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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

ELISA C. DEMBROWSKI, as Trustee, etc., Plaintiff and Appellant, v. CITY OF WEST HOLLYWOOD, Defendant and Respondent; VENICE INVESTMENTS et al., Real Parties in Interest and Respondents.	B217830 (Los Angeles County Super. Ct. No. BS117386)

APPEAL from a judgment of the Superior Court of Los Angeles County. Thomas I. McKnew, Jr., Judge. Affirmed.

Glaser, Weil, Fink, Jacobs, Howard & Shapiro, Clare Bronowski and Mark L. Stermitz for Plaintiff and Appellant.

Michael Jenkins, City Attorney; Jenkins & Hogin and John C. Cotti for Defendant and Respondent.

Steckbauer Weinhard Jaffe, William W. Steckbauer and James M. Gilbert for Real Parties in Interest and Respondents.

Elisa Dembrowski (appellant) brought a petition for a writ of administrative mandate challenging the certification by the City of West Hollywood (City) of a final environmental impact report (FEIR) for a commercial development project on Sunset Boulevard (the project), claiming that the FEIR failed to analyze the traffic impact of the project's provision of an additional 63 parking spaces above that required by the City's parking code, failed to analyze the impact of vehicles turning left from Sunset Boulevard into the project, and failed to discuss project alternatives and mitigation measures. The trial court denied the petition and rendered a judgment in favor of City. We affirm the judgment because the FEIR provides a reasonable, good faith analysis of the traffic impacts of the project, a reasonable range of alternatives, and mitigation measures pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA).

BACKGROUND

In August 2003, real parties in interest Venice Investments and Youdi Emrani filed an application with City for a development permit to construct at 8305 Sunset Boulevard a five-story commercial building with restaurant space on the ground floor and a parking structure on the second through fifth floors. The project site is on the north side of Sunset Boulevard, 30 feet west of the intersection of Sunset and Sweetzer Avenue. The site is vacant except for a billboard and a 32-stall surface parking lot. As described in the FEIR, the project will provide a total of 177 parking spaces, exceeding the code requirement of 114 spaces by 63. A driveway from Sunset Boulevard would provide vehicle access to the site, but vehicles would be prohibited from making left turns out of the project eastbound onto Sunset Boulevard. In the area of the project, Sunset Boulevard is an "east-west major arterial providing two travel lanes in each direction with two-way left-turn lane as a median."

In 2004, City certified a mitigated negative declaration under CEQA and approved the project. Appellant, as trustee for the Mooh Investment Trust, owner of property adjacent to the project, filed a petition for a writ of mandate, seeking to overturn City's approval of the project on several grounds. The trial court denied appellant's petition.

On appeal, we upheld all aspects of the trial court's decision except for its decision on the issue of traffic. We held that because the record revealed a fair argument that the project may have a significant impact on traffic circulation in the area, City is required to prepare an environmental impact report (EIR) addressing that issue. (*Dembrowski v. City of West Hollywood* (Aug. 30, 2006, B185256) [nonpub. opn., p. 21].)

After remand, City set aside its approval of the project and prepared a draft EIR (DEIR) for public review and comment. City retained a new traffic engineer consultant, KOA Corporation, to prepare a new traffic impact analysis. KOA's May 2007 report, approximately 240 pages, was attached as appendix B to the DEIR. The DEIR, which was made publicly available in December 2007, analyzed the 2007 levels of service of 12 intersections and five residential street segments in the area of the project. Of the 12 study intersections, eight (including the intersections of Sweetzer Avenue and Sunset Boulevard and Havenhurst Drive and Sunset Boulevard) were operating at poor levels of service during at least one of the 2007 study periods, which included peak travel times on a weekday and a weekend. Taking into account a 1 percent annual ambient traffic growth factor and the traffic generated by 76 pending and future projects within a 1.5 mile radius of the project, the DEIR provided an analysis of future traffic conditions in 2009, both with and without development of the project. As noted in the DEIR, the analysis *overestimated* the ambient growth rate at 1 percent per year to "address any projects that may not be currently known, in order to avoid under-estimating cumulative impacts."

The DEIR analyzed the short-term adverse traffic impacts *during the construction* of the project and suggested mitigation measures to reduce the impacts to less than significant. The DEIR also contained a discussion of project alternatives, which included the "no project" alternative in which the project does not proceed, and a "less intensive" alternative in which the square footage of the project was reduced by 25 percent and included fewer parking spaces.

