standards for sustained use over 22 months by heavy-duty vehicles and to allow for the two-way traffic proposed in Alternative 3. MSM has not proposed, and the Getty has not agreed, to incur the costs of such work, nor has MSM performed the environmental analysis that must precede such a significant infrastructure project.⁵ Moreover, these

additional costs and environmental impacts associated with improving St. Chalon Road are unnecessary given that MSM can use existing public streets for its construction purposes. As these points demonstrate, there is no reasonable argument that Alternative 3 would have lesser environmental impacts than the Project to justify its selection under MSM's DEIR.

(Footnote 5: The work needed to make St. Chalon Road fit for construction vehicles would likely have impacts in areas such as air quality, geology and soils, biological resources, noise and vibration, public services, and transportation and traffic, among others.)

III. THE DEIR FAILS TO IDENTIFY SIGNIFICANT ENVIRONMENTAL IMPACTS OF ALTERNATIVE 3.

In addition to the feasibility and safety concerns already mentioned, Alternative 3 would have environmental impacts beyond those analyzed in the DEIR, as described below.

A. Air Quality.

The analysis of air quality impacts from Alternative 3 assumes throughout that emissions from construction vehicles will be less than the Project scenario because the trip length is shorter than the Project scenario, while disregarding the different road-types on which the vehicles will travel. While this assumption may hold true for pollutants from vehicle exhaust, it is not true for fugitive emissions of particulate matter ("PM"). Fugitive emissions of PM from vehicles traveling on an unpaved roadway are orders of magnitude greater than fugitive emissions of PM from vehicles traveling on a paved roadway.

Because the construction vehicles would be traveling over a partially unpaved road in Alternative 3, as compared to a paved and maintained public road in the Project scenario, it is not appropriate to assume the shorter travel distance will result in lower fugitive emissions of PM. Even the partially paved portions of this road would have higher fugitive emissions than the paved roads in the Project scenario, because they are not regularly swept and therefore have higher silt loadings than public streets. Thus, it is likely that PM emissions in the Alternative 3 scenario are higher than the Project scenario. If so, emissions may exceed the applicable thresholds and result in a cumulatively considerable net increase of a nonattainment pollutant and expose sensitive receptors to substantial pollutant concentrations.⁶ Off-site vehicle emissions in Alternative 3 must be quantified in order to understand the air quality impacts of this alternative.

(Footnote 6: There are a number of sensitive receptors within and near the Getty Center. As mentioned above, thousands of school children visit the Getty Center and enjoy its grounds. These children could be adversely impacted by the increased particulate matter. In addition, the Getty Center is a fine art institution with works that are susceptible to particulate matter and pollutants. Alternative 3's increased emissions could cause damage to the Getty's unique collection.)

B. Biological Resources.

The DEIR merely states that impacts to biological resources would be the same under Alternative 3 as the Project scenario. The analysis does not consider any impacts to biological resources from the sudden and frequent use of the unimproved, infrequently traveled St. Chalon Road, which is bordered by an unimproved hillside filled with vegetation. Many species may occupy this large, expansive open space because it is not in use and largely undisturbed. The introduction of dozens or hundreds of truck trips per day could impact these species, and if this alternative is not rejected, additional analysis in a recirculated DEIR would need to be conducted to assess these potential impacts.

C. Geology and Soils.

The DEIR does not include any assessment of the geology and soils along St. Chalon Road proposed to be used in Alternative 3. This portion of the road is on a steep hillside where rocks regularly fall into the roadway. The earthen fill under the roadway has not been studied to determine whether it would support the heavy-duty construction trucks proposed to travel over it under Alternative 3. The road was not constructed with the intent of supporting frequent, heavy truck traffic; rather it is meant to provide infrequent emergency vehicle access. A catastrophic road or hillside failure would endanger the Getty property as well as neighbors living below St. Chalon Road, and the risk of these dangers is not addressed in the DEIR.

Further, as mentioned above, significant improvements to both the road and the surrounding hillside would be required to allow construction vehicles to safely travel across St. Chalon Road. The impacts of those separate construction and paving projects have not been analyzed or considered. Thus, a far more detailed study of the geology and soils along this portion of road is necessary to understand potentially significant environmental impacts.

D. Noise and Vibration.

1. Construction Noise.

The DEIR fails to address construction noise impacts on the Getty property, the parking structure or visitors to the Getty Sculpture Garden adjacent to the parking structure. The analysis states that “off-site construction noise impacts would remain significant and unavoidable during the concrete pouring phase” at residential receptors along St. Chalon Road,⁷ but does not disclose what the noise level would be or how the value was reached. The analysis was not performed with the new route⁸ (and thus newly impacted receptors) in mind, but rather the Project analysis results were imputed to Alternative 3. Doing so fails to account for impacts to Getty visitors walking along Getty Center Drive or within the Sculpture Garden, and is not specific to residences adjoining St. Chalon Road. Therefore, the construction noise impacts have not been fully examined.

Footnote 7: DEIR, page V-55.

Footnote 8: Nor could MSM perform such an on-site analysis, as the Getty has not granted MSM permission to access St. Chalon Road.

2. Construction Vibration.

Alternative 3's analysis states that groundborne vibration levels would reach 93 VdB at 15 feet from the truck, which is below the FTA building damage vibration threshold of 94 VdB.⁹ However, neither the analysis of Alternative 3 nor the Noise and Vibration Technical Report in Appendix G describe how the value of 93 VdB was reached. Given that it is just barely less than the building damage vibration threshold, the methods and assumptions used to estimate this value should be disclosed and explained.

(Footnote 9: DEIR, page V-56.)

Further, the Depression-era concrete bridge on St. Chalon Road may be susceptible to damage as a result of routing thousands of construction vehicle across it. The DEIR provides no evidence regarding the potential adverse impacts by the large volume of heavy-duty construction trucks proposed to cross it every weekday for 22 months. The bridge should be analyzed under the standard for "buildings extremely susceptible to vibration damage, such as historic structures," for which the threshold damage level appears to be 0.12 in/sec PPV.¹⁰ A vibration level of 93 VdB is equivalent to 0.17 in/sec PPV,¹¹ which would exceed this lower threshold for historic structures and likely cause damage to the bridge.

The Alternative 3 analysis states that the trucks "would rarely exceed 70 VdB (the maximum vibration level) on smooth surfaces, which is below the FTA 72 VdB threshold."¹² This assumes a smooth surface, which is not true of St. Chalon Road. Vibrational impacts from heavy-duty truck traffic on this unimproved roadway would likely be greater than on smooth roadways. The Project scenario assumption of smooth surfaces is not suited to the road conditions present on the route in Alternative 3. Thus, based on the information in the DEIR, it is impossible to accurately assess the vibrational impacts on nearby residents and visitors to the Getty when construction vehicles travel on the unimproved St. Chalon Road.

Footnote 10: DEIR, page IV.I-24.

Footnote 11: DEIR, page V-56.

Footnote 12: DEIR, page V-56.

E. Public Services.

The analysis fails to address impacts on public services in areas where traffic would increase under Alternative 3 as compared to the Project. The Alternative 3 analysis

includes no discussion regarding the reduced access to St. Chalon Road caused by frequent construction vehicle traffic. Segments of St. Chalon Road are a single lane wide, and constant construction vehicle traffic would seriously hinder, if not completely impede, the ability of emergency vehicles to access the Getty. The analysis also does not consider the impact of the construction vehicle traffic at the Getty Center Drive and Sepulveda Boulevard intersection on fire and police services. These impacts on access and response times could be significant and should be included in the DEIR.

A significant safety concern, which may require additional police resources, stems from opening up the secure Getty property by removing the existing locked gates at either end of St. Chalon Road. The Getty Center is a high-security facility, housing highly-valued art and archival collections. It is also a prominent public institution, where large groups of people gather. Removing the security gates at St. Chalon Road would enable easier unauthorized access to the Getty property and create an additional security risk that is not present in the Project scenario. The increased risk to the Getty property in this alternative may require additional police resources, and the impacts of this increased risk have not been analyzed or discussed.

Finally, it appears that the Los Angeles Fire Department (“LAFD”) and Los Angeles Police Department (“LAPD”) have not yet had an opportunity to review Alternative 3 and assess additional risks or issues presented by this alternative. LAFD and LAPD must be given an opportunity to weigh in regarding the substantial health and safety risks posed by this dangerous plan.

F. Transportation and Traffic.

The transportation and traffic impacts of Alternative 3’s proposed route for construction vehicles have not been adequately studied. As an initial matter, the amount of construction traffic to be routed through Getty Center Drive and St. Chalon Road under Alternative 3 is significant. The DEIR suggests between 40 and 60 large trucks per day would use the route,¹³ but MSM has not proposed any limitations on the number of construction vehicles per day, so the actual number could be larger. In any event, the DEIR fails to consider how the introduction of so many construction vehicles onto Getty Center Drive would impact the cars, buses, taxis, and other vehicles that already use the road throughout the day to access the Getty Center. Mixing heavy construction traffic with the normal functions of the access road could create significant delays and hazardous conditions for employees and visitors. Moreover, these delays and unsafe driving conditions would be compounded by the design of the intersection between Getty Center Drive and St. Chalon Road. As noted above, the intersection is not designed for heavy construction vehicles, and when such vehicles have difficulty navigating that portion of the road, additional back-ups and delays would occur, significantly increasing the risk of accidents to other vehicles and pedestrians. None of these potential impacts were considered as part of the DEIR.

(Footnote 13: DEIR, pages IV.K-41, IV.K-47.)

In addition, MSM's routing of its construction vehicles on Getty Center Drive would also interfere with pedestrian activity and alternative transportation options. Specifically, many pedestrians utilize a narrow sidewalk immediately adjacent to the pavement at Getty Center Drive to walk up or back from the Getty Center. Large construction vehicles put these pedestrians at risk. Similarly, heavy construction traffic on Getty Center Drive, immediately adjacent to the Getty's tram in several locations, creates a risk of interference with tram operations which are the preferred means for visitors to reach the Getty Center. The DEIR has not evaluated these additional risks created by construction traffic for significant impacts on pedestrian access to the Getty Center or the operation of the tram.

Finally, the DEIR acknowledges that Alternative 3 will have significant impacts on the neighborhood street segment of Chalon Road between Norman Place and MSM's driveway.¹⁴ The DEIR fails to suggest a mitigation measure specific to Chalon Road that would at least reduce the magnitude of this impact. As a result, the DEIR has not sufficiently considered and analyzed this impact, nor the other impacts that routing construction traffic through Getty Center Drive and St. Chalon Road would have on the operation and safety of the Getty's transportation systems as well as neighboring streets.

(Footnote 14: DEIR, Appx. I (Mount Saint Mary's University Wellness Pavilion Transportation Impact Analysis) page 89.

IV. MSM IMPROPERLY ASSUMES ACCESS TO GETTY PROPERTY.

In several sections of the DEIR, including the Fire Protection analysis, Alternative 1, Alternative 2 and Alternative 4, MSM erroneously assumes that it can grant access to emergency vehicles over the Getty's property, including Getty Center Drive and St. Chalon Road.¹⁵ Although the Getty is happy to grant access to first responders and would do so as a matter of course, that authority rests with the Getty and not MSM. Thus, the Getty disagrees with these portions of the DEIR to the extent they improperly assume MSM can grant access to the Getty's property without the Getty's permission.

(Footnote 15: DEIR, pages IV.J.1-29, V-19, V-39-40, V-74.)

V. CONCLUSION.

As set forth above, Alternative 3 must be rejected in the Final EIR as infeasible, because MSM's construction traffic cannot be relocated to Getty property. Alternative 3 should not be selected as an alternative preferable to the Project or any other alternative because it presents significant safety concerns and additional significant environmental impacts. The Getty appreciates recent correspondence from MSM stating their intention not to pursue Alternative 3 and hopes to receive confirmation from the City that this alternative will be removed from future consideration.

Thank you for considering these comments on the Draft EIR. We appreciate the opportunity to comment and look forward to the responses.

Very truly yours,
Lucinda Starrett of
LATHAM & WATKINS LLP

Response to Comment GETTY CENTER

The comment letter does not reflect a position of the Getty as to the Project, but expresses objections to Alternative 3, in which MSMU would use the Getty Fire Road for an alternative construction route. At the time the Draft EIR was prepared and circulated, MSMU believed it would be able to use the easement for construction traffic based on an easement existing over Getty property. However, the Getty did not consent to access. The Draft EIR anticipated that no new construction would be required in connection with the Getty Fire Road and therefore did not evaluate any of the impacts cited in Getty's comment letter.

After the Draft EIR was released for public review and comments were received from the Getty representatives regarding the safety to Getty employees, visitors, and the operational safety of the roadway and other factors, Alternative 3 was withdrawn from consideration as a feasible alternative to the Project. Please see Topical Response No. 5 for additional details on the withdrawal of Alternative 3 from consideration.

The commenter alleges that several pages in the Draft EIR (pages IV.J.1-29, V-19, V-39-40, V-74) contain references assuming that MSMU "can grant access to emergency vehicles over the Getty's property." This is not accurate. Nothing in the cited pages, nor anywhere else in the Draft EIR, states that MSMU can grant access to emergency vehicles over the Getty's property. Instead, the cited references contain statements which note that emergency vehicle access "is available" via Getty Center Drive/Chalon Road.

Letter MOSMA

Stephen Drimmer
President
CT Prop Management, LLC
P.O. Box 1508
Simi Valley, CA 93062
(June 12, 2018)

Comment MOSMA 1

Ladies and Gentlemen:

The Mountaingate Open Space Maintenance Association is the HOA representing the community of 300 residences in the Sepulveda Pass known as "Mountaingate."

We are writing to comment on the Draft EIR for the Mount Saint Mary's University Chalon Campus Wellness Pavilion Project ("Draft EIR").

The Draft fails to adequately address emergency access for the Project. At V.J.1-18, the Draft EIR states:

"Evacuation would occur to the east on Chalon Road to Norman Place and via Norman Place to Bundy Drive and to Sunset Boulevard; or to the west on Chalon Road to Bundy Drive and via Bundy Drive to Sunset Boulevard. The Project Site is also accessible by fire emergency vehicles from the Mt. Saint Mary's fire road. The fire road runs between the Campus and the Mountain Gate subdivision to the north of the crest of the Santa Monica Mountains and terminates at the north end of the Campus. The fire road provides LAFD access to undeveloped open space areas within the Santa Monica Mountains."

This description is incorrect and/or misleading. The Mount Saint Mary's fire road does not connect to a public street through the Mountaingate Subdivision. The fire road terminates at Stoney Hill Road, which is a private gated street. No public or emergency access is available through Stoney Hill Road connecting to the fire road.

Response MOSMA 1

Contrary to the commenter's statement, the Draft EIR emergency access analysis does not state that Stoney Hill Road is publicly accessible and/or provides public access to the Campus. Further, the Mt. Saint Mary's Fire Road is accessible via Stoney Hill Road and Mountain Gate Drive. While all designated fire roads, including the Mt. Saint Mary's Fire Road, are gated and locked, keys are held by the LAFD and the property owner, with use and access to be determined by the LAFD. In the event of an emergency, LAFD would decide how the road would be used. The LAFD also has right of access to private, gated

roads through the Mountaingate Subdivision that connect to the Mt. Saint Mary's Fire Road. The purposes of the fire roads (Mt. Saint Mary's Fire Road and the Getty Fire Road) in the Project area are to provide secondary access for the LAFD for the movement of engine units and other fire-fighting equipment, as needed. It would be atypical and highly unlikely that the road would be used for the evacuation of non-fire-fighting personnel.

Please also refer to Topical Response No. 4, above, regarding emergency access and evacuation. As discussed, therein, per LAFD recommendation, MSMU would "shelter in place" in the event of an emergency and would not create additional traffic on the area's roadways, or require the use of fire roads as an evacuation route during an emergency event or fire.

The comment fails to identify an inaccuracy in the Draft EIR's description of the Mt. Saint Mary's Fire Road and/or provide substantial evidence that the Draft EIR fails to adequately address emergency access for the Project.

Comment MOSMA 2

At V.J.1-28, the Draft EIR also states:

"North of the Campus emergency access is provided via the Mt. Saint Mary's Fire Road that runs between the Campus and Mountain Gate Drive and Sepulveda Boulevard. The main access road merges with the Mt. Saint Mary's Fire Road at the north boundary of the Campus."

Once again, this description is incorrect and/or misleading. The Mount Saint Mary's fire road does not connect to Mountaingate Drive.

Even if there were access to the Mount Saint Mary's fire road (which there is not), it would not be prudent to add additional evacuation burden through the Mountaingate community. Mountaingate Drive provides the sole in and out access for 300 households. It connects only to Sepulveda Boulevard, which is already a very constrained and over-burdened corridor in the confined and fire-vulnerable Sepulveda Pass. If there is a large fire that affects multiple communities, additional evacuation burden would interfere with Mountaingate's ability to effect its own orderly evacuation.

Response MOSMA 2

As explained in Response MOSMA 1 above, the Mount Saint Mary's Fire Road does connect to Mountaingate Drive via Stoney Hill Road. To access the Mount Saint Mary's Fire Road, LAFD would drive west along Mountaingate Drive, to Stoney Hill Road. As noted above in Response MOSMA 1, during an emergency LAFD would be permitted to access both private roadways (Mountaingate Drive and Stoney Hill Road) and maintains keys that could be used to open any locked gates. The statement on Page IV.J.1-28 cited in the above comment applies to Fire Code requirements for LAFD emergency access

through the Campus (the movement of fire emergency vehicles) including the connectivity of MSMU's Code-compliant driveway and the fire road.

As noted in Topical Response No. 4, and in Response to Comment MOSMA 1, above, per LAFD recommendation, MSMU would "shelter in place" in the event of an emergency and would not create additional traffic on the area's roadways, or require the use of fire roads as an evacuation route during an emergency event or fire.

The Draft EIR accurately described the evacuation route pursuant to the emergency policy in place at the time of the preparation of the Draft EIR, prior to the development of the "shelter in place" policy.

On Page IV.J1-19, in Section IV.J.1, Fire Protection, in the Draft EIR, the emergency evacuation route for the Campus was described as follows: "Evacuation would occur to the east on Chalon Road to Norman Place and via Norman Place to Bundy Drive and to Sunset Boulevard; or to the west on Chalon Road to Bundy Drive and via Bundy Drive to Sunset Boulevard." Thus, contrary to the commenter's statement, MSMU students and staff are described in the Draft EIR as using public roads during an evacuation from the Campus and would not be expected to have access to the Mount Saint Mary's Fire Road. The analysis on Page IV.J.1-19 continues and notes, "[t]he Project Site is also accessible by fire emergency vehicles from the Mt. Saint Mary's fire road." As shown in both citations, the Mt. Saint Mary's Fire Road is discussed as secondary emergency access for the LAFD, and not as an evacuation route.

Comment MOSMA 3

Because the Draft EIR fails to accurately and adequately address emergency access it should be revised and recirculated with an adequate plan for emergency access to public streets that does not assume access through the Mountaingate community. Unless these issues can be resolved to our reasonable satisfaction, the Mountaingate Open Space Maintenance Association is opposed to the Mount Saint Mary's University Chalon Campus Wellness Pavilion Project.

Sincerely,

Stephen Drimmer

President

Response MOSMA 3

Contrary to the commenter's statement, the Draft EIR correctly analyzed emergency access to the Campus. As stated above, in the event of an emergency, LAFD would have access to the Mt. Saint Mary's Fire Road and all connecting public or private roadways at all fire road entrances. The comment incorrectly represents the discussion in the Draft EIR regarding emergency evacuation by indicating the Mt. Saint Mary's Fire Road would

be used by MSMU students and staff for emergency evacuation. The Draft EIR states that the fire road would be used by the LAFD for fire apparatus access during fire emergencies. The comment does not show a deficiency in the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

In addition, please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Letter MSMU

Ann McElaney-Johnson
President of Mount Saint Mary's University
(June 8, 2018)

Comment MSMU 1

Dear Ms. King:

On behalf of Mount Saint Mary's University, I am writing to ensure that you and the City are aware that MSMU will not, under any circumstances, pursue use of the Getty Road for the construction of MSMU's Wellness Pavilion Project.

We have met with the Getty, and after numerous discussions, the Getty has made it unequivocally clear to MSMU that it opposes use of the road as set forth in Alternative No. 3 of the Project's Environmental Impact Report. Unfortunately, Alternative 3 has led to significant misinformation in the MSMU neighborhood, as many community members believe that Alternative 3 would result in the Getty Road being opened for public use (i.e., for non-MSMU traffic). As you know, MSMU never contemplated or proposed public use for the Getty Road in the Project's EIR.

Ultimately, the Getty's position on this matter settles the issue. The Getty will not provide access to MSMU, and thus Alternative 3 must be dismissed and deemed infeasible by the City of Los Angeles in connection with the Project's approval.

Should you have any questions, please do not hesitate to contact me directly at 310.954.4011. I appreciate your help with this matter and your assistance throughout the EIR process.

Sincerely,

Ann McElaney-Johnson
President

Response to Comment MSMU 1

For an extended discussion of this matter, please refer to Topical Response No. 5.

Letter ABELL

Leslie Abell
leslieabell@abelllaw.com
(April 16, 2018)

Comment ABELL 1

I am and have been a resident on North Bowling Green since 1981. We have watched as traffic has naturally increased as Bundy Canyon has been developed. We are very concerned about the proposed Mt. St. Mary's Wellness Pavilion. The traffic on Bowling Green and Bundy is horrible. People cut up the canyons during peak driving periods in order to go up the canyon, over Benmore Terrance and back down to Sunset via North Barrington. Mt. St. Mary's buses are going up and down the canyons all day and evening. When questioned why so many buses are running empty, their response is that they send buses between Campuses to pick up and drop off students on fixed schedules, whether or not the students need the rides. As a result, we have Mt. St. Mary's buses running at all hours, students and visitors traveling up and down the canyons on streets that were originally developed for a much smaller community. There are only a fixed number of inlet and outlet streets to Sunset. Adding so many additional drivers and cars as mandated by the Mt. St. Mary's Construction, new students, new programs and classes at the Wellness Center will make our canyon streets impassable. We have no alternatives as cars must pass through our streets to get up the hill.

We still have student cars racing up and down and canyons, honking their horns if we move too slowly or sticking their fingers in the air at us if we do not move over.

I am not in any way against progress and the need for education. But to make a decision for growth when no feasible alternatives are provided for ingress and egress seems to be selfish on behalf of the College and totally unworkable for the homeowners. There is no mitigation possible for the added construction trucks and cars. Right now it can take 45 or more minutes for us to get to the freeway after 7:15 in the morning and 2:25 in the afternoon. The "shortcut" down North Barrington to Sunset sometimes takes 8 to 15 changes of the traffic signal to finally immerse one's car into the already heavy Sunset Traffic.

How do more cars, busses, truck and the inevitable invited guests and student to the new Wellness Center make sense for the community? I know that when these issues are raised before Councilmember Bonin, he usually goes along with "progress" and supports the development of more potential tax payers and tax dollars. But here, we have no alternative. To further block our streets will be not conducive to our "wellness."

Please listen to the neighbors and take note of not fixing something that is not broken. Let the School build its wellness center, but not where the traffic will not support such a development.

Thank you for your consideration.

Leslie Abell

Response to Comment ABELL 1

The comment expresses opposition to the Project based on traffic but does not raise any issues with respect to the content and adequacy of the Draft EIR.

The commenter concludes that construction of the Project, along with new students, programs and classes that would be offered at the Wellness Pavilion will result in congested local streets. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Therefore, Alternative 5's construction traffic impacts at study intersections will be less than significant. Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

The commenter incorrectly states that MSMU buses are driving up and down the canyon all at all hours. As stated in the Draft EIR Project Description Section, page II-10 MSMU operates an Inter-Campus Shuttle, Union Station Shuttle, a Metro-Expo Line Bundy Station Shuttle, Chalon Stop-Trans Shuttle, Mount Local Shuttle, and Club Teams Sports Shuttle. A daily schedule is in place for each shuttle service with the Inter-Campus Shuttle being the most frequent and departing hourly from the Chalon Campus Monday through Thursday from 6 AM to 10:30 PM.

The Wellness Pavilion will introduce new programs on the Campus. The Project's proposed new operations at the Wellness Pavilion, and potential changes to existing Campus operations, are fully discussed in Chapter II, *Project Description*, of the Draft EIR. Alternative 5's proposed new operations at the Wellness Pavilion, and changes to existing Campus operations, including all operational differences between the Project and Alternative 5, are fully discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 will result in no significant operational traffic impacts. This represents a reduction in operational traffic impacts as compared to the Project, as the Project would result in significant and unavoidable operational traffic impacts to several intersections and neighborhood street segments.

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

Letter AHMADI

Amir Ahmadi
mamirahmadi@gmail.com
(June 7, 2018)

Comment AHMADI 1

Dear Ms. King,

I'm writing you as a resident of N Bundy drive to express my concern and opposition to the expansion of Mount St Mary's Chalon Campus. Our neighborhood is already gravely affected by traffic and noise of college Campus commuters and expansion of that Campus in predominantly residential area with no public transportation will make those problems even worse and will affect the health of us and our families as the residents of this neighborhood. I would greatly appreciate your time and attention to this important matter

Best,
Amir Ahmadi

Response to Comment AHMADI 1

The comment expresses opposition to the Project and makes a general statement that the area is affected by traffic and noise associated with vehicles accessing the Campus. The commenter does not provide any substantial evidence regarding existing traffic and noise conditions and does not raise any issues with respect to the content and adequacy of the Draft EIR.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood

street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

The commenter is correct that, as noted in the Draft EIR's Chapter II, *Project Description*, the Campus is not currently served by public transportation. However, as detailed in Chapter II of the Draft DEIR, MSMU currently provides several shuttle services, including an Inter-Campus Shuttle, Union Station Shuttle, Metro Expo Line Bundy Station Shuttle, Chalon Stop-Trans Shuttle, Mount Local Shuttle, and Club Sports Team Shuttle, several of which connect to locations served by public transportation.

It should be noted that the Project would not expand the physical Campus boundary and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would be built on roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus boundary either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Section IV.I, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Letter ALLEN-NIESEN

Kim Allen-Niesen
251 N. Bundy Drive,
Los Angeles, CA 90049
(June 13, 2018)

Comment ALLEN-NIESEN 1

I am writing to express my support for the Mount Saint Mary's University Wellness Pavilion Project. I have lived in Brentwood for 19 years and consider it a privilege to live in a community enriched by schools. I consider it my responsibility as a citizen, and yours as our leadership, to do everything possible to support the education of our youngest generation. It is one of our most important obligations.

I do not foresee this Project, providing a health center completely within the school grounds, as having any severe impacts on my quality of life as a resident. I urge you and Councilmember Bonin's office to fully support the Project.

Mount Saint Mary's University should be allowed to keep pace with the advancement in recreational facilities that other universities already provide in equally developed areas. The Mount Saint Mary's student body, many of whom hail from underserved areas across the country, deserve the same opportunities to grow and commit to healthy living. We as a community should be whole heartedly supporting that, not putting up obstacles.

Despite the influx of highly misleading information currently circulating our close-knit community, I personally see this Project as a win-win for both Mount Saint Mary's University and Brentwood. Mount Saint Mary's has been a responsible neighbor. I can enthusiastically say I support this new addition to my neighborhood and I think our government leadership should too.

Thank you for this opportunity to comment on this Project.

Response to Comment ALLEN-NIESEN 1

The comment expresses support for the Wellness Pavilion, but does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter ANTOLA

Victor Antola
vicantola@yahoo.com
(April 17, 2018)

Comment ANTOLA 1

Ms. King, the original of the attached letter commenting on and opposing the above Project has been sent to you, Councilmember Bonin and the Brentwood Homeowners Association by mail. This Project should be stopped. We already have awful traffic in this area and this Project will only make traffic much worse. If this Project goes forward, we will be confronted with a couple of years of substantial construction traffic and, once the Project is completed, we will be left with a lifetime of more traffic pain as Mount Saint Mary's uses the Project to expand its operations on the Chalon Campus. I trust that you will hear from many other residents expressing their opposition to this Project.

Response to Comment ANTOLA 1

The comment expresses general opposition to the Project based on traffic congestion but does not provide any substantial evidence to support this claim and not raise any issues with respect to the content and adequacy of the Draft EIR.

The commenter incorrectly states that construction of the Project would result in years of substantial construction traffic and an increase in operational traffic. Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

With respect to the length of the overall construction period, Alternative 5 would reduce the Project's overall construction period from 22 months to 20 months, as explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts

at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

With respect to the commenter's assertion that the Project will make traffic worse, the Project's traffic impacts, including operational impacts, are fully discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and the *Mount Saint Mary's University Wellness Pavilion Transportation Impact Analysis* and are summarized in Topical Response No. 3. As discussed in the Draft EIR Section IV.K, *Transportation and Traffic*, the Project would result in significant traffic impacts at four study area intersections and three neighborhood street segments under Future plus Project (School Year) conditions during the school year. However, it should be noted that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). This reduction in vehicle trips, combined with Alternative 5's reduction of all of the Project's operational traffic impacts to a level of less than significant, are being implemented with the intention to improve existing conditions related to MSMU Campus traffic.

The Draft EIR Project Description correctly disclosed all new events and existing events which would be held at the Wellness Pavilion. The existing events (with or without change) as well as proposed new events that would be held under the Project at the Wellness Pavilion were disclosed in Chapter II, Project Description of the Draft EIR, Table II-4. Similar to the Project, the existing events (with or without change) as well as proposed new events under Alternative 5 are disclosed in Section III, *Revisions, Clarifications, and Corrections*, of the Final EIR, and Table III-3, *Operational Changes Under Alternative 5*. Operation of the Wellness Pavilion would not be used for any other events.

Comment ANTOLA 2

Dear Ms. King,

I have reviewed the Draft EIR on the above Project ("Report") and the following comments are based on that review.

As a forty-year resident of North Bundy, I am stunned that Mount Saint Mary's ("MSM") wants to subject its neighbors to significant and horrific traffic impacts through this Project. The tranquility of our residential community, to which MSM claims it proudly belongs (see July 31, 2017 letter from Ann McElaney-Johnson, MSM's President), will be degraded significantly if this Project is permitted to proceed. Proud members of the Brentwood community should work in harmony and one neighbor, in this case MSM, should not be allowed to substantially damage our residential community.

The Report makes clear that the Project will cause significant and unmitigable traffic problems, both during a long construction period and from substantial expansion of Chalon Campus operations. Not only will the traffic for the twenty-two months, or more, construction period be horrible, but the expressed intention of MSM to expand its Chalon Campus operations will cause a lifetime of traffic pain, with hundreds of additional vehicles accessing the Campus through our residential streets. MSM now proposes to use the Project to host “Wellness/Sports Events, new Health and Wellness Speaker Series events, and Summer Camps” which concededly will “result in significant and unavoidable impacts” on traffic in the neighborhood. (Report, V-76). The Report concedes that there are no feasible mitigation measures to address the Project’s significant daily construction impacts nor the operation traffic during the school year or summer camp sessions. (Report, IV K-89-90). Although MSM emphasizes that it is not now requesting an increase in student enrollment on the Chalon Campus, the net effect of the expanded Chalon Campus operations with new events and Summer Camps, will be the same as expanding enrollment, i.e., more traffic and disruption in the residential neighborhood. In addition, with a completed Project, who knows what additional uses MSM may (or have to) invent to enhance utilization of a costly, multi-use structure and new parking.

Even without the proposed Project, the Report shows that we have unacceptable and failing afternoon traffic problems at the Sunset intersections for Barrington, Saltair and Bundy. The Report concedes that the MSM Project significantly will aggravate those intersection problems. (Report, IV K 89-90). Likewise, the Report concedes that the residential street traffic on North Bundy and Norman Place will be significantly impacted in a negative way by construction and new operations on the Chalon Campus.

MSM has asserted that the focus of any future MSMU growth is the Doheny Campus near Downtown Los Angeles (August 4, 2016 Notice of Preparation of Environmental Impact Report). The expansive new operations described in the Report for the Chalon Campus belie these earlier assurances from MSM. This 38,000 square feet multi-use pavilion, new parking, new events and Summer Camps belong on the Doheny Campus and not the Chalon Campus, in the middle of a residential area.

The Report considers use restrictions on the new facilities as a means to alleviate operation impacts. The Report candidly recognizes that stopping the Project is the “superior alternative” and that use restrictions will not mitigate problems during the construction period. (Report, S-12-14). Use restrictions on the proposed Project, in the short term, might reduce some of the operation traffic impacts, but the real question is why our neighborhood should be subjected to any increased residential street traffic and intersection congestion because of this Project? The fair response is that we residents and our community should not be so harmed! Moreover, even the most carefully crafted use restrictions have a way of being finessed, forgotten or unenforced over the years so that, over the long term, the detrimental traffic impacts described in the Report from expanding Chalon Campus operations probably will be realized, if not exceeded.

This proposed Project should not be allowed to proceed. If MSM wishes to propose a less grand facility that enhances the wellness of its existing students, faculty and staff, but does not expand Chalon Campus operations or exacerbate surrounding traffic problems, then such a proposal probably will be met with less hostility. This Project is not that proposal.

Very truly yours,

Victor Antola

Response to Comment ANTOLA 2

The comment expresses general opposition to the Project based on traffic congestion, but does not provide any substantial evidence nor raise any issues regarding the content and adequacy of the Draft EIR.

The comment notes “see July 31, 2017 letter from Ann McElaney-Johnson, MSM’s President,” but this letter was not attached to the comment, nor did the commenter provide any further information about such a letter.

Regarding the Project’s and Alternative 5’s construction and operational traffic impacts, the commenter is directed to Response to Comment ANTOLA 1, above.

The commenter correctly notes that the Project would result in a 22-month construction period and would result in significant and unavoidable construction and operation traffic impacts. As discussed in detail in Topical Response No. 3, the Project’s construction and operational impacts were fully disclosed in *IV.K Transportation and Traffic* and all feasible mitigation measures were implemented. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project’s construction period to 20 months. As explained in Topical Response No. 3, Alternative 5 would reduce the Project’s construction traffic impacts, but impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Operational traffic impacts would be reduced to a less than significant level under Alternative 5.

The commenter’s general statements equating the effects of the proposed new events to an increase in student enrollment is not supported by substantial evidence. Neither the Project nor Alternative 5 would increase student enrollment. Both the Project and Alternative 5 would result in the addition of one new staff member. With respect to the commenter’s statements about the uses of the Wellness Pavilion, the Draft EIR Project Description correctly disclosed all new events and existing events which would be held at the Wellness Pavilion. The commenter is directed to Response to Comment ANTOLA 1, above. It should be noted that Alternative 5 would be subject to the operational restrictions that will keep operational traffic impacts below the level of significance. The commenter’s

speculation about any uses that MSMU may propose in the future are speculation and outside the scope of this EIR.

The commenter refers to the proposed 38,000 square-foot Wellness Pavilion under the Project and expresses his opinion that this structure and use is better suited for the Doheny Campus. The proposed Wellness Pavilion would be constructed and operated on the Campus under the Project or Alternative 5, which was disclosed in the Draft EIR Project Description. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet. Neither the Project nor Alternative 5 would result in an increase in student enrollment.

The commenter incorrectly states that the Draft EIR designated the “No Project/No Build Alternative” as the environmentally superior alternative. While Chapter V of the Draft EIR identified that the “No Project/No Build Alternative” would result in the least significant and unavoidable impacts of all the alternatives studied, it also notes that the CEQA Guidelines require the selection of an environmentally superior alternative other than the “No Project/No Build Alternative,” and, after providing detailed analysis, designates Alternative 4 as the environmentally superior alternative.

As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 has been designated as the environmentally superior alternative, superior both to the Project and Alternative 4, because it would reduce the Project’s significant and unavoidable operation traffic impacts to less than significant levels, limit vehicle trips to a greater extent than the Project or any other alternative and thus, reduce emissions and energy demand to a greater degree, would substantially reduce the concrete needed for construction as compared to the Project or any other alternative and thus, reduce the significant and unavoidable construction noise and traffic impacts related to construction.

The Project includes Project Design Features (PDFs) and Mitigation Measures which MSMU will be required to comply with. MSMU will need to demonstrate compliance with each PDF and Mitigation Measure prior to and during operation activities. Alternative 5 will be both physically smaller and have reduced operations as compared to the Project, and as noted in the response above, will not result in significant and unavoidable operational traffic impacts.

Letter ASHWORTH

Chris Ashworth
1212 North Bundy Drive,
Brentwood, CA 90049
(June 9, 2018)

Comment ASHWORTH 1

We have lived on Bundy Dr. for twenty-five years. During this time period Mt. St. Mary's ("MSM") Chalon Campus went from a small college with about 200 students living on Campus in residential dormitories to a 2,700 student, 600 faculty commuter college Campus. This change dramatically affects our lives in this canyon.

Response to Comment ASHWORTH 1

The introductory comment does not provide any substantial evidence regarding Campus changes over the 25 years that the commenter has lived on Bundy Drive, and does not raise any issues with respect to the content and adequacy of the Draft EIR.

Please note that the cited enrollment and faculty numbers are incorrect. As stated in Chapter II, *Project Description*, of the Draft EIR, as of Fall 2016 the student enrollment was 1,498, with 63 full time faculty and 210 part-time faculty.

With respect to the comment that the Chalon Campus is a "commuter college Campus," to clarify, more than 30 percent (470 students) of MSMU's full time students live in dormitories on the Campus. This is typical of many urban campuses, in which many upper division and graduate students reside off-Campus.

Comment ASHWORTH 2

The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10-30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.

The noise of cars whizzing by on Barrington, North Bundy Drive, North Bowling Green Way and Norman Place is extreme.

The added pollution to our air is deleterious.

Norman Place, and north Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car

Chalon Road is full of cars parked on the street, cars owned by commuting students and faculty.

Response to Comment ASHWORTH 2

The commenter makes general statements regarding the commenter's perception of existing traffic conditions but does not does not raise any issues with respect to the content and adequacy of the Draft EIR or many any statements regarding the Project.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Section IV.I, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

The commenter makes a general statement regarding air quality. Section IV.B, *Air Quality* of the Draft EIR analyzed and disclosed that the Project's air quality impacts would be less than significant with mitigation. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, analyzed and disclosed all air quality impacts associated with Alternative 5, and concluded that Alternative 5 would reduce the Project's air quality impacts, all of which would be less than significant with mitigation.

Comment ASHWORTH 3

Now that MSM is a University with 2,700 students and 600 faculty and staff offering undergraduate and graduate degrees in 35 fields spread out over two Campuses, the limited access Chalon Campus and the multi-modal Doheny Campus downtown near USC, MSM should not expand the Chalon Campus. It should, if reasonable, expand the Doheny Campus, as the Doheny Campus is served by light rail, two freeways and multiple

bus routes. This location will serve their students and the public and not further impact a residential neighborhood. This is sensible; a more intense use of the Brentwood residential neighborhood is absurd. I would be happy to provide more evidence and/or testify to these economic impacts.

Response to Comment ASHWORTH 3

The commenter expresses an opinion that any new projects proposed by MSMU should be located on the Doheny Campus. Please note that the cited enrollment and faculty numbers are incorrect. As stated in Chapter II, *Project Description*, of the Draft EIR, as of Fall 2016 the student enrollment was 1,498, with 63 full time faculty and 210 part-time faculty.

It should be noted that the Project would not expand the physical Campus boundary and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus boundary either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter ASHWORTH V.

Veronica Ashworth
1212 N. Bundy Dr.
Brentwood, CA 90049
veronica-ashworth@hotmail.com
(June 9, 2018)

Comment ASHWORTH V. 1

Dear Ms. King:

My husband and I have lived in Bundy Canyon for over 20 years. Mount St. Marys expansion has dramatically affected our and our children's lives in this canyon for the worse. During the time that we have lived here Mt. St. Mary's ("MSM") Chalon Campus went from a small college with about 200 students living on Campus in residential dormitories to a 2,700 student, 600 faculty commuter college Campus.

The exits to Sunset Boulevard from Bundy, and Barrington are dangerous! Now, it can take from 45 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.

The noise of cars on Barrington, North Bundy Drive, North Bowling Green Way and Norman Place is ridiculous.

The quality of our air is greatly diminished.

Norman Place, and north Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car. It is VERY dangerous! I fear whenever my kids and I take our dogs for a walk. We should not have to live this way.

Chalon Road is full of cars parked on the street, cars owned by commuting students and faculty

We pay a lot of money in taxes and we want to live in the quiet, safe residential neighborhood that we bought into. This expansion is turning our charming canyon into a major traffic artery that is dangerous! As elected officials I would highly reconsider your actions regarding this expansion. The people of Brentwood are very unhappy.

Sincerely,
Veronica Ashworth
1212 N. Bundy Dr.,
Brentwood, CA 90049

Response to Comment ASHWORTH V. 1

The comment does not raise any issues with respect to the content and adequacy of the Draft EIR. However, it is included here as part of the administrative record for the consideration of Project decision-makers.

With respect to the comment that the Chalon Campus is a “commuter college Campus,” to clarify, more than 30 percent (470 students) of MSMU’s full time students live in dormitories on the Campus. This is typical of many urban campuses, in which many upper division and graduate students reside off-Campus.

Please note that the cited enrollment and faculty numbers are incorrect. As stated in Chapter II, *Project Description*, of the Draft EIR, as of Fall 2016 the student enrollment was 1,498, with 63 full time faculty and 210 part-time faculty.

The commenter makes general statements regarding the commenter’s perception of existing traffic conditions but does not raise any issues with respect to the content and adequacy of the Draft EIR or make any statements regarding the Project.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5’s construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5’s operation traffic. As discussed in Topical Response No. 3, the Project’s traffic impacts were fully analyzed in the Draft EIR’s Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project’s traffic impacts, and would reduce all of the Project’s operational traffic impacts to less than significant levels.

Section IV.I, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City’s noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project’s mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

The commenter makes a general statement regarding air quality. Section IV.B, *Air Quality* of the Draft EIR analyzed and disclosed that the Project's air quality impacts would be less than significant with mitigation. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, analyzed and disclosed all air quality impacts associated with Alternative 5, and concluded that Alternative 5 would reduce the Project's air quality impacts, all of which would be less than significant with mitigation.

The commenter's statements regarding the neighborhood's existing infrastructure including limited sidewalks, the commenter's statements that these existing conditions are dangerous, and the commenter's statements regarding the presence of cars parked along Chalon Road are noted for the administrative record and for consideration of Project decision-makers. With respect to the presence of MSMU user vehicles on neighborhood streets, it should be noted Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users and prohibits pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip). This is explained further in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

Letter BACAL 1

Howard Bacal
1221 N Norman Place,
Los Angeles, CA 90049
(May 23, 2018)

Comment BACAL 1-1

Dear Ms. King,

As a homeowner I am vehemently opposed to MSMU's student and expansion Project which will exponentially increase traffic in our already congested canyon and Sunset Boulevard.

I cannot accept 700 more students, more teachers and support staff. Nor can I accept hundred of heavy construction vehicles for at least 3 years on our narrow streets. Followed by hundreds of vehicle trips 24/7/ 365 days and nights a year. I am opposed to a 38,000 square feet Wellness Centre which is no doubt intended to commercialize the institution with camps and speaker events.

Furthermore, this represents dangerous interference with exiting and entering the canyon in times of emergency be it fires, accidents, earthquakes or medical calamities.

Perhaps MSMU could be prevailed upon to find an alternate route to their Campus that would not impact our neighborhood in such a dangerous and deleterious manner.

Thank you

Howard Bacal

Response to Comment BACAL 1-1

The comment expresses opposition to the Project based on traffic in the canyon and on Sunset Boulevard, but does not provide any substantial evidence nor raise any issues regarding the content and adequacy of the Draft EIR.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, both the Project and Alternative 5 are anticipated to add one new staff member.

Regarding emergency services, the commenter is directed to Section IV.J.1, *Fire Protection*, of the Draft EIR, and Topical Response No. 4 above. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

The commenter incorrectly states that the construction period would be three years. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project's construction period from 22 months to 20 months.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Letter BACAL 2

Howard Bacal
1221 N Norman Place,
Los Angeles, CA 90049
(May 23, 2018)

Comment BACAL 2-1

Dear Ms. King,

As a homeowner I am vehemently opposed to MSMU's student and expansion Project which entails 700 more students, more teachers and support staff. This will exponentially increase traffic in our already congested canyon and Sunset Boulevard. There will be hundreds of heavy construction vehicles for at least 3 years on our narrow streets, followed by hundreds of vehicle trips 24/7/365 days and nights per year.

I am opposed to a 38,000 square foot Wellness Centre that is no doubt intended to commercialize the institution with camps and speaker events, causing further traffic congestion.

All of this represents dangerous interference with exiting and entering the canyon in times of emergency, be it fires, accidents, earthquakes or medical calamities.

Perhaps MSMU could be prevailed upon to find an alternate route to their campus that would not impact our neighborhood in such a dangerous and deleterious manner.

Thank you

Howard Bacal, M.D.

Response to Comment BACAL 2-1

The comment is substantially the same as Comment BACAL 1 and does not raise any additional issues that are not already raised in Comment BACAL 1. Please see Response to Comment BACAL 1-1 above.

Letter BACAL 3

Howard Bacal
1221 N Norman Place,
Los Angeles, CA 90049
(June 8, 2018)

Comment BACAL 3-1

Dear Ms. King,

We are now nearing the 11th hour in our efforts to rescue our canyon from an incursion that will severely affect our everyday lives, our safety, and even the value of our homes.

MSMU's plan to construct a 38,000 square foot "wellness" Center bodes ill for all of us, both neighbors in Bundy Canyon as well as students, faculty, and staff of MSMU itself.

I respectfully refer you to the letters Mr. Victor Antola and Mr. Joseph Ebin wrote to you, dated April 17 and May 27, 2018, respectively, explicitly describing our concerns.

Response to Comment BACAL 3-1

The comment expresses opposition to the Project but does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

Responses to comments submitted by Mr. Victor Antola and Mr. Joseph Ebin are found above and below, respectively.

Comment BACAL 3-2

In addition to the traffic congestion that heavy construction vehicles would temporarily cause (for 2-3 years) in our narrow roads – and by extension, onto Sunset Boulevard - and which would continue due to the increased vehicular traffic to and from MSM, we have a more serious concern. It is not an exaggeration to say that this Project constitutes a significant threat to our lives. As a physician, I suggest that the resulting increase in traffic in Bundy Canyon, the exits from which are already dangerously compromised every week day, is analogous to the further blockage of already narrowed coronary arteries, which could lead to a heart attack.

Response to Comment BACAL 3-2

The comment expresses general opposition to the Project based on traffic concerns, but does not raise any issues with respect to the content and adequacy of the Draft EIR.

Contrary to the commenter's statement, the Project's construction period is projected to be 22 months and as explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project's construction period from 22 months to 20 months.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in Section IV.K, Transportation and Traffic, of the Draft EIR. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Comment BACAL 3-3

Due to the "unacceptable risk for wildfire" in the Canyon, our insurance company (Liberty Mutual) refused to renew our household policy, citing poor road accessibility for firefighting/emergency response equipment (see attachment "Liberty Mutual Insurance" dated April 15, 2017).

We appreciate your attention to this serious matter.

Response to Comment BACAL 3-3

The comment does not raise any issues with respect to the content and adequacy of the Draft EIR. Fire emergency and response in connection with the Project is evaluated in Section IV.J.1, *Fire Protection*, pages IV.J.1-18 and IV.J.1-22 through IV.J.34 of the Draft EIR. As evaluated therein, fire services impacts would be less than significant. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5's fire services impacts would also be less than significant. The commenter is directed to Topical Response No. 4, Emergency Access, for additional detail. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment BACAL 3-4

ATTACHMENT

000059
Liberty Insurance Corporation
P.O. Box 9099
Dover, New Hampshire 03821



(800) 225 8285

April 15, 2017



we are writing to notify you that the property listed above poses an unacceptable risk for wildfire due to one or more of the following conditions:

Close proximity to native and/or non-native flammable vegetation
Wind patterns relative to fire fuel during typical wildfire season

Due to this wildfire risk, the policy listed above will not be renewed effective
complies with the provisions of your policy.

This notice

This notice does not affect other policies you may have with Liberty Mutual Insurance, with the following exceptions:

- If you have an earthquake policy covering this property, we will not be able to continue that coverage. California Earthquake Authority rules preclude us from writing earthquake coverage on any property that we do not primarily insure.
- If you are extending liability from this policy to another property (such as a rental property), that liability coverage will lapse when this policy is not renewed. Please contact customer service to discuss available options for continuing liability coverage.

We are required to notify your mortgagees in the event of a discontinuation of coverage. The following mortgagees are being notified of this action:

This decision will not impact your ability to secure fire coverage through another carrier. However, should you have difficulty obtaining property insurance, you may be eligible for coverage through the California FAIR Plan Association.

Please read the important enclosed notice for more information.

Sincerely,
Liberty Mutual Insurance

Response to Comment BACAL 3-4

The attachment does not comment on the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter JBACAL

Jacqueline Bacal
1221 N Norman Place
Los Angeles, 90049
(May 23, 2018)

Comment JBACAL 1

Dear Ms. King,

As a homeowner I am vehemently opposed to MSMU's student and expansion project which will exponentially increase traffic in our already congested canyon and Sunset Boulevard.

I cannot accept 700 more students, more teachers and support staff. Nor can I accept hundred of heavy construction vehicles for at least 3 years on our narrow streets. Followed by hundreds of vehicle trips 24/7/365 days and nights a year. I am opposed to a 38,000 square feet Wellness Centre which is no doubt intended to commercialize the institution with camps and speaker events.

Furthermore, this represents dangerous interference with exiting and entering the canyon in times of emergency be it fires, accidents, earthquakes or medical calamities.

Perhaps MSMU could be prevailed upon to find an alternative route to their campus that would not impact our neighborhood in such a dangerous and deleterious manner.

Thank you,

Jacqueline Bacal

Response to Comment JBACAL 1

The comment expresses opposition to the Project based on traffic in the canyon and on Sunset Boulevard, but does not provide any substantial evidence nor raise any issues regarding the content and adequacy of the Draft EIR.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, both the Project and Alternative 5 are anticipated to add one new staff member.

It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

The Wellness Pavilion under both the Project and Alternative 5 is not a commercial enterprise. The primary purpose of the Wellness Pavilion is to serve as a health and wellness center and fitness facility/gymnasium for existing students.

Regarding emergency services, the commenter is directed to Section IV.J.1, *Fire Protection*, of the Draft EIR, and Topical Response No. 4 above.

The commenter remarks on the Project's overall construction period. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project's construction period from 22 months to 20 months. The overall construction period under the Project or Alternative 5 would not be three years.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce all of the Project's operational traffic impacts to less than significant levels.

Letter BATTARRA

Angela Battarra
125 N Bundy Dr
dbattarra@gmail.com
(May 26, 2018)

Comment BATTARRA 1

Please cut this email and paste it to cc: info@brentwoodhomeowners.org I have the following comments on MSMU's proposal:

Vincenzo and Deirdre Battarra
125 N Bundy Dr
90049

First of all we have so much traffic from the school across the street. They have even taken parking away from us 2-4 each day from in front! Now with these huge trucks coming up and down the street, cars speeding through stop lights trying to catch the green light which is very very slow in changing, well, our street is just ruined.... I wish they could somehow divert traffic going up to the university.... God only knows how the new students and faculty will drive.... thank you for asking, sincerely, the Battarra Family

Response to Comment BATTARRA 1

The comment expresses concern regarding the existing traffic conditions and the addition of Project traffic. The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment nor add faculty, but may result in one additional staff member. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Letter BAUER

Frederick B. Bauer
12006 Chalon Road,
Los Angeles, California 90049
(June 6, 2018)

Comment BAUER 1

Dear Ms King:

The Mount Saint Mary's University's Wellness Pavilion Project should not be permitted. The Bundy Canyon area has been over congested with automobile traffic for years and Mount Saint Mary's University cars are the reason why.

The Chalon Campus must be scaled back so the roads can handle traffic.

Response to Comment BAUER 1

The comment expresses opposition to the Project based on vehicle traffic and demands a reduction in the existing Campus but does not provide any substantial evidence to support the commenter's claims and/or raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Please note that as explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has a slightly reduced physical scale from that of the Project, as well as significantly reduced operations.

Comment BAUER 2

I also unincorporate myself from Grace Lane Neighbors of Mount Saint Mary's University; specifically, I retract my signature of 02 September 2016 for the comment letter of Ronald E. Altman Esq. of Raines Feldman, LLP. I never saw or read the letter.

Sincerely,

Frederick B. Bauer

RESPONSE TO COMMENT BAUER 2

The comment does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter BAUM-1

Carol and Tom Baum
570 N. Bundy Drive
Los Angeles, CA 90049
cbaumprods@gmail.com
(May 23, 2018)

Comment BAUM-1 1

Dear Mike and Kathleen --

As Bundy Canyon homeowners, we are concerned about the expansion of Mt. St. Mary's Campus. We live on Bundy Drive and are very nervous about what will be increased truck and people traffic. What we have learned is the expansion is going to be much bigger than we've been told. It appears that there aren't significant restrictions on the work they are about to begin.

We would implore you to enact similar protections that were given the neighborhoods around the Archer and Brentwood schools to mitigate the impact on our neighborhoods.

Best,

Carol and Tom Baum
570 N. Bundy Drive
Los Angeles, CA 90049

Response to Comment BAUM-1 1

The comment expresses general opposition to the Project based on traffic congestion and does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Chapter II, Project Description, in the Draft EIR, provides a complete description of the Project and proposed restrictions. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, provides a complete description of Alternative 5 and proposed operational restrictions.

The commenter refers to mitigation measures that were included as part of recent projects at the Archer and Brentwood Schools. CEQA requires the analysis and implementation of mitigation measures on a case-by-case basis depending on what the EIR for an individual project determines to be that project's significant environmental impacts, and measures that were included for one project may not be appropriate for another project.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Letter BAUM-2

Tom Baum
570 N. Bundy Drive
Los Angeles, CA 90049
tombaum@gmail.com
(June 5, 2018)

Comment BAUM-2 1

Ms. King:

Adding my name to the growing list of Bundy Canyon residents appalled by the planned expansion of Mount Saint Mary's.

Tom Baum
570 N. Bundy Dr.
TomBaumWrites.com

Response to Comment BAUM-2 1

The comment expresses opposition to the Project but does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that the Project would not expand the physical Campus boundary and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus boundary either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter BERBERIAN

Craig Berberian
N Westgate Ave
craigberberian@gmail.com
(May 26, 2018)

Comment BERBERIAN 1

I have the following comments on MSMU's proposal:

The school should comply with the Sunset Standard for traffic and open its recreational facilities to local residents that live north of Sunset.

Also students should all park inside the Campus and not on residential streets outside the Campus.

Thank you,
Craig H Berberian
N Westgate Ave resident

Response to Comment BERBERIAN 1

The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users and prohibits pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

With respect to allowing use of MSMU's recreational facilities by certain members of the public, this issue is not germane to the content and adequacy of the Draft EIR and is not an issue subject to the CEQA Guidelines or one to be evaluated or resolved in the Project's EIR.

Letter BERGMAN

Barbara and Richard Bergman
11995 Brentridge Drive
Los Angeles, CA 90049
(June 12, 2018)

Comment BERGMAN 1

We have been residents of the Brentwood area for twenty-four years and we live north of Sunset Boulevard on the corner of Norman Place and Brentridge Drive. As our home is on one of the only two routes to Mount Saint Mary's University ("MSMU") we have first-hand knowledge of the increase in MSMU related traffic (students, faculty, administration, security and other support automobiles, medium and large delivery vehicles and student vans) and its contributory adverse impact on the level of traffic along Sunset Boulevard. We have personally seen cars parked on the narrow streets in this area get side swiped, large trucks barely able to pass through this area and cars having to back up, go into driveways or make other dangerous maneuvers to allow vehicles to pass. In fact, there is a section of Norman Place that is particularly narrow at approximately 19 feet wide without sidewalks on either side. We have had to limit walking along these narrow streets as they have become more and more unsafe. Additionally, even though we only live 1 ½ miles from Sunset, in the afternoons it can take up to 45 minutes just to go onto or cross Sunset.

Response to Comment BERGMAN 1

The comment expresses general concerns regarding existing traffic conditions, but does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Comment BERGMAN 1-2

The MSMU plan to (a) build a sports and events center (MSMU misleadingly and callously calls it a "Wellness Pavilion"), (b) potentially increase the student enrollment to over 2,200 students with its commensurate increase in faculty, administration and support staff, delivery trucks, catering and all of the other associated personnel, (c) operate the Campus

at any time including nights and weekends and (d) use the Campus for commercial purposes such as summer camps that clearly do not meet the core mission of an educational institution will seriously exacerbate an already out of control traffic and safety nightmare. Our lawyers, Jeffer Mangels, Butler and Mitchell, sent a letter to each of you yesterday to further explain these issues.

