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May 30, 2020

By Email Only to shilpa.gupta@lacity.org

Shilpa Gupta, Environmental Supervisor I
Department of Public Works
Bureau of Engineering, EMG
1149 S. Broadway, Suite 600, Mail Stop 939

RE: Comments on the Citywide Sidewalk Repair Program Draft
Environmental Impact Report (SCH# 2106071063)

Dear Ms. Gupta:

The Federation of Hillside and Canyon Associations, Inc., founded in 1952, represents 44 homeowner and resident associations with approximately 250,000 constituents spanning the Santa Monica Mountains.

Thank you for your consideration of our comments to the Draft Environmental Impact Report (DEIR) for the City's Sidewalk Repair Program. We also thank the City for its responsiveness to numerous requests to extend the time for members of the public to review this DEIR and submit comments and for using its broad discretion to provide that additional time, thus ensuring greater public participation in the environmental review of this important and potentially impactful program.

This brief letter is not intended to provide an exhaustive review and analysis of the Sidewalk Repair Program DEIR, but rather to underline issues of concern we believe must be addressed in a revised and re-circulated project DEIR.¹ As one of the largest organizations focused on environmental impacts to the City's hillside areas we believe the DEIR is inadequate for failing to consider and mitigate potentially significant project impacts in the Santa Monica Mountains and other hillside areas.

For example, in section 2.4.3.2, the DEIR states: "The native tree population, mainly within mountainous areas, was not included in the Tree Canopy Assessment; therefore these population statistics are unknown." (DEIR, p. 2-28.) The quote references a 2015 two-page memo made by

Argyle Civic Assn.
Beachwood Canyon NA
Bel-Air Assn.
Bel-Air Hills Assn.
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
Crests Neighborhood Assn.
Dixie Canyon Assn.
Doheny-Sunset Plaza NA
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
LFIA (Los Feliz)
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon NA
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon HOA
Oaks Homeowners Assn.
Outpost Estates HOA
Residents of Beverly Glen
Save Coldwater Canyon!
Shadow Hills POA
Sherman Oaks HOA
Silver Lake Heritage Trust
Studio City Residents Assn.
Sunset Hills HOA
Tarzana POA
Torreyson Flynn Assn.
Upper Mandeville Canyon Assn.
Upper Nichols Canyon NA
Whitley Heights Civic Assn.

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¹ We note we have had the opportunity to review the May 29, 2020 DEIR comment letter submitted by Jamie T. Hall, Channel Law Group, LLP, and agree with its detailed analysis, conclusions, and requests for additional information.

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the Director of the Bureau of Street Services. While it is not clear what the DEIR means with the vague reference to the City's "mountainous areas" it is evident that the DEIR must better explain the relationship between street and native trees in the City's hillside areas and how the Sidewalk Repair Program may impact. Based upon the ambiguous project description language and broad estimates of street and native trees provided in the DEIR, it is difficult for members of the public to know which hillside area trees, whether native or street tree, may be subject to removal or other action under the proposed Sidewalk Repair Program. (*Ibid.*)

In addition, there seem to be potential for significant conflicts between the proposed ordinance and the City's existing Protected Tree Ordinance (PTO). The DEIR fails to note that the Southern California Black Walnut, a species known to be included within the street tree population, is also a "Protected Tree" species subject to the PTO as defined in the municipal code. (See Los Angeles Municipal Code § 17.02.) With no draft proposed ordinance language available for review, which is itself a major informational failure of the DEIR, it is impossible to know how the project might conflict with the PTO with respect to the handling of these protected trees in general, or how the proposed ordinance's notice provisions might conflict with the notice provisions of the PTO. Likewise, it is impossible to know how the replacement provisions of the proposed ordinance might conflict with the replacement provisions of the PTO, and which of the ordinances would be considered superior if a conflict in the two provisions should arise. These unknown potential conflicts between the proposed ordinance and the PTO must be considered.

The DEIR also fails to consider the general relationship between the proposed ordinance and the Santa Monica Mountains Zone, as established by state law. (See Public Resources Code § 33001 et seq.) The Zone is considered "a unique and valuable economic, environmental, agricultural, scientific, educational, and recreational resource..." "[P]reservation and protection of this resource is in the public interest." (*Id.*) There are thus potential biological and recreational impacts due to potential conflicts between the project and the policies to protect the resources within the Santa Monica Mountains Zone that have not been analyzed in the DEIR. Relatedly, the DEIR seems not to have considered the relationship between the project and the City's current and proposed wildlife corridor policies. (See Los Angeles City Council File 14-0518.)

The Hillside Federation concludes that the City's Sidewalk Repair Program DEIR is inadequate because it fails to identify and mitigate all potentially significant environmental impacts. It also fails as an informational document because it does not include even a rough draft proposed ordinance, making it impossible to assess potential conflicts with other City ordinances, such as the Protected Tree Ordinance. The DEIR should be revised and re-circulated.

Sincerely,

A handwritten signature in black ink that reads "Charley Mims". The signature is written in a cursive, slightly slanted style.

Charley Mims
President, Federation of Hillside and Canyon Associations