As to future traffic conditions based on the development of the project, the DEIR explained that "[i]n order to determine the impact of the project on traffic levels once it is built, the number and distribution of trips generated by the project was calculated. Trip

generation rates for the project were forecasted by using rates derived from the Institute of Transportation Engineers *Trip Generation, 7th Edition* designated for quality restaurant use. Project trip distribution was based on the geographic distribution of the population from which the trips of the patrons and employees of the proposed development would originate or terminate, as well as knowledge of development trends in the area, local and sub-regional traffic routes, and regional traffic flows. . . . Distribution findings were entered into the TRAFFIX program, which calculated specific numbers and distribution of traffic (trips) for the proposed project."

The project would generate approximately 1,137 trips each week day and 1,193 trips each weekend day. The KOA report analyzed the impact of these additional trips on the 12 study intersections and the five residential street segments in light of the principle that "[a] significant [traffic] impact is typically identified if project-related traffic will cause service levels to deteriorate beyond a threshold limit specified by the overseeing agency. Impacts can also be significant if an intersection is already operating below the poorest acceptable level of service and project traffic will cause a further decline below a certain threshold."

As explained in the DEIR: "To evaluate existing and future traffic congestion at intersections, traffic volumes at intersections are quantified using a ratio of current traffic volume to peak capacity volume. These volume-to-capacity (v/c) ratios are then ranked into categories specified by the Transportation Research Board, from A to F, known as Level of Service (LOS) categories. In [City] and Los Angeles, LOS D is typically recognized as the minimum acceptable LOS in urban areas. . . . [¶] . . . [¶] LOS at signalized intersections were determined using the TRAFFIX analysis program and processed with the Circular 212 method designated by [City] and Los Angeles. [Fn. omitted.] Levels of Service (LOS) at unsignalized (stop-controlled) intersections were evaluated by determining the average delay per vehicle in seconds at the intersections and analyzing this information based on the stop-controlled methods found in the 2000 *Highway Capacity Manual* (HCM). [¶] In this analysis, the LOS criteria discussed above may not apply at study locations along Sunset Boulevard, due to congested

conditions, pedestrian traffic, and the influence of traffic conditions at adjacent intersections on one-another. To account for this, KOA conducted additional analyses of traffic flow on Sunset Boulevard and adjusted the relevant analysis operations parameters accordingly to more accurately reflect actual conditions."[1]

City defined a significant impact as one in which the project-related *increase* in the volume-to-capacity ratio of intersections with LOS E and F was equal to or greater than 0.02. The DEIR set out the 2009 project-related increases in the volume-to-capacity ratios at the 12 study intersections. The greatest increase, 0.019, would occur at Sweetzer Avenue and De Longpre Avenue during the weekend afternoon peak period. Thus, under standards set by City, the DEIR stated that the project would not generate significant traffic impacts at any of the 12 study intersections.

The KOA report also explained: "During the future period (Year 2009), with traffic from related projects and without development of the Project, eight study intersections are projected to continue to operate at poor levels of service (LOS E or worse) during one of the study periods. [¶] . . . [¶] During the future period, with Project traffic included, eight study intersections are projected to continue to operate at a poor level of service (LOS E or worse). [¶] The proposed project would not create significant traffic impacts at any of the study intersections. [¶] Utilizing the methodology developed for [City], the proposed project would not create significant traffic impacts at any of the residential street segments."

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[1] According to *Schaeffer Land Trust v. San Jose City Council* (1989) 215 Cal.App.3d 612, 623, "[a]n LOS analysis is a standardized method of rating the operating characteristics of an intersection. An LOS is a qualitative description of an intersection's quality of operation based upon delay and maneuverability. An LOS can range from A, representing free flow conditions, to F, representing jammed conditions."

"The 'volume/capacity ratio' measures the ability of a roadway to handle the volume of traffic. If the amount of traffic on a roadway is equal to its capacity, the ratio will be 1.00. That figure is reduced as the ability of a roadway to handle the volume of traffic passing on it is reduced. A volume/capacity ratio between 0.80 and 0.89, for example indicates service at LOS D." (*Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 362, fn. 3.)

