



**APPENDIX K-(S)
REPOSE TO COMMENTS RECEIVED
ON THE SDEIS/RDEIR**

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K.0 RESPONSES TO COMMENTS RECEIVED ON THE SDEIS/RDEIR

K.7 Overview

The Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report (SDEIS/RDEIR) for the Crenshaw/LAX Corridor Transit Project) was circulated to the public for comment over a 30-day review period that concluded on April 11, 2011. Section 15088(b) of the *California Environmental Quality Act* (CEQA) Guidelines describes the evaluation that is required in the response to comments:

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be a good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

In order to comply with Section 15088(b) of CEQA, reasoned, factual responses have been provided to all comments received, with a particular emphasis on significant environmental issues. Generally, the responses to comments provide explanation, clarification, or amplification of information contained in the SDEIS/RDEIR. All comments and responses will be considered by the Metro Board prior to certification and in any approval of the project.

K.8 Organization of Comments and Response

There were 198 written comments from 42 commenters and oral comments made by 53 speakers received during the circulation period for the SDEIS/RDEIR. Comments were received from federal, state, and local agencies, elected officials, community organizations, transit advocates, and from members of the general public. Comments were received via mail, e-mail, phone, and the public hearings. Comments were recorded in a database with the source, date, method of receipt, and issue area identified.

Although alternatives to project components are not required under NEPA or CEQA, the DEIS/DEIR and SDEIS/RDEIR considered alternatives to the proposed maintenance facility for the proposed project. Many comments received on the SDEIS/RDEIR were not related to the Site #14 – Arbor Vitae/Bellanca Alternative, the preferred maintenance site alternative selected by the Metro Board on April 28, 2011. A Master Response was developed for questions and comments issue areas pertaining specifically to the other three sites.

Supplemental Master Response 1. Regarding Comments Received regarding the potential selection of the Site #17 – Marine/Redondo Beach, Site #15 – Aviation/Manchester, and Division 22 Northern Expansion Alternatives.

Comment Noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. Based on the evaluation of impacts of the four maintenance site alternatives and public comment received on the evaluation, on April 28, 2011 the Metro Board of Directors selected the Site #14 – Arbor Vitae/Bellanca Alternative as the preferred site for the maintenance facility for the Crenshaw/LAX Transit Corridor Project. Based on the Metro Board action, the Site #15 – Arbor Vitae/Bellanca, Site #17 – Marine/Redondo Beach, and the Division 22 Northern Expansion Alternatives are no longer under consideration and will not undergo further environmental review for the purpose and need of this project. No CEQA findings will be made for the Site #15 – Arbor Vitae/Bellanca, Site #17 – Marine/Redondo Beach, and the Division 22 Northern Expansion Alternatives and they will not be included in the FTA Record of Decision. Further future consideration of these sites would require a new environmental review process with additional opportunity for public comment. No additional response regarding the potential selection of the remaining three maintenance alternative sites is required, since they are no longer under consideration as potential sites for the maintenance facility.

K.9 List of Commenters on the SDEIS/RDEIR

This section lists the agencies, organizations, and individuals that commented on the DEIS/DEIR. For ease of use, an index tables is provided for the reader to find their comment correspondence and responses. Page numbers are provided in these index tables.

Table K-1. List of Commenters on the SDEIS/RDEIR

Comment #	Name	Agency/Organization	Page #
Public Agencies			
S10-1	Patricia Sanderson Port	U.S. Department of Interior	K-4
S10-2	Connell Dunning	U.S. Department Environmental Protection Agency	K-6
S10-3	Dianna Watson	Department of Transportation	K-10
S10-4	Gregg MacClain	City of Hawthorne	K-13
S10-5	James T. Butts, Jr.	City of Inglewood (City Council)	K-19
S10-6	Linda F. Tatum	City of Inglewood (Planning Department)	K-21
S10-7	Perry A Banner	City of Lawndale (Community Development Department)	K-27
S10-8	Mike Gin	City of Redondo Beach (City Council)	K-30
S10-9	Gail Farber	County of Los Angeles (Public Works)	K-36
S10-10	Richard J. Bruckner	County of Los Angeles (Regional Planning)	K-39
S10-11	Michael M. Stevens	City of Inglewood (City Council)	K-41
S10-12	Ian MacMillan	South Coast Air Quality Management District	K-45
S-10-13	Scott Morgan	Governor’s Office of Planning and Research	K-49
Public Agencies			
S20-1	Rob Antrobious	AMB Property Corporation/ property owner 4000 Redondo Beach	K-54
S20-2	Gary Kehler	Aviation Center Owners Association (President)	K-56
S20-3	Peter Jorgensen	DHL Global Forwarding	K-59
S20-4	Amy R. Forbes	Gibson Dunn LLP / Client: Avis Budget Car Rental	K-62
S20-5	Hannah Bentley	On Behalf of the Fusion Homeowners Association Board of Directors	K-68



Comment #	Name	Agency/Organization	Page #
S20-6	Kevin H Brogan	Hill, Farrer and Burrill LLP/ Client: AMB Spinnaker	K-116
S20-7	Cyndi Hench	Neighborhood Council of Westchester Playa (President)	K-120
S20-8	Joe Ahn	Northrop Grumman/ Manager of Governnt and Public Affairs	K-122
S20-9	Michael H. Leifer	Palmieri, Tyler, Wiener, Wilhelm, and Waldron/ Client: US Storage	K-127
S20-10	Ismael Rodriguez	SkyOne Federal Credit Union Facility (Manager)	K-130
S20-11	Ben Wong	Southern California Edison (Local Public Affairs Region Director)	K-133
S20-12	John S. Harmer	Southland Lumber and Supply Company Inc. (Manager)	K-137
S20-13	Alexis Lantz	Los Angeles County Bicycle Coalition (Planning and Policy Director)	K-139
S20-14	Michael H. Leifer	Palmieri, Tyler, Wiener, Wilhelm, and Waldron/ Client: US Storage(Hawthorne Mini Venture)	K-145
S20-15	DJ Moore	Latham and Watkins	K-151
Individual Comments			
S30-1	Steve Cady		K-169
S30-2	Beckie Chan		K-171
S30-3	Silio Chianese	Wiseburn Watch	K-174
S30-4	Abby Frank		K-177
S30-5	Jason Gromski		K-180
S30-6	Patricia P. Gulto		K-183
S30-7	Raphaele and Jim Machado		K-186
S30-8	Jonathan Meister		K-189
S30-9	Erin Monroe		K-192
S30-10	Ann Murakami		K-195
S30-11	Mark Poulan	Southland Lumber	K-198
S30-12	Denny Schneider		K-201
S30-13	Celinda M. Vazquez & George Avalos		K-203
S30-14	Debbie Bliss		K-206
Oral Comments From Flight Path Learning Center			K-209
Oral Comments From Inglewood City Hall			K-264

COMMENT: S.10-1. Patricia Sanderson Port, United States Department of the Interior.

S10 - 1



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Pacific Southwest Region
1111 Jackson Street, Suite 520
Oakland, California 94607

IN REPLY REFER TO:
ER# 11/0173

Electronically Filed

11 April 2011

Mr. Roderick Diaz, Project Manager, Metro
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952
Email: diazroderick@metro.net

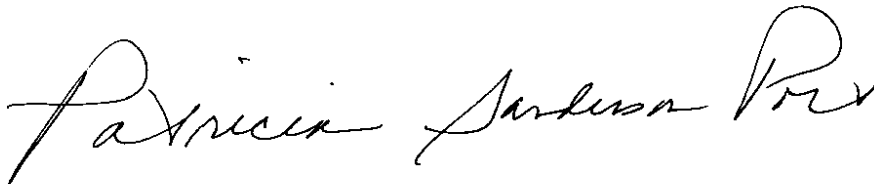
Subject: Federal Transportation Administration (FTA) Supplemental Draft Environmental Impact Statement (SDEIS)/ Recirculated Draft Environmental Impact Report (RDEIR), Crenshaw Transit Corridor Project, Updated Information on a New Evaluation of Maintenance Sites, Proposals to Improve Transit Services, Funding, Los Angeles County Metropolitan Transportation Authority (LACMTA), Los Angeles County, CA

Dear Mr. Roderick:

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

Thank you for the opportunity to review this project.

Sincerely,



Patricia Sanderson Port
Regional Environmental Officer

A



Response to comment S.10-1A.

Comment noted.

COMMENT: S.10-2. Connell Dunning, United States Environmental Protection Agency.

S10 - 2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

April 7, 2011

Mr. Ray Tellis
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 Crenshaw/LAX
Transit Corridor Project, Los Angeles, California (CEQ #20110054)

Dear Mr. Tellis:

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 26, 2009 letter. We rated the DEIS as EC-2, *Environmental Concerns, Insufficient Information* due to concerns about the air quality analysis for the project. We look forward to a discussion of those issues in the Final Environmental Impact Statement (FEIS). We are rating the SDEIS as LO, *Lack of Objections*. Please see the attached *Rating Factors* for a description of our rating system.

A

While we have a lack of objections to the project elements (maintenance facilities) discussed in the SDEIS, we have a few recommendations regarding selection of the facility site and future construction:

- EPA encourages the Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) to avoid and minimize impacts to schools and other sensitive land uses and receptors in site selection and mitigation activities.
- Due to unavoidable construction impacts to air quality and potential cumulative impacts if other construction projects take place during the same time and in the vicinity of this project, EPA encourages FTA and LACMTA to maximize use of mitigation measures to minimize these impacts, especially in the vicinity of sensitive receptors.

B

C



- As stated in our comments on the DEIS, considering the existing impairment of local water bodies, EPA encourages aggressive efforts to manage stormwater runoff to minimize additional introduction of pollutants, including use of “green infrastructure” in onsite stormwater management. We commend FTA and LACMTA for committing to treatment control best management practices (BMPs), monitoring of those BMPs to ensure effectiveness, and employing green infrastructure strategies.

D

We appreciate the opportunity to review this SDEIS. When the FEIS is released for public review, please send one hard copy and one electronic copy to the address above (mail code: CED-2). If you have any questions, please contact Carolyn Mulvihill, the lead reviewer for this project, at 415-947-3554 or mulvihill.carolyn@epa.gov.

E

Sincerely,

Connell Dunning, Transportation Team Supervisor
Environmental Review Office

Enclosures:
Summary of EPA Rating Definitions

cc: Roderick Diaz, Los Angeles County Metropolitan Transportation Authority
Ray Sukys, Federal Transit Administration
Steve Smith, South Coast Air Quality Management District



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.



Response to comment S.10-2A.

Comment noted. A response to comments received from the USEPA on the DEIS/DEIR has been prepared as part of the FEIS/FEIR. This response can be located in Appendix K of the FEIS/FEIR.

Response to comment S.10-2B.

Comment noted. Metro and the FTA during the development of alternatives, identified sites that would have minimal impacts on residences and other sensitive land uses.

Response to comment S.10-2C.

Comment noted. Where impacts were unavoidable, mitigation measures were provided to minimize the adverse effects the extent feasible, particularly in the vicinity of sensitive receptors.

Response to comment S.10-2D.

Comment noted. Mitigation measure WQ in the SDEIS/RDEIR employs green infrastructure strategies as a way of managing stormwater runoff.

Response to comment S.10-2E.

Comment noted. A hardcopy and electronic copy of the FEIS/FEIR will be provided to the address listed.

COMMENT: S.10-3. Dianna Watson, Department of Transportation District 7, Regional Planning.

STATE OF CALIFORNIA – BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, JR., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337



*Flex your power!
Be energy efficient!*

S10 - 3

March 14, 2011

IGR/CEQA No. 110305AL-RDIR
Ref. IGR/CEQA No. 090916AL, DEIR
Crenshaw/LAX Transit Corridor Project
Vic. LA-10, LA-405, LA-105
SCH # 2007091148

Mr. Roderick Diaz
Los Angeles County Transportation Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012

Dear Mr. Diaz:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. This Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report presents additional information pertaining to the Crenshaw/Los Angeles International Airport (LAX) Transit Corridor Project, previously known as the Crenshaw Transit Corridor Project. The document provides additional environmental analysis of four new alternative maintenance facility sites for the proposed Project.

A

The proposed project site is estimated to generate a total of 21 trips during the morning peak hours (9 inbound/12 outbound) and 23 trips during the evening peak hours (13 inbound/10 outbound). Based on this information, there is no significant traffic impact to the State facilities.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water. Additionally storm water run-off is not permitted to discharge onto State highway facilities.

B

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods.

C

"Caltrans improves mobility across California"



Mr. Roderick Diaz
March 14, 2011
Page 2 of 2

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 110305AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

Response to comment S.10-3A.

Comment noted.

Response to comment S.10-3B.

The maintenance facility will be designed to discharge clean run-off water. Storm water run-off will not be discharged on State highway facilities. The nearest highway to the preferred maintenance site facility would be the I-405 which is located approximately 0.5 miles from the site.

Response to comment S.10-3C.

Metro acknowledges that the use of oversized-transport vehicles on State highways will require a transportation permit from the Department of Transportation and one will be obtained shall it be necessary. Consistent with the provisions of the permit, Metro specifications shall require the contractor to limit these truck trips to off-peak commute periods.



COMMENT: S.10-4. Gregg McClain, City of Hawthorne.

S10 - 4

CITY OF HAWTHORNE



4455 West 126th Street • Hawthorne, California 90250-4482

PLANNING & COMMUNITY DEVELOPMENT

(310) 349-2970
Fax (310) 644-6685

April 5, 2011

Roderick Diaz
Project Manager
Metro
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

RE: Crenshaw/LAX Corridor Metro Project
Potential Site Expansion of existing ND22 in the City of Hawthorne

Dear Mr. Diaz:

Thank you for the opportunity to review the Supplemental EIR/EIS ("EIR"), which evaluates four alternatives for a maintenance yard that will service the proposed Crenshaw/LAX Corridor. The maintenance yard identified as ND22 and located within the City of Hawthorne is one of the sites being taken into consideration for facility expansion. The City of Hawthorne has the following concerns regarding the EIR and potential impacts to uses adjacent to ND22.

A

The EIR clearly indicates improvements will be required at the existing site (pp. 2-1, 2-13, 2-15), but the document is significantly deficient in evaluating potential impacts of these proposed improvements to the adjacent uses. The document is also unclear as to the exact nature of these improvements, as opposed to the improvements in the expansion area to the north. Therefore, in order to properly evaluate the impacts, it is necessary for the document to clearly explain how use of the existing site (ND22) is proposed to be altered from its present condition.

In further evaluating the impacts of the Hawthorne expansion site (ND22N), the EIR is often unclear if it is referring to impacts upon the neighborhood called "Holly Glen," the housing complex known as "Fusion" (also known as "Willow Glen"), or other adjacent uses. Holly Glen is north of Rosecrans Avenue approximately 750 feet from the northernmost point of ND22N and Fusion is adjacent and south of ND22, at one point less than 250 feet from ND22N. This apparent confusion in the discussion of impacts makes it difficult to follow the narrative related to impacts and thereby nearly impossible to properly understand these impacts.

B



The EIR states many technical conclusions and provides graphs and charts without citing to where in the technical appendices the supporting material can be found. This makes it difficult to properly evaluate the conclusions presented and supported by the graphics.

C

Many of the mitigation measures referred to in the EIR are illusory because they are required only "when feasible", or "where possible" (see e.g., pp.3-110, 3-111, 3-115), and some mitigation measures are improperly deferred because they rely on plans to be developed without any reference to standards that will apply to those plans. Additionally, the EIR relies on the use of BMPs as mitigation. However, there is not sufficient information to conclude that significant impacts will not remain after BMPs are put in place.

D

The EIR concludes odors and contamination will be limited to on-site impacts, but no explanation is provided to substantiate this conclusion.

E

As the Hawthorne site is the only alternative adjacent to residential uses, and noting that the combined ND22 and ND22N site is not adequate to meet Metro's needs (p. 2-7), we strongly encourage Metro to remove this site from further consideration. Should ND22N remain in consideration after this review period, we request a complete analysis of potential impacts be conducted to fully understand the significance to the adjacent and nearby residential uses.