Response to Comment BERGMAN 1-2

Please refer to Topical Response No. 1 and No. 2 regarding the description and projected uses of the Project and Alternative 5. Neither the Project nor Alternative 5 will change the Campus's operating hours.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. Both the Project and Alternative 5 will result in one new staff member only. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Comment BERGMAN 1-3

While we understand the legitimate desire of MSMU to modernize its facilities we cannot support this Project without major changes to its planned uses and improvement of its ineffective mitigation solutions. With respect to its planned uses, there needs to be an appropriate student enrollment cap, restriction on time of use and elimination of certain uses such as non-core related summer camps, conferences and the like. Also, given MSMU's past belligerent attitude towards its neighbors, its intentional lack of transparency and its apparent disregard of city rules and agreements, there needs to be an effective monitoring and verification system put in place with severe penalties for material violations of any agreement reached. With respect to its ineffective mitigation solutions both during and after construction, better and more creative solutions need to be developed such as requiring MSMU to construct a direct access to Sepulveda Blvd (outside of the Getty road system) rather than using the narrow hazardous streets of Norman Place and Bundy for ingress and egress.

We look forward to hearing more from you about how the City is working to improve the lives of its constituents while managing growth responsibly.

Yours truly,

Barbara and Richard Bergman
11995 Brentridge Drive
Los Angeles, CA 90049

Response to Comment BERGMAN 1-3

The comment raises a variety of issues including student enrollment, the construction of a direct access to Sepulveda Boulevard, and MSMU's relationship with its neighbors that are beyond the scope of the EIR. However, it is included here as part of the administrative record for the consideration of Project decision-makers.

Chapter III, *Revisions, Clarifications, and Corrections*, and Chapter IV, *Mitigation Monitoring Program*, of this Final EIR, contain detailed information and analyses of a comprehensive program of mitigation and mitigation monitoring for both the Project and/or Alternative 5. As explained further in Chapter IV, the complete mitigation monitoring program would be adopted as part of the Project or Alternative 5 and treated as conditions of approval for either the Project or Alternative 5 and therefore be subject to City enforcement. In accordance with CEQA requirements, all feasible mitigation measures have been implemented as part of Alternative 5.

The commenter refers to the “growth” of the Campus. It should be noted that the Project would not expand the physical Campus boundary and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus boundary either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

With respect to Sepulveda Boulevard access outside of the Getty Road system, MSMU does not own any such property with direct access to Sepulveda Boulevard, nor is such access proposed in connection with the Project or Alternative 5.

Letter BERK

Michael Berk
mdb@lacity.org
(May 26, 2018)

Comment BERK 1

I have the following comments on MSMU's proposal:

It is all about adding more traffic to an already intolerable situation. The proposed expansion, given its proposed size, uses and hours of operation, inevitably will cause increased traffic in sunset and, particularly, at the Kenter, Bundy and Barrington intersections. If permitted at all, the Project should be much more limited as to permitted size, uses and hours of operation. In all events, use of carpooling and van components must be required.

Response to Comment BERK 1

The comment expresses concern regarding the Project's traffic. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

The commenter's opinion is that the Project will cause increases in traffic at the intersections of Kenter Avenue and Sunset Boulevard, Bundy Drive and Sunset Boulevard, and Barrington Avenue and Sunset Boulevard. As explained in Topical Response No. 3 and the Draft EIR's Section IV.K, the Project would not result in significant operational traffic impacts at Kenter Avenue and Sunset Boulevard, but would result in significant operational traffic impacts at Sunset Boulevard and Barrington Avenue and Bundy Drive and Sunset Boulevard. As further explained in detail in Topical Response No. 3 and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed to reduce the Project's operational traffic impacts and to respond to concerns such as those posed by the commenter. Alternative 5 will reduce all of the Project's significant operational traffic impacts to a level of less than significant, including at Barrington Avenue and Sunset Boulevard and Bundy Drive and Sunset Boulevard. Therefore, Alternative 5 will not result in significant operational traffic impacts at any of the three intersections mentioned by the commenter.

Letter BILL

Anders Bill
anders@darkroom.tech
(June 8, 2018)

Comment BILL 1

Hey!

I just wanted to pass along my support for the MSMU wellness center! It's a great place I use everyday!

Have a great weekend.

Anders Bill
Co-Founder, President
Darkroom Technologies Inc.
anders@darkroom.tech | (860) 967-8688

Response to Comment BILL 1

This letter expresses support for the Wellness Pavilion but does not raise any issues with respect to the content or adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter BLOOMGARDEN

David Bloomgarden
1350 North Bundy Drive, Los Angeles, CA 90049
david@dtbla.com
(June 11, 2018)

Comment BLOOMGARDEN 1

I have two comments pertaining to your review of the desire of Mt. Saint Mary's (MSM) application to construct a Wellness Center on the Chalon Campus. First, I request that if the application is granted that any construction related activities (including workers and construction related vehicles) be precluded from driving north of Sunset Boulevard before 7:15 AM. When MSM constructed its parking garage, workers and construction vehicles would frequently park on North Bundy or Chalon before 7:00 AM. Most egregious were the tractor trailers who parked behind my house with engines running between 6:30 and 7:00 AM. We live in a canyon and noise travels.

Response to Comment BLOOMGARDEN 1

The comment does not raise any issues with respect to the content or adequacy of the Draft EIR.

As disclosed in Section IV.I, Noise, of the Draft EIR, Page IV.1-12, LAMC Section 41.40 (Noise Due to Construction, Excavation Work – When Prohibited) permits construction activities Monday through Friday from 7:00 A.M. to 9 P.M. and Saturdays and National Holidays between 8:00 A.M. to 6:00 P.M.

Section IV.I, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. Topical Response No. 1, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, discuss restrictions on construction vehicle parking in the surrounding neighborhood.

Comment BLOOMGARDEN 2

Second, traffic during the academic year is a problem. Most of Bundy north of Norman Place is one lane in each direction and parking on the west side of Bundy only. There are no sidewalks starting about 100 yards north of the Bundy Norman Place intersection. There are no sidewalks on Chalon between Bundy and the MSM entrance. There also is no room for parking on this stretch between MSM and west to Bundy. The street in front of my home is less than 30 feet wide. While I would prefer that traffic to and from MSM be restricted to the fire road if it could be improved and constructed to prevent traffic from continuing on to Chalon, Bundy or Norman, we could probably endure if MSM was not allowed to have summer camps on its Chalon Campus. It is also unreasonable for MSM to seek Wellness/Sports Activities up to 4 times per month for up to 400 outside guests.

Response to Comment BLOOMGARDEN 2

The comment does not provide any substantial evidence to support a general statement regarding the proposed Wellness Pavilion events and does not raise any issues with respect to the content or adequacy of the Draft EIR. The commenter provides general statements regarding the surrounding roadways, including the lack of sidewalks and roadway widths.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels, including those during the summer about which the commenter expresses concern.

As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the frequency of Other Wellness/Sports Activities from 48 times per year to 12 times per year (a reduction of 75 percent).

The commenter requests that all traffic to and from the Campus be “restricted to the fire road.” It is not clear which fire road the commenter is referring to, but no fire road traffic is contemplated in connection with the Project or Alternative 5, such use is not necessary to reduce a significant traffic impact to a level less than significant, and there is no evidence that such use would be feasible or permitted.

Comment BLOOMGARDEN 3

MSM has been our neighbor for over 40 years. We recognized, when we moved here, that there would be some noise and traffic from MSM. However, we did not anticipate the extent to which it has increased since 1975. Traffic coming down Bundy at night is frequent and often fast which poses a safety issue when exiting our driveway or walking. Some reasonable restrictions in MSM’s use of its facilities seem to be in order.

Response to Comment BLOOMGARDEN 3

The comment expresses the writer’s experience and opinions regarding existing and projected traffic conditions in the area, but does not raise any issues regarding the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter BRAM

Steve and Julie Bram
12147 Travis Street, Los Angeles, CA 90049
Sbram@gspartners.com
(June 10, 2018)

Comment BRAM 1

I am writing to express my **strong support** for the proposed Mount St Mary's Wellness Center. My reasons are summarized below:

Response to Comment BRAM 1

The comment expresses support for the Project. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment BRAM 2

Campus –

MSM is not adding any new dormitory or classroom space

MSM is not planning to increase their student count as a result of the Project

The Wellness Center will finally give the College a competitive fitness center.

I have visited their current center and see that it is around 500 sf. Photo below. It is an embarrassment for any college – its smaller than most 100 -unit apartment buildings fitness centers.

When I visited their current fitness center, the school's fitness director told me about the uses of the building – it will just be work out rooms, dance rooms, palates rooms, etc. There will not be any new academic classroom space, as has been alleged by the NIMBY's in our area.



Response to Comment BRAM 2

The comment expresses support for the Wellness Pavilion and attests that a need for the Wellness Pavilion exists, but does not raise any issues regarding the adequacy or content of the Draft EIR.

Comment BRAM 3

Traffic

While there will be additional construction traffic for a short period of time, it will be no different than any other large home or homes being constructed in the area. The benefit is that the workman will at least be able to park on the Campus, not on area streets, as is the case with nearby residential construction.

There has been improvement on the streets since MSM started their bus service. They continue to do a good job being a good neighbor with the buses for their students

I can't see the street traffic increasing after construction is completed as a result of this new fitness center since their student count will not change

MSM will not have any additional weekend events as a result of this new wellness center

MSM can't be blamed for the gridlock on Sunset. It comes mainly from Brentwood and Archer schools and from cut thru traffic from Santa Monica to the Valley, thanks to Waze providing the "shortest routes."

Response to Comment BRAM 3

The comment expresses the writer's experience and opinions regarding existing and projected traffic conditions in the area, but does not raise any issues regarding the adequacy or content of the Draft EIR.

The commenter correctly notes that construction vehicles will be required to park on Campus.

The commenter correctly notes that the Project will not result in an increase in student enrollment and expresses opinions regarding surrounding traffic, both on neighborhood streets and along Sunset Boulevard.

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

Comment BRAM 4

Neighbor Center

I appreciate that MSM has offered to open up the new fitness center to neighbors on the weekend, so that we can use it for swimming or sunning.

MSM also offers some programs to the neighbors, which are interesting and conveniently located

Response to Comment BRAM 4

The comment describes the current arrangement allowing use of MSMU's facilities by the community and expresses support for it, but does not raise any issues regarding the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment BRAM 5

The School vs Bundy Canyon Association

One neighbor has formed the Bundy Canyon Association with the single purpose of stopping any new projects in the area. I attended a meeting of this “association” and there were 10 people in attendance. This group represents a few “gadfly’s” but does not represent more than a handful of neighbors.

Many neighbors I have spoken to are okay with the new wellness center.

Response to Comment BRAM 5

The comment expresses their interaction with the Bundy Canyon Association, but does not raise any issues regarding the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter BROWN

Lawrence and Ronna M. Brown
1010 North Bundy Drive, Los Angeles, CA 90049
ronnambrown@usa.net
(June 9, 2018)

Comment BROWN 1

I have been a resident at 1010 North Bundy Drive for almost 50 years. North Bundy Drive is a narrow, two-lane street with parking only on one side north of Benton Way. The heavy traffic coming from Mount Saint Mary's College is constant from 8:00 a.m. to 9:00 p.m. Monday through Friday, with three-quarters of said traffic emanating from MSM. The posted speed limit on North Bundy Drive is 30 m.p.h. Most of these vehicles are exceeding that posted speed limit by anywhere from 20 m.p.h. to double the speed limit. Very few use the provided college transportation. It is now a very dangerous situation, with no sidewalks north of Norman Place, putting adults, children, baby carriages, and bicycles in imminent danger.

Response to Comment BROWN 1

The comment expresses the writer's experience and opinions regarding existing traffic conditions in the area, but does not raise any issues regarding the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment BROWN 2

In the event of any emergency exodus from North Bundy Drive, with very few exits, how could the residents safely evacuate, while competing with many hundreds of vehicles from M.S.M. College and nonresidents? My neighbors and my family are vehemently opposed to any expansion, construction, or increased student enrollment at MSMC. Please stop any plans for expansion, construction, or increased student enrollment at MSMC.

Response to Comment BROWN 2

Please refer to Topical Response No. 4 regarding emergency access and MSMU's emergency response plan. As explained in Topical Response No. 4, MSMU's emergency response program calls for sheltering in place on the Campus rather than evacuating to a location outside the Campus. The Project and Alternative 5's potential impacts on fire protection and emergency medical services were fully analyzed and disclosed in the Draft EIR's Section IV.J.1., *Fire Protection*, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. As explained therein, neither the Project nor Alternative 5 would have significant impacts on fire protection or emergency medical services.

It should be noted that the Project would not expand the physical Campus boundary and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus boundary either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter CANTWELL

Craig Cantwell
1065 North Norman Place
Norsewind20@yahoo.com
(June 13, 2018)

Comment CANTWELL 1

Hello, talked to you a couple weeks ago, I live at 1065 north Norman place in the canyon going up to the college, I was born here in the canyon and have watched avocado orchards and horse corrals turn into what the canyon is today. It still has all of nature from the northern part of the canyon connecting to the Santa Monica mountains national park. The wellness center is a mistake and should not happen. The college should restore what they have now which has been neglected and not used enough by students.

Response to Comment CANTWELL 1

The commenter expresses opposition towards the Project. The comment does not raise any issues with respect to the content or adequacy of the Draft EIR.

Comment CANTWELL 2

The canyon to the west is full of dry brush bringing all the people, cars, equipment, etc. is a huge fire hazard to all the residents in the area. A fire today was set off by a weed wacker over at Beverly crest. The city should limit building in the canyons now with the fire hazards that are present and the college should be grateful for what it has, that pool and view from there is awesome really incredible they don't need an indoor pool and a large weight room for their football team oh they don't have a football team. The mount is a small college with residence for retired nuns not a huge university. The wellness center is unhealthy for the neighborhood, the animals in the area and it will be a huge fire danger.

Response to Comment CANTWELL 2

The Project's potential fire impacts were analyzed and disclosed in Section IV.J.1, *Fire Protection*, of the Draft EIR. As concluded, the Project would not result in significant impacts regarding fire and emergency services. Additionally, the commenter is directed to Topical Response No. 4 regarding additional detail pertinent to emergency access. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

It should be noted that the proposed swimming pool would be located on the outside terrace of the Wellness Pavilion (the new gymnasium) and would be part of that building's foundation.

Potential impacts to animals were analyzed and disclosed in Section IV.C, *Biological Resources*, in the Draft EIR, including whether the Project would have a substantial effect either directly or through habitat modification on any sensitive or special status species and whether the Project would substantially interfere with any native resident or migratory fish or wildlife species. As discussed therein, the Project's impacts on native plants and animals would be less than significant. As discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5's impacts on native plants and animals would be either similar or less than those of the Project and therefore would also be less than significant.

Comment CANTWELL 3

The streets are too crowded now with all the building and all the workers for all the homes here, there should be a stop building of all the large house construction building from property line to property line, what about limiting further building having some limits on the construction stopping the greed oh sorry but we have all sorts of rules where are the rules to stop all the out of control building.

Response to Comment CANTWELL 3

The comment expresses concern over the number and design of new single-family homes being built in the surrounding neighborhood. This concern is outside the Project's scope. The construction workers would be required to park on Campus or in an off-site parking lot. Construction workers would not be permitted to park on the surrounding roadways.

The comment does not raise any issues with respect to the content or adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment CANTWELL 4

Environmentally the building could affect the great horned owls here in the canyon along with the deer that move around the college and the raccoons, skunks, coyotes and, snakes, lizards, red tailed hawks, cougars, rabbits, California quail, bobcats, squirrels, mourning doves bluebirds screech owls, bats, and all the other species of birds and animals in the canyon. Yes, all those animals are still here but will they be here if we keep building, the human across the street has been building that huge add on or refurb for the last 3 years are you kidding. So where are the rules to protect the animals and the canyon from the greed and over C2 A0 building, the wellness center is not needed the girls at the college hardly use what is there, they never use to two tennis courts that are there and the pool is an awesome pool it should not be destroyed it should be used more by the students and the nuns.

Response to Comment CANTWELL 4

With respect to the Project's impacts related to natural habitat, please refer to Section IV.C, *Biological Resources*, regarding the effect of the Project on the area's native habitat and wildlife. As discussed therein, the Project's impacts on native plants and animal species would be less than significant.

Section IV.C, Biological Resources, contains detailed information about the biological survey that was completed within the Biological Study Area to document the existing biological conditions on the Project Site, including documentation of existing wildlife. No special status, candidate, and/or sensitive wildlife species were found to be located in the Biological Survey Area. The Draft EIR concluded that impacts to native resident wildlife species would be less than significant.

As discussed in Chapter III, Section 1, Subsection d), Evaluation of Impacts, Alternative 5 would have a similar level of impacts in all biological resources categories, and would adopt and implement all of the Project's mitigation measures related to biological resources. Therefore, Alternative 5's impacts on native plants and animal species, including native resident wildlife species, would be less than significant.

Comment CANTWELL 5

I think the building and people will affect the environment negatively we don't need more cars and people in the canyon or creating a fire hazard up at the mount St Mary's college NO TO ANY MORE CONSRUCTION people should and need to be grateful and thank god for what they have and they should cherish it not destroy it.

Response to Comment CANTWELL 5

The comment expresses opposition to the Project based on traffic and potential fire hazard but does not provide any substantial evidence to support these claims and does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Also, it should be noted that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). This reduction in vehicle trips, combined with Alternative 5's reduction of all of the Project's operational traffic impacts to a level of less than significant, are being implemented with the intention to improve existing conditions related to MSMU Campus traffic.

Fire emergency and response in connection with the Project is evaluated in Section IV.J.1, Fire Protection, pages IV.J.1-18 and IV.J.1-22 through IV.J-34 of the Draft EIR. As evaluated therein, fire services impacts would be less than significant. As explained in

Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5's fire services impacts would also be less than significant. The commenter is directed to Topical Response No. 4, Emergency Access, for additional detail. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Letter CHAPMAN

Michael Chapman
eskimodog35@gmail.com
(June 13, 2018)

Comment CHAPMAN 1

My name is Michael Chapman and I am a neighbor of Mount Saint Mary's University. I support their plan to build a new fitness center.

Yours/M. chapman

Response to Comment CHAPMAN 1

The comment expresses support for the Project but does not raise any issues with respect to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter CHICCARELLI

Joseph Chiccarelli
1234 N. Bundy Drive
LA, CA. 90049
(June 18, 2018)

Comment CHICCARELLI 1

Dear Miss King,

As a ten year resident of Bundy Canyon I want to repeat the sentiments of many of my neighbors regarding the Mount St. Mary's expansion.

In my years on Bundy Drive I have seen the traffic and congestion on my street as well as Norman Place increase exponentially with every expansion of the school.

I have seen wildlife killed by reckless student drivers and have avoided several accidents myself by students speeding down the hill at over 50 mph at the end of the school day.

Due to the noise, congestion and added pollution to the neighborhood I would ask that any motions by MSM school to expand be denied or at least exploration of a secondary entrance and exit route to the school be considered.

Response to Comment CHICCARELLI 1

The comment expresses general opposition to the Project based on traffic, harm to wildlife, noise, and pollution, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in Topical Responses No. 2 and 7, Alternative 5 would not enlarge the MSMU campus.

Air pollution impacts are addressed in Draft EIR Sections IV.B, *Air Quality*. As discussed therein, air quality impacts would be reduced to less than significant levels through the incorporation of mitigation measure MM-AQ-1 (see page IV.B-47 and 48 of the Draft EIR).

Section IV.I, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a collective of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR).

As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would adopt and implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. Further, as explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Letter CIARLO

Teri Ciarlo
tc@teryldesigns.com
(June 12, 2018)

Comment Ciarlo1

I am a neighbor of Mount St. Mary's University and I am in support of the new wellness center that is proposed for the University. I personally support it because Mount St. Mary's has the right to improve and expand the same way that Brentwood School and Archer School for Girls is remodeling and expanding.

Response to Comment CIARLO 1

The comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment CIARLO 2

Additionally, the neighbors in our area that are able to use the Wellness Center for exercise will help the traffic by not going down to Sunset, San Vicente, Bundy or Barrington.... that is a big plus for our neighborhood. If we can exercise up the street instead of going down the street and contributing to more traffic that is a benefit for all. I currently have to deal with the expansion of Archer and Brentwood Schools with no benefit what so ever. I urge you to support the Wellness Center for Mount St. Mary's University. Thank you for any and all considerations.

Response to Comment CIARLO2

The comment references the current arrangement between MSMU and surrounding neighbors, which allows the neighbors to use the MSMU athletic facilities. The comment does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter CUEVA

Nancy Cueva
ncueva2@gmail.com
(June 10, 2018)

Comment CUEVA 1

Good evening my name is Nancy Cueva and I am a proud Mount Saint Mary's University alumni. I am writing this email in support of the Wellness Center that I believe will be beneficial to support a healthy community for all students and residents including myself that live in the Council District 11. Please know MSMU has my full support for this Project. If you have any further questions or concerns please feel free to contact me at (commenter's phone number).

Response to Comment CUEVA 1

The comment expresses support for the Project and does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter DAVIS

Gabrielle Davis
4gabrielledavis@gmail.com
(April 18, 2018)

Comment DAVIS 1

I live in Brentwood on bristol between sunset and san vicente.....most days after 1:00 it can take an hour and 30 minutes to 2 hours to get to where i might go for work..or pleasure. i find it hard to believe that you would even consider more construction on the west side. this lovely community is no longer working well and people are hating every minute of the life that was so wonderful... turned horrible. Will you stop to consider we can't go east for dinner, shopping or business and resent all the construction going on. What is going on....dont you see how problematic it all is? Gabrielle Davis

Response to Comment DAVIS 1

The comment expresses concern regarding existing and projected traffic congestion. Potential transportation/traffic impacts were analyzed and disclosed in Section IV.K, *Transportation/Traffic*, in the Draft EIR. Please see Topical Response No. 3 above for a complete discussion of the Project's traffic impacts. As explained in Topical Response No. 1 and No. 3, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns about the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

The commenter does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter DISNER

Sandra Disner
619 Tuallitan Road
Los Angeles 90049
sdisner@gmail.com
(May 26, 2018)

Comment DISNER -1

I have the following comments on MSMU's proposal:

Please don't increase traffic in Brentwood. The Brentwood Homeowners' Association has our community's best interest at heart. Please listen to them.

Sandra Disner and Family
619 Tuallitan Road
LA 90049

Response to Comment DISNER -1

The comment expresses opposition to any increase of traffic in Brentwood, and support for the positions of the Brentwood Homeowners' Association, but does not raise any issues with respect to the adequacy or content of the Draft EIR.

The Project's potential traffic impacts were analyzed and disclosed in Section IV.K Transportation/Traffic, of the Draft EIR. Traffic impacts associated with Alternative 5 were analyzed and disclosed in Chapter III, Section 1, Subsection d), Evaluation of Impacts, of this Final EIR. The traffic impacts of both the Project and Alternative 5 are discussed in Topical Response No. 3.

As explained in Topical Response No. 1 and No. 3, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns about the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce

the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

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

Letter DUNCAN

Kathleen Duncan
kathleenmduncan@aol.com
(June 11, 2018)

Comment DUNCAN 1

Dear Kathleen,

I am writing in support of the Wellness Center at Mount St. Mary's University - Chalon Campus. I think it is so important and long overdue for the Mount St. Mary's student - it will be a wonderful addition to the Campus! I am an alum and also live in the neighborhood and know Mount St. Mary's is putting a great amount of time, effort, and hard work to make sure it will have the least impact in our Brentwood Community. Again, I wholeheartedly support this Project - Thank you for your consideration!

Sincerely,
Kathleen Duncan

Response to Comment DUNCAN 1

The comment expresses support for the Project. The comment does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter EBIN 1

Joe Ebin

Joe.ebin@gmail.com

(May 25, 2018, Attached Letter dated May 26, 2018)

Comment EBIN 1-1 (Comments EBIN 1-1 and EBIN 1-2 included in e-mail dated May 25, 2021, 10:24 AM)

We have lived on Norman Place for thirty years. During this time period Mt. St. Mary's morphed from a residential college with about 200 students living on campus to a commuter college with all students driving to campus. This change dramatically affects our way of life. How so?

Now that MSM is a commuter school, there is endless traffic and congestion on the roads to and from MSM. MSM is located in a residential neighborhood with no means of public transportation and with limited access and egress roads. This neighborhood is clearly the worst choice area for a commuting campus as each student and teacher needs their own vehicle.

E.g., 1. Chalon is full of cars parked on the street.

2. The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10- 30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.

3. The noise of cars whizzing by is extreme.

4. The added pollution to our air is deleterious.

5. Norman Place and Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car.

Response to Comment EBIN 1-1

The commenter provides general statements regarding the Campus and states that traffic congestion in the area has increased due to the number of students, faculty, and staff commuting to and from the Campus. It should be noted that the commenter's assertion that all students commute to the Campus is incorrect, as more than 30 percent of the Campus's full-time students generally reside in dormitories on Campus and therefore do not commute to Campus.

The commenter is correct that, as noted in the Draft EIR Chapter II, *Project Description*, the Campus is not currently served by public transportation. However, as detailed in Chapter II of the Draft DEIR, MSMU currently provides several shuttle services, including an Inter-Campus Shuttle, Union Station Shuttle, Metro Expo Line Bundy Station Shuttle, Chalon Stop-Trans Shuttle, Mount Local Shuttle, and Club Sports Team Shuttle, several of which connect to locations served by public transportation.

The commenter makes several comments that were stated verbatim in letter ASHWORTH, above. The response to Comment ASHWORTH 2 above contains a full response to these comments.

Also, please refer to Section IV.K, *Transportation and Traffic*, of the Draft EIR regarding the Project's traffic impacts. Alternative 5's traffic impacts are fully discussed and analyzed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Comment EBIN 1-2

It is an extreme overreaching into our way of life to propose any further demands on our neighborhood. If MSM is intent on changing their business plan again, they should do so at a campus with access to public transportation in order to better serve their students and teachers and to not further impact a residential neighborhood everyone else. This is sensible, a more intense use of our neighborhood is nonsensical, it is absurd.

I would be happy to demonstrate or testify to this situation and the economic impacts.

Sincerely,
Joseph M. Ebin
1216 Norman Place
Los Angeles, CA 90049

Response to Comment EBIN 1-2

The comment does not raise any issues regarding the content and adequacy of the Draft EIR but is included here as part of the administrative record for the consideration of Project decision-makers.

Comment EBIN 1-3 (Comments EBIN 1-3 to EBIN 1-4 included in e-mail dated May 25, 2021, 10:25 AM)

We have lived on Norman Place for thirty years. During this time period Mt. St. Mary's morphed from a residential college with about 200 students living on campus to a commuter college with all students driving to campus. This change dramatically affects our way of life. How so?

Now that MSM is a commuter school, there is endless traffic and congestion on the roads to and from MSM. MSM is located in a residential neighborhood with no means of public transportation and with limited access and egress roads. This neighborhood is clearly the worst choice area for a commuting campus as each student and teacher needs their own vehicle.

E.g., 1. Chalon is full of cars parked on the street.

2. The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10- 30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.

3. The noise of cars whizzing by is extreme

4. The added pollution to our air is deleterious.

5. Norman Place and Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car.

Response to Comment EBIN 1-3

The comment repeats or restates the issues raised in Comment EBIN 1-1 above. Please see Response to Comment EBIN 1-3.

Comment EBIN 1-4

It is an extreme overreaching into our way of life to propose any further demands on our neighborhood. If MSM is intent on changing their business plan again, they should do so at a campus with access to public transportation in order to better serve their students and teachers and to not further impact a residential neighborhood. This is sensible, a more intense use of our neighborhood is nonsensical, it is absurd.

Sincerely,
Joseph M. Ebin
1216 Norman Place
Los Angeles, CA 90049

Response to Comment EBIN 1-4

The comment repeats or restates the issues raised in Comment EBIN 1-2 above. Please see Response to Comment EBIN 1-2.

Comment EBIN 1-5 (Comments EBIN 1-5 and EBIN 1-6 included in letter dated May 26, 2018)

We have lived on Norman Place for thirty years. During this time period Mt. St. Mary's ("MSM") Chalon campus morphed from a residential college with about 200 students living on campus in residential dormitories to a commuter college campus, with all students driving to the Chalon campus. This change dramatically affects our way of life. How so?

Now that MSM is a commuter school with about 1500 students at the Chalon Campus, there is endless traffic and congestion on the roads to and from MSM. MSM is located in a residential neighborhood with no means of public transportation and with limited access and egress roads. This Brentwood neighborhood is clearly the worst choice area for a commuting campus as each student, teacher and staff member needs their own vehicle.

This is what are we dealing with now in and around MSM:

1. The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10-30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.
3. The noise of cars whizzing by on Barrington, North Bundy Drive, North Bowling Green Way and Norman Place is extreme.
4. The added pollution to our air is deleterious.
5. Norman Place, and north Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car.
6. Chalon Road is full of cars parked on the street, cars owned by commuting students and faculty.

Response to Comment EBIN 1-5

The comment repeats or restates the issues raised in Comment EBIN 1-1 above. Please see Response to Comment EBIN 1-3.

Comment EBIN 1-6

Now MSM has grown to a University with 2,700 students and 600 faculty and staff offering undergraduate and graduate degrees in 35 fields spread out over two campuses; the limited access Chalon Campus and the multi-modal Doheny Campus downtown near USC. MSM should not expand the Chalon campus.

MSM should, if reasonable and if they are determined to grow, expand the Doheny Campus, as the Doheny Campus is served by light rail, two freeways and multiple bus routes. This location will serve their students and the public and not further impact a residential neighborhood. This is sensible; a more intense use of the Brentwood residential neighborhood is not just nonsensical, it is absurd.

In short, it is an extreme overreaching into our residential neighborhood to propose any further demands on our substandard streets. If MSM is intent on changing their business plan again which would create ever more vehicular traffic to the Chalon campus, they should not do so at the Chalon campus which has no access to public transportation. MSM might and should consider expanding the Doheny Campus if they are intent on growth. My advice is not nimbyism (not in my backyard), this is common sense and very good and current advanced planning and it should be well received by the proper agencies. Expanding educational choices near public transportation allows more students to obtain higher education at an affordable level, one of the stated goals of MSM as MSM has a policy of educating lower-socio-economic students with “first to graduate” achievements in their families. This is a noble task.

I would be happy to provide more evidence and/or testify to these economic impacts.

Sincerely,

Joseph M. Ebin, Master of Urban Planning

Joseph Ebin is a 1975 graduate of UCLA’s School of Architecture and Urban Planning. Ebin has worked in the affordable housing field for thirty years and is also involved with financing and advancing the education of minority students through philanthropic work.

Response to Comment EBIN 1-6

The comment does not raise any issues regarding the content and adequacy of the Draft EIR but is included here as part of the administrative record for the consideration of Project decision-makers.

Please note that the cited enrollment and faculty numbers are incorrect. Refer to, Chapter II, *Project Description*, of the Draft EIR for the correct enrollment and faculty numbers.

The commenter suggests that MSMU’s new development should be focused at the Doheny Campus rather than at the Campus, and that doing so would further MSMU’s

goal of providing education to people of lower socio-economic backgrounds. Socio-economic issues are not environmental issues within the scope of CEQA.

The commenter refers to the “growth” of the Campus. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body as well as outside guests (for specific events), and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Please refer to Topical Response No. 3 regarding the traffic impacts of the Project and Alternative 5. As explained in Topical Response No. 1 and No. 3, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns about the Project’s traffic impacts, and would reduce all of the Project’s operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project’s construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Letter EBIN 2

Joe Ebin

Joe.ebin@gmail.com

(e-mail dated May 26, 2018, Attached Letter dated May 26, 2018)

Comment EBIN 2-1 (All comments included in letter dated May 26, 2018)

We have lived on Norman Place for thirty years. During this time period Mt. St. Mary's (MSM) Chalon campus morphed from a residential college with about 200 students living on campus in residential dormitories to a commuter college campus, with all students driving to the Chalon campus. This change dramatically affects our way of life. How so?

Now that MSM is a commuter school with about 1500 students at the Chalon Campus, there is endless traffic and congestion on the roads to and from MSM. MSM is located in a residential neighborhood with no means of public transportation and with limited access and egress roads. This Brentwood neighborhood is clearly the worst choice area for a commuting campus as each student, teacher and staff member needs their own vehicle.

This is what are we dealing with now in and around MSM:

1. The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10-30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.
3. The noise of cars whizzing by on Barrington, North Bundy Drive, North Bowling Green Way and Norman Place is extreme.
4. The added pollution to our air is deleterious.
5. Norman Place, and north Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car.
6. Chalon Road is full of cars parked on the street, cars owned by commuting students and faculty.

Response to Comment EBIN 2-1

The comment repeats or restates the issues raised in Comment EBIN 1-1 above. Please see Response to Comment EBIN 1-3.

Comment EBIN 2-2

Now that MSM is a University with 2,700 students and 600 faculty and staff offering undergraduate and graduate degrees in 35 fields spread out over two campuses, the limited access Chalon Campus and the multi-modal Doheny Campus downtown near USC, MSM should not expand the Chalon campus. It should, if reasonable, expand the

Doheny Campus, as the Doheny Campus is served by light rail, two freeways and multiple bus routes. This location will serve their students and the public and not further impact a residential neighborhood. This is sensible; a more intense use of the Brentwood residential neighborhood is nonsensical, it is absurd.

In short, it is an extreme overreaching into our way of life to propose any further demands on our residential neighborhood with substandard streets. If MSM is intent on changing their business plan again which would create ever more vehicular traffic to the Chalon campus, they should not do so at the Chalon campus which has no access to public transportation. MSM should consider expanding the Doheny Campus if they are intent on growth. My advice is not nimbyism (not in my backyard), this is common sense and very good and current advanced planning and it should be well received by the proper agencies. Expanding educational choices near public transportation allows more students to obtain higher education at an affordable level, one of the stated goals of MSM as MSM has a policy of educating lower-socio-economic groups with “first to graduate” achievement to upwardly mobile families and students. This is a noble task.

I would be happy to provide more evidence and/or testify to these economic impacts.

Sincerely,

Joseph M. Ebin, Master of Urban Planning

Joseph Ebin is a 1975 graduate of UCLA’s School of Architecture and Urban Planning. Ebin has worked in the affordable housing field for thirty years and is involved with financing and advancing the education of minority students through philanthropic work.

Response to Comment EBIN 2-2

The comment repeats or restates the issues raised in Comment EBIN 1-6 above. Please see Response to Comment EBIN 1-6.

Letter EBIN 3

Joe Ebin
Joe.ebin@gmail.com
(May 29, 2018, Attached Letter dated May 27, 2018)

Comment EBIN 3-1

If you use this one attached there will be no confusion. (e-mail dated May 29, 2018)

Response to Comment EBIN 3-1

The comment does not address the content or adequacy of the Draft EIR but is included here for the record and the consideration of Project decision-makers.

Comment EBIN 3-2 (Comments 3-2 to 3-5 are from letter dated May 27, 2018)

We have lived on Norman Place for thirty years. During this time period Mt. St. Mary's ("MSM") Chalon Campus morphed from a residential college with about 200 students living on Campus in residential dormitories to a commuter college Campus, with all students driving to the Chalon Campus. This change dramatically affects our way of life. How so?

Now that MSM is a commuter school with about 1500 students at the Chalon Campus, there is endless traffic and congestion on the roads to and from MSM. MSM is located in a residential neighborhood with no means of public transportation and with limited access and egress roads. This Brentwood neighborhood is clearly the worst choice area for a commuting Campus as each student, teacher and staff member needs their own vehicle.

This is what are we dealing with now in and around MSM:

1. The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10-30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.
3. The noise of cars whizzing by on Barrington, North Bundy Drive, North Bowling Green Way and Norman Place is extreme.
4. The added pollution to our air is deleterious.
5. Norman Place, and north Bundy Drive are substandard in width with limited sidewalks so that all pedestrians are at added risk of being hit by a car.
6. Chalon Road is full of cars parked on the street, cars owned by commuting students and faculty.

Response to Comment EBIN 3-2

The comment repeats or restates the issues raised in Comment EBIN 1-1 above. Please see Response to Comment EBIN 1-3.

Comment EBIN 3-3

Now MSM has grown to a MSMU with 2,700 students and 600 faculty and staff offering undergraduate and graduate degrees in 35 fields spread out over two Campuses; the limited access Chalon Campus and the multi-modal Doheny Campus downtown near USC. MSM should not expand the Chalon Campus.

MSM should, if reasonable and if they are determined to grow, expand the Doheny Campus, as the Doheny Campus is served by light rail, two freeways and multiple bus routes. This location will serve their students and the public and not further impact a residential neighborhood. This is sensible; a more intense use of the Brentwood residential neighborhood is not just nonsensical, it is absurd.

In short, it is an extreme overreaching into our residential neighborhood to propose any further demands on our substandard streets. If MSM is intent on changing their business plan again which would create ever more vehicular traffic to the Chalon Campus, they should not do so at the Chalon Campus which has no access to public transportation. MSM might and should consider expanding the Doheny Campus if they are intent on growth. My advice is not nimbyism (not in my backyard), this is common sense and very good and current advanced planning and it should be well received by the proper agencies. Expanding educational choices near public transportation allows more students to obtain higher education at an affordable level, one of the stated goals of MSM as MSM has a policy of educating lower-socio-economic students with “first to graduate” achievements in their families. This is a noble task.

I would be happy to provide more evidence and/or testify to these economic impacts.

Sincerely,
Joseph M. Ebin, Master of Urban Planning

Joseph Ebin is a 1975 graduate of UCLA’s School of Architecture and Urban Planning. Ebin has worked in the affordable housing field for thirty years and is also involved with financing and advancing the education of minority students through philanthropic work.

Response to Comment EBIN 3-3

The comment repeats or restates the issues raised in Comment EBIN 1-6 above. Please see Response to Comment EBIN 1-6.

Letter EBIN 4

Joseph M. Ebin
joe.ebin@gmail.com
(July 27, 2018)

Comment EBIN 4-1

Ms. King: Maybe you can get the attached proposal introduced as part of the Draft EIR responses?

Thank You

Joseph M. Ebin

Response to Comment EBIN 4-1

The comment does not address the content or adequacy of the Draft EIR but is included here for the record and the consideration of Project decision-makers.

Comment EBIN 4-2

Joanne,

After meeting with the city and many parties, the councilmember's office asked me to come up with a creative solution to MSMC-Chalon enrollment issues and mitigating traffic. It is essentially a return to a residential college format for MSMC-Chalon which will accomplish both. They have my proposal, attached. I sent it in personally not as a member of any association.

It is interesting to note that MSMC would make a lot more revenue with a residential college plan approach, which is much more consistent funding than a summer camp and occasional external events which should not be allowed under any circumstances.

The city is reviewing this and I believe that they are in discussion with MSMC.

Yes, I would be happy to discuss this approach and all the other approaches which are out there to mitigate traffic and enhance our quality of life. Please let me know if you want to meet Thursday evening August 2 at my place?

Joe Ebin

Response to Comment EBIN 4-2

The commenter provides general statements regarding the Campus and introduces a proposal regarding MSMU's enrollment and associated vehicle trips. The comment does not raise any issues regarding the content and adequacy of the Draft EIR. The proposal is included below and provided for the consideration of Project decision-makers.

Letter EBIN 5

Joseph M. Ebin
joe.ebin+pol@gmail.com
(July 30, 2018)

Comment EBIN 5-1

Dear Neighbor:

After entering into discussions with City Council Mike Bonin's office (our City Council Member) they suggested that I circulate the proposal below which I crafted in order to move this discussion to a meaningful level. This proposal offers substantial reductions in traffic, allows MSMC to remodel some outdated facilities and firms up a hazy Conditional Use Permit for the school. The reduction in traffic is a result of the school's return to a "residential college format" which requires increasing dormitory space from 32% of enrollment to a minimum of 50% of enrollment within 24 months and eventually to 66.6% of enrollment. With the above and the caveat that the dorms must be occupied by enrolled students, the express agreement that 75% of the commuting students must be carpooled and the absolute refusal to allow all external events such as summer camps, the neighborhood will see a marked reduction in traffic.

If you agree with this concept, please send me an email affirming your agreement with a copy to:

1. Krista Kline, Land Use Assistant to Mike Bonin krista.kline@lacity.org
2. Councilmember Mike Bonin councilmemberbonin@lacity.org
3. Kathleen King, City Planning Kathleen.king@lacity.org
4. Brentwood Community Council...use their website
5. Bundy Canyon Association bundycanyonevents@gmail.com
6. Brentwood Homeowners Association info@brentwoodhomeowners.org

Response to Comment EBIN 5-1

The commenter is providing a general comment regarding the operation of MSMU and recommends a reduction in existing traffic, an increase in dormitory space and occupancy, and the prohibition of external events such as summer camps. The comment does not address the content or adequacy of the Draft EIR but is included here for the consideration of Project decision makers.

The Draft EIR evaluated and disclosed the Project's significant and unavoidable operation traffic impacts related to outside guest traffic at certain Study Area intersections on Sunset Boulevard. In addition, Alternative 5 presented in this Final EIR under Topical Response No. 1 would reduce the Project's potential operation traffic impacts to less than significant

levels through peak hour daily limitations on vehicle trips through the implementation of PDF-TRAF-11 through PDF-TRAF-14. In addition, PDF-TRAF-18, discussed under Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would require that MSMU limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Overall trip reductions shall be confirmed through trip counts conducted for at least two weeks each year (two in the spring semester and two in the fall semester) to the satisfaction of LADOT.

Comment EBIN 5-2

Salient Issues Summary-- MSM-Chalon has applied to build new buildings, clarify its CUP which it has illegally surpassed, open the campus to more external events including a children's summer camp and other external sporting events.

Response to Comment EBIN 5-2

The comment expresses a general opinion that is not substantiated by evidence. MSMU has applied to build a single building, the development of which would be consistent with MSMU's existing CUP. The comment is correct that the gymnasium would provide for events with outside guests, including summer camps. As stated in the Draft EIR, these camps would generally be day-camps, lasting one day to a week. The impacts of the Project have been evaluated and disclosed in the Draft EIR, and Alternative 5, which would reduce the Project's significant and unavoidable operational traffic impacts to less than significant levels, is set forth and evaluated in this Final EIR. Please refer to the discussion and evaluation of Alternative 5 in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

Comment EBIN 5-3

1. It is certainly worth noting the not insignificant factor that MSMC owns and operates two campuses, the Chalon Campus ("MSM-Chalon") located in a remote residential area of Brentwood about two miles north of West Sunset Boulevard by direct street access; currently with 1557 student enrollment. MSM- Chalon slowly changed its original education model from a residential college to a commuter school with some residential living provided.

MSMC also operates a second venue, called the MSMC-Doheny Campus ("MSMC-Doheny"). MSMC- Doheny has a larger enrollment than the MSM-Chalon campus, it is located near USC and downtown Los Angeles, proximal to multiple forms of public transportation, trains, light rail, bus routes, freeways, etc.

Response to Comment EBIN 5-3

The comment regarding the ownership of the MSMU Campuses, also discussed in the Chapter 2, *Project Description*, of the Draft EIR, is noted. The comment does not address the content or adequacy of the Draft EIR but is included here for the record and the consideration of Project decision-makers.

Comment EBIN 5-4

2. MSM-Chalon is located in a densely populated residential area with no public transportation offered now and none likely for decades to come. Access and egress to MSMC-Chalon is constrained by inadequate surface street system of narrow and substandard width, most areas with zero to one sidewalk. All the intersections from and to MSM-Chalon to Sunset Boulevard, the main surface arterial, have been graded as “F”- failed and unfixable in the EIR for this proposed project. The failed and unfixable street system was a lot less onerous when MSM-Chalon had an enrollment of 200 students commuting and later 500 students living on campus. This was the bargain that our neighborhood had agreed to and the agreement that was tolerated for years.

Response to Comment EBIN 5-4

The comment does not address the content or adequacy of the Draft EIR but is included here for the record and the consideration of Project decision-makers. The comment also addresses existing conditions that were disclosed and evaluated in the Draft EIR. The comment does not relate to Project impacts but is concerned with existing conditions that are not within the scope of the Draft EIR evaluation.

Comment EBIN 5-5

3. The failed and unfixable street system causes many problems for the neighbors of MSMC-Chalon, all non-mitigatable due to constrained access to their homes, fire and life safety threats, inability to commute and access the neighborhood shopping, etc. The failed street system causes many problems for MSMC--Chalon today in its current enrollment with its current curriculum.

Response to Comment EBIN 5-5

The comment expresses the unsubstantiated opinion that the street system in the area around the Campus is failed and unfixable and that it causes problems related to fire and life safety, local access and commuting. The comment refers exclusively to existing conditions, does not mention the Project, and does not raise any issues with respect to the content and adequacy of the Draft EIR.

With respect to the commenter’s statements regarding the existing traffic conditions in the area, please refer to the discussion of the existing level of service at study area intersections in Section IV.K, *Transportation and Traffic*, of the Draft EIR. As discussed

in Table IV.K-2, *Existing (2016) Intersection Service Levels – School Year*, out of the 14 study area intersections, three were found to have a service level of “F” or Failure during the school year: (i) Bundy Drive and Sunset Boulevard from 5-6 PM, (ii) Saltair Avenue and Sunset Boulevard from 5-6 PM, and (iii) Barrington Avenue and Sunset Boulevard from 5-6 PM and 6-7 PM. As discussed in Table IV.K-3, *Existing (2016) Intersection Service Levels – Summer*, two intersections were found to have a service level of “F,” (i) Saltair Avenue and Sunset Boulevard from 5-6P PM, and (ii) Barrington Avenue and Sunset Boulevard from 5-6 PM. Therefore, the majority of study area intersections operate at non-Failure service levels.

Also, it should be noted that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). This reduction in vehicle trips, combined with Alternative 5’s reduction of all of the Project’s operational traffic impacts to a level of less than significant, are being implemented with the intention to improve existing conditions related to MSMU Campus traffic.

Fire emergency and response in connection with the Project is evaluated in Section IV.J.1, *Fire Protection*, pages IV.J.1-18 and IV.J.1-22 through IV.J-34 of the Draft EIR. As evaluated therein, fire services impacts would be less than significant. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5’s fire services impacts would also be less than significant. The commenter is directed to Topical Response No. 4, Emergency Access, for additional detail.

Comment EBIN 5-6

4. MSMC is operating outside of its CUP which limits its operation to about 1,078 enrolled students; the entire operation of MSMC at Chalon campus currently with about 1,557 students is arguably an illegal use as it is not permitted by the effective CUP. If reasonable accommodations are not made to the neighbors of MSMC-Chalon, the enrollment should be rolled back to the approved level of the existing and controlling CUP, 700-1,078 students, depending upon interpretation, with at least 500 living on campus, that is a ratio of 500/700 in dormitories (71%) or 500/1078 (46%) in dormitories. This would effectively reduce and mitigate traffic and congestion for the immediate neighbors of MSMC-Chalon and all the commuters who use Sunset Boulevard.

Response to Comment EBIN 5-6

The comment does not address the content or adequacy of the Draft EIR. Neither the Project nor Alternative 5 would increase student enrollment. Please refer to Topical Response No. 2 regarding the Scope of the Project. In addition, please refer to Topical Responses No. 6 regarding the University’s Entitlement History and Enrollment Cap, and Topical Response No. 7 regarding the Project Impact on Student Enrollment.

Comment EBIN 5-7

5. No plan for MSMC expansion should be allowed which exacerbates the failed and unfixable street system by increasing commuter traffic during the day, evenings, weekends or the summer time.

Response to Comment EBIN 5-7

It should be noted that neither the Project nor Alternative 5 are an expansion of the Campus, but rather, are a wellness facility and gymnasium for MSMU's existing student body. The comment states that no project should be approved if it will increase commuter traffic during the day, evenings, weekends, or the summer time.

The Project's traffic impacts during operation were fully analyzed in the Draft EIR's Section IV.K. As discussed therein, the Project would result in significant and unavoidable operational traffic impacts at area intersections and street segments during both the school year and summer. Alternative 5 would reduce the Project's potential operation traffic impacts to less than significant levels through peak hour and daily limitations on vehicle trips through the implementation of PDF-TRAF-11 through PDF-TRAF-14. In addition, PDF-TRAF-18, discussed under Topical Response No. 1, above, and in Chapter III, Revisions, Clarifications, and Revisions, of this Final EIR, would require that MSMU limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Overall trip reductions shall be confirmed through trip counts conducted for at least two weeks each year (two in the spring semester and two in the fall semester) to the satisfaction of LADOT. Accordingly, Alternative 5 will not increase traffic.

As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Comment EBIN 5-8

6. The MSMC-Chalon administrators want to further expand the use of the campus, another intensification of use. One can only suppose that they want more enrollment which generates more revenue.

Response to Comment EBIN 5-8

Please refer to Topical Response No. 2 regarding the Scope of the Project. The addition of the Wellness Pavilion will serve the existing students, who, in great part, currently travel elsewhere for sports practices, intramural games, and other physical fitness activities. The Project does not include an increase in enrollment as discussed in Topical

Responses. Nos. 6, University's Entitlement History and Enrollment Cap, and 7, Project Impact on Student Enrollment. Additionally, as stated previously, the Project nor Alternative 5 would result in an expansion of the Chalon Campus.

Comment EBIN 5-9

7. Perhaps a collaborative solution is possible: Any MSMC expansion plan which quantitatively and meaningfully mitigates and improves the failed and unfixable street system by reducing MSMC-Chalon commuter traffic should be seriously entertained and would probably be supported by the neighbors, our city council member, the Planning Department and by the city planning commission (the "CPC"), ("All Concerned Parties"). What would it take to provide this traffic mitigation and reduction of car trips, as now about 1,057 students per day commute to campus? All Concerned Parties would probably look favorably on the following, all of which is reasonably achievable by MSMC-Chalon:

- a. In lieu of a 38,000 square foot athletic venue as proposed, MSMC-Chalon could build more dormitories on the Chalon campus or reconfigure existing buildings to offer more dormitory beds.
- b. The dormitories on MSMC-Chalon campus should immediately provide a ratio of at least one dormitory bed for every two enrolled students so that the net result would be that 50% of the enrollment would be required to live on campus. Currently they have about one dormitory bed for every three students (500/1557).
- c. What does this mean quantitatively? If the CPC were to approve the current 1,557 enrolled students in a new qualitatively restrictive and monitorable CUP, it should now require that 778 students live on campus; this reduces the commuters now from 1,057 per day to 778 per day. There currently exists about 500 dormitory rooms on campus plus a large minimally used convent. MSM-Chalon would have about 24 months to reconfigure the enrollment and the dormitories to verify that 50% of the enrolled students actually live on campus. Of the commuting students, the car pool shuttles would be required to deliver and remove at least 75% of the commuting students, this would need to be monitored.
- d. If more dormitories were built in the future, the neighbors and the CPC might favorably look at an enrollment increase provided that the total enrollment not exceed 1900 students of which at least 66.67% (2/3) or 1,267 would reside on campus and 633 could commute into campus; 633 commuters is less than the 1057 students commuting into campus now and this is a qualitative improvement for the traffic gridlock in the Sunset Corridor.
- e. Instead of building an athletic venue to attract outside athletic events and exacerbate commuter traffic, MSM-Chalon could rebuild their swimming pool and small athletic services building for their own students' usage.
- f. No summer camp or any external rental venue should be allowed on this campus as it would exacerbate the traffic and it does not comply with the CUP now which prohibits non-academic activities.

Response to Comment EBIN 5-9

The comment expresses the unsubstantiated opinion that the street system is failed and unfixable as addressed under Responses to Comments Ebin 4-5 and 4-7, and that MSMU's existing impacts on traffic would be improved if MSMU added more dormitories for the existing student body. Neither the Project nor Alternative 5 will increase student enrollment. Therefore, the provision of dormitories is not relevant to this EIR. The opinion regarding the dormitory options and other measures would not be consistent with the Project Objectives and would be inconsistent with the purpose of the Project.

The Draft EIR evaluated and disclosed the Project's significant and unavoidable operation traffic impacts related to outside guest traffic at certain Study Area intersections on Sunset Boulevard. Furthermore, Alternative 5 presented in this Final EIR under Topical Response No. 1 would reduce the Project's potential operation traffic impacts to less than significant levels through peak hour daily limitations on vehicle trips through the implementation of PDF-TRAF-11 through PDF-TRAF-14. In addition, PDF-TRAF-18, discussed under Topical Response No. 1, above, and in Chapter III, Revisions, Clarifications, and Revisions, of this Final EIR, would require that MSMU limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Overall trip reductions shall be confirmed through trip counts conducted for at least two weeks each year (two in the spring semester and two in the fall semester) to the satisfaction of LADOT.

Comment EBIN 5-10

8. Possible economic benefits to enhanced dormitories and enhanced enrollment:

- a. Stage One: enrollment of 1557 students requires increasing the dormitory beds from 500 to 779 which would create the following economic benefit: 279 additional dormitory occupants at about

\$900 per month each would generate annually about \$3,013,200

- b. Stage Two: ... 1900 student enrollment

- i. increasing the dormitory beds from 779 to 1267 (2/3rd of enrollment) would create the following economic benefit: 488 additional dormitory occupants at about \$900 per month each would generate annually\$5,270,400

- ii. increasing the enrollment from 1555 students to 1900 students would create the following economic benefit: 345 new students at about \$38,000 per annum for tuition would generate annually.....\$13,110,000

TOTAL INCREASE PER ANNUM \$21,393,600

TOTAL POTENTIAL ANNUAL REVENUE ENHANCEMENT FROM DORMITORIES AND SOLID CUP STATUS ENABLING 1,900 STUDENTS IS \$21,393,600 PER ANNUM AND THIS IS CONTINUOUS AND SELF-SUSTAINING ONCE BUILT. IT REQUIRES NO SUMMER CAMPS OR EXTERNAL EVENTS WHICH GENERATE MORE STREET TRAFFIC. IT ALSO MEETS THE MISSION OF HIGHER EDUCATION AND IT DOESN'T VIOLATE THE CUP REQUIRING ACADEMIC ACTIVITIES.

Response to Comment EBIN 5-10

The evaluation of economic benefits is not a subject for the Draft EIR analysis under CEQA. In addition, the comment does not apply to the content or quality of the Draft EIR but is noted and included in this Final EIR as part of the record.

Comment EBIN 5-11

9. Results of not reaching a compromise: If the MSM-Chalon Campus does not agree to substantially increase the live- in component with a defined monitorable formula such as offered here, then the project should be denied in its entirety and the CUP for its operation should be withdrawn

Response to Comment EBIN 5-11

The comment expresses the opinion that the Project application should be denied based of prior unsubstantiated statements that the street system in the area is “failed and unfixable” and that MSMU should increase on-campus housing in lieu of the Project. No component of the Project or Alternative 5 requires the provision of additional on-campus housing, either as a matter of City approvals or in order to reduce any environmental impact to a level of less than significant. The opinion regarding the street system is contradicted by the evidence that the street system largely operates at acceptable service levels. In addition, this Final EIR sets forth Alternative 5, which reduces Project operation impacts to less than significant levels. Notably, PDF-TRAF-18 would require that MSMU limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Overall trip reductions shall be confirmed through trip counts conducted for at least two weeks each year (two in the spring semester and two in the fall semester) to the satisfaction of LADOT.

Letter EPSTEIN

Mrs. George N. Epstein
672 MacCulloch Drive
Los Angeles, CA 90049
(May 18, 2018)

Comment EPSTEIN 1

I live at 672 MacCulloch Drive. Though your notice was sent to my husband George N. Epstein (who died), I still reside at this address.

Mount Saint Mary's MSMU has proven to be most insensitive and overreaching neighbor. We were promised a long time ago that a large portion of their students would be bused in. NOT TRUE. At around 3:00 PM – 6:00 PM, I see more [unclear text] cars with one person exiting the Campus making residents [unclear text] 3-block long waiting lines to cross streets. [Unclear text] goes around at markets in the morning when the line of traffic is going to the Campus.

Wellness is important and I suggest the school hold it in another area where public transportation is available. One is not going to a castle but to an easily reached location.

I strongly oppose this poorly thought out proposal.

Response to Comment EPSTEIN 1

The comment expresses opposition to the Project based on traffic congestion, but does not provide any substantial evidence regarding traffic congestion and does not raise any issues regarding the content and adequacy of the Draft EIR. Existing traffic conditions on surrounding neighborhood streets, as well as Project impacts, are evaluated in Section IV.K, *Transportation and Traffic*, of the Draft EIR. Also, please refer to Topical Response No. 3 regarding the intermittent character of Project traffic.

As explained in Topical Response No. 1 and No. 3, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns about the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce

the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Further, as detailed in Chapter II of the Draft DEIR, MSMU currently provides several shuttle services, including an Inter-Campus Shuttle, Union Station Shuttle, Metro Expo Line Bundy Station Shuttle, Chalon Stop-Trans Shuttle, Mount Local Shuttle, and Club Sports Team Shuttle, several of which connect to locations served by public transportation.

