

April 14, 2021

Mr. Jamie Hall
CHANNEL LAW GROUP, LLP
8383 Wilshire Boulevard, Suite 750
Beverly Hills, CA 90211

**Subject: 1309-1331 South Pacific Avenue and 2111-2139 South Pacific Avenue
Noise Impact Review, City of Los Angeles**

Dear Mr. Hall:

Introduction

RK ENGINEERING GROUP, INC. (RK) is pleased to provide this review of potential environmental noise impacts from the 1309-1331 South Pacific Avenue and the 2111-2139 South Pacific Avenue residential projects. This review is based upon the information provided in the City of Los Angeles Notice of Exemption, ENV-2019-4909-CE (Notice of Exemption) and the 1331 South Pacific Avenue Project Noise Technical Report, prepared by DKA Planning, November 2019 (Noise Study).

The purpose of this letter is to review the Notice of Exemption and Noise Study from a noise impact standpoint and provide comments to help ensure that all potential impacts from the project are adequately identified and the effects mitigated to the maximum extent feasible. While this review letter is primarily focused on the technical analysis of the 1331 South Pacific Avenue Project, many of the same technical noise analysis inaccuracies and omissions noted for the 1309-1331 project are also applicable to the 2111-2139 South Pacific Avenue project.

The proposed 1309-1331 South Pacific Avenue project consists of constructing and operating a 4-story residential building with 102 dwelling units and 127 parking spaces in 2 subterranean levels. The project will involve the grading of approximately 2,500 cubic yards of soil, export of approximately 20,000 cubic yards of soil, and the demolition and removal of 3 existing commercial structures and 30 mature trees.

RK specializes in environmental planning and acoustics for governmental agencies, private sector businesses, and community associations. The firm principals have over 70 years of combined engineering and planning experience throughout Southern California. RK has prepared hundreds of noise impact studies, and we are fully aware of the complexity of data gathering, modeling, and the possibility for error within these technical documents.

Comments

The following comments are offered with respect to the City of Los Angeles Notice of Exemption, ENV-2019-4909-CE (Notice of Exemption) and the 1331 South Pacific Avenue Project Noise Technical Report, prepared by DKA Planning, November 2019 (Noise Study).

1. General Comment. The Notice of Exemption and Noise Study have not evaluated environmental noise impacts pursuant to the L.A. CEQA Thresholds Guide, City of Los Angeles, 2006 (L.A. CEQA Guide). According to Page I.1-2 of the L.A. CEQA Guide, the noise screening criteria for determining whether an expanded Initial Study, Negative Declaration, Mitigated Negative Declaration, or EIR may be required includes the following:

- Would construction activities occur within 500 feet of a noise sensitive use?

The Noise Study identifies multiple sensitive uses adjacent to the project site, including residential homes within 10 feet of areas where construction activity will occur. Therefore, per the City's own CEQA policy, the presence of sensitive uses within 500 feet of the proposed construction site indicates that the potentiality for significant environmental impacts exists and an expanded CEQA review should be provided.

2. Noise Study, Pages 8-9, Existing Conditions. The Noise Study does not recognize several key noise sensitive land uses surrounding the project site where noise impacts may occur. For example, the Noise Study fails to identify and evaluate noise impacts at the existing 501 West 14th Street residences, located approximately 60 feet from the project site and directly across West 14th Street. The Noise Study does not recognize or evaluate noise impacts at the existing 1318 Pacific Avenue residences, located directly across Pacific Avenue and within approximately 75 feet of the project site. The Noise Study does not identify or evaluate impacts at the San

Pedro City Ballet School, located on the corner of Pacific Avenue and 13th Street, less than 150 feet from the project site. The Noise Study also does not identify or evaluate impacts at the 15th Street Elementary School, located approximately 600 feet from the project site. All of these immediately surrounding land uses are considered key noise sensitive receptors that should be included in the evaluation of impacts. The Noise Study is therefore flawed and not supported by substantial evidence.