F

Respectfully submitted,

Gregg McClain
Acting Director of Planning and Community Development
Hawthorne

CC: James H. Mitsch, City Manager
Russell Miyahira, City Attorney

Encl.: City Council Resolution 7357



RESOLUTION NO. 7357

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF HAWTHORNE, STATE OF CALIFORNIA, OPPOSING THE CONSIDERATION OR SELECTION OF 14724 AVIATION AS A SITE FOR AN EXPANSION OF THE METRO RAIL MAINTENANCE FACILITY IN CONJUNCTION WITH THE CRENSHAW/LAX AND GREEN LINE EXTENSION PROJECTS

WHEREAS, the Measure R Expenditure Plan as approved by the voters of Los Angeles County in November 2008 will provide the funding for the proposed Crenshaw/LAX Transit Corridor, a Light Rail Transit Line in the Crenshaw District which runs along Crenshaw Boulevard from Exposition Boulevard to the Metro Green Line, extending approximately 10 miles from Wilshire Boulevard on the North to El Segundo Boulevard on the South; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (MTA) has completed the Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIS/DEIR), in compliance with the California Environmental Quality Act and the National Environmental Policy Act for the proposed Crenshaw Transit Corridor; and

WHEREAS, four sites for the facility have been identified through a screening process and Metro is currently finalizing an Environmental Assessment/Revised Draft Environmental Impact Report (EA/DEIR) for the selection of one of these sites as a rail maintenance facility that would service and support the proposed Crenshaw Transit Corridor, and has only recently released its findings and presented them at a public hearing; and

WHEREAS, one of the sites identified as a candidate site for a rail maintenance facility in connection with the proposed Crenshaw Transit Corridor is located within the City of Hawthorne near the Fusion Center at South Bay and is described as “Metro Division 22 Northern Expansion”; and

WHEREAS, the residents at the Fusion Center have expressed strong opposition to the proposed maintenance facility expanding next to them and sought the assistance of the City Council in their opposition.

G

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hawthorne, California, does hereby declare, find, determine and order as follows:

Section 1. The City Council does hereby resolve that it is officially opposed to the consideration of the expansion of the MTA maintenance facility described as “Metro Division 22 Northern Expansion” at Aviation and Marine near the Fusion at South Bay.

Section 2. The City Manager and/or his designees are hereby authorized to:

- Participate in any and all hearings, meetings and discussions regarding the locating of a MTA maintenance facility in the City of Hawthorne.
- Send and respond to official correspondence regarding locating a MTA maintenance facility in the City of Hawthorne including, but not limited to, comments on all environmental review documents.
- Take all other actions necessary to advocate for the City’s official position.

Section 3. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.


Section 4. This resolution shall be in full force and effect immediately upon its passage and adoption thereof.

Section 5. The City Attorney is authorized to make minor typographical changes to this Resolution that does not change the substance of this Resolution.

G

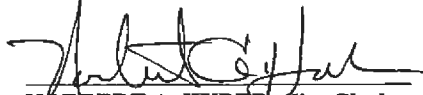


PASSED, APPROVED AND ADOPTED this 22nd day of February, 2011.




LARRY M. GUIDI, Mayor
City of Hawthorne, California

ATTEST:



NORBERT A. HUBER, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM:



RUSSELL MIYAHIRA, City Attorney
City of Hawthorne, California

Response to comment S.10-4A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-4B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-4C.

Comment noted. In order to make the document more reader friendly, much of the technical analysis has been moved to the Appendices. References to which appendix are provided in the appropriate sections.

Response to comment S.10-4D.

Comment noted. Environmental legislation requires lead agencies to consider feasible mitigation measures to avoid or substantially reduce a project's significant environmental impacts. Mitigation measures have been provided to reduce potential adverse effects that would result from implementation of the project. The BMPs provided for water quality and geological resources in the SDEIS/RDEIR would result in no adverse effects. A mitigation monitoring program has been developed with the FEIS/FEIR to ensure that the mitigation measures provided in the SDEIS/RDEIR and FEIS/FEIR are adhered to with implementation of the project.

Response to comment S.10-4E.

Comment noted. Odors emitted from a maintenance facility site are typical of industrial uses and would not warrant a detailed discussion of potential impacts. The impact discussion acknowledges that the type of land use would not generate adverse odors. Therefore the conclusion is substantiated.

Response to comment S.10-4F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-4G.

Comment noted. Metro acknowledges receipt of the resolution. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.10-5. James T. Butts, Jr., City of Inglewood, Office of the Mayor.



CITY OF INGLEWOOD
OFFICE OF THE MAYOR



James T. Butts, Jr.
Mayor

April 5, 2011

S10 - 5

Roderick Diaz, Project Manager
Metro
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

Re: the Supplemental Draft Environmental Impact Statement/Rcirculated Draft Environmental Impact Report (SDEIS/RDEIR)

Dear Mr. Diaz,

I would like to take the opportunity to submit my comments for the SDEIS/RDEIR dated February, 2011. As the Mayor of the City of Inglewood, I feel that it is important to offer the following comments:

The Manchester/Aviation Alternative, also referred to as Site No. 15, is located on the City's western border. As mentioned in the SDEIS/RDEIR, this site contains industrial uses, including National/Alamo Car Rental, Crimson Technical College, as well as an industrial park. Currently, the City is collecting sales tax and other revenue from these entities; the acquisition of these parcels by the Los Angeles County Metropolitan Transportation (Metro) would remove these parcels from the tax rolls, in perpetuity. Impacting land currently used by National/Alamo, which is one of the City's largest tax generators, may cause this entity relocate outside of the City: simply put, this is revenue the City cannot afford to lose.

A

Although the City has supported the selection of the Inglewood Maintenance Facility in the past, as a newly-elected member of the City Council, I believe that an economic analysis is needed before the City fully supports the selection of Site No. 15 by the Metro Board. The creation of this maintenance facility will preempt other potential development uses for the proposed site. Therefore, in order to protect the interest of our citizenry, the City must conduct an analysis to determine whether or not the development of the maintenance facility will have an adverse fiscal impact to the City's General Fund (GF). If the economic impact analysis reveals a significant loss in GF revenue, the City Council will challenge the selection of Site No. 15 by Metro.

B

I look forward to working with you and your staff and coming to a resolution that benefits the City of Inglewood. If you have any questions or concerns, do not hesitate to contact me by phone at (310) 412-5300.

Sincerely,

James T. Butts, Jr.
Mayor

Response to comment S.10-5A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-5B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..



COMMENT: S.10-6. Linda F. Tatum, City of Inglewood, Planning Department.



CITY OF INGLEWOOD
Planning and Building Department



April 7, 2011

S10 - 6

Mr. Roderick Diaz, Project Manager
Metro
One Gateway Plaza
MS 99-22-3,
Los Angeles, CA 90012-2952

RE: Comments on the Crenshaw/LAX Transit Corridor Recirculated Draft Environmental Impact Report and Supplemental Draft Environmental Impact Statement (SC No. 2007091148)

Mr. Diaz:

Thank you for the opportunity to review and comment on the Recirculated Draft Environmental Impact Report (RDEIR) and Supplemental Draft Environmental Impact Statement (SDEIS) for the LAX-Crenshaw light rail extension and maintenance facility project. The City of Inglewood would like to offer the following comments for your consideration:

3.1.2.2 Level of Service Intersection Analysis (Page 3-5)

Four intersections near Site No. 15 were analyzed for the LOS Intersection analysis in the document. The maintenance facility would generate a small number of vehicle trips, particularly relative to the size of the site, and their impact on area intersections is not significant. However, an existing pedestrian signal on Aviation Boulevard, proximate to Site No. 15 which serves existing land uses was not evaluated. If Site No. 15 is selected, the need for this signal should be reviewed and either modified or removed as determined appropriate.

A

A recommended mitigation measure applicable to this signal is as follows: "Conduct an operational analysis of the pedestrian traffic signal on Aviation Boulevard and modify or remove the pedestrian traffic signal and related traffic devices as warranted prior to development."

3.1.2.2 Pedestrian and Bicycle Facilities (Page 3-7)

The Circulation Element of the Inglewood General Plan designates Arbor Vitae Boulevard, adjacent to Site Nos. 14 and 15, as a Class III bicycle route. The City of Los Angeles' Bicycle Plan has proposed a Class II bicycle lane along Manchester Boulevard. As such, bicycle facilities may be placed in the area adjacent to Site Nos. 14 and 15 in the future. Based on the demographic analysis shown in Table 3-52, the surrounding area is relatively low-income. Low-income individuals tend to utilize alternative modes of transportation such as bicycles and transit at a higher rate than

B

One W. Manchester Boulevard • Inglewood, CA 90301 • Phone P:[310]412-5230 • B:[310]412-5294
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moderate or upper income individuals. Potentially, many of the employees of a facility at Site Nos. 14 or 15 may come from low-income households, and the facility should incorporate resources to support alternative forms of transportation.

A recommended mitigation measure is as follows: "Development of the site shall not preclude the implementation of bicycle facilities on streets adjacent to the site." and "Site improvements shall provide for bicycle access and include storage facilities for bicycles." If Site No. 15 is selected, the facility must comply with the requirements of Section 12-42.1 (Transportation Demand Management) of the Inglewood Municipal Code which includes development standards and operational requirements intended to encourage the use of alternative modes of transportation.

B

Table 3-8: Parcels Potentially Displaced (Pages 3-21 to 3-23)

Table 3-8 provides parcel specific information for the 39 properties that make up Site No. 15, including information about the businesses at each site. Please be advised that our records indicate that there may be additional businesses located within Site No. 15 that are not identified in Table 3-8. These additional businesses include the following (by address):

- 8709 Aviation: JE Components
- 8713 Aviation: Prosthetic Records and Music Publishing
- 8717 Aviation: Upswing Logistics
- 8719 Aviation: JA CH Trucking; Packare Resources; ESolutions Freight Forwarding; CCL Customs Services.
- 8729 Aviation: GSA Logistics Freight Forwarding; IEC Freight Forwarding; Punch Studio Warehouse
- 9131 Aviation: Harry's Airport Garage

C

A number of these businesses are airport related uses that require a location in close proximity to the airport. Prevention of loss of business goodwill must be taken into account when considering the adequacy of relocation sites, should Site No. 15 be selected. Further, the EIR should provide analysis of the potential relocation impacts so that impacts to the existing workforce is minimized.

3.13.1.5 Educational Facilities (Page 3-94)

The document states that the sites are near 11 educational facilities. The document should note that one of these facilities, Crimson Technical College (CTC), is located on Site No. 15. As stated in the report, CTC currently utilizes an aircraft hangar as their educational program focuses on aircraft maintenance. It should be noted that this institution may be difficult to relocate in close proximity to LAX.

D

3.13.2 Environmental Impacts/Environmental Consequences (Page 3-95)

Table 3-34 does not reflect that development of Site No. 15 will result in the acquisition of Crimson Technical College site, as indicated in Section 3.3, and potential significant impacts to the facility if a comparable site cannot be found.

E



3.14 Economic and Fiscal Impacts (Page 3-97)

Some of the existing businesses within Site No. 15, although not a point of sale, support business operations of other locations within the City of Inglewood that generate significant sales tax revenue (auto rentals). It is essential that impacts to businesses relying on these existing businesses be considered when evaluating the adequacy of a relocation site should Site No. 15 be selected. Any disruption to businesses that generate sales tax revenues to the City will result in reduced general fund revenues creating a negative impact on city services. The City is in the process of commissioning a fiscal impact study/economic analysis to quantify fiscal/economic impacts to the City should Site No.15 be selected for the maintenance facility.

F

3.16.2.1 Construction Impacts: Traffic and Parking (Page 3-103)

Site No. 15 is the only alternative site with on-street parking. According to this section, there will be temporary reductions in on-street parking due to construction. Although they will be temporary, facilities near the construction site will be negatively affected. The report does not provide any short term/construction mitigation measures to address this inconvenience. It is stated that a traffic management plan would be implemented during construction. The EIR should specify that this plan will address these impacts.

G

The repair of damaged/deteriorated curb/gutter/sidewalk and replacement of unused driveways would be addressed through the City's Site Plan Review (Inglewood Municipal Code Section 12-39) process.

H

A recommended mitigation measure applicable to the possible selection of Site No. 15 would be: "Prior to the issuance of any permit and with each phase of construction the preparation and implementation of a construction traffic and parking management plan is required. That plan shall address, as a minimum, construction vehicle access and staging, construction vehicle site access, materials storage, and construction employee parking." Further, the plan should address the repair/reconstruction of any damage to parkway improvements including replacement of unused driveways.

I

3.19.3.2 (Environmental Justice) Indirect Impacts (Page 3-136)

This section references Construction Mitigation Measure 20 (CON20) which relates to incorporation of construction Best Management Practices during the construction process. It appears that CON21, which relates to ensuring surrounding businesses remain accessible during construction, should be referenced instead. Furthermore, CON21 which stipulates that businesses and commercial property owners shall be notified of the construction schedule, does not go far enough in ensuring that surrounding businesses, a number of which may be minority owned or have significant minority workforces based on the demographic analysis, are not significantly economically impacted as a result of the construction of the maintenance facility. An appropriate mitigation for impacts to minority disadvantaged communities include an active outreach program to identify these businesses and assess potential impacts that result from their displacement.

J

Part II-Section 4(f) Evaluation (Part II-Page 9)

The document indicates that Centinela Park is not a protected resource under Section 4(f) of the Federal Department of Transportation Act of 1966. Centinela Park contains a number of active recreational facilities however the majority of the space is dedicated to passive recreation and quiet contemplation. As such, pursuant to Section 4(f), it is appropriate to classify the park as a protected resource for purposes of evaluating the impacts of noise and vibration that would result from construction of the light rail line which will be abut areas devoted to passive recreational use within this park.

K

If Site No. 15 is selected, the proposed maintenance facility will require several planning entitlements. This site will require a General Plan Amendment from the existing Industrial land use designation to a Public/Semi-Public designation. A zone change from the existing M-1 (Light Manufacturing) zoning to T-C (Transportation Corridor) zoning is also required. A Site Plan Review (SPR) pursuant to Section 12-39.50 of the Inglewood Municipal Code will be required. In keeping with the purpose of the SPR process (Section 12-39.51), the facility design should reflect the *'application of optimum rather than minimum design standards'*. During that process, the project will also be reviewed and commented on by the Department of Public Works, the Building Division, Los Angeles County Fire Department, Southern California Edison and other outside agencies. Subsequent to obtaining Planning entitlements, construction permits will be required from the Building Division.

L

Should you have any questions regarding the above items, please contact me at (310) 412-5230. We look forward to receiving updates on the status of this project and we appreciate the opportunity to provide input.

Sincerely,



Linda F. Tatum, AICP
Planning Manger

CC: Mr. Raymond Sukys
Mr. Ray Tellis

Response to comment S.10-6A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6B.

Comment noted. The street right-of-ways adjacent to the maintenance facility would not be affected by the project and designated bicycle lanes would be maintained. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6H.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6I.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6J.

Comment noted. The reference to Mitigation Measure CON20 has been revised to CON21. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility..

Response to comment S.10-6K.

Comment noted. Centinela (Edward Vincent Jr.) Park was identified as a parkland and is subject to the provisions of 4(f). A 4(f) evaluation of the park was discussed in Part II of the SDEIS/RDEIR and it was determined that no constructive use (which includes noise and vibration effects) of the park would occur from implementation of the project.

Response to comment S.10-6L.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.10-7. Perry A. Banner, City of Lawndale.



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April 11, 2011

S10 - 7

Roderick Diaz, Project Manager
Metro
One Gateway Plaza
Mail Stop 99-22-3
Los Angeles, CA 90012

Re: Crenshaw/LAX Transit Corridor SDEIS/RDEIR

Dear Mr. Diaz:

The City of Lawndale (“Lawndale”) has reviewed the Supplemental Draft Environmental Impact Statement (SDEIS)/Recirculated Draft Environmental Impact Report (RDEIR) that has been prepared for the proposed Crenshaw/Los Angeles International Airport (LAX) Transit Corridor Project (“Project”). Lawndale would like to take this opportunity to provide comments and express concerns on the proposed Project, in particular, with regard to the new alternative maintenance facility sites.

A

First, there is a disconnect between the number of employees the SDEIS/RDEIR states that the maintenance facility requires for staff and the number of vehicle trips the traffic analysis purports will be generated. It seems very unlikely that the approximately 200 employees with approximately 60 employees working each of 3 shifts, plus visitors and truck deliveries, will generate only 21 trips during the morning peak hour and 23 trips during the evening peak hour. As well, the traffic study does not appear to include as a cumulative project to Site #17 – Marine/Redondo Beach Alternative the proposed hotel and RV storage project to be located at 2410-2420 Marine Avenue, Redondo Beach, which is to the immediate northeast of the Marine/Redondo Beach Alternative site. The cumulative impacts of these projects on the Inglewood Ave/Marine Ave, Inglewood Ave/I-405 NB, and Inglewood Ave/I-405 SB intersections need to be analyzed. Furthermore, the traffic study needs to be expanded to analyze the impacts of the proposed Project on the intersection at Inglewood Avenue and Manhattan Beach Boulevard, which was absent from the study.

B

Under Section 1.2, Purpose of the Light Rail Maintenance Facility, it is stated that, “In order to provide LRV service that is reliable, cost effective, and does not adversely affect the remainder of the LRT system, it is important that the maintenance facility be located in close proximity to the proposed alignment for the light rail tracks.” However, of the 18 potential sites analyzed, Site #17 – Marine/Redondo Beach Alternative is the farthest from the Crenshaw/LAX Corridor the maintenance facility is intended to serve. Furthermore, in combination with the existing Division 22 facility, a disproportionate share of maintenance facilities serving the entire Metro LRV fleet would be concentrated in the South Bay Area should the Marine/Redondo Beach Alternative be selected as the Locally Preferred Alternative (“LPA”). The SDEIS/RDEIR also states that the Metro Board has a consolidated development strategy for maintenance

C



facilities associated with the expansion of the Metro Green Line and the Crenshaw/LAX Transit Corridor, but it would seem premature to select a site based on this factor when in fact the Metro Green Line extensions have neither been approved nor have completed an environmental review of their own.