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

Letter FELDMAN

Raines Feldman LLP
1800 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067
(April 30, 2018)

Comment FELDMAN 1

Dear Ms. King:

I'm assistant to Ronald E. Altman, he is in receipt of the attach notice from your department.

Will you please update the correspondence address, from 9720 Wilshire Blvd., 5th Floor, Beverly Hills, CA 90212 to 1800 Avenue of the Stars, 12th Floor, LA, CA 90067. Should you have any questions in regards to this matter, please do not hesitate to contact me.

Best,

Ray Arroyo

Response to Comment FELDMAN 1

The comment provides notification of a change of address for the responding party and does not apply to the content of the Draft EIR. The comment is noted and no further response is necessary.

Letter FIELDS

Bethany Fields
bmw332@earthlink.net
(June 8, 2018)

Comment FIELDS 1

Dear Ms King,

Thank you for taking the time to read the letters written by the residents of Bundy Canyon. We have lived in this beautiful canyon for 20 years. We have watched it change. MSM is directly responsible for that. I urge you to read and re-read the letter written to you from Joseph M. Ebin. MSM does NOT have the right to further affect our daily way of life. This Campus is in a RESIDENTIAL neighborhood. Would you appreciate an expansion of this magnitude where YOU live??

MSM does NOT have the right to drive down the property values in this neighborhood.

MSM has already put way too many demands on us.

MSM should seriously consider expanding their other Campus.

Bethany Fields

Response to Comment FIELDS 1

The comment expresses opposition to the Project and suggests that the Applicant consider expanding the Doheny Campus. It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body as well as outside guests (for specific events), but neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter FOX

Emily Fox
740 Marzella Avenue
Los Angeles, CA 90049
Emily.ellis.fox@gmail.com
June 13, 2018

Comment FOX 1

My husband and I purchased our home on Marzella Ave less than one year ago. We moved to the area ahead of having our baby daughter last October and I feel so lucky to represent the fourth generation of my family who has grown up in and returned to this area. We have not regretted our decision, but the one problem we face daily is the necessity of using North Bundy Drive as our access road. Driving this street is akin to navigating an obstacle course every single time we leave or return home. Despite being technically two lanes, traversing it reveals that Bundy in fact functions as a single lane when cars are parked on either side (which they always are). The result is that you must stop and pull over each time you and another car try to pass one another. It's a timely endeavor, but also a dangerous one, with vehicles driving above the speed limit (thus the addition of neighborhood speed bumps and a speed tracker), then refusing to put on their brakes in an aggressive attempt to proceed first.

There is no easy way around this issue either. Bowling Green functions the same way (accounting for parked vehicles, becoming a single lane with two way traffic), as do the cut throughs on Benmore Lane and North Saltair (two narrow streets with zero visibility around their corners). I fear adding more vehicular traffic to the road, more commuters and more visitors who are not sensitive to the fact that this is first and foremost a residential neighborhood and who are not familiar with these blind turn streets, the fact that cars also come the opposite way on them, or that pedestrians and children are often crossing and playing here. Benmore Lane, North Saltair, North Barrington and most of North Bundy are all streets which are not served by sidewalks, meaning that anyone who walks puts themselves at risk by having to enter the street itself. Perhaps most concerning of all, the intersection at Bundy and Sunset has long been classified as one of the most dangerous in Los Angeles and THE most dangerous intersection on the Westside. Shattered glass is a regular sight on the asphalt here, as are cars running red lights and making illegal turns. This, combined with the huge amount of daily traffic, has required the regular employment of a traffic cop. Putting increased burden on this already overstressed intersection seems irresponsible at best.

Response to Comment FOX 1

The comment does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

With respect to the commenter's concern regarding additional traffic, it should be noted that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). This reduction in vehicle trips, combined with Alternative 5's reduction of all of the Project's operational traffic impacts to a level of less than significant, are being implemented with the intention to improve existing conditions related to MSMU Campus traffic.

Comment FOX 2

It is not just the safety and wellbeing of our children and neighborhood that concerns me, but also that of commuters, including low income workers and students, who I know Mount Saint Mary's strives to support. Youth and employees of both the neighborhood and university who are without access to cars must walk in the street alongside moving vehicles in order to reach the bus stop at Bundy. And anyone with a car attempting to make the commute home in the afternoon or evening is forced to endure unreasonable amounts of traffic. It can take over half an hour to make the turn onto Barrington and over forty-five minutes to reach the freeway, which from our house is fewer than two miles away. While this may only be an occasional concern for a resident who typically comes home against traffic at the end of the day, it is an extraordinary burden for those who do not live here and must return east.

Response to Comment FOX 2

The comment expresses concern regarding current and projected traffic conditions, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment FOX 3

From a safety, traffic and urban planning perspective, I cannot understand what would justify adding more cars to our small neighborhood and its limited access points, which were not built to support this type of infrastructure. I love that there is a school in our community, but also am practical in understanding that Mount Saint Mary's was originally built to be a residential Campus, not the commuter property it has become. When I learned Mount Saint Mary's also has a location in downtown Los Angeles, that seemed the far more logical choice for expansion. The downtown Doheny Campus is served by multiple freeways, light rail and bus lines. It is in an area near USC that students, teachers and the public can all access with ease and is surrounded by businesses and housing options that specifically cater to and support the needs of students.

Mount Saint Mary's plan to expand the Chalon Campus puts increased stress on both Bundy Canyon and their own community. It is a decision that negatively impacts all

involved and makes sense to no one: Not the children, family and workers of our neighborhood, whose safety must be considered. And not the students and staff of Mount Saint Mary's, who will by and large be forced to commute here along routes that often take hours, rather than having easy access to their higher education as is a stated goal of Mount Saint Mary's itself. The wellbeing of lower socio-economic students is, I understand, of paramount importance to the university, yet it seems to have been neglected or misunderstood by their current expansion plan. I would beg Mount Saint Mary's and the Department of City Planning to consider another option for the school that would better serve both its own community and the greater community in which it resides. Thank you so much for taking the time to read our input

Response to Comment FOX 3

The commenter expresses concern regarding current and projected traffic conditions, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that the commenter's characterization of MSMU as a "commuter property" is incorrect, as more than 30 percent of the Campus's full-time students generally reside in dormitories on Campus and therefore do not commute to Campus.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Finally, it should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter suggests that MSMU's new development should be focused at the Doheny Campus rather than at the Chalon Campus, and that doing so would further MSMU's goal of serving people of lower socio-economic backgrounds. Socio-economic issues are not environmental issues within the scope of CEQA.

Letter GAGNE

Carla Gagne
769 Marzella Ave,
Los Angeles, 90049
carla.gagne@gmail.com
(June 6, 2018)

Comment GAGNE 1

Dear Ms. King:

My family has lived on Marzella Ave for about five years. We chose this neighborhood because it felt like we were living in the mountains away from much of the bustle of Los Angeles - even though we are in the middle of this huge city. In general we have loved it, but there have been some challenges....

We deal with a heavy amount of traffic from tourists looking for the Getty Center because of faulty GPS directions. The traffic on Sunset can be unbearable because of our proximity to the freeway and the very many schools in our area. But by far the biggest aggravation is Mt. Saint Mary traffic issues.

There are constant shuttles trying to weave in and out of the parked cars in our neighborhood's narrow streets. Many of the students, who I assume must be late for class, drive at exceedingly dangerous speeds - deer have been struck and killed by these aggressive drivers, and I myself have come close to getting hit numerous times. Much of our neighborhood does not have sidewalks, and so the danger to walking our dogs, or pushing strollers, or kids playing outside - is significant.

The streets of our neighborhood were not designed for the amount of traffic flow that comes through here already, it would be unbearable if there were an increase in traffic due to the MSM expansion plans. Considering the Skirball Fire that threatened our neighborhood last year, it seems reckless to even consider any move that would further congest the very limited evacuation routes we would have in the event of a fire - in an area that is a very high fire risk!

I cannot emphasize enough how much the MSM expansion would negatively impact our neighborhood and our personal safety. I would be happy to provide more information or speak further about this matter.

Sincerely,
Carla Gagne
769 Marzella Ave.
LA 90049

Response to Comment GAGNE 1

The comment expresses opposition to the Project based on traffic and fire hazards, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Project impacts regarding fire and emergency services were addressed and disclosed in Section IV.J.1, *Fire Protection*, of the Draft EIR and Topical Response No. 4. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Finally, it should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter GLENN

Dana Glenn
dlb96@aol.com
(May 23, 2018)

Comment GLENN D. 1

Dear Ms. King,

I am writing to express my opposition to the proposed Wellness Center at Mount Saint Mary's MSMU. As a long-time homeowner in Bundy Canyon (nearly 20 years), we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets.

Now, the school proposes a 38,000-sqr. ft. structure, which will undoubtedly bring in more students, faculty, service vehicles, events and more to the Chalon Campus, which we as neighbors and our streets will be negatively impacted.

Our neighborhood is no longer a quiet community that happens to have a college at the top of the hill. MSMU has been expanding over the years, turning our community into a speedway for access to and from the school. A few years ago, my husband was driving on a Sunday morning and was hit by a MSMU student who was racing up the hill to get to an event. Mind you, she wasn't even going along the required path, which only allows for students to go north on Norman and South on Bundy. She was speeding north on Bundy. Our car sustained significant damage and had to be towed.

Walking our dog is extremely dangerous with so many cars. There are no sidewalks and due the "S" curves on the street, drivers don't always see pedestrians until they are nearly about to run them over.

The number of cars and buses going to and from the Campus on a daily basis is already more than our area can handle. Adding more events as well as a summer camp is only going to make it worse. I have regularly witnessed the traffic from MSMU flying down the hill all at once, so it is easy to tell when an event just ended. 10-20 cars can speed past my home in just a few seconds.

The intersection of Barrington and Sunset has become impossible to cross. Granted, some of that traffic is due to Waze and other traffic apps, but much of the traffic is coming from MSMU. I have to plan my day around my ability to get around my own neighborhood. It's ridiculous and frustrating. And this is BEFORE adding the Wellness Center to the area.

I do not want MSMU Wellness Center. It can only make the quality of life in the neighborhood worse.

Thank you,
Dana Glenn

Response to Comment GLENN D. 1

The comment expresses opposition to the Project based on the effects of traffic, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

The commenter refers to the intersection of Barrington Avenue and Sunset Boulevard. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant operational traffic impacts at this intersection to a level of less than significant. Also, it should be noted that PDF-TRAF-18 for Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the

Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

A complete discussion of Alternative 5's operations, including Summer Camps, is included in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. As mentioned above, the traffic impacts from Alternative 5's operations, including Summer Camps, will be less than significant.

Letter GLENN

Jonathan P Glenn
1247 N. Bundy Dr.
Los Angeles, CA 90049
(May 23, 2018)

Comment GLENN J. 1

Dear Ms. King,

I am writing to express my opposition to the proposed Wellness Center at Mount Saint Mary's MSMU. As a long-time homeowner in Bundy Canyon (nearly 20 years), we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets. MSMU has designated North Bundy Drive the exit street to Los Angeles. It is a little over 2 miles downhill on Bundy and the traffic has grown in both the amount of traffic and the size of the vehicles. MSMU used to have an hourly Van to transport students from the school into Brentwood Village but now a large commuter bus zooms past our house every ten minutes. I do not wish to have cement trucks and other construction vehicles zooming past our house all hours of the day and night for the foreseeable future just so MSMU can have a fancy gym.

I do not want MSMU Wellness Center. It can only make the quality of life in the neighborhood worse.

Thank you,
Jonathan Glenn

Response to Comment GLENN J. 1

The commenter notes that a variety of vehicles travel along Bundy Drive to access and when leaving the Campus. The commenter does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

MSMU's several existing shuttle services are detailed in Chapter II of the Draft EIR. These include an Inter-Campus Shuttle, Union Station Shuttle, Metro Expo Line Bundy Station Shuttle, Chalon Stop-Trans Shuttle, Mount Local Shuttle, and Club Sports Team Shuttle.

The commenter expresses his preference to not have construction vehicles driving to and from the Campus. Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts, including construction impacts, were fully analyzed in the Draft EIR's Section IV.K.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

Letter GOETZ

Majorie Goetz
11355 Farlin St.
Los Angeles CA 90049

Comment GOETZ 1

Dear Ms King,

As a homeowner in Bundy Canyon and in Brentwood, we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets. Now, the school proposes a 38,000 sq ft structure, which will undoubtedly bring in more students, faculty, neighbors and create more traffic on our narrow neighborhood streets. Added to this would be the construction traffic during the lengthy construction period.

Traffic on Sunset is already very heavy. It can take an hour to move one mile in the vicinity of Bundy Dr. We have a right to peace and quality of life. Thank you

Majorie Goetz

Response to Comment GOETZ 1

The comment expresses concern regarding existing traffic generated by MSMU, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

The commenter refers to the Project's "lengthy construction period." As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project's construction period from 22 months to 20 months.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of

the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Finally, please also note that the Project would not bring more students to the MSMU campus. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter GRAYSON

Todd Grayson
149 S. Barrington Avenue, Suite 724
Los Angeles, California 90049
tig@graysonesq.com
(June 8, 2018; June 11, 2018)

Comment GRAYSON 1 (e-mail on Jun 8, 2018)

Dear Ms. King:

My family and I have lived on Lockearn Street for nearly 20 years. In the last 5-10 years the traffic between Sunset and our house has become unbearable. In fact during the afternoon hours it sometimes takes between 30-45 minutes to make the left hand turn from Barrington Place onto Sunset. If you also factor in that Bowling Green Way is an extremely small street where only one car can head in either direction because of parking on both sides of the street and you have a situation in which our residential neighborhood (one of the most exclusive and highest tax paying in the City) is no different than a public highway.

Response to Comment GRAYSON 1

The comment expresses concern regarding existing traffic conditions but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment GRAYSON 2 (e-mail on Jun 8, 2018)

It is my understanding that since I have resided on Lockearn that Mount St. Mary's has gone from a small residential college with about 200 students to one with currently over 1,500 plus faculty and other employees. Mount St. Mary's use of the residential roads has not only become burdensome but dangerous. I can't tell you how many times the Mount St. Mary's buses have almost ripped off my car mirror or run into me and my wife while we are taking a walk in our beautiful neighborhood.

As such, I believe that permitting Mount St. Mary's to expand its Brentwood Campus is nonsensical and without proper deference to your tax paying constituents and would cause additional burden to our residential neighborhood, streets and environment. Please consider the impact Mount St. Mary's is already having on our residential neighborhood and prevent its further expansion. I appreciate your consideration.

Todd I. Grayson
Grayson and Associates
149 S. Barrington Avenue, Suite 724
Los Angeles, California 90049

Response to Comment GRAYSON 2

Although this comment does not raise issues regarding the content and adequacy of the Draft EIR, it is included here as part of the administrative record for the consideration of Project decision-makers.

It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Comment GRAYSON 3 (e-mail on Jun 11, 2018)

Thank you Kathleen - i wanted to let you know that i was speaking with my family about the mount st. Mary's issue and my daughter wanted to let me know that the mount st. Mary's shuttle bus almost hits her every morning while she is driving her carpool to brentwood high school. Thanks

Response to Comment GRAYSON 3

The comment provides a general statement about the existing conditions with respect to MSMU shuttles and expresses concern with safety, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter GREENBERG

Claire and Larry Greenberg
1334 North Bundy Drive
Los Angeles CA 90049
clairejames@earthlink.net
(June 1, 2018)

Comment GREENBERG 1

Dear Ms King,

We are strongly opposed to any new building at mount St Mary College in Brentwood. We cannot tolerate trucks, more traffic and more noise and driving up Bundy Canyon.

The nuns have already build illegal structure for their housing many years ago. Enough is Enough. Please see that this new Project is eliminated.

Best,

Dr and Mrs Lawrence Greenberg
1334 North Bundy Drive
Los Angeles CA 90049

Response to Comment GREENBERG 1

This comment does not raise issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood

street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Section IV.I of the Draft EIR, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Regarding MSMU's entitlement history and status of ongoing operations at MSMU's Chalon Campus, please refer to Topical Response No. 6.

The comment refers to nuns, which may be a reference to the Carondelet Center located near the Campus. It should be noted that the Carondelet Center is not owned by MSMU and is not part of the Campus.

Letter HAHN

Jessica Brady Hahn
bradyhahn@mac.com
(June 13, 2018)

Comment HAHN 1

Hello City and Council Member Bonin, I know this university well, I have had the pleasure to get to know them through working with them, and I am also a Brentwood resident. I support their efforts in advancing women's health with their wellness center.

Response to Comment HAHN 1

The comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter HARDWOOD

Paula Hardwood
Paulahardwood2000@yahoo.com
(May 18, 2018)

Comment HARDWOOD 1

Dear Ms. King - My family and I live at 1130 N. Bundy Drive, Los Angeles, CA 90049.

I would like to express our serious reservations about the MSM planned Wellness Pavilion.

There is already significant construction on this street, maybe every 10th-15th house is being torn down and rebuilt into overly large "McMansions".

But even more important and related to Mount Saint Mary's specifically, is that the students from the school already drive

WAY too fast down N. Bundy Drive. One of these days, someone is going to get hurt by their driving. There is already a significant amount of traffic at the hours when get out from the students leaving the school - about 4-6pm. It is our local 'rush hour', when you don't dare take a walk on the street. I cannot imagine what the addition of a recreational building, with additional parking and cars, will add to this quiet, residential area, except traffic and noise. I encourage you to decide against this plan. Thank you.

Paula Harwood

Response to Comment HARDWOOD 1

The commenter notes that there are a significant amount of vehicles leaving the Campus from 4 PM to 6 PM and questions how the addition of the Wellness Pavilion will impact the area, in regards to traffic and noise.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation*

and Traffic, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

As explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 eliminates the Project's proposed parking deck, and will result in a reduction of total Campus parking, while still maintaining an excess of parking above that required by the Los Angeles Municipal Code. And as explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking by MSMU users by prohibiting pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

Section IV.I of the Draft EIR, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Letter HAVERIM

Shahrzad Haverim
shahrzadhaverim@gmail.com
(April 16, 2018)

Comment HAVERIM 1

Dear Ms. Kathleen King,

LA Department of City Planning:

I am writing this letter to oppose the construction 38,000 square foot multi use pavilion used for wellness, sport events. This Project will take 22 months of construction. As the result it will cause a much more traffic to an already congested street of North Bundy and much, much more traffic to the intersection of Sunset and Barrington.

These streets are filled with single family homes, most of which with young children. For the safety of people and their children and for the sake of their peace of mind and sanity this, this Project should be stopped.

Thank you,

Shahrzad Haverim

Response to Comment HAVERIM 1

The comment expresses opposition to the Project based on construction traffic and traffic effects on pedestrians (children and adults). The comment does not provide any substantial evidence to support these claims and does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in

Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

The commenter refers to the intersection of Barrington Avenue and Sunset Boulevard. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant operational traffic impacts at this intersection to a level of less than significant.

The commenter notes that the Project's overall construction period was anticipated to be 22 months. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project's construction period to 20 months.

Letter HELIN-1

Sally and Jim Helin
12156 La Casa Lane
Los Angeles, CA 90049
jasdhelin@gmail.com
(June 11, 2018)

Comment HELIN-1 1

We wish to contribute some personal comments on the Draft Environmental Impact Report (Draft EIR) for the Mt. Saint Mary's University Wellness Pavilion Project proposed for the Chalon Campus in Brentwood. We reside in the immediate Bundy Canyon neighborhood and have enjoyed having MSMU as a responsible neighbor for over thirty years. However, we have recently become troubled by misrepresentations and unwarranted fears directed toward the proposed center, stirred up by a small ad hoc homeowners group who object to the Project, and who have smeared the intentions of the University's endeavor. They have utilized neighborhood social media (among other tactics) to provoke opposition to the center by disseminating fabrications and mistruths regarding the scope of the center.

Response to Comment HELIN-1 1

The comment is an introductory comment that clarifies the commenter's intent. The comment does not raise any issues as to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment HELIN-1 2

Personally, we enthusiastically support the MSMU Project. It is relatively modest and carefully designed to meet an essential educational need of the University. Once completed, there is no reason it would have an adverse impact on our neighborhood. We believe that Mount Saint Mary's strives to be responsive to our neighborhood concerns, and we are satisfied that their investment in a wellness center will benefit an underserved population of students in Los Angeles.

Response to Comment HELIN-1 2

The comment expresses support for the Project.

Letter HELIN-2

Jim Helin
jasdhelin@gmail.com
(June 12, 2018)

Comment HELIN-2 1

As a follow-up to the concerns that I expressed to you yesterday regarding the misrepresentations and unwarranted fears being circulated to harm the MSMU Wellness Center, attached is today's typical posting to all Bundy residents to remind us of the atrocities that we are to bear if the Project is approved! This Project is hardly one that will "negatively impact our lives and will compromise our safety daily." I can only assume that common sense will be a prime consideration!

Response to Comment HELIN-2 1

The comment does not raise any issues as to the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment HELIN-2 2

Attachment:

These are the final few days for you to respond to the Draft EIR with regard to MSMU and their attempt to build a 38,000 sq. ft. Wellness Pavilion. Make no mistake, this build, if it is allowed to proceed, will change our Canyon forever in ways that will negatively impact our lives and will compromise our safety daily. We sincerely thank all of you who have joined with Bundy Canyon Association to fight this Project and especially those who have generously donated. We would not have been able to hire a fire expert and a land use expert without you. If you have not already done so we are asking you to go on line to www.bundycanyonassociation.com, and sign the petition.

Please donate generously on line or you can drop a check to Joanne Solov at 12157 La Casa Lane. Remember that experts charge in the range of \$500.00 per hour. Your letters should go to kathleen.king@lacity.org and quote ENV-2016-2319-EIR by June 13th.

Response to Comment HELIN-2 2

The attachment is a notice, not written by the commenter, regarding the proposed Project. The commenter's attachment of this notice does not raise issues as to the content and adequacy of the Draft EIR. However, it is included here as part of the administrative record for the consideration of Project decision-makers.

Letter HOPKINS

Paige Hopkins
paigekiera@gmail.com
(June 13, 2018)

Comment HOPKINS 1

My name is Paige Hopkins, I am a Mount St. Mary's University alumni class 2013. YES, I support the Wellness Pavilion proposed for the Chalon Campus of Mount Saint Mary's University Health and wellness is so important and necessary for students. The pressures of school and meeting deadlines can become overwhelming and this Wellness Pavilion will truly help students in their overall mental and physical health and well-being.

Response to Comment HOPKINS 1

The comment expresses support for the Project. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter JACOBSON

Sandy Jacobson and Paul Fischer
11955 Azure Place,
Los Angeles, 90049
sandy@thejacobsoncompany.com
(June 7, 2018)

Comment JACOBSON 1

Dear Ms. King

We are writing in response to your NOTICE OF EXTENSION planned for Mount Saint Mary's University. As residents of Bundy Canyon for almost 50 years, we've been dismayed and frustrated by the terrible increase in traffic in our neighborhood. As noted in the Environmental Effects, any addition to the University will only exacerbate an already unbearable situation.

We urge the City to deny permission to build ANY extension to Mount Saint Mary's University.

Respectfully
Sandy Jacobson and Paul Fischer
11955 Azure Place
Los Angeles, 90049

Response to Comment JACOBSON 1

The comment expresses the commenter's opinion regarding their perception of existing traffic conditions but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. Also, as discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation*

and Traffic, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Section IV.I of the Draft EIR, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

As analyzed in the Draft EIR all other Project impacts were determined to be less than significant and as discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5's remaining impacts would be less than significant, similar to the Project's.

Letter JAFFE

Mark Jaffe
mrjaffe@gmail.com
(May 30, 2018; Jun 5, 2018)

Comment JAFFE 1 (e-mail on May 18, 2018)

Dear Ms. King (cc: Councilmember Bonin):

My family has lived in Brentwood for more than 25 years, and I've lived with my wife and young kids in the Bundy Canyon for 7 years. While I've always supported Mount St. Mary's presence in the community, I feel some of the school's proposals will significantly affect the neighborhood for the worse.

The traffic and congestion in Bundy Canyon is already unbearable, as well as dangerous for children. Specifically, the lack of sidewalks and the extremely narrow streets do not make Bundy Canyon an appropriate location for a large-scale Campus expansion.

I don't mind that Mount St. Mary's wants to remodel its Athletic Center, and I realize we'll have to live with a continual flow of construction trucks during this development. But I do not think the university should use the Athletic Center Project as an opportunity to push other proposals that truly would be detrimental to the neighborhood, such as adding more classes and events at night and weekends, and substantially increasing the student body at the Chalon Campus.

Response to Comment JAFFE 1

The comment expresses opposition to the Project based on traffic congestion, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts, including impacts on existing infrastructure such as the streets characterized as "narrow" by the commenter, were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further,

as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

The commenter objects to the Project's new operations, including new events. It should be noted that neither the Project nor Alternative 5 proposes to add additional academic classes. With respect to events, as explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 substantially reduces the operations of the Project, and places significant additional restrictions on the reduced operations. As mentioned above, as a result of those restrictions, Alternative 5 will have no significant operational traffic impacts.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Comment JAFFE 2

Even more alarming is the potential idea of opening the fire road by the Getty Museum, which would create a major thoroughfare between the Westside and the Valley. The Bundy Canyon cannot handle this level of additional traffic. For example, the intersection at Sunset and Barrington is already backed up three full blocks into the canyon on a daily basis. The Doheny Campus, which is closer to numerous public transportation options, is the logical option if the school wants to expand.

I am not an "anti-development" resident, and I feel Mount St. Mary's has the right to enhance its Campus. But it should do so responsibly, without making changes that would permanently disrupt the lives of its neighbors.

Thank you for your consideration on this important matter.

Sincerely,
Mark Jaffe

Response to Comment JAFFE 2

No fire road traffic is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration.

The commenter refers to the intersection of Barrington Avenue and Sunset Boulevard. As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable operational traffic impacts at this intersection. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant operational traffic impacts at this intersection to a level of less than significant.

The commenter's suggestion that MSMU abandon the Project and expand the Doheny Campus is outside the scope of this EIR. It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

Comment JAFFE 3 (e-mail on June 5, 2018)

Thank you for reviewing this issue, Ms. King.

I've also attached a photo taken yesterday of Barrington Ave, north of Sunset. The traffic is backed up for 3 blocks *every* weekday from around 3pm - 7pm (as well as onto other side streets). It truly is a chaotic mess -- with narrow streets and no sidewalks -- and adding more traffic from MSMU will only compound the problem.

Thanks again,

Mark Jaffe



Response to Comment JAFFE 3

This comment expresses the commenter's opinion regarding existing conditions but does not raise any issues regarding the content and adequacy of the Draft EIR. With respect to the commenter's statement regarding additional traffic that would result from the Project, please see Response to Comment JAFFE 1.

Letter JEAN-1

Alfred Jean
alfredejean@yahoo.com
(May 22, 2018)

Comment JEAN-1 1

As a homeowner (11982 Brentridge Lane) who would be directly impacted by the proposed Mount St. Mary's construction, I want to object in the strongest possible terms to this Project.

Two features in particular are preposterously bad ideas; to use the one lane Getty fire road for transport, and to open traffic through the Getty to Sepulveda which would paralyze Bundy. In a fire zone such as ours (which had a fire on July 8 2009, forcing evacuation of Mount St. Mary's) allowing either or both would be a terrible and completely unjustified risk of life and property.

Beyond these lunacies, I strenuously object to the Project as a whole. It would be nothing but detrimental to every taxpayer in the neighborhood as well as the Getty. As I understand it MSM has been nonresponsive to the neighborhood in this matter and in general is a nuisance and detriment at best to our area. I can see no way any public official who cares about her constituents would ever allow this Project to go forward.

Thank you for your attention,

Alfred Jean

Response to Comment JEAN-1 1

The comment expresses opposition to the Project based on traffic congestion but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 4 regarding emergency access during construction and operation, including LAFD access to MSMU and the Getty's Fire Roads. Contrary to what the commenter suggests, no fire road traffic or access to Sepulveda Boulevard is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Letter JEAN-2

Stephanie Jean
Stephaniejean777@gmail.com
(May 8, 2018)

Comment JEAN-2 1

Dear Ms. King,

I am writing to you to strongly protest the Mount Saint Mary's "Wellness Center" Project. State Clearinghouse No. 2016081015.

My family and I have been neighbors to Mt. St. Mary's for over 10 years. We have been told by Councilman Bonin's office that the school is now planning a 3-year Project that includes a 50,000 sq. foot athletic center and garage. We live in a residential neighborhood used by Mt. Saint Mary's vans (used to transport students) and has endured the construction projects of the Brentwood school and the Archer School. When we had to evacuate during the fall 2017 fires, we were not able to leave quickly due to the traffic caused by all of the above. To add a third Project to this small area likely means more accidents and if /when there is another fire it would be literally impossible to get down the canyon with the amount of construction vehicles slated as necessary to build this enormous complex. The most terrifying part of the Project is that the school has chosen to use Chalon Road as its first choice for the route to bring in the numerous cement trucks, materials, construction vehicles etc. needed for the 50,000 square foot, three-year Project. If you haven't seen Chalon Road, I urge you greatly to come and see it. It is a single lane fire road that is meant to handle very light, small vehicles in EMERGENCY situations only. It borders many residential houses. On July 8, 2009 there was a large fire on the Getty property that reached right over that road and into our backyards. That fire was caused by a truck and workers on the hillside. One truck. If numerous trucks were on the road for years we would certainly encounter the same situation. I am alerting you to this because if there is any sort of problem and the city has approved this Project, the city will be responsible for the damage and the lives lost. The hillside that runs along the fire road is dried grass. It is the perfect environment for a fire and has been in the past. The road was never intended to carry any sort of vehicle, forget three years' worth of large construction trucks. It would affect the environment of the animals that reside there and undoubtedly lead to an accident of some kind. It is a fire hazard as it is, yet MSM deems it the most convenient for their school. It is also the only way neighbors can escape fire if we can't get down the Norman Road if the fire is coming from the west.

Response to Comment JEAN-2 1

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion as “50,000 sf,” which is incorrect. The Project proposed in the Draft EIR included a 38,000 square foot Wellness Pavilion, but as discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

The commenter refers to the overall construction period of the Project as three years. This is incorrect. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project’s construction period to 20 months from the 22 months originally proposed in the Draft EIR.

The commenter refers to the parking deck originally proposed as part of the Project. As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 removes the originally-proposed parking deck and does not include any type of parking structure.

No fire road traffic, access to Sepulveda, or private road traffic apart from private roads on the Campus, is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration.

The commenter refers to Chalon Road as a “single lane fire road.” This is not accurate. Chalon Road is a local street and is designated as such by the City of Los Angeles Mobility Plan 2035. To the extent that the commenter is referring to the fire road through Getty property, that fire road was only considered as an alternative for Project construction and is no longer under consideration, as stated in the above paragraph.

The commenter expresses the commenter’s belief that the Project would affect the habitat of animals living in the vicinity of Chalon Road. Potential impacts to animals were analyzed and disclosed in Section IV.C, *Biological Resources*, in the Draft EIR, including the effect of human occupancy on the area’s natural habitat and wildlife. As discussed therein, the Project’s impacts on native plants and animals would be less than significant. As discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5’s impacts on native plants and animals would be either similar or less than those of the Project and therefore would also be less than significant. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment JEAN-2 2

The second choice for the school's construction vehicle route is Norman Road - the road the school already uses run their vans up and down the canyon. The congestion that already exists due to the Archer and Brentwood school projects will be greatly magnified by the numerous vehicles and materials needed for a 3-year 50,000 square foot athletic center and parking garage.

I implore you to reject this Project. Undoubtedly it will lead to accidents and chaos in our small residential neighborhood. To add this unnecessary Project to this small area likely means that if or when there is another fire, it would be literally impossible to get down the canyon with the amount of construction vehicles slated as necessary to build this enormous complex. If the city approves this Project and lives are lost, the city and those that approved it will be held responsible.

Please contact me to let me know what decision is made regarding this matter.

Most sincerely,
Stephanie Jean

Response to Comment JEAN-2 2

The commenter expresses the commenter's opinion that the Project would lead to "accidents and chaos" but provides no substantial evidence for that proposition. The commenter's opinions are noted for the record and will be forwarded to the decision-makers for review and consideration.

Contrary to the commenter's statement, Norman Road is the Project's first choice for ingress consistent with the current arrangement with the Brentwood Homeowner's Association, as explained in the EIR construction traffic analysis in Section IV.K, *Transportation and Traffic*, pages IV.K-24, 37-59, and 85 of the Draft EIR. As described in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 also designates Norman Road as the first choice for construction ingress.

Letter JMBM

Jeffer Mangels Butler & Mitchell LLP
1900 Avenue of the Stars, 7th floor
Los Angeles, 90067
(June 11, 2018)

Comment JMBM 1

Ms. King:

Please find attached our comment letter on the EIR, on behalf of neighbors Bernadette and Tim Leiweke, and Barbara and Richard Bergman. Please add my and Ben Reznik's contact information to your list of interested parties and hearing

notice recipients.

Thank you,

---Neill

Dear Ms. King:

We represent Bernadette and Tim Leiweke and Barbara and Richard Bergman (the "Neighbors"), who live in the single-family residential neighborhood within which the University's Chalon Campus is located, are subject to the effects of current campus operations, and will be subjected to the significant impacts anticipated from construction and operation of an Event Center that will operate at all times, including nights and weekends. We write to provide comments on the Draft Environmental Impact EIR ("EIR") for the Event Center. The Neighbors recognize the University has programmatic needs and supports the reasonable and responsible development of the Chalon Campus to meet the needs of its student body. However, the University has not generally maintained good relationships with its neighbors, nor has it lived within its means, over the past approximately 30 years.

The Neighbors specifically oppose those aspects of the proposed Project that would give the University the right to continue to exceed its permitted enrollment, operate with no effective enrollment cap, expand its enrollment without further public and environmental review, and commercialize this limited-access location in the middle of a hillside residential neighborhood with limited emergency access and a history of severe fires. The Neighbors also maintain serious reservations regarding the Draft EIR's lack of disclosure of both the Project components and their environmental effects, as it evidences an intent by the City to allow the University to substantially commercialize the Chalon Campus, while sacrificing the safety of the surrounding community to do so. Moreover, this apparent willingness breaks the so-called "Sunset Standard" Councilmember Bonin

pledged to apply to address the severe and widely recognized traffic impacts on Sunset Boulevard, west of Interstate 5.

Response to Comment JMBM 1

The comment does not discuss the content or the quality of the Draft EIR but expresses the commenter's opinion that MSMU would continue to exceed its permitted enrollment, operate with no effective enrollment cap, expand its enrollment without further public and environmental review, and commercialize this limited-access location. As discussed in Topical Response No. 2, *Scope of the Project*, above, the Project would not result in an increase in student enrollment and/or commercialize the Campus. As discussed in Section II-1, page II-18, of the Draft EIR, the Project would replace one existing fitness center with another. Also, please refer to Topical Response No. 4 regarding fire safety. MSMU's current and proposed activities are consistent with the operation of an educational institution and are in conformance with the State's Educational Code, and do not represent a commercialization of the Campus. The primary purpose of the Project is to provide on-campus wellness and physical education opportunities to students. The Draft EIR identifies all the Project's proposed activities and discloses all environmental effects of the Project (see Chapter II, Table II-4, *Potentially Changed and New Campus Events/Activities*). With the exception of the activities listed in Table II-4, the Project would not change any other features of the Campus, enrollment or other components related to existing conditions. Regarding Project operation, the Draft EIR analysis focuses on the potential impact of outside guests, including those attending summer camps (activities common on university and college campuses). As concluded in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable operational traffic impacts. To further address this concern, this Final EIR includes the introduction of Alternative 5 to reduce both the scale of the proposed building and to add traffic PDFs to limit total daily and peak hour vehicle trips that would reduce traffic impacts at area intersections and local streets to less than significant levels.

It should be noted that Alternative 5 would implement PDF-TRAF-18, which concurrent with the issuance of a Certificate of Occupancy for the Wellness Pavilion, would require MSMU to limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus. Overall trip reductions shall be confirmed through trip counts conducted for at least two weeks each year (two in the spring semester and two in the fall semester) to the satisfaction of LADOT.

Comment JMBM 2

The winding and congested residential neighborhood roadways that provide access to the Chalon Campus, and the University's failed attempts to reduce its impacts on those roads, have been the source of substantial community disruption, and numerous attempts over the years to resolve issues such as traffic and emergency access have failed. This traffic includes not only students, staff, and faculty—whether with their own vehicles or

via ride-sharing services like Uber or Lyft—but also buses and large trucks delivering food, tents, and chairs to large-scale events, as well as staff and maintenance vehicles. Although the Neighbors understand a proposal to fulfill certain programmatic needs of the school, the concurrent request to essentially develop a major event center and camp is disturbing; the omission of the potential increase in enrollment, even more so. The failure of the Draft EIR to disclose adequately and evaluate these components of the Project violates the California Environmental Quality Act ("CEQA"; Pub. Res. Code § 21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs., § 15000 et seq.) and requires revision of the Draft EIR. As described briefly below, serious and significant flaws of the Draft EIR include, but are not limited to:

- The failure to disclose the prior limits on Chalon Campus enrollment and the University's exceedance of the same;
- The potential for increased enrollment as a result of the Project, particularly in the absence of any proposed or acknowledged existing limitation;
- The failure to critically examine the University's Project objectives, which should not relate to the establishment of a major commercial event center or summer camp for non-students; and
- The failure to evaluate a reasonable range of alternatives that avoids or reduces the significant impacts of the Project.

Any of these errors, by itself, fatally compromises the Draft EIR and shakes public faith in the environmental review process. An EIR's very purpose is "to demonstrate to an apprehensive public that the agency has, in fact analyzed and considered the ecological implications of its action [approving a project]." *No Oil, Inc. v. City of Los Angeles*, 13 Cal. 3d 68, 86 (1974). Here, however, the omission of key project components and analyses has the opposite effect, demonstrating the Draft EIR's failure as an informational document. The City must, at a minimum, revise the Draft EIR to correct these errors and omissions.

Response to Comment JMBM 2

The comment expresses the concern that the Draft EIR has failed to disclose the full extent of the Project's components and impacts. The maximum number of activities and components associated with the Project are outlined in Table II-4 of the Final EIR. The impacts of these components are fully disclosed throughout the Draft EIR. As discussed therein, the greatest impacts would result from the attendance of outside guests at larger scale events (as described in Table II-4) and summer sports camps (not a single "camp"). All activities would take place at the gymnasium and pool area within the Project Site, and would not occur Campus-wide. Tents and the large-scale movement of materials for the Health and Wellness Speaker Series, Other Wellness/Sports Activities, and sports camps would not be required. The Draft EIR identified the additional traffic that would be generated by this activity (compared to existing conditions) and determined that operational traffic impacts would be significant and unavoidable. As discussed above,

operational traffic impacts would be reduced to less than significant levels through Alternative 5.

- The statement that the Draft EIR fails to disclose the prior limits on enrollment and that MSMU would exceed its limits is unsubstantiated. Neither the Project nor Alternative 5 involve an increase in student enrollment (see Topical Responses Nos. 2, 6, and 7 on this issue).
- The statement that the Project would increase the potential for increased enrollment is unsubstantiated. The Project would meet a current need for a gymnasium and physical education facility to replace currently outdated and undersized facilities. It would not increase classroom capacity or other space for higher enrollment. See Topical Response No. 7 for additional detail on this issue.
- The statement that the EIR has failed to critically examine the Project objectives, which would relate to the establishment of a major commercial center or summer camp for nonstudents is unsubstantiated. The proposed gymnasium, at 38,000 square feet (35,500 square feet under Alternative 5), is the size of a standard gymnasium, and would not constitute a major commercial center. The area of the Campus in which the gymnasium would be located would not allow space for additional activities, which would be held within the building or pool area. To make full utilization of the gymnasium (as with gymnasiums at campuses throughout the Los Angeles area), MSMU is offering summer sports camps. The camps would be single-day or multi-day and available to the public, students, faculty, and/or staff.
- The statement that the EIR fails to evaluate a reasonable range of alternatives that avoids or reduces the significant impacts of the Project is unsubstantiated. The Draft EIR examined a range of alternatives, including Alternative 4 which, with programmatic changes, reduced the Project's significant and unavoidable traffic impacts to less than significant levels. Building on the analysis of Alternative 4 in the Draft EIR, Alternative 5 (Alternative 5) was developed through this Final EIR to further address the Project's environmental impacts and to impose even stricter limitations on daily and peak hour traffic, as well as put forward PDF-TRAF-18 in which MSMU would limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts.

The conclusion of the comment that the factors discussed under the bullet points would fatally compromise the Draft EIR is incorrect, as are all of the commenter's bullet points. No key components, including the ecological implications of the Project, as set forth in Sections IV.B, *Air Quality*; IV.C, *Biological Resources*; IV.D, *Cultural Resources*; IV.E, *Geology and Soils*; IV.F, *Greenhouse Gas Emissions*, IV.G, *Hydrology and Water Quality*, and other respective evaluations in the Draft EIR (including IV.K, *Transportation and Traffic*) have been omitted and not thoroughly evaluated in the Draft EIR. All components and details of the Project, as outlined in Table II-4 of the Draft EIR have been thoroughly evaluated. The commenter's incorrect claims that the Project includes major commercial

activities and enrollment increases do not constitute actual components of the Project or Alternative 5 and no key components of the Project have been omitted from the Draft EIR. No revision of the Draft EIR is required.

Comment JMBM 3

1. The Draft EIR Misleads the Public by Failing to Disclose the Chalon Campus' Exceedance of its Enrollment Limit.

The law requires "[an] accurate, stable, and finite project description" (emphasis added), and courts have held the very proposition is foundational to CEQA and to the ability of an EIR fully to inform the public and decision makers. *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 193 (1977). Here, however, the Project Description falls far short, resulting in the failure of several analyses to adequately evaluate the Project's significant effects.

Perhaps most significantly, the Draft EIR (p. II-12) falsely states enrollment is limited solely by traffic. In fact, the 1984 conditional use permit ("CUP") referenced in that discussion merely confirmed the allowable provision of parking at one vehicle space per four students.¹ Condition 1 of that CUP expressly stated the approval included no increase in enrollment beyond that permitted at that time, and subsequent correspondence in that file confirmed the approval involved only a parking structure. Further, both the mitigated negative declaration prepared for that project and correspondence in the file from the City's Department of Transportation ("DOT") confirmed the environmental analysis expressly omitted any analysis of an enrollment increase. These statements are all the more noteworthy because the file indicates the request included a request to increase the enrollment from 750 students to 1037, but only the parking structure was permitted. Thus, no discretionary City approval has permitted an increase in enrollment at the Chalon Campus, beyond the 750 students that existed in 1984, despite the requirement for a Plan Approval or modification of a deemed-to-be-approved CUP.² As the Municipal Code makes clear, intensifications of conditional uses—not merely new structures—are discretionary acts that require approval from the appropriate City body.³

Footnote 1: City Planning Case 4072-CU, granted January 26, 1984.

Footnote 2: See LAMC §12.24-M.1 ("existing uses may be extended on an approved site, as permitted in Subsection L of this section, provided that plans are submitted to and approved by the Zoning Administrator, the Area Planning Commission, or the City Planning Commission, whichever has jurisdiction at the time" [emphasis supplied]).

Footnote 3: Id. The same section authorizes the appropriate decision maker to deny any such request.

In fact, separately from any other physical or programmatic intensification, the Project would recognize and legalize the University's enrollment of nearly twice the permitted number of students, and would permit further enrollment without any claimed requirement

for environmental review. According to the Draft EIR, the University enrolled 1,498 students at the Chalon campus, down from over 1,500 in 2015 (Draft EIR, p. II-11). Although the Draft EIR purports to provide a discussion of the entitlement history in Section IV.H (Land Use and Planning), it fails to disclose this limitation and misleads the public regarding the nature and scope of the Project.

This failure also infects the analyses of the Draft EIR, preventing a full disclosure of the direct and indirect impacts of the Project as a whole. The statement in the Draft EIR that the Project proposes no increase in enrollment is meaningless in light of the University's apparent position that parking represents the only constraint upon enrollment. Absent any cap on enrollment proposed as part of the Project—or, in fact, any basis for assuming any particular limitation provided by the Project—the Project would foreseeably increase the enrollment at the campus by effectuating and legalizing the University's unsupported interpretation of the 1984 CUP. If the Project fails to include any stated enrollment cap, the University could then increase enrollment to as much as 2,244—an increase of 746 students from existing levels, and approximately triple the parking recognized in the 1984 CUP—based only on the parking provided under the existing conditions.⁴ The Project would facilitate this increase without any further approvals or environmental review by the City and, as described further below, the Draft EIR must evaluate the effects of that increase to provide any value as an informational document.

(Footnote 4: Draft EIR, p. II-8, stating a current parking inventory of 561 vehicle spaces.)

Response to Comment JMBM 3

The comment that the Draft EIR misleads the public by failing to disclose the Chalon Campus' exceedance of its enrollment limit is unsubstantiated. Please refer to Topical Response No. 6, *University Entitlement History and Enrollment Cap*, on this issue.

In response to the NOP, several comments were received regarding the purpose of the proposed parking deck and the additional 55 parking spaces provided by that component. The additional spaces were intended to address on-Campus parking circulation and existing public concerns regarding off-site parking on neighborhood streets and not to increase enrollment capacity, which has been interpreted by some members of the public as depending on total on-site parking. In response to public concerns regarding significant and unavoidable operational traffic impacts, the Final EIR includes the introduction of Alternative 5 which would eliminate the parking deck. Alternative 5 would reduce the building footprint of the Wellness Pavilion and reduce overall Campus parking by 46 spaces (in great part because required reductions in traffic will result in fewer parking needs). Alternative 5's removal of the additional parking is also geared at addressing commenter suspicions that MSMU would like to increase enrollment through the provision of parking.

The Project is not related to enrollment and a discussion of MSMU's existing enrollment condition or an enrollment cap is not pertinent or required in the Draft EIR. Also see Topical Responses Nos. 2 and 7.

Comment JMBM 4

2. The Draft EIR Fails to Evaluate Enrollment Growth That Could Foreseeably Result from the Project, But Must Do So.

The Project would create the conditions to permit future increases in enrollment, arguably without any administrative review, by ignoring an established (but long-violated) constraint on enrollment. In conjunction with this removal of an impediment to intensification, the Project also would provide the physical facilities to facilitate that intensification. The law requires the EIR to evaluate and disclose the intensification that would foreseeably result from removals of physical and policy constraints to enrollment increases, such as traffic, other associated physical impacts (air quality, noise, greenhouse gases), and fire safety/emergency response. However, the EIR fails to do so.

Response to Comment JMBM 4

The comment that the Draft EIR fails to evaluate enrollment growth that could foreseeably result from the Project is unsubstantiated. The Project will not increase enrollment. In addition, the statement that the Project would create the conditions to permit future increases in enrollment, arguably without any administrative review, by ignoring an established (but “long violated”) constraint on enrollment is also incorrect. Please refer to Topical Response No. 6, *University Entitlement History and Enrollment Cap*, Topical Response No. 7, *Project Impact on Student Enrollment*, and Response to Comment JMBM 3, above.

Because of the physical (topographical) constraints of the Campus, and the Project Site in particular, no other space is available for additional development within the Campus. The 34.6-acre Campus is topographically constrained. The 3.8-acre Project Site is hemmed in by the Yates, Aldworth, and Burns Houses residence hall to the north; St. Mary’s Chapel and buildings within the Campus Circle historic district to the south, and by steep cliffs to the east and west. No space exists within the Project Site and adjacent Campus in which additional structures and classroom buildings could be constructed.

The Project involves a single gymnasium and wellness facility that would meet an existing need and serve as a venue for the activities listed in detail in Table II-4 of the Draft EIR and evaluated in the Draft EIR. The Wellness Pavilion would replace an existing outdated recreational facility (with no gymnasium) that does not accommodate various sports activities. The Project Site would not provide additional classroom space or other features that would result in increased enrollment. The Project would also not expand the Campus or remove an impediment to future growth.

The intensification associated with the Project would be visitors and outside guests to the Wellness Pavilion in connection with the disclosed events, the impacts of which were fully evaluated in the Draft EIR.

Comment JMBM 5

(a) The Project Would Remove a Constraint to Further Intensification of the University's Use, and the EIR Must Evaluate the Foreseeable Effects Associated with the Removal of that Constraint.

No aspect of the Project purports to limit enrollment on the campus. In fact, the Project would appear officially to establish the University's unsupported position that parking provides the sole limitation on enrollment. Consequently, despite the claim in the Draft EIR that the Project would not increase enrollment, an increase in enrollment is a foreseeable Project consequence, whether direct or indirect. Yet the Draft EIR fails to evaluate any increase and therefore substantially understates Project-specific and cumulative effects and fails adequately to inform the public and decision makers of the true extent of Project effects.

The Draft EIR appears to rely solely on the proposition that because the Project would not explicitly increase Chalon Campus enrollment, no such increase would occur. However, given the new interpretation the Project would employ regarding limitations on enrollment—i.e., that no formal limit exists and parking represents the only limitation—the purported reason for omitting enrollment-based traffic is meritless. The Project would formally alter a prior constraint on campus development (the 1984 CUP), and would fail to provide any alternative limitation. The failure to acknowledge or provide any constraint, short of the physical constraint imposed by parking, creates the potential for the Project to induce and facilitate enrollment growth.

Consistent with the Draft EIR's avoidance of any analysis of enrollment, the traffic analysis prepared in support of the Project was premised upon changes in event attendance alone: it included no other categories of trip generation.⁵ Thus, the central assumption of the traffic analysis is that no increase in enrollment could foreseeably occur at any point in time. This unsupported and erroneous assumption is all the more important because the Project would increase parking at the Chalon Campus by 55 spaces. If the City and University recognize no enrollment limitation other than parking, and one parking space could permit up to four new students, the 55 new spaces proposed with the Project would foreseeably permit an increase in enrollment of 220 students beyond what the existing parking could otherwise accommodate.

(Footnote 5: DEIR, Table IV.K-15)

Established case law compels the Draft EIR to evaluate the effects of foreseeable future enrollment, both as the result of the removal of any formal enrollment limitation and as the result of additional parking that would facilitate such enrollment. *Stanislaus Audubon Society, Inc. v. County of Stanislaus*, 33 Cal. App. 4th 144 (1995), concerned a proposed country club, golf course and attendant facilities, and the potential of those facilities to induce development of the surrounding area, also owned by the project proponent. The County contended an EIR was not required because the growth-inducing impacts of the

proposed project were too remote or speculative, and EIRs would be prepared in connection with any application for a housing development. See *id.* at 158-59. The court rejected these contentions.

“The fact that the exact extent and location of such growth cannot now be determined does not excuse the County from preparation of an EIR.... [R]eview of the likely environmental effects of the proposed country club cannot be postponed until such effects have already manifested themselves through requests for amendment of the general plan and applications for approval of housing developments.”

Id. The court also noted that a refusal of the project proponent to accept a condition limiting development of its other, surrounding properties indicated an intent to develop them. *Id.* at 157.

Here, similar to *Stanislaus*, the Project would effectively abandon any constraint on enrollment other than parking, which would remove an obstacle to enrollment growth and incentivize future enrollment increases. Further, those potential enrollment increases may or may not be subject to CEQA, potentially depriving the public and decision makers of any future opportunity to consider those impacts.

Thus, the issue here is even more immediate and direct with the Project than in *Stanislaus*. In *Stanislaus*, the lack of acceptance of constraints on other properties indicated the possibility of future intensification; here, the issue involves the very facility under development, and a refusal to constrain that facility in any meaningful or enforceable way. In *Stanislaus*, development on one parcel merely established a precedent that other parcels could follow, even if doing so required substantial further exercises of discretion by the lead agency; here, the Project would remove a constraint to foreseeable intensification of the applicant's use, and in a way that would permit further intensification arguably without further exercises of discretion by the lead agency.

For all of these reasons, just as in *Stanislaus*, in which the analysis of foreseeable future development was required in the first instance, despite the requirement for subsequent discretionary action and environmental analysis (33 Cal. App. 4th at 155–57), the Draft EIR here must consider the potential for enrollment growth that could, under the terms of the Project, occur without any further review of any kind. While *Stanislaus* makes clear that other discretionary approvals do not necessarily provide a bar to assuming whether development may occur, no such constraint exists here. Further, the refusal of the City to impose—or for the Project proponent to accept—any limitation on further intensification of the use of the Campus, provides strong evidence of the foreseeable nature of future enrollment growth. The failure of the EIR to consider that growth necessarily results in the failure of the EIR adequately to disclose the nature and extent of Project impacts.

Response to Comment JMBM 5

As discussed under Response to Comment JMBM 4, the Project would not remove a constraint to further intensification of the University's use by the act of constructing a gymnasium building. The statement that this would occur is unsubstantiated. Both the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. Please see Topical Responses Nos. 2, 6, and 7, which address all of the issues raised in the above comment regarding student enrollment.

With respect to the commenter's statements about the potential for the Project to induce growth in enrollment, it should be noted that enrollment will not increase as a result of the Project or Alternative 5. Further, the growth-inducing impacts of the Project were analyzed in the Draft EIR in Chapter VI, *Other CEQA Considerations*, p. IV-5.

With respect to the commenter's concerns about future conditions generally, it should also be noted that under Alternative 5's PDF-TRAF-18, in which MSMU shall limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts, together with the various PDFs discussed in detail in Topical Response Nos. 1 and 3, would ensure that Alternative 5 will not result in any of the traffic impacts associated with student enrollment that are of concern to the commenter.

Comment JMBM 6

(b). The Project Includes Physical Improvements to Facilitate Future Enrollment Growth, and the EIR Must Evaluate Foreseeable Resulting Enrollment Increases.

In addition to the effects of regulatory constraints, courts have established that CEQA requires evaluation of the growth-inducing or cumulative effects that could result from physical improvements intended to facilitate development. In *City of Antioch v. City Council of the City of Pittsburg*, 187 Cal. App. 3d 1325, 1336 (1986), found that analysis of a road and sewer project also must evaluate the housing those improvements could facilitate, because the infrastructure could not "be considered in isolation from the development it presages." *Id.* Accordingly, the court held the project should not go forward until such impacts were evaluated under CEQA. *See id.* at 1337-38.

Here, the Project not only refuses to constrain enrollment on the Chalon Campus by any external means, as described above, but also provides and extends the infrastructure necessary to facilitate increased enrollment in the very terms of the analysis. That is, because the Draft EIR purports to define parking as the sole constraint to enrollment and provides additional parking, the Draft EIR must evaluate the foreseeable enrollment increase associated with the parking provided on the Chalon Campus.

Coming full circle with respect to the constraints-based analysis of *Stanislaus, Antioch* also expressly extends consideration of impacts to removals of other, non-physical constraints to development. The court pointed specifically to changes in land use regulations and circumstances as examples of projects that had the potential to induce growth, stating, “[n]one of these cases hesitated to require an EIR where significant impacts were a realistic possibility, even though the exact form that development would take could not be known.” *Id.* at 1336 (citations omitted). Here, as Neighbors have shown, the Project would substantially alter the historic land use regulations established by prior approvals, including and most especially the 1984 CUP, and would then provide the means for intensification of the use according to that alteration. The Draft EIR was required to evaluate the foreseeable consequence of both changes, but failed to do so, thereby drastically understating the impacts that could result.

Response to Comment JMBM 6

The statement that the Project includes physical improvements that would facilitate future enrollment growth is incorrect. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter correctly states that the Project would result in a net increase of 55 parking spaces on the Campus. As described in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements. This change was made in response to comments such as JMBM 6.

With respect to the commenter’s statements about the potential for the Project to induce growth in enrollment, it should be noted that enrollment will not increase as a result of the Project or Alternative 5. Further, the growth-inducing impacts of the Project were analyzed in the Draft EIR in Chapter VI, *Other CEQA Considerations*, p. IV-5.

Furthermore, as illustrated in the Draft EIR, Figure II-2, *Aerial View of the Project Site*; Figure II-3, *Chalon Campus Existing Facilities and Uses*; Figure IV.A-3, *Existing and Simulated Views of the Project Site from the Hiking Trail to the West of the Campus*; Figure IV.A-6, *Existing Views and Simulated Views of the Project Site from Sky Land/Canna Road*; and Figure IV.A-5, *Existing Views of the Project Site from North Tigertail Road*, and from the description of the physical Project Site in Chapter II, *Project Description*, and in Section IV.E, *Geology and Soils*, of the Draft EIR, the physical site, and therefore the potential for further growth, is highly constrained by MSMU’s topographic setting. As shown in Figure II-3, the Campus is built out to the north of the Project Site with the Yates, Aldworth, and Burns Houses residence hall and to the south of the Project Site by Mary Chapel, Rossiter Hall, and the Circle. As such, it cannot be

reasonably anticipated that the Project would result in additional growth, for which no physical space exists within the Project Site or the adjacent built-out Campus.

