

Developers shouldn't be in control of hiring project geologists

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For two years, the developers of the controversial Millennium Hollywood project have maintained that their two proposed skyscrapers were not being built astride an active fault line. But the state geologist, among other scientists, has vociferously argued otherwise, and when the state's official map was released in November it indicated that, indeed, the Hollywood fault ran under part of the project. The state geologist concluded it had last ruptured 7,000 to 9,000 years ago. (Under California law, any fault that has ruptured as recently as 11,000 years ago is considered active.)

By state law, a developer cannot build in an officially mapped active fault zone that shows signs that it could potentially rupture at the surface without extensive testing first — and cannot build atop an active fault at all. The geological consulting firm hired by Millennium's developers agreed even before the map was released to do more in-depth (literally) trenching, digging as deep as 35 feet to examine the soil. It too concluded that there was probably a fault under the site — but an inactive one that had not ruptured in some 150,000 years. As a result, the city's Department of Building and Safety signed off on the project's seismic soundness — with the proviso that the city must be notified if an active fault is discovered during construction.

The disparate conclusions show how dramatically geologists can disagree — even finding themselves more than 140,000 years apart on fault dating — depending on how they study the soil and interpret the results.

The city's approval of the geology report is far from a green light for construction. The project was temporarily halted in May when a judge ruled that the city failed to properly study its effects on traffic. But it is a step forward, and the difference in geological interpretations is one more focus of controversy for opponents of the project.

Millennium's geologists appear to have been diligent. They dug extensively, brought in another geology firm to review their findings, and responded to the Department of Building and Safety geologist's questions and requests for more information.

But still, isn't it odd that the city relied on reports commissioned by the developers to make its decision? No knock on the consultants they hired, but these reports are part of a high-stakes, politically fraught development deal. Just to make sure they are unassailably impartial, shouldn't the city take the lead in hiring the geologists who do the work? It shouldn't be a developer's call as to who vets the soil under a billion-dollar project. The city should either select the firm or establish a list of geologists from which developers may choose. The developer would still pay for the testing.

The city and its residents should be the clients of the firm writing the geological report, not the developers.