Based on the KOA report, the DEIR concluded that "no significant [traffic] impacts would occur during project operations in any of the evaluation scenarios or locations. Therefore, no operational project mitigation measures are required for the project." And "[i]n accordance with established City procedures, the analysis of project's traffic impacts has been conducted under cumulative conditions. Based on this analysis, the project would not have a significant traffic impact. The project's incremental effect is not significant and therefore not cumulatively considerable . . . . Based upon [City's] methodology, no significant cumulative impact would occur."

Appellant and her traffic engineer, Allyn Rifkin, submitted written comments on the DEIR. Appellant argued that the DEIR was deficient because it failed to discuss the impact of the "over supply of parking in the Project and how that supply will be utilized," and that left turns into the project from Sunset Boulevard "will further impede Sunset Boulevard traffic and will be dangerous to both pedestrians and motorists. Left turns into the project should be prohibited."

In August 2008, City circulated the FEIR, which responded to the comments received on the DEIR. The FEIR stated that "no changes to the environmental conclusions are required as a result of the comments received on the [DEIR]." To appellant's comment about the impact of the project's 63 additional parking spaces, the FEIR included the response that "[t]he project parking was analyzed based on the City code requirements. . . . As specified in the [Institute of Transportation Engineers (ITE)] Trip Generation Manual, restaurant trips are estimated based on the size of the project and not the size of the parking area. Parking areas do not generate trips (as documented by the ITE). [¶] . . . [¶] . . . Although the project would provide additional spaces, those parking spaces would be designated for project use only."

To appellant's comment urging that left turns into the project site be prohibited, the FEIR (in a section containing KOA's responses to comments) explained that "[i]nbound left-turn movements to driveways along Sunset Boulevard are currently occurring near the project site. Prohibiting left turns into the project site would result [in] additional congestion along Sunset Boulevard since all project traffic originating from the

west and traveling eastbound on Sunset would need to make either a u-turn or travel around the neighborhood to access the site. Left turns into the project should be able to find adequate gaps when the traffic signal at the Sweetzer Avenue intersection is on red for the east-west movements."

The FEIR also elaborated on the methodologies used for the significant impact analysis in the KOA report and the DEIR: "[City] reviewed and accepted the methodologies presented in the traffic report prior to circulation of the [DEIR]. The methodologies utilized in the traffic analysis, specifically methodologies used to evaluate unsignalized intersections, have been implemented in other traffic studies approved by the City. Cities such as City of Culver City have applied this methodology and accepted that it is within the standard of practice."

In response to the FEIR, appellant reiterated her points about parking and other issues and also maintained that left turns from Sunset Boulevard into the project site "are physically impossible, disruptive to traffic flow and dangerous," and that "patrons of this restaurant project are not going to make dangerous left turns and instead will make u-turns at Sweetzer and other nearby intersections. This re-routed traffic avoiding left turns on Sunset has still not been accounted for in the EIR traffic analysis."

On September 15, 2008, a public hearing was held on the matter of the certification of the FEIR and the approval of the project. One City councilmember responded to appellant's concern about the left turns into the project site from Sunset Boulevard by stating that "people are allowed to make left hand turns on Sunset. People make left hand turns into the Hyatt just down the street. At this particular location, there is a light at Sweetzer. That light gives you an opportunity, when the traffic . . . coming westbound is blocked at the light, it gives you an opportunity to turn. I used to turn into this lot all the time coming from the west when The Source was there. . . . [T]his surface parking lot currently was used by that restaurant . . . for parking for many years, and people made left turns into it. It wasn't unsafe to do so."

In response to comments by appellant's attorney, City's city council and attorney discussed the issue of the excess parking spaces. The FEIR (in response 4-12 to

appellant's comments about the project's excess parking spaces) stated that "[a]lthough the project would provide additional spaces, those parking spaces would be designated for project use only."

City's attorney remarked, "I don't think we ought to be distinguishing between a public parking garage and a private . . . what we're talking about is a garage that happens to be available if someone wishes to pull in and pull a ticket and pay for parking and then leave and go anywhere they want on the Sunset Strip. . . . [T]hat there are excess spaces in this garage does not in and of itself generate trips. . . . Uses generate trips. And that . . . there are excess spaces in the garage does not in and of itself generate additional traffic . . . and what I gather from your [City's traffic planner's] comment is that the EIR has evaluated the impact of the trips and the traffic to be generated by this project, and that the fact that there are excess spaces doesn't matter. It's irrelevant. . . . [I]n other words, if these spaces are made available to other members of the public who do not wish to dine at this particular restaurant, that is not something that has not been considered in the EIR. If that's the case, then this sentence should be withdrawn, I would think, and I would like to know what you think about that." The traffic planner agreed with City's attorney that the sentence could be stricken from the FEIR. City's city council then unanimously adopted a resolution certifying the FEIR, as amended by deleting the sentence designating the project's parking spaces for project use only, and approving the project.

