

**SUBJECT: SAN FERNANDO VALLEY EAST-WEST TRANSIT CORRIDOR
ENVIRONMENTAL CLEARANCE**

**ACTION: BOARD CERTIFICATION OF THE REVISED FINAL ENVIRONMENTAL
IMPACT REPORT (FEIR) AND APPROVAL OF THE FULL BUS RAPID
TRANSIT (BRT) ALTERNATIVE (ORANGE LINE) AS THE PROJECT**

RECOMMENDATION

- A. Certify that: the FEIR and the Revised FEIR (transmitted previously under separate cover) for the San Fernando Valley East-West Transit Corridor Project, including the Comments, Responses to Comments, and Errata Sheets (Attachment A) are in compliance with the California Environmental Quality Act (CEQA); the FEIR and the Revised FEIR were presented to the Board; the Board reviewed and considered the information contained therein; and the Board's decision based on the FEIR, Revised FEIR, the staff report, and public testimony reflects the Board's independent judgment and analysis;
- B. Adopt the Full Bus Rapid Transit Alternative (Orange Line), along with the Transportation System Management (TSM) bus service improvements, as the Project;
- C. Adopt the Findings and Statement of Overriding Considerations, which includes a determination that the Orange Line/TSM Alternative is the Preferred Alternative (See Attachment B).
- D. Adopt the Mitigation Monitoring and Reporting Plan (MMRP) for the Project, and pursuant to Section 21081.6 of the Public Resources Code, find that the MMRP is adequately designed to ensure compliance with the mitigation measures during project implementation (See Attachment C);
- E. Authorize the CEO to file a Notice of Determination;
- F. Recertify and reapprove earlier FEIR Addenda and related project modifications previously approved by the Board, and reauthorize previously adopted budget, contractual and financial obligations, and delegations of authority associated with the Project.

ISSUE

Following the Board certification of the FEIR and adoption of the Orange Line as the Project in February 2002, Citizens Organized for Smart Transit (COST), a community organization, filed an action in Los Angeles Superior Court challenging the validity of the FEIR. The MTA prevailed at trial, and COST filed a timely appeal. In July 2004 the California Court of Appeal issued a decision (Decision) which found that the FEIR should have considered multiple route Rapid Bus (RB) alternatives. The Decision also required the Board to set aside the certification of the FEIR and the project approval, and in any further proceedings on the FEIR, to address the alternative of multiple Rapid Bus routes. The Court of Appeal upheld the remainder of the FEIR from numerous additional challenges.

To comply with the Decision, the Board directed staff to prepare a Revised FEIR, utilizing the services of a technical team headed by UltraSystems Environmental, Inc., to analyze the new alternatives and compare them to the No Build, TSM, and Orange Line alternatives already studied in the FEIR. Based on the Decision and public comments previously received, three multiple-route Rapid Bus alternatives (RB Alternatives) were considered and analyzed in this Revised FEIR, as follows:

- (RB-3) Three East-West Rapid Bus Routes Alternative, including service on Victory Boulevard, Vanowen Street, and Sherman Way (See Attachment D);
- (RB-5) Five East-West Rapid Bus Routes Alternative, including service on Chandler Boulevard, Burbank Boulevard, Oxnard Street, Victory Boulevard, and Sherman Way (See Attachment E); and
- (RB-Network) Rapid Bus Network Alternative, including generally north/south service on San Fernando Road, Laurel Canyon Boulevard, Van Nuys Boulevard, Sepulveda Boulevard, Reseda Boulevard, and Topanga Canyon Boulevard and east/west service on Victory Boulevard, Roscoe Boulevard, and Devonshire Street (See Attachment F).

The analysis of multiple-route Rapid Bus alternatives has now been completed. The Draft Revised FEIR was circulated for a 30-day public review, Responses to Comments were prepared for letters received from the public, and the item is now back before the Board for the actions outlined in the recommendation above.

The Orange Line and TSM alternatives previously studied are shown in Attachment G. The TSM alternative, which increases local service, is included in all the Orange Line and Rapid Bus alternatives. The Revised FEIR analyzes the environmental impacts and the ability of each of the RB Alternatives to feasibly attain the Project's objectives and compares them to the Orange Line, TSM, and No-Build alternatives. Based on analyses conducted for the Revised FEIR, the Orange Line is the superior alternative in terms of achieving the purpose and need outlined for the study area. Among key performance indicators used to evaluate the alternatives, the Orange Line:

- Generates the highest number of new transit riders of all the alternatives;

- Supports existing City land use plans for a mass transit project along the former Pacific Electric/Southern Pacific right-of-way; and,
- Is the most cost effective on a per passenger basis for each new transit customer added.

In terms of environmental consequences, the three Rapid Bus alternatives would result in one long-term significant environmental impact that cannot be mitigated, and the Orange Line would result in two temporary and localized, potentially significant environmental impacts that cannot be mitigated. The three Rapid Bus alternatives would have a long-term unmitigated significant land use impact because they are not consistent with certain land use goals and policies (see Section 8-4.1 of the Revised FEIR). In comparison, the Orange Line would have temporary and localized, potentially significant construction noise and air quality impacts (see Sections 5-8 and 5-9 of the Final EIR). Thus, although both the Orange Line and the three Rapid Bus alternatives are relatively similar in that they result in only one or two unmitigated significant impacts, the construction impacts associated with the Orange Line would end at construction completion while the significant land use impact associated with the three Rapid Bus alternatives would be ongoing through the life of the land use plans.

