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July 23, 2013

VIA HAND DELIVERY AND E-MAIL

The Honorable Herb Wesson Jr., President
Members of the Los Angeles City Council
c/o Office of the City Clerk
200 N. Spring Street, Room 395
Los Angeles, CA 90012

Re: Hollywood Millennium Project
CPC-2008-3440-AC-CUB-CU-AV-HD; CPC-2013-103-DA
VTT-71837; ENV-2011-0675-EIR
Council File No. 13-0593-S1
Hearing Date: Wednesday, July 24, 2013, Item No. 21

Dear President Wesson and Members of the Los Angeles City Council:

We represent HEI/GC Hollywood & Vine Condominiums, LLC and the Hollywood & Vine Residences Association, the owner and homeowners association, respectively, of the W Hollywood Hotel & Residences at 6250 Hollywood Boulevard, Los Angeles, California 90028, and we submit this letter on their behalf. We previously submitted public comment letters regarding the Draft EIR for the Hollywood Millennium Project (the "Project"), and letters to the City Planning Commission and the City Council Planning and Land Use Management Committee regarding the insufficiency of the environmental review for the Project.

In these letters we identified key issues in the traffic analysis in the Draft EIR for the Project and noted the inadequate response to these comments in the Final EIR. The Draft EIR fails to fully evaluate the traffic and parking impacts, because the Draft EIR makes certain assumptions due to a lack of finite Project Description. The Draft EIR uses modified trip generation rates for high-rise apartments, and calculates the required parking based on reductions for shared parking between retail, office and commercial uses. However, the Project does not provide a sufficient Project Description that would warrant an accurate calculation of the traffic impact or support reductions for any specific parking sharing.

Attached is a copy of the letter from the California Department of Transportation ("Caltrans") to Councilmember Garcetti, dated May 7, 2013, that reiterates some of our concerns with the traffic analysis. The Caltrans letter notes that the Project will contribute significant impacts to the US-101 freeway on and off ramps, which are currently operating at Level of

Service F, and the Project's traffic study does not analyze or disclose these impacts. The Applicant has not submitted any additional information responding to Caltrans request that evaluates the impact to the State Highways System, and the neighbors that utilize it. Therefore, there is no substantial evidence in the record that would support approval of the Project based on the inaccurate traffic analysis.

Sincerely,

BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:slb

cc: Via E-mail:
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May 7, 2013

Councilmember Eric Garcetti
Council District 13
City of Los Angeles
200 N. Spring Street, Room 475
Los Angeles, CA 90012

RE: Millennium Hollywood Project
IGR/CEQA No. 130204AL-FEIR
Vicinity: LA-101, PM 7.37
SCH #2011041094

Dear Councilmember Garcetti:

We are writing this letter to reiterate Caltrans' concerns that the Environmental Impact Report (EIR), Final Environmental Impact Report (FEIR), and Traffic Study for this project did not fulfill the requirements of the California Environmental Quality Act (CEQA).

The Millennium Hollywood Project is a regionally significant project that will construct over 1 million square feet of mixed use development and is approximately one block from the US-101 freeway. With the existing condition of the freeway operating at Level of Service "F", this project will contribute significant traffic impacts to the US-101 freeway and its on/off ramps. The traffic study does not analyze nor does it disclose the traffic impacts that this project will contribute to the State Highway System.

After reviewing the Response to Comments from the City, Caltrans sent a letter, dated February 19, 2013, commenting on the FEIR (see attachment 3). We have not received a response from the City regarding our comments.

The Los Angeles Planning Commission approved the project on April 27, 2013. As a commenting agency, we would like to, once again, bring to the City's attention that the project impacts will likely result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. As mentioned in our previous letters, these concerns have not been adequately addressed in the EIR.

In summary, without the necessary traffic analysis, Caltrans cannot agree that the FEIR substantively identifies and mitigates the Project's impacts to the State highway facilities as required under CEQA.