Appellant filed in the superior court a petition for a writ of mandate challenging City's certification of the FEIR. After a hearing on the petition, a judgment was entered denying the petition. Appellant appealed from the judgment. Her opening brief contains four contentions: (1) The FEIR failed to analyze traffic impacts on Sunset Boulevard caused by the 63 "extra" parking spaces for the project; (2) allowing left turns from Sunset Boulevard into the project will cause significant, unmitigated impacts on traffic; (3) the FEIR failed to provide reasonable mitigation measures or to analyze a reasonable range of alternatives to reduce or eliminate significant traffic impacts; and (4) there was

no meaningful opportunity for public review of the issue of public use of the 63 "extra" parking spaces and the left turns from Sunset Boulevard into the project.

DISCUSSION

A. Standard of Review and Governing Law

Our review of the administrative record for legal error and substantial evidence in a CEQA case is the same as the trial court's: We review the agency's action, not the trial court's decision. (*Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 921.)

"The 'heart of CEQA' is the EIR. [Citations.] 'The EIR, with all its specificity and complexity, is the mechanism prescribed by CEQA to force informed decision making and to expose the decision making process to public scrutiny.' [Citation.]" (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 978–979.) Courts do not determine whether the EIR's ultimate conclusions are correct, but only whether they are supported by substantial evidence in the record and whether the EIR is sufficient as an information document. (*City of Long Beach v. Los Angeles Unified School Dist*. (2009) 176 Cal.App.4th 889, 897 (*City of Long Beach*).)

The purposes of an EIR include identifying significant effects on the environment of a project and the manner in which those significant effects can be mitigated or avoided. (*Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1106 (*Amador Water Agency*).) Under CEQA, a significant effect on the environment is a substantial or potentially substantial adverse change in the physical conditions existing within the area affected by the project. (*California Farm Bureau Federation v. California Wildlife Conservation Bd.* (2006) 143 Cal.App.4th 173, 185; see also Pub. Resources Code, §§ 21060.5 [defining "environment"], 21068 [defining "significant effect on the environment"].)

"There is no 'gold standard' for determining whether a given impact may be significant. 'An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.' ([CEQA]

Guidelines, § 15064, subd. (b).)[2]" (*Amador Water Agency*, *supra*, 116 Cal.App.4th at p. 1107.) "Under the Guidelines, however, '[e]ach public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.' ([CEQA] Guidelines, § 15064.7, subd. (a).) Such thresholds can be drawn from existing environmental standards, such as other statutes or regulations. '"[A] lead agency's use of existing environmental standards in determining the significance of a project's environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and regulation."' [Citation.]" (*Amador Water Agency*, *supra*, 116 Cal.App.4th at p. 1107.) But "a threshold of significance cannot be applied in a way that would foreclose the consideration of other substantial evidence tending to show the environmental effect to which the threshold relates might be significant." (*Id*. at p. 1109.)

"'"'The EIR must contain facts and analysis, not just bare conclusions of the agency.' [Citation.] 'An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'" [Citations.] "CEQA requires an EIR to reflect a good faith effort at full disclosure; it does not mandate perfection, nor does it require an analysis to be exhaustive." [Citation.]' [Citation.]" (*City of Long Beach*, *supra*, 176 Cal.App.4th at pp. 897–898.)

Thus, "[a]n EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which

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[2] The CEQA guidelines are found at California Code of Regulations, title 14, section 15000 et seq. We refer to those regulations as CEQA Guidelines.

intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." (CEQA Guidelines, § 15151.)

The level of analysis of an environmental impact in an EIR should be proportional to the environmental impact's severity and probability of occurring. "The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR." (CEQA Guidelines, § 15146.)

"'Failure to comply with the information disclosure requirements constitutes a prejudicial abuse of discretion when the omission of relevant information has precluded informed decisionmaking and informed public participation, regardless whether a different outcome would have resulted if the public agency had complied with the disclosure requirements. [Citations.]'" (*City of Long Beach, supra,* 176 Cal.App.4th at p. 898.)