The development of the Wellness Pavilion would not alter any approvals under the current CUP as it pertains to student enrollment, nor would the development of the building anticipate any other development or induce growth resulting in additional impacts not evaluated in the Draft EIR. For clarification and additional detail on how even interpretations of student enrollment within the current CUP are being removed from this Final EIR, to dispense with the commenter's concern that the Project is a backdoor mechanism by which to increase student enrollment, please see Topical Response No. 6, University Entitlement History and Enrollment Cap.

Comment JMBM 7

(c) The 561 Existing Vehicle Spaces Do Not Establish the Enrollment Baseline for the Chalon Campus.

The law establishes the analytic baseline as "the physical conditions which exist within the area ..."⁶ Enrollment at the time of the Notice of Preparation ("NOP") did not approach the maximum enrollment implied by that parking. As disclosed in the Draft EIR, neither did the 2015 enrollment.⁷ Consequently, the current (2016/Notice of Preparation) enrollment levels stated in the Project Description establish the baseline.

Therefore, the existing 561 parking spaces cannot serve as an environmental baseline for student enrollment or for any associated growth assumptions associated with the Project. As stated above, the maximum enrollment that parking would facilitate is 2,244 students. However, that maximum enrollment exists only in theory, and not in fact, and CEQA is clear that "paper" or theoretical baselines are impermissible: ultimate build-out of, for example, a land-use plan is not a permissible baseline.⁸

Footnote 6: CEQA § 21060.5.

Footnote 7: Draft EIR, p. II-11, stating 1,561 students in 2015.

Footnote 8: *See City of Carmel-by-the-Sea v. Bd. of Supervisors*, 183 Cal. App. 3d 229 (1986).

Response to Comment JMBM 7

Please see Topical Responses Nos. 2, 6, and 7. Neither the Project nor Alternative 5 will increase student enrollment, and all references to interpretations of the existing CUP related to student enrollment have been removed from this Final EIR.

Comment JMBM 8

3. The Draft EIR Must Evaluate the Potential Enrollment Increase Associated with the New Parking Inventory.

Given the above, the Draft EIR cannot simply assume that any increase in enrollment that could result from the Project is either incidental or otherwise taken into account by any other analysis. And in fact, the MND for the 1984 CUP specifically disclaims such an analysis, and instead assumed the permitted enrollment level at the time: 750 students. We are unaware of any approval—and the Draft EIR does not disclose one—that explicitly evaluated the environmental effects associated with any particular enrollment level. Therefore the Draft EIR cannot rely on any prior analysis as support for any particular enrollment level above 750 students.

Rather, the Draft EIR must evaluate the potential for enrollment to increase commensurately with the new total amount of parking provided. As the Project would include 55 additional vehicle spaces, for a total of 616 spaces, would permit the campus to enroll four times as many students as it has parking spaces, the total potential enrollment could reach 2,464 students—an increase of nearly 1,000 students over the baseline enrollment levels assumed in the Draft EIR.

Response to Comment JMBM 8

Please see Topical Responses Nos. 2, 6, and 7. Neither the Project nor Alternative 5 will have any impact on student enrollment, and all references to interpretations of the existing CUP on enrollment have been removed from this Final EIR.

As described in Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements.

Comment JMBM 9

(a) The Traffic Analysis Understates Project Impacts by Improperly Omitting Sources of Trip Generation.

As the traffic analysis in the Draft EIR fails to provide any analysis of the increased enrollment facilitated by the Project, it drastically understates the potential operational impacts of the proposed development. Among other things, it fails to account for the traffic of the nearly 1,000 additional students the Chalon Campus could accommodate with the Project, and explicitly omits that information.

But this failure extends beyond the omission of students: the traffic analysis omits other classes of vehicles from its operational analysis. For example, Draft EIR Table IV.K-15 includes only *attendees* at the new and expanded campus events proposed under the

Project. It does not, however, disclose service, staff, or maintenance vehicles. This omission is far from merely technical: as directly observed by Neighbors and others, service vehicles for events can create substantial traffic effects on neighborhood streets, as the often large trucks—which accepted traffic analysis methods represent as the equivalent of three cars or more—cannot easily negotiate the relatively narrow and winding streets surrounding the campus. Many of the roads—such as Benmore Terrace—are barely able to accommodate two cars, but are used as primary access roads, and larger delivery trucks to the campus have regularly required multiple attempts to negotiate turns, snarling other traffic associated with the University, as well as residential traffic. This is all the more important because many streets in the surrounding neighborhoods do not have sidewalks, and the increase in traffic creates a substantial increase in pedestrian safety risks, and could prevent pedestrian use of the roadways at all during certain times. Making matters worse, the Project proposes to generate significant additional traffic at night and on the weekends, when residents are most likely to use those roads.

Larger and more numerous events proposed by the Project would add substantially more large trucks to these local neighborhood streets, exacerbating the existing impacts and further impeding not only neighborhood vehicle traffic but also pedestrian traffic and emergency response. The failure of the Draft EIR to account for this traffic and the associated effects understates the impacts of larger and more frequent events in terms of both volume and safety.

Response to Comment JMBM 9

The statement that the Draft EIR improperly omitted information as to the source of trip generation is incorrect. The Draft EIR evaluated the maximum vehicle trips that would occur as a result of outside visitors to large events that could potentially occur as result of the Wellness Speaker Series or Other Wellness/Sports Activities and summer camps. It is noted that the Project consists of a gymnasium and not an entertainment venue. The Project anticipates an increase of one staff person and it is unclear what type of additional service vehicles the commenter is referring to. A previous comment referenced tents; however, it should be noted that having a building for events would negate the need to erect tents or other structures that involve production crews. In addition, services described in the comment are already provided to the Campus and would be reflected in existing conditions. Accommodations associated with camps, speaker series, or athletic activities, such as food services, would not be different from those already provided to the Campus and would not exceed the vehicle trip parameters required under Alternative 5's PDF-TRAF-18. The Draft EIR did not improperly omit information regarding the sources of trip generation and no further analysis is required.

Maximum attendance associated with the proposed events was evaluated in the Traffic Impact Analysis (Appendix I of the Draft EIR) and in Section IV.K, *Transportation and Traffic*, of the Draft EIR. The Draft EIR determined that operational traffic impacts associated with outside visitors under the highest-attendance School Year and Summer scenarios would be significant and unavoidable. Subsequently, operational changes

under Alternative 5 described under Topical Response No. 1, and Topical Response No. 3, above and evaluated in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR were proposed that would reduce the Project's operational impacts to less than significant levels.

Comment JMBM 10

(b) The Failure to Account for Project-Related Traffic Also Results in the Understatement of Related Impacts.

As described above, the Draft EIR fails—in a variety of ways—to provide an adequate disclosure of Project-related traffic effects. The traffic analysis of the Draft EIR specifically excludes any traffic associated with the potential for increased enrollment, despite the removal of regulatory and physical constraints to such an increase, and omits delivery vehicles from its analysis of large events. Other analyses in the Draft EIR, such as public safety, air quality, noise, and greenhouse gases, directly depend on the traffic analysis for their baseline and Project impact assumptions. Consequently, a failure to account for substantial quantities of traffic necessarily results in failures to account for these associated impacts, and the City must revise the Draft EIR to adequately disclose those classes of impacts, as well.

The extent of the University-related parking problem in the neighborhood also is understated, and is exacerbated by the apparent lack of any formal prohibition on University parking in the surrounding neighborhood. Virtually every day, Chalon Road, from the Chalon Campus entrance to Norman Place, is almost completely occupied by University-associated vehicles. Conditions such as this are the precise reasons that every recent approval of secondary schools—most notably Archer and Brentwood in the vicinity—contains strict limits not only on access routes, but also on off-campus parking. As the Project proposes to vastly intensify the University's use of the surrounding streets at all times of day, it must also include limits that are commonplace for educational institutions throughout the City. In the absence of such a prohibition, the existing problem will only worsen, and the Draft EIR fails adequately to address this.

This failure also extends to the alternatives analysis. Because the analyses of the various environmental issues areas understates those impacts, they deprive the selection of alternatives with a substantial evidentiary basis. Simply put, the alternatives analysis cannot adequately avoid or reduce impacts the Draft EIR does not sufficiently disclose.

Response to Comment JMBM 10

The comment that the Draft EIR fails to account for Project-related traffic is incorrect. As discussed in Response to Comment JMBM 9, the Traffic Impact Analysis and Draft EIR, Section IV.K, evaluated the worst case conditions (highest anticipated vehicle trips) of the Project and made the determination of significant and unavoidable operational traffic impacts based on established threshold standards.

The claim in the comment that the analysis should have taken into account enrollment increases is unsubstantiated, since enrollment increases would not occur in association with the Project and/or Alternative 5 (see Responses to Comments JMBM 3 through JMBM 8). Because there is no failure to account for Project-related traffic, the Draft EIR does not understate related project impacts. Other analyses in the Draft EIR, including as to public safety, air quality, noise, and greenhouse gases reflect the Project's maximum attendance (worst-case) vehicle trip analyses and, as such, adequately disclose maximum potential impacts.

Regarding parking, MSMU has responded to the commenter's concerns about off-site parking through the inclusion of PDF-TRAF-17 in Alternative 5, which requires that MSMU maintain a policy prohibiting entry on to the Campus for all pedestrians (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip). This restriction on pedestrian access will ensure that it is not possible for outside guests to park on streets in the vicinity of the Campus and then walk onto Campus. Together with the reduction of on-Campus parking spaces, the elimination of any potential for parking in the community will further MSMU's goals to reduce single-occupancy vehicle dependency and encourage use of public transportation, MSMU shuttles, and car-pooling where feasible.

In addition, the limitations on peak hour and daily vehicle trips under Alternative 5 would reduce the Project's significant and unavoidable impacts on neighborhood streets (as evaluated in the Draft EIR) to less than significant levels. Because the Draft EIR based the traffic evaluation on the maximum potential attendance and fully disclosed the Project's traffic impacts, it does not fail to adequately evaluate either traffic or other CEQA issues. No environmental issues are understated with respect to the Project or Project alternatives. Furthermore, because environmental impacts are fully disclosed in the Draft EIR and in the alternatives analysis, no further analysis of Project impacts or impacts of Project alternatives is required.

Comment JMBM 11

4. The University's Project Objectives Fail to Describe the Underlying Purpose of the Project or to Inform the Analysis, and were Uncritically Accepted by the City, in Contravention of CEQA.

(a) The Project Objectives Fail to Describe the Underlying Purpose of the Project and, Therefore, Don't Properly Inform the Selection of Project Alternatives.

CEQA Guidelines Section 15124(b) states, "[a] clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." The list of Project Objectives on Pages II-17 to II-18 of the Draft EIR contain eight extremely broad objectives, some of which amount to no more than

florid aspirations that neither describe the underlying purpose of the Project nor inform the analysis, and merely serve to confuse the reader.

Later discussions of the objectives only confirm this impression. For example, the alternatives analysis does not articulate any rationale for the selection of the alternatives carried forward for analysis. Further, several objectives are so broadly construed as to provide no value for any particular rationale: for example, Objective 6 purportedly provides a rationale for a summer sports camp, but nowhere does that objective—or any other—actually state that operation of a sports camp with no connection to the University student body is an essential element of the Project. Consequently, the invocation of the need for a summer sports camp in Alternative 4 is unsupported even by the stated goals of the University. By its very terms, Objective 6 would still be served even if no summer sports camp occurred.

Similarly, ***none of the project objectives address the vast expansion of special events and commercialization of the Chalon Campus***. If commercialization is a critical element of the Project, the Draft EIR must be revised to reflect the role of special events as a foundational Project objective, even if only for the purpose of disclosure to the public and decision makers.

Response to Comment JMBM 11

The statement that MSMU's Project Objectives fail to describe the underlying purpose of the Project is unsubstantiated and based on the commenter's prior incorrect claim that the Project includes other components such as enrollment increases. The Project Objectives listed in Chapter II, Project Description, articulate the purpose of the Project to develop a new on-Campus facility that provides MSMU modern amenities needed for physical and health education (a gymnasium), the components of which are described in detail in Chapter II, and in further detail in Table II-4 of the Draft EIR.

The selection of Project alternatives focused on alternatives that meet the Project's stated objectives and would reduce the Project's significant and unavoidable environmental impacts. These include the reduction in the scale of construction activity and construction impacts (Alternative 2), construction truck noise (Alternative 3), and significant operational traffic impacts (Alternative 4). Subsequently, Alternative 5 (Alternative 5) was developed to both meet the Project Objectives and to incorporate the reduction of physical scale that had been addressed under Alternative 2 and the reduction in operational scale that had been addressed under Alternative 4. Alternative 5 would reduce both the duration and scale of construction, while limiting daily and peak hour vehicle trips (as under Alternative 4), to reduce the Project's significant and unavoidable operational traffic impacts to less than significant levels.

Objective 6 is to enhance Campus programming through improved facilities. While enabling the potential to incorporate fitness and wellness programs into Homecoming and Athenian Day events, Objective 6 states that the facility would create the opportunity for

new Summer Sports Camps and other events that complement the purpose of the proposed Wellness Pavilion. The Summer Sports camps are further identified as a component of the Project in the Project Description and in Table II-4. With the stated objective regarding the programming associated with the Wellness Pavilion, the use of the Wellness Pavilion for Summer Camps, and the discussion of Summer Camps as a component of the Project in the same chapter of the Draft EIR, no confusion regarding the intent of the Project to use the Wellness Pavilion for Summer Camps is anticipated. It is noted that all the Project alternatives would meet the objectives discussed in the Draft EIR.

The statement that the Project would represent a “vast commercialization” of the Campus is also incorrect. The activities evaluated in the Draft EIR are common practice on university and college campuses nationwide. However, because of commenter concerns regarding the number of Other Wellness/Sports Activities Events (a potential for up to four per month under the Project), and because MSMU has no intention of being a “commercial” operation, Alternative 5 would reduce the parameters for such activities to a maximum of up to 12 per year. This would represent a 75 percent reduction in the potential for such activities to occur. Because MSMU has no intention to operate as a commercial enterprise, and the purpose of the Project is well-articulated through the Project Objectives and the Project Description, no changes in the Project Objectives are required.

Comment JMBM 12

(b) The City Failed to Exercise its Independent Judgment with Respect to Project Objectives.

The lead agency must exercise its independent judgment on project objectives, and must not uncritically accept the applicant's objectives (Pub. Res. Code § 21082.1(c)(1); *Uphold Our Heritage v. Town of Woodside*, 147 Cal. App. 4th 587 (2007)). In addition, use of unduly narrow project objectives violates CEQA. *In Re Bay Delta Coordinated Environmental Impact Report Proceedings*, 43 Cal. 4th 1143, 1166 (2008) (“A lead agency may not give a project's purpose an artificially narrow definition”).

Here, the Project objectives are read too narrowly and represent uncritical acceptance of the applicant's objectives by the lead agency. For example, the objectives regarding programming are read so narrowly as to preclude any alternative that does not involve development of large programs offered to off-campus paying customers or, apparently, development of a major event center for leasing to external entities. The notion that only a major event center, coupled with a youth summer sports program, can meet the basic objectives of a Project that (1) does not actually include an event center among the objectives; and (2) cannot articulate a connection between a major commercial event center, or an extensive youth summer camp of the kind typically offered by public parks, and the educational mission of a University is, quite frankly, absurd. The City must revise

the Draft EIR to include objectives that actually relate to the Project and inform the environmental analysis in meaningful ways.

Response to Comment JMBM 12

The comment expresses the commenter's opinion that the Project Objectives are "read too narrowly," and a statement that "unduly narrow project objectives violates CEQA," but comment JMBM 11 calls the Project Objectives "extremely broad." The commenter's opinions regarding the Project's Objectives are noted for the record and will be forwarded to the decision-makers for review and consideration.

The implication in the comment that the purpose of the Project is to provide a major commercial events center with large programs to "paying customers" and leasing to external entities and that it would be an extensive summer camp is starkly incorrect. The Wellness Center would primarily serve the existing needs of MSMU's student body, which currently lacks wellness, recreational, physical education, and sports activities commensurate with those of similar institutions. The Project would replace an aging recreational facility, as discussed in the Draft EIR. As with most universities, certain events will be open to outside guests. Summer camps would be single-day or multi-day (i.e., week-long camp), whereby campers could arrive and stay the night in the dormitories. Summer camps would not represent a large camping facility or enterprise, but would allow for families within the community the opportunity to experience the recreational resources of the Campus. It is also noted that MSMU has a history of outreach in opening the Campus to the community in allowing surrounding neighbors the use of its existing recreational resources. The Project Objectives cited in the Draft EIR clearly explain the mission and types of programs anticipated by the Project. Although these focus on the Wellness Pavilion, no other types of development or uses of the Project Site are anticipated and broader objectives that would not be specific to such uses would not be appropriate. Moreover, the Project Objectives were broad enough for the development of Project alternatives, including Alternative 5, that were able to address the Project's significant impacts, which is the purpose of such alternatives. It should also be noted that CEQA does not require project alternatives to meet every Project Objective.

Comment JMBM 13

5. The EIR's Alternatives Analysis Fails to Provide a Reasonable Range of Alternatives.

An EIR must describe a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project. See CEQA Guidelines § 15126.6. Here, despite the acknowledged significant and unavoidable traffic and public safety effects associated with construction-related and operational traffic, the analysis fails to articulate any alternative access plan other than access through the Getty Center property—a solution that Neighbors understand the Getty has already refused.

The alternatives analysis must provide an alternative access solution to Sepulveda Boulevard or elsewhere, whether via a new road, remote parking, or some other means, to address construction-related and operational trips. If such an alternative is infeasible, the EIR must discuss the specific reasons why.

Response to Comment JMBM 13

The comment that the EIR did not provide a reasonable range of alternatives to attain the basic objectives of the project while avoiding or lessening the environmental impacts of the Project is incorrect. The attempt to reduce construction traffic and truck traffic noise impacts under Alternative 3 through the use of the Getty Fire Road was the only possible alternative routing option to Sepulveda Boulevard. The Campus is located on a ridge and because of the topographic situation which is well-illustrated in the Draft EIR, the only access is via Chalon Road, which is accessed via the Getty property. Subsequent to the preparation of the Draft EIR, this access was denied by the J. Paul Getty Trust, and the alternative was subsequently withdrawn. Please refer to Topical Response No. 5 in this regard.

In addition, the purpose of Alternative 2 was to reduce the scale of the physical building to reduce the extent of construction and the purpose of Alternative 4 was to reduce operational impacts related to traffic. Subsequently, an additional alternative, Alternative 5 (Alternative 5), has been developed to address the Project's significant and unavoidable operational traffic impacts and to reduce the scope of activities described under the Project. Alternative 5's PDFs would not just reduce the Project's operational impacts to a level less than significant, but reduce traffic below existing conditions through PDF-TRAF-18, which requires MSMU to limit average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, to 1 percent below the 2016 baseline trip counts taken for the Campus, thereby further negating the need for any access to Sepulveda. In addition, the commenter's suggestion that a new road should be constructed to Sepulveda to address construction traffic ignores the fact that the construction of a new road would be a much bigger endeavor than the construction of a gymnasium and would itself create significantly more construction-related trips.

Chapter V, *Alternatives*, of the Draft EIR, provides an analysis of alternatives considered and rejected, including off-site locations, alternative on-site uses, and alternative on-site locations. As discussed therein, nearly all of the Project objectives are specific to the need to replace the Campus' inadequate fitness and recreational facilities, while also addressing student health and well-being, improving pedestrian safety, circulation and parking, design, and enhancing Campus programming.

The comment refers to "significant and unavoidable traffic and public safety effects associated with construction-related and operational traffic." It should be noted that the Draft EIR concluded that the Project would not cause significant impacts in the categories of Police Protection or Fire Protection. As explained in Chapter III, Section 1, Subsection

d), Evaluation of Impacts, of this Final EIR, Alternative 5 would also not result in significant impacts in the categories of Police Protection or Fire Protection.

Comment JMBM 14

6. The City Cannot Override Significant Effects the Draft EIR Understated or Failed to Disclose, Avoid, or Reduce.

The law makes clear that "[o]nly through an accurate view of the project may affected outside and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures . . . and weigh other alternatives in the balance." *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 192–193 (1977). The examples described above demonstrate foundational discrepancies among the Project Description and other sections of the Draft EIR, and severely compromise the technical analysis. As the deficiencies in the Project Description here actually prevented the analysis of several Project components, the Draft EIR fails in its central purpose, and the City must revise the Draft EIR to resolve these discrepancies and provide a complete analysis of the Project components. Absent this information, the EIR cannot provide substantial evidence to support any determination that the benefits of the Project outweigh its significant environmental effects. See CEQA Guidelines §15091–15092.

Response to Comment JMBM 14

The statement that the Project Description prevented the analysis of several Project components is unsubstantiated based on JMBM's prior comments. All Project components were clearly described and detailed in Chapter II, *Project Description*, of the Draft EIR, with anticipated maximum use articulated in Table II-4 of the Draft EIR. The claims of the commenter that enrollment increases are a component of the Project is incorrect and addressed as such in Responses to Comments JMBM 3 through 8, above. As such, the Draft EIR and the Final EIR, including the evaluation of Alternative 5 in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, provide substantial evidence to support any determination related to overriding considerations.

Comment JMBM 15

7. The City Must Revise and Recirculate the Draft EIR.

As noted above, Neighbors believe that some version of the Project could benefit the University while minimizing impacts to the surrounding community—not simply determining exactly how much that community can bear and reverse-engineering the maximum improvements within that envelope. However, as described above, the Draft EIR fails to establish any definitive limit on enrollment or to acknowledge the foreseeable effects of the Project, and **a major event center, proposed operation of which bears no reasonable relationship to the educational objectives of the University**. Further, that wholly inappropriate use will cause severe impacts on neighboring property owners

and the surrounding area—effects that the Draft EIR has failed adequately to evaluate and disclose. ***Numerous errors, omissions, and inconsistencies render the EIR devoid of value as an informational document.*** Therefore, the City must, at a minimum, revise the EIR to accurately and fully disclose the impacts of the Project and consider specific mitigation and project alternatives to address those significant impacts.

Sincerely,

Benjamin M. Reznik and
Neill E. Brower of
Jeffer Mangels Butler & Mitchell LLP

Response to Comment JMBM 15

The comment that the Draft EIR fails to establish any definitive limit on enrollment is not relevant to the Draft EIR since enrollment is not a Project component. In addition, the comment's portrayal of the Project as a major event center is incorrect based on the primary use of the Project as defined in detail in Chapter II, Project Description, of the Draft EIR. As discussed therein, the Project is consistent with MSMU's purpose and educational objectives. The comment that the Project will cause severe impacts on neighboring property owners and the surrounding area and that these effects have not been adequately evaluated and disclosed in the Draft EIR is also unsubstantiated based on JMBM's prior comments and is addressed in the responses to the prior comments. JMBM has not demonstrated that numerous errors, omissions, or inconsistencies occur within the EIR, or render the EIR devoid of value as an informational document. Note also that Alternative 5 (Alternative 5) presented in this Final EIR significantly reduces the Project's impacts.

Letter JOHNSON

Autumn Johnson
acj2000@gmail.com
(June 8, 2018)

Comment JOHNSON 1

Dear Ms. King,

I live in Brentwood, and have for the past 3.5 years, ever since moving to LA from Indiana. I am writing to express my support for Mount Saint Mary's University building of a wellness center. I have worked at several institutions. of higher education, including Texas A&M University, Tulane University, Indiana University, and now Mount Saint Mary's University. A few reasons why I support this Project:

1. I have worked at many universities and have had the opportunity to tour gyms at over 100 universities in dozens of states. MSMU's current fitness center is by far the worst gym I have ever seen. In fact, it is worse than all high school gyms that I have ever seen. This Project should be approved to give Mount students a facility that is on par with almost all other universities.
2. The students at MSMU need the benefits of a wellness center just as much, if not more, than students at other universities. Many Mount students are going into the healthcare industry after they graduate. They come to the Mount with many habits that they will learn in class are not healthy. Not only should they learn how to tell their future patients how to be healthy, they should be examples of these healthy habits. One way this can be accomplished is by giving them a space to be physically active in the wellness center.
3. The wellness center would sit on the site of the current fitness center. Essentially, this is a Project that will build a new facility, replacing the old one.
4. I have never known a university that has opened its fitness center to its neighbors for free, as the Mount does. In fact, when I worked at Indiana University and Tulane University (another land-locked university in an urban environment), they both charged more for memberships than local fitness businesses. It has been interesting to see that the Mount is not concerned with making revenue from their neighbors, but being a good neighbor by providing a free benefit. And although I am sure the neighbors in the canyon could easily pay for a gym membership somewhere, it does reduce Sunset traffic (and saves neighbors' time) by allowing them come to the gym at the Mount instead of traveling elsewhere.

Thank you and the entire City Planning Office for the service you provide for our community. I have enjoyed living in Brentwood, even though it is quite a change coming

from Indiana! And although I work for Mount Saint Mary's University, the comments expressed in this letter are completely my own opinion.

Sincerely,
Autumn Johnson

Response to Comment JOHNSON 1

The comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter JULIEN-1

Laurie Julien
1274 North Norman Place
lauriesjulien@gmail.com
(April 28, 2018)

Comment JULIEN-1 1

Dear Ms. King,

I have lived at 1274 North Norman Place since 1994, and as a long-time resident adversely impacted by the past, present and proposed future conduct of Mount St. Mary's ("MSM"), I implore the City to strongly consider the following objections and points, and vote for the "No Build" Alternative.

Private St. Chalon Access Road ("Private Chalon")

The use of Private Chalon is not a solution to MSM's quest to expand its Campus, profile, number of students, and ability to host significant events. Allowing construction of the behemoth building, recast as a "Wellness Center," merely encourages MSM to further violate its representations to and agreements with the adjacent homeowners concerning the purported limited use of the MSM Campus, and related traffic impacts.

I object to MSM's proposed use of Private Chalon, which runs ***through my backyard***. The homeowners on Norman Place that live contiguous to the Getty property all own 20-30 feet beyond their respective fenced yard areas, including the paved road and a bit beyond, subject to an easement. Per representations, inspections, title reports, locked gates and other indicia of lack of use, we purchased our home in 1994 with the understanding that Private Chalon is/was an emergency-only access road. We purchased our home in order to live in a quiet, peaceful canyon, and one where there was virtually nothing behind our property. MSM's proposal disrupts the expectations of life in the neighborhood, and particularly on Norman Place.

Significantly, MSM's disingenuously misrepresents the nature and extent of the easement along the rear of the Norman Place properties. MSM falsely claims it has a 40-foot-wide easement. However, the property maps, title reports and other documentation uniformly show that the easement at the rear of the Norman Place properties is *20 feet in width*. Furthermore, the road sits at the top of a precariously steep down slope, with substantial earth movement and erosion, at the base of which sit our homes. The danger in using that road for construction access or public ingress/egress to the Campus, discussed more fully below, cannot be refuted.

MSM's Draft EIR states that use of Chalon for construction vehicles would not be visible from Norman Place. Not mentioned is the fact that the construction vehicles -- and later, student vehicles -- would be visible from my backyard, my kitchen, my dining room and

our bedroom windows! MSM's Draft EIR later admits: "Construction vehicles along the alternative route (private Chalon Drive) would be only minimally visible, if at all, from nearby residential streets, with the exception of the northernmost properties on Norman Place." And "minimally" is another falsehood.

Response to Comment JULIEN-1 1

The commenter objects to the Project on the basis of the commenter's belief that the Project would involve the use of a private road running through the commenter's property. The commenter offers no substantial evidence of any of the commenter's claims regarding existing easements and private roads, nor do any of these claims raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

No fire road traffic, or private road traffic other than the use of private roads on the Campus, is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration.

The commenter objects to potential impacts on the views from the commenter's home. It should be noted that private views are not considered an environmental impact under CEQA.

It should also be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter expresses concerns regarding MSMU's potential use of private easements. Alternative 5 does not involve the use of any private easements.

Comment JULIEN-1 2

The Draft EIR falsely states that using Private Chalon would not impact wildlife movement. Another falsehood. Deer wander along Private Chalon and the hillside every week!

Response to Comment JULIEN-1 2

As stated above, neither the Project nor Alternative 5 contemplates any use of any private road outside of the Campus.

Potential impacts to animals were analyzed and disclosed in Section IV.C, *Biological Resources*, in the Draft EIR, including the effect of human occupancy on the area's natural habitat and wildlife. As discussed therein, the Project's impacts on native plants and animals would be less than significant. As discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5's impacts on native plants and animals would be either similar or less than those of the Project and therefore would also be less than significant.

Comment JULIEN-1 3

To the extent MSM ever had purported easement rights to Private Chalon, those rights are extinguished as the facts clearly demonstrate that MSM has abandoned any such easement. Since at least 1994, I have never observed a single MSM vehicle or person using, walking on or traversing Private Chalon. Since 1994, I have been responsible for brush clearance on the road area, and the Getty has cooperated and/or performed the clearance of any dry brush in the Private Chalon vicinity. MSM has never performed any brush clearance or otherwise maintained the roadway or surrounding area to which MSM now claims easement rights. At all times since 1994, the large gate at the top of the street (one house away from my residence) has been locked. It is my understanding that MSM does not and has not had a key.

Any attempt by MSM to use the long-since abandoned Private Chalon would create a nuisance and adversely affect our use and enjoyment of our property. We hear even the Getty inspection vehicles on Private Chalon, which are smaller-sized, come one at a time, and leave within a few minutes. The impact of hundreds (or even dozens) of trips on the narrow road, which is approximately the width of half a roadway, would create noise, dust, safety issues and is otherwise impracticable. Private Chalon is not wide or stable enough to hold large cement or construction trucks, or to haul steel or other construction materials. The road is not wide enough for one large truck, let alone traffic in each direction. The road edges are crumbly and the soil lacks stability for multiple trips as contemplated by the Draft EIR. There is considerable erosion around the road and hillside. Rains contribute to the hillside erosion, as would the traffic use contemplated by MSM.

There is a reason for this emergency road to exist -- to protect the residents in case of emergency! Given the horrific fires on/adjacent to Getty property and extreme difficulty of driving up and down Norman Place on a daily basis due to traffic congestion, MSM vans, garbage trucks, large delivery trucks delivering goods to MSM, gardener trucks, etc., the ability of firefighters to use Private Chalon at a moment's notice is imperative. Also, the ability of firefighters, police or emergency response officials to direct residents to escape via Private Chalon must be protected.

To be clear, we will take all necessary steps to protect our backyard, our property, our safety, and our quiet enjoyment of our land. The alleged easement is 20 feet in width; and, the existing road is not directly on the easement. Should MSM use, modify or expand the road in any way that violates our rights, we will take all necessary steps to enforce our rights, including suing for nuisance and continuing nuisance. As we own the land on both sides of the purported easement, should MSM personnel or workers enter our land, we will sue for damages for trespass and continuing trespass.

Based on the above, the City must **deny** MSM all access to Private Chalon for construction purposes, and all phases of construction, and for public/student use.

Response to Comment JULIEN-1 3

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

The commenter expresses concerns regarding MSMU's potential use of private Chalon Road. No fire road traffic is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please also refer to Topical Response No. 5 regarding the Draft EIR's Alternative 3.

Please see Response to Comment JULIEN-1 1, above.

Comment JULIEN-1 4

Norman Place

MSM cannot be permitted to use Norman Place for ingress and egress of hundreds of haul trips per day during the construction phase. Norman Place is far narrower than Bundy, and Norman Place is difficult enough to traverse without the added traffic posed by MSM's expansion. As of now, it takes anywhere from 8 minutes to 20 minutes to reach Sunset from the top of Norman Place due to the existing traffic given the narrow confines of Norman Place. When trash trucks, gardening trucks, residential construction trucks, utility trucks, MSM vans, MSM food supply trucks and other vehicles try to pass one another, one car must completely pull over and stop –and sometimes back uphill to a wider area-- to allow vehicles going the other direction to pass. This happens on a daily basis, particularly in the mornings. Again, among the biggest contributors to this problem is the MSM vans, students and MSM-bound supply/food/delivery trucks.

Norman Place only has sidewalks in certain locations. The residents are power and leisure walkers, parents walking children in strollers, children walking to neighboring homes, joggers, and residents walking their dogs. It is dangerous enough to walk in front of our homes and in our neighborhood with no sidewalks or narrow sidewalks and the

existing traffic hazards. Adding additional large cement and construction trucks to this already precarious situation would magnify the safety hazards to residents, and further restrict the ability of residents to drive to and from work, take their children to school, and escape in case of fire or other emergency.

We strongly request that the City deny MSM all access to Norman Place for construction purposes, and all phases of construction.

Response to Comment JULIEN-1 4

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

The comment expresses the commenter's opposition to MSMU's use of Norman Place in connection with the construction of the Project. Construction traffic currently uses Norman Place in connection with residential construction traffic, and the use of Norman Place would likewise be appropriate for MSMU construction traffic, which would only travel in one direction (up the hill). Norman Place is categorized as a two-way Local Street, and in its narrowest areas, parking along the roadway right-of-way is not permitted. Note also that the largest of trucks will not use Norman Place (see page IV.K-41 of the Draft EIR). Further, PDF-TRAF-1 under either the Project or Alternative 5 will ensure that a construction management plan is in place that maintains access for surrounding residential uses in proximity to the Project Site during construction. Please also see Topical Response No. 4, Emergency Access, for the various protocols in place to ensure emergency access is available.

As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would therefore not cause significant impacts on Norman Place itself.

Comment JULIEN-1 5

Equitable Considerations

MSM is a bad neighbor and has been since at least 1994. Since 1994, MSM has expanded its enrollment, and therefore increased student, personnel and supporting vehicular traffic (such a food supply trucks), while denying these facts. Students continue to park on the pubic portion of Chalon road in front of MSM toward Norman Place on a daily basis, and our complaints fall on deaf ears. Students and MSM workers continue to speed up Norman Place every day, swerve to get around residents pulling out of their driveways (instead of stopping) and are rude to the residents on their rush to get to Campus. Not all students use the shuttle vans.

I have reported to MSM numerous incidents of speeding, road rage, improper parking, a student losing control of her vehicle and driving up on my lawn, a student hitting and destroying my brick mailbox, and other incidents to MSM, to no avail. In fact, many of my complaints to MSM about speeding and reckless driving result in a denial that the offending car/driver is a MSM student, despite the fact that the car entered the MSM Campus and went through the gate, or that a “parker” on Chalon admitted to being a MSM student.

MSM takes no responsibility for its conduct or that of its students, personnel and workers. MSM routinely feigns concern or cooperation, but does nothing! MSM consistently violates its CUP and promises and agreements with its neighbors. MSM is untrustworthy and its representations about the scope of this proposed Project, traffic and noise impacts, and other matters -- such as the width and scope of the easement – should be viewed with suspicion. MSM’s own past conduct should be taken into account when deciding upon its right to use emergency roads and narrow neighborhood streets for construction, and for a Project which would cause increases in traffic congestion, and decrease in the quality of life, for the entire neighborhood, for the sole trade-off and purpose of lining MSM’s coffers.

MSM’s expansion request should be **denied** in its entirety. Alternatively, MSM should be **denied** access to and use of Private Chalon road for any purpose, at any time. And, MSM should not be permitted to use the too-narrow and congested Norman Place during any phase of construction.

Best,

Laurie Julien
1274 N. Norman Place
Los Angeles, CA 90049
lauriesjulien@gmail.com

Response to Comment JULIEN-1 5

This comment expresses the commenter’s opinion regarding existing conditions but does not raise any issues regarding the content and adequacy of the Draft EIR.

With respect to Norman Place, please see Response to Comment Julien-1 4.

The commenter asserts that MSMU is in violation of an existing CUP. The commenter is directed to Topical Response No. 2. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter raises concerns about parking by MSMU users on streets in the surrounding neighborhood. In general, under existing conditions parking is permitted on the surrounding public streets. However, as explained in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative

5 incorporates PDF-TRAF-17, which was designed specifically to eliminate street parking my MSMU users by prohibiting pedestrian access to Campus (with certain exceptions for pedestrians whose arrival onto Campus will not generate a vehicle trip).

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter JULIEN-2

Laurie Julien
1274 North Norman Place
lauriesjulien@gmail.com
(May 2, 2018)

Comment JULIEN-2 1

Dear Ms. King,

I have lived at 1274 North Norman Place since 1994, and as a long-time resident adversely impacted by the past, present and proposed future conduct of Mount St. Mary's ("MSM"), I implore the City to strongly consider the following objections and points, and vote for the "No Build" option. Alternatively, I urge a no Private Chalon and no Norman Place stance for the reasons outlined in my prior letter and below.

Please consider this letter as a supplement to my initial Objection to MSM's Draft EIR, forwarded several days ago.

Response to Comment JULIEN-2 1

The comment expresses opposition to the Project and a preference for the No Project Alternative but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment Julien-2 2

Norman Place

To further explain that Norman Place cannot accommodate large trucks used to haul construction materials or debris, and cannot accommodate cement trucks, consider the following verifiable facts:

Norman Place is very narrow, and at the 900 and 1000 blocks, Norman Place is only 18 feet in width

As such, Norman Place is far narrower than a standard neighborhood street. This has safety implications NOT addressed by MSM's Draft EIR. "For emergency access, 20 feet is commonly accepted as a minimum width for two way traffic. In addition, eight feet is necessary for on street parking. Therefore, 28 feet is a widely accepted minimum curb face to curb face neighborhood street width." Accordingly, Norman Place is 10 feet narrower than a standard residential neighborhood street. (<http://plannersweb.com/2013/09/wide-neighborhood-street-part-1/>)

Two passenger vehicles cannot pass one another on that stretch of Norman Place at the present time, causing increased congestion without added construction trucks contemplated by MSM

There are no sidewalks on one or both sides of Norman Place, creating a huge safety risk for pedestrians

Garbage trucks take up nearly the entire roadway on Norman Place, particularly at the 900-1000 block, with only 1-2 feet on each side, and the truck's side mirrors invade that space. See photo taken on May 1, 2018, below. The contemplated construction, hauling and cement trucks are similar in size to the garbage truck depicted in the photo.

The National Association of City Transportation Officials website provides that lanes and routes for trucks should be at least 11 feet in each direction, and that in all areas and for all vehicles, wider travel lanes (11–13 feet) are “favored to create a more forgiving buffer to drivers” and are safer. In contrast, lanes that are narrower than 11-13 feet “increase potential for side-swipe collisions.”

Clearly, MSM's desire to expand its Campus, profile, student population and profitability does not outweigh the safety issues inherent in using Norman Place for construction or for additional student ingress and egress thereafter, nor does it justify the negative impact on this RESIDENTIAL community.

Thank you for considering the safety and well-being of the community ahead of MSM's expansion plans.

Best,

Laurie Julien
lauriesjulien@gmail.com
1274 N. Norman Place



Response to Comment JULIEN-2 2

The comment expresses the commenter's opposition to MSMU's use of Norman Place in connection with the construction of the Project. Construction traffic currently uses Norman Place in connection with residential construction traffic, and the use of Norman Place would likewise be appropriate for MSMU construction traffic. Norman Place is categorized as a two-way Local Street, and in its narrowest areas, parking along the roadway right-of-way is not permitted. The commenter correctly notes that some of MSMU's construction traffic would be similar in size to garbage trucks that currently use Norman Place. However, MSMU construction traffic would only travel in one direction (up the hill) and be significantly more regulated and controlled than the traffic of existing vehicles on Norman. Additionally, the largest of trucks will not use Norman Place (see page IV.K-41 of the Draft EIR). PDF-TRAF-1 under either the Project or Alternative 5 will ensure that a construction management plan is in place that maintains access for surrounding residential uses in proximity to the Project Site, that trucks can be radioed and controlled to avoid vehicle queuing, and that MSMU will be required to coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring residences at all times. Please also see Topical Response No. 4, Emergency Access, for the various protocols in place to ensure emergency access is available.

In addition, please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Therefore, Alternative 5 will not cause significant construction traffic impacts on Norman Place.

The commenter cites www.plannersweb.com and information from the website of the National Association of City Transportation Officials. It should be noted that neither of these websites is a City website, and the information cited does not necessarily reflect existing City policy or any existing City regulation.

It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and

in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter KAMRAVA

Nancy Cohen Kamrava

nancyecohen@gmail.com

(May 2, 2018)

Comment KAMRAVA 1

Dear Ms. King

Please see attached objection letter and photo to the proposed expansion of Mount St. Mary's for your consideration.

Confirmed receipt would be much appreciated and, of course, if there is need for further clarification or discussion, I can be reached at the number below.

Many thanks in advance,

Nancy Cohen Kamrava
nancyecohen@gmail.com



Kathleen King
 City of Los Angeles, Department of Planning
 221 North Figueroa Street, Suite 1350
 Los Angeles, CA 90012

Re: Mount St. Mary's Proposed Expansion April 30, 2018

Dear Ms. King,

My husband and I are newer residents on Norman Place, having just moved here in 2016. We purchased our new residence primarily for the idyllic and peaceful location it sits in and for the wonderful neighbors we have come to know.

We are deeply distressed by what we have read in the Draft Environmental Report, ("DEIR") and Mount St. Mary's, ("MSM's") proposal to not only expand its campus and thus enrollment, but also its proposed use of Norman Place for ingress/egress of large haul construction vehicles and cement trucks during its construction of the 'Wellness Pavilion.' Norman Place is an extremely narrow and difficult road to navigate as is. It is only 18' feet wide at its narrowest point, (900-1000 block.) (*Please see attached image of garbage truck taking up entire street.) The addition of this traffic would make it virtually impossible to get out of the canyon.

In addition, we also object to the use of Private Chalon road which, living at the Northern-most end of Norman Place, runs through our backyard. This road is part of an easement that belongs to me and several of my neighbors. This easement, in fact, goes several feet beyond the road itself. When we purchased our home, it was clearly stated in our Title Report that this road was to be used *solely* for emergency access and has at all times since I have lived here, been patrolled and maintained by the Getty Center, not MSM's who claims to have rights to it. In fact, when I moved in and needed access to the top of my hillside for the installation of a fence, it was the Getty Center that granted me access to the otherwise locked and gated road.

During the recent fires near the Getty Center, although not required to do so, my family along with maybe a dozen other neighbors evacuated. I am horrified to think what might happen in the event of a mandatory evacuation of all homes in the area should Private Chalon road, (along with Norman Place,) become congested with construction traffic. Creating congestion on what is meant to be an *emergency road*, not only inhibits fire and emergency vehicle access, but could also block our exit, effectively trapping us in the canyon.

Private Chalon road also sits on top of an extremely steep hillside that backs up to many of my neighbor's homes and mine. Should this hillside become destabilized as I imagine it would with cement trucks and the like, we all risk erosion and landslides.

I strongly **object** to the proposal of this expansion including but not limited to the use of Norman Place for ingress/egress of construction vehicles and Private Chalon road for the same. I have seen no evidence to support the fact that MSM's has any claim to it as stated in the DEIR and their lack of ongoing maintenance and /or patrol suggests the same. From my understanding, MSM's has not used or claimed rights to this road in at least 5 years, (and up to 24 years according to neighboring accounts,) thus abandoning any rights that they have to the easement.

It is already extremely difficult to enter and exit our canyon, both from Barrington Avenue/Sunset and Bundy Drive/Sunset during rush hour. This proposed expansion at MSM's, would have a hugely negative impact on our quality of life, our environment, the safety of our homes and the people in them.

I would be happy to discuss this further with you should you require any additional information.

Sincerely,



Nancy Cohen Kamrava
1254 N. Norman Place
Los Angeles, CA 90049
nancyecohen@gmail.com
917.601.0056

Response to Comment KAMRAVA 1

This comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The attached photograph does not raise any issues regarding the content or adequacy of the Draft EIR, but is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment KAMRAVA 2

Dear Ms. King,

My husband and I are newer residents on Norman Place, having just moved here in 2016. We purchased our new residence primarily for the idyllic and peaceful location it sits in and for the wonderful neighbors we have come to know.

We are deeply distressed by what we have read in the Draft Environmental Report, ("Draft EIR") and Mount St. Mary's, ("MSM's") proposal to not only expand it's Campus and thus enrollment, but also it's proposed use of Norman Place for ingress/egress of large haul construction vehicles and cement trucks during it's construction of the 'Wellness Pavilion.' Norman Place is an extremely narrow and difficult road to navigate as is. It is only 18' feet wide at its narrowest point, (900-1000 block.) (*Please see attached image of garbage truck taking up entire street.) The addition of this traffic would make it virtually impossible to get out of the canyon.

In addition, we also object to the use of Private Chalon road which, living at the Northern-most end of Norman Place, runs through our backyard. This road is part of an easement that belongs to me and several of my neighbors. This easement, in fact, goes several feet beyond the road itself. When we purchased our home, it was clearly stated in our Title Report that this road was to be used solely for emergency access and has at all times since I have lived here, been patrolled and maintained by the Getty Center, not MSM's who claims to have rights to it. In fact, when I moved in and needed access to the top of my hillside for the installation of a fence, it was the Getty Center that granted me access to the otherwise locked and gated road.

Response to Comment KAMRAVA 2

It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative

5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter raises concerns about the Project's potential traffic impacts on Norman Place. In response to this, and the roadway width of Norman Place, the commenter is directed to Response to Comment JULIEN 2-2, above. Please also refer to Topical Response No. 4, Emergency Access, as well as Section IV.J.1, *Fire Protection*, of the Draft EIR.

The commenter also expresses concerns regarding MSMU's potential use of private Chalon Road. No fire road traffic is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please also refer to Topical Response No. 5 regarding the Draft EIR's Alternative 3.

Comment KAMRAVA 3

During the recent fires near the Getty Center, although not required to do so, my family along with maybe a dozen other neighbors evacuated. I am horrified to think what might happen in the event of a mandatory evacuation of all homes in the area should Private Chalon road, (along with Norman Place) become congested with construction traffic. Creating congestion on what is meant to be an emergency road, not only inhibits fire and emergency vehicle access, but could also block our exit, effectively trapping us in the canyon.

Private Chalon road also sits on top of an extremely steep hillside that backs up to many of my neighbor's homes and mine. Should this hillside become destabilized as I imagine it would with cement trucks and the like, we all risk erosion and landslides.

I strongly object to the proposal of this expansion including but not limited to the use of Norman Place for ingress/egress of construction vehicles and Private Chalon road for the same. I have seen no evidence to support the fact that MSM's has any claim to it as stated in the Draft EIR and their lack of ongoing maintenance and /or patrol suggests the same. From my understanding, MSM's has not used or claimed rights to this road in at least 5 years, (and up to 24 years according to neighboring accounts,) thus abandoning any rights that they have to the easement.

It is already extremely difficult to enter and exit our canyon, both from Barrington Avenue/Sunset and Bundy Drive/Sunset during rush hour. This proposed expansion at MSM's, would have a hugely negative impact on our quality of life, our environment, the safety of our homes and the people in them.

I would be happy to discuss this further with you should you require any additional information.

Sincerely,

Nancy Cohen Kamrava
1254 N. Norman Place
Los Angeles, CA 90049
nancyecohen@gmail.com

Response to Comment KAMRAVA 3

Regarding emergency access, please refer to Topical Response No. 4, Emergency Access, as well as Section IV.J.1, *Fire Protection*, of the Draft EIR. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

With respect to issues raised by this commenter in regards to construction traffic impacts, the alleged expansion of the Campus, and use of private roads, please see Response to KAMRAVA 2, above.

The commenter refers to the intersections of Barrington Avenue and Sunset Boulevard and Bundy Drive and Sunset Boulevard. As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable operational traffic impacts at these intersections. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant operational traffic impacts at these intersections to a level of less than significant.

Letter P. KANTOROVICH

Phil Kantorovich
1278 N Norman Place,
Los Angeles, CA 90049
Pkantorovich@roadrunner.com
(June 13, 2018)

Comment P. KANTOROVICH 1

Please find my response to Mount Saint Mary's proposal for expansion.

Thank you,

Phil Kantorovich

Dear Ms. King,

I am writing to the proposed expansion by Mount Saint Mary's University.

As a homeowner who lives at the top of Norman Place, I have several concerns regarding the proposed expansion of the school. Unlike most Schools in the Los Angeles area, this school is at the end of a residential neighborhood.

Access to the school is via narrow (less than 19 feet wide at some portions on Norman Place) residential streets. Ingress and egress through the neighborhood is via only two roads (only one viable road between Sunset Blvd and Norman Place).

There have been countless times where the street has come down to a complete stop as cars and trucks cannot pass each other as they are going in the opposite direction.

There have been many days (especially trash truck days) where I have had to get out of my car and literally direct traffic forcing cars from one direction to back up so the vehicles traveling in the other direction can get through. There have also been many non-trash days where the MSM buses (no longer vans but buses) from the school cannot get through.

Response to Comment P. KANTOROVICH 1

The comment expresses concern regarding existing traffic, existing conditions on Norman Place, and existing MSMU shuttle service, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR,

Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and/or Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The commenter raises concerns about the Project's potential traffic impacts on Norman Place. In response to this, and the roadway width of Norman Place, the commenter is directed to Response to Comment JULIEN 2-2, above. Please also refer to Topical Response No. 4, Emergency Access, as well as Section IV.J.1, *Fire Protection*, of the Draft EIR.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Comment P. KANTOROVICH 2

Not only is it an inconvenience, it is a safety hazard.

We had a brush fire behind our house several years back and MSM evacuated. I cannot imagine what would happen if we had a LARGE and uncontrollable fire and the traffic would come to a standstill as residents, Mount Saint Mary's University and Carondelet Center would evacuate at the same time.

How are firetrucks going to come up the narrow streets? I witnessed this issue in the last fire and it wasn't good.

Fires are a reality for us, as we live in a fire zone where we are forced to have additional fire insurance (very expensive and can only find several carriers that will insure us) and have to keep our landscape at a minimum.

Response to Comment P. KANTOROVICH 2

The comment expresses concern regarding emergency access on Norman Place, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Section IV.J.1, *Fire Protection*, pages IV.J.1-18 and IV.J.1-27 through IV.J.1-30 of the Draft EIR and Topical Response No. 4 regarding pre-emptive emergency access and evacuation procedures under the Project and Alternative 5. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment P. KANTOROVICH 3

In addition to the inconvenience of having to stop for oncoming traffic and the concern of egress should there be a fire, I cannot walk my dog in the neighborhood without having to stop to let cars pass. Only some portions of Norman Place and Bundy Drive have sidewalks, which forces the neighbors to walk and run in the street. Currently, it is not safe and would only be that much less safe should the neighborhood be burdened by additional traffic. When I am running with my dog, I have to slow speeding students down because of excessive speeding.

Response to Comment P. KANTOROVICH 3

The comment expresses concern regarding existing traffic on Norman Place, which is not within the scope of this EIR. Insofar as the comment remarks upon potential traffic impacts, please see Response to Comment P. KANTOROVICH 1.

Comment P. KANTOROVICH 3

The letter that has been sent out proposes a 38,000-square foot building on the Campus which would be used for commercial use. How can a large facility like this be built without having large construction and cement trucks coming up the narrow streets? How can the school located in a residential neighborhood have a large commercial structure that would bring in additional traffic which it cannot already support?

I understand that we live in a city with a growing population and schools have a desire to expand, but in this case the school is located in a neighborhood where the expansion is not reasonable and responsible.

Thank you,

Phil Kantorovich
1278 N Norman Place
Los Angeles, CA 90049

Response to Comment P. KANTOROVICH 5

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

As explained in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, neither the Project nor Alternative 5 propose commercial uses within the Wellness Pavilion.

With respect to statements regarding construction and operational traffic and allegations of the expansion of the Campus, please see Response to Comment P. KANTOROVICH 1.

Letter S. KANTOROVICH

Stefanie Kantorovich
1278 N Norman Place,
Los Angeles, CA 90049
adventuregirlquery@gmail.com
(June 13, 2018)

Comment S. KANTOROVICH 1

Hi Kathleen,

Please find attached my letter to be included in MSM's Draft EIR response.

Thank you,

Stef

Hi Kathleen,

In reference to the MSM Draft EIR **RE: Draft EIR ENV-2016-2319-EIR Project: Mount Saint Mary's University "Wellness Center"**

As a homeowner at the top of Chalon and Norman Place, I feel compelled to write this note to you.

We purchased our home in August 2002. Each year, we have witnessed an uptick in MSM traffic—students, staff, delivery vehicles, ubers/lyfts, support staff, specialty events and the massive amounts of vehicles that come with those events. I can go on and on.

Our tiny roads, simply cannot handle this. In fact, not only have neighbors lost their insurance due to us being in a red zone, with limited access to emergency vehicle access—see in the records Jaqueline Bacal letter from Liberty Mutual, but we also had a major sink hole in 2017, which meant a good portion of mid-Norman place had to be repaired and repaved.

Response to Comment S. KANTOROVICH 1

The comment expresses general concerns regarding existing traffic, existing MSMU operations, and emergency access, but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment S. KANTOROVICH 2

We have also seen a decrease in some of our wildlife, while school is operational, only to see them return when school is quiet and free of traffic and noise. Birds, mountain lion,

deer, coyote, and many other species are here in our canyon and are affected by noise from students, vehicles, and other MSMU operations.

Response to Comment S. KANTOROVICH 2

The comment expresses the commenter's opinion regarding the impact of MSMU's existing operations on wildlife. Potential impacts to animals were analyzed and disclosed in Section IV.C, *Biological Resources*, in the Draft EIR, including the effect of human occupancy on the area's natural habitat and wildlife. As discussed therein, the Project's impacts on native plants and animals would be less than significant. As discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5's impacts on native plants and animals would be either similar or less than those of the Project and therefore would also be less than significant.

Comment S. KANTOROVICH 3

I wanted to comment on Alternative # 3, and the fact that we are owners of part of the road considered old St. Chalon, which we have an easement to the Getty for their fire road. We call it, and always have called it the "Getty fire road". The information on the road in the Draft EIR notes that the road is 40 feet in width. I measured from our fence to the hill—and it's barely 20 feet in width. I found several inaccuracies about this part of the Draft EIR.

Response to Comment S. KANTOROVICH 3

The commenter expresses concerns regarding MSMU's potential use of private Chalon Road. No fire road traffic is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please also refer to Topical Response No. 5 regarding the Draft EIR's Alternative 3.

Comment S. KANTOROVICH 4

Getty has also had to put up seismic fence guards, because rocks slide off of the hill behind us. Every now and then, Getty must come and remove the rock build up, and so they have been the best neighbors protecting us and our property/easement.

We have yet (since purchasing our home from 2002 until currently) have ever once been asked by MSM to use our key to the fence at Norman and Chalon, nor have we seen them take care of the road, nor in fact have we ever seen anyone from MSM Campus access the gate and road in all these years. And, we would know, since we have the only other key and are in direct contact with Getty when the gate is ever opened, if at all.

Response to Comment S. KANTOROVICH 4

The commenter expresses an opinion regarding existing circumstances with regard to a private road. As mentioned in Response to Comment S. KANTOROVICH 4, no private road traffic other than private roads on the Project Site is contemplated in connection with either the Project or Alternative 5.

Comment S. KANTOROVICH 5

I also want to note, that the “St. Chalon”/fire road is also a wildlife corridor, we’ve seen deer using it—in fact just the other day we saw a mama and her twin babies walking on it, coyotes— howling at our own animals from the other side of the fence from this road, numerous birds including a hawk family, who lives in one of the trees on the hillside behind our house just upwards from the fire road.

Animals use the Getty Fire Road, and cross over to MSMU property to graze and hide among the many trees on Campus. In the summer, again when the school is quiet, it’s their sanctuary. Allowing MSM to utilize the Getty fire road would be detrimental to the lives of we owners who back it, as well as the animals who utilize it. Noise, air quality, congestion at an evacuation access point would be endangering all of us.

In our personal deed/documents, it says it is to be used as utility and for emergencies only, and so, it should remain so.

Response to Comment S. KANTOROVICH 5

The commenter expresses concerns regarding MSMU’s potential use of private Chalon Road. No fire road traffic is contemplated in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please also refer to Topical Response No. 5 regarding the Draft EIR’s Alternative 3.

To the extent that the commenter expresses a belief that the Project would affect the habitat of animals living in the vicinity of the Campus (aside from just impacts from the now abandoned Alternative 3), as stated above, potential impacts to animals were analyzed and disclosed in Section IV.C, *Biological Resources*, in the Draft EIR, including the effect of human occupancy on the area’s natural habitat and wildlife. As discussed therein, the Project’s impacts on native plants and animals would be less than significant. As discussed in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5’s impacts on native plants and animals would be either similar or less than those of the Project and therefore would also be less than significant.

