

WESTWOOD HILLS PROPERTY OWNERS ASSOCIATION
P.O. Box 24515 Los Angeles, CA 90024

Mr. Morris Angell
Regional Environmental Quality Advisor (REQA) & Senior Asset Manager
Portfolio Management Division Capital Investment Branch (9PTC)
US General Services Administration (GSA)
450 Golden Gate Avenue
San Francisco, CA 94102

April 18, 2006

RE: Draft Environmental Impact Statement (DEIS) for the Los Angeles FBI
Federal Building (the "Project"), Los Angeles, dated February 24, 2006

Dear Mr. Angell:

The Westwood Hills Property Owners Association (WHPOA) has reviewed the above referenced DEIS and submits the comments set forth herein. WHPOA represents more than 600 households in the single-family neighborhood north of the Project between Veteran Avenue and the 405 Freeway, south of Sunset Blvd. and north of the Veterans Administration property. This neighborhood is proud of the many contributions to our country throughout the years by our members and the contributions of many other members of the local community. However, we are deeply concerned by the Federal government's apparent lack of concern for the community as manifested by the numerous environmental impacts described in the DEIS. The DEIS is fatally flawed in that it fails to meet the requirements of the National Environmental Policy Act (NEPA) and the Council of Environmental Quality (CEQ) regulations, including, but not limited to, the requirements of full and complete disclosure of project impacts. (References to NEPA herein include the CEQ regulations.)

The goals of full disclosure and of fully informing the public of the effects of development are at the heart of NEPA. The NEPA process requires that the public has a voice in the decision-making process -- specifically, that public concerns about environmental issues and the potential effect of development on the physical environment are addressed prior to project approval. The process of interacting with the public is as important as the technical content of the environmental document. The public involvement process is necessary to ensure both the quality and credibility of the document. NEPA requires public involvement. To fulfill this goal, on behalf of our members and the many other concerned citizens distressed by this Project, WHPOA respectfully requests that the public be granted an additional 45 days so that it may have an opportunity to meet with FBI's planners to discuss the proposal and to review and prepare responses to this very confusing and disingenuous DEIS.

This project in particular requires meaningful public involvement; the public and the decision makers must have a full and fair explanation of the proposed Project. This DEIS is neither full nor fair: at best it is totally confusing. One of its most egregious deficiencies is the failure of the General Services Administration (GSA) to identify a preferred alternative. Instead the public in the limited time granted to it must comment on two or three different alternatives. This is a clear

violation of the NEPA requirements. (If the GSA refuses to grant the public additional time and if it persists with its apparent plans, a new DEIS must be prepared for the alternative the GSA selects.)

A major and fatal omission of the DEIS is the GSA's failure to include a vulnerability assessment for the project. Such an assessment is particularly important in light of the report regarding the destruction of the FBI headquarters in New York on 9/11/01. Contrary to the GSA's declarations prior to 9/11 that the NYC HQ was secure and safe, the building was too readily destroyed during the attack. The 9/11 report severely criticized the GSA and FBI and pointed out that the headquarters facilities should have been underground -- and so should the FBI headquarters in Los Angeles. And in Los Angeles the FBI is compounding the problem by consolidating its many field offices and "putting all of its eggs in one basket." The public and the decision-makers deserve to be informed as to why the FBI is making this apparently foolish move. In any event, the DEIS needs to be revised to include a vulnerability assessment of the Project and to include a full disclosure of the field offices to be closed. (It is particularly ironic that the GSA and FBI are proposing twin towers for this Project. We are aware that the FBI's NYC headquarters was not in either of the towers but was in an adjacent building in a "prime commercial office district.")

In the discussion of the GSA Siting process the DEIS states that the site location is based on security requirements and federal regulations. What are these security requirements and federal regulations? As part of the discussion for the site selection the DEIS states: "the site should be located in a prime commercial office district with professional surroundings commensurate with its status ." (Emphasis added.) Please explain what this means and why a potentially major target such as an FBI headquarters should be in a "prime commercial office district" and what is the "status" referred to in this requirement? (Is the "status" referred to in the federal regulations or is this a "security requirement?" Will the GSA recommend army bases and troops here and abroad be in a "prime office space commercial district?") Why does 190,000 square feet of storage space and 467,000 square feet of ARMF/Maintenance + Garage have to be in "prime commercial office space district?" The DEIS must be revised to explore the alternative of having the storage and the ARMF/Maintenance facilities located in other areas. This is particularly important with regard to the storage facility as the community was told that the storage space is mainly for evidence to be used in trials at the Federal District Court House which is a considerable distance from the Project. It would not only be more convenient to the Court House if the storage facility was near to downtown and there are many buildings in the area surrounding downtown that are suitable for such storage.