D

Section 3.7.1.1, General Noise Setting, concludes that there are no sensitive receptors within range of Site #17 – Marine/Redondo Beach Alternative. However, the City of Redondo Beach approved a hotel and RV storage project in 2010 that will be located at 2410-2420 Marine Avenue – to the immediate northeast of the Marine/Redondo Beach site, with the proposed hotels being within a 1,000-foot unobstructed view of the site. According to the criteria used in the SDEIS/RDEIR, the hotels are in fact sensitive receptors within range such that mitigation measures need to be analyzed and included.

E

Under Section 3.3, Displacement and Relocation of Existing Uses, the fact that the greater Los Angeles market has one of the tightest vacancy rates for industrial land in the nation should be taken into account. The loss of 316,111 square feet of industrial/warehouse space at the Marine/Redondo Beach site would be detrimental to the local market and not just the specific property/business owner(s).

F

Lastly, under Section 4.0, Community Participation, it was unclear as to whether or not the Centinela Valley Union High School District (“CVUHSD”) had been notified about the SDEIS/RDEIR. CVUHSD is a jurisdiction in close proximity to both the Division 22 Northern Expansion Alternative and the Marine/Redondo Beach Alternative. Accordingly, the applicable laws mandate that CVUHSD be given notice of this proposal.

G

Sincerely,

Perry A. Banner
Community Development Manager

Cc: Members of the Lawndale City Council
Dayle Keller, Interim City Manager
Otis Ginoza, Deputy City Manager
Marlene Miyoshi, Public Works Director
Tiffany Israel, City Attorney

Roderick Diaz
Page 2
April 11, 2011

Response to comment S.10-7A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.

Response to comment S.10-7B.

Comment noted. The trip generation estimates for the project were prepared using empirical data collected at an existing LRT maintenance facility, MTA Division 22 serving the Metro Green Line at 14724 Aviation Boulevard in Lawndale. Classified driveway traffic data were collected at this maintenance facility using a video camera for a 24-hour period. Data related to number of passenger cars and trucks going in and out of the site were collected on a typical weekday. Division 22 serves a total of 39 light rail vehicles (LRVs). The proposed Project is expected to serve a total of 70 LRVs. Trip generation for the proposed facility was estimated by applying a factor proportional to the size of the facility in terms of number of LRVs served. The proposed project is estimated to generate a total of 21 trips during the morning peak hour (9 inbound/12 outbound) and 23 trips during the evening peak hours (13 inbound/10 outbound). The intersections and development that the commenter refers to would not be affected by the preferred maintenance alternative. Please refer to Supplemental Master Response.

Response to comment S.10-7C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-7D.

Comment noted. Planned extensions that have identified funding sources are reasonably foreseeable projects that can be incorporated into long term development strategies.

Response to comment S.10-7E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-7F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-7G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.10-8. Mike Gin, City of Redondo Beach.



Michael A. Gin
Mayor

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ext. 2260
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S10 - 8

March 24, 2011

Roderick Diaz, Project Manager
Metro
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

RE: Crenshaw/LAX Transit Corridor DEIR/DEIS- Official City comments

Dear Mr. Diaz:

The City of Redondo Beach appreciates the opportunity to comment on the Recirculated Supplemental DEIR/DEIS for the Crenshaw/LAX Transit Corridor Maintenance Facilities. While the City of Redondo Beach supports Metro's goal to reduce congestion and supports the Crenshaw and Green Line Extension projects, the City does not support the Marine/Redondo Beach Alternative for a Light Rail Maintenance Facility.

A

On February 1, 2011 the City Council of the City of Redondo Beach considered the known potential land use, environmental, socio-economic and other impacts of locating a rail maintenance facility at 4000 Redondo Beach Avenue and found and determined that such a facility would have significant adverse impacts to the neighborhood and community. In reaching their decision, embodied in Resolution No. CC 1102-422, the City Council considered evidence and found and determined that alternative sites are available that are environmentally superior, less costly to acquire, would result in less dislocation of existing businesses and have not officially been opposed by the municipalities in which they are located. Therefore, the City of Redondo Beach continues to urge Metro to remove the Marine/Redondo Alternative from consideration. Absent this action, the City of Redondo Beach hereby submits the following comments:

B

1. Section 2.2 of the document discusses specific thresholds of significance and states that the CEQA impacts would be considered significant if a maintenance site alternative has the potential to result in:
 - I. Physical division of an established community
 - II. Inconsistency with any applicable land use plan, policy or regulation
 - III. Incompatibility with adjacent and surrounding land uses

C



City of Redondo Beach
SDEIR/SDEIS Comments
March 24, 2011

The City of Redondo Beach submits that the Marine Avenue alternative will have significant and adverse impacts in all three of the above-mentioned analysis areas for the following reasons:

- The site is a critical component of, and central to, a well-defined aerospace, research and development and industrial complex bounded by Marine Avenue to the north, Aviation Boulevard to the west, Manhattan Beach Boulevard to the south and the I-405 Freeway to the east. As such, relegating the single largest parcel east of Redondo Beach Avenue to an incompatible light rail industrial use would divide and disrupt the current and future orderly development of the area.
- The Land Use Element of the Redondo Beach General Plan (page 2-81) clearly states that, "The emphasis for the northerly industrial area, designated "I-1", is to continue the same type of development stressing larger scale "campus-park" type of developments. Objective 1.43 of the General Plan provides that existing industrial districts shall be retained and enhanced while maintaining environmental quality and compatibility with adjacent residential neighborhoods and commercial districts.
- Primary land uses permitted in this district include light manufacturing, research and development, spacecraft manufacturing and associated aerospace operations, business park offices, and warehouse retail uses. The construction and operation of a rail maintenance facility is inconsistent with the Goals, Policies and Objectives of the City's General Plan. Further, the use is inconsistent with Title 10 of the Redondo Beach Municipal Code as a rail maintenance facility is not a use specifically listed as permitted or conditionally permitted in the I-1 Industrial zone.

C

2. Section 3.0 of the SDEIR/SDEIS states that, "The No Build Alternative for the Maintenance Facility Project would be the same as the No Build Alternative analyzed in the Crenshaw/LAX Transit Corridor DEIS/DEIR."

Given that the Marine/Redondo site was not identified at the time that the Crenshaw/LAX EIR/EIS was prepared, no site specific analysis of the No Build Alternative has been conducted. The SDEIR/SDEIS should study and fully analyze the significant environmental, social and economic benefits from not constructing and operating a Rail Maintenance facility at the Marine/Redondo site.

D

3. In discussing Transportation, Section 3.1.1.1 states that, "The areas surrounding the maintenance site alternatives to not contain any designated bicycle lanes or high levels of

Pedestrian activity." While this statement may be true for other site alternatives, the Marine/Redondo site located on Redondo Beach Avenue, a designated Class 2 Bikeway, that is an important last link in the newly constructed North Redondo Beach Bikeway to the Redondo Beach Green Line Station. Older 2008 counts show up to 17 bicycles per hour on this street segment.

E

The site is also impacted by significant pedestrian activity, particularly Aerospace related foot traffic between Northrop Grumman's main campus, their satellite campuses to the east and to the Green Line Station. Northrop's employees are a significant component of the

F



City of Redondo Beach
SDEIR/SDEIS Comments
March 24, 2011

- Green Line ridership. Pedestrian traffic is significant enough to have warranted installation of enhanced pedestrian crossings at Space Park Drive and should be fully considered in the environmental document. F
4. In discussing Direct Environmental Impacts and Consequences, Section 3.2.2.1 and Section 3.4.3 Table 11-1 conclude that the selection and operation of the maintenance facility would not result in the division of an established community and that the use would be compatible with surrounding land uses. The City of Redondo Beach respectfully disagrees with these conclusions and submits that the Marine/Redondo Alternative will both physically divide an established aerospace/industrial community and be incompatible with surrounding land uses and the City's General Plan land use and zoning designation. Evidence supporting these conclusions is provided in comment No. 1 above. C
5. The CEQA determination in Section 3.2.4 is not supported in evidence. The use will have significant adverse impacts in the analysis areas of physical division, compatibility and land use consistency.
6. Part I, 3.0 discusses the dislocation of existing businesses, jobs and the loss of parking from a partial taking of a parcel to the east of the 4000 Redondo Beach Avenue site. The following comments relate to dislocation, property acquisition and socioeconomic impacts:
- No analysis as to the effect of the partial taking on the adjacent business to the south, particularly their ability to meet code required parking has been provided.
 - The current use and development of the property is consistent with the City's General Plan and provides substantial benefits to the community including jobs, taxes and other revenues to Redondo Beach and adjacent communities.
 - The following are examples of the community benefits of existing operations: H
 - There are a total of 337 DHL employees on-site; split between 212 office employees and 125 warehouse employees
 - There are 48 JR286 employees at this location, plus 50 - 60 third-party employees in the warehouse
 - The average annual income for office employees (including benefits) is \$78,681 and the average annual income for warehouse employees (including benefits) is \$70,461
7. The project would result in the displacement and loss of businesses critical to the economic vitality and stability of the area. Moreover, the unique attributes of these businesses and their current facilities make relocation infeasible. The following facts support this conclusion: I
- DHL moved to the site five years ago, is in the fifth year of a 10-year lease and has an option for five more years



City of Redondo Beach
SDEIR/SDEIS Comments
March 24, 2011

10. In discussing anticipated Economic and Fiscal Impacts Section 3.14 includes information that the project would result in a local loss of \$390,908 in property tax (2009) and that 39 percent of General Fund revenue to the City of Redondo Beach is derived from property tax. This same section shows that property tax constitutes only 13-16 percent of General Fund revenue in the other communities. Therefore, the potential loss of these property tax revenues to the City of Redondo Beach is substantially more significant than it would be for other alternative sites.

L

11. While the SDEIR/SDEIS concludes that significant adverse impacts of economic dislocation are to be expected from the project, and proposes to mitigate those impacts through Uniform Relocation practices, no meaningful mitigation has been included to mitigate the identified significant impacts to local revenues should displaced businesses not be relocated within the same jurisdiction from which they are displaced. Such mitigation measures should be required.

M

The City of Redondo Beach thanks you for the opportunity to comment on the SDEIR/SDEIS and looks forward to your response.

Sincerely,

Mike Gin

Response to comment S.10-8A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.

Response to comment S.10-8B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8H.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8I.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



Response to comment S.10-8J.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8K.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8L.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.10-8M.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.10-9. Gail Farber, County of Los Angeles Department of Public Works.

S10 - 9



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-1

April 4, 2011

Mr. Roderick Diaz
Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza, M/S 99-22-3
Los Angeles, CA 90012-2952

Dear Mr. Diaz:

**RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT
CRENSHAW/LAX TRANSIT CORRIDOR PROJECT
LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY**

We reviewed the Recirculated Draft Environmental Impact Report for the Crenshaw/LAX Transit Corridor project. The project involves a light-rail transit alignment that would extend approximately 8.5 miles from the Metro Green Line Aviation/LAX Station to the Exposition Line. The evaluation of new alternative sites resulted in the selection of four sites to be analyzed in this Recirculated Draft Environmental Impact Report.

The following comments are for your consideration and relate to the environmental document only.

Hazards-Flood/Water Quality

The area of proposed maintenance site No. 14 contains a Los Angeles County Flood Control District facility, Underground Storm Drain Project No. 113. If an encroachment, connection or alteration to a Los Angeles County Flood Control District facility is required, please apply for a construction permit from the County of Los Angeles Department of Public Works' Land Development Division, Permits Section.

If you have any questions regarding flood comment, please contact Mr. Araik Zargaryan at (562) 861-0316 or azargar@dpw.lacounty.gov.

A



Mr. Roderick Diaz
April 4, 2011
Page 2

Hazards-Geotechnical/Soils/Geology

All or portion of the site is located within a potentially liquefiable area per the State of California Seismic Hazard Zones Map–Hollywood and Inglewood Quadrangles. Also, all or portion of the site is located within the Alquist Priolo Earthquake Fault Zone. Site-specific geotechnical and geologic reports addressing the proposed development and recommending mitigation measures for geotechnical and geologic hazards should be included as part of the Environmental Impact Report.

B

If you have any questions regarding geotechnical/soils/geology comment, please contact Mr. Jeremy Wan at (626) 458-4925 or jwan@dpw.lacounty.gov.

Services-Road Maintenance

Construction equipment traffic on County roadways may have detrimental effect to the existing road pavement, which increases our maintenance cost and schedule. The impact to the existing pavement condition will need to be evaluated to determine if any repairs should be included as part of the project after it is complete.


If you have any questions regarding the road maintenance comment, please contact Mr. Joseph Young at (310) 348-6448 or jyoung@dpw.lacounty.gov.

C

We request the opportunity to review and comment on the Final Environmental Impact Report once available. If you have any other questions or require additional information, please contact Mr. Toan Duong at (626) 458-4945 or tduong@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works


ANTHONY E. NYIVIH
Assistant Deputy Director
Land Development Division

JY:ca
P:\LD\BICEQA\CDM TD\METRO_MTA_CRENSHAW-LAX TRANSIT CORRIDOR PROJECT-RDEIR.DOC.doc

Response to comment S.10-9A.

Comment noted. If encroachment on Underground Storm Drain Project No. 113 is required, Metro will apply for a construction permit from the County of Los Angeles Department of Public Works' Land Development Division, Permits Section.

Response to comment S.10-9B.

Comment noted. Site specific borings and geotechnical reports were analyzed to evaluate impacts in the FEIS/FEIR and are included in the technical appendices.

Response to comment S.10-9C.

Comment noted. Construction of a maintenance facility on the preferred Site #14 – Arbor Vitae/Bellanca Alternative would not require the use of unincorporated County of Los Angeles roadways for construction-related traffic.



COMMENT: S.10-10. Richard J. Bruckner, Los Angeles County Department of Regional Planning.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

April 4, 2011

S10 - 10

Mr. Roderick Diaz
Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

**RE: LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING COMMENT
ON CRENSHAW/LAX TRANSIT CORRIDOR PROJECT SDEIS/RDEIR**

Dear Mr. Diaz:

Your agency requested the Department of Regional Planning to review and comment on the Crenshaw/LAX Transit Corridor Project Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report (SDEIS/RDEIR). Regional Planning has reviewed the SDEIS/RDEIR evaluation of four proposed maintenance facility sites and their potential impact on parklands and cultural resources listed or eligible for listing in the National Register of Historic Places (NRHP) along the proposed north-south light rail transit (LRT) corridor.

A

Regional Planning concurs with the SDEIS/RDEIR analysis that the LRT corridor is suitable as the Locally Preferred Alternative (LPA) and that any potential environmental impacts from the four proposed maintenance facility sites on parklands or cultural resources will not be adverse. None of the four proposed maintenance facility sites are located in the unincorporated County of Los Angeles, however, the Arbor Vitae/Bellanca and Manchester/Aviation sites are within a mile of the unincorporated community of Lennox and the Marine/Redondo Beach and Division 22 Northern Expansion sites are within a mile of the unincorporated community of Del Aire. While the communities are not physically connected to the proposed maintenance facility sites, the SDEIS/RDEIR demonstrates that these sites are sufficiently distant from the unincorporated communities of Lennox and Del Aire to have less-than-significant impacts on their existing land uses.

B

Sincerely,

Richard J. Bruckner
Director

RJB:JS:MSH:msh

Response to comment S.10-10A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.

Response to comment S.10-10B.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.



COMMENT: S.10-11. Michael M. Stevens, Councilman District 1, City of Inglewood.

S10 - 11

MICHAEL M. STEVENS
Councilman District 1
One Manchester Boulevard, 9th Floor, Inglewood, CA 90301

Via email to diazroderick@metro.net.