In addition to the environmental measures that support the selection of the Orange Line, other practical and policy considerations support the selection of the Orange Line, including:

- It is consistent with the Board's previous decision to select the Metro right-of-way (formally known as the Southern Pacific Burbank/Chandler Right-of-Way) as the location for a mass transit project in the San Fernando Valley.
- Completing the Orange Line retains the possibility that Metro may be reimbursed for up to \$145 million in State dollars previously committed via the Transportation Congestion Relief Program (TCRP).
- The project offers other advantages that the RB alternatives lack, including: park-and-ride lots, kiss-and-ride areas, parallel bike and pedestrian paths, bike racks and lockers, pre-paid boarding, multiple door ingress and egress, station amenities similar to rail, near level boarding, landscaping, and, most importantly, a dedicated right-of-way.

POLICY IMPLICATIONS

The certification of the Revised FEIR and approval of the Orange Line as the Project are consistent with previously adopted Board policies to use the Burbank/Chandler right-of-way for the next mass transit project in the Valley and to implement a BRT project after evaluating heavy rail, light rail, diesel multiple units, and BRT alternatives in the Major Investment Study (MIS) in February 2000. The Project approval is also consistent with the April 2001 Long Range Transportation Plan (LRTP) as well as the City of Los Angeles General Plan and various neighborhood plans along the alignment encouraging the use of this corridor for a mass transit project and transit oriented development adjacent to station areas.

OPTIONS

Adoption of the No Build, TSM only, or Rapid Bus alternatives would be contrary to the Board's adopted policies as stated above and is not recommended. The Board could defer adopting the recommendation, but this would result in cost increases and delay the Orange Line service.

FINANCIAL IMPACT

The recommended action has been funded through previous Board action. If the Board does not choose the Orange Line alternative utilizing the former rail right-of-way, Metro would forfeit any chance of recouping state funds previously programmed for the Project prior to the budget crisis via the Transportation Congestion Relief Program (TCRP), and the public would not receive a transportation benefit for the funds already spent on the right-of-way and partially constructing the Project. While the capital costs of the Rapid Bus network are all significantly lower than the Orange Line, the annual operating costs of the Orange Line and the RB-3 and RB-5 alternatives are comparable, between \$21-to-\$24 million per year. However, the RB-Network alternative is estimated to cost \$31-to-\$34 million per year.

BACKGROUND

The RB-Network, the RB-3, and the RB-5 alternatives were referred to in the Court of Appeal's decision, and the project team evaluated each of them and determined they were reasonable alternatives to the Orange Line. In order to complete the study in a timely way, make the best use of the environmental work already completed, and ensure that the alternatives were evaluated on an equal basis, the study team proceeded, in summary, with the following methodology:

- The FEIR for the No Build, TSM, and Orange Line alternatives would not be redone; rather, a Revised FEIR would be prepared analyzing the new RB alternatives using the same background data, modeling tools, methodology, and financial assumptions.
- The project team sought to recreate the decision point the Board faced in February 2002, when it initially acted on the FEIR, with the new RB alternatives in the Revised FEIR.
- The horizon year for the study would remain 2020. The transit and highway networks and the demographic and land use inputs to the model would also remain unchanged.
- Subsequent Board decisions based, in part, on the Board action to approve the Orange Line in February 2002 would not be reflected in the analysis. Therefore, the north/south Rapid Bus routes adopted to complement the Orange Line and the

extension for the new station and park-and-ride lot on Canoga Avenue are not included in the Revised FEIR analysis.

- No benefit would accrue to the Orange Line in the environmental analysis for dollars already spent or work completed---the analysis assumed construction had not started.

CEQA requires the Board to make certain formal findings with respect to the environmental impacts of the Project and to adopt a Statement of Overriding Considerations where the Project will have a significant environmental impact that cannot be feasibly mitigated or where the Board decides that the Project is justified despite other feasible alternatives that would clearly lessen the significant environmental impacts of the Project. Where mitigation measures are required to reduce environmental impacts, CEQA requires the Board to adopt a Mitigation Monitoring Plan to ensure that required mitigation measures are implemented so that impacts are reduced. Finally, errata sheets were prepared to make corrections to the Revised FEIR, which are included in Attachment A. All these documents are part of the packet and listed in the attachments below.

NEXT STEPS

Assuming Board approval of the staff recommendations, staff will prepare and file the Notice of Determination for the San Fernando Valley East-West Transit Corridor.

ATTACHMENTS

- A. Public Comments, Agency Responses to Comments, and Errata Sheets
- B. Findings and Statement of Overriding Considerations
- C. Mitigation Monitoring and Reporting Plan
- D. Map: Rapid Bus-3 (RB-3) Alternative
- E. Map: Rapid Bus-5 (RB-5) Alternative
- F. Map: Rapid Bus-Network (RB-Network) Alternative
- G. Map: Full Bus Rapid Transit (BRT)/Orange Line and TSM Alternative

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