Caltrans staff will continue to be available to work in partnership with the City to identify adequate mitigation as a result of the traffic impacts from the Millennium Hollywood proposed project. If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin, the project coordinator, at (213) 897-8391, and please refer to IGR/CEQA No. 130204AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse
City Council Members, City of Los Angeles
Michael LoGrande, Director City of Los Angeles Planning Department

Attachments (3)

Attachment #1

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN, JR., Governor

DEPARTMENT OF TRANSPORTATION
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May 18, 2011

IGR/CEQA No. 110501AL-NOP
Millennium Hollywood Project
Vic. LA-101, PM 7.37
SCH # 2011041094

Ms. Srimal P. Hewawitharana
City of Los Angeles
200 N. Spring Street, Room 750
Los Angeles, CA 90012

Dear Ms. Hewwitharana:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. The proposed project would include the construction of approximately 1,052,667 square feet of new developed floor area. The project would develop a mix of land uses including residential dwelling units, luxury hotel rooms, office and associated uses, restaurant space, health and fitness club uses, and retail establishments.

Because of the size and land uses of the project, this project may have a regional traffic impact on the State facilities. To assist in our efforts to evaluate the impacts of this project on State transportation facilities, a traffic study should be prepared prior to preparing the Draft Environmental Impact Report (DEIR). Please refer the project's traffic consultant to the Department's traffic study guide Website:

http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

Listed below are some elements of what is generally expected in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to I-110, and all on/off ramps within 5 miles radius of the project site. The Department has concerns about queuing of vehicles using off-ramps that will back into the mainline through lanes. It is recommended that the City determine whether project-related plus cumulative traffic is expected to cause long queues on the on and off-ramps. We would like to meet with the traffic consultant to identify study locations on the State facilities before preparing the Environmental Impact Report (EIR).

2. Consistency of project travel modeling with other regional and local modeling forecasts and with travel data. The Department may use indices to verify the results and any differences or inconsistencies must be thoroughly explained.

3. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area. Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions should include build-out of all projects and any plan-horizon years. (see next item)

4. Inclusion of all appropriate traffic volumes. Analysis should include existing traffic, traffic generated by the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments.

5. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. These mitigation discussions should include, but not be limited to, the following:

    - Description of Transportation Infrastructure Improvements
    - Financial Costs, Funding Sources and Financing
    - Sequence and Scheduling Considerations
    - Implementation Responsibilities, Controls, and Monitoring

    Any mitigation involving transit or Transportation Demand Management (TDM) should be justified and the results conservatively estimated. Improvements involving dedication of land or physical construction may be favorably considered.

6. The Department may accept fair share contributions toward pre-established or future improvements on the State Highway System. Please use the following ratio when estimating project equitable share responsibility: additional traffic volume due to project implementation is divided by the total increase in the traffic volume (see Appendix "B" of the Guide).

    Please note that for purposes of determining project share of costs, the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes, which include build-out of all approved and not yet approved projects and other sources of growth. Analytical methods such as select-zone travel forecast modeling might be used.

    Please be reminded that as the responsible agency under CEQA, the Department has authority to determine the required freeway analysis for this project and is responsible for obtaining measures that will off-set project vehicle trip generation that worsens State Highway facilities. CEQA allows the Department to develop criteria for evaluating impacts on the facilities that it manages. In addition, the County CMP standards states that the Department should be consulted for the analysis of State facilities. State Routes mentioned in item #1 should be analyzed, preferably using methods suggested in the Department's Traffic Impact Study Guide. To help determine the appropriate scope, we request that a select zone model run is performed. We welcome the opportunity to provide consultation regarding the Department's preferred scope and methods of analysis.

We look forward to reviewing the traffic study and expect to receive a copy from the State Clearinghouse when the DEIR is completed. Should you wish to expedite the review process or receive early feedback from the Department please feel free to send a copy of the DEIR directly to our office.

As discussed in your telephone conversation on May 17, 2011 with Mr. Alan Lin, Project Coordinator, we would like to extend an invitation to meet with the City, developer, and the traffic consultant early in the process to discuss potential traffic impacts to the State facilities and possible mitigation measures prior to the preparation of the EIR.

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 110501AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Attachment # 2

DEPARTMENT OF TRANSPORTATION
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December 10, 2012

Ms. Srimal Hewawitharana
Department of City Planning
City of Los Angeles
200 N. spring Street, Room 750
Los Angeles, CA 90012

IGR/CEQA No. 121036AL-DEIR
Referenced to IGR/CEQA No. 110501AL-NOP
Millennium Hollywood Project
Vic. LA-101, PM 7.37
SCH #: 2011041094

Dear Ms. Hewawitharana:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project would include the construction of approximately 1 million square feet of developed floor area. The historic Capitol Records Building and the Gogerty Building would remain within the project site. The Project would demolish and/or remove the existing rental car facility. The project would develop a mix of land uses including 461 residential dwelling units, 254 luxury hotel rooms, 264,303 square feet of office space, 25,000 square feet of restaurant space, 80,000 square feet of health and fitness club space, and 100,000 square feet of retail space.