April 11, 2011

Roderick Diaz
Project Manager
METRO

RE: **CRENSHAW/LAX TRANSIT CORRIDOR**
Meeting Date : March 31, 2011
Where : Inglewood City Hall
Subject : **Comments Re: Development Site for New
Maintenance Facility in the City of Inglewood**

Dear Mr. Diaz,

As councilman of District 1 whose district is inclusive of the Crenshaw/LAX Transit Corridor, I formally request that MTA make all major crossings throughout the City of Inglewood and intersections adjoining the City of Inglewood either aerial or below grade crossings. A

As Councilman of the 1st District in the City of Inglewood my major concerns are traffic congestion and vehicle and pedestrian safety. Case and point: at the intersection of Florence and Centinela Avenue, Centinela Avenue has a 45 degree 565 feet slope. A vehicle with a manual transmission would find it extremely difficult to hold their vehicle in check on that hill slope while waiting for a train to pass. Because of traffic light sequencing vehicles usually traveling south are able to flow through the intersection without stopping. B

Also, there is the issue of the sounding of MTA light rail horns at intersection. If the train is allowed to travel through at either aerial or below grade, the sounding of horns every 15 / 20 minutes will not be an issue. But if the trains are at grade every 15 to 20 minutes the horns will be disruptive to our residential neighborhoods in the area. MTA does not provide soundproofing of residences C



MICHAEL M. STEVENS
Councilman District 1
One Manchester Boulevard, 9th Floor, Inglewood, CA 90301

as LAX does and so for this reason MTA should accommodate Inglewood with either aerial or below grade crossings. | C

As for the maintenance facility site the residence of District 1 wish for the maintenance facility be located at the Arbor Vitae and Aviation (Dollar Rent-A-Car site) for this shall impede LAX expansion and does not negatively impact residences in Westchester or Hawthorne. | D

Respectfully Submitted,

Michael M. Stevens
Inglewood City Councilman
District 1

Response to comment S.10-11A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.

Response to comment S.10-11B.

Comment noted. Traffic, vehicular and pedestrian safety were all evaluated in the FEIS/FEIR and SDEIS/RDEIR. No significant impacts were found to occur to locations within the City of Inglewood. The intersection that the commenter refers to was analyzed as part of this evaluation of impacts.

Response to comment S.10-11C.

Comment noted. Noise from warning devices or horns was evaluated in the FEIS/FEIR. The following table summarizes the results of warning noise analysis near the City of Inglewood.

Table K-2. Warning Signal Noise

Location	Distance (feet)	FTA Noise Category	L _{eq} or L _{dn} (dBA) ¹				Impact?
			Existing	Project Noise ³	Moderate Impact	Sever Impact	
Aviation Blvd and Arbor Vitae St	682	3	66	42.6	67-72	>72	No
Florence Ave and Hindry Ave	No Receptor						
Florence Ave and Oak St	120	2	68	57.7	63-68	>68	No
Florence Ave and Cedar Ave	430	2	68	46.6	63-68	>68	No
Florence Ave and Eucalyptus Ave	408	2	68	47.1	63-68	>68	No
Florence Ave and Ivy Ave	350	3	68	48.4	63-68	>68	No
Florence Ave and Centinela Ave	72	2	69	62.1	64-69	>69	No
Florence Ave and West Blvd	36	2	69	68.1	64-69	>69	Moderate
Florence Ave and Brynhurst Ave	120	2	69	57.7	64-69	>69	No

Mitigation Measure N1 is also provided which would eliminate the one moderate impact identified at the Florence Avenue and West Boulevard intersection.

Response to comment S.10-11D.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.



COMMENT: S.10-12. Ian MacMillan, South Coast Air Quality Management District.

S10 - 12



**South Coast
Air Quality Management District**

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

E-mailed: April 5, 2011
diazroderick@metro.net

April 5, 2011

Mr. Roderick Diaz
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza MS 99-22-3
Los Angeles, California 90012-2952

**Review of the Supplemental Draft Environmental Impact Report (Draft EIR)
for the Crenshaw/LAX Transit Corridor Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comment is intended to provide guidance to the lead agency and should be incorporated into the final Environmental Impact Report (EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the project's significant localized construction air quality impacts to sensitive receptors including residents and school children located less than 1,000 feet from the proposed project site. In order to reduce these air quality impacts the AQMD staff recommends that the lead agency require additional mitigation to reduce diesel equipment exhaust emissions during construction activities.

A

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

B

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC110215-05
Control Number





Mr. Roderick Diaz

2

April 5, 2011

Construction Equipment Mitigation Measures

1. Given that lead agency's localized construction air quality analysis demonstrates that the project's criteria pollutant emissions will exceed the AQMD's daily significance thresholds for PM10 and PM2.5 for each build alternative, the lead agency should add the following mitigation measures to reduce the project's significant air quality impacts, if feasible:

- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
- Reroute construction trucks away from sensitive receptor areas,
- Consistent with measures that other lead agencies in the region (including Port of Los Angeles and Port of Long Beach) have enacted, require all on-site construction equipment to meet EPA Tier 2 or higher emissions standards according to the following:
 - ✓ April 1, 2010, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

C



Mr. Roderick Diaz

3

April 5, 2011

- For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.
- The lead agency should consider encouraging construction contractors to apply for AQMD “SOON” funds. As an example, incentives could be provided in the bidding process for those construction contractors who apply for AQMD “SOON” funds. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

C

Response to comment S.10-12A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. The comment provides mitigation measures to reduce PM2.5 and PM10 emissions during construction activity. Metro is in the process of developing a green building policy. These policies will include construction best management practices designed to substantially reduce fugitive dust and equipment exhaust emissions. The suggested mitigation measures listed in the comment will be considered during the adoption of the green building policy.

Response to comment S.10-12B.

Comment noted. Please refer to response to comment S.10-12A.

Response to comment S.10-12C.

Comment noted. Please refer to response to comment S.10-12A.



Metro

COMMENT: S.10-13. Scott Morgan, Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit.

S10 - 13



JERRY BROWN
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR’S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



April 12, 2011

Roderick Diaz
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
MS 99-22-3
Los Angeles, CA 90012-2952

Subject: Crenshaw Transit Corridor Project
SCH#: 2007091148

Dear Roderick Diaz:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 11, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project’s ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

A

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 325-3018 www.opr.ca.gov



Document Details Report
 State Clearinghouse Data Base

SCH# 2007091148
Project Title Crenshaw Transit Corridor Project
Lead Agency Metropolitan Transportation Authority

Type EIR Draft EIR
Description Note: Recirculated EIR/EIS

This document evaluates maintenance facility sites considered after the EIR Statement and DEIR was circulated to public agencies and the general public between Sept. 11 and Oct. 25, 2009. Additionally, this document evaluates the Section 4(f) resources (parklands and historic resources) for refinements made to the Locally Preferred Alternative (LPA) and the corresponding area of potential effects (APE) for the Project based on more advanced engineering design.

Lead Agency Contact

Name Roderick Diaz
Agency Los Angeles County Metropolitan Transportation Authority
Phone (213) 922-3018 **Fax**
email
Address One Gateway Plaza
 MS 99-22-3
City Los Angeles **State** CA **Zip** 90012-2952

Project Location

County Los Angeles
City Los Angeles, City of, Inglewood, Hawthorne, El Segundo, ...
Region
Lat / Long
Cross Streets North to Wilshire Blvd and the Park Mile area, east to Arlington Ave
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways I-105, 405
Airports LAX
Railways BNSF, UPRR, Harbor Subdivision
Waterways
Schools Numerous
Land Use M2-1, M-1, I-1, M2-1

Project Issues Air Quality; Archaeologic-Historic; Economics/Jobs; Geologic/Seismic; Noise; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 02/24/2011 **Start of Review** 02/24/2011 **End of Review** 04/11/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.



STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, JR., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
190 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337



*Flex your power!
Be energy efficient!*

RECEIVED
MAR 16 2011
STATE CLEARING HOUSE

March 14, 2011

IGR/CEQA No. 110305AL-RDIR
Ref. IGR/CEQA No. 090916AL, DEIR
Crenshaw/LAX Transit Corridor Project
Vic. LA-10, LA-405, LA-105
SCH # 2007091148

Mr. Roderick Diaz
Los Angeles County Transportation Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012

*Clear
4/14/11*

Dear Mr. Diaz:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. This Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report presents additional information pertaining to the Crenshaw/Los Angeles International Airport (LAX) Transit Corridor Project, previously known as the Crenshaw Transit Corridor Project. The document provides additional environmental analysis of four new alternative maintenance facility sites for the proposed Project.

The proposed project site is estimated to generate a total of 21 trips during the morning peak hours (9 inbound/12 outbound) and 23 trips during the evening peak hours (13 inbound/10 outbound). Based on this information, there is no significant traffic impact to the State facilities.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects need to be designed to discharge clean run-off water. Additionally storm water run-off is not permitted to discharge onto State highway facilities.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods.

"Caltrans improves mobility across California"



Mr. Roderick Diaz
March 14, 2011
Page 2 of 2

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 110305AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"



Response to comment S.10-13A.

Comment noted. The attached comment letter from the State Clearinghouse was responded to in S10-3.

COMMENT: S.20-1. Rob Antrobius, AMB Corporation.

S20 - 1

Good Evening:

My name is Rob Antrobius. I am the Vice President for AMB Property Corporation, the land owner of 4000 Redondo Beach Boulevard. Our property is referred to as the Marine/Redondo Beach for purposes of this maintenance facility site selection process.

A

I am here to state AMB's unambiguous opposition to the selection of our property for a Metro maintenance facility in conjunction with the Crenshaw/LAX Transit Corridor Project. I want to be clear that under no circumstances would we be a willing seller.

AMB is the world's leading third-party owner/operator of air freight distribution real estate at and near major cargo and logistical airports, and is especially prominent in the Southern California region. This particular property stands out as unique because of its size, proximity to the airport, support from the city in which it is located and because of its unique combination of office and warehouse space.

B

It is because of the fact that this property is literally irreplaceable that I am also here to support the interests of our two principal tenants, DHL Global Forwarding and JR286. These are two world class tenants. DHL is a global leader in the air and ocean freight markets and JR286 is an entrepreneurial leader in the manufacturing and distribution of branded licensed sports accessories. JR286 recently became an exclusive distributor of the Nike brand.

To recommend or select this site as a prospective location for a maintenance facility would jeopardize both of these companies and the over 400 employees they have at this site.

C

I respectfully urge you to select a site with less significant impacts or at the very least a willing seller.
Thank you.

D



Response to comment S.20-1A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-1B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-1C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-1D.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process.

COMMENT: S.20-2. Gary Keleher, Aviation Center Owners Association.

S20 - 2

April 11, 2011

(949) 851-7284

(949) 825-5412

mleifer@ptwww.com

36451-000

VIA E-MAIL & U.S. MAIL

Roderick B. Diaz, Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re: Supplemental Draft EIS/Recirculated Draft EIR for Crenshaw/LAX
Transit Corridor and Objection to D-22 Northern Expansion site

Dear Mr. Diaz:

This is sent on behalf of the Aviation Center Owners Association ("Association").

The Association membership consists of the businesses located at 14500, 14600, 14620, 14650 and 14680 Aviation Boulevard, Hawthorne, California.

It is our understanding that the Los Angeles County Metropolitan Transportation Authority ("MTA") is reviewing and analyzing four sites for a new maintenance facility along the proposed Crenshaw-LAX light rail line. One of the sites being considered for the new maintenance facility is the D-22 Northern Expansion Alternative that will require the acquisition of one of the Association's members—the U.S. Storage facility located at 14680 Aviation Boulevard.

This is to notify the MTA and MTA Board that the Association is strongly opposed to the selection of the D-22 Northern Expansion Facility alternative for the new maintenance facility.

A



Roderick B. Diaz, Project Manager
April 11, 2011
Page 2

The selection of the D-22 Northern Expansion Facility alternative would have a negative impact on the property values and businesses that are part of the Association. The MTA's environmental document has wholly failed to consider the impacts to the Association that will occur if the D-22 Northern Expansion Facility alternative were to be selected. The environmental document is deficient.

B

Further, covenants, conditions and other restrictions, such as exist for the Association, are compensable property rights pursuant to the California Constitution, Article 1, Section 19. (*Southern California Edison Co. v. Bourgerie* (1973) 9 Cal.3d 169.) Accordingly, if the D-22 Northern Expansion Alternative is selected, the MTA will be required to compensate for the taking of such covenants, conditions and other restrictions and will have to compensate for the damage caused to the Association and Association members. The environmental document and the MTA's cost estimates have wholly failed to consider such acquisition costs.

C

The Association opposes the D-22 Northern Expansion Alternative for the maintenance facility site. There are other site alternatives that will not have the same significant impacts to the neighboring land uses and communities as the D-22 Northern Expansion Alternative.

D

Our Association is not the appropriate site. There are other site alternatives that will meet the MTA's stated needs and requirements for a maintenance facility, including the need for future expansion. The D-22 Northern Expansion Alternative will not be able to meet the MTA's stated capacity needs. The appropriate site is *not* the D-22 Northern Expansion Alternative.

Very truly yours,

Gary Keleher
President, Aviation Center Owners Association

Response to comment S.20-2A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-2B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-2C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-2D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.20-3. Peter Jorgensen, DHL Global Forwarding.

DHL Global Forwarding



March 1, 2011

S20 - 3

Good Evening:

My name is Peter Jorgensen. I am the District Manager for DHL Global Forwarding, the largest tenant at 4000 Redondo Beach Avenue, the site referred to in the analysis as the Marine/Redondo Beach Alternative.

I am here to state DHL’s unequivocal opposition to the selection of this site as the preferred alternative for a new light rail maintenance facility. DHL has been a tenant at this site for five years. We have 5 years left on our lease, with an option for 5 more years. Before moving to this facility, we paid for an extensive search for properties that were large enough to suit our operational needs and close enough to LAX to remain competitive in our industry. Literally, this was the only location we could find and the same would be true if we did another search today.

A

After spending roughly \$7 million on improvements and going through an extremely lengthy and expensive process to be certified and bonded by US Customs and the TSA, it would be a great burden to have to go through the same process so soon after completing it. In addition, this is the only “gateway” facility DHL has in the Western United States, and any disruption on the movement of critical freight and our employees working environment, would have considerable impacts on the DHL system and our customers globally.

B

We currently employ 337 people at this location, including 212 office employees and 125 warehouse employees. These are good paying jobs, with the average annual income for office workers being over \$70,000 and for warehouse workers over \$75,000. A majority of these jobs are union jobs as well, represented by Teamsters Local 986.

C

DHL Global Forwarding
4000 Redondo Beach Avenue
Ste 103
Redondo Beach, CA 90278

Phone +1 310-297-4401
Fax +1 310 297-4405
www.dhl-dgf.com

FMC 000315NF
FMC 17482NF



On behalf of DHL and the hundreds of employees who rely on these high paying jobs with our company, I urge Metro to consider the significant adverse impacts selecting our site for a maintenance yard would have. We respectfully ask that you direct your attention elsewhere for the project site.

C

Thank you.

Peter Jorgensen
District Manager
DHL Global Forwarding
LOS ANGELES



Response to comment S.20-3A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-3B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-3C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.20-4. Amy R. Forbes, Gibson Dunn.

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
 333 South Grand Avenue
 Los Angeles, CA 90071-3197
 Tel 213 229.7000
 www.gibsondunn.com

Amy R. Forbes
 Direct: 213.229.7151
 Fax: 213.229.6151
 AForbes@gibsondunn.com

Client: T 19691-00010

April 8, 2011

VIA PDF AND U.S. MAIL

S20 - 4

Mr. Roderick Diaz
 Los Angeles Metro
 One Gateway Plaza, MS 99-22-3
 Los Angeles, California 90012-2952

Re: Crenshaw Transit Corridor SDEIS/RDEIR

Dear Mr. Diaz:

Our client, Avis Budget Car Rental, LLC (“Avis”), a tenant with major airport related operations located on Site 14, has significant concerns about the adequacy of the SDEIS/RDEIR prepared with respect to the selection of a light rail maintenance facility for the Crenshaw/LAX Transit Corridor Project (the “Project”). As proposed, the Project would seriously jeopardize the ability of the City of Los Angeles (the “City”) to meet the goals and comply with the policies established in the City’s General Plan with respect to LAX. These impacts were not disclosed or considered. In addition, the SDEIS/RDEIR provides that the Avis uses on Site 14 might be able to be accommodated in a consolidated rental car facility at LAX at some point in the future. In fact there is no evidence that the consolidated rental car facility will be built, or that even if it is built it can accommodate the maintenance (as opposed to car rental) activities that take place on Site #14. The analysis in the SDEIS/RDEIR needs to be revised to reflect the inconsistency with the City’s general plan, and provide a more accurate analysis of the true impacts of the Project.

A

B

The SDEIS/RDEIR is inadequate because it fails to fully consider the impact of the Project on the City’s General Plan goals and polices. The General Plan is clear that LAX is a major generator of economic activity, both in the immediate vicinity of the airport and throughout the entire Southern California region. Yet, the Project does not adequately analyze the impacts of the Project on the economic policies in the General Plan Framework Element (noted in the chart below).

GOAL 7B: A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base
Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.
Policy 7.2.13: Facilitate environmentally sound operations and expansion of the Port of Los Angeles and the Los Angeles International Airport as major drivers of the local and regional economy.

C

Brussels • Century City • Dallas • Denver • Dubai • London • Los Angeles • Munich • New York • Orange County
 Palo Alto • Paris • San Francisco • Sao Paulo • Singapore • Washington, D.C.