To the extent that the commenter expresses concerns about Project noise (aside from just impacts from the now abandoned Alternative 3), Section IV.I of the Draft EIR, *Noise*, evaluates construction and operation noise impacts. As discussed therein, with the

implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

To the extent that the commenter expresses concerns about Project air quality impacts (aside from just impacts from the now abandoned Alternative 3), Section IV.B of the Draft EIR, *Air Quality*, evaluates the Project's air quality impacts. Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, evaluates Alternative 5's air quality impacts and explains that Alternative 5 would implement all of the Project's mitigation measures, including MM-AQ-1. As explained therein, neither the Project nor Alternative 5 would have significant air quality impacts.

With respect to emergency access, please see Topical Response No. 4.

Comment S. KANTOROVICH 6

After reading the Draft EIR, and seeing that most of the Project shows significant impacts and most is not mitigatable per MSM's own experts, I find that it's unconscionable for MSM to even consider expanding their Chalon Campus, as this would further upset the balance of this nature area, that has already been compromised by their previous expansions and student body increases.

Adding several hundred more students and staff to the top of our hills, (even knowing that they are putting us in danger by doing so by their own experts and who report most issues are UNMITIGATEABLE) places extreme negative impacts on our canyon, which would be irreversible.

The last fire in 2012 was close to the road on Norman and Chalon—within feet of our homes here. Thank goodness winds were on our side, or this whole canyon would have been decimated. Our local fire chief told my husband recently, that we are living in a tinderbox.

As it was during the 2012 fire, the evacuation of a 400 person MSM extracurricular/commercialized event and their vehicles, Carondolet Center and 100 year

old nuns evacuating, including some nuns heading against traffic to head back up to the Mount, we residents were stuck in our cars and could not egress from our own driveways to escape the flames.

The fire vehicles could not make it up Norman due to all of the gridlock, and we lost precious time as the fire grew in front of our eyes. AND WE COULD DO NOTHING except watch in horror.

We have been told over and over again by local fire experts, that we are in a year-round fire red zone, and that the brush around MSMU Campus needs to be cleared down to the dry stubs of foliage by professional clearance crews. We so far have witnessed, after their May 31 deadline, which MSMU did not meet, two gardeners using a gas cutter, cutting parts of the hillside on the MSMU grounds, and electric leaf blower blowing around dry debris across the roadway. There is no way, just two gardeners could ever hit the steepest places on the hillside effectively. They have left dangerous clippings behind on the grounds, which fire experts have warned is so incendiary, it would take moments for a fire to canvas through our canyon.

We are in severe trouble here should things remain the same with MSMU's lack of meeting LAFD deadlines, hiring inadequate brush clearance people and leaving incendiary cuttings behind.

Not only is MSMU putting its neighbors at risk, but also their students and staff. I wonder how many of them would live, visit, etc. here if they were told the truth about the dangers they are in?

Response to Comment S. KANTOROVICH 6

The commenter makes statements regarding the Draft EIR's evaluation of the Project's significant impacts. As explained in the Draft EIR, the Project's only significant and unavoidable environmental impacts are in construction noise, construction traffic, and operational traffic. As explained in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce all of the Project's operational traffic impacts to a level of less than significant, and would reduce, but not below the level of significance, the Project's construction noise impacts and construction traffic impacts.

As a point of clarification, the Project's EIR has been prepared by an independent consultant and the City of Los Angeles is the lead agency for the Project. The EIR has been prepared in compliance with CEQA and the CEQA Guidelines, which expressly allow the lead agency to "accept a draft prepared by a consultant retained by the applicant, or any other person."⁵² Moreover, in compliance with CEQA and the CEQA

⁵² CEQA Guidelines Section 15084(d)(3)

Guidelines, the Department of City Planning subjected the EIR to its own review and analysis, and the Draft published for public review reflects the independent judgement of the City.⁵³

The commenter asserts that MSMU intends to expand the Campus, and increase staff and enrollment. It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response No. 2, 6 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

With respect to emergency access and fire safety, please see Topical Response No. 4. As discussed in Topical Response No. 4, Draft EIR Section IV.J.1 (see pages IV.J.1-1 and 2, IV.J.1-4 and 65, IV.J.1-9, IV.J.1-18, IV.J.1-20, IV.J.1-20, IV.J.1-23 and 24, IV.J.1-31 through 34) discussed that the Campus is located within the LAFD-designated Very High Fire Hazard Severity Zone (VHFHSZ), which includes all of the City's hillside areas and the area of the Brentwood community north of Sunset Boulevard. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment S. KANTOROVICH 7

In fact, MSM's total disregard for not only neighbors in this high fire zone, in the Draft EIR, MSM plans to have a fully operational Campus, complete with valet service to stack cars during construction, putting us and their own students, faculty, staff and others on their Campus at risk. For what purpose? Greed?

I ask you, how in an emergency, would anyone be able to evacuate from valetted vehicles? Each owner would have hold of their own keys? What kind of thought process would go in to an evacuation with stacked cars, so a school can operate at 100% during construction (on top of the planned 100 plus construction personal working on Campus at the same time)?

Response to Comment S. KANTOROVICH 7

With respect to emergency access, please see Topical Response No. 4. As discussed in Topical Response No. 4, the Project would implement the LAFD's recommendations to

⁵³ CEQA Guidelines 15084(e)

“shelter in place,” which would reduce risk to neighbors and MSMU, and allow for improved LAFD access to the area. Because of shelter in place protocols, there would be no circumstance under which a valet service would perform an emergency evacuation. Please refer to Section J.1, *Fire Protection*, of the Draft EIR for additional discussion of fire safety.

Comment S. KANTOROVICH 8

Also, it has been noted to us by the Getty in meetings with them, that they are completely against this Project as a whole, as well as opening their road to the public—not just MSM construction traffic, but also post construction—a new access to the MSMU Campus via Sepulveda, which was discussed in earlier conversations with the Getty.

Response to Comment S. KANTOROVICH 8

With respect to Sepulveda Boulevard access outside of the Getty Road system, no such access is proposed in connection with the Project or Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration. Please also refer to Topical Response No. 5 regarding the Draft EIR’s Alternative 3.

Comment S. KANTOROVICH 9

We are already dealing with Sunset and Bundy/Barrington gridlock, and the safety issues this creates for us downhill, but imagine now, that traffic also gets diverted up North Barrington, North Bundy, and then onto tiny-tiny Norman Place to St. Chalon Fire Road to cut down to Sepulveda and into the San Fernando Valley and then vice versa—allowing bypassing a huge chunk of commuting on roads that Councilman Bonin calls, “The biggest chokepoint” in LA— basically Sunset Boulevard at the 405 and into Brentwood.

Perhaps, this is “Alternative 3” is a red herring to look as if MSMU is trying to come up with a mitigating factor to appease the City and its process, but it creates safety-issues on so many levels, I’m not sure how this is even a consideration?

Response to Comment S. KANTOROVICH 9

The commenter refers to the intersections of Barrington Avenue and Sunset Boulevard and Bundy Drive and Sunset Boulevard. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project’s significant operational traffic impacts at these intersections to a level of less than significant, along with all of the Project’s other operational traffic impacts.

With respect to Alternative 3, please see Topical Response No. 5.

Comment S. KANTOROVICH 10

Again, per their own Draft EIR, this Project is an UNMITAGBLE situation for any expansion as noted by MSM's own people/experts.

On that same note, how can their Draft EIR to City Planning Department be unbiased, when MSM, themselves is paying for it? Wouldn't that be considered a conflict of interest, since their own interests are put first above the safety of their own student body, staff and faculty along with neighbors?

Response to Comment S. KANTOROVICH 10

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

With respect to the Project and Alternative 5's significant and unavoidable environmental impacts, see Response to S. KANTOROVICH 7.

In regards to the preparation of the EIR, the commenter is directed to Response to Comment KANTOROVICH 6.

Comment S. KANTOROVICH 11

MSM has no business moving forward and expanding their Campus. If anything, they should be considerate neighbors, that they claim to be, but are not, and abort the Project all together and look for another place to hold their planned 50+ commercialized activities annually on top of additional proposed programming on Campus, (which would bring even more commuters onto our tiny inadequate roads).

Response to Comment S. KANTOROVICH 11

Please refer to Chapter II, *Project Description*, of the Draft EIR, Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Topical Responses No. 1 and No. 2, all of which explain the scope of operations contemplated for the Project and Alternative 5. As explained therein, no commercial events are contemplated by either the Project or Alternative 5.

With respect to the commenter's allegations regarding the expansion of the Campus, see Response to Comment S. KANTOROVICH 6.

Comment S. KANTOROVICH 12

The Draft EIR states that we have police for protection for certain issues contained within the Draft EIR.

We have ONE patrol car.

Often times, it takes more than an hour for police to respond, and by then any issues are either exasperated or done. Many times, we have had to call the police due to students playing pranks in the middle of the night, accidents caused by MSM students, or an animal killed because of MSM students.

Another inadequacy in the current Draft EIR.

Response to Comment S. KANTOROVICH 12

Section IV.J.2, *Police Protection*, of the Draft EIR discusses LAPD facilities, MSMU's safety patrol program and other programs currently implemented to reduce demand on LAPD services. As discussed in Section IV.J.2 and provided in the letter from the LAPD contained in Appendix H of the Draft EIR, the Project Site is within the jurisdiction of the West Los Angeles Police Station. This station has approximately 260 sworn personnel and 28 civilian staff and an average response time to emergency calls of five minutes. Alternative 5's impacts on police protection are discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

Regarding adequacy of police services to the community, in *City of Hayward v. Board of Trustees of California State University* (2015) 242 Cal.App.4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including police protection services, and that it is reasonable to conclude that the city will comply with that provision to ensure that public safety services are provided. In addition, MSMU supplements police services with a 24-hour/seven-day Campus security program to ensure the safety of its students, faculty, staff, and visitors and, as such, would not have an undue demand for police services that would adversely affect the surrounding area. The security patrol program includes a full-time Watch Commander and Patrol Officer, who are charged with managing the continuous 24-hour security protection. As such, neither the Project nor Alternative 5 is anticipated to affect the quality of police services to the surrounding community.

Allegations of prior incidents involving MSMU students are outside the scope of this EIR.

Comment S. KANTOROVICH 13

This isn't just a "38,000 Wellness Pavilion". This is another way to commercialize their property to other entities with year-round programming—not necessarily just for MSMU students.

What was once promised to Bundy Canyon neighbors by MSM, was no night or weekend classes, and other activities such as graduation were moved to MSM's Doheny Campus.

Per the MSM Draft EIR, this seems now to be back. It is just another broken promise to neighbors and our neighborhood, which certainly as much as MSM says they are, MSM is not being a good neighbor.

Response to Comment S. KANTOROVICH 13

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

A complete discussion of proposed operations under the Project and Alternative 5 can be found in Chapter II, *Project Description*, of the Draft EIR, Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5, and in Topical Response No. 1.

Comment S. KANTOROVICH 14

There is also no public transportation to support this school's further endeavors, as we are in a zone, too far from Sunset to have this be part of the Draft EIR references and mitigation measures.

It's an inane commentary that does not work for this area. Even with public transportation around the city, MSMU still needs to bus up students, faculty and staff through the canyon made up of tiny, narrow, steep and windy streets nearly 2 miles to get to Campus, creating congestion from their massive transportation trucks, creating at times, a standstill in traffic on these tiny narrow streets.

And, because it is so far from public transportation, there has been an uptick, both to and from Campus, of students, faculty and staff utilizing car sharing services like Uber/Lyft, which adds to additional trips on our streets. I don't believe this was addressed properly in the Draft EIR. How many trips via ride sharing services to and from Campus are there?

Response to Comment S. KANTOROVICH 14

The commenter is correct that, as noted in the Draft EIR's Chapter II, *Project Description*, the Campus is not currently served by public transportation. However, as detailed in Chapter II of the Draft EIR, MSMU currently provides several shuttle services, including an Inter-Campus Shuttle, Union Station Shuttle, Metro Expo Line Bundy Station Shuttle, Chalon Stop-Trans Shuttle, Mount Local Shuttle, and Club Sports Team Shuttle, several of which connect to locations served by public transportation.

At the time the Draft EIR was prepared, the Los Angeles Congestion Management Plan (CMP) guidelines required EIRs to include an evaluation of public transit impacts according to CMP procedures (see pages IV.K.2 and IV.K-32 of the Draft EIR). As such, Section IV.K discusses existing public transportation in the area, as well as public and private transportation available to or provided for MSMU students. The Draft EIR's evaluation of the Project's impact with respect to public transit is based on CMP procedures and indicated that new public transit ridership generated by the Project would be minimal (14 riders per event) and would not adversely impact the residual capacity of

the area's transit lines (see page IV.K-88 of the Draft EIR). It should be noted that subsequent to the preparation of the Draft EIR, on July 30, 2019, the Los Angeles City Council adopted a resolution opting out of the CMP program, and CMP analysis is no longer included in City of Los Angeles environmental documents.

The commenter expresses a concern that the Draft EIR did not properly account for existing trips generated by transportation network companies (TNCs) such as Uber and Lyft. It should be noted that traffic from existing operations on the Campus is outside the scope of the EIR, other than the extent to which existing traffic generated by the Campus is part of the existing traffic conditions that serve as the baselines of the Draft EIR's traffic impact analysis. The Draft EIR took all existing traffic into consideration in the formulation of the existing baseline conditions (2016) and future baseline conditions (2020). The Draft EIR's baselines are based upon empirical data gathered at study area intersections, as well as projected growth, and therefore took into account TNC trips. With respect to TNC trips generated by the Wellness Pavilion, it should be noted that Alternative 5 incorporates PDF-TRAF-10, which requires a ticketing and reservation system that accounts for TNC trips and brings all trips generated by TNCs under the daily trip caps applicable to both school year and summer Wellness Pavilion events.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Comment S. KANTOROVICH 15

As far as MSMU allowing neighbors to use its facilities, and proposed wellness center, I simply do not believe this to be a true option should this "wellness pavilion" become

operational, especially with all of the student events and 50+ planned commercialized events per their Draft EIR.

Over the years, there have been many times neighbors have been turned away from using MSM's current Chalon facilities, due to various reasons at MSM's discretion.

Response to Comment S. KANTOROVICH 15

Any current arrangement allowing the use of existing MSMU facilities by members of the community is outside of the scope of the EIR.

Comment S. KANTOROVICH 16

On a side note: We have also, with this proposed expansion, considered selling our home and moving. We were told by several real estate agents, that we will need to disclose this behemoth MSM Project, and that this could not only hinder the sale of our home, but also affect our entire neighborhood's value. As you can imagine, not one of us want to see our neighborhood's values decline.

This Project should be abandoned at the current proposed Chalon location, rethought and brought over to the MSMU Doheny/Downtown Campus, where students and all can actually utilize it, and be able to access it through public transportation, instead of disrupting an entire delicate canyon hanging in the balance, where it does not belong.

Thank you,

Stefanie Kantorovich
1278 N. Norman Place
LA. Ca. 90049

Response to Comment S. KANTOROVICH 16

This comment expresses opposition to the Project based on perceived economic effects, but does not raise any issues with respect to the adequacy or content of the Draft EIR. The commenter's suggestion that the Project be considered at the Doheny Campus is outside the scope of the EIR.

Letter KEZAR

Adrianna Kezar
1262 North Norman Place
kezar@rossier.usc.edu
(May 5, 2018)

Comment KEZAR 1

Dear Ms. King,

I live at 1262 North Norman Place and want to raise some concerns and objections to Mount St. Mary's plans for both traffic in the neighborhood but particularly its Alternative to use the private St Chalon Access Road.

St. Chalon Access Road

I object to Mount St Mary's proposed use of Private Chalon, which runs behind my house. The road is not built for access of large trucks. It is a small and not fully developed access road passable for small emergency cars (currently Getty security). Using this road would be unsafe. Trucks would likely dislodge boulders that would come down the hillside hitting houses. Our houses are all located below the road, on a steep hillside. The hillsides are not stable and large trucks driving back and forth on them will cause significant damage that do not account for in their plans.

The road is very close to homes not just backyards and there is no way that the trucks will not cause substantial disruption to homeowners and likely damage to homes. So I object not just based on the sound and closeness of trucks to my home but the likely damage to occur from trucks running on this road which is unfinished and not fit for large scale trucks. In short, the road is narrow and not stable enough for large trucks. Erosion is already occurring without the presence of large trucks.

Furthermore, the main purpose of this road is for emergency. This Canyon has experienced one of the worst historic Los Angeles fires and was the sight of a recent potential fire. Using this road, which now serves as a main fire road, for the purposes of construction might leave firefighters without the main avenue to reach burning homes.

Chalon road should not even be considered an alternative for construction traffic and should be pulled as an option from documents and consideration. This is an unsuitable option.

Response to Comment KEZAR 1

The commenter objects to the use of the private section of Chalon Road. Neither the private section of Chalon Road nor any fire road or private road (other than the use of private roads on the Campus), is contemplated in connection with the Project or

Alternative 5. The fire road was only considered as an alternative for Project construction traffic; however, that alternative has been deemed infeasible and is no longer under consideration.

Comment KEZAR 2

Norman Place

While Norman Place is a paved road that can handle trucks (opposed to Chalon Road), it is extremely narrow and at one location half way up is only 18 feet for a significant portion of the road. 18 feet is not suitable for high volumes of trucks. Norman Place is far narrower than Bundy, and Norman Place is difficult enough to traverse without the added traffic posed by Mount St. Mary's expansion. The environment is already borderline unsafe due to the high volume of traffic, lack of sidewalks in many places and narrow street size. There are many families with young children in this neighborhood. Additional traffic will be dangerous and lead to unsafe conditions. Currently, Norman Place is beyond capacity with the current level of traffic from Mount St Mary's vans, service trucks and students, and local construction of homes. It is dangerous already to walk in front of our homes and in our neighborhood with no sidewalks or narrow sidewalks and the existing traffic levels. If this plan is approved, large trucks from Mt. St. Mary's will create dangerous conditions and safety hazards to residents and prevent escape in case of fire or other emergency. Norman Place is not a safe route for the trucks.

The most logic approach is for trucks to come up and down Bundy which is the largest street in the area. Houses on Bundy are set back from the road for the most part as well. On Norman Place, all homes are butted onto the road so the trucks provide additional disruption. So in addition to significant safety concerns, the imposition on the neighborhood and its residents is much worse on Norman place due to the positioning of homes.

Best,
Adrianna Kezar and Paul Viskovich
1262 N Norman Pl.
Los Angeles, CA 90049
kezar@usc.edu

Response to Comment KEZAR 2

With respect to the commenter's allegations and objections regarding Norman Place, please see Response to Comment JULIEN-1 4.

On the issue of routing all construction traffic onto Bundy instead of Norman Place, and traffic generally, MSMU has sought to provide a balance between Bundy and Norman, consistent with prior arrangements with the Brentwood Homeowners Association. Please also refer to Topical Response No. 3 regarding the Project and Alternative 5's

construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

Letter KIM

Mun Kim
Munkim613@gmail.com
(June 13, 2018)

Comment KIM 1

I live at the corner of Sunset and Barrington and am writing in support of Mount Saint Mary's Wellness Pavilion Project. I am very troubled by some of the very alarmist "political campaign" style tactics being used by a few neighbors, and this caused me to look into the Project for myself to see what was going on. Ultimately, I don't see how building a gym for the existing students will lead to traffic nightmares. To me, this is fundamentally about fairness and the sort of facility I would want my son to have as a college student, and which all of the area's private high schools already have. Mount Saint Mary's University should be able to build a gym for their student body. I was surprised to read about the existing facilities and don't think it's too much to ask for the right to build a facility that mirrors those of other educational institutions in the area.

Response to Comment KIM 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment KIM 2

Having grown up in a significantly less affluent part of town, I consider myself very fortunate to be able to live in Brentwood today. I am aware of Mount Saint Mary's student body, which is largely minority and which comes from underserved parts of the City. I am discouraged when I see some of my neighbors attempting to deprive these students of the ability to incorporate physical fitness and healthy living into their lifestyles, especially given what we know about the rates of obesity and diabetes in certain segments of our society. Mount Saint Mary's, to my knowledge, has been a good neighbor to this community and we should reciprocate in kind. I hope you approve this Project.

Response to Comment KIM 2

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR.

Letter KLEIN

Raymond Klein
Brentwood Homeowners Association
(April 19, 2018)

Comment KLEIN-1

Dear Ms. King,

What is the status of this matter?

Was there a hearing? If not, will there be a hearing?

If there was a hearing, is there a written decision?

How do we find out the exact location of the 17 acres?

How can land be added as a deemed to be approved conditional use under 12.24(L) when it was not LAWFULLY used for the purpose of a school since it was zoned R?

Thank you, 'Raymond Klein, President

Brentwood Homeowners Association

Response to Comment KLEIN 1

A Final EIR (this document), which incorporates all comments received on the Draft EIR as well as corrections and additions to the Draft EIR, must be prepared prior to the scheduling of a public hearing and the City decisionmaker's consideration of the Project's proposed discretionary actions. The discretionary actions described in Chapter II of the Draft EIR and in Topical Response No. 1 include Plan Approval, Building Height Modification, and Zoning Administrator's approval of additional grading and retaining wall heights. No hearing date is currently scheduled and no decisions on the Project have been made by the City.

The Project Site is a 3.8-acre section within a currently developed portion of the Campus. The entire Campus comprises a total of approximately 45 acres. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

Please see Topical Response No. 2 regarding the scope of the Project and Topical Response No. 6 for further discussion on this topic of MSMU's entitlement history.

Letter KOSLOW

Ronald Koslow
1014 N. Bundy Dr,
Los Angeles 90049
(April 23, 2018)

Comment KOSLOW 1

Dear Ms. King -

I have been a resident in Bundy Canyon for the past 28 years. I'm writing you to express my deep concern over the proposed Mount Saint Mary's expansion. Traffic on this street and especially where it congests at Sunset Blvd. has grown intolerable and dangerous. As it is today, with parking on both sides of the street, Bundy has become for long stretches, a one lane street. In the event of fire or emergency, a rapid evacuation could be a tragedy waiting to happen.

Please help us prevent this Negative Impact to the enjoyment and safety of our neighborhood.

Sincerely,

Ron Koslow
1014 N. Bundy Dr.
L.A. 90049

Response to Comment KOSLOW 1

The comment expresses the commenter's opinion regarding their perception of existing traffic conditions but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The comment expresses general concern regarding existing traffic conditions. Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the

implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at these same three street segments. Alternative 5 would also reduce the overall construction period as compared to the Project, reducing the period in which significant and unavoidable construction traffic impacts occur.

With respect to emergency services and fires, specifically, please see Topical Response No. 4. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 will serve the existing student body, and neither the Project nor Alternative 5 will expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Letter KURTZMAN

Wendy Kurtzman
smcproductions@roadrunner.com
(July 25, 2018)

Comment KURTZMAN 1

Kathleen,

This letter is intended to move you. I am writing not as a strident dissenter of “expansion and growth” but as a mother, neighbor and long time Brentwood resident.

I moved to 1277 North Norman Place in 2011. Prior to that I had lived in a neighborhood that was peaceful with relatively no traffic concerns.

That’s how Norman was as well...just 7 years ago.

Today, North Norman Place and the access to it is drastically different.

Thanks to Waze, Sunset congestion, 3 schools and too many trucks and construction vehicles, It now takes me 20-30 minutes on Barrington to just reach Sunset.

My street is lined with storage and waste bins and cars on both sides.

What used to be a quiet canyon is like the 405 freeway. Students in their cars going to school, MSM buses, trucks supplying MSM, trash trucks that take up the whole street etc...

Wildlife used to be on my front lawn. No more. I used to wake up to birds, now it’s traffic.

There is not a day that goes by where I don’t have to pull aside and wait for traffic heading north to pass on my street so I can head south downhill.

Norman was not designed for commercial access. It’s a narrow canyon street. All of us in the canyon have watched this change with dismay.

Now, the University wants to expand its footprint, increase more vehicles and create a construction project without doing any remediation as to how it will affect the neighborhood and the already arduous access to our homes.

I do not summarily object to the expansion per se, but I do object to the roads being used even more heavily, the campus becoming increasingly more populated plus the addition of rental events and commercialization of the property.

MSM needs to take a hard look at a permanent solution to the access to this Campus. Access off the freeway, through Mountaingate or fire road are the discussions I would like to have.

If you can put yourself in my shoes and understand how exhausting it is to fight my way home and fight my way out every day, maybe you will be moved to help us find a reasonable solution to this problem?

Thank you,

Wendy Kurtzman

Response to Comment KURTZMAN 1

The comment does not address the content or adequacy of the Draft EIR but is included here for the record and the consideration of Project decision-makers. The comment also addresses existing conditions that were disclosed and evaluated in the Draft EIR. The comment does not relate to Project impacts but is concerned with existing conditions that are not within the scope of the Draft EIR analysis.

With respect to the commenter's statement that the Project would expand the Campus "footprint," it should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

With respect to the commenter's statement regarding the "commercialization" of the Campus, MSMU's current and proposed activities are consistent with the operation of an educational institution and are in conformance with the State's Educational Code, and do not represent a commercialization of the Campus. The primary purpose of the Project is to provide on-campus wellness and physical education opportunities to students.

Letter LAZAR-1

Alex Lazar, MD
alexlazar@hotmail.com
(April 16, 2018)

Comment

LAZAR 1-1

I am very concerned about being able to get home and go to work in the near future, it is already very hard to make a left turn on Bundy or Barrington when coming south in afternoons, if Mount St. Mary college starts construction it's going to become impossible, with all the construction trucks and traffic that will involve.

Alex Lazar MD

Response to Comment LAZAR 1-1

The commenter expresses concern regarding the Project's construction traffic impacts. The comment does not raise any issues regarding the content and adequacy of the Draft EIR.

Project traffic impacts are evaluated in Section IV.K, *Transportation and Traffic*, of the Draft EIR. Please also see Topical Response No. 3 regarding existing and projected future traffic conditions.

Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, under Alternative 5, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the Traffic Impact Study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter LAZAR-2

Alex Lazar
alexlazar@hotmail.com
(May 22, 2018)

LAZAR 2-1

Dear Kathleen I am very concerned about the ramifications that the construction will have for our neighborhood, many of my neighbors are also concerned, what can be done about this?

Response to Comment Lazar-2 1

The comment expresses concern regarding the Project's construction impacts. The comment does not raise any issues regarding the content and adequacy of the Draft EIR.

It should be noted that the Draft EIR's analysis of construction traffic impacts for intersection LOS and neighborhood street segments was included as a conservative approach, as LADOT has not adopted any thresholds regarding construction traffic impacts for intersection LOS or neighborhood street segments. The Project's construction traffic and noise impacts are fully discussed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed therein, the intersections of Sunset Boulevard with Bundy Drive, Sunset Boulevard, and Barrington Avenue currently operate at poor (LOS E) or failure (LOS F) during the PM peak hours. During construction, implementation of MM-TRAF-1 under Existing and Future plus Project conditions would reduce the Project's construction traffic impacts at these intersections to less than significant levels. However, construction traffic impacts at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would remain significant and unavoidable. With respect to construction noise, the Draft EIR disclosed that significant and unavoidable construction noise impacts would occur only during the concrete pour phase, which would occur along Chalon Road for a total of approximately 75 days under the Project, and a total collective of approximately 60 to 67 days under Alternative 5. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction noise impacts but not to a level of less than significant, and would reduce the Project's construction traffic impacts, but these would remain significant and unavoidable at the three noted street segments.

Construction air quality and noise/vibration impacts are evaluated in Draft EIR Sections IV.B, Air Quality, and IV.I, Noise. As discussed therein, construction air quality impacts would be reduced to less than significant levels through the incorporation of mitigation measure MM-AQ-1, which requires that mobile off-road construction equipment (wheeled and tracked) used during construction of the Project must meet or exceed the USEPA Tier 4 standards. Construction noise impacts would be reduced though the

implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2. MM-NOISE-1 requires that all on-site power construction equipment (including combustion engines), fixed or mobile, shall be equipped with noise shielding and muffling devices achieving a 10 dBA noise level reduction from standard equipment noise emissions.

Under MM-NOISE-2, applicable to both the Project and Alternative 5, off-Campus construction truck traffic, which applies to all on-road heavy-duty construction vehicles used during the demolition, concrete pouring, and asphalt paving phases of construction shall be equipped with properly operating and maintained noise mufflers that achieve a minimum 10 dBA noise level reduction, based on the manufacturer's specifications for noise reduction performance. However, as concluded in the Draft EIR, off-site construction noise impacts would be significant and unavoidable during the concrete pouring phase of construction along Chalon Road. Continuous trips by concrete trucks will be required during the concrete pouring phase and, due to the number of concrete trucks accessing the site within any given hour, installation of noise dampening mufflers would not sufficiently reduce noise impacts to less than significant levels. Limiting the number of trips would reduce noise levels, but would interrupt concrete pouring activities and put the structural integrity of the proposed building at risk. Therefore, as concluded in the Draft EIR, off-site construction truck trips associated with concrete pouring would result in the exposure of persons (including the surrounding sensitive receptors) to noise levels in excess of standards established by the Threshold Guide and/or the City's Noise Regulations.

Letter LEIWEKE

Bernadette Leiweke

bleiweke@gmail.com

June 11, 2018

Comment LEIWEKE 1

Mt. St. Mary's University's proposed expansion and enrollment increase at the Campus at the top of Bundy will have adverse effects on Brentwood's residential neighborhoods and may very well negatively change the neighborhood forever if approved. The impacts on our current traffic, the air quality, noise, and particularly the safety of the neighborhood are just a few of the many reasons we stand in strong opposition. The Project should be denied.

Response to Comment LEIWEKE 1

The comment makes a general statement regarding impacts to traffic, air quality, noise and safety, but does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses No. 2 and 7 regarding the scope of the Project and the effects of the Project on student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site. Also, please note that Alternative 5 discussed under Topical Responses No. 1 and 3, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the duration of construction activity from 22 to 20 months, as well as the frequency of Other Wellness/Sports Activities from 48 times per year to 12 times per year (a 75 percent reduction). PDF-TRAF-9 though PDF-TRAF-18 under Alternative 5 would further impose strict limitations on visitor vehicle trips and, thus, reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels.

As further evaluated in Chapter 3, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5, as with the Project, would result in less than significant operational noise and air quality impacts, including noise from vehicles in surrounding neighborhoods

during operation. Please see Response to comment LAZAR-2 1, above, regarding construction air quality and noise impacts.

Comment LEIWEKE 2

The current majority of traffic to Mt. St. Mary's is on Sunset Blvd. and Bundy Drive to Norman Place onto Chalon Road through two miles of narrow, winding residential streets, many with no sidewalks and parking on both sides. Students and the hundreds that travel daily to Mt. St. Mary's are often also using the narrow, winding roads that barely tolerate two vehicles at slow speeds. In the twenty years we have lived here, we have seen our elderly neighbors and children almost run down with speeding cars, buses and the massive trucks supporting from Mt. St. Mary's. The numbers have increased exponentially. We also see a constant stream of Uber and Lyft drivers also making their way through the neighborhood.

Our property has been damaged numerous times by students taking turns to fast on Benmore Terrace and running into our gate. In addition, daily you hear horns honking as drivers speeding up the very narrow Benmore Terrace almost collide. Our complaints to Mt. St. Mary's have been ignored.

Response to Comment LEIWEKE 2

This comment summarizes roadways that are used by vehicles to access the Campus and the characteristics of the surrounding roadways, including roadway width and lack of sidewalks. Additionally, the commenter notes that their property has been damaged by students driving to the Campus and that MSMU has failed to respond to their complaints. The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA.

Existing traffic conditions, existing plus Project conditions, and future plus Project conditions are discussed in Section IV.K, Transportation and Traffic, of the Draft EIR and further described in Topical Response No. 3, above. As shown in the comparison between School Year and Summer traffic (when school is not in session), vehicles associated with MSMU do not comprise the bulk of traffic on local streets (see Tables IV.K-11 and IV.K-12 of the Draft EIR). The Project would also not increase enrollment or student traffic. Please refer to Topical Response No. 2, Scope of the Project, Topical Response No. 6, University Entitlement History and Enrollment Cap, and Topical Response No. 7, Project Impact on Student Enrollment, on this point.

Comment LEIWEKE 3

The proposed 38,000 square foot MSMU expansion would compromise Brentwood residents safety in terms of increasing the risk of accidents involving faculty, staff, students that live on Campus, and commuter students. Expansion of the Campus would also aggravate the existing fire risk in this Very High Fire Hazard Severity Zone.

Response to Comment LEIWEKE 3

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here for the consideration of Project decision-makers.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses No. 2, 6 and 7 regarding the scope of the Project and the effects of the Project on student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site.

The commenter raises concerns that the Project would increase the risk of traffic accidents. The applicable CEQA criterion for road safety, included in the current Appendix G of the CEQA Guidelines, was analyzed in the Initial Study prepared for the Draft EIR, which assessed the Project's potential to "[s]ubstantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?" and found that the Project would cause no environmental impacts within this category. (Initial Study, p. B-34) With the implementation of PDF-TRAF-18 under Alternative 5, total daily vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions). Because of the one percent reduction in existing traffic conditions, Alternative 5 could improve road safety compared to current conditions.

Section J.1, *Fire Protection*, of the Draft EIR and Topical Response No. 4, above, describes the area's VHFHSZ designation and measures to ensure that fire risk would not be aggravated. As discussed in Section J.1, the Project would implement Fire Code requirements pertaining to its use and this location, including brush clearance, sprinklers, and other Building Code features to reduce the rate and spread of fire. In addition, as discussed in Topical Response No. 4, the Project would implement the LAFD's recommendations to "shelter in place," which would reduce risk to neighbors and MSMU, and allow for improved LAFD access to the area. Please refer to Topical Response No. 4 and Section J.1, *Fire Protection*, of the Draft EIR for additional discussion of fire safety. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment LEIWEKE 4

The proposed “Wellness Pavilion” would replace existing 1,030 square foot building, pool area, and two tennis courts with a two-story, approximately 38,000 square foot multi-use building with an outdoor pool area and new parking deck. The so-called Wellness Pavilion would include a gymnasium, multipurpose meeting rooms, exercise rooms, dance studios, and office space. Proposed new events would include new external Summer Sports Camps, a Health and Wellness Speaker Series, and other activities and events. (EIR, p. II-17.) The problems we face daily would be extended into the evenings, nights and weekends.

Response to Comment LEIWEKE 4

The comment summarizes the Project that was analyzed in the Draft EIR and notes that the issues currently facing the community would extend into the evening hours and weekends, but does not state what the issues are. The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

Comment LEIWEKE 5

While MSMU may be 3/10 of a mile off the I-405 freeway there is no direct access to that freeway so heavy-duty construction vehicles will travel back and forth on quiet residential streets. At any given time after 2:30 in the afternoon, the cars are so backed up on these residential streets that it is frequently an hour to go 7/10 of a mile.

Response to Comment LEIWEKE 5

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

The comment states the distance between the Campus and the I-405 Freeway and correctly notes that there is no direct access to the freeway from the Campus. Section IV.K, *Transportation and Traffic*, of the Draft EIR discusses Project traffic impacts and measures to reduce and avoid those impacts. Alternative 5, discussed under Topical Responses No. 1 and 3, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the duration of construction activity from 22 to 20 months, as well as the frequency of Other Wellness/Sports Activities from 48 times per year to 12 times per year (a 75 percent reduction), as compared to the Project. As discussed under Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the frequency of Other Wellness/Sports Activities, as compared to the Project, and through strict limitations on visitor vehicle trips under PDF TRAF-9 through PDF-TRAF-18, would

reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels.

Comment LEIWEKE 6

Mt. St. Mary's seeks to enroll 2,244 students. (EIR, p. II-12.) This would be an intensification of use far beyond the 1072 students allowed under the current permit that was approved in 1984 permit. More students and staff mean more traffic including student drivers and polluting, noisy school busses and all of the suppliers that frequently deliver to Mt. St. Mary's.

Response to Comment LEIWEKE 6

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of the Project and the effects of the Project on student enrollment.

Comment LEIWEKE 7

Higher enrollment means more traffic and danger to the community located at the top of the hillside in a Very High Fire Hazard Severity Zone. Numerous wildfires have required the MSMU Campus in recent years including a brushfire on July 9, 2009, September 14, 2012, and December 6, 2017. Cars evacuating from the MSMU Campus can trap residents in their own driveways and create gridlock on the narrow windy roadways of Norman Place and Bundy Drive.

Response to Comment LEIWEKE 7

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses No. 2, 6, and 7 regarding the scope of the Project and the effects of the Project on student enrollment. Please also refer to Topical Response No. 4, above, regarding emergency access and evacuation. As discussed, therein, per LAFD recommendation, MSMU would "shelter in place" in the event of an emergency and would not create additional traffic on the area's roadways during an emergency event or fire.

Alternative 5 discussed under Topical Responses No. 1 and 3, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the duration of construction activity from 22 to 20 months, as well as the frequency of Other Wellness/Sports Activities from 48 times per year to 12 times per year (a 75 percent reduction). PDF-TRAF-9 through PDF-TRAF-18 under Alternative 5 would further impose strict limitations on visitor vehicle trips and, thus, reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the Traffic Impact Study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic.

Comment LEIWEKE 8

Severe traffic impacts from expansion must be avoided. Over the years, there have been numerous complaints about the traffic and public safety impacts created by MSMU. There has been a huge increase of student body, MSMU transport vehicles, constant and ongoing traffic on the narrow and winding roadways, and MSMU has done little to address these problem.

Response to Comment LEIWEKE 8

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

The commenter refers to past complaints about public safety and the Campus. The applicable CEQA criterion for road safety, included in the current Appendix G of the CEQA Guidelines, was analyzed in the Initial Study prepared for the Draft EIR, which assessed the Project's potential to "[s]ubstantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?" and found that the Project would cause no environmental impacts within this category (Initial Study, p. B-34). With the implementation of PDF-TRAF-18 under Alternative 5, total daily vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions). Because of the one percent reduction in existing traffic conditions, Alternative 5 could improve road safety compared to current conditions.

Existing traffic conditions are discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and further described in Topical Response No. 3, above. As shown in the comparison between School Year and Summer traffic (when school is not in session), trips associated with MSMU do not comprise the majority of traffic on local streets (see Tables IV.K-11 and IV.K-12). Furthermore, Alternative 5, described in Topical Responses

1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the Traffic Impact Study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction).

Finally, as discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of the Project and the effects of the Project on student enrollment.

Comment LEIWEKE 9

Severe noise and vibration impacts from construction and operational activities can be avoided.

The Environmental Impact Report states that noise impacts during the construction concrete pouring phase will be significant and exceed City noise regulations. (EIR, p. IV.I-59.) There are many other projects that are pending with the City or that will put construction truck traffic on Sunset Boulevard or the local residential streets even without the Mt. St. Mary's construction proposal. (EIR, p. IV.K-85 and III-5 to -8.) The Environmental Impact Report states if these Project activities overlap, human annoyance from vibratory impacts would be significant. (EIR, p. IV.I-54.) Instead, the proposed Project should be disapproved. Mt. St. Mary's should be held accountable for the current situation and absolutely prohibited from any further expansion.

Thank you for your attention to this matter,

Bernadette Leiweke

Response to Comment LEIWEKE 9

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

Section IV.I, *Noise*, of the Draft EIR (page IV.I-33) states that off-site construction traffic associated with the Project's concrete trucks would result in exposure of persons along Chalon Road to noise levels in excess of standards established by the Thresholds Guide and/or the City's Noise Regulations during the concrete pouring phase. With mitigation

(noise mufflers), concrete truck noise would not adversely impact other study areas. The concrete pour phase would be intermittent and temporary, and anticipated to occur for a total of approximately 75 days, with a period of 12 days of highest truck traffic in which noise levels at Chalon Road would exceed City threshold standards. As explained on page IV.I-34 of the Draft EIR, no feasible mitigation measures exist to reduce the Project's noise impacts along Chalon Road during the concrete pouring phase to a level of less than significant. Page IV.I-59 describes cumulative truck noise in conjunction with other related projects. However, the nearest related projects are the Archer and Brentwood School projects, with which overlapping hauling activities would be most likely to occur. This potential effect is further addressed under PDF-TRAF-3 (or modified PDF-TRAF-1 in Alternative 5), which requires MSMU to attend bi-monthly (or at a frequency determined appropriate by City Staff) construction management meetings conducted by City Staff and the operators or contractors for the other schools to coordinate the periods of heaviest construction activity in order to avoid overlapping hauling activities. Coordination shall ensure that construction activities associated with these concurrent related projects and hauling activities are managed in collaboration with one another. Under this PDF, MSMU shall provide advance notification to LADOT, the Archer School for Girls, and the Brentwood School of its upcoming construction activities, including durations and daily hours of construction. As further explained in Section IV.I, *Noise*, (page IV.I-51) the Project's vibration impacts would be less than significant.

As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's concrete pour phase from approximately 75 days to approximately 60 to 67 days, and would reduce the Project's construction noise impacts but not to a level of less than significant, and would reduce the Project's vibration impacts, which would remain less than significant.

Letter LEVIN

Bonnie Levin
12227 Octagon St.
Los Angeles, CA 90049
blevin8252@aol.com
(June 5, 2018)

Comment LEVIN 1

Dear Ms. King,

We are writing about the proposed expansion of Mt. St. Mary's College off Bundy Canyon. We have lived in our home on Octagon St, a cul-de-sac off N. Bundy Canyon, for 47 years. We have gone from "quiet enjoyment" in our neighborhood to utter chaos. Except for a couple of hours around lunchtime, it seems that we cannot get in or out of our home to drive to nearby places, without encountering tremendous traffic which delays our travel time by, at times, 200%. The speeding cars coming down Bundy Canyon from the students have created a dangerous problem.

We have read the letter submitted to you by Joseph Ebin and agree with all of his points. Please do not allow this new construction. Our neighborhood is really at a breaking point.

Respectfully,
Robert and Bonnie Levin
12227 Octagon St.
Los Angeles, CA 90049

Response to Comment LEVIN 1

The comment expresses an objection to the Project but does not raise any issues regarding the content and adequacy of the Draft EIR. The comment is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

Project traffic is evaluated in Section IV.K, *Transportation and Traffic*, of the Draft EIR, and discussed in detail in Topical Response No. 3. As discussed, therein, traffic would only increase during the activities listed in Table II-4 of the Draft EIR Project Description and would not represent a daily increase in neighborhood street or intersection traffic. Please refer to Topical Response No. 3 regarding the intermittent increase in traffic during Project-related events and activities.

Also, please note that Alternative 5 discussed under Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the frequency of Other Wellness/Sports Activities, and through strict limitations on visitor vehicle trips, reduce the Project's significant impacts on study area intersections and

neighborhood street segments during operation (school year and summer) to less than significant levels. In addition, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Finally, as discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses No. 2 and 7 regarding the scope of the Project and the effects of the Project on student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site.

Letter LIU

Katherine Liu
Kjliu789@gmail.com
(June 11, 2018)

Comment LIU 1

Thank you for the opportunity to add my comments to your consideration of the proposed Wellness Pavilion at Mount Saint Mary's University in Brentwood. I am familiar with the university, and can vouch for the important work they do, not only for students but also for the health and welfare of the entire community.

The new facility will replace a woefully inadequate fitness center and allow students and adjacent residents to benefit from an environment that supports and encourages wellness activities and knowledge, improving basic quality-of-life standards for everyone.

As far as I can tell, the Wellness Pavilion will not cause any negative impact in the neighborhood except during construction. I'm sure you will carefully evaluate this one issue and design a plan to minimize any short-term effects. Please keep in mind that the long-term benefits provided by the new facility will far outweigh any temporary concerns.

I hope this Project can move forward without delay, and I appreciate your attention to my opinion.

Response to Comment LIU 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. However, it is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

The commenter states the commenter's opinion that the Project would only cause a negative impact during construction. As a point of clarification, it should be noted that the Project would result in significant and unavoidable traffic impacts during operation. However, as discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 and would reduce all of the Project's operational traffic impacts to less than significant levels.

Letter MAHGEREFTEH

Dr. Hengameh Mahgerefteh
doctorh.psych@gmail.com
(April 16, 2018)

Comment MAHGEREFTEH 1

Dear Ms. King,

I hope this email finds you well. I am writing to express a strong opposition to the planned wellness pavilion at Mt. St. Mary's. On behalf of myself and my family, I would like to voice the difficulties we have already experienced due to this school, such as increases in traffic, accidents, and wreckless students driving in the canyon. If the school engages in more construction, we, the residents who look for a peaceful home environment, will be significantly disturbed and distressed. The traffic in our canyon already causes delays, so much so that it takes me over 30-40 minutes to get to sunset boulevard during rush hour. If construction trucks and workers are allowed into the area for a big Project, this time will surely double or triple. I would like to plead and hope for their Project to be denied. Please think about the many families that live in the canyon and around the school. I hope that we don't have to endure more than we already do on a daily basis due to Mt. St. Mary's.

Thank you for your time,

Dr. Hengameh Mahgerefteh

Response to Comment MAHGEREFTEH 1

The comment expresses opposition to the Project based on traffic congestion, a subject evaluated in the Draft EIR. However, the comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

Please refer to Section IV.K, *Transportation and Traffic*, of the Draft EIR and Topical Response No. 3 regarding the Project's traffic impacts and the intermittent character of Project operation traffic. As noted therein, during operation, the Project would result in significant and unavoidable operational impacts at three intersections (Sunset at Bundy Drive, Saltair Avenue, and Barrington Avenue) during the school year and summer; at three neighborhood street segments during the school year; and at six neighborhood street segments during the summer.

As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction traffic impacts, but these would remain significant and unavoidable at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

As discussed in Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the frequency of Other Wellness/Sports Activities, and through strict limitations on visitor vehicle trips, reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels. In addition, Alternative 5's PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Letter MARLIS

Rand and Jane Marlis
409 North Bundy Dr.
Janemarlis4@gmail.com
(May 23, 2018)

Comment MARLIS 1

My husband and I (at 409 North Bundy Dr.) are writing this email because we are very concerned about the impact this proposed expansion will have on our already traffic choked Bundy Canyon Community.

We are asking the City and our Homeowners Association for help in the following areas:

- Limit the number of vehicle trips to Campus by faculty, students, guests, vendors, and Uber/Lyft.
- Limit the size of special events, athletic competitions, camps, and any other activity not related to core classes.
- Annual monitoring and compliance
- No outside rental of Campus facilities
- Cap on enrollment

Thank you in advance for helping us protect our Bundy community.

Rand and Jane Marlis

Response to Comment MARLIS 1

The comment expresses concern regarding existing traffic and the effect of Project vehicle trips on the Bundy Canyon Community, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As explained in Topical Response No. 3, above, Alternative 5 would reduce all of the Project's traffic impacts to less than significant levels through implementation of explicit trip caps implemented through PDF-TRAF-12, PDF-TRAF-13, and PDF-TRAF-14 which impose specific vehicle caps on Project-related traffic. In addition, PDF-TRAF-18 requires that average daily total Campus vehicle traffic inclusive of trips generated by the Wellness Pavilion be limited to one percent below the 2016 baseline counts taken for the Campus. The reductions would apply to all faculty, student, guest, vendor, and TNC (Uber/Lyft) trips. Under Alternative 5, PDF-TRAF-10 would require a reservation system for new events that would limit entries to event guests that have a reservation. Alternative 5 would

also reduce the frequency of Other Wellness/Sports Activities from 48 times per year to 12 times per year (a 75 percent reduction).

Regarding short-term construction traffic, Alternative 5 would reduce the scale of construction and duration of the Project's construction traffic impacts (see Table II-3, *Duration of Construction Phases - Alternative 5 Compared to the Project*, in Topical Response No. 3), from 22 months to 20 months. However, traffic at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would remain significant and unavoidable under either the Project or Alternative 5.

As discussed in the Draft EIR, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and in Topical Response Nos. 6, University Entitlement History and Enrollment Cap, and 7, Project Impact on Student Enrollment, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment.

Letter MCAPLIN-GRANT

Lola McAlpin-Grant
Lmcag@msn.com
(June 11, 2018)

Comment MCAPLIN-GRANT 1

I understand that your Planning Committee is reviewing our Wellness Pavilion Project for our Chalon Campus. I fully support for this much needed community service for District 11. As an alumna of the Mount, I know what a tremendous opportunity this Pavilion will provide for all to work together in advancing health education, health services and outreach at our University.

I urge you to please give us your full support.

Response to Comment MCAPLIN-GRANT 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter MCMULLEN

Sister Anne McMullen
11999 Chalon Road, Los Angeles, CA 90049
amcmullen@csjla.org
(June 12, 2018)

Comment MCMULLEN 1

Mount St. Mary's University (12001 Chalon Road) is in the planning process for building a Wellness Center. We wish to express our support and commendation to them for doing this. As a close neighbor we have been part of neighborhood meetings that included input, updates, questions and acceptance of suggestions concerning this Project, as well as traffic, parking, and noise concerns. The university has actively doing their part to alleviate these concerns. As a close neighbor, we find that that they immediately act on concerns or complaints that we might call in to them during the year.

We commend Mount St. Mary's University for recognizing the need for a holistic approach to education. The need for proper eating, dieting, exercise and how to deal with stress are all necessary components of healthy living that can easily be ignored by students who spend so much time sitting in class, inactively studying, using media or being stressed out by a multitude of things. We also commend the university for their generosity in opening the Wellness Center to the neighbors for their use.

Thank you for anything you can do to expedite the process of approval so that this university dream can soon become a reality for the students.

Response to Comment MCMULLEN 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter MENDELSON

King M Mendelsohn
862 North Norman Place
Los Angeles, CA 90049
kmmend@gte.net
(June 4, 2018)

Comment MENDELSON 1

Dear Ms. King,

I have been in my home on North Norman Place in Bundy Canyon for 51 years, and I have seen the traffic to and from Mount Saint Mary's College/MSMU (MSM) gradually increase. Currently it has reached the point where we must wait up to 35 minutes just to reach Sunset Blvd. on Barrington Avenue while trying to travel East during the weekday rush hours (3:00PM to 6:00PM). Because of the difficulties in leaving our home during those hours, we have had to restrict our activities, feeling "trapped" in our home during those hours.

The conclusions of ENV-2016-2319-EIR indicate that the proposed building of the 38,000 sq ft Wellness Center at MSM would result in significant and unavoidable impacts on traffic in this area both during construction and operation of the facility, thus worsening an already terrible situation. That the building of this facility is being considered in its planned location appears to be an error in judgement of the planners, who have not taken seriously into consideration the effects its presence will have on the neighborhood. This structure and the positive effects it could have would be quite appropriate in an area with access to adequate highways, public transportation, adequate parking, and little or no impact on a residential neighborhood. But it is out of place in its currently proposed location. I sincerely hope that the Los Angeles Planning Department will come to the same conclusion and prevent it from being built.

Sincerely yours,
King M Mendelsohn
862 North Norman Place
Los Angeles, CA 90049

Response to Comment MENDELSON 1

The comment correctly notes that the Project would result in significant and unavoidable traffic impacts during construction and operation. The comment expresses general opposition to the Project based on traffic congestion and the traffic impact analysis and conclusions of the Draft EIR. However, the comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is noted for the record and will be forwarded to the decision-makers for review and consideration.

The Draft EIR, the traffic impact report, and the detailed traffic counts and technical analyses contained in Appendix I of the Draft EIR evaluated existing traffic conditions in the Project area, including the intersections of Bundy Drive and Barrington Avenue along Sunset Boulevard. As discussed therein, during certain evening peak hours, these intersections are acknowledged to operate at service level F, which indicates stop and go conditions.

Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Finally, the location of both the Project and Alternative 5 on the existing MSMU Campus complies with LAMC requirements and is subject to Plan Approval review. Please also see Topical Response No. 6, Scope of the Project, regarding MSMU's existing entitlements and the Plan Approval process. This process includes the preparation of the Draft EIR and Final EIR which assess and disclose all significant environmental impacts.

Letter MOHABER

Gita Mohaber
844 Norway Lane
Los Angeles, CA
goojie@yahoo.com
(June 12, 2018)

Comment MOHABER 1

As a homeowner in Bundy Canyon and in Brentwood, we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets. The amount of cars that have added to our neighborhood is just too much and really unbearable. The driving of some of these students are also not acceptable as they tend to drive fast. Now, the school proposes a 38,000-sqr. ft. structure, which will undoubtedly bring in more students, faculty, service vehicles, events and more to the Chalon Campus, which we as neighbors and our streets will be negatively impacted. The conditions can only get worst as this expansion starts. We have built a home here for over 15 years, and by building a bigger facility, it only causes us to have an awful living environment. Our home is our sacred place to relax and rejuvenate. Adding 1000 more vehicle to our streets will disturb all that. We have a right to peace and quality of life.

Thank You.

Gita Mohaber

Response to Comment MOHABER 1

This comment expresses opposition to the Project based on traffic but does not raise any issues with respect to the adequacy or content of the Draft EIR. However, it is included here as part of the administrative record, for public interest, and for consideration by Project decision-makers.

The comment that 1,000 additional vehicles would be added to the area's streets under the Project is an opinion and is not substantiated by evidence. Under the Project, PDF-TRAF-8 would maintain daily visitors to a maximum of 400, and under Alternative 5, PDF-TRAF-12 imposes a 310 outside guest vehicle trip cap (155 trips each way) for Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports, and PDF-TRAF-14 imposes a daily vehicle trip cap of 236 (118 trips each way) for Summer Sports Camps. These total trips would be substantially less than the 1,000 vehicles cited in the comment letter.

The commenter expresses the concern that the number of buses, shuttles, employee, student, and staff vehicles accessing the MSMU Campus is growing year after year and that that driving is observed to be careless. The character of the driving is also a general

statement unsubstantiated by the evidence. Existing traffic conditions, including existing traffic volumes and street capacities in the residential neighborhoods, have been identified in the Draft EIR. Existing conditions, which include student drivers, as well as the effects of the Project are evaluated in the Draft EIR and form the basis for the traffic analysis. As described in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project is determined to result in significant and unavoidable construction and operation traffic impacts. Impacts related to Project operation are addressed in Alternative 5 through the implementation of PDF-TRAF-9 through PDF-TRAF-18. PDF-TRAF-18, as outlined in Topical Responses No. 1 and 3, above, requires that total daily vehicle trips for the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be limited to one percent below the 2016 trip counts taken for the Campus. As such, Alternative 5 would reduce traffic (not add any new trips) compared to existing conditions.

The comment correctly notes that the Project proposes a 38,000 square foot structure; however as explained in Topical Responses 2, 6 and 7, above, the Project would not result in an expansion of the Campus nor any increase in student enrollment. Also, as discussed in Topical Response No. 1, Table II-2, and in Chapter III, *Revisions, Clarifications, and Corrections* of this Final EIR, Alternative 5 would reduce the Project's floor area from 38,000 square feet to 35,500 square feet. As analyzed in the Draft EIR, the Project would require one new staff member to be hired. This would apply to Alternative 5 as well.

Letter MOHSENI

Ramtin Massoudi and Mahfam Mohseni
11956 Azure Place, Los Angeles, CA 90049
mahmoseni@yahoo.com
(June 10, 2018)

Comment MOHSENI 1

My husband and I has moved to Brentwood recently to be far from the crowded city and live in quiet area. Now we have noted because of MSM Chalon Campus, there are so many commutes every days and nights which has made a hassle driving in our area that has no standard roads and sidewalks. Some of the commuters have high speed and we scare to go for a walk after work. In many times, I had to control my car to pass a high speed car driving through Norman and Bundy. The exit to Sunset takes long time and the terrific sometimes comes up to the middle of Barrington and Bundy specially at the evening.

Response to Comment MOHSENI 1

The commenter expresses a concern regarding existing conditions, including the volume of commuter traffic along Bundy Drive and Norman Place. Existing traffic conditions were described in Section IV.K, *Transportation and Traffic*, of the Draft EIR and accounted for in the Project's Traffic Impact Study,

Comment MOHSENI 2

We have heard that the college is growing to a university with 2700 students. This surly will make the access and commute worse for the residents. This is a quiet and residential area that we have paid for to have a quiet life after work and to grow our children. I guess the expansion of these college should happen in the area with public transportations and close to public and standard roads, not in a residential area.

We really appreciate if you can consider reviewing the Project and we would be more than happy to provide more evidence if needed.

Response to Comment MOHSENI 2

As explained in Topical Response No. 2, *Scope of the Project*, No. 6 University Entitlement History and Enrollment Cap, and No. 7, *Project Impact on Student Enrollment*, and in the discussion of Alternative 5 in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, neither the Project nor Alternative 5 would increase student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area

as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site.

