

APPENDIX J
PUBLIC COMMENTS

Response to Comments on the Draft Supplemental EIS

Introduction

The Regional Connector Transit Corridor Project Draft SEIS was made available to identified stakeholders, agencies, and the general public for review and comment for a 45-day review period from June 12, 2015 through July 27, 2015. During the public review period, Metro held two public hearings to receive oral and written testimony on the Draft SEIS from the general public.

This Appendix J of the Final SEIS contains copies of all written comments and public hearing transcripts, and provide written responses to all comments received on the Draft SEIS. A total of 13 public and agency comment letters were received during the public review period, including written materials submitted at the two public hearings. Comments were also submitted in the form of oral testimony at those hearings. A total of 2 public testimonies were recorded at the public hearings. Overall, a total of 6 comments by individuals (not agencies) were received on the Regional Connector Transit Corridor Project Draft SEIS.

The format for the responses to comments presents each comment letter/hearing transcript, bracketed into separate comments, followed by corresponding responses to each individual comment of that comment letter/hearing transcript. The comment letters/hearing transcripts and responses are organized and grouped into the following categories based on the affiliation of the commenter as follows:

Letter/Speaker ID Prefix	Description
AF	Federal Agency
AL	Local Agency
AR	Regional Agency
AS	State Agency
PC	Public Comment
PHA	The first public hearing held on June 30, 2015
PHB	The second public hearing held on July 7, 2015

To assist the reader's review and use of the responses to comments, two indices that provide the commenter name, affiliation, and comment letter/speaker identification designator (e.g., PC1) for each comment letter are provided below. The first index lists all the comment letters by comment letter/speaker identification designator and the second lists all of the comment letters alphabetically by commenter's last name.

Index by Comment Letter/Speaker Identification

Comment Letter/Speaker	Affiliation	Last Name	First Name	Comment Page	Response Page
Federal Agencies					
AF1	U.S. Department of Homeland Security - FEMA	Blackburn	Gregor		
AF2	U.S. Environmental Protection Agency – Region IX	Dunning	Connell		
AF3	U.S. Department of Transportation – Federal Aviation Administration	De Leon	Benito		
AF4	U. S. Department of the Interior	Sanderson Port	Patricia		
Local Agencies					
AL1	City of Los Angeles – Department of Public Works	Gee	Curtis		
Regional Agencies					
AR1	South Coast Air Quality Management District	Radlein	Barbara		
State Agencies					
AS1	State of California – Department of Transportation, District 7	Watson	Dianna		
Public Comment					
PC1		Chang	Ike		
PC2		Meinert	Robert		
PC3		Sutton	Christopher		
PC4		Watson	Robert		
Public Hearings					
PHA1		Change	Ike		
PHB1		Sutton	Christopher		

Responses to Comments

Responses to Federal Agency Comment Letters

Comment Letter/Speaker	Affiliation	Last Name	First Name	Comment Page	Response Page
Federal Agencies					
AF1	U.S. Department of Homeland Security - FEMA	Blackburn	Gregor		
AF2	U.S. Environmental Protection Agency – Region IX	Dunning	Connell		
AF3	U.S. Department of Transportation – Federal Aviation Administration	De Leon	Benito		
AF4	U. S. Department of the Interior	Sanderson Port	Patricia		

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

July 6, 2015

Dolores Roybal Saltarelli, Project Manager
Metro @ One Gateway Plaza, MS 99-22-2
Los Angeles, California 90012

Dear Ms. Saltarelli:

This is in response to your request for comments regarding the Los Angeles County Metropolitan Transportation Authority, Notice of Availability for the Regional Connector Transit Corridor Project Draft Supplemental Environmental Impact Statement.

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County (Community Number 065043) of Los Angeles, Maps revised September 26, 2008. Please note that Los Angeles County, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

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Dolores Roybal Saltarelli, Project Manager

Page 2

July 6, 2015

- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

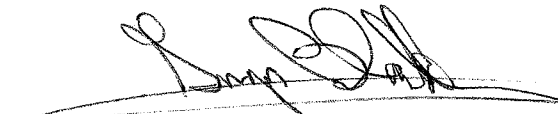
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Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Los Angeles County floodplain manager can be reached by calling George De La O, Senior Civil Engineer, at (626) 458-7155.

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

George De La O, Senior Civil Engineer, Los Angeles County

Garret Tam Sing/Salomon Miranda, State of California, Department of Water Resources,
Southern Region Office

Michael Hornick, NFIP Planner, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

Responses to Comments

AF1

Responses to Comments from the U.S. Department of Homeland Security – FEMA, Blackburn, Gregor

Response to Comment AF1-1

As stated in Chapter 1, the Draft SEIS was prepared to address the Order of the United States District Court for the Central District of California in *Today's IV, Inc. vs. Federal Transit Administration et al* and *515/555 Flower Associates, LLC vs. Federal Transit Administration et al*. The Judgment and Order for Partial Injunctive Relief by the Honorable John A. Kronstadt on May 28, 2014 and September 9, 2014, respectively, require that the FTA as the federal lead agency pursuant to NEPA, with Metro, explain why open-face tunneling alternatives were rejected on the Lower Flower Segment in downtown Los Angeles. The Draft SEIS is intended to provide more information on the tunnel construction alternatives on Flower Street that were withdrawn from consideration, specifically Open-Face Shield and Sequential Excavation Method (SEM) tunneling for the Flower Street portion of the Regional Connector project alignment between 4th Street and the 7th Street/Metro Center Station, as required by the Judgment.