GIBSON DUNN

Mr. Roderick Diaz
April 8, 2011
Page 2

GOAL 7C: A City with thriving and expanding businesses
Objective 7.3: Maintain and enhance the existing businesses in the City
Policy 7.3.4: Recognize the crucial role that the Port of Los Angeles and the Los Angeles International Airport play in future employment growth by supporting planned Port and Airport expansion and modernization that mitigates its negative impacts.

C

In addition, there are other goals, objectives and policies in the Los Angeles International Airport Plan (which is the land use plan for the LAX area in the City's General Plan) that the Project would disrupt:

Goal 3: Optimize LAX's critical role in supporting the economy as a major generator of economic activity.

- Objective 2: Maximize, where feasible, the public benefits of airport development to adjacent land uses, such as direct economic benefits to local business districts.

D

Goal 5: Acknowledge neighborhood context and promote compatibility between LAX and the surrounding neighborhoods.

- Objective 2: Maximize the public benefits of airport development, particularly to adjacent land uses.

The activities on Site 14 are directly supportive of Avis' auto rental business, which in turn is directly supportive of tourism and passenger related service at LAX and the broader Los Angeles economy. Forced relocation of these facilities, with no viable relocation option adjacent to the airport, will work to directly undermine the airport's activities.

At page 3-18 the SDEIS/RDEIR states (emphasis added):

“Over the years, specific businesses have located around LAX, including rental car agencies, freight forwarders, warehousing, aircraft mechanics training, etc. A number of these airport related businesses are located on and considered as part of the maintenance site alternatives. The success of many of these potentially affected businesses depends on their proximity to the airport. However, the airport vicinity is highly urbanized and developed. As a result, relocation sites with proximity to the airport are scarce. The displacement of businesses from the maintenance sites could be disruptive to the airport business environment and create competitive pressures for land in the airport vicinity or land use change in immediately adjacent areas.”

E



GIBSON DUNN

Mr. Roderick Diaz
April 8, 2011
Page 3

Thus the document acknowledges the near impossibility of finding a relocation site and the negative impact on businesses supporting the airport. However, the resulting adverse impact to consistency with the City’s general plan is not disclosed or analyzed. Nor is there any realistic mitigation proposed.

E

Indeed, the SDEIS/RDEIR is further inadequate because the analysis relies on an incorrect assumption regarding the consolidated rental car facility. Proposed Mitigation Measure DR 3 requires Metro to work with Los Angeles World Airports (“LAWA”) to “to ensure that potential displacement and relocation of rental car businesses are compatible with the long term implementation of the LAX Master Plan consolidated rental car center. However, although the consolidated rental car facility will consolidate all “on-airport” rental car operations for LAX—there is no indication that the consolidated rental car facility will provide for “off-airport” operations such as car maintenance activities associated with operating a large fleet of rental cars.

F

The Avis site houses the maintenance operations for the rental cars. Its displacement will not be mitigated even if the consolidated rental car facility is approved and built. Moreover, even assuming maintenance uses were to be relocated into the consolidated rental car facility, there is no way the consolidated rental car facility, which is neither designed, funded or approved, can be considered certain by 2015, the timeframe for implementing the Project.

G

The SDEIS/RDEIR does not acknowledge the obstacles associated with identifying, selecting and purchasing a site for the consolidated rental car facility, and thus the SDEIS/RDEIR relies on an unreasonable mitigation assumption that the consolidated rental car facility could be completed by opening day of the Crenshaw/LAX Transit Corridor Project in 2018. Currently, there is no concrete plan in place for the consolidated rental car facility. LAWA has not obtained the necessary approvals for such a site. Additionally, as referenced in the legislative history for SB 1192 (adopted in 2010 to increase certain rental car fees), rental car fees collected to subsidize construction of the consolidated rental car facility are not bringing in enough money to cover the estimated \$800 million construction costs for the consolidated rental car facility.

H

The SDEIS/RDEIR fails to acknowledge the difficulties of undertaking completion of the consolidated rental car facility, and thus fails to fully disclose the impacts of the Project to the public and the decision makers. These difficulties could leave existing business permanently displaced. The SDEIS/RDEIR must provide analysis of the foreseeable consequences to the implementation of the displacement of these beneficial uses, and mitigation for this impact. There is no discussion of potential impacts to traffic, circulation, or land use, for example resulting from the permanent dislocation of the existing uses.

I



GIBSON DUNN

Mr. Roderick Diaz
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The SDEIS/RDEIR must provide additional details and analysis so that the public and the decision makers can appropriately assess the impacts of the Project, as is required by law. For example, the SDEIS/RDEIR indicates that the preliminary capital cost for a maintenance facility is estimated to range from \$116 to \$333 million, but no break down of the costs or supporting information is provided so that the public and decision makers can verify the assumptions made. The SDEIS/RDEIR should provide a breakdown of the estimated costs consistent with the underlying assumptions regarding relocation. On its face, it seems to make no sense to locate the Project on land related to airport uses, if the cost to relocate the displaced use will be as high or higher than the cost of land for the Project.

We request that additional information and analysis be provided on the Project so that the significant environmental impacts are disclosed. We request that the SDEIS/RDEIR be recirculated with an accurate reassessment of the impacts and possible mitigation. We look forward to reviewing additional reports and analysis, and providing additional comments on the Project.

Very truly yours,

Amy R. Forbes

ARF/hhk

cc: Lorie M. Tallarico
Erika R. Randall

101054015_3.DOC

Response to comment S.20-4A.

Comment noted. The project was analyzed for consistency with the City of Los Angeles General Plan and was found to be consistent with all of the applicable land use policies.

Response to comment S.20-4B.

Comment noted. The SDEIS/RDEIR acknowledges that adverse effect to displacement and relocation could occur with the selection of the Site #14 – Arbor Vitae/Bellanca Alternative.

Response to comment S.20-4C.

Comment noted. Policy 7.2.13, facilitating environmentally sound operation and expansion of the port and airport, is not generally applicable to the project, but the provision of a maintenance facility would not prohibit expansion or operations of the port or airport. The project would be consistent with Policy 7.3.4, supporting airport expansion and modernization, because it would provide the infrastructure to transport airport-related employees and passengers within the area without contributing to the high levels of traffic surrounding the airport and thereby resulting in lower energy consumption from fewer automobile trips.

Response to comment S.20-4D.

Comment noted. The project would not prevent the optimization of LAX's critical role in supporting the economy as a major generator of economic activity as stated in Goal 3 of the airport plan. Site #14 is located in an industrial area along the Harbor Subdivision railroad right-of-way and would be compatible with adjacent lands uses as stated in Goal 5 of the airport plan. The displacement of businesses on Site #14 – Arbor Vitae/Bellanca, which includes car rental facilities, would not adversely affect the public benefits of airport development to adjacent land uses. Relocation benefits would be provided to businesses and owners displaced by the maintenance facility alternative. The provision of a maintenance facility would allow an alternate mode of transportation, with greater public utility, to provide accessibility to the airport and surrounding airport-related development. The area vacated by residences that have been purchased as part of the airport noise abatement zone would provide the opportunity for such additional development should the demand require it.

Response to comment S.20-4E.

Comment noted. The adverse effect to businesses displaced on the preferred maintenance site alternative is acknowledged and would preempt approximately 14 acres of development. The provision of a maintenance facility would allow an alternate mode of transportation, with greater public utility, to provide accessibility to the airport and surrounding airport-related development. The area vacated by residences that have been purchased as part of the airport noise abatement zone would provide an opportunity for such additional development of airport-related businesses should the demand require it. Therefore, the displacement of these businesses would not be inconsistent with the City's general plan to support airport development.

Response to comment S.20-4F.

Comment noted. The comment asserts that because the SDEIS/RDEIR does not consider off-airport operations, that it is not consistent with the LAX Master Plan. Because the exact programming and site layout of the consolidated rental car facility is unknown at this time, the SDEIS/RDEIR does not rely on any specific assumptions related to whether car maintenance facilities associated with rental car facilities could be provided in the consolidated rental car facility. Mitigation Measure DR3 is provided to support and ensure compatibility with the LAX Master Plan and to reduce the effects of displacement and relocation to the greatest extent feasible. Implementation of this mitigation measure would not reduce displacement and relocation effects to less than adverse. The project would remain consistent with the LAX Master Plan.

Response to comment S.20-4G.

Comment noted. The SDEIS/RDEIR provides Mitigation Measures DR1 and DR2 to reduce the effects to displacement and relocation to the greatest extent feasible. Mitigation Measure DR3 is provided to maintain consistency with the LAX Master Plan. Effects to displacement and relocation would remain adverse after mitigation.

Response to comment S.20-4H.

Comment noted. The mitigation measure the commenter refers to is provided to maintain consistency with the LAX Master Plan and is not focused on the specific relocation issues that are being referred to by the commenter. Metro can only provide relocation benefits and the exact location where tenants and owners would relocate cannot be reasonably foreseen. The consolidated rental car facility is part of an adopted plan and the mitigation identified is to provide consistency with that plan.

Response to comment S.20-4I.

Comment noted. Refer to response to comment S.20-4H. Because the future sites of relocation for the businesses displaced by the project cannot reasonably be foreseen, the analysis of those future impacts cannot be determined.

Response to comment S.20-4J.

Comment noted. The preliminary costs provided for the maintenance facility alternatives are provided as a relative comparison of sites, based on similar assumptions, and cost estimating factors, and are not intended to be final costs. The final costs would be dependent on preliminary engineering and real estate negotiations, which would not be completed until after the environmental document is certified. The SDEIS/RDEIR acknowledges that there would be adverse effects from displacement and relocation for Sites #14, #15, and #17. The refinement and breakdown of costs would not alter that determination.



COMMENT: S.20-5. Hannah Bentley, Fusion Homeowners' Association Board of Directors.

S20 - 5

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April 11, 2011

Mr. Roderick Diaz
Project Manager
Los Angeles County Metropolitan Transportation
Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012

Hon. Members of the Board of Directors
Metropolitan Transportation Agency
One Gateway Plaza
Los Angeles, CA 90012
Attn: MTA Board of Directors

VIA MESSENGER – HAND DELIVERY

Mr. Raymond Sukys
Office of Planning and Program Development
Federal Transit Administration Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Ray Tellis
Federal Transit Administration Region IX
Los Angeles Metropolitan Office
888 S. Figueroa St., Suite 1850
Los Angeles, CA 90017

VIA CERTIFIED MAIL. RETURN RECEIPT REQUESTED

Re: Comments on Recirculated Draft Environmental Impact Report/Supplemental
Draft Environmental Impact Statement for the Crenshaw/LAX Transit Corridor
Project

Honorable Members of the Board of Directors, and Messrs. Diaz, Sukys, and Tellis:

This letter provides the comments of the Board of Directors of the Fusion Homeowners' Association on the Crenshaw/LAX Transit Corridor project Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report ("the SDEIS/RDEIR"). This letter will address the following topics in order: (1) What is the Fusion Homeowners' Association, and how we are related to the SDEIS/RDEIR, (2) Why we have problems with the process that the MTA and its staff have followed with regard to the development of a Maintenance Facility Alternative, (3) Why the analysis of environmental and public health effects in the SDEIS/RDEIR is deeply flawed, (4) Why the economic impact analysis in the document is skewed and reveals deep bias in favor of development at Division 22, and (5) Why we implore you to take these issues seriously – and identifies a *minimum* list of specific questions this comment letter raises which we think you should answer in your response to comments. There are a variety of Attachments to this letter, some relevant documents from MTA and related agencies; some further detail in support of the issues we have with the SDEIS/RDEIR itself. The attachments are of course part of this letter and need to be part of the Administrative Record or ROD in the event we or some other party has a dispute with MTA and/or FTA.

A

Before we get into the heart of this letter, we need to say this: Many Fusion residents, including members of the Board, appreciate the value of transit in the Los Angeles County region. We recognize its importance in reducing emissions due to automobile traffic (both in terms of criteria pollutants and greenhouse gases). Many of us voted for the Measure R Sales Tax. Many of us support the provision of new light rail transit to the Crenshaw Community and believe the process with regard to the line itself may

B



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well have been productive and inclusive. Having said that, planning and environmental analysis based upon GHG emissions concerns (worldwide or within the state) needs to go hand-in-hand with responsible planning regarding local impacts from construction, emissions, and toxic air pollutants. Planning for transit for an underserved community does not meet environmental justice goals when it plops a giant paint & body shop down right next to a toddler's playground in a densely packed multifamily complex between a busy arterial and a freeway. Especially when that site was chosen after the rejection of a large industrial-zoned space, well buffered from any residential sites, to favor the interests of a major railroad and Oil Company.

B

Nothing in Measure R or any state, or federal law allows you to ignore the actual residents of the community in which you plan to do construction in conducting CEQA and NEPA review. It is also just not a very good idea.

Having seen the way MTA has completely disregarded our community in the CEQA/NEPA process, sidestepped meaningful review, having seen how staff plugged the site right over the wall from us into the "final tier" of maintenance sites to be considered (even though that tier was supposedly created with community participation based on a list of criteria that our site does not meet), we are profoundly distressed. We would not have voted for Measure R had we known that the sales taxes we pay would be used to evade meaningful environmental review and fundamental public process. We may not vote for future MTA efforts to raise revenue. We can be expected to closely monitor your expenditure of resources, your efforts to lobby for new resources, and your contentions as to why your process is adequate.

C

We do not think that MTA has been a good neighbor.

1. Division 22's Neighbor to the South and East: The Densely-Packed Fusion Residential Community With Numerous Sensitive Receptors

Who We Are. Fusion is a complex of 280 condominiums and townhomes, with approximately 500 residents, located directly adjacent to the Metro Division 22 Maintenance Facility ("Division 22"), to the South and East. The community's residents are diverse in terms of socioeconomic background, racial and cultural heritage, income level, age, and citizenship. We have many young families with small children, we have elderly residents, and we have everything in-between. A number of us work from home, are retired, or stay at home to care for children who also live in the complex.

How Long We Have Been Here. The Fusion community was built between 2005 and 2008 and most, if not all, of the residences had been occupied by the time that the original Draft Environmental Impact Statement and Environmental Impact Report for the Crenshaw/LAX Transit Corridor ("the DEIS/DEIR") was being circulated. Certainly, by the time that the MTA Board of Directors held its hearing on the DEIS/DEIR in December of 2009, the Fusion Complex was fully occupied, a development approved by the City of Hawthorne under its adopted Willow Glen Specific Plan, surrounded by what is zoned as C-1 (for "Freeway/Commercial/Mixed Use Classification"). We were Division 22's existing, very close, residential neighbors to the south, and until this development proposal came up, it is probably fair to say we were willing to tolerate the existing facility.¹

D

¹ This statement is somewhat qualified because Division 22 does much of its work at night and this has always created noise disturbances for the residents facing the facility. The Fusion Board has heard of calls being made by residents to the Facility next door regarding the bells from trains that go off all night (50 feet from residences, at 2, 3, or 4 a.m.), and that staff members at Division 22 have informed residents that the operators are not to use the bells, and will be told not to. The bells still go off nightly. We understand from a number of residents that they cannot keep their windows open at night for this reason, regardless of the temperature outside. We are aware that MTA Staff put together a video for the March 31, 2011 Open House showing pictures of Fusion residences, windows closed, and a caption asserting that Fusion residents were happy with existing noise levels, and kept their windows open. This is rather like a

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How Close Are We? As noted, our complex is directly adjacent to Division 22 to its South and East. This fact could scarcely have gone unnoticed by the MTA's staff, including its environmental and project management staff working on the LAX/Transit Corridor project or the new Maintenance Facility RDEIS/RDEIR. Those working at Division 22 must have been consulted², and they would have had a hard time missing the large four-story-plus-U shaped buildings, each containing 16 to 18 units, rising up around them. The Green Line Train operators bringing trains into Division 22 would have had difficulty not seeing building 5400, roughly 22 feet to their left, as they were bringing their cars in to Division 22 for maintenance. A total of approximately 42 units are within about 25 feet of MTA's property line and roughly 24 are within about 50 feet of MTA's planned new construction on the Division 22 site.

How Close Are Our Common Recreational Facilities? Hawthorne's Zoning Code provides in general that condominiums must have a minimum common open space/recreational component,³ and in keeping with that mandate, Fusion has three small recreational open areas for all of its 500-plus residents, all three of which would be impacted by the proposed construction on the Division 22 site. The first is an open air barbecue facility and grassy area in the Northwest corner of the complex, immediately adjacent to Division 22's present parking lot on Aviation – an area from which much of the planned construction would have to be staged. The second is a quarter-sized basketball court with one hoop combined with a small sand lot that has a tiny jungle-gym apparatus on which small children can play tic-tac-toe (the "tot lot"); this space is immediately adjacent to Division 22's Southeastern corner, and 50 to 100 feet from where MTA would erect several buildings two stories in height, including a Paint & Body Shop from which it plans to vent VOCs and other noxious chemicals. Our third recreational space - an open-air pool and jacuzzi area - is on the other side of the complex from the Division 22 Yard; however, the space between much of the planned Division 22 construction and the pool itself is largely open and would easily be a corridor for dust and noise from the project.