3. Noise Study, Pages 8-9, Existing Conditions. The Noise Study provides a narrow and insufficient account of the existing ambient noise environment near the site, and states, without substantial evidence, that “noise levels are consistent with General Plan Noise Element guidelines for residential neighborhoods”. However, the Noise Study only evaluates the existing ambient noise environment based on four 15-minute noise level measurements during daytime hours, which is not enough to get the full picture of ambient conditions, especially during the more sensitive nighttime and early morning hours. The Noise Study should disclose 24-hour CNEL noise levels and hourly average noise levels (Leq) at all surrounding noise sensitive uses to provide an accurate assessment of baseline conditions. Given that the proposed project will operate 24-hours a day, and construction activities have the potential to occur as early as 7 A.M. and last until 9 P.M., a fifteen minute sample of noise during the middle of the day does not provide a sufficient baseline by which impacts should be evaluated. San Pedro residences near the project site are exposed to 24-hour noise from multiple sources; including the Port of Los Angeles (POLA), multiple arterial roadways bisecting residential neighborhoods, and several auto body repair and tire shops located near the site and adjacent to key sensitive receptors. By failing to adequately establish baseline conditions, the full extent of potential impacts cannot be determined and additional noise impacts will almost certainly occur during morning, evening and nighttime hours. The Noise Study is not supported by substantial evidence.
4. Noise Study, Pages 9-13, On-Site Construction Noise Impacts. The Noise Study inaccurately analyzes on-site construction noise impacts at 50 feet from the property line. However, as identified in the Noise Study, the residences at 524 West 14th Street are located immediately adjacent to the project site, less than 10 feet from where major construction activity would occur. The project would include multiple building and construction elements that will generate substantial noise less than 50 feet from adjacent residential homes that would presumably last more than 10

days. This would include construction of proposed 2-level subterranean parking structure that directly abuts the adjacent residential property line and the proposed building which has a setback of less than 20 feet. Therefore, the analysis of construction noise impacts at 50 feet grossly underestimates the potential noise level impacts to the adjacent residential homes.

5. Noise Study, Pages 9-13, Off-Site Construction Activities – Haul Trucks. The Noise Study does not adequately account for the impact of heavy trucks loading, staging and circulating near the site. The project is expected to export 20,000 cubic yards of material that will be hauled from the site during the excavation of the 2-level subterranean structure, plus it will require the removal of a significant amount of debris from the demolition of the three existing on-site buildings and removal of 30 trees. It is estimated that over 2,500 heavy truck hauling trips will be required to excavate the site alone. As these trucks enter and exit the site they are no longer considered off-site noise sources and the analysis should take into account the on-site/stationary noise impact of all hauling dump trucks at loading and staging areas. Dumps trucks can generate noise levels up to 84 dBA at 50 feet¹. The Noise Study does not show how the hauling trips were calculated, distributed or where loading/staging areas will be located. Heavy truck activity on or adjacent to the site would be subjected to the Los Angeles Municipal Code (LAMC) enforcement standards for on-site construction activity. The impact has not been adequately evaluated and additional impacts would result from construction trucks and hauling activity.

6. Noise Study, Page 13, Table 4, Maximum Construction Noise Levels. The Noise Study asserts that construction best practices can reduce noise levels by 20 dBA. This assumption is entirely unsubstantiated and practically infeasible. This much noise reduction would not be expected even with the most substantial physical barriers that shield adjacent sensitive receptors from line of sight of construction activity. Given that the project will construct a 4-story/45-foot high building, it would be practically infeasible to build a screening wall high enough to block that much construction noise. Adjacent sensitive residential buildings are also multiple stories high, thus further reducing any potential noise reduction from line of sight screening.

¹ FHWA. Construction Noise Handbook. Chapter 9.4. 2006.

7. Noise Study, Page 13, Table 4, Maximum Construction Noise Levels. The findings of significance shown in Table 4 are misleading, as they do not take into consideration the existing ambient noise levels at the adjacent sensitive receptors. The L.A. CEQA Guide has established that a project would normally have a significant impact on noise levels from construction if;
- Construction activities lasting more than 10 days in a three month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use.

By not analyzing changes in the existing environment, the Noise Study has not disclosed the full impact of the project. For example, as shown in Table 3, residential receptors located at 524 West 14th Street currently experience existing noise levels of 55.9 dBA. When compared to the projected construction noise levels in Table 4, the project would result in an increase in ambient conditions by approximately 9 dBA, almost double the recommended threshold in the L.A. CEQA Guide. The impact would be even more pronounced if the Noise Study were to accurately report impacts during early morning or evening hours, model noise sources at the appropriate distances, and not artificially reduce noise levels by 20 dBA.