"We apply the substantial evidence test to conclusions, findings, and determinations, and to challenges to the scope of an EIR's analysis of a topic, the methodology used for studying an impact and the reliability or accuracy of the data upon which the EIR relied because these types of challenges involve factual questions. [Citation.]" (*City of Long Beach, supra,* 176 Cal.App.4th at p. 898; see also *California Native Plant Society v. City of Santa Cruz, supra,* 177 Cal.App.4th at p. 986 [challenges to EIR's amount or type of information and choice of methodology are reviewed for substantial evidence].) Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (*City of Long Beach, supra,* 176 Cal.App.4th at pp. 898–899.) Unsubstantiated opinion or narrative does not constitute substantial evidence under CEQA. (*Save Our Peninsula Committee v.*

Monterey County Bd. of Supervisors (2001) 87 Cal.App.4th 99, 122; see also CEQA Guidelines, § 15384, subd. (a).)

B. Public Use of 63 "Extra" Parking Spaces

We disagree with appellant's contention that the FEIR failed to take into account the potential traffic impacts on Sunset Boulevard associated with the public use of the "extra" parking spaces, that is, those in excess of the number required by City's parking code. This issue entails a factual determination made by City that the methodology used to analyze the potential traffic impacts of the project already took the traffic associated with those parking spaces into account.

As stated by City's attorney and in the FEIR, the extra parking spaces would not in and of themselves generate traffic; only "uses" generate traffic. In other words, the project and other commercial and residential *destinations* in the vicinity of the project would generate traffic on Sunset Boulevard; the parking spaces are not destinations in and of themselves and would not generate traffic. And because the traffic to be generated by the project, as well as the traffic generated by other present and future neighboring projects, was taken into account in the FEIR, the FEIR necessarily took into account *all of the potential traffic effects associated with the project*, which included the 63 parking spaces.

The FEIR is presumed adequate and appellant bears the burden of proving otherwise. (*Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 523.) But appellant fails to provide any legal authority or evidence showing that the raw traffic data or the methodology for analysis of that data employed by City failed to take into account all potential traffic impacts associated with the project, including the "extra" 63 parking spaces. "The mere fact plaintiff disagrees with the methodology employed by defendant to measure the project's potential traffic impacts . . . does not require invalidation of the [FEIR], if it provides accurate information." (*Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 545.) Thus, appellant's contention with respect to the "extra" parking spaces is without merit.

C. Left Turns from Sunset Boulevard

Appellant asserts that the FEIR is "devoid of any analysis of impacts from vehicles turning [left] into the Project," and thus the FEIR fails to provide data or analysis to support its conclusions that (1) left turns along Sunset Boulevard are regularly occurring in other nearby projects and (2) prohibiting left turns into the project would actually increase traffic congestion. Based on her claim of faulty analysis regarding left turns, appellant argues that the project would cause more U-turns at the Sunset–Sweetzer intersection and the FEIR failed to address those U-turns.

The issue of the left turns into the project was raised in appellant's comments to the DEIR. The FEIR contained a response to those comments. (*Ante*, p. 7.) "Responses to comments need not be exhaustive; they need only demonstrate a 'good faith, reasoned analysis.' ([CEQA] Guidelines, § 15088, subd. (c) . . . .) '"[T]he determination of the sufficiency of the agency's responses to comments on the draft EIR turns upon the detail required in the responses. [Citation.] Where a general comment is made, a general response is sufficient."' [Citation.] . . . Satisfactory responses to comments '"may be provided by reference to the EIR itself."' [Citation.]" (*Gilroy Citizens for Responsible Planning v. City of Gilroy* (2006) 140 Cal.App.4th 911, 937.)

Appellant's comments about left turns into the project were conclusory and did not provide any evidence to support her assertions that such turns were dangerous or "physically impossible." Given her bald assertions, the FEIR's responses to her points were sufficient: Sunset Boulevard includes a two-way left turn lane and the intersection at Sweetzer, immediately to the east of the project, is controlled by a traffic signal. These facts support the FEIR's conclusions that left turns were already occurring on Sunset Boulevard near the project site and that the traffic signal at Sweetzer would provide adequate gaps in the westbound traffic to permit left turns into the project. These conclusions were echoed by comments by a councilmember at the public hearing relating his personal experiences making left turns into the surface parking lot at the project site.