Below are Caltrans' major concerns with the Draft Environmental Impact Report (DEIR) for the Millennium Hollywood Project:

1. Caltrans submitted a comment letter dated May 18, 2011, on the Notice of Preparation (NOP) and met with the developer's consultant on September 15, 2011, to discuss Caltrans' concerns about the project's impact on the US-101 freeway and on/off ramps within the 5 miles radius of the project site. The traffic consultant acknowledged Caltrans' concerns and it was understood by both parties that the traffic procedures for analyzing impacts to the state highway system would follow standard statewide procedures outlined in Caltrans Traffic Study Guide. However, the June 2012 Traffic Impact Study (TIS), which is the basis for the traffic impact discussion in the DEIR, did not follow those procedures and does not analyze the impacts to the state highway system.

2. There was no analysis performed for any of the freeway elements. The TIS only used the Los Angeles County Congestion Management Program (CMP) criteria. However, the CMP fails to provide adequate information as to direct and cumulative impacts to the freeway mainline and ramps, per CEQA.

3. Currently, the Level of Service (LOS) for US-101 is operating at LOS F. Any additional trips will worsen the existing freeway condition. The TIS did not include a cumulative traffic analysis for US-101, which would consider the trips generated from the 58 related projects that are referred to in the DEIR, the proposed NBC Universal Project, and growth from the Hollywood Community Plan (Plan). Because the TIS prepared for the Plan in 2005 determined that build-out of the Plan would result in significant transportation impacts to the US-101, the Plan created a Transportation Improvement and Mitigation Plan (TIMP) to identify future improvements to the US-101. Since the proposed project site is located within the Plan area, the identified improvements should have been taken into consideration, as well as improvements listed in Metro's Long Range Transportation Plan.

4. Page IV.K.1-60 of the DEIR states: "The Project would result in a less than significant impact with respect to trip generation upon CMP locations and on freeway segments. No mitigation is required." This conclusion is not based on any credible analysis that could be found anywhere in the DEIR. It is Caltrans' opinion, based on the work that we have done in this area, that this project will result in significant impacts to the state highway system.

5. The submitted traffic analysis did not include the following ramp intersections that are closest to the project site, which may be significantly impacted by this development:

   - SB Route 101 on-ramp from Argyle Avenue
   - SB Route 101 off-ramp to Gower Avenue
   - NB Route 101 off-ramp to Gower Avenue
   - SB Route 101 off-ramp to Cahuenga Blvd.
   - SB Route 101 on-ramp from Cahuenga Blvd.
   - SB Route 101 off-ramp to Vine Street

   The traffic analysis at these off-ramps needs to show projected queue build-up upstream of the off-ramp. Although most of the on-ramps are meter controlled, the analysis needs to show how the added/over-flow volume to the on-ramp may affect other nearby intersections, including off-ramps. Caltrans is concerned that the freeway ramps will back up, creating a potentially unsafe condition. To ensure the ramps do not back up, the intersections adjacent to the ramps must be able to absorb the off-ramp volumes at the same time as they serve local circulation and land uses.

6. As shown in the DEIR, Table 5 Project Trip Generation, the project will generate a 19,486 average daily vehicle trips with 1,064/1,888 vehicle trips during the AM/PM peak hours. These volumes appear to be low and Caltrans requests that the lead agency verify

them. Also, the trip reduction credits taken are not in compliance with the Caltrans Traffic Impact Study Guide and any deviation should be properly justified and substantiated. For example, the 30% reduction of the retail pass-by trips is significantly high without justification. Utilizing such high reduction rates will result in inadequate identification of traffic impacts and mitigation, thus violating CEQA.