Thus, the Project and Alternative 5 would not increase the demand for student use of public transportation. Nevertheless, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the existing MSMU Campus is not served directly by public transit; however, the Study Area is served by public transit to which MSMU provides shuttle service for its students. The Project Site is located approximately four miles north of the Metro Expo Bundy Light Rail Station. Six local City of Santa Monica Big Blue Buses (Route 1, 2, 14, 15, 16, 18), one regional Big Blue Bus (Route 10), three local Metro Buses (Route 2/302, 4, 20), and two Metro Rapid Buses (Route 704 and 720) provide public transit service in the Study Area. Further, as discussed in Topical Response No. 3, above, all shuttles would be subject to the same trip caps required under PDF-TRAF-12, PDF-TRAF-14, and PDF-TRAF-18.

The comment does not provide additional evidence to demonstrates an increase in enrollment or greater need for student public transportation than under existing conditions or effects on public transportation than that evaluated in the Draft EIR. The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter NATKER

Andy and Roslyn Natker
1501 N. Bundy Drive, Los Angeles, CA, 90049
anatker@haagenco.com
June 12, 2018

Comment NATKER 1

I am writing to express my strong support and confidence for the proposed Mount St Mary's Wellness Center at the Chalon Campus. I highly support the building of the Mount St Mary's Wellness Center for the following reasons below:

Response to Comment NATKER 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment NATKER 2

Traffic

Yes there will be some construction traffic for a period of time, however it is no different than any of the other homes and mini mansions that have been built on Bundy, Norman Place and Saltair. In the case of Mt St Mary's the workers will be able to park on Campus, not on the streets of Bundy and Norman as has been with all the other projects in the neighborhood.

Ever since Mt. St Mary's has installed the mini bus service for the students and faculty the traffic has been significantly improved in the area. They are a very good neighbor and have helped reduce traffic buy separating the uphill on Norman Place and the downhill traffic on Bundy Drive.

The Wellness Center will not add any additional weekend traffic to the neighborhood and the University is operating in a trailer for an educational institution that has been around for almost 100 years. This currently is an obsolete and poorly provided gym for an institution that is to help the student stay and learn to be healthy

MSM's [sic] when the community complained about the traffic they worked with the City's Dept. of Transportation and they placed a speed indicator half way down on Bundy Drive to show drivers how fast they were driving.

MSM's has their security dep. have a guard at the corner of Chalon and Bundy monitoring students driving speeds when they leave the Campus.

MSM's has built a parking structure that they charge students a fair parking fee to get on street parking out of the neighborhood.

Once the Wellness Center is built the facility is for the students and faculty and will not increase enrollment, but instead offer an amenity that all major educational institutions provide their students.

The Wellness Center will reduce the number of trips that many students are using their personal automobiles to join gyms outside of the Campus and therefore create more traffic. The 500 full time residents can then stay on the Campus without having to go to a private gym outside the neighborhood. Doesn't a modern gym help reduce traffic in the neighborhood?

MSM's should not be punished for the gridlock on Sunset Blvd. and Barrington St in the mornings, but mostly in the afternoon and early evenings. These traffic conditions have been caused by the building and expansion of the Brentwood Schools and Archer secondary school. Additionally all the construction traffic in the neighborhood from homeowners remodeling and developers from tearing down small homes and building these mini mansions all over the community. Additionally Waze has provided an alternative route for drivers to cut through the neighborhood from Santa Monica to the Valley and other areas to the East and thus caused congestion on Sunset Blvd. Mt St Mary's cannot be blamed for the gridlock in the community and a Wellness Center at 38,000 sqft is not going to increase enrollment or staffing at the school.

The Wellness Center is not adding classrooms or dormitory space for students, but providing an amenity to the school for the existing students. The University is not requesting an increase in student enrollment as a result of the Wellness Center. The University needs to have this facility for their student in order to be competitive with other institutions of this size and caliber. I have used the pool at Mt St Mary's and I have seen their current fitness Center in a trailer that's about 600 sqft. Their current space is totally inadequate for their student body. I understand the new facility will have a weight room, dance studio, spinning studio, yoga, Pilates studio and a new swimming pool in order for the students to stay healthy.

Response to Comment NATKER 2

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment NATKER 3

Bundy Neighborhood

I understand the University will allow the Wellness Center to be used by the neighborhood on the weekends so that they can share in this facility. This will help reduce the number

of trips by neighbors from leaving the area and adding to the traffic on Barrington and Sunset. MSM's has also been offering lectures and programs to the neighbors, which are beneficial to their knowledge and located inside the neighborhood.

Response to Comment NATKER 3

This comment notes that the neighbors will be able to access the facility on the weekends which will help to reduce the number of vehicles traveling in the area. However, with the exception of counting existing traffic levels, the traffic analysis does not evaluate or subtract traffic of neighbors who, otherwise, leave the area during the weekends.

The comment does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment NATKER 4

Bundy Canyon Association

We all have a right to voice our opinion and I am sorry to say the Association has been founded on the principle to punish Mt. St Mary's and their student body by spreading untruths about an important Project to MSM and the community. I have attended almost every meeting on this subject and I have provided my home as a meeting place so the information doesn't get twisted and misunderstood. People have said it the size of a Costco, well it's not even a fourth a Costco, it's 38,000 sq. ft. and a Costco is over 160,000 sq. ft. Some folks have said it will ruin their view, well it's in the same location as the existing workout trailer, tennis courts and swimming pool and only a bird or a plane can see this new Wellness Center. Yes, we have traffic on Sunset and Barrington, but it's not due to Mt St Mary's approximately 1500 students and faculty and staff. The new Wellness Center will not cause additional traffic once it's built and opened. The University is not going to rent it out or have more activates other than for their student body. It's an important University and needs this facility for their student body.

Response to Comment NATKER 4

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. It is noted that the Project would generate additional vehicle trips that would cause significant and unavoidable traffic impacts at three intersections along Sunset Boulevard, three neighborhood street segments during the school year, and six neighborhood street segments during the summer months. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce all of the Project's operation traffic impacts to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU

Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, improve existing conditions. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The comment correctly notes the size of the Wellness Pavilion under the Project. However, it should be noted that under Alternative 5 the Wellness Pavilion will be 35,500 square feet.

Comment NATKER 5

SUMMARY

MSM's has been a wonderful neighbor to the Bundy Community. I have lived at the corner of Bundy and Chalon for over 40 years and I probably have been the most impacted by traffic from the University. What traffic there is coming down from MSM has been significantly reduced since the addition of the busses and the students who live on Campus. I support MSM and their efforts to improve this wonderful institution that has been doing a phenomenal job for their students. As neighbors we should be supportive of what they have done for their students and our community Please allow Mount St Mary's to build the Wellness Center.

Sincerely,
Andy and Roslyn Natker

Response to Comment NATKER 5

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter NAVI

Jonathan Navi
jbnesq@gmail.com
(June 10, 2018)

Comment NAVI 1

I live on North Bundy Drive. I am completely opposed to Mt. St. Mary's proposed plans to expand the Chalon Campus. This should not be approved or allowed under any circumstances. The traffic, noise, and safety concerns are already at dangerous levels.

Response to Comment NAVI 1

The commenter expresses concern as to the effects of the Project on traffic, noise, and safety of the environment. Although the comment expresses opposition to the Project based on these concerns, it does not provide substantial evidence to support the claim that these existing conditions are at dangerous levels. The comment also does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The Project would not expand the Chalon Campus. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses No. 2 and 7 regarding the scope of the Project and the effects of the Project on student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site.

Project traffic impacts were analyzed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and traffic impacts associated with the Project and Alternative 5 are summarized in Topical Response No. 3. As noted therein, during operation, the Project would result in significant and unavoidable operational impacts at three intersections (Sunset at Bundy Drive, Saltair Avenue, and Barrington Avenue) during the school year and summer; at three neighborhood street segments during the school year; and at six neighborhood street segments during the summer. As described in Topical Response No. 3 above and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the duration of construction from 22 months to 20 months, but would still result in significant construction traffic impacts at the three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) during peak construction periods under either the Project or Alternative 5. However, all of the Project's significant and unavoidable

operation impacts at Study Area intersections and neighborhood street segments would be reduced to a level of less than significant. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). With the further implementation of PDF-TRAF-18, total daily vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions). Because of the one percent reduction in existing traffic conditions, road safety could be improved compared to current conditions. With respect to road safety, it should be noted that the applicable CEQA criterion for road safety, included in the current Appendix G of the CEQA Guidelines, was analyzed in the Initial Study prepared for the Draft EIR, which assessed the Project's potential to "[s]ubstantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?" and found that the Project would cause no environmental impacts within this category. (Initial Study, p. B-34)

Section IV.I, *Noise*, of the Draft EIR evaluates the Project's construction and operation noise impacts. As discussed therein, with the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced to less than significant levels. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. Operation noise impacts from either vehicles or on-site operations would be less than significant (see pages IV.I, pages 59 and 60 of the Draft EIR). As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

Letter NAZZARO

Christopher Nazzaro
chris.nazzaro13@gmail.com
(June 11, 2018)

Comment NAZZARO 1

Dear Ms. King:

I'm writing to express my support for the Wellness Pavilion Project proposed for Mount Saint Mary's University Chalon Campus. The Draft Environmental Impact Report makes clear that once built, it will have no lasting adverse impacts on the community. In fact, if it were possible to quantify positive impacts, the new facility's local and regional benefits would dwarf even temporary concerns. Training our future caregivers in health and wellness principles, in state-of-the-art facilities that support and encourage better practices, is critical to the well-being of everyone in our City.

I live on the Westside and I understand that there are always reasons such as potential traffic increases to carefully scrutinize new projects. In this case, however, the Project has absolutely no effect on car trips; it will simply continue to serve existing students and neighbors on the same site as the current facility and will not create any new trips.

I understand that Project benefits are technically not covered by environmental reviews, but I urge you to keep the context and purpose of the Wellness Pavilion in mind as you consider approval.

Sincerely,

Christopher Nazzaro

Response to Comment NAZZARO 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

However, the comment is not correct in the statements that the Draft EIR did not conclude that the Project would not have lasting impacts on the environment or no effects related to vehicle trips. The Project would generate additional operational vehicle trips that would cause significant and unavoidable traffic impacts at three intersections along Sunset Boulevard, three neighborhood street segments during the school year, and six neighborhood street segments during the summer months. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce all the Project's operation traffic impacts to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require

that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, improve existing conditions. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter NIK

Fred and Parvaneh Nik
153 N Bowling Green Way
Los Angeles, 90049
(May 29, 2018)

Comment NIK 1

To Whom It May Concern:

My family and I have lived on this street for nearly 20 years and for all those years we've had to deal with traffic coming from the college or the pickups and drop-offs from the nearby schools. The crazy speeding drivers from the college, the various maintenance workers, gardeners, pool guys and construction workers and their vehicles causing accidents and collisions on our street.

We already have to endure the traffic on Sunset Blvd but to have to endure yet another major inconvenience is just ridiculous.

Response to Comment NIK 1

The comment expresses concern regarding existing and anticipated traffic. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Section IV.K, *Transportation and Traffic*, of the Draft EIR and Topical Response No. 3 regarding the Project's traffic impacts and the intermittent character of Project operation traffic. As noted, the Project would generate additional vehicle trips that would cause significant and unavoidable traffic impacts at three intersections on Sunset Boulevard, at three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce all the Project's operation traffic impacts to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, improve existing conditions. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset) would be impacted under either the Project or Alternative 5.

Comment NIK 2

So far in the past 2 years alone, my wife's car has been struck twice, once totaled and the second time nearly totaled just months apart from each other by workers/ construction crews and drivers that are speeding through our narrow street. My car was hit just two months ago because of a speeding driver. In addition, our next door neighbor's car was hit as well and suffered extensive damage.

We have asked the city over and over again, at Brentwood HOA meetings as well as with meetings with city council member Mike Bonin to add speed bumps to our part of the street and each time the city has made some sort of excuse or said it didn't have the funds. A speed bump costs \$5000.00 and with all the property taxes in our neighborhood alone, I don't see how that is not feasible?!! We aren't even allowed to pay for it ourselves. Will the city reimburse us every time our vehicles get trashed or totaled? Will the city pay for medical bills if someone gets hurt by a speeding vehicle? Why no install more stop signs?

Response to Comment NIK 2

The comment does not raise issues as to the content or adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. With respect to speed bumps, LADOT has a formal process for neighborhoods to apply for speed bumps. With respect to additional stop signs, no evidence has been provided, nor did the Project's traffic study indicate, that either the Project or Alternative 5 would result in a significant impact at any location that would be mitigated with the implementation of a stop sign. As such, no additional stop sign is warranted.

Comment NIK 3

Should all of us homeowners get together and file a lawsuit against the city for recklessness? This is OUR neighborhood and the city has not shown any signs of good faith for years. Not to mention we do not have adequate response times with police and do not even have enough officers to cover this area. By the time we report an accident or break-in, it takes 20 minutes for a response unit to show up. With all these existing issue already, the least the city can do it put in a couple of more speed bumps closer to Sunset Blvd on North Bowling Green Way and additional stop signs.

We cannot tolerate this anymore.

Thank you,
Fred Nik

Response to Comment NIK 3

Police services are discussed in Section IV.J.2, *Police Projection*, of the Draft EIR. As discussed therein, violent crimes constituted 9.38 percent of total crime in the WLA Community Station service area, which serves Brentwood, whereas violent crimes Citywide constituted approximately 21.593 percent of all crimes Citywide. Likely because of the lower violent crime rate in the WLA Community Station, the ratio of officers per resident is lower (one officer per 876 residents) than Citywide (one officer per 402 residents). LAPD's emergency response time standard for the City is 7 minutes. The WLA Station's average response times for emergency calls during 2016 was 5.7 minutes and for non-emergency calls was 24.4 minutes.⁵⁴ The Citywide average response time for emergency calls during the same time period was 4.1 minutes and for non-emergency calls was 24.2 minutes.⁵⁵ As such, the WLA Community Station is similar to emergency response times in the area. Regarding adequacy of police services to the community, in *City of Hayward v. Board of Trustees of California State University* (2015) 242 Cal.App.4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including police protection services, and that it is reasonable to conclude that the city will comply with that provision to ensure that public safety services are provided. In addition, MSMU supplements police services with a 24-hour/seven-day Campus security program to ensure the safety of its students, faculty, staff, and visitors and, as such, would not have an undue demand for police services that would adversely affect the surrounding area. The security patrol program includes a full-time Watch Commander and Patrol Officer, who are charged with managing the continuous 24-hour security protection. As such, neither the Project nor Alternative 5 would require the expansion of an existing police station or the construction of a new police station, and would therefore not result in substantial adverse impacts associated with the construction of such facilities.

⁵⁴ Los Angeles Police Department, Officer Christopher Gibson, Community Relations Division, correspondence dated September 27, 2017.

⁵⁵ Ibid

Letter PAKFAR

Hooshang Pakfar
801 Lockearn St., Los Angeles, CA, 90049
Pakfar11@att.net
(June 11, 2018)

Comment PAKFAR 1

Dear Ms King,

Bundy Dr. is already has a lot of traffic and dangerous young student drivers which cannot observe (afford) more traffic so I am against this Project and beg you deny the new Project.

Thanks

Best regard

Hooshang Pakfar

Response to Comment PAKFAR 1

This comment expresses opposition to the Project based on traffic but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Project construction and operation impacts were fully analyzed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and in Topical Response No. 3. Additionally, as disclosed in Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's significant and unavoidable operational traffic impacts to all neighborhood street segments and the intersections impacted under the Project to less than significant. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction traffic impacts, but these would remain significant and unavoidable at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

Letter PEREZ

Jackie Perez
jackie.perez@me.com
(June 8, 2018)

Comment PEREZ 1

Dear Ms. King:

Thank you for considering my comments on Mount Saint Mary's University's proposed Project. The small gym they want to build is going to be a vast improvement over the miniscule facilities currently in place. As a graduate, I know how important it is to reinforce classroom learning with hands on experience in a fitness center that has the right resources for students. This Project is going to provide a place for future health care professionals to practice what they learn and what they will disseminate throughout our healthcare systems.

I'm not only an alumna of Mount Saint Mary's, but also a resident of Council District 11. As you review the proposed wellness center, I hope you will keep its benefits in mind. Any new construction Project can generate temporary discomfort, but this one is so small, and will provide so much value, that it really merits your approval.

Sincerely, Jacqueline Perez

Response to Comment PEREZ 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter PERRY

Susan and Barclay Perry
350 No. Saltair Ave.
Los Angeles, 90049
(April 17, 2018)

Comment PERRY 1

Dear Ms King,

The very thought of 38,000 square feet of Wellness Center traffic (at least 2 years of construction and then the visitors) on our already over crowded streets is inconceivable, reprehensible and insane. The very proposal is over the top ridiculous. Already we are choked with traffic from all the construction on Saltair, Bundy and the surrounding streets; between the construction traffic and the many schools in this area there are huge traffic delays morning and night for the residents of this once tranquil and lovely neighborhood. In addition the students from MSMU often far exceed the speed limit and seldom completely stop at stop signs. An accident is imminent....and you actually are considering the proposal of MORE construction/traffic in our neighborhood? In the unlikely event you haven't noticed, the traffic lines up for miles on week days, affecting all of the Westside. It would be complete folly to add one more car, truck, entertainment facility or anything for that matter to our already congested neighborhood.

Response to Comment PERRY 1

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Existing traffic conditions on surrounding neighborhood streets and Study Area intersections, as well as Project construction and operation impacts, are discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and further described in Topical Response No. 3 above. As concluded, the Project would generate additional vehicle trips that would cause significant and unavoidable traffic impacts at three intersections on Sunset Boulevard; at three neighborhood street segments during the school year; and at six neighborhood street segments during the summer.

However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce all the Project's operation traffic impacts to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, improve existing conditions. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports

Activities would be reduced from 48 times per year to twelve times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset) would be impacted under either the Project or Alternative 5.

Comment PERRY 2

Also, along with this our crime rate has increased, no doubt due to all the non-residents who pass through here daily. If this goes through, I think you should be prepared for many residents packing up and moving. This is a residential neighborhood, not a commercial one.

Response to Comment PERRY 2

The comment expresses a concern regarding the occurrence of crime in the community near MSMU. This comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in Section IV.J-2, Police Protection, of the Draft EIR (see Table IV.J.2-1), the Project would not result in substantial adverse impacts associated with the expansion of an existing police station and/or the construction of a new police station, the construction of which could cause significant environmental impacts. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would also have a less than significant impact on police services.

Letter POPE

Katherine Pope
978 North Norman Place
popekatherine@gmail.com
(June 9, 2018)

Comment POPE 1

I am writing to ask that the requested expansion of Mount St. Mary's be denied. This is a quiet residential neighborhood, with one road up to the college -- the road we live on -- and nowhere for all these additional cars to go.

As it is, the traffic in our neighborhood is notoriously terrible. It can take over an hour to go from our house, on Norman Place, to Barrington and Sunset.

This has only gotten worse since the approved construction at Brentwood School's upper Campus, and the approved expansion of The Archer School, which hasn't even started in earnest yet. This neighborhood cannot support this much construction, this much commercial expansion and this many cars on these narrow, winding roads.

Response to Comment POPE 1

This comment expresses opposition to the Project based on traffic but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce all of the Project's operational traffic impacts to less than significant levels.

As discussed in the Draft EIR's Section IV.K, construction traffic impacts along three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted. As explained in Topical Response No. 3, above, the reduced size of Alternative 5 from 38,000 square feet to 35,500 square feet and elimination of the parking deck would reduce the scale of construction and duration of the Project's construction traffic impacts (see Table II-3, *Duration of Construction Phases - Alternative 5 Compared to the Project*, in Topical Response No. 3), from 22 months to 20 months. However, traffic at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would remain significant and unavoidable.

The Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter

III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment.

Letter PRESS

Leo C. Press
815 Norway Lane
Los Angeles, CA 90049
leopress@msn.com
(June 8, 2018)

Comment PRESS 1

L.A. City Planning Department:

I live in Bundy canyon, north of Sunset, below Mount Saint Mary's College. They have requested that I send this email letting you know I do support their Project to replace and improve the existing wellness facility.

Leo C. Press
815 Norway Lane
Los Angeles, CA 90049

Response to Comment PRESS 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter RADOW

Vikki Radow
1191 North Bundy, 90049
vikki@radow.net
(April 16, 2018)

Comment RADOW 1

Hello,

I currently live, and have lived for approximately 10 years, at 1191 North Bundy 90049 - the same street that will be heavily impacted by Mt St Mary's Wellness Center Project that is currently being proposed.

I HIGHLY OPPOSE the Project. I just received a letter on April 12 stating that significant increases in traffic at Sunset and Bundy, Barrington and Saltair are to be expected. This will greatly negatively impact an already unsafe and over congested area. Bundy Drive is already an overly narrow street that doesn't allow to cars to pass at the same time when a car is parked on either side. How do we anticipate huge trucks getting by without putting us all in danger daily?

While some have reported the college to be "good neighbors", as a 10 year neighbor myself I STRONGLY DISAGREE. Students and faculty SPEED down North Bundy and Bowling Green like it's a highway. I have two daughters, one who drives, that I fear for their lives on a daily basis. Between the constant congestion, speed racers coming down in packs from the college— all on an overly narrow street and now the possibility of huge trucks coming and going/adding additional traffic — it continues to get worse and not better. We need a solution to an already dangerous area. Not another danger added in to the equation.

PLEASE TAKE THIS AS NOTICE OF COMPLETE OPPOSITION OF THE PROPOSED PROJECT and a commitment to fight it.

Regards,

Vikki Radow
310.751.6790
Vikki@radow.net

Response to Comment RADOW 1

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The comment expresses a concern regarding an increase in traffic at the Sunset Boulevard intersections of Bundy Drive, Barrington Avenue, and Saltair Avenue. It is correct that the Draft EIR stated that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at these three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from four times per month to twelve times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

With respect to the commenter's concern regarding the potential safety issues resulting from truck traffic during construction, it should be noted that the Project would implement PDF-TRAF-1, the Construction Management Plan, and Alternative 5 would implement a modified and expanded PDF-TRAF-1, which would require LADOT approval of a plan including elements to ensure pedestrian and vehicular safety during construction.

Letter REUBEN

Timothy Reuben
Reuben Raucher & Blum
Attorneys At Law
treuben@rrbattorneys.com
(April 30, 2018; May 1, 2018)

Comment REUBEN 1 (e-mail on April 30, 2018)

Dear Ms. King,

This objection and comment refers to Mt. St. Mary's proposed Project, estimated to take about 2 years to complete. We own a home on Norman Place, the proposed thoroughfare for all trucks and traffic related to the Project. Our home is also walking distance to the Campus, so we will also suffer from the actual construction noise and pollution.

The EIR identifies significant issues that support rejecting the Project. For example, regarding noxious emissions, the report states: "the NOx emissions during the overlap of the site preparation and demolition phases would exceed the SCAQMD thresholds. Therefore, the Project's regional construction emissions would result in a potentially significant NOx impact." The report goes on to acknowledge: "Operation of the Project has the potential to generate criteria pollutant emissions through vehicle trips traveling to and from the Project Site."

I will not continue to quote all the bits of the report—clearly you are familiar with it. But not just the unhealthy emissions but the huge traffic impact on Norman Place—a small residential street, will create constant and offensive noise, clog up our narrow street with related vehicle traffic, and substantially interfere with our use and enjoyment of our home for likely over two years. This represents a substantial interference with our property rights. We live on Norman with our 11-year old daughter and approval of this Project will obviously compromise our and her health and create a constant nuisance of noise and street delays as we try to get her to school or go to work or just do daily errands.

We strongly oppose and object to this Project. It's environmental impact will be incredibly burdensome, annoying, and unhealthy for the neighborhood. Why should the residents be made to suffer so severely for this unnecessary Project?

Timothy D. Reuben
Managing Principal
12400 Wilshire Boulevard, Suite 800
Los Angeles, California 90025
Telephone: (310) 777-1990 | Facsimile: (310) 777-1989
www.rrbattorneys.com | tdr@rrbattorneys.com

Response to Comment REUBEN 1

This comment refers to the Project's estimated two-year completion schedule and its effect on the residences on Norman Place. The commenter is correct in noting that construction vehicles would travel along Norman Place. The commenter states that they will be impacted by construction noise and pollution associated with the Project, however the citation references the air emissions discussion in Section IV.B, *Air Quality*, of the Draft EIR, prior to the implementation of air quality mitigation measure MM-AQ-1. As discussed under subsection 3.g, *Level of Significance after Mitigation*, in Section IV.B *Air Quality*, (Draft EIR, Pages IV.B-46 through IV.B-48), the Project would not exceed significance threshold levels during construction or operation with implementation of the prescribed mitigation measures. The Draft EIR also states that "with the implementation of the prescribed mitigation measures, as applicable, the Project's construction-related and operational emissions would not be cumulatively considerable or contribute to cumulatively significant air quality impacts" (Draft EIR, Page V-48). As such, the Project's emission (pollution) impacts would be less than significant. It is further noted that Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity and respective exposure to construction emissions from 22 months to 20 months, and would reduce the heaviest trucking phase (concrete pours) by 10 to 20 percent. Please refer to Topical Response No. 3, Table II-3, *Duration of Construction Phases - Alternative 5 Compared to the Project*.

The Project's construction noise impacts, which are evaluated in Section IV.I, *Noise*, of the Draft EIR, would not exceed significance threshold standards on Norman Place. As discussed in Section IV.1, of the Draft EIR, all construction noise (with the exception of concrete truck noise at Chalon Road) would be reduced through the implementation of mitigation measures MM-NOISE-1 and MM-NOISE-2. Concrete truck noise would exceed the City's noise thresholds for a total of approximately 12 days of maximum truck activity. As discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement all of the Project's mitigation measures, including MM-NOISE-1 and MM-NOISE-2. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, Alternative 5 would have a reduced concrete pouring phase and therefore reduced concrete truck noise as compared to the Project. Although noise impacts from concrete trucks along Chalon Road would exceed threshold standards and would be significant and unavoidable under both the Project and Alternative 5, impacts would be less under Alternative 5 because of the reduction in the duration of construction activity.

As discussed in the Draft EIR, the Project's operational on and off-site vehicle noise would be less than significant.

The Project's traffic impacts are evaluated in Section IV.K, *Transportation and Traffic*, of the Draft EIR. As discussed therein, construction traffic impacts along three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably

impacted. As explained in Topical Response No. 3, above, the reduced size of Alternative 5 from 38,000 square feet to 35,500 square feet and elimination of the parking deck would reduce the scale of construction and duration of the Project's construction traffic impacts (see Table II-3, *Duration of Construction Phases - Alternative 5 Compared to the Project*, in Topical Response No. 3), from 22 months to 20 months. However, traffic at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would remain significant and unavoidable. Construction vehicles would use the public roads and park within the Project Site and would not park on or impinge upon the use of private properties. Further, implementation of PDF-TRAF-1 under either the Project or Alternative 5 would require MSMU to prepare and implement a Construction Traffic Management Plan that would include street closure information, detour plans, haul routes, and staging plans and require that construction activities be scheduled to reduce the effect on traffic flow on arterial streets.

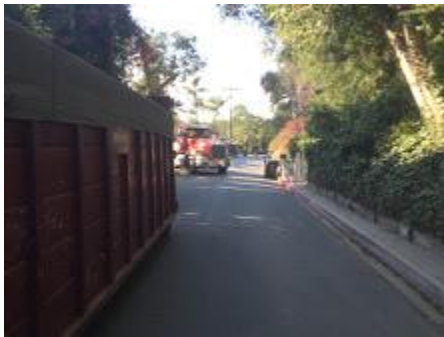
During operation, with implementation of PDF-TRAF-9 through PDF-TRAF-18, Alternative 5 would reduce operation traffic impacts at all of the Project's impacted intersections and neighborhood street segments to a level of less than significant. Under PDF-TRAF-18, total daily vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study). Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to twelve times per year (a 75 percent reduction).

Comment REUBEN 2 (e-mail on May 1, 2018)

Enclosed are photographs off Norman Place taken on different days showing either heavy equipment on the street or construction workers parking and blocking the street, leaving only one way to pass. This is just the work on one house that has caused enormous disruption and delay. The St Mary's project would make things much worse on this street.







Response to Comment REUBEN 2

Refer to Response to Comment Reuben 1 above for a discussion of traffic impacts.

Letter ROBINSON

Scott and Patricia Robinson
robinscottw@gmail.com
(June 9, 2018)

Comment ROBINSON 1

Dear Ms. King

I am writing to voice my opposition the expansion plans for Mount St. Mary's Chalon (Brentwood) Campus. This Campus is in a residential area, and the additional congestion that additional students and events at the Campus will further exacerbate the massive traffic problems that exist on Sunset Boulevard. Mount St. Mary's Draft Environmental Impact Report points to these serious issues.

We are fine with having the Campus continuing to service a reasonable number of students, but the additional expansion, students, and traffic is very detrimental to the environment for the residents of Bundy Canyon.

Sincerely,

Scott and Patricia Robinson

Response to Comment ROBINSON 1

This comment expresses opposition to the Project based on traffic but does not raise any issues with respect to the adequacy or content of the Draft EIR. The comment is noted for the record and will be forwarded to the Project decision-makers for review and consideration. It is further noted that the Project would not accommodate additional students as cited in the comment. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project would serve the existing student body, and neither the Project nor Alternative 5 would expand student enrollment. See Topical Response Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

The Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Project Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either.

The Draft EIR, Section IV.K, *Transportation and Traffic*, stated that additional vehicle trips generated by operation of the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the

summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to twelve times per year (a 75 percent reduction).

Letter ROSCOE

Chris Roscoe
641 North Saltair Avenue,
Los Angeles, 90049
chrisroscoe641@gmail.com

Comment ROSCOE 1

Hi.... I reside at 641 North Saltair Avenue and have been at this address since 1978. I do a lot of hiking on the fire trails above MSMU, always walking through the beautiful spiritual Campus. I am an avid swimmer in a masters program at UCLA and know from that perspective.. a new pool and sports facility would be a great asset to the Campus and also the neighbors. My wife attended MSMU before transferring to USC. MSMU was good enough to re-route their shuttle buses from North Saltair to North Bundy a few years ago which was a very nice gesture. As a resident in the neighborhood, I am in full support regarding the plans concerning the wellness center. The planned 38,000 square feet structure will in my mind not add a lot of additional traffic to the neighborhood and MSMU I am sure will be very open to resolving any issues as they have in the past regarding traffic mitigation.

Sincerely

Chris Roscoe

Response to Comment ROSCOE 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It is noted that Section IV.K, *Transportation and Traffic*, of the Draft EIR identified that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor

area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 sf. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 sf.

Letter ROSENTHAL

Diane Rosenthal
soldiane@gmail.com
(June 3, 2018)

Comment ROSENTHAL 1

Dear Ms King,

Our family has lived on North Barrington for more than 45 years.

This is a residential neighborhood where MSM school is located. It is a commuter school with no means of public transportation. The traffic from MSM is already horrendous. If MSMU is allowed to expand further, my family will not be able to leave our home during the day. And neither will any of the residents of North Barrington, North Bundy, North Saltair. If fire or Police need access to these streets or the university, it will be almost impossible. Expansion of MSMU is a health, fire and risk of enormous proportion. MSMU has other Campuses. Let them expand those.

Please know that MSM is in a highly dry, flammable mountain area. Think long and hard about this monumental error of expansion.

Diane M Rosenthal

Response to Comment ROSENTHAL 1

The commenter expresses concern as to the effects of the Project on traffic, health, and fire risk. Although the comment expresses opposition to the Project based on these concerns, it does not provide substantial evidence to support the claim that such conditions would occur or that MSMU would create a health, or fire risk of enormous proportion as claimed. The comment also does not raise any issues with respect to the adequacy or content of the Draft EIR. Comments, however, are noted for the record and will be forwarded to the decision-makers for review and consideration.

With respect to the commenter's characterization of MSMU as a "commuter school" it should be noted that more than 30 percent of the Campus's full-time students generally reside in dormitories on Campus and therefore do not commute to Campus.

The comment claims that the Project entails the expansion of the MSMU Campus. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 are designed to serve the existing student body, and neither the Project nor Alternative 5 would expand student enrollment. See Topical Responses Nos. 2, 6 and 7 regarding the scope of the Project and the effects of the Project on student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus.

As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site.

Section IV.K, *Transportation and Traffic*, of the Draft EIR identified that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The Project's potential fire impacts were analyzed and disclosed in Section IV.J.1, Fire Protection, of the Draft EIR. The Draft EIR has analyzed the location of the Project within a designated VHFHSZ, which includes all of Brentwood to the west of Sunset Boulevard. The Draft EIR describes regulations and procedures pertinent to wildfire exposure, as well as discussion of the conditions that lead to the classification of the Project area as a VHFHSZ (see pages IV.J.1-1 through IV.J.1-2, IV.J.1-4 and 5, IV.J.1-8 and 9, IV.J.1-18, IV.J.1-20, IV.J.1-23, 24 and 25, and IV.J.1-31, 32, 33, and 34). As discussed on Page IV.J.1-33 of the Draft EIR, the Project would be required to comply with the Fire Code pertinent to response distance. As concluded, the Project would not result in substantial adverse impacts associated with the expansion of an existing fire station and/or the construction of a new fire station, the construction of which could cause significant environmental impacts. Additionally, the commenter is directed to Topical Response No. 4 regarding additional detail pertinent to emergency access and procedures relevant to fire emergency events in the area. Please also see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Letter ROSENTERTER

Ken Rosentreter
1255 N. Bundy Dr
Ken.rosentreter@gmail.com
(April 23, 2018)

Comment ROSENTERTER 1

Ms. Kathleen King,

I'm a resident and home owner in Bundy Canyon (1255 N Bundy Dr). I'm writing to express my concern with the approval of the Mt. St. Mary's MSMU ("MSMU") Wellness Pavilion Project. The traffic in the afternoons at the corner of Barrington and Sunset is already a major issue for our neighborhood. If I'm looking to leave my house anytime between 2PM and 8PM, I already need to plan to spend 20 mins on Barrington just to turn onto Sunset Blvd., and can typically count on another 15-20 mins to get to/past 405 freeway. Any expansion of MSMU Campus that will add to the student body or staff will exacerbate this problem, which is an issue for home owners in the neighborhood AND for students and staff of MSMU.

Please reconsider approval of this Project based on these major traffic concerns that are only getting worse with time.

Thank you,

Ken Rosentreter

Ken.rosentreter@gmail.com

Response to Comment ROSENTERTER 1

The comment expresses a concern regarding the "expansion" of the MSMU Campus and potential effects of the Project on existing traffic. The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of the Project and the effects of the Project on student enrollment. It should be noted that the Project would not expand the physical Project Site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, Alternative 5 occupies approximately the same area as the Project and, as with the Project, Alternative 5 would, therefore, not expand the physical Campus site.

The commenter expresses concern regarding traffic congestion in the Project area. Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter ROSS

Zhila Ross, Architect, LEED AP
1331 North Bundy Drive
Los Angeles, CA 90049
zhila.ross@yahoo.com

Dear Ms. King,

Please see my attached letter requesting clarifications and responses to be addressed in the final EIR for Mount Saint Mary's expansion Project.

Councilman Bonin's office is copied on this.

Regards

Comment ROSS 1

Dear Ms. King,

Below is the list of my questions for the above Draft EIR. As a neighbor affected by the Project, I would like to receive the answers to my questions from you and see them incorporated in the final EIR. Sections in *Italic* are quotes from the Draft EIR documents.

0-After reviewing the history of the permits obtained by the college, it seems that the only clear permit for enrollment was obtained in 1925 for maximum 500 students. Please indicate where has the college directly requested an enrollment above that number and where has the City granted it?

Response to Comment ROSS 1

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. Nevertheless, please refer to Topical Response Nos. 2 and 6 regarding the scope of the Project and MSMU's entitlement history and enrollment cap, respectively.

Comment ROSS 2

00- Has the City of Los Angeles verified the existing number of parking stalls?

000-Please provide the records indicating number of permitted parking stalls since the inception of the college. The Carondelet is a separate entity and requires its own parking.

Response to Comment ROSS 2

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration

The parking spaces identified on the MSMU Campus include MSMU's parking structure and scattered spaces throughout the Project Site (in the central Campus) and near the Yates, Aldworth, and Burns Houses in the north section of the Campus (See Figure II-4). The Project and the description of the existing Chalon Campus do not include any parking or other facilities on the Carondelet property. Section II, *Project Description*, of the Draft EIR, page II-2, identifies the Carondelet as a separate property. Please also see Topical Response No. 2 on this point. Furthermore, the number of vehicle parking stalls is not a threshold criterion under CEQA and thus is not addressed in an EIR.

Comment ROSS 3

1-Project Description states that the wellness center will create many External Events per year. Facilities used by these events' attendees are unrelated to the college use. They are a commercial use of the property and each building needs to be processed individually for its code requirements, i.e. parking and safety. According to Land Use Page 20: The Project would, however, increase the number and size of existing periodic Campus events and provide summer camp activities compared to existing conditions.

Per my conversation with you, you indicated that a private summer camp, speaker series, and other commercial uses intended to take place at the proposed facilities all fall under the same use as the college. Please indicate the code section pertinent to this issue

Response to Comment ROSS 3

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

With respect to the commenter's statement regarding the Wellness Pavilion's parking, as described in Topical Response No. 1 and in Chapter III, Revisions, Clarifications, and Corrections, of this Final EIR, Alternative 5 would result in a net reduction of 46 spaces compared to existing conditions, while still maintaining sufficient parking to meet applicable parking requirements.

The commenter's statement that the Project includes commercial uses is unsupported. Both the Project and Alternative 5 would replace the Campus's existing recreational and athletic facilities with recreational and athletic facilities that are consistent with those of a modern university. The primary purpose of the Wellness Pavilion is to serve as a health and wellness center and fitness facility/gymnasium for existing students. The Wellness Pavilion under both the Project and Alternative 5 is not a commercial enterprise.

The commenter is correct in stating that the Project would provide a space for new events to be held on the Campus. The Project Description of the Draft EIR specifically identifies the potential additional uses of the Campus associated with the Wellness Pavilion (see Table II-4, *Potentially Changed and New Campus Events/Activities*, of the Draft EIR). Table II-4 provides the type of use, the frequency, the range of anticipated attendance, and descriptions of each activity. Activities include Summer Sports Camps, Health and Wellness Speaker Series, and Other Wellness/Sports Activities. The potential environmental impacts of all of these events were analyzed in the Draft EIR. As discussed in the Draft EIR and further described in Topical Response No. 2, above, camps could be made available to the community/public and/or students, faculty, or staff and would be consistent with the Project's purpose to support wellness and athletic activity. The Wellness Speaker Series would be designed to complement MSMU's Wellness Movement with periodic lectures from experts in health and wellness for students, faculty, staff and alums. Other Wellness/Sports Activities would be attended by the MSMU community or external rental activities that would be complimentary and consistent with the purpose of the Wellness Pavilion (i.e., health, wellness, and sports). All of these activities would be related to the existing college use of the Project Site and would be consistent with MSMU's educational purpose. Also, please refer to Topical Response No. 2 regarding the scope of the Project.

Note that Alternative 5 discussed under Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's frequency of occurrence of potential larger Other Wellness/Sports Activities from 48 times per year to 12 times per year (a 75 percent reduction). Also, through strict limitations on visitor vehicle trips under PDF-TRAF-10 though PDF-TRAF-18, discussed in detail in Topical Response No. 3, above, Alternative 5 would reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels. Furthermore, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic.

Comment ROSS 4

1.1 A 38,000 sf commercially used health club at the ratio of one parking stall per 100 sf will require 380 parking stalls. Since this facility will be used commercially, please explain why the Planning Department does not require that?

Response to Comment ROSS 4

Although parking requirements are not a CEQA criterion, the Project would be required to be consistent with all applicable LAMC parking requirements and will be parked consistent with Code as set forth in Table III-2, contained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. To further clarify, the proposed facility's

use will be incidental to the operations of the university and primarily for its existing students and faculty. The Project and/or Alternative 5 is not a commercial health club. The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The commenter refers to the proposed size of the Wellness Pavilion under the Project, 38,000 square feet. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 reduces the size of the Wellness Pavilion to 35,500 square feet.

Comment ROSS 5

2-Project Description Page 13 states that for events scheduled for over 50 people during the day MSMU provides onsite valet parking:

2.1 Does it mean that for events with over 50 people at night they don't hire valet parking?

2.2 What guarantees that the valet won't park on the adjacent streets?

2.3 With the planned enrolment of 2,244, about 200 employees, visitors of up to 450, totaling at 3,000 people, does the City of Los Angeles Fire Department deem valet parking for 3,000 people safe in case of an emergency?

Response to Comment ROSS 5

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.

Neither the Project nor Alternative 5 provide for an increase in student enrollment or a planned enrollment of 2,244 (see Topical Response Nos. 2, 6, and 7, above). Also, please refer to Topical Response No. 4 regarding emergency access and the LAFD's "shelter in place" protocol for MSMU. As discussed in Topical Response No. 4 and in Section IV.J.1, Fire Protection, of the Draft EIR, impacts with respect to fire safety would be less than significant. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Please note that the Project is not an "expansion" of the MSMU Chalon Campus and does not affect student enrollment. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 are designed to serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. It should

be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 occupies approximately the same Project Site as the Project and, as with the Project, Alternative 5 would not, therefore expand the physical Campus site.

The Draft EIR describes existing valet services as: “Parking for all events is provided on the Campus. If events are scheduled for over 50 people (outside guests) during the day between 8:00 AM and 5:00 PM Monday to Friday and could impact parking on the Campus, MSMU provides free valet parking” (Draft EIR, page II-8). With respect to future parking, PDF-TRAF-7, set forth in Section IV.K, *Transportation and Traffic*, of the Draft EIR requires a Campus Event Coordination Plan that would define the parameters of the valet parking program and provide staff/signage to direct traffic during events. This Plan shall be submitted to LADOT for review and approval prior to issuance of a certificate of occupancy for the proposed Wellness Pavilion. Alternative 5 also incorporates a modified PDF-TRAF-7 with the same requirements. With respect to nighttime events of over 50 people, it is not expected that MSMU would need valet parking at that point in time because many of the existing parking spaces on Campus are not in use at night; however, MSMU could elect to implement valet parking for nighttime events if parking conditions on Campus are such that valet parking is deemed necessary or desirable. No street parking occurs under MSMU’s existing valet program. The purpose of valet parking is to coordinate parking on-site, including stacking if necessary, so that visitors do not park along the Campus roadways. In addition, Alternative 5’s PDF-TRAF-17 requires that MSMU maintain a policy prohibiting entry onto the Campus for all pedestrians (with certain exceptions for pedestrians whose arrival onto campus would not generate a vehicle trip), thereby ensuring that it would not be possible for outside guests to park in the community.

Finally, it is not expected that Alternative 5 would lead to the number of vehicles implied by the commenter. Through strict limitations on visitor vehicle trips under PDF-TRAF-10 through PDF-TRAF-18, discussed in detail in Topical Response No. 3, above, Alternative 5 would reduce the Project’s significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels. Furthermore, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic.

Comment ROSS 6

2.4 Does the Fire Department deem the adjacent streets of North Bundy, Norman, Saltair, and Benmore adequate and safe for emergency evacuation of 3,000 people coming down from the Campus?

2.5 Does the Fire Department determine that the evacuation of 3,000 additional people will not in any shape and form impede the evacuation and safety of the residents of North Bundy and Norman and the adjacent streets emptying into those two streets?

Response to Comment ROSS 6

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Response to Comment Ross 5, above regarding Campus occupancy, and please note that MSMU would shelter in place during a fire emergency per the direction of LAFD. The implementation of shelter in place protocols would not result in the mass evacuation of the Campus into neighboring streets during an emergency. The impact of the Project on fire services is discussed in Section IV.J.2, *Fire Protection*, of the Draft EIR and in Topical Response No. 4, above. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Furthermore, neither the Project nor Alternative 5 would result in 3,000 additional people at the Project Site. Based on anticipated event attendance outlined in Chapter II, *Project Description*, Table II-4, of the Draft EIR, the largest events (Health and Wellness Speaker Series (a large attendance event) would occur approximately eight times a year and host 100-450 visitors (although the Project's PDF-TRAF-8 would limit the total number of outside guests to 400 on a daily basis for new events such as the Other Wellness/Sports Events, Health and Wellness Speaker Series, and Summer Camps). Alternative 5, while eliminating the maximum daily outside guest attendance limit in PDF-TRAF-8, would impose a more restrictive trip cap. Specifically, Alternative 5's PDF-TRAF-12 would impose a vehicle trip cap of 310 trips per day (including both inbound and outbound trips) for Other Wellness/Sports Activities, Health and Wellness Speaker Series, and Club Sports. Similarly, PDF-TRAF-14 would impose a daily vehicle trip cap of 236 (118 inbound vehicle trips and 118 outbound vehicle trips) for summer camps. The PDF restrictions would ensure that Alternative 5 does not have any of the Project's significant and unavoidable operation traffic impacts.

Comment ROSS 7

Who will be using the proposed facilities? Students of the Chalon Campus, Students of the Doheny Campus, attendees of the retreats and events held at the Chalon Campus, or any other groups?

Will the commencement ceremonies or any other related events be held at the Chalon Campus after the proposed Project?

Response to Comment ROSS 7

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in Chapter II, *Project Description*, Table II-4, of the Draft EIR, events held at the Wellness Pavilion would be open to students, faculty, and outside visitors who have reservations for specific programs. Not all events would be open to all three groups. These same groups would also use the Wellness Pavilion under Alternative 5. Commencement ceremonies would continue to be conducted on the Doheny Campus. It is not clear what the commenter is referring to in connection with “any other related events”; however, no changes in existing Campus events or operations are anticipated unless otherwise noted in the Draft EIR or this Final EIR.

Comment ROSS 8

5-Project Description Page 13 states that the proposed 38,000 sf Project will only need one employee (the wellness manager). Explain how the therapy facility and the rest of the addition can be run by only one person? Does the Draft EIR count the therapists, technicians, and other necessary employees as non-employees?

Response to Comment ROSS 8

As discussed on page II-22 of the Draft EIR, the Wellness Pavilion is a recreational facility, which will primarily accommodate physical education activities for existing students. Physical education activities are currently conducted in the existing on-site facilities that would be replaced by the Project. As such, staffing for these activities already exists at the Chalon Campus. For example, there is already a licensed physical therapist on staff to assist doctoral students in that field, and no additional staffing is needed for the therapy facility. To clarify, the Wellness Pavilion would not be used to provide physical therapy to the public; the therapy facility would be a minor, incidental component of the Wellness Pavilion’s physical education facilities.

Comment ROSS 9

6- The Deemed Approved clause of LAMC Section 12.24 states that only if the proposed Project is in accord with the original Conditional Use Permit of 1928, it’d be deemed approved. The 1928 CUP called for a small (maximum 500 students) all girls college. MSMU is no longer small (has 1500 students and assumes 2200 as deemed approved), is no longer all girls (enrolls boys too), and no longer a college (it was renamed to MSMU in order to attract students from Europe and China, according to MSMU Board member....). Please explain how the proposed Project is in line with the original 1928 CUP?

Response to Comment ROSS 9

The comment does not apply to the adequacy or content of the Draft EIR. Nevertheless, please refer to Topical Response No. 2 regarding the scope of the Project and Topical Response No. 6 regarding MSMU's entitlement history and ongoing operations at the Chalon Campus. Please note the commenter appears to be mischaracterizing LAMC Section 12.24. LAMC Section 12.24.L, which is applicable to deemed-approved uses, states that "[a]ny lot or portion of a lot which is being lawfully used for any of the purposes enumerated in this section at the time the property is first classified in a zone in which the use is permitted only by conditional use or at the time the use in that zone first becomes subject to the requirements of this section, shall be deemed to be approved for the conditional use and may be continued on the lot." MSMU was lawfully using the property when colleges and universities became conditionally permitted at the property. As such, it is a deemed-approved conditional use. As stated in Topical Response No. 6, MSMU is able to apply for additional buildings through the Plan Approval process. Specifically, LAMC Section 12.24 M. states, in part: "On any lot or portion of a lot on which a deemed-approved conditional use is permitted pursuant to the provisions of this section, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended on an approved site, as permitted in Subsection L of this section, provided that plans are submitted to and approved by the Zoning Administrator, the Area Planning Commission, or the City Planning Commission, whichever has jurisdiction at the time."

Comment ROSS 10

7-Campus is zoned RE-40-1-H. Meaning minimum one house per 40,000 sf (approximately one acre). Although many houses in the area occupy more than one acre, it means that according to the General Plan and the Community Plan of Brentwood and Pacific Palisades, not more than 180 people should be occupying the 45 acres of MSMU property: 45x4 (average household) 180. It seems that as it is, the Campus is not in accord with either the General Plan, or the community Plan. Please explain how adding buildings and attracting, on some events, 3,000 people in one day would be in accord with the general and community plans?

Response to Comment ROSS 10

This comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

The comment does not provide substantial evidence that the RE-40-1-H zone is intended to result in a specific number of people in a defined area, nor is it clear how the commenter determined that average household size associated with this zone is four people. The Project is permitted under the LAMC to be located within the existing residential zones as a deemed-approved conditional use. MSMU has been in this location since prior to the

creation of the RE-40-1-H zone, the existing Community Plan, and the existing General Plan. The LAMC specifically contemplates such circumstances through its deemed-approved conditional use provisions, and MSMU is not required to comply with Code provisions geared at single-family residential homes.

In addition, the comment mischaracterizes the number of people that would be attracted to the Campus as a result of the Project or Alternative 5, neither of which anticipates an event with 3,000 people. Furthermore, neither the Project nor Alternative 5 anticipates an increase in enrollment or expansion of the Campus.

Comment ROSS 11

8-Zone RE-40 is dedicated for very low density residential use. For the past 20 years the residents of North Bundy Canyon have experienced a major shift towards the commercialization of the Campus by the college. As a result, the tucked-in neighborhood has been regularly visited by non-residents and subject to the increased risks of polluted air, increased traffic, carelessness of non-residents while driving in our narrow streets jeopardizing our residents' lives and our houses' safety. Throwing a cigarette butt on the dry sides of Chalon can cause catastrophes.

9-Page 16 of Project description: Ordinance No 90,500 provided that "...deemed to have been approved...if all other regulations of this article are complied with..." The narrative concludes that "Accordingly, the City Planning Commission has treated MSMU as a "deemed approved" conditional use in granting subsequent Approvals of Plans for the Campus." Please explain how a drastic shift to commercialization of a RE40 zone can be construed as "all other regulations being complied with."

Response to Comment ROSS 11

The comment does not apply to the adequacy or content of the Draft EIR nor does it provide substantial evidence to support the statement that MSMU has made a "drastic shift to commercialization" or that increased intensity of an educational use would constitute a violation of that use's deemed-approved conditional use status. Please also refer to Topical Response No 2 regarding the scope of the Project and Topical Response No. 6 regarding entitlement history and the status of ongoing operations at the Chalon Campus.

Traffic and air quality impacts associated with the Project were analyzed in Section IV.B, *Air Quality*, and IV.K, *Transportation and Traffic*, of the Draft EIR. As discussed in the Draft EIR, the Project's construction and operational air quality impacts would be less than significant with implementation of MM AQ-1. The Project's construction and operation traffic would be significant and unavoidable. Alternative 5 described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would further decrease the Project's air emissions, would reduce the Project's operation traffic impacts to less than significant levels, and would reduce the

Project's construction traffic impacts, but these would remain significant and unavoidable at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

Comment ROSS 12

10- Figure II-12 Project rendering: The proposed Project design is in harsh contrast with the existing building on the Campus. The white roof with inverted slope, full height glasses, materials used, etc. are not in harmony with the existing Mission style buildings. What does it take to change the design?

Response to Comment ROSS 12

Please refer to Section IV.A, *Aesthetics*, of the Draft EIR, for a discussion of the Project's architectural design and elements that enhance consistency with the existing Campus. It is noted that compatibility does not necessarily mean copying an existing style, but introducing a building that reflects the surrounding architectural character, color, landscaping, and other components of an existing environment.

Comment ROSS 13

11- Page 17 of Project Description Enhance Campus Programming: Project is intended for "enhancement of Homecoming and Athenian Day events...and...for new external Summer Sports Camps, a Health and Wellness Speaker Series, and other activities or events..." These purposes are certainly not in accord with the 1928 CUP of a small all girls college. Neither are they in line with the general Plan of City of Los Angeles or Brentwood-Pacific Palisades Community Plan of RE40 zone. Please explain how this will be accepted by the Planning Commission

Response to Comment ROSS 13

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. Please refer to Topical Response No. 6 regarding MSMU's entitlement history and status of ongoing operations at MSMU's Chalon Campus, as well as Response to Comments ROSS 9 and ROSS 10, above.

Comment ROSS 14

12- Page 18 of Project Description Improve Pedestrian Safety, Circulation and Parking states the improvement of student and visitor safety. How would an improved situation for the students and visitors also improve the life and safety of the residents-as required by Section 12.24 of LAMC? The conservative projection of increased daily trips estimated by consultants hired by MSMU states otherwise.

Response to Comment ROSS 14

This comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It is not clear what the commenter is referring to in connection with LAMC Section 12.24 M, which does not require the improvement of life and safety as noted by the commenter. Moreover, no substantial evidence is provided to indicate that the Project would negatively impact life and safety. To the extent that the commenter believes the Project's traffic imperils life and safety, please note that Alternative 5 discussed under Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the frequency of occurrence of potential larger Other Wellness/Sports Activities, and through strict limitations on visitor vehicle trips, reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels.

Comment ROSS 15

13- Currently the basketball and volleyball club teams are shuttled twice weekly to an off-site facility. As one of the justifications for the proposed facility, the narrative states that having onsite facilities will reduce traffic. However, Page 18 of Project Description states that students, faculty, staff, registered neighbors and alumni can use the facilities. This means that students from the Doheny Campus can also commute to the facilities. Considering that games will be held here, after hours and events will be held on a regular basis, therapy sessions will be offered, all together will drastically increase the daily and nightly and weekend trips.

Response to Comment ROSS 15

While the commenter correctly notes that students, faculty, staff, registered neighbors and alumni will be able to use the new Wellness Pavilion, the commenter appears to speculate that Doheny campus students would travel approximately one hour one way to use the Project even though the Doheny campus already has its own athletic facilities and Doheny students can turn to a multitude of commercial fitness centers in the surrounding area of Downtown Los Angeles. Just as Chalon Campus students would be unlikely to travel to Doheny for everyday health and wellness facilities, it is not realistic and entirely speculative to assume that Doheny students will travel to the Chalon Campus for use of the Project.

Please refer to Section IV.K, *Transportation and Traffic*, of the Draft EIR regarding the methodology employed in the determination of traffic impacts. The use of the Campus by students, faculty, alumni, staff, and registered neighbors is an existing condition (people who currently access the Campus) and is reflected in the base traffic condition for the area. Having an expanded physical therapy teaching program within the Campus

would reduce existing student commuting to other locations for these educational opportunities. However, to be conservative, the potential reduction was not estimated in the traffic impact analysis.

Although Club Sports, which would limit outside attendance, would be allowed under Alternative 5 as described in Topical Response No. 3, above, traffic from Club Sports predates the Project and would, in fact, decrease as a result of the Project. Specifically, under existing operations, MSMU generates vehicle trips in connection with travel by students and coaches who must practice at off-site locations due to the fact that MSMU currently lacks athletic facilities for Club Sport practices. Upon completion of the Wellness Pavilion, all trips for Club Sport practices would be eliminated since those practices could now be conducted on Campus. While Alternative 5 would enable new Club Sports events at the new Wellness Pavilion, such events would be much more limited in comparison to the number of practice days and, like the trips for practices, would not generate much traffic (approximately 20 to 40 outside guests) because, unlike intercollegiate sporting events, which would not take place at the Project, Club Sports do not attract significant spectators.

As further described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. In addition, the comment is not correct that events would be held on a regular basis since Alternative 5 anticipates only a maximum of 20 new events a year (compared to 56 new events a year under the Project).

The Project would not provide “therapy” sessions for the public, such as those associated with a medical clinic and would not attract outside visitors. The proposed “therapy” would be part of MSMU's education program in which Doctoral Physical Therapy candidates would provide consultation for students, faculty, and staff as a training exercise only. No professional medical treatment would be provided within the Campus or as part of the function of the Wellness Pavilion (see Chapter II, *Project Description*, page II-22 of the Draft EIR). It is also not reasonable to expect that Doheny Campus students would drive upwards of two hours to use the Wellness Pavilion's facilities when the Doheny Campus has its own wellness facilities.

Comment ROSS 16

14- Page 22 of Project Description: Please provide parking requirement and tabulation for each use.

Response to Comment ROSS 16

This comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. Please note that required parking for Alternative 5 and Campus as a whole can be found at Table III-2, *Alternative 5 and Campus Parking Requirements*, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR. Note, however, that parking is not a CEQA criteria issue and is not addressed in the Draft EIR as such.