And because there was no evidence, but only speculation, to support appellant's claim that there would be increased U-turns at Sweetzer Avenue, the FEIR cannot be

faulted for failing to discuss such a speculative point. In her reply brief, appellant contends that she provided *evidence* that left turns into the project will be difficult and that vehicles will attempt a U-turn at the Sunset–Sweetzer intersection. But her record citation is to a report of her transportation engineer's analysis of the DEIR and the KOA report, wherein her expert hypothesizes that "*[i]t is expected* that during peak periods there will be few vehicular gaps," and that "[t]he difficulties of left turn access . . . *may* lead to some additional rerouting of traffic." (Italics added.) City reasonably could have interpreted such comments as hypotheses rather than evidence because her expert's hypotheses were not supported by facts. (*City of Long Beach*, *supra*, 176 Cal.App.4th at p. 917 [substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts].)

We conclude that, in light of the level of detail provided by appellant's comments and the lack of evidence to support them, the FEIR's response provided a good faith, reasoned analysis of the issue of left turns into the project.

D. Mitigation Measures and Project Alternatives

Appellant faults the FEIR for failing to provide for reasonable mitigation measures for the traffic impacts of the project, arguing that the FEIR "mistakenly found that the City's threshold of significance would not be triggered by the Project . . . ." But appellant has not established that the conclusion in the FEIR that the project would not have significant impacts on traffic was "mistaken" or not supported by substantial evidence. City had no legal obligation to mitigate impacts which were less than significant and thus the FEIR was not required to address the issue of mitigation measures. "Mitigation measures are not required for effects which are not found to be significant." (CEQA Guidelines, § 15126.4, subd. (a)(3); *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors*, *supra*, 91 Cal.App.4th at p. 360 [once a significant environmental effect has been identified, the EIR must propose and describe mitigation measures to minimize it].)

With respect to the issue of reasonable alternatives, appellant maintains that the FEIR's discussion of the alternatives to the project (which addressed the "no project"

alternative and a 25 percent smaller project) is inadequate because the FEIR "fails to identify all significant impacts and necessarily could not have sufficiently addressed the . . . alternatives that should have been addressed." As noted above, we conclude that appellant fails to establish that the no-significant-impact conclusions in the FEIR are not supported by substantial evidence. And we also reject her suggestion that the FEIR was required to discuss alternatives to a specific *facet* of the project (that is, traffic and parking) rather than alternatives to the project *as a whole*.

"We judge the range of project alternatives in the EIR against 'a rule of reason.' [Citation.] The selection will be upheld, unless the challenger demonstrates 'that the alternatives are manifestly unreasonable and that they do not contribute to a reasonable range of alternatives.' [Citation.]" (*California Native Plant Society v. City of Santa Cruz*, *supra*, 177 Cal.App.4th at p. 988.) And an EIR is not deficient because it does not describe alternatives to a particular facet of a project; rather, the EIR must discuss only proposed alternatives to the project as a whole. (*A Local & Regional Monitor v. City of Los Angeles* (1993) 16 Cal.App.4th 630, 642, fn. 8.) We conclude that appellant does not persuade us that the FEIR was deficient in its discussion of reasonable alternatives to the project.

E. Opportunity for Public Review and Comment

Appellant contends that because the FEIR contained changes from the DEIR with respect to the issues of left turns into the project and *public use* of the project's parking spaces, there was "no opportunity for additional comments on either the FEIR as released, or the FEIR as adopted." As pointed out by City, the project as described in both the DEIR and FEIR contemplated left turns into the project from Sunset Boulevard, so there was no change with respect to that aspect of the project. As to the public use of the parking spaces, nothing in the DEIR limited the parking spaces for project use only, but in response to comments on the DEIR, the FEIR stated that the parking spaces would be limited to project use only. At the public hearing on the FEIR, that limitation was stricken from the FEIR. Because there was an opportunity for public comment on the project as described in the DEIR and that description was the one ultimately adopted in

the FEIR, there was an adequate opportunity for public review and comment on the project. Appellant commented on these issues at length and does not assert that she was precluded from doing so. Accordingly, the instant record does not show that the public was deprived of the opportunity for review and comment on the project.

DISPOSITION

The judgment is affirmed. Respondents are entitled to their costs on appeal.

NOT TO BE PUBLISHED.

MALLANO, P. J.

We concur:

ROTHSCHILD, J.

JOHNSON, J.