The analysis and floodplain impacts of the locally preferred alternative may be found in the Final EIS/EIR Chapter 5.10 Water Resources, Section 4.10.3.5 Locally Preferred Alternative and 4.10.4.2 Final Mitigation Measures for the Locally Preferred Alternative.

As mentioned in the Draft SEIS, Chapter 4.5 Geotechnical, Subsurface, and Seismic Hazards, neither Alternative A nor B are within the 100-year flood hazard area; therefore they would not alter any existing flood zones.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

July 23, 2015

Ms. Mary Nguyen
Federal Transit Administration
Los Angeles Metropolitan Office
888 S. Figueroa Street, Suite 1850
Los Angeles, California 90017

Subject: Supplemental Draft Environmental Impact Statement for the Regional Connector
Transit Corridor Project in Los Angeles, California (CEQ #20150162)

Dear Ms. Nguyen:

The Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. We previously reviewed the Draft Environmental Impact Statement (DEIS) for the project and provided comments in an October 8, 2010 letter. We rated the DEIS as LO, *Lack of Objections*. This Supplemental Draft Environmental Impact Statement (SDEIS) is a limited-scope document that provides additional detail on tunneling methods not selected for construction. We are rating the SDEIS as LO, *Lack of Objections*, and have no additional comments on the project at this time. Please see the attached *Summary of EPA Rating Definitions* for a description of our rating system.

We appreciate the opportunity to review this SDEIS. If you have any questions, please contact Clifton Meek, the lead reviewer for this project, at 415-972-3370 or meek.clifton@epa.gov.

Sincerely,


For Connell Dunning, Transportation Team Supervisor
Environmental Review Section

Enclosures: Summary of EPA Rating Definitions

Cc via email: Dolores Roybal-Saltarelli, LA County Metropolitan Transportation Authority

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

Responses to Comments

AF2

**Responses to Comments from the U.S. Environmental Protection Agency –
Region IX, Dunning, Connell**

Response to Comment AF2-1

Comment acknowledged.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Associate Administrator
for Airports

800 Independence Ave., SW.
Washington, DC 20591

Bryan Pennington **AF3**

Receive

JUN 29 2015

JUL 07 2015

Mr. Phillip A. Washington
Chief Executive Officer
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012

Office of the CEO

Dear Mr. Washington:

Administrator Huerta has asked me to respond to your June 2 letter about your Regional Connector Transit Corridor project. Your letter requested comments from the Federal Aviation Administration on your Draft Supplemental Environmental Impact Statement (DSEIS) that evaluates two underground tunneling methods for the proposed project in downtown Los Angeles, California. Because this project is located underground in downtown Los Angeles, and does not appear to affect any airport or other aviation facilities, we have no comments on the DSEIS.

If you require further assistance, please contact David F. Cushing, Manager, Los Angeles Airports District Office, at (310) 725-3644.

I trust this information is helpful.

Sincerely,

Benito De Leon

Benito De Leon
Deputy Associate Administrator
for Airports

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Responses to Comments

AF3

Responses to Comments from the U.S. Department of Transportation – Federal Aviation Administration, De Leon, Benito

Response to Comment AF3-1

Comment acknowledged.



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Pacific Southwest Region
333 Bush Street, Suite 515
San Francisco, CA 94104

IN REPLY REFER TO:
(ER 15/0337)

Filed Electronically

July 27, 2015

Ray Sukys
Director of Planning and Program Development
Federal Transit Administration, Region 9
201 Mission Main Street, Suite 1650
San Francisco, CA 94105-1839

Subject: Supplemental Draft Environmental Impact Statement (EIS) for the Regional Connector Transit Corridor, Los Angeles County, CA

Dear Mr. Sukys

The Department of the Interior has received and reviewed the subject document and has no comments to offer.

1

Thank you for the opportunity to review this project.

Sincerely,

Patricia Sanderson Port
Regional Environmental Officer

cc: OEPC-Staff Contact: Shawn Alam, 202-208-5465; shawn_alam@ios.doi.gov

Responses to Comments

AF4

Responses to Comments from the U.S. Department of the Interior, Sanderson Port, Patricia

Response to Comment AF4-1

Comment acknowledged.