To address these concerns, an analysis for the project's impacts to the freeway system should be performed based on the proposed scope of the project as described in the DEIR and would need to include all of the following to determine the actual impact of this project on the State facilities in the project vicinity:

a. If the project will be developed in phases, the project added demand and trip assignment to US-101 should be based on each phase of the project, otherwise it should be based on 100% occupancy.

b. The Trip Generation figures and its distribution need to be forecasted based on a Select Zone Analysis. Based on the magnitude of the project and its close proximity to US-101, the trip assignment appears to be unreasonably low. Please elaborate on the trip assignment methodology utilized.

c. Trip Generation figures from other sources should be cross-referenced by the source, page number, year, and table numbers.

d. The off ramps on NB and SB US-101, between Vermont Avenue and Highland Avenue, which would represent the most impacted area by the proposed Development, should be analyzed utilizing the Highway Capacity Manual (HCM) 85th Percentile Queuing Analysis methodology with the actual signal timings at the ramps' termini.

e. Similarly, the on ramps on NB and SB US-101, within the same area, should be analyzed utilizing the same methodology and with the actual metering rates. These rates can be obtained by contacting Ms. Afsaneh Razavi, Senior Transportation Engineer, Caltrans Ramp Metering Department at (323) 259-1841.

f. An HCM weaving analysis needs to be performed for both the NB and the SB mainline segments, between the on and off ramps within the same area, utilizing balanced traffic demands entering and exiting the weaving segments.

Caltrans is concerned that the project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. These concerns need to be adequately addressed in the EIR. In summary, without the necessary traffic analysis, Caltrans cannot recognize the TIS and DEIR as adequately identifying and mitigating the project's impacts to the State highway facilities.

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 121036AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Attachment #3

DEPARTMENT OF TRANSPORTATION
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February 19, 2013

Ms. Srimal Hewawitharana
Department of City Planning
City of Los Angeles
200 N. spring Street, Room 750
Los Angeles, CA 90012

IGR/CEQA No. 130204AL-FEIR
Referenced to
IGR/CEQA No. 110501AL-NOP
IGR/CEQA No. 121036AL-DEIR
Millennium Hollywood Project
Vic. LA-101, PM 7.37
SCH #: 2011041094

Dear Ms. Hewawitharana:

Thank you for the opportunity to review the Final Environmental Impact Report (FEIR) for the Millennium Hollywood Project (Project). This letter serves to reiterate our concerns that the FEIR does not fulfill the requirements of the California Environmental Quality Act (CEQA).

We have the following comments after reviewing the FEIR:

1. CEQA requires the preparation of an EIR to identify a project's significant effects on the environment, identify alternatives to the project, and devise measures to mitigate or avoid those effects. (Pub. Resources Code §§ 21002.1, subd. (a) & 21061.) This Project is a project of statewide, regional, or areawide significance. (CEQA Guidelines § 15206, subd. (b).) When a project is of statewide, regional, or areawide significance, CEQA requires that the lead agency consult with responsible agencies, state agencies with jurisdiction over resources affected by the project, and public agencies with jurisdiction over a transportation facility. (Pub. Resources Code §21092.4, § 21153; CEQA Guidelines § 15086.) Caltrans notified the City of Los Angeles (City) that to properly assess the potential impacts to the State Highway System (SHS) from the Project, a proper traffic impact study (TIS) must be completed.

2. A valid TIS represents the linchpin in Caltrans' efforts to assess a project's potential impacts to the State transportation infrastructure. To assist the City in its preparation of a valid TIS, Caltrans informed the City that the TIS needs to comply with the "*Caltrans Guide for the Preparation of the Traffic Impact Studies*". Unfortunately, the City did not work with Caltrans and instead relied on its own Congestion Management Program (CMP), which **DOES NOT** adequately study the impacts to the SHS. Because the TIS did not adequately analyze the traffic impacts, the City therefore did not identify adequate mitigation. Caltrans is concerned that the Project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. The City's analysis incorrectly focuses its attention on impacts *to the CMP from the project*. CEQA does not call for an

evaluation of the impacts of a proposed project on an existing plan; it is concerned with the impacts from the project upon the environment, which is defined as the existing physical conditions in the affected area. The City did not study impacts to or identify adequate mitigation for the SHS.

3. Caltrans operates a multi-modal transportation system across the State, and is responsible for the planning, building and maintenance of that system. (Sts. & Hwy. Code § 90 et seq.) While the lead agency for a project has the authority to determine the initial significance of the project's impacts under CEQA, Caltrans has the ultimate authority under the Streets and Highways Code, as the owner and operator of the facilities, to make that determination on the SHS.

