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Submitted electronically

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**Re: City Market Los Angeles Project Recirculated DEIR,
ENV-2012-3003-EIR**

Dear Ms. Toy Lee:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Recirculated Draft Environmental Impact Report (DEIR) for the City Market Los Angeles Project. The Conservancy remains deeply concerned about the significantly flawed Cultural Resources evaluation which has not been revised in the Recirculated DEIR.

Because the project analysis is relying on a flawed Cultural Resource evaluation, the conclusions derived from it pertaining to the identification of potential historic resources, potential adverse impacts, and the evaluation of project alternatives, are all equally flawed. As such, the environmental review for this project cannot proceed to the Final EIR without a revised Cultural Resources evaluation and a revised or supplemental Draft EIR.

While we understand that responses to DEIR comments, along with those for the Recirculated DEIR, won't appear until the Final EIR, we had assumed that our concerns would be addressed in a timely manner. We are therefore disappointed that the city has not taken the opportunity to consider our various concerns, particularly since the addition of a Land Use Equivalency Program has already necessitated the preparation of the new document.

Below is a summary of the Conservancy's prior comments on the project:

April 1, 2013: The Conservancy submits a 4-page comment letter (with attachments) on the Notice of Preparation detailing the significance of the City Market and Market Chinatown District and the need to evaluate and consider a range of preservation alternatives. We expressed concern about the timing of the summer 2012 demolition of a large grouping of the original City Market buildings prior to the official announcement of the project in terms of CEQA and circumventing the process and environmental review of the proposed project in total.

August 12, 2015: The Conservancy submits a 6-page comment letter on the Draft EIR detailing the significantly flawed cultural resources evaluation. We



stated then and now that the Draft EIR relies on a flawed Cultural Resource evaluation and conclusions that are flawed. For more than a year we have not received any response.

A key policy under the California Environmental Quality Act (CEQA) is the lead agency's duty to "take all action necessary to provide the people of this state with historic environmental qualities and preserve for future generations examples of major periods of California history."¹ CEQA "requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects."² Courts often refer to the EIR as "the heart" of CEQA because it provides decision makers with an in-depth review of projects with potentially significant environmental impacts and analyzes a range of alternatives that reduce those impacts."³

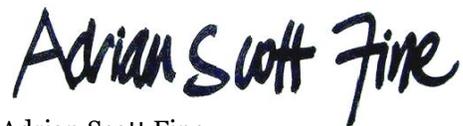
As we have stressed in our previous comments submitted on this project in detail, we strongly urge the city to require preparation of a revised Cultural Resources evaluation following proper methodologies and mandate consideration of preservation alternatives and mitigation measures as part of the ongoing environmental review process.

About the Los Angeles Conservancy:

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 6,500 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Please do not hesitate to contact me at (213) 430-4203 or afine@laconservancy.org should you have any questions or concerns.

Sincerely,



Adrian Scott Fine
Director of Advocacy

cc: City Councilmember José Huizar, Council District 14
Ken Bernstein, Manager, Office of Historic Resources
LA Fashion District Business Improvement District

¹ Public Resource Code, Sec. 21001 (b), (c).

² *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41, italics added; also see PRC Secs. 21002, 21002.1.

³ *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1123.