Other flaws in the DEIS include the GSA's violations of its own siting criteria; e.g., the project is within one mile of UCLA's law enforcement headquarters (this HQ provides law enforcement for the UCLA campus and adjacent areas which has a population well in excess of 65,000). And the project is dangerously close (1.3 miles) to the LAPD's West LA headquarters. And, although the project is not located adjacent to a railroad right-of-way (that we know of), today's freeways particularly the 405 which is adjacent to the Project are analogous to railroads in as much as the cargo carried by trucks and the passengers in automobiles probably exceed those of the local railroads. Furthermore there is no discussion in the DEIS of UCLA's new hospital emergency heliport just a few short blocks from the project -- certainly much less than one mile away.

As noted above, the DEIS is particularly confusing; nowhere does this problem seem to be more evident than in the sections about air quality, traffic, and seismic issues. A significant source of the problem appears to be that the GSA is discussing three alternatives at once; another cause of the problem is the GSA's violation of the NEPA requirement that the DEIS be written in plain English and should be user-friendly so that decision-makers and the public

can rapidly understand the document. This DEIS flunks this requirement on the most basic levels; e.g., two immediate inexcusable errors are: there are two sets of pages numbered from 2-1 to 2-10, and the DEIS refers to one of the boundaries as being the "I-110 on the south," (see section ES.2). The I-110 is not on the south side of the Project. In this regard there is no adequate explanation in the DEIS why the area studied for the project is so limited. The reasons for this choice must be set forth in the DEIS.

In the discussion of Seismic Conditions the GSA refers to a 1992 study and omits any discussion of the major 1994 Northridge earthquake that caused close to a billion dollars in damage to the UCLA campus, which is less than a mile away from the Project. The GSA is particularly negligent, sloppy and misleading in this area. E.g., according to the California Department of Conservation, Division of Mines and Geology (CDMG) the historic seismic record indicates that sixty-three earthquakes of magnitude 5.0 and greater have occurred within 60 miles of the Project site between the years 1800-2001 -- more than twice as many as the 26 such quakes stated in the DEIS. There is also no mention in the DEIS of the many studies since the Northridge Earthquake of 1994 that indicate that there are six major fault systems in the area capable of generating large earthquakes. The DEIS must be revised to correct these significant errors. According to the DEIS the geotechnical aspects of the site will be studied at some time after approval of the Project. This is insufficient; NEPA requires that the decision-makers and public be apprised of this information prior to approval of the Project.

There is also no discussion in the DEIS regarding the potential for earthquake-induced flooding, i.e., flooding caused by failure of dams due to earthquakes. The Stone Canyon Reservoir (which is not even mentioned in the DEIS) is located just north of the Project site. A significant seismic activity could potentially result in the failure this dam and the inundation of the FBI headquarters. The DEIS must be revised to provide the decision-makers and the public with a full, fair and honest assessment of the potential seismic dangers.

Not only does the DEIS omit relevant information about recent seismic activity, it fails to reflect the latest air quality data; e.g., there is no mention of a recent USC study headed by an associate professor of preventive medicine. The study found two to three times greater risk of mortality from heart attacks, lung cancer and other serious illness tied to chronic exposure to fine particulate matter than previously thought. And that fine particulate matter spewed out by cars, trucks, and other sources lodges deep in the lungs and is widely considered the most lethal form of air pollution. The DEIS must be revised and recirculated to include timely data.

Although the GSA appears to be able to recite the importance of NEPA and CEQ regulations; i.e., that "scoping is a key tool . . . to learn from the public which issues may be the most important for analysis." The GSA then lists over two full pages of key issues expressed during the scoping process. And then when it came time to prepare the DEIS the GSA ignored the vast majority of the listed comments in a clear violation of NEPA and CEQ regulations. This is yet another reason why the DEIS must be revised. Apparently the GSA is consistent in its practice of ignoring comments, it not only ignored the many comments from the community, but also from its representatives: e.g., our Representative in Congress, Henry A. Waxman, and our County Supervisor, Zev Yaroslavsky. Both of whom have written outstanding letters to you regarding this Project, and by this reference we incorporate their letters herein.

The DEIS is also deficient in its failure to discuss adequately the cumulative impacts of the Project. What will be the traffic impacts when UCLA has completed its projects? What are the plans for the VA site? Where is the property located that UCLA "recently purchased?"

For the many reasons stated above the FBI should extend the time for the community to make comments and should provide the community with an opportunity to meet with the Project's planners for a comprehensive discussion of the Project. In any event the DEIS must be revised to comply with the requirements of NEPA and the CEQ regulations.

Sincerely,

ALVIN MILDER
Vice President

cc: Honorable Henry A. Waxman
Honorable Zev Yaroslavsky