4. The intent of the CMP is to assist federal, state and local agencies in developing and implementing comprehensive planning strategies to handle traffic congestion. (Gov. Code, § 60588) Unfortunately, the CMP process does not adequately evaluate the impacts to the SHS, nor does it make the City the final authority over highway safety issues. As the owner and operator of the SHS facilities, Caltrans provides comments on environmental documents and the analysis of impacts to the SHS.

5. The purpose of allowing the public and other governmental agencies the opportunity to review EIRs includes: sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals. (CEQA Guidelines, Section 15200.) The TIS did not provide Caltrans, or any other reader, with sufficient traffic analysis to properly review and assess the traffic assumptions, lead agency analysis, and conclusions regarding the Project and its impacts.

6. The CMP does not capture the same data for analysis that the Highway Capacity Manual (HCM) uses. For example, the CMP (1) fails to analyze off-ramps, (2) fails to analyze freeway impacts, including where existing LOS is F, if the Project trip assignments is less than 150 cars, (3) uses a flawed percentage ratio to determine the significance of impacts, and (4) incorrectly analyzes cumulative traffic impacts.

7. The CMP, Section D4 Study Area, indicates that "The geographic area examined in the TIA must include the following, ***at a minimum***" and "Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify ***other specific locations*** to be analyzed on the state highway system." Caltrans identified potential study locations for the Project, but the City does not include an analysis of these locations in the FEIR.

8. CEQA requires mitigation for site-specific issues. However, the CMP does not include site-specific safety considerations, nor is it based on an appropriate measure of effectiveness for site-specific considerations. Therefore, analysis under the CMP alone does not comply with CEQA.

9. The FEIR fails to provide queuing analysis on the off-ramp where the freeway ramps will back up, creating a potential unsafe condition. As Caltrans has already informed the City, the off-ramps which would represent the most impacted area from the Project should be analyzed utilizing the HCM 85th percentile queuing analysis methodology with the actual signal timings at the ramps termini. The City did not do this analysis in the FEIR, nor does the CMP address this issue.

10. The CMP improperly uses a percentage criterion for determining the significance of traffic impacts. The use of a "ratio theory" or "comparative approach," such as the CMP's "2% increase in trips" criterion, improperly measures a proposed project's incremental impact relative to the existing cumulative effect rather than measuring the combined effects of both the project and other relevant past, present, and future projects.

11. A lead agency that intends to approve developments with unmitigated significant traffic impacts must make Findings that no measures are feasible to mitigate those impacts, and must issue a Statement of Overriding Considerations, which indicates that allowing this project to proceed would be in the best interest of the general public.

12. Caltrans' Concerns with the City's Response to Comments in the FEIR:

    a) **Concerns regarding Response to Comment Nos. 03-2 and 03-5**
    The Traffic Impact Study Guide (TISG) states that "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on the State highway facilities. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS." The City failed to consult with Caltrans to determine the appropriate target LOS for this project.

    What's more, the State Highway facility can absorb additional traffic without degradation, if it is operating at a higher level of service where there are uncongested operations, higher travel speeds and freedom of movement. However, the greater the congestion, the lower the threshold of traffic needed to create an impact. The TISG describes the trip generation changes that would trigger the need to consult with Caltrans or that are likely to indicate a probable significant effect. At certain locations, even less than 50 peak hour trips may have a significant impact on operations and the LOS. Impacts are most often considered significant by Caltrans if they might create an unsafe condition by increasing or relocating traffic demand, thereby increasing the risk of turn movement conflicts on the SHS. The other major concern is when the integrity of the SHS would be at risk from physically undermining or destroying the structures. Traffic that exceeds an operational or capacity threshold will have a different level of significance depending on whether the analysis looks at mainline or access locations.

    b) **Concerns regarding Response to Comment Nos. 03-3, 03-4 and 03-5**
    The Transportation Modeling Procedures and Results (Appendix B of FEIR) demonstrates that the Project adds traffic to the freeway. Cumulatively, the 58 related projects that are referred to in the DEIR, the proposed NBC Universal Project and the Hollywood Community Plan, also add traffic to the freeway and should have been included in the model. Route 101 already operates at LOS F in the vicinity of the Project. Regardless of programs that include upgrades to the transit system or TDM to improve traffic conditions, the net effect of any additional trips likely will worsen the existing freeway condition. Adopting an arbitrary value of 150 or more trips to constitute a significant impact is not a realistic approach and does not capture the impacts to the SHS. Any additional traffic to the mainline, particularly where the LOS is operating at "F" or worst, needs to be mitigated in compliance with CEQA.