So below are:

- (1) How you depicted "the Division 22 Northern Expansion Alternative" in a variety of places throughout the SDEIS/RDEIR (actually, *all* of them, except the one diagram of where the actual construction would occur) (Fusion Figure 1-1a, 1-1b, 1-1c, 1-1d, and 1-1e are reproductions or details of figures from the SDEIS/RDEIR. We have added red outlines showing the existing

Soviet-era Five Year Plan. There is no support in the record, or reality, for Staff's assertions, and they appear to be posturing to bolster the agency's position should it be taken to court for approving the Division 22 alternative.

² In fact, we know they were, because an employee of the Division 22 Yard walked next door to the front gate of Fusion substantially before this SDEIS/RDEIR was finished, in order to ask about arranging with our property management company to take noise measurements inside the complex. He encountered a member of our Board of Directors there, gave her his card and indicated the reason for his visit. She indicated that there had been noise complaint and he acknowledged to her that MTA had indeed gotten several complaints (regarding noise from the existing facility) from Fusion residents. We believe this happened in late December or early January – way before the SDEIS/RDEIR was finished, or at least circulated. We have nothing against the employee who was likely merely doing the bidding of someone else in this regard, but it does establish that MTA Staff at Division 22 was aware of the project, was aware of Fusion's location, and did participate in the development of the SDEIS/RDEIR that does not properly describe our community or its location relative to the Division 22 site. Accordingly, we will submit a copy of this card with the authentication from the person who received it so that it may become a part of the Administrative Record ("AR") and Record of Decision ("ROD") in this matter. So as to protect that employee's privacy, we will submit it under separate cover. To protect his privacy, we might be amenable to a stipulation to be entered into the AR and ROD on this point before either such record is closed.

³ See Hawthorne Municipal Code, Zoning, section 17.21.072 (generally applicable to Condominiums and Community Projects).



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Division 22 from which most impacts will emanate, and we have added green outlines showing Fusion's boundaries where necessary).

- (2) The *one* diagram on page 2-16 of the SDEIS/RDEIR – your Figure 2-17 – which actually shows the intensive actual construction and industrial use you plan right over the wall from us – although here you have not shown one or two of the residential buildings that are closest to your train tracks (*Fusion Figure 1-2*), so we have taken the liberty of putting those in to make the map accurate, and
- (3) A figure superimposing the diagram of your planned construction over the existing and proposed D22 site and the distances of proposed building and construction from us (*Fusion Figure 1-3*); and
- (4) One further aerial close-up that even the maps we marked up cannot adequately capture: the very close distance at which the MTA tracks run around Building 5400, where some of our patios are at a distance of 22 feet from the tracks. These neighbors would be impacted by noise and vibration from increased operations, in a manner that would be intolerable. See *Fusion Figure 1-4*.

F



Fusion Figure 1-1a: SDEIS/RDEIR Figure 3-29 (Aesthetic Resources) from page 3-40. Red outline depicts main area for construction; green outline depicts Fusion

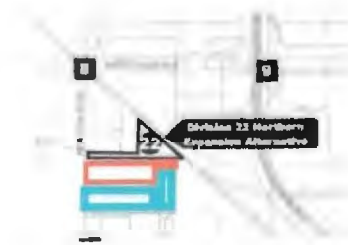


Fusion Figure 1-1b: SDEIS/RDEIR Figure 3-11 ("Neighborhoods and Community Facilities" from page 3-33); red outline depicts existing site for most construction, yellow area to south is Fusion

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Fusion Figure 1-1c: SDEIS/RDEIR Figure 3-32, page 3-52, regarding Noise and Vibration – the noise and the “center of the noise generating activity” would mostly come from the existing site which we have outlined in red.



Fusion Figure 1-1d: SDEIS/RDEIR Figure 3-2, page 3-4, depicting location of alternative. Red outline is site of existing Division 22 where most construction and noise would occur; Green outline is Fusion.

F



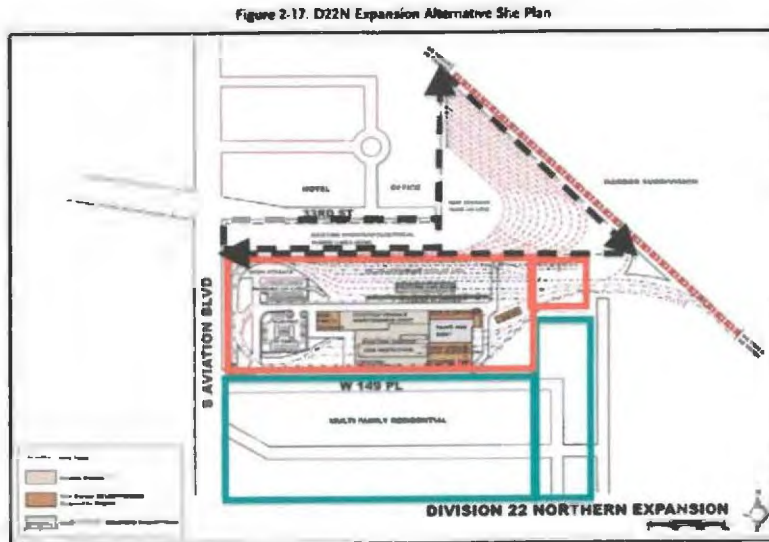
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F

Fusion Figure 1-1e: SDEIS/RDEIR Figure 3-9, page 3-27, on Displacement
Dashed Black Outline (from original) is what you have decided to call "the project." Red is area of all
planned construction except new tracks. Green is Fusion.

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Fusion Figure 1-2: Here is Figure 2-17 from the SDEIS/RDEIR; we added a bolder dashed black outline around the site your EIR calls the project since your outline was still there, but more muted, in this one instance. The site of all the proposed construction, Division 22, is outlined by us in red; our residences are outlined by us in green. The dark brown and grey buildings on the existing Division 22 site are all planned construction that is part of the project.



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F

Fusion Figure 1-3: Satellite photo of the Fusion Community and proposed distances. Numbered buildings are in the Fusion Complex. The existing MTA Division 22 Maintenance Yard is to the immediate north and west. Superimposed over existing Div. 22 is Figure 2-17, from page 2-16 of the SDEIS/RDEIR. It shows planned construction on the existing site, shaded brown and grey.

Figure 1-3 Table of Features (below)

Feature of Fusion Complex	Letter in 1-1	Approx Distances (Feet)
Residential condominium units: Building 5405	A (in white)	50 feet (from southern wall of southernmost planned building); 25 feet (from Div. 22 Property Line & exit road for construction vehicles)
Sandbox / Tot Lot	B (in black)	Approximate - 150 feet from E edge of planned paint/body shop
Backboard & Basketball ¼ Court	C (in black)	160 feet to edge of construction (paint/body, maint) 130 feet to new office structure
Residential condominium units: Building 5400	D (in white)	22 feet from existing rail lines with increased traffic 150 feet from closest new rail line
Common Barbeque/Picnic Area; Fire Lane Exit	E (white)	50 feet from sole construction/operational exit 25 feet from sole construction/operational exit
Common Pool/Jacuzzi Area	F (white)	250 feet from construction site

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Fusion Figure 1-4: Photo, from Google Earth, of distance of planned and future tracks to Division 22 site, from Northeastern-most building in Fusion complex. Distance from Patio to middle of MTA track is 22 feet.

As we detail below, the history of MTA staff's efforts to involve us in the public review of this project is minimal. We cover why we were not on notice of any of the proceedings prior to the notice regarding the development SDEIS/RDEIR, which went to one resident. *See Fusion Attachment 1-1.*

2. How MTA's Public Process on Choosing and Analyzing Maintenance Facility Alternatives Has (It Seems Deliberately) Ignored the Fusion Residents – and the Concerns That Fact Raises

The SDEIS/RDEIR, and the DEIS/DEIR before it, were prepared to comply with the California Environmental Quality Act ("CEQA"), and the National Environmental Policy Act ("NEPA"), among other requirements. CEQA was enacted one year after NEPA; both were intended to require public agency decisionmakers to document and consider the environmental implications of proposed actions *before* they were undertaken. *See, e.g.,* Pub. Res. Code 21000, 21001, *No Oil, Inc. v City of Los Angeles*, 13 Cal.3d 68, 73-75 (1974) ("*No Oil*"), *Mountain Lion Foundation v. Fish & Game Comm'n*, 16 Cal.4th 105, 112 (1997) ("*Mountain Lion*") (CEQA authorities); *see also* 42 U.S.C. 4331, 4332 (statute), 14 C.F.R. Part 1500.1 ("CEQ Regulations"), subsection (b) ("NEPA procedures must insure that environmental information is available to the public officials and citizens *before* decisions are made and before actions are taken") (emphasis supplied) (NEPA authority). Both CEQA and NEPA require agencies to follow a public process for the environmental review of projects so that the public and local agencies affected by a proposed project are informed of and can provide input into it before the agency commits to undertaking it. *See, e.g.,* Pub. Res. Code 21003(f), 21092, 21091(d) (CEQA provisions), 42 U.S.C. 4332 (statute), CEQ Regulations, Part 1500.1(b), 123 C.F.R. 771.105(c) (Federal Highway Administration and Federal Transit Administration, Environmental Impact and Related Procedures ("FTA NEPA Procedures")) (stating that it is "the policy of the Administration that . . . public involvement and a systematic interdisciplinary approach be essential parts of the development process").

The "purpose of CEQA is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind." *Bozung v. Local Agency Formation Commission*,



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13 Cal.3d 263, 283 (1975) (“*Bozung*”). The intent behind NEPA, the statute on which CEQA was modeled, can hardly be said to be anything different. See, e.g., CEQ Regulations, Part 1500.1(c) (“NEPA’s purpose is not to generate paperwork – even excellent paperwork – but to foster excellent action. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment”).

In addition to these procedural mandates, CEQA also commands that public agencies in California decline to approve projects with significant effects if there are “feasible alternatives or mitigation measures” that can substantially reduce those impacts. Pub. Res. Code 21002, *Mountain Lion*, 16 Cal.4th at 134. The California Supreme Court has made clear that “CEQA should be interpreted so as to “afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” *Friends of Mammoth v Board of Supervisors*, 8 Cal 3d 247, 259, 262 (1972) (“*Friends of Mammoth*”).

With this foundation in mind, we come to some of the fundamental problems the MTA’s process had with regard to Division 22 site selection and analysis. First, we question whether MTA and the FTA met their legal requirements for notice and consultation. We believe approval of the proposed project affects the fundamental interests of at least some residents such that notice and truly adequate predeprivation hearings are required. Even as to CEQA, MTA has not done what it might have done (and many other agencies routinely do, in the case of projects adjacent to landowners) to make a good faith effort to involve us in the process in the manner which CEQA and NEPA obviously intended. Second, MTA has already committed to construction of the part of the project that raises many of our greatest concerns regarding zoning and land use, noise, traffic, and air quality. This violates CEQA and NEPA. Third, the SDEIS/RDEIR represents an improper “piecemealing” of the project, as there are a number of plans MTA has in mind involving the expansion of the Division 22 facility, which it either has not analyzed or has not identified as parts of the other projects in question. Fourth, although CEQA in some cases allows agencies with appropriate authority and expertise to adopt “thresholds of significance” for evaluating particular potential impacts, MTA here seeks to adopt standards based on a result-oriented approach that is wildly at odds with any logical or legal foundation.

G

a. **MTA’s and FTA’s Efforts to Notify Fusion and the City of Hawthorne Regarding the SDEIS/RDEIR Certainly Were Not Calculated to Solicit Our Comment or Involvement – and May Not Have Been Statutorily or Constitutionally Sufficient**

Both NEPA and CEQA contain detailed procedures for involving “the public” in the environmental review of projects that affect them. Obviously, solicitation of comment from “the public” must mean from the public that would be affected by or concerned with a project. See, e.g., CEQA Guidelines, 15002(i) (“Public Involvement. Under CEQA, an agency must solicit and respond to comments from the public and other agencies concerned with the project”) (CEQA) (emphasis supplied); CEQ Regulations Part 1503.1(a)(4) (“After preparing a draft [EIS] and before preparing a final [EIS] the agency shall . . . [r]equest comments from the public, affirmatively soliciting comments from those persons or organizations who may be interested or affected”) (NEPA) (emphasis supplied). Additionally, both CEQA and NEPA require consultation with local agencies having jurisdiction over the proposed project. ; CEQ Regulations, Part 1506.2(d) (“To better integrate [EISs] into state or local planning processes, statements shall discuss any inconsistency of a proposed action with any approved state or local plan and laws (whether or not federally sanctioned). Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law”) (NEPA).

Notice to the Fusion Community and Residents Was Calculated Not to Involve Us. Fusion is located significantly to the South of the “Study Area” for the original DEIS/DEIR on the Crenshaw/LAX Transit Corridor. We were not targeted for notice with regard to that document, which identified the

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alternatives for LRT Maintenance Facilities.⁴ The MTA Board removed one of the proposed LRT Maintenance Sites from consideration while otherwise approving that DEIS/DEIR in December 2009 (see *Fusion Attachment 2-1*), and MTA staff apparently held one or more workshops regarding possible new Maintenance Facility alternatives in the first part of 2010.⁵ Again, however, these workshops were within the original Study Area, prepared for community members and stakeholders in the Study Area, given at facilities within the Study Area, identifying additional proposed sites exclusively within the Study Area. See, e.g., “Maintenance Facility Workshop #1 Presentation,” titled “Crenshaw/LAX Transit Corridor Study Supplemental Maintenance Facility Site Analysis, Feb. 24, 2010” from MTA Website, Slide 9 (depicting potential sites solely within Study Area) (*Fusion Attachment 2-2*). All records indicate, and the SDEIS/RDEIR largely confirms, that “the public” outside of the Study Area was not notified or involved in the maintenance site selection process until the sites to be discussed in the SDEIS/RDEIR had already been chosen, in late 2010.⁶

The SDEIS/RDEIR also mentions, at 4-1, the December 1, 2010 10 a.m. “Open House” at Del Aire Park, describing the meeting as “Briefings to update site selection process.” But even this notice was no notice at all – for two very obvious reasons.

Notice of the December 1 Open House Went to One Resident of the Fusion Complex. It is of course hard to fathom how MTA might not have reached more of us. After all, Pub. Res. Code 21092(b)(3)(C) specifies that agencies can provide notice of a draft EIR by, among other things “Direct mailing to the owners and occupants of contiguous property shown on the last equalized assessment roll.” MTA knows how to do this, because it does it all the time. And this is how MTA reached all the record owners and tenants of the parcels it is considering acquiring – by purchase or eminent domain – to attempt to negotiate purchases toward a maintenance facility alternative. The APNs of these parcels, and the identities of their tenants and owners, are included in the SDEIS/RDEIR itself, so it simply would not have been that hard to actually reach us if that had been the intent.⁷

⁴ Because this point is so obvious, and the citations to the record to prove it are so extensive, we have set out a listing of them in an Attachment to this letter, as noted earlier. See *Fusion Attachment 1-1*.

⁵ The SDEIS/RDEIR sets out what might initially look like an impressive list of meetings it says staff held to involve “the public” in selection and review of additional maintenance facility sites. See SDEIS/RDEIR at page 4-1. While the DEIS/DEIR lists five meetings on this topic which occurred prior to MTA’s having identified and reviewed the sites that were included in the SDEIS/RDEIR (*February 24, March 24, March 25, March 27, March 31, 2010*) all available records indicate that the primary focus of every meeting except the first was on station location and design in the area of the meeting, *not* LRV maintenance facility alternatives. To the extent sites were discussed, they were possible sites within the Study Area, only – as the SDEIS/RDEIR effectively concedes.

⁶ The SDEIS/RDEIR states at 4-1 that in “September 2010 through January 2011,” MTA staff held “Meetings with potentially affected individual tenants and property owners.” Since, per the SDEIS/RDEIR’s analysis, only *onsite* tenants or property owners were to be displaced (in the sense that their property would be taken either by purchase or eminent domain), we think the meetings referred to here did *not* constitute meetings with occupants of residences or businesses for purposes of CEQA or NEPA public participation. In any event, none of us have any record of having been notified.

⁷ To press the point a little further, only a few of us received notice of the March 1 Open House at the Flight Path Learning Center. Many of us signed up at, or prior to, the March 1 meeting in order to get future notices regarding the project from MTA, and last we knew a number of us had not gotten them. If notice did go out regarding the March 31, 2011 Open House in Inglewood, we should have gotten that notice, pursuant to Pub. Res. Code 21092(b)(3), CEQ Regulations, 1506.6(b)(1).

At the close of the Flight Path Learning Center Open House, the Project Manager claimed that MTA staff had acquired a “commercial mailing list” for Fusion residents, and perhaps the mailing list did not include some of the newer residents who had moved in subsequent to build-out. We find this explanation not to be credible. A number of us on the Board did not receive notices even though we are the first owners of our units. The undersigned is also an original owner, and did not receive a notice.