Comment ROSS 17

15- Page 15 of Land Use and Planning: Condition 3 of approval of plans in 1952: the approval “shall only apply to a school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious activities.” MSMU has violated this condition by renting/leasing the facilities to entities outside this parameter. Why isn’t the previous CUP revoked for this violation? I support the Sunset Coalition Revocation Letter submitted by Doug Carstens.

16- In continuation of Question 15, the proposed events, i.e. Summer Camps, speaker retreats, etc. are outside the above-mentioned condition. Why is the Planning Department accepting this proposed Project if it’s in violation of previous CUP’s?

Response to Comment ROSS 17

This comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

MSMU’s current and proposed activities are consistent with the operation of an educational institution and, as such, MSMU is not in violation of any regulations. Please refer to Topical Responses No. 2, Scope of the Project, and Topical Response No. 6, University Entitlement History. The commenter has not provided any substantial evidence indicating that MSMU is not a school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious activities. Moreover, the condition cited by the commenter does not indicate that MSMU cannot rent its facilities. Many, if not most, educational and religious institutions rent their facilities for temporary events and/or uses such as filming, and many city approvals for such institutions explicitly address the rental of facilities or use by outside parties. In the absence of any express condition limiting rentals, MSMU is not in violation of its deemed approved conditional use.

Comment ROSS 18

17- Land Use Page 17: for the proposed Project to be “consistent,” the Project must be “compatible with the objectives, policies, general land uses, and programs specified in

the applicable plan,” meaning that a Project must be in “agreement or harmony” with the applicable land use plan to be consistent with that plan. Please explain how building 17 times the density of the general plan is in harmony with zone RE40-1 dedicated to low density residential use. See Question 18.

18- Land Use Page 18: Land Use Compatibility per 2006 L.A. CEQA Threshold Guide: The extent to which existing neighborhoods, communities, or land use would be disrupted...or isolated and the duration of the disruptions. The number, degree, and type of secondary impacts to surrounding land uses that could result from the implementation of the Project. Please explain how year-round external activities, in addition to a total of 2,500-person ongoing school Campus, plus all the service trucks, and the suction of the infrastructure and substandard streets will not adversely affect the surrounding land uses.

Response to Comment ROSS 18

The commenter expresses the concern that the Project would not be compatible with the objectives, policies, and programs specified in the applicable land use plans. The current CEQA criterion, included in the current Appendix G of the CEQA Guidelines and reflected in the threshold set forth in IV.H, *Land Use and Planning*, of the Draft EIR, is applicable rather than the text quoted in the comment letter. The standard for determination of significance is that a project not conflict with the objectives and policies of a plan adopted to avoid or mitigate an environmental impact. It is not specifically based on consistency, “agreement, or harmony.” As discussed in detail in Section IV.H, and presented in a side-by-side comparison of the Project to applicable policies, the Project would not conflict with the policies of the General Plan Framework Element, Health and Wellness Element, Open Space Element, Community Plan, Municipal Code, and SCAG’s 2016 RTP/SCS. The Project would be located within an existing developed portion of the existing Campus and would replace existing, outdated recreational facilities. It would not encroach into any neighborhood areas and would be minimally visible from surrounding areas. Although the Community Plan reflects the underlying zoning, it does not establish a specific occupancy density for the Project Site which has been developed as a university campus since 1928. The Project is located on an isolated ridge interfacing primarily with open space. The existing and proposed use would not directly connect to the adjacent residential neighborhoods, would not impact or change any public roadways or access, and would not cause the isolation of the surrounding residential community. The condition of the roads leading to the Campus was taken into consideration in the evaluation of intersection and neighborhood street impacts and emergency access and, as such, disclosed in the Draft EIR.

It is noted that case law provides that a project does not need to be consistent with every goal and objective of a plan to be considered in compliance with the plan (see *Sequoyah Hills Homeowners Assn. v. City of Oakland*). Please also refer to Topical Response No. 6 regarding the entitlement history and status of ongoing operations at the MSMU Chalon Campus.

It is further noted that the Project's significant operational impacts on neighborhood streets would be reduced to less than significant levels under Alternative 5, as discussed in Topical Response No. 3, above. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction traffic impacts, but these would remain significant and unavoidable at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). The impacts of the Project, including traffic, air emissions, noise, public services, land use compatibility and more, are the subject of the Draft EIR and are evaluated in respective sections of the Draft EIR.

Finally, the comment misstates the current enrollment of the Campus. Note that in 2016, student enrollment was 1,498 students, and the Campus had 176 staff and 63 faculty members, representing a maximum daily occupation during the school year of approximately 1,767 people. The Project would not involve any increase in enrollment. Please see Topical Responses Nos. 2, 6, and 7 on this point.

Comment ROSS 19

19- Page 40 of Project Description, *Fire Protection*: "The fire protection coverage for the proposed Wellness Pavilion would be comprised of fire road access on the north, west, south..."

19.1-Please indicate where the access from North is and why that access cannot be used as the major access to the Campus?

19.2-Have the Fire Department and the City Planning Commission verified the condition of the road?

19.3-Will the LAFD and the LACPC accept responsibility for the casualties of any catastrophic event, i.e. fire, earthquake, etc. that require evacuation and access for emergency vehicles?

Response to Comment ROSS 19

The Mt. Saint Mary's Fire Road is located to the north of the Project Site and extends across land owned by the Getty onto land owned by MSMU. As discussed in the Draft EIR (Page IV.J.1-28), to the north of the Campus LAFD emergency access is provided via Mount Saint Mary's Fire Road, which runs between the Campus and Mountain Gate Drive and Sepulveda Boulevard. The main access road merges with Mount Saint Mary's Fire Road at the north boundary of the Campus. The Mt. Saint Mary's Fire Road is under the jurisdiction of the LAFD.

Mount Saint Mary's Fire Road is maintained by the Getty on the portion located on Getty property and by MSMU on that portion located on MSMU property in accordance with LAFD requirements. The LAFD inspects the fire road on a regular basis and reports any

issues to MSMU or Getty that need to be addressed. The LAFD, MSMU, and Getty possess keys to the Mount Saint Mary's Fire Road entrance. Having been recently used by the LAFD during the November, 2019 Getty Fire, there is no indication that the Mount Saint Mary's Fire Road is not suitable for LAFD emergency access. The Mount Saint Mary's Fire Road is intended as emergency access for LAFD apparatus and personnel, and not for evacuation of the MSMU Campus. As discussed in detail in Topical Response No 4, *Emergency Access*, above, during various meetings between MSMU and LAFD, and as articulated by LAFD at broader meetings with the Brentwood community in the aftermath of the November, 2019 Getty Fire, LAFD has advised that MSMU shelter in place during a brush fire emergency when the surrounding Brentwood community is being evacuated because the Campus is generally deemed a safe place to be during a brush fire as it can be defended and protected by LAFD. Campus buildings feature fire-resistant materials such as stucco and tile roofs, with little exposed wood, and MSMU's brush clearance around the campus exceeds that required by LAFD. That, together with perimeter roads that serve as natural fire breaks, make MSMU a defensible space during a fire emergency. In the November, 2019 Getty Fire the adjacent Carondelet Center successfully sheltered in place during the entirety of the Getty Fire, and LAFD successfully defended the entire perimeter of the MSMU campus. As discussed in Topical Response No. 4, the LAFD's "shelter in place" policy will be the standard emergency response practice for the Campus.

Regarding the Wellness Pavilion, programs would be reasonably delayed or postponed during potentially hazardous conditions and would not go forward in the event of an evacuation order either from the MSMU Incident Commander or the LAFD.

With respect to the commenter's question regarding LAFD and City responsibility in a catastrophic event, questions of liability for such an event are well outside the scope of CEQA and this EIR.

Comment ROSS 20

20- Page 40 of Project Description, Water runoff: 'rainwater from parking areas would drain to the landscape areas for treatment prior to being discharged.' Where is the water from the parking lot and the roads supposed to discharge to? Bundy Drive has always had flooding issues in rain. Any additional runoff will be a detriment to the canyon in case of storms.

Response to Comment ROSS 20

The statement that "Bundy Drive has always had flooding issues in rain" is not supported by substantial evidence. According to the hydrology study prepared by KPFF Consulting Engineers in consultation with the City of Los Angeles, Department of Public Works, Engineering Division, Street Sewer and Stormwater Design, no flooding conditions exceeding existing capacity have been observed or identified in the Chalon Road/Bundy Drive collection system or in the storm drain at Bundy Drive and La Casa Lane. In a curb

and gutter drainage system, storm water flowing along the street can be misunderstood as “flooding.”

Surface water runoff is evaluated in Section IV.G, *Hydrology and Water Quality*, of the Draft EIR. As discussed therein, the Project would comply with the City’s Low Impact Development (LID) requirements. Under LID regulations, surface water runoff cannot exceed that of existing conditions.

Alternative 5 proposes to implement stormwater capture and reuse best management practices (BMPs). The proposed hydrology BMPs for Alternative 5 include multiple underground water storage tanks for rainwater harvesting, which collect and store stormwater for later irrigation of landscaped areas. Roof drains from the new Wellness Pavilion building would also be connected to the new underground storm piping system. Two new Contech continuous deflection separation (CDS) units, a technology that uses the natural motion of water to separate and trap pollutants, would be installed for pretreatment of stormwater before entering the storage tanks. The proposed tanks and CDS units would be installed within the parking lot located in the southwest portion of the Project Site.

Comment Ross 21

21- Page 45 of Project Description, Transportation: In addition to communicating with the local schools about the haul route, what other measures will be taken to prevent Sunset Blvd. and Barrington from becoming dead gridlock? As it is, rush hour traffic on these two streets is so crippling. At times fire trucks get stuck in traffic on Sunset, and sometimes it takes half an hour to move one block on Barrington. In addition, Page 48 states there’s no need to haul route.

22- Page 46 of Project Description, Transportation: Previous construction projects in the college also had mitigating measures such as limited hours of operation and off-site parking requirements, which were frequently violated. How would the proposed measures for this Project be monitored on a daily basis?

23- Page 47 of Project Description, Transportation: “MSMU will limit the total number of outside guests to 400 on a daily basis for new events such as the Other Wellness/Sports Events, Health and Wellness Speaker Series, and Summer Camps.” How will the Campus monitor 400 limit in visits to physical therapy, or by spectators at the events, camps, etc.? In the past, the college has not adhered to its conditions of approval and violated their CUP’s. How would the City Planning and DOT monitor this limitation?

Response to Comment ROSS 21

The comment provides a general statement without substantial evidence that previous construction projects at the MSMU Campus have violated limitations on hours of operation and regulations pertaining to off-site parking. In addition, the comment does not

provide substantial evidence that MSMU violated conditions of a prior CUP or other conditions of approval. The statement that LAFD trucks become “stuck” on Sunset Boulevard is also unsubstantiated by the evidence. It is further noted that physical therapy referenced in the comment is related to an on-site educational program and would not serve the public or visitors and, as such, would not generate additional vehicle trips to the Campus.

In addition, the comment that the Draft EIR states that “no haul route is needed,” is incorrect. The Draft EIR, page II-48 states, that “because graded soils would be balanced on-site, no haul route “permit” is required.” Because hauling will not exceed 1,000 cubic yards of soil under either the Project or Alternative 5, Los Angeles Department of Building and Safety approval of haul routes will not be required. Section IV.K, *Transportation and Traffic*, of the Draft EIR discusses proposed haul routes in detail. Please refer to the discussion of haul route policies in PDF-TRAF-1 (Construction Management Plan) page IV.K-38; to Figure IV.K-6, *Haul Route between the Project Site and the 405 Freeway*, on page IV-45; Figure IV.K-7, *Haul Route Adjacent to the Project Site*, on page IV.K-46; and to the discussion of haul routes on page IV.K-41 of the Draft EIR. It should also be noted that Alternative 5 includes a modified and expanded PDF-TRAF-1, including the same haul route policies as the Project, as explained in Topical Response 1, above, and Chapter III, *Revisions, Clarifications, and Corrections*.

Regarding congested streets, Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project’s operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project’s frequency of activity in that the number of the Project’s Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5’s reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The Project implemented PDF-TRAF-3 which requires MSMU to attend bi-monthly (or at a frequency determined appropriate by City Staff) construction management meetings

conducted by City Staff and the operators or contractors for the Archer School for Girls and the Brentwood School to coordinate the periods of heaviest construction activity in order to avoid overlapping hauling activities and address construction traffic. Alternative 5 incorporates this same requirement into a modified Construction Management Plan (PDF-TRAF-1). All PDFs and mitigation measures would be enforced through the Mitigation Monitoring Program (MMP), included as Chapter IV of this Final EIR.

Under Alternative 5, vehicle trips to the Campus would be limited through a reservation program, in which reservations would be required for new Campus events. All attendees must have a reservation to attend the event and thus MSMU would be able to limit the number of attendees for each event. Measures for the management of maximum trips are further articulated under PDF-TRAF-9 through PDF-TRAF-18, which are discussed in detail in Topical Responses No. 1 and No. 3, above.

Comment ROSS 22

24- Page 49 Project Description, Discretionary Approvals: Plan Approval Deemed-to Be Approved, per LAMC Section 12.24 M (Development of Uses): The City may grant a plan Approval... Please refer to Sunset Coalition Revocation Letter submitted by Doug Carstens.

Response to Comment ROSS 22

The intended meaning of the comment is not clear. Further, the referenced Sunset Coalition Letter was not submitted as a Draft EIR comment letter and has no relationship to the Project or to the requested discretionary approvals.

Comment ROSS 23

25- Page 4 of Land Use: “The Urban Form and Neighborhood Design Chapter of the General Plan Framework Element establishes the goal of creating a liveable city for existing and future residents; a city that is attractive to future investment...” As we know the college and its commercial events have a detrimental impact on the quality of life of Bundy Canyon residents. Any property in the area needs to disclose the college as an impediment. It certainly has grave negative impact on the value of the properties in the canyon.

26- Page 12 of Land Use: ‘The CUP process allows for the permitting of schools and other educational institutions in residential zones. Under LAMC Section 12.24-E (Findings for Approval), a decision-maker shall not grant a conditional use without finding:

1. That a Project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;

2. That the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and 3. That the Project substantially conforms with the purpose, intent, and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

26.1. The proposed Project will not enhance the built environment in our neighborhood, nor will it provide a service that is essential or beneficial to our community. It will rather open our quiet neighborhood to strangers who do not reside here and therefore do not care about its safety. For example, it brings tremendous traffic to our neighborhood, college students drive very fast and jeopardize our children's safety, time and again we have seen cigarette butts on Chalon which is like a tinderbox.

26.2- The commercialization of the college is not compatible with adjacent properties and will degrade our properties, our neighborhood, our health, and our safety.

26.3- Page 6 of 11 Attachment A: "It would be consistent with the characteristics and use typical of the Minimum Residential designation...the Project substantially conforms with the purpose, intent and provisions of the General Plan and the Community Plan." The proposed Project does not substantially conform with the designated low density residential RE-40 zone of the General Plan or the Brentwood Pacific Palisades Community Plan. The 2,244 enrollment, more than 200 employees, and at some points 450 attendants of the external events will flood thousands of people to the narrow streets of this designated low density neighborhood. Page 20 of Land Use: "The Project would, however, increase the number and size of existing periodic Campus events and provide summer camp activities compared to existing conditions...Refer to table II-4"

27- Page 12 of Land Use: Per LAMC Section 12.24-F and 12.24-L MSMU is required to adhere to its previous conditions of approval. Please indicate how in the past has the Planning Department of the City of Los Angeles verified and enforced the adherence of the college to these conditions

Response to Comment ROSS 23

The statements in the comment that the college and its events have a detrimental impact on the quality of life of Bundy Canyon residents; that any property in the area needs to disclose the college as an impediment; and that MSMU certainly has grave negative impact on the value of the properties in the canyon, are general opinions not substantiated by evidence. The Project is not a commercialization of the MSMU Campus. The comment is also conflating the CEQA process with the requested land use entitlements by listing the findings needed for LAMC 12.24. The commenter's unsubstantiated opinion regarding the granting of MSMU's requested entitlements are not within the purview of the Draft EIR or the Final EIR.

Specific statements in the comment that the Project “will rather open our quiet neighborhood to strangers who do not reside here and therefore do not care about its safety,” “brings tremendous traffic to our neighborhood, college students drive very fast and jeopardize our children’s safety, time and again we have seen cigarette butts on Chalon which is like a tinderbox,” and the “commercialization of the college is not compatible with adjacent properties and will degrade our properties, our neighborhood, our health, and our safety” are general statements of opinion not supported by substantial evidence. Also, as discussed in Topical Response No. 6, above, the Project would not increase student enrollment.

As required by CEQA, impacts related to traffic, fire safety and other issues have been evaluated and disclosed in the Draft EIR and, with the exception of construction and operation traffic and off-site construction traffic noise on a certain number of days during concrete pours, were all determined to be less than significant. All feasible mitigation measures would be implemented and, furthermore, as discussed in Topical Response No. 3, Alternative 5 would not result in any significant operation traffic impacts.

Also, please refer to Response to Comment ROSS 5, above, regarding the statement that the Project would accommodate 3,000 people. Note therein, that the Project does not provide for an increase in student enrollment or a planned enrollment of 2,244 students and anticipates an increase in only one staff person, and a maximum of 400 visitors over existing conditions. As discussed in Response to Comment ROSS 5, Alternative 5 would be further restrictive by limiting vehicle trips.

Comment ROSS 24

28- Page 13 of Land Use: Students of the Downtown Campus and the spectators of the games, will be visiting the proposed Wellness Center and hence contributing to greenhouse gases. Building the center on an offsite location between Brentwood and Downtown seems to be a more logical and sustainable solution.

Response to Comment ROSS 24

The statement that “Building the center on an offsite location between Brentwood and Downtown seems to be a more logical and sustainable solution” is not supported by substantial evidence for the reduction of greenhouse gases. The comment presupposes that the Wellness Pavilion will be primarily an event center and will be equally used by Doheny students, when in fact the Wellness Pavilion is meant primarily as a wellness center with fitness facilities for existing students of the Chalon Campus. Furthermore, in accordance with CEQA, Section IV.F, *Greenhouse Gas Emissions*, of the Draft EIR evaluated greenhouse gas impacts and determined impacts to be less than significant. As discussed therein, the Project’s post-2020 emissions trajectory is expected to follow a declining trend, consistent with the establishment of the 2030 and 2050 targets. Because of the reduction in vehicle trips and building floor area under Alternative 5, greenhouse gas impacts would be further reduced.

Comment ROSS 25

29- Page 15 of Land Use: “Under Condition 3 the existing CUP, approval shall only apply to a school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious, activities.” Please indicate how the commercial uses in the college are in conformance with the State Educational Code.

Response to Comment ROSS 25

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

The implication that the Project is a commercial use is not supported by substantial evidence. Both the Project and Alternative 5 would replace the Campus’s existing recreational facilities. Both the Project and Alternative 5 would allow for recreational and athletic activities that are consistent with the curriculum of a modern university. The primary purpose of the Wellness Pavilion is to serve as a health and wellness center and fitness facility/gymnasium for existing students. The Wellness Pavilion under both the Project and Alternative 5 is not a commercial enterprise. With respect to “commercial uses,” generally, the commenter has not provided any evidence that MSMU is allowing any activities on Campus that are any different from the activities of any college or university that is in conformance with the State Educational Code, nor has the commenter provided any evidence that a college or university in conformance with the State Educational Code cannot rent its facilities in furtherance of its educational mission. Please also refer to Topical Response No. 2 for further discussion on the scope of the Project.

Comment ROSS 26

30- Page 18 of Land Use: 2006 CEQA Threshold Guide...identifies the following factors to evaluate land use impacts:

- (a) Land Use Consistency; Whether the proposal is inconsistent with the adopted land use/density designation in the existing Community Plan...See question 26-3
- (b) Land Use Compatibility...The extent to which existing neighborhoods, communities, or land uses would be disrupted...” See question 26
- (c) “The number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the Project” See question 26

Response to Comment ROSS 26

Land use density is related to residential uses. In the prior discussion of land use impacts (see Response to Comment ROSS 18, above), the Project is described as an approved

use in a residential zone that does not need to comply with residential density requirements as no residential uses are being proposed. The prior response also addresses land use compatibility. As discussed, therein, a project does not need to be consistent with every goal and objective of a plan to be considered in compliance with the plan (see *Sequoyah Hills Homeowners Assn. v. City of Oakland*). As further noted therein, the Draft EIR evaluated all CEQA issues and identified all significant environmental impacts (construction and operation traffic and construction noise). With respect to item (c) above, this standard is included on page IV.H-18 of the Draft EIR, a description of surrounding land uses is included on page IV.H-16 of the Draft EIR, and a complete analysis of the Project's land use impacts is included in Chapter IV.H, *Land Use and Planning*. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction noise impacts but not to a level of less than significant, and would reduce the Project's construction traffic impacts, but these would remain significant and unavoidable at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

Comment ROSS 27

Page 4 of 11 Attachment A: "Any additional Campus events at the Wellness Pavilion will not adversely impact the surrounding neighborhood because the number of attendees would be consistent with existing events".

Page 5 of 11 Attachment A: "...the Project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety" Please explain how several years of construction of this magnitude would not bring dust, noise, traffic, and disruption to our neighborhood. And, how a facility with commercial activities hosting several thousand people would not affect or disrupt the safety, welfare, and public health of our neighborhood. As it is, we cannot walk in our streets during the commute times of the students or the events' participants. They drive fast, pollute the air, and can jeopardize our safety in the case of emergencies exiting the narrow streets of our canyons.

See pages 6-11 of 11 of Attachment A: All Lies

Truly yours,

Zhila Yedidsion, Architect, LEED AP

Response to Comment ROSS 27

It is not clear from the statement whether the commenter is referring to the Draft EIR Appendix A (the Initial Study) or to another document. An "Attachment A" was not included in the received comment letter. Also, the comment refers to an 11-page

“Attachment A,” while the Draft EIR Appendix A is 234 pages and does not contain the quoted references. The statements provided in the comment are also not contained in the shorter Notice of Preparation (NOP), which is part of the Draft EIR Appendix A. In addition, the cited statements are not contained within the Draft EIR. The Draft EIR, including Appendix A, did not conclude that the Project would have no adverse impacts. In accordance with CEQA, the Draft EIR evaluated all of the applicable CEQA environmental issues, including, but not limited to, aesthetics, air quality, noise, and traffic, and determined that the Project’s construction and operational traffic would be significant and unavoidable. It also determined that, with the implementation of all feasible mitigation measures, construction noise would be significant and unavoidable.

The statement in the comment that the Project would entail “several years of construction” is not supported by substantial evidence in that the Draft EIR states that construction would require 22 months for completion. As explained in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and Topical Response No. 1, Alternative 5 would reduce the Project’s construction period to 20 months.

The statement that the Project would entail “commercial activities hosting several thousand people” is also unsupported by substantial evidence. It is not the case that either the Project or Alternative 5 contemplate commercial activities that would host several thousand people.

In addition, the statement that students “drive fast, pollute the air, and can jeopardize our safety in the case of emergencies exiting the narrow streets of our canyons,” is unsubstantiated and not relevant to the Project, which would not increase student enrollment (see Topical Responses Nos. 2, 6, and 7). Also, please note as discussed in Topical Response No. 4 (Emergency Access), above, in the case of a broad emergency, such as a fire or earthquake, MSMU would implement a “shelter in place” policy and would not create an obstruction on the area’s neighborhood streets during such emergencies.

Comment ROSS 28

Excerpts from Sunset Coalition’s Revocation Letter:

After Mount St. Mary's MSMU was established as a "small college for girls" in 1925, the institution's leaders chose to relocate its Campus from downtown Los Angeles to a residentially zoned hillside area in the Santa Monica Mountains in a wildfire zone. During a 1928 public hearing, in front of the City Planning Commission, a representative of MSMU stated that "they will have between 150 and 200 students and the maximum number will be 500, about 75 of the students will be resident and 75 will be day pupils. "

(See Planning Commission Hearing transcript, 1928, Enclosure 7, emphasis added.) This statement was further confirmed by one of the Commissioners: "it is the intention to have a minimum of 150 students and a maximum of 500 students."

MSMU continued unpermitted expansion in enrollment and by 1995, "MSMC 's enrollment has increased by more than 20% over the last three years. Our total of 1,935 students...represents an all-time high (for both Campuses]." (See "Mount St. Mary's," Los Angeles Times, February 21, 1995, p. B4, Enclosure 36, Throughout the years, MSMU has rented out the Chalon Campus for movies and TV shows, music videos and commercials. According to the Internet Movie Database IMDb and a report from Film LA, Inc., the Chalon Campus has been used in over 20 movies, TV shows, music videos, pilots and commercials, including but not limited to: "Falcon Crest," "Less Than Zero," "Death Becomes Her," "The Glass House," "90210," "Modern Family," and "Monk." (See Film LA and IMDb Titles with Filming Locations, Enclosure 40.) As evidenced by MSMU's financial statements, during the time from July 1, 2010 to June 30, 2016, it has reported over \$800,000 in revenues from such filmmaking activities. (See MSMU Form 990, July 1, 2010 — June 30, 2016, Enclosure 41.)

The parking crisis and student housing shortage continued until 1984, when MSMU applied to the City for two separate approvals: (1) a faculty residence hall with three dwelling units and a one story parking garage, and (2) a multi-level parking structure. As with past City approvals for new buildings, the parking requirements were tied to the approved buildings. The Staff Report Comment section of the Jan 1984 CUP for the residence hall stated, "By Code, the proposed residence hall will require seven additional parking spaces. This includes two parking spaces for each of the three dwelling units, and one additional space for three guest bedrooms (the latter requirement is so low because more than 60 guest rooms are located elsewhere within the Campus." (See City Plan Case 4072-CU, January 26, 1984, Enclosure 19, emphasis added.)

The residence hall and one-story garage were approved in January 1984 and in March, MSMU returned to the City proposing a multi-level parking structure for 268 parking spaces, which was approved in July 1984. The CUP tied enrollment to the number of available parking spaces in the approved structure to mitigate the risk of overflow parking on residential streets.

According to transportation engineering expert and former LADOT official Allyn Rifkin, "There is no basis in City of Los Angeles entitlements to calculate student enrollment based upon the number of parking spaces provided."

(See Allyn Rifkin report, Enclosure 1, p. 3.)

It is evident from a long history of parking problems on Mount St. Mary's Chalon Campus as MSMU has continued to increase enrollment and lease and rent its facilities for many small and large outside events, its informal attempts at "mitigation" measures have proven ineffective. These failed measures include the following: restriping of parking spaces; narrowing parking space; parking in undesignated parking areas, such as tennis courts; carpooling; busing; parking on local streets; car rental sharing; renting parking from offsite facilities; shuttles; tandem parking; eliminating a traffic lane for parking spaces

on one side of the roadway; valet parking. Thus, none of these are true mitigation measures. Further, mitigation measures must be effective and enforceable.

(Lincoln Place Tenants Ass'n v. City of Los Angeles, (2005) 130 Cal. App. 4th 1491, 1508.) MSMU's ineffectual attempts to resolve parking issues created by its over intensification of use and event scheduling are neither.

The provisions of Los Angeles Municipal Code sections 12.24.Z and 12.27.1.B for revocation are well met. MSMU's continual expansions and intensification of operations have created conditions that "jeopardize or adversely affect the public health, peace, or safety of person residing or working on the premises or in the surrounding area." MSMU's careless operation "adversely impacts nearby uses" who are affected by the significant parking, traffic, and fire safety hazards identified above.

Response to Comment ROSS 28

The quoted excerpts from the letter from Sunset Coalition expresses a concern over MSMU's previously-granted entitlements for ongoing campus activities. The comment does not relate to the adequacy of the Draft EIR under CEQA or the Project. For a discussion of the scope of the Project and the status of MSMU's entitlements, please refer to Topical Responses Nos. 2 and 6, above. (See also Responses to Comments CHATTEN-2 2 and CHATTEN-2 16, above). Note that as further discussed in Topical Response No. 2, the scope of the Project is confined to the replacement of an existing, developed fitness center, swimming pool, tennis courts, and maintenance building with a Wellness Center. Neither the Project nor Alternative 5 implicates any of the existing entitlements relating to ongoing Campus operations, and neither the Project nor Alternative 5 will expand student enrollment.

Letter RUXIN 1

Jimmy Ruxin
jimruxin@yahoo.com
(April 13, 2018)

Comment RUXIN 1-1

I am a resident of N. Bundy Drive and will not be able to attend this hearing, but I did want to relay my concerns about the Campus expansion.

The Chalon Campus has never been a great neighbor. I can remember years ago, as a gesture of community, they opened up their modest tennis court and pool to neighbors on the weekends. They revoked that privilege for some reason, even though neighbors rarely took advantage of the offer.

Response to Comment RUXIN 1-1

The comment cites opposition to the Project and does not pertain to the content and adequacy of the Draft EIR.

This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. Regarding use of MSMU's recreational facilities, it is noted that MSMU has continued to invite adjacent residents to use the Campus' recreational facilities and would retain this policy into the future. Further, it should be clarified that no hearing for the Project and/or Alternative 5 will be held until the Final EIR has been published.

Comment RUXIN 1-2

Then came years of excessive traffic with too little effort to mitigate unauthorized day trips up residential streets.

I am a supporter of educational institutions like this and am happy to share the community with it, but only if they conduct themselves as part of the neighborhood, instead of gaming the system for their own advantage.

They should open up the new Wellness Pavilion at reasonable times to the immediately community of Bundy Canyon as part of this social obligation. The congestion on the streets for say and evening events would be more tolerable if they acted like they were actually part of the commonweal.

Jim Ruxin

310-617-7372 mobile

Response to Comment RUXIN 1-2

The commenter's statement in support of educational institutions and wish for MSMU to conduct itself as part of the neighborhood, instead of gaming the system for its own advantage, is a general statement and personal opinion that lacks substantial evidence.

Although the meaning of "unauthorized day trip" in the comment is not clear, Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18 under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

It is further noted that MSMU provides access to its existing recreational facilities to its neighbors, and has the intention to continue this policy with the development of the new Wellness Pavilion.

Letter RUXIN 2

Jimmy Ruxin
jimruxin@yahoo.com
(April 13, 2018)

Comment RUXIN 2-1

I would also like to add that a staff person there disguised her identity to post on the Bundy Canyon Neighborhood website site so she could keep tabs on neighbors' private comments. When this was discovered she was removed from membership. I am sure the site operator can help you document this rather unpleasant matter. Charitable and religious institutions are expected to be above the fray, and that matter is but one more demonstration of a history of deceptive practices and information employed in their "community relations."

That incident should be a part of the file as well.

Thanks.

Jim Ruxin

310-617-7372

Response to Comment RUXIN 2-1

The comment does not pertain to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter SALKA

Fern Topas Salka
11661 San Vicente Blvd., Suite 500
Los Angeles, CA 90049
ernsalka@gmail.com
(May 30, 2018)

Comment SALKA 1

Dear Ms. King:

I am writing with regard to the proposed Wellness Center at the Chalon Campus of Mt. St. Mary's College. I strongly oppose it, no matter how good a neighbor they may or may not have been, no matter what "safeguards" are put in place. Plainly, there is no way that increasing the current enrollment or expanding facilities will happen without a severely negative impact in a neighborhood that is already suffering from untenable traffic. We have heard it many times before. "When we expand the Archer School facility, we will do it in such a way that it will have no impact on traffic." Same thing with Brentwood School. But the reality, after it passes over the massive objections of the residents, is something else.

I have lived on Norman Place since 1977 and worked two miles away, on San Vicente Blvd., for many decades. In the past several years, the traffic has gone from minimal to unbearable. Just last week, it took me forty-five minutes just to cross Sunset Blvd. This is a typical problem for many hours a day. Most of the cars ahead of me, trying to turn onto Sunset headed east, were clearly students at Mt. St. Mary's College.

To allow any further school expansion in this area is outrageous and bordering on corrupt. I trust you will seriously consider denying the application.

Very truly yours,

Fern Topas Salka

Response to Comment SALKA 1

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. It should be noted that the Project would not expand the physical Campus site and instead would be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 occupies approximately the

same Project Site as the Project and, as with the Project, Alternative 5 would not, therefore expand the physical Campus site.

The comment expresses concern that traffic has gone from minimal to unbearable and that it recently took forty-five minutes to cross Sunset Boulevard. The comment also states that this is a typical problem for many hours a day and that most of the cars were occupied by students at MSMU. Existing conditions, evaluated in the *Mount Saint Mary's University Wellness Pavilion Transportation Impact Analysis* (Traffic Impact Analysis) and in Section IV.K, *Transportation and Traffic*, of the Draft EIR, determined that stop and go services levels (LOS F) occur at Sunset Boulevard intersections during certain afternoon and evening peak hours, while traffic operates at more acceptable levels during other hours of the day. The comment does not disclose the time of day of the experienced congestion, and provides no substantial evidence that the traffic congestion experienced by the commenter was in fact caused by MSMU students. As stated above, existing conditions for afternoon and evening peak hours were defined in the Traffic Impact Analysis and formed the basis for the Draft EIR conclusions that the Project's operation traffic impacts would be significant and unavoidable with respect to the intersections of Sunset Boulevard at Barrington Avenue, Saltair Avenue, and Bundy Drive and at three neighborhood street segments during the school year and six neighborhood street segments during the summer. It is noted that Alternative 5 would reduce the Project's operational traffic impacts to less than significant levels through the implementation of trip caps under PDF-TRAF-10 through PDF-TRAF-18. Moreover, PDF-TRAF-18 requires that total daily vehicle trips generated by trips to and from the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Letter SCHUMACHER

Gretchen and Jack Schumacher
401 North Barrington
jjschumas@aol.com
(June 4, 2018)

Comment SCHUMACHER 1

Dear Ms. King:

We have lived at 401 N Barrington for 45 years and are completely against the expansion of MSM. The traffic has become deplorable and every afternoon it takes us 30 minutes to go the 2 1/2 blocks down to Sunset.

Our neighborhood is residential and cannot accommodate such commercial intrusion.

Thank you for your understanding.

Sincerely,

Gretchen and Jack Schumacher

Response to Comment SCHUMACHER 1

The comment expressed concern regarding traffic conditions in the Sunset Boulevard area. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. It should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 occupies approximately the same Site as the Project and, as with the Project, Alternative 5 would not, therefore expand the physical Campus site. Also, please noted that the Project is not a commercial use as stated in the comment letter.

Note that Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would result in significant and unavoidable impacts with respect to the intersections of Sunset Boulevard at Barrington Avenue, Saltair Avenue, and Bundy Drive, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the

summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter SCOTT

Timothy Scott
1263 N Norman Place
Los Angeles, CA 90049
tjs2bin@earthlink.net
(June 12, 2018)

Comment SCOTT 1

Dear Ms. King,

Please see my attached response to the Draft Environmental Impact Report for the proposed MSM Wellness Pavilion.

Regards,

Timothy Scott
1263 N Norman PI
Los Angeles, CA 90049

Dear Ms. King,

We have lived on Norman Place for 20 years. During this time period, Mt. St. Mary's (MSM) has gone through periods where they were culpable for an unmitigated and life threatening assault from vehicles careening up and down our narrow canyon roads, to the current more managed, but still annoying, level of traffic. While I applaud the effort to reduce and quiet traffic, and for sure there is a more active presence of Campus security on the local streets than in years past, the proposed construction effort has me very concerned.

The recent inquiry by MSM into exercising an easement through the Getty property to reduce the construction burden on Brentwood streets only serves to underscore the scope of this proposed effort. I was alarmed to read about the number concrete trucks and dirt hauling trucks that are needed, and find it unnerving to think of the safety implications of such heavily laden vehicles traversing the very narrow and very steep grades in the neighborhood, and also on the MSM Campus.

We are all very familiar with the Sunset Boulevard traffic disaster, most pronounced in the evenings and noteworthy in the amount of time it takes to transition to Sunset from Barrington, and now there will be additional construction crews and heavy equipment to contend with.

Response to Comment SCOTT 1

The comment expresses concern regarding existing traffic conditions, as well as construction traffic impacts associated with the Project.

The use of the east extension of Chalon Road (the Getty Fire Road) for construction traffic was evaluated as a potential Alternative to the Project, as discussed in Chapter V, Alternative 3, of the Draft EIR. This Alternative is no longer under consideration as a Project Alternative. Please refer to Topical Response No. 5, above, for detailed discussion regarding the City's determination that this Alternative is no longer feasible.

Table IV.K-7, *Construction Period Vehicle Trip Generation*, in the Draft EIR shows the number of truck loads anticipated during the Project's various construction phases. As shown in Table IV.K-7, approximately 40 haul trucks are expected on a peak day during the demolition phase and up to 60 delivery and equipment trucks are expected on a peak day during the concrete pour phase. Because excavation would be balanced on site, no dirt hauling is anticipated. Alternative 5 discussed under Topical Responses No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the scale and duration of total construction and hauling activities. Specifically, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months. However, as with the Project, construction traffic impacts would be significant and unavoidable at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

The Construction Traffic Management Plan, required under PDF-TRAF-1 for either the Project or Alternative 5, would be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include appropriate temporary traffic controls (signs and temporary signals) along the public rights-of-way during all construction activities to ensure pedestrian and vehicular safety during construction. Construction activities would be scheduled to reduce the effect on traffic flow on arterial streets. During peak haul traffic, if off-site staging is required, trucks would be radioed in from an off-site staging area to avoiding queuing along adjacent streets. Construction-related deliveries, other than concrete and earthwork-related deliveries, would be scheduled between the hours of 7:00 AM and 3:00 PM to reduce travel during peak travel periods as identified in the Project's Traffic Impact Study and to reduce the potential of trucks waiting to load or unload for protracted periods of time. Under the Construction Traffic Management Plan, access for surrounding residential uses in proximity to the Project Site during construction must be maintained. The school or its contractors must coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring residences at all times.

Comment SCOTT 2

Of more concern to me is the impact on morning traffic. Construction crews start early, which means waking up to the roar of diesel-spewing lumbering trucks struggling with the steep incline 15 feet from my house. The cacophony is likely to commence around 6 am with anticipated traffic blockages for those of us leaving in the morning due to structural constrictions on Norman place that can limit vehicle flow to one way (there is another monster residential Project, still a small fraction of the Wellness center, on Norman Place that routinely narrows the street to one-way flow because of construction-crew parking)

Response to Comment SCOTT 2

As discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR (see PDF-TRAF-6 on page IV.K-39), the Project's PDF-TRAF-6 would require that all heavy truck hauling of construction equipment and construction materials deliveries shall be limited to hours between 7:00 AM and 3:00 PM to avoid the PM peak-hour commuter traffic period. This restriction shall not apply to concrete pour that cannot feasibly be finished prior to 3:00 PM. No on-street staging or idling of haul trucks on public roadways will be allowed. The issue of truck noise is evaluated in Section IV.I, *Noise*, of the Draft EIR. As discussed therein, with implementation of Mitigation Measure NOISE-1, noise levels from concrete trucks would exceed threshold standards along Chalon Road only. Concrete truck activity would not exceed noise thresholds and would be less than significant along Norman Place. With respect to traffic blockages, the Construction Traffic Management Plan, required by PDF-TRAF-1 for either the Project or Alternative 5 is based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include appropriate temporary traffic controls (signs and temporary signals) along the public rights-of-way during all construction activities to ensure pedestrian and vehicular safety during construction. Construction activities must be scheduled to reduce the effect on traffic flow on arterial streets, and construction crews will have the ability to radio between themselves to monitor and control construction traffic to address any potential road blockages.

Comment SCOTT 3

Unfortunately, the traffic related to the Wellness center is unlikely to abate after construction. The planned facility represents a significant investment for MSM and it will be an attractive location to hold weekend and evening sports events and other activities which can only increase traffic. An additional 55 parking spaces are planned because of the new Wellness facility, which can only mean more cars.

Response to Comment SCOTT 3

This comment expresses a concern regarding the Project's operation traffic. Table 2-4, *Potentially Changed and New Campus Events/Activities*, in the Draft EIR, summarizes the potential changes to existing events and future events/activities that could occur as a

result of Project implementation. The table does not include typical daily uses of the proposed Wellness Pavilion, including club sports team practices, as such uses would not generate new traffic beyond existing daily conditions at the Campus. Section IV.K, *Transportation and Traffic*, of the Draft EIR, studied the potential impacts associated with the Project's additional activity compared to existing conditions and concluded that the impacts of Project traffic during operation would be significant and unavoidable.

However, Alternative 5 described in Topical Response No. 1, above, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would result in a net decrease of 46 parking spaces compared to existing conditions; prohibit any new Wellness Pavilion events that would require peak hour travel through PDF-TRAF-11; would reduce the frequency of occurrence of potential larger Other Wellness/Sports Activities from approximately 48 per year to 12 per year (a decrease of approximately 75 percent); would impose PDF-TRAF-12 to cap outside guest daily vehicle trips at 310 (155 trips inbound and 155 trips outbound) for Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports; and would impose PDF-TRAF-14 to cap daily vehicle trips at 236 (118 trips inbound and 118 trips outbound) for Summer Sports Camps. The trips caps would reduce the Project's significant and unavoidable operational traffic impacts to less than significant levels. In addition, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Also, please refer to Topical Responses No. 1 and 2 for further discussion of the scope of the Project and Alternative 5.

Comment SCOTT 4

MSM has a history of violating conditional use to maximize the utility of the Campus. They are clearly an institution with a vision to grow and command a greater presence, and the demand for a college education has never been higher. I fully support education, and yes they should be able to modernize their facilities, but we are all constrained by the reality imposed by the current state of infrastructure and environmental capacity. The canyons of Los Angeles are particularly prone to natural disasters and are increasingly at risk. More people, more cars, an increasingly dysfunctional Sunset Boulevard and 405 Freeway, combined with a more adversarial climate lead to heightened fire-safety risk. Anything that puts more vehicles and people in a fragile and potentially explosive canyon area puts our property, and our family's life more in harm's way. One need only reflect upon the recent severe wildfires in California and think about all the lives lost to appreciate this grim reality.

Response to Comment SCOTT 4

The comment that "MSM has a history of violating conditional use to maximize the utility of the Campus" is a general opinion and is not supported by substantial evidence." In this

regard, please also refer to Topical Response No. 2 for a discussion about the scope of the Project and refer to Topical Response No. 6 for further discussion of MSMU's entitlement history at the Chalon Campus.

Section J.1, *Fire Protection*, of the Draft EIR and Topical Response No. 4, above, describes the area's VHFHSZ designation and includes measures to ensure that fire risk would not be aggravated. As discussed in Section J.1, the Project would implement Fire Code requirements pertaining to its use and this location, including brush clearance, sprinklers, and other Building Code features, to reduce the spread of fire. In addition, as discussed in Topical Response No. 4, the Project would implement the LAFD's recommendation to "shelter in place," which would reduce risk to neighbors and MSMU, and allow for improved LAFD access to the area. Please refer to Topical Response No. 4 and Section J.1, *Fire Protection*, of the Draft EIR for additional discussion of fire safety. Also, please note that the CEQA Guidelines provide specific thresholds regarding interface with wildland areas and potential for wildfire. The new wildfire Appendix G threshold questions are discussed in Appendix B of this Final EIR. As discussed in Appendix B, Project impacts with respect to wildfires would be less than significant. The Project would not impede emergency evacuation plans; would not exacerbate risk conditions; would not require installation of additional infrastructure, such as power lines; and would not expose people or structures to downstream flooding or landslide and, as such, would be less than significant with respect to the new wildfire threshold.

Comment SCOTT 5

I advocate reducing the scope of the Wellness Project to limit the construction impact and implore the city to pressure the University to live within the terms of the conditional use. They should not need to remove the amount of dirt proposed, and should consider other scale reductions to limit the impact on the area. Appreciating that the University has a growing population to serve, I encourage to MSM to direct Campus investment to the Doheny Campus.

Finally, under no circumstances should MSM be allowed to consider using the Getty property easement as a path towards an MSM-dedicated, or worse, public access route into Bundy canyon as a means to increase their Campus operations.

Regards,

Timothy Scott
1263 N Norman Place
Los Angeles, CA 90049

Response to Comment SCOTT 5

With respect to the commenter's statements regarding the terms of the existing conditional use, it should be noted that additional buildings are permitted under the terms

of the existing Campus entitlements through application for plan approvals, one of the entitlements requested by MSMU for Alternative 5.

With respect to soil removal, as discussed in Topical Response No. 1 (see Table II-2) and in Chapter III, *Clarifications, Revisions, and Corrections*, of this Final EIR, Alternative 5 would reduce the Project's excavation volumes from 10,699 cubic yards of cut and approximately 9,825 cubic yards of fill (a total of 20,524 cubic yards) to 4,884 cubic yards of cut and approximately 4,459 cubic yards of fill (an approximately 54 percent reduction from the Project). It should also be noted that MSMU plans to balance dirt on site, such that it will not need a haul route approval, which is required with the import or export of more than 1,000 cubic yards of soil. In addition, the Getty Fire Road would not be used for construction activity. The Draft EIR evaluated the use of the Getty Fire Road (extension of Chalon Road) as an alternative route for construction traffic (Alternative 3) in order to reduce overall exposure of the residential neighborhood to truck noise. As discussed in Topical Response No. 5, above, this Alternative is no longer considered feasible and is no longer being considered by MSMU.

Letter SHELTON

Ginny Shelton
ginginhs@aol.com
(April 15, 2018)

Comment SHELTON 1

Building is too BIG!!

Impact of traffic we'll be HORRIBLE!! Has anyone in the city checked out the traffics patterns in this neighborhood recently???? We have lived here for 30 years. And the last 5 have been unlivable due to traffic, you can thank Waze, and all the buildings in silicone beach etc. for that. sunset is worse than the 405, if you can even get to sunset. My one-minute drive to sunset can now be up to 20 minute wait at the signal, due to all the cars cutting through this neighborhood

NO more cars, trucks, tanks, or anything that moves!

Response to Comment SHELTON 1

The comment expresses a general opinion regarding existing cut through traffic and is not supported by substantial evidence. Existing traffic conditions, including those on surrounding neighborhood streets and Study Area intersections, as well as Project transportation impacts, are evaluated in Section IV.K, *Transportation and Traffic*, of the Draft EIR. As discussed, therein, existing conditions at the intersections of Sunset Boulevard at Bundy Drive, Saltair Avenue, and Barrington Avenue currently operate at poor (LOS E) or failure (LOS F) during the PM peak hours.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts on neighborhood street segments at Chalon Road, Norman Place, and Bundy Drive during construction. Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

As discussed in Section IV.K of the Draft EIR, during operation, the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, discussed in Topical Response No. 1 above and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would impose PDF-TRAF-11 to prohibit any new Wellness Pavilion

events that would require peak hour travel; PDF-TRAF-12 to cap outside guest daily vehicle trips at 310 (155 trips inbound and 155 trips outbound) for Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports; and PDF-TRAF-14 to cap daily vehicle trips at 236 (118 trips inbound and 118 trips outbound) for Summer Sports Camps. The peak hour restrictions and trips caps would reduce the Project's significant and unavoidable traffic impacts to less than significant levels. In addition, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Lastly, it should be noted that under the Project, the Wellness Pavilion would be a total of 38,000 square feet as compared to 35,500 square feet under Alternative 5. Additionally, the two-story parking deck would not be constructed under Alternative 5 and instead surface parking would be provided.

Letter SHRIVER

Pamela H. Shriver
pam@phsltd.com
(April 28, 2018)

Comment SHRIVER 1

Dear Ms King.

As a homeowner with three young kids living near MSMU, I have the following comments regarding their proposal:

My eastern property line is the western Getty property line. I can see and hear vehicles above my house when they occasionally use this outside loop road in small lite vehicles for maintenance, brush clearance, ground repair, and safety checks. Any heavier use by large construction trucks for any College capital improvement Project now or in the future would severely change for the worse the atmosphere of my quiet top of Brentridge Lane property estate. If ever there was “traffic” above my house, it would be catastrophic to the serenity of my almost 1.5-acre property. The serenity and privacy is why 15 years ago I bought my house atop Brentridge Lane.

Sincerely, Pam Shriver

Response to Comment SHRIVER 1

This comment states a general observation, but does not provide substantial evidence to support the statements. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Traffic and noise impacts associated with the use of the Getty Fire Road (Alternative 3) are evaluated in Section V, Alternatives, of the Draft EIR. The use of the east extension of Chalon Road (the Getty Fire Road) for construction traffic was evaluated as a potential Alternative to the Project, as discussed in Chapter V, Alternative 3, of the Draft EIR. This Alternative is no longer under consideration as a Project Alternative. Please refer to Topical Response No. 5, above, for detailed discussion regarding the City’s determination that this Alternative is no longer feasible.

Letter SKOOTSKY

Stephen and Lynn Skootsky
1469 North Bundy Drive
Los Angeles, CA 90049
sskootsky@yahoo.com
(June 8, 2018)

Comment SKOOTSKY 1

We would like to express our support for the Mt. St. Mary's plan.

Stephen and Lynn Skootsky
1469 North Bundy Drive
Los Angeles, CA 90049

Response to Comment SKOOTSKY 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter STEINBERG 1

Claire James Steinberg
clairejames@earthlink.net
(April 16, 2018)

Comment STEINBERG-1 1

Dear Kathleen King at LA Department of City Planning.

We live right below Mount St Mary's on North Bundy Drive. As it is, there are too many car rumbling down Bundy at all times of the day.

We have Sysco trucks in addition tearing our tree limbs down as well.

Response to Comment STEINBERG-1 1

This comment states a general observation regarding vehicles travelling along Bundy Drive, but does not provide substantial evidence to support the statements.

Comment STEINBERG-1 2

We strongly oppose additional building and parking for more people, attending this development and camp in the summer. We moved here to enjoy the

Quiet of the mountains and neighborhood and pay a fat price in taxes and maintenance to live here

Please do not support this Project and make the Mount cancel the entire Project. They have a big enough Campus already. They do not need to have more bldgs., noise, and a mandate to enlarge their school. Enough is enough.

Please I would appreciate a response.

Thanking you ahead for your help and vigilance.

Claire James Steinberg
clairejames@earthlink.net
www.clairejamessteinberg.com

Response to Comment STEINBERG-1 2

This comment in opposition to the Project is noted for the record and will be forwarded to the decision-makers for review and consideration. The comment does not raise any issues with respect to the content or adequacy of the Draft EIR.

As discussed in Chapter II, Project Description, Table II-4, of the Draft EIR, new events would be provided as part of the Project. However, Alternative 5 described in Topical Response No. 1, above, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the frequency of potential Other Wellness/Sports Activities from approximately 48 per year to 12 per year (a decrease of approximately 75 percent). Additionally, Alternative 5 would result in a net decrease of 46 parking spaces compared to existing conditions. It would also reduce the floor area of the Wellness Pavilion from 38,000 square feet to 35,500 square feet. Alternative 5 would also impose PDF-TRAF-11 to prohibit any new Wellness Pavilion events that would require peak hour travel; impose PDF-TRAF-12 to cap outside guest daily vehicle trips at 310 (155 trips inbound and 155 trips outbound) for Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports; and would impose PDF-TRAF-14 to cap daily vehicle trips at 236 (118 trips inbound and 118 trips outbound) for Summer Sports Camps. The peak hour restrictions and trips caps would reduce the Project's significant and unavoidable traffic impacts to less than significant levels. In addition, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment or expand the Campus. Therefore, the commenter's statement regarding a mandate to enlarge the school is not accurate. See Topical Response No. 2 regarding the scope of Alternative 5.

With respect to the commenter's statements regarding the size of the Campus, it should be noted that the Project would not expand the physical Campus site and instead will be built on a portion of the existing Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 has roughly the same Site as the Project, and Alternative 5 would therefore not expand the physical Campus site either. Further, as discussed in Section IV.I, *Noise*, of the Draft EIR, the Project's on-site and off-site operation noise impacts would be less than significant. Although both the Project and Alternative 5 would result in significant noise impacts on Chalon Road during the few weeks of the concrete pour phase (but not during the other construction phases), because of the reduced scale of development and elimination of the concrete parking deck under Alternative 5, this period would be reduced in duration by 10 to 20 percent.

Letter STEINBERG 2

Claire James Steinberg
clairejames@earthlink.net
(April 16, 2018)

Comment STEINBERG-2 1

Please do what you can to cancel this Project. Our neighborhood cannot live with the traffic and congestion.

It is intolerable

Claire James Steinberg
clairejames@earthlink.net
www.clairejamessteinberg.com
310 471 0432

Response to Comment STEINBERG-2 1

This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. The comment does not raise any issues with respect to the content or adequacy of the Draft EIR.

The comment expresses opposition to the Project based on traffic congestion, but does not provide any substantial evidence. Construction and operation traffic impacts associated with the Project were disclosed in Section IV.K, *Transportation and Traffic*, of the Draft EIR and are summarized in Topical Response No. 3 above.

As explained in Topical Response No. 3, both the Project and Alternative 5 would result in significant construction traffic impacts at study intersections, but under both the Project and Alternative 5 those impacts would be reduced to a level of less than significant by the implementation of MM-TRAF-1. Further, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project would result in significant and unavoidable impacts on neighborhood street segments at Chalon Road, Norman Place, and Bundy Drive during construction. Alternative 5 would reduce the Project's construction traffic impacts at neighborhood street segments, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

As discussed in Section IV.K of the Draft EIR, during operation, the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all

intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter SUMMERS

Valerie Summers
1007 North Bundy Drive
Los Angeles, CA 90049
(May 24, 2018)

Comment SUMMERS 1

Dear Ms. King,

As a homeowner in Bundy Canyon and in Brentwood, we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets. Now, the school proposes a 38,000-sqr. ft. structure, which will undoubtedly bring in more students, faculty, service vehicles, events and more to the Chalon Campus, which we as neighbors and our streets will be negatively impacted. We have a right to peace and quality of life.

Response to Comment SUMMERS 1

The commenter expresses the concern that the number of students, supply trucks, buses, MSM trucks, employees, and staff vehicles accessing the MSMU Campus drive carelessly through the neighborhood streets. The character of the driving is a general statement unsubstantiated by the evidence.

Alternative 5 discussed under Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the size of the Wellness Pavilion from 38,000 square feet to 35,500 square feet. In addition, both the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Regarding events, Table 2-4, *Potentially Changed and New Campus Events/Activities*, in the Draft EIR, summarizes the potential changes to existing events and future events/activities that could occur as a result of Project implementation. Further, as discussed in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the frequency of potential larger Other Wellness/Sports Activities from approximately 48 per year to 12 per year (a decrease of approximately 75 percent).

The Draft EIR evaluated the range of CEQA-mandated environmental impacts, including air emissions, greenhouse gas emissions, construction and operational noise, traffic, and others and found that with the exception of construction and operational traffic and construction noise (occurring only during the concrete pour phase on Chalon Road), impacts would be less than significant. Under Alternative 5 the duration of construction

impacts would be reduced by 10 to 20 percent and all operation traffic impacts on local neighborhood streets and intersections would be reduced to a less than significant level. In addition, PDF-TRAF-18, as outlined in Topical Responses Nos. 1 and 3, above, requires that total daily vehicle trips for the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be limited to one percent below the 2016 trip counts taken for the Campus. As such, Alternative 5 would reduce traffic (not add any new trips) compared to existing conditions.

Letter SUNSHINE

Debra and Randall Sunshine
debrasunshine@yahoo.com
June 13, 2018

Comment SUNSHINE 1

We are writing in opposition to the proposed 38,000 square foot building and parking deck on the Mt. St. Mary's Chalon Campus (MSMU) in our neighborhood. Such a proposal raises huge traffic and safety concerns for us.

Response to Comment SUNSHINE 1

This comment expresses generalized opposition to the Project based on traffic and safety but does not raise any issues with respect to the adequacy or content of the Draft EIR.

Alternative 5 discussed under Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the size of the Wellness Pavilion from 38,000 square feet to 35,500 square feet. It would also eliminate the Project's concrete parking deck and reduce parking from 281 under the Project to a total of 186 spaces (46 spaces fewer than under existing conditions).

Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

With respect to the commenter's statement regarding concerns about safety, it is not clear from the comment what type of safety concerns the commenter may have. However, it

should be noted that the applicable CEQA criterion for road safety, included in the current Appendix G of the CEQA Guidelines, was analyzed in the Initial Study prepared for the Draft EIR, which assessed the Project's potential to "[s]ubstantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?" and found that the Project would cause no environmental impacts within this category (Initial Study, p. B-34). With the implementation of PDF-TRAF-18 under Alternative 5, total daily vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions). Because of the one percent reduction in existing traffic conditions, Alternative 5 could improve road safety compared to current conditions. Also, with respect to other public safety issues within the scope of CEQA, it should be noted that the Draft EIR concluded that the Project would not cause significant impacts in the categories of Police Protection or Fire Protection. As explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would also not result in significant impacts in the categories of Police Protection or Fire Protection.