8. Noise Study, Page 9-17, Construction Vibration Impacts. The Noise Study makes no mention of vibration impacts that may result from the construction of the project. The project will be constructing a 2-level subterranean structure that will likely require deep foundations. These types of structures are often constructed using pile driving and/or drilling which is a known source of significant vibration. Given the close proximity to adjacent structures, it is likely that significant vibratory impacts may occur and additional analysis and mitigation should be provided.
9. Noise Study, Page 18, Mechanical Equipment. The analysis of potential noise impacts from rooftop mechanical equipment is inadequate. As described in the Noise Study, the mechanical equipment would generate a sound pressure level of approximately 81.9 dBA Leq at five feet. The Noise Study goes on to conclude that it is unlikely that noise from the Project's HVAC systems would be audible at off-site locations. Yet no substantial evidence is provided to support this finding. RK performed a conservative calculation of potential mechanical equipment noise at the adjacent residential property to the east and found that noise levels have the

potential to exceed 50 dBA², which would be audible. Furthermore, since HVAC equipment operates 24-hours per day, noise levels should be compared to both daytime and nighttime ambient conditions to determine impact. The Noise Study did not measure nighttime noise levels, therefore, the Presumed Ambient Noise Levels are established in accordance with LAMC Section 111.03. For residential land uses, the Presumed Ambient Noise Level is 40 dBA during nighttime hours. Therefore, the rooftop HVAC equipment has the potential to increase ambient noise levels by more than 10 dBA, causing a potential noise violation per LAMC Section 112.02 and resulting in a significant impact under CEQA.

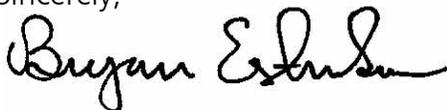
Conclusions

Based upon this review, several inaccuracies and omissions have been found within the analysis of potential environmental noise impacts from the 1309-1331 South Pacific Avenue project. Given the substantial amount of construction and excavation activities that are proposed to take place, the new rooftop HVAC equipment, and the close proximity to adjacent homes and sensitive receptors, the project would cause a significant impact to noise. Hence, the project should provide additional CEQA review and mitigation to reduce impacts to the maximum extent feasible.

Many of the same technical noise analysis inaccuracies and omissions noted for the 1309-1331 project were also observed in the technical noise report for the 2111-2139 South Pacific Avenue project. Given the findings of this letter, the 2111-2139 South Pacific Avenue project would also be expected to result in significant impacts to noise, and additional CEQA review and mitigation should be provided.

RK appreciates the opportunity to work with the CHANNEL LAW GROUP, LLP in reviewing the 1309-1331 and 2111-2139 South Pacific Avenue Projects. If you have any questions please give call at (949) 474-0809.

Sincerely,



Bryan Estrada, AICP, PTP

Principal

² See Attachment A for HVAC noise calculations.

Attachment A

HVAC Noise Calculation Worksheet

NOISE BARRIER CALCULATIONS - BASED UPON FHWA - RD-77-108

PROJECT:	1331 PACIFIC AVENUE RESIDENTIAL NOISE REVIEW	JOB #:	2954-2021-02
SOURCE:	ROOFTOP HVAC	DATE:	11-Feb-21
LOCATION:	RESIDENTIAL P/L (EAST OF PROJECT SITE)	BY:	B. ESTRADA

NOISE INPUT DATA

OBS DIST=	50.0		
DT WALL=	25.0		
DT W/OB=	25.0	BARRIER+	
HTH WALL=	45.0	*****	
BARRIER =	0.0	(0=WALL,1=BERM)	
OBS HTH=	5.0		
NOISE HTH=	50.0		
OBS EL =	0.0		
NOISE EL =	0.0		
DROP-OFF=	15.0		
		TOPO SHIELDING =	-15.10
		NOISE HTH EL=	50.0

DROP OFF COEFFICENTS	
(10 = 3.0 dBA PER DOUBLING OF DISTANCE)	
(15 = 4.5 dBA PER DOUBLING OF DISTANCE)	
(20 = 6.0 dBA PER DOUBLING OF DISTANCE)	

NOISE OUTPUT DATA (dBA)

	DIST (FT)	Leq
REF LEVEL	5	81.9
PROJ LEVEL	50	66.9
SHIELDING	50	-15.1
ADJ PROJ LEVEL	50	51.8

NOISE LEVEL REDUCTION DUE TO DISTANCE = -15

TOTAL NOISE LEVEL (dBA)

	Leq
AMBIENT LEVEL	40.0
ADJ PROJ LEVELS	51.8
TOTAL NOISE LEVEL W/ PROJECT	52.1