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However, as far as we can tell, after asking around quite a bit, as far as Fusion was concerned, the Notice of the December 1, 2010 Open House was sent to:

- *One (1) unit*
- *In which one (1) of the community's 500-plus members lives.*

This situation is particularly disturbing as there are a number of Homeowners' Associations listed in Appendix B to the SDEIS/RDEIR at B-7 from as far away as Baldwin Hills, etc. A number of these HOAs are *nowhere near* any of the proposed alternative sites. We are baffled as to why our Homeowners' Association, directly next door to Division 22, closer than any other HOA to *any* of the sites, was not notified.

G

The Notice of the Sites Selected for Review in the SDEIS/RDEIR Indicated that MTA Was Considering Development Only to Its North, and Not Adjacent to Fusion. In a fallacy that was carried out and contaminated essentially all the analysis in the SDEIS/RDEIR, the flyer accompanying the notice of December 1 Open House (that went to one resident) – entitled "Crenshaw/LAX Transit Corridor Project Candidate Maintenance Sites Selected for Environmental Review" (hereafter, "the Dec. 1 Open House Flyer," or "the Flyer") – flatly states that the site under consideration for development and the construction of new facilities *is not adjacent to Fusion or any residential development.* Although the maintenance facility purpose was "to store, maintain, repair and clean light rail vehicles," the site identified as the "Metro Division 22 Northern Expansion" was pictured as a small triangle to the *north* of the Division 22 site, and to the *west* of the BNSF right of way – a piece of property which is 150 feet from the Fusion development at its closest point.

The "Alternative" was described in this manner:

H

The Metro Division 22 Northern Expansion Alternative is approximately 3.5 acres in size and is located in the City of Hawthorne. The existing land use is industrial, and contains a public storage facility. The site is bounded by the existing Metro Division 22 Green Line Maintenance Facility to the south, the Harbor Subdivision to the east and north, and is adjacent to professional office buildings to the west. The site would only be accessed by rail from the existing Metro Division 22 Maintenance Facility to the south across the Southern California Edison Easement.

(emphasis supplied). Like the SDEIS/RDEIR that followed it, the picture above that quoted text depicts the 3.5 acre parcel to be acquired – *not* the existing Division 22 site, *not* the development that would occur on the existing site (which is most of it), and *not* the large area of Fusion that is more or less adjacent to that development.

Images of the front of the Dec. 1 Open House Flyer, and the relevant description regarding the Project and the Division 22 *Northern* Expansion, are reproduced below (See *Fusion Figures 2-1, 2-2, and 2-3*). A copy of the flyer itself is attached hereto as *Fusion Attachment 2-3*.

Finally, after the Flight Path Learning Center event, at which roughly 80 Fusion residents attended to uniformly register opposition to the Division 22 site and MTA's process in this matter, the Project Manager asked to come meet with the Fusion HOA Board at its March 9 evening meeting. Because he did so the day before the meeting, not many residents could be there, but we did meet with him. He asked for a mailing list for the community and we provided a complete listing of addresses for all units in the Fusion Community. Nevertheless, to our knowledge, no resident has received any notices from MTA as a result of its use of this list.

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Fusion Figure 2-1 –
Candidate Maintenance Sites Schedule for Environmental Review

H

Although the statements in the Flyer, insofar as they concern the acquisition of the 3.5 acre parcel, may be technically true, this far from the whole of the project that MTA is planning. The bulk of that is to happen a few feet away from us. See *Fusion Figures 1-1a-e*. This is nowhere made apparent in the Flyer's photo or text. To the contrary, it is obscured.

In short, the Dec. 1 Open House Flyer appears carefully framed to dissuade potentially interested parties (including residents of Fusion, the City Council of Hawthorne, and any regional public agencies concerned with land use planning or transit, other than MTA) from worrying about the proposed plans or looking into the matter further. Whether or not the intent of the Flyer was to mislead, it did so. We know that some of the residents of Fusion, who at some point received and eventually reviewed a copy of the Dec. 1 Open House Flyer concluded that any construction or development would occur on the U.S. Storage site, not right next to us.



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Fusion Figure 2-2 –
Project Description - Flyer p2



Fusion Figure 2-3 –
Div 22 Alternative Description & Photo – Flyer p2

H

Good Faith Efforts to Notify and Involve Division 22's Directly Adjacent Neighbors – If Not Required Under CEQA, NEPA, or Related Planning Laws – Were Nevertheless Required Constitutionally. It is true that in its most recent iteration, Pub Res Code 21092 does not require notice to all adjacent property owners for CEQA purposes, *if* there has been notice posting at the site of the proposed project *or* if notice of the EIR was published in a newspaper of general circulation. We don't know if either happened here: the RDEIR does not attach the notice that was used.⁸ The burden of proof for compliance with respect to notice is on the agency, not the public. *See, e.g., Burrtec Waste Industries v. City of Colton*, 97 Cal.App.4th 1133 (2002). If the Maintenance Facility Project involves agency approvals that require more extensive public notice than under CEQA's general notice rule, that more extensive notice would

⁸ Prominent legal commentators suggest providing notice to adjacent property owners even where CEQA does not explicitly require it - and many agencies listen to them. Providing notice to adjacent property owners, even if it is not technically required, tends to avoid the sort of controversy that has erupted here.

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have been necessary.⁹ CEQA also requires notice to adjacent landowners where certain fuels are to be burnt, or burnt in greater quantities.¹⁰

As noted above, some individual members of our community specifically signed up for notices on this project and have not gotten any. To the extent there have been notices that were not sent to them, this *does* represent a violation of the notice provisions of CEQA and NEPA, every time it happens. Pub. Res. Code 21092(b)(3), CEQ Regulations, 1506.6(b)(1).

Finally, the notice you did not give us was required as a constitutional matter. Projects which may affect the “fundamental interests” of certain persons require notice “reasonably calculated to afford affected persons the realistic opportunity to protect their interests.” *Horn v. County of Ventura*, 24 Cal.3d 605, 617-618 (1979). This is a due process standard, and when it applies, it requires a *meaningful* predeprivation hearing to affected property owners. A hearing in connection with the environmental review of a proposed project does not qualify as a meaningful predeprivation hearing. *Horn*. The property values of the Fusion residents will be severely affected by this project, particularly in its projected two-year construction phase. Other constitutional interests may be impacted as well: their simple ability to live in their homes during construction will be disrupted by noise, dust including particulate matter (PM10 and PM2.5) and diesel particulate matter (“DPM”). This right to notice may depend on whether the property owners’ interests were impacted by a “quasi-adjudicative” or a “quasi-legislative” agency decision. In a quasi-legislative action an agency makes rules, in a quasi-adjudicative action, it applies those rules to a particular situation. We are in the latter category – both because the agency supposedly is applying set criteria to a variety of possible sites, and, more importantly, because as a zoning matter, MTA is purporting to grant itself a conditional use permit for a C 1 zoned site so that it can erect ever-more nonconforming buildings and engage in ever-more non-conforming uses. The grant of a Conditional Use Permit is a clearly quasi-adjudicative function. See *Horn*, 24 Cal 3d at 617-618, see also *Cadiz Land Co v. Rail Cycle*, 83 Cal.App.4th 74, 118-120 (2000), *Neighborhood Action Group v County of Calaveras*, 156 Cal.App.3d 1176, 1186 (1984). If you wish to argue that you are granting yourself a variance instead, the result would be the same. *Topanga Ass’n for a Scenic Community v. County of Los Angeles*, 11 Cal.3d 506 (1974).¹¹

⁹ Such may be the case here either because MTA or some other state or regional agency is required to amend plans or issue other approvals in connection with this project. Such may be the case here also because Hawthorne’s approval may be required for a conditional use permit so that MTA may expand nonconforming uses and put in new nonconforming buildings on the site at Division 22, which is zoned C 1, and has been ever since MTA acquired it.

¹⁰ The SDEIS/RDEIR indicates that the planned facility will have a “transformer generator” and a “traction power substation,” SDEIS/RDEIR at 1-7 to 1-8, and that these items are part of the “Proposed Project Specific Maintenance Facility Requirements.” *Id.* at 1-7. We presume the transformer generator will run on diesel fuel and generate diesel particulate. We do not believe this was evaluated adequately or at all in terms of quantity of emissions or proximity to our residences. This should have been evaluated in the SDEIS/RDEIR if it is part of the project and it is relevant to the adequacy of statutory notice. Of course, notice may very well also have been required due to the Paint & Body Shop unevaluated in the SDEIS/RDEIR.

¹¹ Even if MTA’s decision were legislative in nature, due-process-type notice would be appropriate in an instance in which an agency’s legislative action reflected a particularized animus toward a property owner affected by that action. See *Harris v. County of Riverside*, 904 F.2d 497 (9th Cir. 1990). With all due respect, we must advise you that looking into some kind of animus seems appropriate. There was a complete lack of notice to us regarding the consideration of a Division 22 alternative until you had a ready decided to include it, and then the notice mischaracterized the proposed development in a manner that seems deliberate. Given that your Division 22 staff and management see us daily and are well aware that some of our buildings are about 50 feet from where you propose to put major new buildings, we think some sort of review regarding animus is appropriate.



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Notice and Consultation with the City of Hawthorne Was Deficient. Consultation with the City of Hawthorne, within whose boundaries MTA lies, also appears to have been inadequate. CEQA requires that public agencies engage in consultation with “responsible agencies” having jurisdiction over a resource or area – or bordering upon it – “prior to completing an environmental impact report.” Pub. Res. Code 21153, 21104. This obligation begins anew in the case of an EIR that is not certified and has to be recirculated. Pub. Res. Code 21092.1. See also CEQA Guideline 15088.5 (public agency must reinitiate “consultation pursuant to [Guidelines] Section 15086” in case of recirculated EIR). We note that with other cities, the notice of the SDEIS/RDEIR was sent to the entire City Council. In our case, it was sent to the Mayor, but not any members of the City Council or Planning Commission. We do not know the content of the notice, or when it was sent, but it was not sent to the member of the City Council who sits on the South Bay Council of Governments, it was not calculated to alert the City to the significant potential impacts from the project. The content of the DEIS/DEIR did not include our area as part of the Study Area, and even your promotional materials did not indicate that anything would occur except on the 3.5 acre site zoned “industrial,” so we do believe MTA did not give notice in a manner calculated to actually involve the City.

b. MTA Has Already Precommitted to Expansion of Division 22, Without Giving Us Notice or the Opportunity to Comment.

“CEQA requires that an agency determine whether a project may have a significant environmental impact, and thus whether an EIR is required, before it approves that project.” *Laurel Heights I*, 47 Cal.3d 376, 394, quoting *No Oil Inc. v. City of Los Angeles*, 13 Cal.3d 68, 79 (1974) (italics in original).

At its February 2011 Regular Meeting, the Board of Directors approved a Funding Agreement Term Sheet and Master Cooperative Agreement Term Sheet and authorized MTA’s CEO to execute agreements in compliance with those Term Sheets. The agreements were to be entered into with the Exposition Metro Line Construction Authority and were to identify costs to be allocated between Metro and the Construction Authority in relation to Phase 2 of the Project. A true and correct copy from the MTA’s website of the Memo to the Board of Directors from its February 2011 meeting (Item 12) reveals that the funding agreement was specifically to provide that MTA would build a Paint & Body Shop, right next door to Fusion at Division 22, about 70 feet away from residences, to service – apparently – *all the cars from the Expo Line*, since the Expo Line does not have a Paint & Body Shop. See *Fusion Attachment 2-4* (MTA February 24, 2011, Regular Board Meeting Item 12, see page 12). Based on that Board Memo, the planned (that is, committed-to) Division 22 Paint & Body Shop would be designated to service at least 47 cars from the Expo Line.

The Budget approved by the Board in connection with the Funding Agreement provided for \$11 million to be expended toward this Paint & Body Shop, starting this year with \$500,000. *Id.* at 29. While we do not seem to be able to find a copy of the agreement entered into online, we know it was executed according to numerous news reports. We think the agreement may have actually assigned the cost for the Paint & Body Shop to the Construction Authority – but it apparently has not changed its location. Metro and the Construction Authority have precommitted to construct a giant Paint & Body Shop right next door to us, without any environmental review. *Fusion Attachment 2-5* (Expo Construction Line Authority Memo to Board and Press Release re Conclusion of Agreement, March 2011). We’re not exactly sure why that change was made – perhaps because precommitting to a project might present a CEQA/NEPA problem. It does. But getting another agency to do it for you – particularly a different agency, when it is pursuant to an agreement you entered into with that other agency? . . . Well, we aren’t sure that is any better.

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The images below (*Fusion Figure 2-4*) are just excerpts of the key paragraphs of the Term Sheet (*Fusion Attachment 2-3*) approved by the MTA Board on which MTA’s CEO relied in order to fund the placement of the Paint & Body Shop next door. And to agree with another agency that that was what MTA would do.

4. LACMTA shall incur costs and expenses for the Expo Project Phase 2 and the .RV Project as set forth below (the “LACMTA Project Costs”).

...

B. The LACMTA Project Costs are to be used solely for:

...

ii. Cost and expense for LACMTA to design and construct a new Body Repair and Painting Facility at the Green Line Storage and Maintenance Facility located at Division 22, otherwise known as Hawthorne Yard. Since the O & M Facility to be provided as part of Expo Project Phase 2 will not include a body and paint shop, these costs at Division 22 are part of the LACMTA Project Costs.

K

Fusion Figure 2-4: Excerpts from MTA-approved form of agreement with Expo Construction Authority (see also our Attachment 2-4)

This sort of precommitment to a project makes CEQA and NEPA review meaningless. *See, e.g., Save Tara v. City of West Hollywood*, 45 Cal.4th 116, 132 (2008), *Riverwatch v. Olivenhain Municipal Water Dist.*, 170 Cal.App.4th 1186 (2009). In *Save Tara*, the California Supreme Court made clear that a CEQA compliance condition would not save an agency agreement from challenge if the agreement, viewed in light of all the surrounding circumstances, commits the public agency as a practical matter to the project.” As the Supreme Court noted, “a public entity that, in theory, retains legal discretion to reject a proposed project may, by executing a detailed and definite agreement with the private developer and by lending its political and financial assistance to the project, have as a practical matter committed itself to the project.” The Court concluded that it had “emphasized the practical over the formal in deciding whether CEQA review can be postponed, insisting it be done early enough to serve, realistically, as a meaningful contribution to public decisions.” *Save Tara*, 45 Cal.4th at 135.¹²

While MTA entered into a contract with another public agency, not a private party, the effect is the same. The agency committed to using public funds (at least some of which funds obtained through the Measure R sales tax) to constructing a facility that should never have even been considered as an alternative. And it committed those funds without having done the required environmental review.¹³

¹² There is no specific CEQA compliance condition in the Funding Agreement Term Sheet, and, as we said, we have been unable to obtain a copy of the executed Funding Agreement itself, although we know that it exists. There are a couple of opaque provisions that may be interpreted as referring to or calling for CEQA compliance. If they call for it in the future, they would have to satisfy the tests set out in *Save Tara*. If they refer to past CEQA/NEPA compliance then that review would have to have been conducted by the appropriate agency in a process that reached out to and involved all affected stakeholders, including, in the case of expansion of Division 22, us, and the City of Hawthorne, etc.

¹³ One wonders whether, if MTA were to approve the Division 22 project in whole or in part, and Fusion’s HOA chose to challenge it in court on behalf of its residents, the HOA would be in the unenviable position of having to pay its own litigation costs during the proceeding, and MTA’s by virtue of the Measure R sales tax. Would those of us in the complex who voted for Measure R do so again knowing that our funds would be spent in this manner? Maybe not.



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Finally, whether MTA is a responsible agency or a lead agency with regard to the Paint & Body Shop as a result of this agreement makes not a bit of difference under *Riverwatch*.¹⁴

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c. **MTA Has Improperly “Piecemealed,” or Segmented, Its Review of the Division 22 Expansion So As to Minimize or Fully Avoid Analysis of Its Likely Environmental and Public Health Impacts**

The SDEIS/RDEIR purports to analyze the expansion of Maintenance Facility Capacity in connection with – as one might expect – the construction of the Crenshaw/LAX transit project. However, in an effort to “kill two birds with one stone” – or maybe three or four – MTA is actually seeking approval for expanded rail capacity for the construction of *multiple* new lines and expansions. The SDEIS/RDEIR states,

In December 2010, the Metro Board adopted a consolidated development strategy for maintenance facilities associated with the expansions of the Metro Green Line and the three new transit extensions – the Crenshaw/LAX Transit Corridor, the South Bay Metro Green Line Extension, and the Metro Green Line Extension to LAX. *In order to accommodate future growth of all these lines*, consideration is being made for the maintenance facility to have a base capacity of 45 LRVs and to eventually expand the maintenance facility to accommodate up to 70 LRVs.