Responses to Comments

Responses to Local Agency Comment Letters

Comment Letter/Speaker	Affiliation	Last Name	First Name	Comment Page	Response Page
Local Agencies					
AL1	City of Los Angeles – Department of Public Works	Gee	Curtis		

From: Curtis Gee [<mailto:curtis.gee@lacity.org>]

Sent: Monday, July 27, 2015 3:17 PM

To: Regional Connector

Cc: Curtis Tran; Buu Luu; Elliott Kim; Farid Baher; Maria Martin; Allen Wang; LAWRENCE Hsu; Benjamin Moore

Subject: Comments to Draft Supplemental Environmental Impact Statement for the Regional Connector Transit Corridor Project

Dear Ms. Dolores Roybal Saltarelli,

The City of Los Angeles, Department of Public Works, Bureau of Engineering, Metro Transit Division would like to comment on the Draft Supplemental Environmental Impact Statement for the Regional Connector Transit Corridor Project dated June 12, 2015.

1

For construction in the City of Los Angeles Public Right of Way, Metro shall submit construction plans to the City of Los Angeles for review and approval prior to construction. All construction must be in accordance to the City of Los Angeles' Standards and Specifications.

2

Thank you and have a good day.

Curtis Gee, PE, GE
Metro Transit Division | Civil Engineer
Bureau of Engineering | Department of Public Works
1149 South Broadway, Suite 810
Los Angeles, CA 90015
T: (213) 847-4782 | F: (213) 485-4838



Responses to Comments

AL1

Responses to Comments from the City of Los Angeles, Department of Public Works, Gee, Curtis

Response to Comment AL1-1

Comment acknowledged.

Response to Comment AL1-2

As stated in Chapter 1, the Draft SEIS was prepared to address the Order of the United States District Court for the Central District of California in Today's IV, Inc. vs. Federal Transit Administration et al and 515/555 Flower Associates, LLC vs. Federal Transit Administration et al. The Judgment and Order for Partial Injunctive Relief by the Honorable John A. Kronstadt on May 28, 2014 and September 9, 2014, respectively, require that the FTA as the federal lead agency pursuant to NEPA, with Metro, explain why open-face tunneling alternatives were rejected on the Lower Flower Segment in downtown Los Angeles. The SEIS is intended to provide more information on the tunnel construction alternatives on Flower Street that were withdrawn from consideration, specifically Open-Face Shield and Sequential Excavation Method (SEM) tunneling for the Flower Street portion of the Regional Connector project alignment between 4th Street and the 7th Street/Metro Center Station, as required by the Judgment.

The unchanged analysis for impacts of the locally preferred alternative may be found in the Final EIS/EIR. Refer to Chapter 4.18 Construction, Section 4.18.4.2 Final Mitigation Measures for the Locally Preferred Alternative, in addition to Chapter 8 Mitigation Monitoring and Reporting Program for information on permitting requirements with the City in addition to any ordinances.

As shown in Appendix L of the Draft SEIS the mitigation measure for the Locally Preferred Alternative would apply for Alternatives A and B.

Responses to Comments

Responses to Regional Agencies

Comment Letter/Speaker	Affiliation	Last Name	First Name	Comment Page	Response Page
Regional Agencies					
AR1	South Coast Air Quality Management District	Radlein	Barbara		



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178 (909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS: regionalconnector@metro.net roybald@metro.net

July 14, 2015

Ms. Dolores Roybal Saltarelli Los Angeles County Metropolitan Transportation Authority 1 Gateway Plaza, MS 99-22-2 Los Angeles, CA 90012

Draft Supplemental Environmental Impact Statement (DSEIS) for the Regional Connector Transit Corridor Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The DSEIS provides additional detail on tunneling methods not selected along Flower Street, specifically Open Face Shield and SEM tunneling.

1

Table 3-1 through 3-5 in Appendix C show that the Lead Agency relied upon a five-acre Localized Significance Threshold (LST) analysis site whereas section 4.2.2.1.1 Construction Impacts of the DSEIS states that a one-acre site was used in the analysis. SCAQMD staff recommends updating the LST and Air Quality analyses to reflect the correct site size.

2

Furthermore, Tables 2-4 and 2-5 in Appendix C calculate a maximum daily emission rate for only one phase of the project whereas the project description shows that the maximum daily emissions would occur when Phase 1 (EPBM Flower WB – 2015) overlaps with Phase 3 (Grouting on Flower – 2015). SCAQMD staff recommends updating the analysis to reconcile the differences contained within the DSEIS. In particular, Tables 3-4 and 3-5 in Appendix C should be updated to reflect with the maximum daily emissions of the overlapping phases. SCAQMD staff recommends updating LST analysis and Air Quality Analysis.

3

The SCAQMD staff is available to work with the Lead Agency to address these concerns and any other air quality questions that may arise. Please contact Jack Cheng, Air Quality Specialist at (909) 396-2448, if you have any questions regarding these comments. When complete, please transmit a copy of the Final EIS along with responses to these comments. Thank you.

4

Sincerely, Barbara Radlein

Barbara Radlein Program Supervisor Planning, Rule Development & Area Sources

BR:JC LAC150612-01 Control Number