Page 1 of the Transportation Modeling Procedures and Results states, "the Hollywood Community Plan Update was also determined not to have a significant impact on the freeway system." This statement is false; according to the DEIR (SCH No. 20020410009) for the Hollywood Community Plan Update (Page 4.5-30), the proposed plan compared to the 2005 conditions would result in an unavoidable significant adverse transportation impact and the Plan offers transportation improvements to mitigate the traffic impacts. The Hollywood Community Plan TIMP includes LRTP Highway/Freeway Improvements (page 48), LRTP Arterial Street Improvements (page 49), and Capital Improvements (page 66). All of those improvements include freeway mainline and on/off ramp improvements in the project vicinity.

Caltrans will consider any and all improvements that would benefit the SHS, including the ATSAC/Adaptive Traffic Control System Highway and Street Traffic Signal Management System. Instead, Caltrans was and still is unable to assess the benefits of such a program because there is no traffic study in the EIR that includes the necessary analysis.

c) **Concerns regarding Response to Comment Nos. 03-6, 03-11, and 03-14**

The listed ramp intersections *are* "those at which the Project traffic impacts have the potential to be significant and substantial." The study locations should include all freeway elements, including freeway mainline, weaving sections, meters, ramps, and ramp junctions, in the study area. The traffic impact analysis methodologies are spelled out in the Caltrans guidelines and are used throughout the State when State Highway facilities are involved. For off-ramps and ramp junctions, Caltrans uses the HCM for analysis. The FEIR is flawed because the City relies upon the Critical Movement Analysis (CMA), which does not address off-ramp queuing that can lead to operational and safety issues.

Without a queuing analysis at the intersections of US-101 off-ramp (see Caltrans letter dated December 10, 2012, Item #5 and #6d), neither Caltrans nor the City can determine whether the traffic from the off-ramps will back up to the mainline, thus creating an unsafe condition to the public. Therefore, the FEIR fails to provide and analyze the impacts upon the SHS from queuing. Again, please provide the traffic analysis at the specified locations, per our Comment Nos. 03-6 and 03-11, as there may be significant impacts from the Project.

d) **Concerns regarding Response to Comment No. 03-7**

Caltrans concurs with Comment No. 59-27 (Jordon, David). The internal capture rates in Table IV.K.1-4 lack support. LADOT relies on ITE studies from Florida from the early 1990s and these studies are outdated. Instead, the Texas A & M University, Texas Transportation Institute for the Federal Highway Administration collected updated data at Legacy Town Center in February 2010. Please submit this data and the corresponding analysis for this Project to Caltrans for our review.

e) **Concerns regarding Response to Comment No.03-9**

Limitations exist regardless of the type of analysis used, but Caltrans prefers the Select Zone Analysis. If the City instead utilizes a manual approach, the analysis should include

an appropriate study area that addresses impacts to State Highway facilities. Consultation with Caltrans is a critical step in the scoping process and all stakeholders should be included in the environmental review; unilateral review and approval by LADOT is not sufficient.

The traffic model analysis (FEIR Appendix B) provides alternative values for the traffic on US-101 which select locations that are too closed to the project resulting in an incomplete model analysis for the project trips distribution on the US-101 where only small amount of trip is assigned to US-101.

f) **Concerns regarding Response to Comment No. 03-13**
The City must conduct an HCM weaving analysis for both the northbound and southbound mainline segments, between the on- and off-ramps within the project vicinity utilizing balanced traffic demands entering and exiting the weaving segments. This would show whether the traffic flow will operate safely.

As stated above, Caltrans is concerned that the project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. These concerns need to be, and have not been, adequately addressed in the EIR. In summary, without the necessary traffic analysis, Caltrans cannot agree that the FEIR substantively identifies and mitigates the Project's impacts to the State highway facilities as required under CEQA.

We have been and will continue to be available to work in partnership with the City to identify adequate mitigation as a result of the traffic impacts from the Millennium Hollywood proposed project. If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin, the project coordinator, at (213) 897-8391, and please refer to IGR/CEQA No. 130204AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse
Jon Foreman, City of Los Angeles