Comment SUNSHINE 2

MSMU is proposing a student enrollment cap of 2,244 students, yet they are already in breach of their student cap of 1072 (with 1600 currently enrolled students) which was promised in 1984. While well-intentioned I am sure, the school simply can't be trusted with their enrollment promises.

Response to Comment SUNSHINE 2

As discussed in the Draft EIR, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and in Topical Responses No. 6, University Entitlement History and Enrollment Cap, and No. 7, Project Impact on Student Enrollment, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment.

Comment SUNSHINE 3

This neighborhood is already at maximum capacity. Daily we have accidents caused by people (many of them students/employees) speeding down Bundy and Norman. My mother's car was totaled in front of our house while she came to care for our new baby. Stop signs are totally ignored and brutal road rage incidents are now commonplace.

Response to Comment SUNSHINE 3

The comment that the neighborhood is at maximum capacity, that daily accidents occur, that stop signs are ignored, and that car incidents are now commonplace is a general statement about existing conditions that is not supported by substantial evidence. The comment is noted for the record and forwarded to the decision-makers for their

consideration. Please also see Topical Response No. 3, Traffic Impacts for both the Project and Alternative 5.

Comment SUNSHINE 4

Not to mention with the changing natural environment, fire is an increased danger in our Red Zone/high fire risk area. The canyon cannot support more people who would need to evacuate in a fire, like the one that almost hit us directly a few months ago when we were subject to voluntary evacuation.

Response to Comment SUNSHINE 4

Regarding fire hazard, Section J.1, *Fire Protection*, of the Draft EIR, and Topical Response No. 4, above, describe MSMU's Emergency Response Plan, which ensures appropriate action during emergency situations, and clarifies that MSMU would "shelter in place" during an emergency as recommended by LAFD, and not contribute traffic during a community evacuation. Please also See Topical Responses Nos. 2, 6, and 7, which clarify that the Project would not increase student enrollment or otherwise increase occupancy at MSMU, with the exception of one new staff member. The Project would not change the Campus's occupancy, but rather, allow for events in a new building that would host outside guests only at certain times, rather than on a daily basis. The Project's potential fire impacts were analyzed and disclosed in Section IV.J.1, *Fire Protection*, of the Draft EIR. As concluded therein, with implementation of Fire Code and Building Code requirements for a VHFHSZ, the Project would not result in significant impacts regarding fire and emergency services. Please see pages B-8 to B-17 of Appendix B of this Final EIR, *Appendix G Modifications*, providing an analysis of the Project and Alternative 5 with respect to impacts related to wildfires. Wildfire-related impacts were also addressed in Checklist Question VIII.h of the Initial Study, attached as Appendix A-1 of the Draft EIR.

Comment SUNSHINE 5

Further, there is talk of opening a fire road from the Getty to connect the school with Sepulveda. That would be a tremendous change to our lives as it would turn Bundy/Norman into main thoroughfares, which they certainly weren't built to handle.

Response to Comment SUNSHINE 5

This comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is noted for the record and will be forwarded to the decision-makers for their review and consideration.

The use of the east extension of Chalon Road (the Getty Fire Road) for the use of construction traffic was evaluated as a potential Alternative to the Project, as discussed in Chapter V, Alternative 3, of the Draft EIR. The purpose of this Alternative was to reduce noise and construction activity on Norman Place and Bundy Drive. However, this Alternative is no longer under consideration as a Project Alternative. Also, please refer to

Topical Response No. 5, above, for detailed discussion regarding the City's determination that this Alternative is no longer feasible.

Comment SUNSHINE 6

Please consider the needs those of us who have made Bundy Canyon our permanent home over those who will take their degree and leave the area in a few years. This area is already overcrowded (try taking a left on Sunset from N. Barrington between 3 and 6 pm some weekday when schools are in session). This neighborhood need fewer people, construction trucks, and cars, not more.

Response to Comment SUNSHINE 6

This comment expresses opposition to the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR and does not provide any substantial evidence to support the general observations. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter THAKKAR

Avni Thakkar
avni211@gmail.com
(June 7, 2018)

Comment THAKKAR 1

Dear Ms. King:

As a resident of Brentwood, I am writing to comment on the Draft Environmental Impact Report for the proposed Wellness Pavilion on the Mount Saint Mary's Chalon Campus. I believe this Project is worthy of your approval. It will provide much needed facilities for students and the opportunity to incorporate more health-related activities into their curriculum and day to day lives. In addition, MSMU offers neighbors the chance to use the facilities and participate in special classes and events, many of which will be conducted in the new pavilion.

Mount Saint Mary's has been part of our community for nearly a century, and it delivers a great service in training health care professionals who serve residents throughout the region. The school deserves to build a first-class fitness center that will help in achieving its mission.

I feel confident that the City will carefully manage construction activities to preserve livability in our neighborhood, and that the process will be as rapid and painless as possible.

Thank you for your consideration.

Sincerely,

Avni Thakkar

Response to Comment THAKKAR 1

This comment expresses support for the Project and does not raise any issues with respect to the adequacy or content of the Draft EIR. The comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that the Project's construction impacts were analyzed in the Draft EIR for each applicable section and as noted in Topical Response No. 1, Table II-3, above, the duration of construction impacts would be reduced from 22 months under the Project to 20 months under Alternative 5.

Letter TIPPL

Laura Tippl
601 N Saltair Ave.
Los Angeles, CA 90049
tomson9@yahoo.com

Comment TIPPL 1

Dear Ms. King:

We have lived on North Saltair Avenue for thirteen years.

During this time period Mt. St. Mary's ("MSM") Chalon Campus has changed from a residential college with about 200 students living on Campus in residential dormitories to a commuter college Campus, with students driving to the Chalon Campus.

This Brentwood neighborhood is clearly the worst choice area for a commuting Campus as each student, teacher and staff member needs their own vehicle.

Response to Comment TIPPL 1

The comment expresses an objection to MSMU's ongoing operations, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Please refer to Topical Response No. 2 regarding the scope of the Project and Topical Response No. 6 regarding the Campus's entitlement history. With respect to the comment that the Chalon Campus is a "commuter college Campus," to clarify, more than 30 percent (470 students) of MSMU's full time students live in dormitories on the Campus. This is typical of many urban campuses, in which many upper division and graduate students reside off-Campus.

Comment TIPPL 2

These are some of the issues around MSM as discussed and posted by our neighborhood association:

The exits to Sunset Boulevard from Bundy, and Barrington are dangerous and not workable. Now, it can take from 10-30 minutes just to turn onto Sunset at the Barrington intersection, especially between 4-6:00 p.m.

Response to Comment TIPPL 2

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional operational vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer.

However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections, including the intersections of Sunset Boulevard/Bundy Drive and Sunset/Barrington Avenue referenced by the commenter, and neighborhood street segments, to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Comment TIPPL 3

The noise of cars whizzing by on Barrington, North Saltair Ave, North Bundy Drive, North Bowling Green Way and Norman Place is extreme.

Response to Comment TIPPL 3

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. It is included here as part of the administrative record for the consideration of Project decision-makers.

Off-site operations vehicle noise impacts were disclosed in Section IV.I, *Noise*, of the Draft EIR. As evaluated therein, noise impacts associated with the Project's off-site vehicles during operations would be less than significant. Please refer to Section IV.I of the Draft EIR for the complete technical analysis. Alternative 5 would reduce the Project's total daily and peak hour trips, as shown in Tables III-13 and III-14, of Chapter III of this Final EIR, which compare Alternative 5's daily and peak hour trips to the Project during the School Year and Summer, respectively. With the reduction in peak hour and daily traffic, Alternative 5 would reduce the Project's less than significant off-site noise impacts.

With respect to construction noise, the Draft EIR disclosed that significant and unavoidable construction noise impacts would occur only during the concrete pour phase, which would occur along Chalon Road for a total collective of approximately 75 days under the Project, and a total collective of approximately 60 to 67 days under Alternative 5. As discussed in Topical Response No. 1, No. 3 and in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 would reduce the Project's construction noise impacts but not to a level of less than significant.

Comment TIPPL 4

The added pollution to our air is deleterious.

Response to Comment TIPPL 4

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Section IV.B, *Air Quality*, of the Draft EIR evaluates construction and operation air quality emissions that would result from the Project. As evaluated therein, air quality impacts would be less than significant. As discussed in Section IV.B, the nearest and most representative monitoring station for the Project Site is the Northwest Coastal Los Angeles County Monitoring Station located at Wilshire Boulevard and Sawtelle Boulevard. As shown in Section IV.B, Table IV.B-1, this Air Basin is in nonattainment for ozone, PM10 and PM2.5 under the California Ambient Air Quality Standards (CAAQS). In general, however, the risk for the area is consistent with the urban areas of Los Angeles, with the risk from air toxics lower near the coastline and increasing inland and as summarized in Section IV.B, unmitigated localized construction emissions would not exceed any of the SCAQMD's thresholds. Implementation of MM AQ-1, as needed to reduce regional impacts, would further reduce localized construction-related emissions. Incorporation of MM AQ-1 would reduce carcinogenic exposure of nearby sensitive receptors by further reducing DPM emissions from onsite equipment. Therefore, with the incorporation of MM AQ-1, impacts from TAC emissions with respect to construction activities would remain less than significant. The Project would result in less than significant impacts during construction and operation with implementation of the prescribed mitigation measures, as applicable. In addition, with the implementation of the prescribed mitigation measures, the Project's construction-related and operational emissions would not be cumulatively considerable or contribute to cumulatively significant air quality impacts.

Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months. Additionally, Alternative 5 presented in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction).

Comment TIPPL 5

North Saltair, Norman Place, and north Bundy Drive are substandard in width with no or limited sidewalks so that all pedestrians are at added risk of being hit by a car.

Response to Comment TIPPL 5

The minimum roadway width of the area's local streets (Norman Place) is 18 feet. Under the City's General Plan Mobility Plan 2035, Norman Place is classified as a two-way local street, with two nine-foot lanes, and is not considered substandard relative to the definition of a two-way local street with restricted parking. In the narrowest segment of Norman Place, no parking is allowed along the street right-of-way. Bundy Drive is a local street with on-street parking permitted on both sides of the street north of Sunset Boulevard, except between Chalon Road and Norman Place where on-street parking is provided on the west side of the road but restricted on the east side. Local Streets have a target operating speed of 15 to 20 mph. It is not within the scope of the Project or Alternative 5 to make infrastructure improvements such as sidewalks. The Wellness Pavilion is not introducing any elements that would change the physical dimensions of the roadway or increase risk. Also, note that, with implementation of PDF-TRAF-18, the Project's vehicle trips would not exceed existing conditions. However, vehicles and pedestrians must exercise caution with respect to potential pedestrian and vehicle conflict under the Project as under existing conditions.

Comment TIPPL 6

Chalon Road is full of cars parked on the street, cars owned by commuting students and faculty.

Response to Comment TIPPL 6

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration. The comment expressing a personal opinion that parking is only MSMU-related is not substantiated by the evidence. To the extent that the commenter is concerned about current conditions allowing commuting student and faculty parking on Chalon Road, please note that PDF-TRAF-17 of Alternative 5 requires that MSMU maintain a policy prohibiting entry onto the Campus for all pedestrians (with certain exceptions for pedestrians whose arrival onto campus would not generate a vehicle trip), thereby ensuring that it would not be possible for students and faculty to park on Chalon to visit the Campus. Additionally, parking is not a category of environmental impact under CEQA.

Comment TIPPL 7

Fire risk and evacuation issues

MSM should, if reasonable and if they are determined to grow, expand the Doheny Campus! A more intense use of Bundy Canyon is an extreme overreaching into our residential neighborhood.

Sincerely,
Laura Tippl

Major parts of this letter are taken from a similar letter written and shared by our neighbor Joseph M. Ebin, Master of Urban Planning.

Response to Comment TIPPL 7

The comment is not clear as to the concerns regarding “fire risk and evacuation.” However, the Project’s potential fire safety impacts were analyzed and disclosed in Section IV.J.1, *Fire Protection*, of the Draft EIR. As concluded therein, with implementation of Fire Code and Building Code requirements for the VHFHSZ area and type of use, including the installation of sprinklers and brush clearance, the Project would not result in significant impacts regarding fire and emergency services. Additionally, the commenter is directed to Topical Response No. 4 regarding additional detail pertinent to emergency access and procedures relevant to fire emergency events in the area. As suggested by the LAFD, MSMU would implement a “shelter in place” protocol during large emergency events such as fires and would not impact evacuation in the surrounding area. In addition, with the incorporation of applicable Fire Code and Building Code features and measures discussed in Section J.1, *Fire Protection*, of the Draft EIR, the Project and Alternative 5 would be consistent with the more recent addition to Appendix G of the CEQA Guidelines thresholds regarding wildfire hazard. The new wildfire Appendix G threshold questions are discussed in Appendix B of this Final EIR. Neither the Project nor Alternative 5 would impede emergency evacuation plans; exacerbate risk conditions; require installation of additional infrastructure, such as power lines; or expose people or structures to downstream flooding or landslide. As such, both the Project and Alternative 5 would have less than significant impacts with respect to the new wildfire threshold.

With respect to the comment that the Project would “expand” MSMU’s Chalon Campus in place of “expanding” the Doheny Campus, neither the Project nor Alternative 5 are an expansion of the Campus. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 are designed to serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment. It is further noted that the Project and Alternative 5 would not expand the physical Campus site and, instead, would be built on a portion of the existing developed Campus. As

discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 occupies approximately the same Project Site as the Project and, as with the Project, Alternative 5 would not, therefore expand the physical Campus site.

Letter TIZABGAR

Mark Tizabgar
870 N. Norman Place
mark.tizabgar@gmail.com
(June 6, 2018)

Comment TIZABGAR 1

Dear Ms. King

I am writing this email to you to express my concerns with the proposed Project by Mount Saint Mary's MSMU and respectfully request that Mount Saint Mary's MSMU request for this Project to be denied. I reside at 870 N. Norman Place which would be negatively effected on a daily basis by the expansion plan (both during construction and operations). Based on my reading of the Draft EIR, below are some of the issues that I can easily see with the Project.

Response to Comment TIZABGAR 1

The comment expresses an objection to the Project based on perceived expansion of MSMU, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Comment TIZABGAR 2

As you are well aware, the street leading into Mount St. Mary's MSMU (i.e., Bundy Drive, Norman Place, Bowling Green Way, and Chalon Road) are all relatively narrow streets which are not designed to handle any increase to the traffic volume. In fact, the current traffic conditions are point of serious concerns for all neighbors. As provided in the Draft EIR, upon completion of the Project, Mount Saint Mary's MSMU will use the new facility for new night events, including new sports events, weekend events, speaker events, as well as adding a summer camping program throughout the summer months. Mount Saint Mary's MSMU has continuously asserted that there will be no additional student enrollment. Mount Saint Mary's MSMU website states that almost 1500 students are currently enrolled on the Chalon Campus. However, in the Draft EIR, they are requesting 2245 student enrollment on the Chalon Campus which represents a 700 student increase to the Chalon Campus. The additional vehicular traffic to be caused by such events and enrollment increase will impose a very high toll on neighborhood.

The Draft EIR, prepared in connection with the proposed Project, concludes that the Project will result in significant and unavoidable impacts related to noise (construction only) and transportation/traffic (construction and operation), and none of the alternatives (except for "no Project/no build" alternative) would address or mitigate the noise and traffic issues identified in connection with Project.

Response to Comment TIZABGAR 2

The statement that Bundy Drive, Norman Place, Bowling Green Way, and Chalon Road are all relatively narrow streets that are not designed to handle any increase to the traffic volume is a general statement and is not supported by substantial evidence, since it does not identify the design parameters of the trips that can be accommodated by these local streets.

Section II, IV.K, *Transportation and Traffic*, of the Draft EIR describes the Project's impacts on the local street system. The analysis discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer.

Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing neighborhood road conditions related to MSMU Campus traffic.

As discussed in the Draft EIR, in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, and in Topical Responses Nos. 6, University Entitlement History and Enrollment Cap, and 7, Project Impact on Student Enrollment, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment.

Table II-4 of the Project Description provides a detailed discussion of anticipated new activities. As noted therein, activities could occur both during the daytime and evening hours. It should be noted that Alternative 5 would reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction).

In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The Draft EIR Section IV.I, *Noise*, of the Draft EIR disclosed significant and unavoidable construction noise impacts that would occur only during the concrete pour phase, which would occur along Chalon Road for a total collective of approximately 75 days under the Project, and a total collective of approximately 60 to 67 days under Alternative 5. As

further described in Section IV.I, the on-site and off-site operation noise impacts would be less than significant. Please refer to Section IV.I of the Draft EIR for the complete technical analysis. Alternative 5 would reduce the Project's total daily and peak hour trips, as shown in Tables III-13 and III-14, of Chapter III of this Final EIR. With the reduction in peak hour and daily vehicle trips, Alternative 5 would further reduce the Project's less than significant operation noise impacts.

Comment TIZABGAR 3

As you know, all of the properties in the Bundy Canyon neighborhood are zoned as residential with a very high number of properties zoned as RE15, RE20, and RE40. These zoning designations and the designated density significantly restricts the level of development per lot and are designed to address health and safety issues of residents (e.g., fire hazard, traffic, air quality, etc.). Although Mount Saint Mary's MSMU may be grandfathered for its usage of the land, this Project clearly ignores the characteristics and needs of the area by significantly increasing the level vehicular traffic between in the neighborhood and human activities at the Campus.

Thank you for your consideration.

Regards,

Mark Tizabgar

Response to Comment TIZABGAR 3

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The Draft EIR evaluated the CEQA-mandated issues regarding air quality, land use, noise, fire hazard and traffic. As discussed, therein, construction and operation air quality impacts and fire hazard impacts were determined to be less than significant. As discussed in Section IV.B, *Air Quality*, the Project's construction air emissions would be reduced to less than significant levels with the implementation of Mitigation MM-AIR-1 and no mitigation would be required for operational emissions (see pages IV.B-45 through 47, of the Draft EIR). As determined in Section IV.J.1, *Fire Protection*, with implementation of Fire Code and Building Code requirements for the VHFHSZ area and type of use, including the installation of sprinklers and brush clearance, the Project would not result in significant impacts regarding fire and emergency services. Additionally, the commenter is directed to Topical Response No. 4, above, regarding additional detail pertinent to emergency access and procedures relevant to fire emergency events in the area. As suggested by LAFD, MSMU would implement a "shelter in place" protocol during large emergency events such as fires and would not impact evacuation in the surrounding area. In addition, with the incorporation of applicable Fire Code and Building Code features and

measures discussed in Section J.1 of the Draft EIR, the Project would be consistent with the more recent addition to Appendix G of the CEQA Guidelines thresholds regarding wildfire hazard. The new wildfire Appendix G threshold questions are discussed in Appendix B of this Final EIR. Neither the Project nor Alternative 5 would impede emergency evacuation plans; exacerbate risk conditions; require installation of additional infrastructure, such as power lines; or expose people or structures to downstream flooding or landslide. As such, both the Project and Alternative 5 would have less than significant impacts with respect to the new wildfire threshold.

With respect to the location of the Campus within a residential zone, it should be noted that schools are specifically allowed in residential zones under the provisions of the Code's Conditional Use provisions. Also, please see the discussion of the entitlement history of the Campus at Topical Response No. 6. It should also be noted that the Draft EIR analyzed the Project's impacts with regard to land use and planning impacts, as well as cumulative impacts, including consistency with applicable land use plans, policies, and/or regulations of an agency with jurisdiction over the Project, adopted for the purposes of avoiding or mitigating an environmental effect in chapter IV.H, *Land Use and Planning*. The Draft EIR concluded that the Project will not result in significant impacts in the category of land use and planning. And as explained in Chapter III, Section 1, Subsection d), *Evaluation of Impacts*, of this Final EIR, Alternative 5 will also not result in significant impacts in the category of land use and planning.

In addition, while Section IV.K, *Transportation and Traffic*, of the Draft EIR concludes that the impacts of Project traffic during operation would be significant and unavoidable, Alternative 5 described in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would eliminate am-pm peak hour trips for new events during the school year; would reduce the frequency of potential Other Wellness/Sports Activities from approximately 48 per year to 12 per year (a decrease of approximately 75 percent); would impose PDF-TRAF-12 to cap outside guest daily vehicle trips at 310 (155 trips inbound and 155 trips outbound) for Other Wellness/Sports Activities, Health and Wellness Speaker Series events, and Club Sports; and would impose PDF-TRAF-14 to cap daily vehicle trips at 236 (118 trips inbound and 118 trips outbound) for Summer Sports Camps. The am-pm peak hour trip restrictions and trips caps would reduce the Project's significant and unavoidable traffic impacts to less than significant levels. In addition, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study).

Letter TRAMER

Bradley Tramer
tramerbrad@gmail.com
(June 8, 2018)

Comment TRAMER 1

I support Mount Saint Mary University's wellness center! I, along with other members of my household, get great use out of the facilities. Very grateful for them!

Bradley Tramer

Response to Comment TRAMER 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter TRAPNELL

Mark Trapnell
12220 Benmore Terrace (600 Block of N. Bundy)
Los Angeles, CA 90049
marktrapp@hotmail.com
(May 30, 2018)

Comment TRAPNELL 1

Dear Mike Bonin, Kathleen King and any other City of Los Angeles officials,

Please consider a few thoughts I have as a longtime resident of the North Bundy region of Los Angeles. I cannot imagine the enormous effect the proposed Mount St. Mary's addition will be in an area already struggling to provide daily access to its current residents who, in many cases, purchased their homes in this quiet area (some as long as sixty years ago). As you know, they are proposing a devastating new community bottleneck which will greatly enlarge the traffic flow on streets ill-designed for such increased traffic. We are already struggling to accommodate the traffic caused by student cars, student food trucks, busses and support equipment needed to maintain the Campus facilities. We currently have many daily bottlenecks but would anticipate many more with the additional graduate programs proposed for the upgraded Campus.

Response to Comment TRAPNELL 1

The comment is a general statement regarding existing and future traffic conditions and is not supported by substantial evidence regarding future "daily bottlenecks." As discussed in Topical Response No. 3, traffic generated by the Project would not occur daily and the Project does not entail the expansion of programs above the existing enrollment (see Topical Response Nos. 6 and 7, above).

Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer.

However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other

Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction).

Comment TRAPNELL 2

I am particularly concerned, since only a short time ago my father parked his car on Bundy Drive and it was completely demolished by a huge truck which had just delivered supplies to the college. The driver told my father that a student had misjudged the space available for her to pass through the gap between opposing lanes and simply plowed ahead leaving the truck driver no alternative other than destroying his parked car in order to save the opposing driver. It could have been much worse had he not been so generous and she undoubtedly would have been killed. I can envision this dilemma in the future with more devastating results.

Response to Comment TRAPNELL 2

The comment regarding a third-party accident on Bundy Drive is noted for the record and will be forwarded to the decision-makers for review and consideration. It should be noted that Alternative 5 would include the implementation of a modified PDF-TRAF-1, which requires a Construction Traffic Management Plan that includes provisions designed to ensure pedestrian and vehicular safety during construction, such as temporary traffic signals. And Alternative 5 will implement PDF-TRAF-18, under which total daily vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions). Because of the one percent reduction in existing traffic conditions, Alternative 5 should improve road safety compared to current conditions.

Comment TRAPNELL 3

Simply overlooking the fact that Sunset boulevard (our sole access to the city and already a nightmare teeming with cars and trucks and becoming more challenging yearly) is going to also be severely impacted with the proposed Campus additions would be remiss. When faced with additional traffic that the enlargement of the college facilities and enrollment will have on the residents of this area, the impact will be dire.

Response to Comment TRAPNELL 3

The commenter's assertion that impacts to Sunset Boulevard were overlooked is incorrect. The Project's impacts on Sunset Boulevard are evaluated in Section IV.K, *Transportation and Traffic*, of the Draft EIR. As discussed therein, intersections at Sunset Boulevard at Bundy Drive, Saltair Avenue, and Barrington Avenue currently operate at poor (LOS E) or failure (LOS F) conditions during the PM peak hours. During construction, implementation of MM-TRAF-1 under Existing and Future plus Project conditions would reduce construction traffic impacts at Sunset Boulevard intersections to less than

significant levels. During operation, the Project would result in significant and unavoidable impacts at these same intersections.

However, also note that Alternative 5 discussed under Topical Responses No. 1 above and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the frequency of potential Other Wellness/Sports Activities, restrict am-pm peak hour trips, and impose strict limitations on daily visitor vehicle trips for new events, thereby reducing the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels (see Response to Comment TRAPNELL-1).

Please see Topical Response No. 1 regarding Alternative 5, and Chapter III of this Final EIR for additional detail.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment or expand the Campus. See Topical Responses No. 2 regarding the scope of Alternative 5. The Project would not expand the physical Campus site and instead will be built on an existing developed portion of the Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 occupies approximately the same Project Site as the Project and, as with the Project, Alternative 5 would not, therefore expand the physical Campus site.

Comment TRAPNELL 4

While I don't like to stifle business or education, I propose that a few items listed below could be implemented that will consider the concerns of the neighboring community.

1. That you could manage some of the expansion by implementing some sort of mandatory transportation program with a trip reduction plan that is transparent to the community.
2. That there could be some kind of vehicle daily trip limit on faculty, students, guests, and vendors including taxis, uber, lyft.
3. Limit size and number of special events, athletic competitions, camps and any other activity not related to the core classes
4. We have an annual monitoring and transparent compliance program
5. There would be no outside rental of any Campus facilities
6. There would be a cap on enrollment

Response to Comment TRAPNELL 4

With respect to the commenter's suggestion 1, Alternative 5 limits both trips generated by the Wellness Pavilion (through PDFs TRAF-12 and TRAF-14, imposing trip caps on

school year and summer operations, respectively) and overall trips generated by Campus operations to 1 percent below the 2016 baseline trip counts taken for the Campus through the implementation of PDF-TRAF-18.

With respect to the commenter's suggestion 2, Alternative 5 imposes daily trip caps applicable to outside guests attending Wellness Pavilion events, Club Sports activities, and Summer Sports Camps. PDF-TRAF-10 accounts for trips generated by the use of transportation network companies such as Uber and Lyft and ensures that these will be brought within the trip caps.

With respect to the commenter's suggestion 3, it should be noted that the scope of the environmental impacts studied by this EIR is limited to those impacts caused by the Wellness Pavilion. However, Alternative 5 does provide limits on the number of Other Wellness/Sports Activities and Health and Wellness Speaker Series events at the Wellness Pavilion, as well as a daily trip cap for these events through PDF-TRAF-12, which also applies to Club Sports events. In addition, Alternative 5 provides a trip cap applicable to Summer Sports Camps through PDF-TRAF-14.

With respect to the commenter's suggestion 4, this Final EIR includes a Mitigation and Monitoring Program, and the City will enforce Alternative 5's PDFs through the conditions of approval of the Wellness Pavilion's entitlements.

With respect to the commenter's suggestions 5 and 6, the scope of Alternative 5 and the Project is limited to the Wellness Pavilion. The Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment or otherwise impact existing Campus operations. See Topical Responses Nos. 2, 6, and 7.

Comment TRAPNELL 5

Please hear my plea on behalf of the residents who purchased in this area, unquestionably with its rural ambiance a major lure, and reject any thought of their having to face an ever-increasing traffic and dangerous nightmare when they depart.

Mark Trapnell
12220 Benmore Terrace (600 Block of N. Bundy)
LA, CA 90049
310.254.7040
marktrapp@hotmail.com

Response to Comment TRAPNELL 5

The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Letter TRUBY

Phyllis Truby
1241 North Bundy Drive
phyllistruby@gmail.com
(June 11, 2018)

Comment TRUBY 1

Having lived in upper Bundy canyon for most of the past 33 years, I have seen many changes in the neighborhood resulting from the action and inaction of governmental agencies, principally the Department of City Planning and the Department of Building and Safety. Houses suitably sized for the lots have been torn down or remodeled to create property-line to property-line multi-story behemoths that overwhelm the lot and neighboring residences. Mt. Saint Mary's and the Carondolet Center have added a two-story facility at the top of the Campus, a multi-story parking structure, and various other new buildings, all the while expanding the student enrollment and therefore the faculty and staff who drive up and down the canyon. The college now runs mostly empty shuttle buses up and down the canyon throughout the day and the number and size of the commercial vehicles that deliver goods to the Campus has increased steadily—never observing the direction to access the Campus by going up Norman Place and down Bundy Drive to mitigate traffic.

Speeding on the narrow, winding one and a half lane canyon roads has become flagrant and unmitigated— aided by the total absence of effective traffic controls and flagrantly bad behavior by irresponsible drivers. Waze, Google Maps, and similar apps now direct traffic off an impossibly backed up Sunset Boulevard through dangerously narrow, winding residential streets with no traffic controls whatsoever, making it a wonder that there have not been frequent head-on collisions.

Response to Comment TRUBY 1

The comment does not raise any issues with respect to the adequacy of the Draft EIR under CEQA and is not supported by substantial evidence.

With respect to the comment that shuttle buses are mostly empty, or that delivery vehicles do not access Chalon Road via Norman Place, these are issues outside the scope of the Project and Alternative 5. See Topical Response No. 2, Scope of the Project. For informational purposes, however, note that MSMU's shuttle buses typically drop off students and return partially empty, or vice versa. Please also note that the path of travel taken by MSMU-related vehicles on City streets is not regulated by the City, and only the subject of an informal arrangement that MSMU has voluntarily implemented. The issue of Waze, Google Maps, and similar programs directing cut through traffic is not within the control of MSMU.

However, the traffic impact analysis as set forth in Section IV.K, *Transportation and Traffic*, of the Draft EIR evaluated existing conditions, including representative counts of

all vehicle entering and leaving the MSMU Campus via existing neighborhood streets (see pages IV.K-5 through IV.K-17 and Tables IV.K-11 and IV.K-12, pages IV.K-55 and 56, respectively) and neighborhood intrusion impacts (see page IV.K-32 of the Draft EIR). It is noted that PDF-TRAF-18 discussed in Topical Response No. 1 and presented in its entirety in Chapter IV, *Mitigation Monitoring Program*, of this Final EIR requires that average daily total Campus vehicle trips, inclusive of trips generated by the Wellness Pavilion, would be limited to 1 percent below the 2016 baseline trip counts taken for the Campus, which would improve existing conditions related to the Campus.

Comment TRUBY 2

All of this has had a tremendous effect on the canyon community and ecology in many, many ways, including endangering pedestrians and wildlife in the canyon. All of this has occurred in part because of planning and zoning failures and missteps.

Despite all the unrestrained growth and development that has altered the canyon, what has so far been avoided is the introduction of a wholly commercial enterprise into this residential neighborhood. But now Mt. St. Mary's proposes to do just that, with the construction of a facility that it cannot justify or support unless it uses it for income-producing special private events and summer camp and permits general use by others than its students, faculty, and staff.

Responsible urban planning and simple good sense require that Mt. St. Mary's application to turn a small, private school Campus into a commercial profit center be denied. This use is just wholly inappropriate for the location of the Campus, has too deleterious an effect on the surrounding residential community, alters the nature and use of the academic facility, and is neither necessary nor beneficial. Responsible urban planning requires that this Project be denied approval. We depend on our governmental agencies to do just that.

Response to Comment TRUBY 2

This comment expresses opposition to the Project based on traffic but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is also general and not supported by substantial evidence in its claim that the Project cannot be justified or supported unless it is used for producing special private events and summer camps, and if it permits general use by others besides students, faculty, and staff. Please refer to Topical Response No. 2 regarding the scope of the Project. As discussed therein, the Project is not part of a "commercial enterprise" or "commercial profit center" as claimed in the comment. Please also note that Alternative 5 discussed in Topical Responses No. 1 above and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the frequency of potential Other Wellness/ Sports Activities from approximately 48 event per year to 12 times per year (a 75 percent reduction), as well as reduce the Project's significant impacts on study area intersections and neighborhood street segments during operation (school year and summer) to less than significant levels.

Letter URENA-STEVEENS

Vivian Urena-Stevens
Vivian.urena@yahoo.com
(April 16, 2018)

Comment URENA-STEVEENS 1

Dear Kathleen,

I am writing to state my strong opposition to the St. Mary's expansion Project. As it stands St. Mary's already creates a huge impact on traffic in our neighborhood. I acknowledge that sunset traffic (from other sources) is a problem on its own but St. Mary's contribute's largely to the congestion. I live on North Barrington and see students and faculty driving up to the Campus as I try to jog with my dog and not get run down by them. In the evenings I cannot even get in or out of my driveway after 2:30 or 3pm.

I have been trying to find out what kind of commuting rules they are bound by and have not been able to find them anywhere (we moved to the area 3 years ago). MANY drivers are single drivers so I'm assuming they aren't held to carpool rules like all the other neighboring schools? I literally followed these cars onto the Campus on a particularly busy day and asked gate security why these people were allowed into the Campus. They responded that if they paid for a \$400 permit (which benefits the school) they can drive onto Campus carpool or not. That doesn't make sense. Are they exempt?! I counted 50 cars before I gave up. That's a lot of extra traffic on our neighborhood streets which is already heavily impacted by the St. Mary's community.

With the environmental impact report stating that it will be even more congested with their proposed Project -I STRONGLY oppose any further growth or construction be allowed to St. Mary's Chalon Campus.

Best Regards,

Vivian Urena-Stevens

Response to Comment URENA-STEVEENS 1

The comment regarding the contribution of MSMU traffic to congestion on Sunset Boulevard and inability to enter Barrington Avenue after 2:30 or 3:00 PM as a result of MSMU traffic is a personal opinion not supported by substantial evidence.

The analysis of traffic impacts in Section IV.K, *Transportation and Traffic*, of the Draft EIR used existing conditions as a baseline on which to determine future impacts. Existing trips generated by MSMU would be included in the 24-hour counts conducted for the traffic impact analysis on the local streets, including Barrington Avenue. These would include the vehicles counted by the commenter and others. The net new Project trips from events

on a school day and from a summer camp were assigned to the street network based on the Project's estimated trip distribution pattern and compared to the City's neighborhood street threshold standards⁵⁶ to determine future service levels. Based on the analysis presented in Section IV.K, the Project would not result in a significant impact on segments of Barrington Avenue during construction or operation.

The traffic impact analysis did determine that the Project would have a significant operation traffic impact at the intersection of Sunset Boulevard and Barrington Avenue, based on traffic on Sunset Boulevard. However, as discussed in detail in Topical Response No. 3 (Traffic Impacts) and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would implement design features (PDF-TRAF-9 through PDF-TRAF-18), which would reduce this intersection impact to a less than significant level. For instance, PDF-TRAF-18 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing neighborhood road conditions related to the MSMU Campus traffic.

⁵⁶ The analysis of residential street segment impacts involved an evaluation of project-generated traffic that could be diverted or shifted onto local streets in adjacent residential neighborhoods and includes a review of a project site's access locations in relation to neighborhood streets, traffic controls, and capacity of area streets.

Letter VICTOR

Linda Victor
amslsv@gmail.com
(May 22, 2018)

Comment VICTOR 1

Hi Kathleen,

Thank you for the fine work you and your office have done over the years with respect to city planning. I want to touch base with you today to bring to your attention my opposition to the new 38,000 sq ft Mount Saint Mary's MSMU Wellness Center being proposed in our neighborhood community. There is already so much traffic up and down North Bundy Drive and neighboring streets that lead from Mount Saint Mary's to Sunset Blvd. The streets are often not wide enough to accommodate the existing two-way traffic so the delays and the dangers are getting worse. It is already really difficult for pedestrians to walk up and down N Bundy Dr and other streets, especially where there are no sidewalks. The cars also travel the streets so fast it is dangerous. Additionally, the amount of pollution in the air and in the neighborhoods is terrible. Finally, I do not have to tell you how bad the traffic is on Sunset given all of the existing traffic in the neighborhood which includes a growing number of cars and Ubers from Mount Saint Mary's MSMU. More traffic and more pollution due the addition of the Wellness Center and the inevitable increase in visitors (and many Project a significant increase in students is the ultimate goal here) would do irreparable damage to our neighborhood and larger Brentwood Community. We are residential neighborhood and not equipped to manage a large commercial enterprise at the end of our street. Please help us contain this institution.

I am not alone in my opposition to this Wellness Center expansion Kathleen, nor in my hope that you will support the neighborhood. I have spoken with many neighbors (and many others have approached me because people oppose this expansion! We have already weathered the significant expansion of our neighborhood with the Archer School's expansion which I am sure you are very familiar with) and the overwhelming majority of the residents of this community, are in opposition to the damage a 38,000 sq ft commercial enterprise wellness center would cause to our Brentwood neighborhood. We are counting on our city officials to protect the neighborhood from any additional pollution, danger and gridlock.

Thank you for your time, attention, concern and action on this matter of utmost urgency.

Sincerely,

Linda

Response to Comment VICTOR 1

The comment expresses opposition to the Project based on air quality and traffic on Bundy Avenue and other neighborhood streets, but does not raise any issues regarding the content and adequacy of the Draft EIR. The comments that it is already really difficult for pedestrians to walk up and down N. Bundy Drive and other streets, especially where there are no sidewalks; that cars also travel the streets so fast it is dangerous; and that the pollution in the air is terrible; are not supported by substantial evidence.

Alternative 5 discussed under Topical Response No. 1, Table II-2, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the size of the Wellness Pavilion from 38,000 square feet to 35,500 square feet.

Section IV.K, *Transportation and Traffic*, of the Draft EIR evaluated existing conditions and 24-hour traffic on the area's local streets. The minimum roadway width of the area's local streets (Norman Place) is 18 feet. Under the City's General Plan Mobility Plan 2035, this is classified as a two-way local street, with two nine-foot lanes, and is not considered substandard relative to the definition of a two-way local street with restricted parking. In the narrowest segment of Norman Place, no parking is allowed along the street right-of-way. Bundy Drive is a local street with on-street parking permitted on both sides of the street north of Sunset Boulevard, except between Chalon Road and Norman Place where on-street parking is provided on the west side of the road but restricted on the east side. Local Streets have a target operating speed of 15 to 20 mph. It is not within the scope of the Project to make infrastructure improvements such as sidewalks. Neither the Project nor Alternative 5 would introduce any elements that would change the physical dimensions of the roadway or increase risk. Also, note that, with implementation of PDF-TRAF-18, Alternative 5's vehicle trips would not exceed existing conditions. However, vehicles and pedestrians must exercise caution with respect to potential pedestrian and vehicle conflict under the Project as under existing conditions.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

As discussed in Section IV.B, *Air Quality*, of the Draft EIR, the nearest and most representative monitoring station for the Project Site is the Northwest Coastal Los

Angeles County Monitoring Station located at Wilshire Boulevard and Sawtelle Boulevard. As shown in Section IV.B, Table IV.B-1, this Air Basin is in nonattainment for ozone, PM10 and PM2.5 under the CAAQS. In general, however, the risk for the area is consistent with the urban areas of Los Angeles, with the risk from air toxins lower near the coastline and increasing inland and as summarized in Section IV.B, unmitigated localized construction emissions would not exceed any of the SCAQMD's thresholds. Implementation of MM AQ-1, as needed to reduce regional impacts, would further reduce localized construction-related emissions. Incorporation of MM AQ-1 would reduce carcinogenic exposure of nearby sensitive receptors by further reducing DPM emissions from onsite equipment. Therefore, with the incorporation of MM AQ-1, impacts from TAC emissions with respect to construction activities would remain less than significant. Both the Project and Alternative 5 would result in less than significant impacts during construction and operation with implementation of the prescribed mitigation measures, as applicable. In addition, with the implementation of the prescribed mitigation measures, the Project and Alternative 5's construction-related and operational emissions would not be cumulatively considerable or contribute to cumulatively significant air quality impacts.

The comment that a significant increase in students is the ultimate goal of the Project is a personal opinion not supported by substantial evidence. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment. See Topical Responses Nos. 2, 6, and 7 regarding the scope of the Project and the effects of the Project on student enrollment.

Also, please note that the characterization of the Project as a "commercial enterprise" is an unsubstantiated personal opinion and incorrect. Please refer to Topical Response No. 2 regarding the scope of the Project and Alternative 5.

Letter VUYLSTKE

Bill Vuylstke
230 N Barrington Ave
bbillv@aol.com

Comment VUYLSTKE 1

I have the following comments on MSMU's proposal:

There should not be any additional traffic added to our neighborhood.

It is currently unbearable and dangerous. Residents are trapped in their homes for hours at a time.

Bill Vuylsteke
230 N Barrington Ave.

Response to Comment VUYLSTKE 1

The comment expresses concern regarding the existing traffic conditions in the area and any increase in traffic. The comment does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Construction and operation traffic impacts were analyzed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, and discussed further in Topical Response No. 3. Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer.

However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments

(Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter WERTHEIMER 1

Sharon Wertheimer
11991 Brentridge Drive
Los Angeles, 90049
(May 23, 2018)

Comment WERTHEIMER-1 1

Dear Ms. King,

We are the Wertheimer household at 11991 Brentridge Drive (90049).

As a homeowner in Bundy Canyon and in Brentwood, we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets.

Now, the school proposes a 38,000-sqr. ft. structure, which will undoubtedly bring in more students, faculty, service vehicles, events and more to the Chalon Campus, which we as neighbors and our streets will be negatively impacted.

We have a right to peace and quality of life.

Thank

Response to Comment WERTHEIMER-1 1

The comment expresses concern regarding existing traffic and the effect of Project traffic on the quality of life on Bundy Drive, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

The Project is not an "expansion" of the MSMU Chalon Campus and will not increase or permit an increase in student enrollment. As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 will increase student enrollment. See Topical Response No. 2 and 7 regarding the scope of Alternative 5 and the effects of Alternative 5 on student enrollment.

Section IV.K, *Transportation and Traffic*, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer.

However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's

operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction). In addition, Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

Letter WERTHEIMER 2

Sharon Wertheimer
sharonrosew@gmail.com
(June 8, 2018)

Comment WERTHEIMER-2 1

Dear Ms. King,

My family and I have lived on Brentridge Drive for over 30 years. During that time Mt. St. Mary's 1500 students, including 200 living on Campus, have had a dramatic negative affect on my neighborhood. You have received many letters from my neighbors containing statistics on this continually situation and it's impact on our safety.

I urge you not to let this community come under further siege by MSM, who has done nothing but give lip service to our safety and well fair.

You are a smart woman, you know this is a disaster.

Thank you for your time and attention.

Sharon Wertheimer
Brentridge Drive

Response to Comment WERTHEIMER-2 1

This comment expresses opposition to the Project based on unspecified adverse effects, but does not provide any substantial evidence and does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that approximately 470 students live in dormitories on the Campus.

Letter WESTHEIMER 1

Nicole Westheimer
nicolewestheimer@yahoo.com
(April 16, 2018)

Comment WESTHEIMER-1 1

As a resident of the Bundy Canyon, I am writing to strongly oppose the construction Project for Mount St Mary's. In addition to the increased and insane traffic on north Barrington and throughout Sunset from 8:00 -6:00 caused by various construction projects all over the westside (Brentwood school, Archer, increased residential and other commercial projects in Santa Monica and Brentwood), this is a fire hazard. We already have experienced one big fire across from the Getty, we don't need more development on hillsides to risk more danger. It already takes me hours to get to and from places, school, etc.

Response to Comment WESTHEIMER-1 1

Cumulative traffic impacts from the Project and the related projects were analyzed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, including potential construction traffic impacts on neighborhood streets and intersections along Sunset Boulevard. The Draft EIR concluded that the Project's contributions to cumulative construction traffic impacts, considered together with the impacts of related projects, including those of the Archer School and Brentwood Schools mentioned by the commenter, would be less than cumulatively considerable. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, and Alternative 5's contributions to cumulatively significant construction traffic impacts would therefore also be less than cumulatively considerable.

With respect to project-level impacts, as discussed in Section IV.K, *Transportation and Traffic*, of the Draft EIR, the Project's impacts at all area intersections would be reduced to less than significant levels with the implementation of Mitigation Measure MM-TRAF-1. As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard). The implementation of the requirements under PDF-TRAF-1 and PDF-TRAF-3, discussed in Section IV.K of the Draft EIR, would reduce the effects of concurrent construction activities associated with the Project, Archer School, and Brentwood School.

Regarding fire hazards or other access issues, PDF-TRAF-1 under either the Project or Alternative 5 (implementation of a Construction Management Plan) requires contractors to maintain ongoing communication with school administrators at affected schools along the haul route, including Archer School for Girls, Brentwood School, and St Martin of

Tours School, providing sufficient notice to students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted. PDF-TRAF-1 also requires the scheduling of construction-related deliveries, other than concrete and earthwork-related deliveries, between the hours of 7:00 AM and 3:00 PM to reduce travel during peak travel periods as identified in the Project's Traffic Study and to reduce the potential of trucks waiting to load or unload for protracted periods of time. The Construction Management Plan also requires coordination with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring residences at all times.

PDF-TRAF-3 requires MSMU to attend bi-monthly (or at a frequency determined appropriate by City Staff) construction management meetings conducted by City Staff and the operators or contractors for the Archer School for Girls and the Brentwood School to coordinate the periods of heaviest construction activity in order to avoid overlapping hauling activities. Coordination shall ensure that construction activities associated with these concurrent related projects and hauling activities are managed in collaboration with one another. MSMU shall provide advance notification to LADOT, the Archer School for Girls, and the Brentwood School of its upcoming construction activities, including durations and daily hours of construction. Alternative 5 incorporates all of the substantive provisions of PDF-TRAF-3, including those discussed above, in a modified PDF-TRAF-1.

In addition, measures have been added to PDF-TRAF-1 to prohibit temporary haul truck staging on local hillside streets; to require truck loading/unloading to occur within the Campus and to prohibit such on local hillside streets; and to require safe truck driving practices, including low gear, not passing another vehicle, deployment of optional 4th axle, if available. Please see Chapter III, *Revisions, Clarifications, and Corrections*, and Chapter IV, *Mitigation Monitoring Program*, of this Final EIR.

Section J.1, *Fire Protection*, of the Draft EIR and Topical Response No. 4, above, describes the area's VHFHSZ designation and includes measures to ensure that fire risk would not be aggravated. As discussed in Section J.1, the Project would implement Fire Code requirements pertaining to its use and this location, including brush clearance, sprinklers, and other Building Code features to reduce the spread of fire. In addition, as discussed in Topical Response No. 4, the Project would implement the LAFD's suggestion to "shelter in place," which would reduce risk to neighbors and allow for improved LAFD access to the area. Please refer to Topical Response No. 4 and Section J.1, *Fire Protection*, of the Draft EIR for additional discussion of fire safety.

With the incorporation of applicable Fire Code and Building Code features and measures discussed in Section J.1 of the Draft EIR, the Project would be consistent with the more recent addition to Appendix G of the CEQA Guidelines thresholds regarding wildfire hazard. The new wildfire Appendix G threshold questions are discussed in Appendix B of this Final EIR. The Project would not impede emergency evacuation plans; would not exacerbate risk conditions; would not require installation of additional infrastructure, such as power lines; and would not expose people or structures to downstream flooding or

landslide and, as such, would be less than significant with respect to the new wildfire threshold.

Comment WESTHEIMER-1 2

Lastly, the pollution and air quality affects our families and children who already have breathing issues from the current construction situation.

Please do everything you can to stop the madness and keep our city green and liveable.

Thank you for your time

Nicole

Response to Comment WESTHEIMER 1-2

Section IV.B, *Air Quality*, of the Draft EIR evaluates the Project's construction and operation emissions. As discussed in Section IV.B, of the Draft EIR, the nearest and most representative monitoring station for the Project Site is the Northwest Coastal Los Angeles County Monitoring Station located at Wilshire Boulevard and Sawtelle Boulevard. As shown in Section IV.B, Table IV.B-1, this Air Basin is in nonattainment for ozone, PM10 and PM2.5 under the California Ambient Air Quality Standards (CAAQS). In general, however, the risk for the area is consistent with the urban areas of Los Angeles, with the risk from air toxics lower near the coastline and increasing inland and as summarized in Section IV.B, unmitigated localized construction emissions would not exceed any of the SCAQMD's thresholds. Implementation of MM AQ-1, as needed to reduce regional impacts, would further reduce localized construction-related emissions. Incorporation of MM AQ-1 would reduce carcinogenic exposure of nearby sensitive receptors by further reducing DPM emissions from onsite equipment. Therefore, with the incorporation of MM AQ-1, impacts from Toxic Air Contaminant emissions with respect to construction activities would remain less than significant. The Project would result in less than significant impacts during construction and operation with implementation of the prescribed mitigation measure, as applicable. In addition, with the implementation of the prescribed mitigation measure, the Project's construction-related and operational emissions would not be cumulatively considerable or contribute to cumulatively significant air quality impacts. As explained in Chapter III, Section 1, Subsection d), Evaluation of Impacts, of this Final EIR, Alternative 5 would also incorporate MM-AQ-1 and would also not result in significant impacts from Toxic Air Contaminant emissions during either construction or operation, or contribute to cumulatively significant air quality impacts.

Letter WESTHEIMER 2

Nicole Westheimer
755 N Bundy Drive
Los Angeles, 90049
(May 23, 2018)

Comment WESTHEIMER-2 1

Dear Ms. King,

As a homeowner in Bundy Canyon and in Brentwood, we have seen the traffic to and from Mount St. Mary's College grow year after year. Students, supply trucks, buses, MSM trucks, employees and staff of the college drive carelessly through our streets. Now, the school proposes a 38,000-sqr. ft. structure, which will undoubtedly bring in more students, faculty, service vehicles, events and more to the Chalon Campus, which we as neighbors and our streets will be negatively impacted. We already spend a lot of time in traffic on our neighborhood trying to get our kids to and from school on a daily basis. The majority of traffic is construction type vehicles and the only time we see traffic flow is on rainy days!

We have a right to peace and quality of life. Thank you.

Response to Comment WESTHEIMER-2 1

The comment expresses concern regarding existing traffic and the effect of Project traffic on the quality of life on Bundy Drive, but does not raise any issues regarding the content and adequacy of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

Alternative 5 discussed under Topical Response No. 1, Table II-2, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, would reduce the size of the Wellness Pavilion from 38,000 square feet to 35,500 square feet.

As discussed in the Draft EIR, in Chapter III, and in Topical Response Nos. 2, 6, and 7, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment.

Please refer to Topical Response No. 3 regarding the Project and Alternative 5's construction traffic impacts, operation traffic impacts, and the intermittent (non-daily) character of the Project and Alternative 5's operation traffic. As discussed in Topical Response No. 3, the Project's traffic impacts were fully analyzed in the Draft EIR's Section IV.K, *Transportation and Traffic*. As discussed in Topical Response No. 1, above, and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 was specifically designed in response to concerns regarding the Project's traffic impacts, and would reduce all of the Project's operational traffic impacts to less than significant levels.

As explained in Topical Response No. 3, Alternative 5 would reduce the Project's construction traffic impacts, but these impacts would remain significant at three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard).

Letter WHITEHEAD

David Whitehead
12151 La Casa Lane
Los Angeles, 90049
(June 7, 2018)

Comment WHITEHEAD 1

Dear Ms. King, Councilmember Bonin and Ms. Kline:

I would like to go on record to oppose the proposed expansion of the Mount St. Mary's (MSM) Campus via a "Wellness Center".

I am a resident of Bundy Canyon and I can tell you that over the past several years, the increased enrollment at MSM has had a very negative impact in Bundy Canyon for its residents. Now MSM wants to further INCREASE traffic in the Canyon!

The increase in traffic is extremely noticeable. There are now lines of vehicles going to and from MSM. MSM has done very little to mitigate private vehicle trips to the facility causing semi-gridlock in parts of the canyon and especially at and around Sunset Boulevard. These narrow RESIDENTIAL roads are simply not sufficient to accommodate the ever increasing MSM traffic. To allow MSM to further increase the vehicle trips by expanding its facility is not acceptable to residents of Bundy Canyon. I believe the residents of Bundy canyon are unanimous on this point.

I believe as a condition to any expansion of the MSM Campus, MSM should be required to build itself a road directly connecting the Campus to the 405 Freeway (similar to what the Getty had done). This will alleviate all vehicle trips through Bundy Canyon entirely, leaving MSM to add to its facility without using insufficient and inappropriate narrow canyon roadways.

Sincerely,
David Whitehead
12151 La Casa Lane, Los Angeles, Ca 90049

Response to Comment WHITEHEAD 1

This comment expresses general opposition to the Project based on traffic but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

As discussed in the Draft EIR and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, the Project and Alternative 5 would serve the existing student body, and neither the Project nor Alternative 5 would increase student enrollment

or expand the Campus. See Topical Response No. 2 regarding the scope of Alternative 5 and Topical Responses Nos. 6 and 7, which address student enrollment. The Project would not expand the physical Campus site and instead will be built on an existing developed portion of the Campus. As discussed in Topical Response No. 1 and in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 occupies approximately the same Project Site as the Project and, as with the Project, Alternative 5 would not, therefore expand the physical Campus site.

Section IV.K, Transportation and Traffic, of the Draft EIR discloses that additional vehicle trips generated by the Project would cause significant and unavoidable traffic impacts at three Sunset Boulevard intersections, in addition to three neighborhood street segments during the school year, and at six neighborhood street segments during the summer. However, Alternative 5, described in Topical Responses 1 and 3, above, and Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR would reduce the Project's operation traffic impacts at all intersections and neighborhood street segments to less than significant levels. Further, PDF-TRAF-18, under Alternative 5 would require that total daily vehicle trips generated by the MSMU Campus, inclusive of trips generated by the Wellness Pavilion, would be maintained to one percent below the 2016 trip counts (existing conditions for the purpose of the traffic study) during operation and, as such, would improve existing conditions related to MSMU Campus traffic. Alternative 5 would also reduce the Project's frequency of activity in that the number of the Project's Other Wellness/Sports Activities would be reduced from 48 times per year to 12 times per year (a 75 percent reduction).

Alternative 5's reduction in floor area and elimination of the concrete parking deck would reduce the duration of construction activity from 22 months to 20 months, during which three neighborhood street segments (Bundy Drive north of Norman Place, Chalon Road east of Bundy Drive, and Bundy Drive north of Sunset Boulevard) would be significantly and unavoidably impacted under either the Project or Alternative 5.

The opinion stated in the comment that MSMU should build a road directly to I-405, as did the Getty Museum, ignores the fact that the Getty owns property adjacent to the I-405 and MSMU does not. In addition, no such road is necessary to mitigate operation traffic impacts to a level less than significant.

Letter WISHINGRAD

Marc Wishingrad
Deborah Lehman
490 N. Bowling Green Way
Los Angeles, 90049
(June 10, 2018)

Comment WISHINGRAD 1

Dear Ms. King:

We are neighbors of Mount St. Mary's in Bundy Canyon and want to voice our support for the School's project, currently under review by the City.

We have lived on North Bowling Green Way for 10 years and knew well when we bought the house (as everyone who has a house in Bundy Canyon knew) that MSM was our neighbor.

We strongly believe that the University has the right to build its proposed Wellness Center and update its facilities.

MSM has been an excellent neighbor and has informed the local residents of its plans from the beginning, and has asked for our input along the way.

The students and staff of the University clearly deserve updated facilities.

Both of us (MW and DL) are physicians affiliated with local hospitals (UCLA, Cedars and Saint John's) and realize that schools and hospitals need to update their facilities in order to survive and thrive. MSM is no exception. The City (and the residents of Bundy Canyon) should support this project.

Thank you for your consideration.

Marc Wishingrad

Deborah Lehman

490 N Bowling Green Way LA 90049

310-472-1079

Response to Comment WISHINGRAD 1

The comment does not provide any statement regarding the content or adequacy of the Draft EIR. The statement of support regarding the Project is acknowledged.

Letter WOODS

Helene Woods
helenerwoods@me.com
(June 9, 2018)

Comment Woods 1

I am in great support of the Wellness center that Mount Saint Mary's University is proposing to build. I am an alumna of the University, and I know that the current facilities are in desperate need of a renovation. The Mount's proposed Wellness center is a small Project that will have big benefits in improved health for students, faculty, staff members and nearby neighbors. Current facilities are too small to provide the kind of resources merited by the need, and by the university's mission.

The concept and reality of wellness is a key element of the education and training students receive at the Mount. It provides the basis of their future careers and lifestyles, serving people who depend on health care professionals in every specialty.

As a resident of CD 11, I know that construction projects can produce temporary discomforts, but I hope that these impacts will not determine the fate of a small Project with so many long-term benefits, not only for MSMU, but for all the people ultimately served by its graduates.

Response to Comment Woods 1

This comment expresses support for the Project but does not raise any issues with respect to the adequacy or content of the Draft EIR. This comment is noted for the record and will be forwarded to the decision-makers for review and consideration.

It should be noted that the Project's construction impacts were analyzed in the Draft EIR and as noted above in Topical Response No. 3, Table II-3, above, and Section III, *Revisions, Clarifications, and Corrections*, of this Final EIR, Alternative 5 would reduce the duration of construction impacts from 22 months to 20 months.