L

SDEIS/RDEIR at 1-1 (emphasis supplied). When read in context with background MTA documents approved by the Board already, it is clear that MTA plans to expand the use of the chosen site here far beyond that required for the Crenshaw/LAX Extension. At a minimum, it seems the project for a maintenance facility involves potentially *all train cars from the Green Line, as extended to include all three of the new projects* – not just Crenshaw. MTA Memo to Board, December 2010, *Fusion Attachment 2-6*, at 2.

Additionally, it appears that the Maintenance Facility alternatives addressed in this SDEIS/RDEIR are meant to cover – apparently – the underserved maintenance needs of *four existing and expanded Metro Light Rail Lines as of 2018: (1) the Green Line (expanded by three or four projects), (2) the Gold Line (which needs a paint & body shop), (3) the Blue Line, and (4) the Expo Line (phases 1 and 2)*. See SDEIS/RDEIR at 1-6 to 1-8; see also Table 1-3 at 1-7.

While the SDEIS/RDEIR asserts that all the needs assessed are those of the Crenshaw/LAX project, we question whether the document accurately analyzes the impact in terms of volume of trips to and storage at the Division 22 site. Indeed, the document asserts – or at very least suggests – that most or potentially all Paint & Body Shop work for the excess capacity on all four lines would be serviced by Division 22. SDEIS/RDEIR at 1-4 through 1-7. Even if the storage for cars at Division 22 (as expanded) would be limited to 60, or 70, or 90 cars (depending on various scenarios mentioned), the additional traffic of rail cars into and out of the facility could be staggering if facilities at Division 22 are relied on for maintenance needs, including heavy repair and paint and body work, for all these lines – as expanded.

“Piecemealing” and “Segmentation” are alternate terms that refer to the situation in which an agency cuts a project into smaller pieces rather than reviewing “the whole of [the] action.” It is prohibited under both CEQA, *see, e.g.*, Pub. Res. Code 21159.27, and NEPA, since the result is that the environmental effect of the whole project may never be fully analyzed, and certainly may not be before the first parts of the project are undertaken and committed to.

¹⁴ One last note: we did not get notice of the DEIS/DEIR on the Expo Phase 1 or Phase 2 projects. We hear the Phase 1 environmental review was recently finalized and has been challenged. We were not part of the study area and we don’t believe that document reviewed the environmental impacts of a Paint & Body Shop.

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The words used in a foundational case on segmentation with regard to the environmental review of the Port of LA are applicable here. In response to agencies' efforts to break analysis of a container terminal into three phases, the Court of Appeal wrote,

This case goes to the first principles of CEQA. The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, covering the entire project, from start to finish. *This examination is intended to provide the fullest information reasonably available upon which the decision makers and the public they serve can rely in determining whether or not to start the project at all, nor merely to decide whether to finish it. The EIR is intended to furnish both the road map and the environmental price tag for a project so that the decision maker and the public both know, before the journey begins, just where the journey will lead, and how much they – and the environment – will have to give up in order to take that journey.*

Here, the [MTA and the Expo Transit Authority] have reduced CEQA to a process whose result will be largely to generate paper to produce an EIR that describes a journey whose destination is already predetermined and contractually committed to before the public has any chance to see either the road map or the full price tag. . . . [T]his is segmentation of the project and a *per se* violation of the statute.

Natural Resources Defense Council v. City of Los Angeles, 103 Cal.App.4th 268, 271-272 (2002) (emphasis supplied).

As noted in the Section 2.b of this letter immediately above, MTA's agreement with the Expo Construction Authority is a precommitment that violates other precepts of CEQA and NEPA – but as a precommitment that was not reviewed as a part of this SDEIS/RDEIR, it is also evidence of piecemealing. In the particular case of the construction of the Paint & Body Shop, the agreement calls for the construction of infrastructure that would have the "cumulative impact of opening the way for future development." *City of Antioch v. City of Pittsburg*, 187 Cal.App.3d 1325, 1333-1334 (1986).¹⁵

Why does it matter that MTA is trying to evaluate filling its maintenance needs for other Green Line projects – and for other Metro Rail line needs – with this SDEIS/RDEIR? Of course there is nothing wrong with efficiency – but it should be pursued in compliance with CEQA. If MTA wants to fulfill all these needs with a single maintenance facility, it should have a full public process that frankly addresses that point. That did not happen here. In preparing and circulating a DEIS/DEIR, state and federal agencies need to go through a scoping process and consultation process that is not fully replicated in the context of a *Supplemental DEIS / Recirculated DEIR*; it was not fully replicated in this instance. A number of the Scoping and Consultation requirements simply were *not* followed here. CEQA and NEPA include those procedures so as to involve all interested stakeholders from *all* affected communities on the development of alternatives *as well* as the commenting stage. This is one reason why precommitment and segmentation are prohibited. Another reason – as the Court noted in *NRDC* – is that it makes it very difficult to assess what the true impacts of the full project will be. Both potential concerns fully play out here.

¹⁵ The SDEIS/RDEIR and its Appendices are truly schizophrenic as to whether or not those documents intend to provide environmental review of the Paint & Body Shop. We will address this in Section 3.c of this letter below. However, even if the SDEIS/RDEIR had conducted environmental review on the Paint & Body Shop, and even if that review were adequate, MTA precommitted to the project by planning for and entering into a contract with the Expo Line Construction Authority to build it in advance of actually considering the results of that review.



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d. MTA Has Improperly Relied on "Regulatory Thresholds" in a Manner That Violates Established CEQA Precedent

One of the most litigated aspects of CEQA is the degree to which other regulatory standards can inform an agency's conclusion as to whether or not an environmental impact is or may be significant. Since a finding that an impact is or may be significant plays a critical role under CEQA, "[a] long line of the Courts of Appeal decisions holds . . . that the impacts of a proposed project are ordinarily to be compared to the actual environmental conditions at the time of CEQA analysis, rather than to allowable conditions defined by a plan or regulatory framework." *Communities for a Better Environment v. South Coast Air Quality Management District*, 48 Cal.4th 310, 321 (2010), (citations omitted).

Similarly, and perhaps even more to the point, in *Communities for a Better Environment v California Resources Agency*, 103 Cal.App.4th 98,(2002) the state Court of Appeal in Sacramento invalidated the California Resources Agency's former version of Guidelines 15064(h)(3), which had provided that a lead agency should rely on a "threshold" promulgated by another agency with jurisdiction unless there was (1) a statutory mandatory finding of significance, (2) a conflict in thresholds between agencies with jurisdiction, or (3) the lead agency found the standard was not based on substantial evidence. The Court found that the Guideline improperly limited the duty of a lead agency under CEQA, because the Guideline mandated "the application of an established regulatory standard in a way that forecloses the consideration of any other substantial evidence showing that there may be a significant effect." 103 Cal.App.4th at 114.

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Thus, MTA cannot rely on another agency's regulatory standard or permit process to refuse to do analysis regarding how the environment will change as a result of the project.

With regard to NEPA, "One agency cannot rely on another's examination of environmental effects under NEPA" – it is not proper simply to rely on another agency's grant of a permit to conclude there is no possible significant environmental effect. *Southern Oregon Citizens Against Toxic Sprays v Clark*, 720 F.2d 1475, 1480 (9th Cir. 1984). Additionally, under NEPA federal agencies must deal more forthrightly with possible impacts in the event of scientific uncertainty.

3. Why the Environmental and Public Health Analysis in the SDEIS/RDEIR is Deeply Flawed.

We will break down our comments on the SDEIS/RDEIR's analysis of public health and environmental matters into the seven categories where we believe its failures are the most glaring: (1) Significance of Impacts, given that the document misrepresented the affected environment (that is, the nature and density of the Fusion residential site), the location and nature of the project, (2) Analysis of Alternatives regarding Maintenance Sites, (3) Air Quality Impacts from the Proposed Facility (Both for Construction and Operation), (4) Noise Impacts from the Proposed Facility (Both for Construction and Operation), (5) Land Use Planning Consistency and Zoning, and (6) Traffic Impacts, both during Construction and Operation, and Public Safety, (7) Cumulative Impacts, including Those of Electromagnetic Fields.

N

a. For Division 22, the Consideration of Significant Impacts Did Not Consider the Whole of the Expansion Project.

As noted in our discussion of segmentation, in Section 2.c. of this letter, MTA understated the impacts of this project by failing to analyze all the reasonably foreseeable development and use at Division 22 should the use of that site be approved. Under CEQA, an EIR "must include an analysis of the environmental effects of future expansion or other action if (1) it is a reasonably foreseeable consequence of the initial project, and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." *Laurel Heights Improvement Ass'n v.*

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Board of Regents, 47 Cal.3d 376, 296 (1988). See also Pub. Res. Code 21065. The Division 22 project meets this standard for many reasons previously mentioned.

As noted, the SDEIS/RDEIR misrepresents the Division 22 project and its impacts by repeatedly contending that the project is only the acquisition and development of the 3.5 acre parcel. This characterization badly skews its assessments of impacts with regard to, at the very least, alternatives, its discussions of land use, zoning and the division of existing communities, air quality, hazardous materials¹⁶, and noise (construction noise at least, probably operational noise as well).

Finally, the SDEIS/RDEIR mentions components of the present maintenance facility project at the existing Division 22 site which it has not assessed in adequate detail at all. Into this category fall impacts from a permanent paint & body shop for rail cars from both the Green Line and the Expo Line which would emit toxic air pollutants headed toward our toddlers using Fusion's only playground, just over the boundary line wall. Additionally, apparently there is a planned "transformer/generator" for operational use on the site – we don't know how big it is, what it will run on, or how often it will run. We suspect it will run on diesel fuel, meaning that it will emit diesel particulate matter ("DPM"), another toxic air contaminant. Again, we don't know.

Other anomalies or false statements: (1) The SDEIS/RDEIR asserts that the complex is made up of 18 "two story buildings" when they are four story buildings – apparently because this helps minimize impacts in the Visual Impacts section, or perhaps with regard to noise impact assessments. See, e.g., SDEIS/RDEIR at 3-38. (2) It asserts that there is no pedestrian or bicycle traffic past the facility on Aviation, see SDEIS/RDEIR at 3-2, 3-7, when there is quite a bit – from Fusion and surrounding areas – and that traffic is affected by vehicle traffic in and out of Fusion and the Maintenance Facility (and will be more affected by increased traffic and construction traffic were MTA to approve the project at this site).

b. **MTA's Alternatives Analysis Lacks Logical Coherence**

Both CEQA and NEPA Require Adequate Alternatives Analysis. CEQA and NEPA both require a thorough analysis of alternatives – for two very important reasons. First, it is only through an analysis of alternatives that the decision-making body or acting agency can consider environmental effects and less damaging options. Second, both recognize that it is the public's right to understand and participate in this process.

CEQA's Standards. According to Guidelines 15026.6, the "key question" in considering alternative sites is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. "Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered." *Id.* If no alternative is feasible, the EIR should explain why, and "where a previous document has previously analyzed a range of alternatives," the agency should look to that previous document for guidance. *Id.* Thus, avoiding the significant environmental effects of a project, not "economic feasibility," should guide an agency's selection and analysis of alternatives. *Friends of Eel River v. Sonoma County Water Agency*, 108 Cal.App.4th 859 (2003), *San Franciscans Upholding the Downtown Plan v. San Francisco*, 102 Cal.App.4th 656 (2002). MTA most definitely did not follow these rules.

In *Laurel Heights I*, 47 Cal.3d 376, the California Supreme Court made clear that an agency's alternatives analysis must be meaningful and transparent, emphatically rejecting the arguments by the Regents of the University of California that they had done enough:

¹⁶ In the hazardous materials section the SDEIS/RDEIR actually characterizes a potentially hazardous underground storage tank on the existing Division 22 property as an "offsite" hazard – even though, for all we know, it is directly underneath the area where MTA needs to do excavation and grading for construction. Cf. *McQueen v. Board of Directors*, 202 Cal.App.3d 1136 (1988).



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The Regents argue that alternatives had already been considered and found to be infeasible during the University's various internal planning processes and that an EIR need not discuss a clearly infeasible project alternative. The Regents apparently believe that, because they and UCSF were already fully informed as to the alleged infeasibility of alternatives, there was no need to discuss them in the EIR.

The Regents miss the critical point that the public must be equally informed. Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. We do not impugn the integrity of the Regents, but neither can we countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the environmental consequences of action by their public officials. 'To facilitate CEQA's informational role, the EIR must contain facts and analysis, not just the agency's bare conclusions or opinions.' 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.

47 Cal.3d at 404-405 (some emphasis in original; further emphasis supplied; multiple citations omitted).

The Court made profoundly clear that its ruling rested on the lead agency's duty to the public under CEQA:

Even if the Regents are correct in their conclusion that there are no feasible alternatives to the Laurel Heights site, the EIR is nonetheless defective under CEQA. As we stated in a context similar to CEQA, *there must be a disclosure of the "analytic route the . . . agency traveled from evidence to action."* . . . An EIR's discussion of alternatives must contain analysis sufficient to allow informed decision making.

47 Cal.3d at 404 (emphasis supplied), citing *Topanga Assn. for a Scenic Community v. County of Los Angeles*, 11 Cal.3d 506, 515 (1974) ("*Topanga*"), and *San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino* 155 Cal.App.3d 738, 751 (1984). See also *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, 27 Cal.App.4th 713 (1994), *City of Sanjee v. County of San Diego*, 214 Cal.App.3d 1438 (1989), and *Kings County Farm Bureau v City of Hanford*, 223 Cal.App.3d 692 (1990).

The NEPA Parallel. Under NEPA, an alternatives analysis serves the same role, and must provide "substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits." 40 C.F.R. 1502.14(b).

The DEIS/DEIR and SDEIS/RDEIR Disclose that MTA Did Not Follow An Analytic Route from Evidence to Action – At Least, Not One that Qualifies Under CEQA. In *Topanga*, the Supreme Court ruled that an agency action must be based on findings, so as to assure "orderly analysis and minimize the likelihood that the agency will randomly leap from evidence to conclusions," to "enable the reviewing court to trace and examine the agency's mode of analysis," and to "persuade the parties that the administrative decision-making is careful, reasoned, and equitable." 11 Cal.3d 506, at 516-517. The alternatives analysis process in the SDEIS/RDEIR and DEIS/DEIR before it does not stand up by any of these standards, and it does not stand up under CEQA.

The "Tiered Screening Process" Was Neither Tiered, Nor a Screening Process. The SDEIS/RDEIR breaks the alternatives analysis process up into essentially five phases, which it seeks to suggest were "tiered" in a logical order.

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- **First**, two of the sites considered in the DEIS/DEIR were rejected at the Board's December 2009 meeting. SDEIS/RDEIR Section 1 ("Purpose and Need"). We don't know what happened as to the other two. SDEIS/RDEIR at 2-1 to 2-4.
- **Second**, sixteen sites were identified and reviewed in early 2010 in workshops staff held with involving members of the community consulted on the original Crenshaw/LAX project. Division 22 was not on this list, nor were any other sites from outside the original Study Area. No scoping or consultation process took place such as would have happened for an EIR/EIS.
- **Third**, apparently, as a result of that process, using the twelve criteria, the list of sixteen was cut down to eight. Division 22 was not on the list of eight. SDEIS/RDEIR at 2-4.
- **Fourth**, the "Project's Technical Advisory Committee" cut the list of eight down to four based on unidentified technical planning concerns. Division 22 was not on the list of four. The four sites that remained on the list as of that time, however, had (at least according to the SDEIS/RDEIR) gotten there as a result of the screening criteria identified in Table 2-2 of the SDEIS/RDEIR. SDEIS/RDEIR at 2-4 to 2-5.
- **Fifth**, apparently the Technical Advisory Committee chose to eliminate two more of the original sixteen sites, so there were only two left. Then it added two more that had never been screened to begin with. **IT IS THE FOUR RESULTING SITES – TWO SCREENED EXTENSIVELY UNDER THE ORIGINAL CRITERIA, AND TWO THAT WERE NEVER MADE TO MEET THOSE CRITERIA – THAT ARE EVALUATED IN THE SDEIS/RDEIR.** SDEIS/RDEIR at 2-5 to 2-6.

Thus, the two sites the Technical Advisory Committee identified were never subject to review under the original criteria identified by at least some members of the public, nor (in the case of Division 22) do we meet those criteria. None of the four sites have been subject to a CEQA/NFPA scoping or consultation process, and only two have been subject to any review by members of the public at all.¹⁷ were suddenly added based upon "potential economic effects," which apparently meant "potential economic effects to MTA's capital budget." The stated reasons for adding Division 22 and the Redondo site were (see SDEIS/RDEIR at 2-6):

- o **Right of way acquisition costs**
- o **Connection costs**
- o **Displacement of jobs/residents and difficulty of relocating existing businesses.**

The SDEIS/RDEIR concedes that not only were the new sites added without meeting the original screening criteria, but the Technical Team *also* apparently decided that a smaller footprint could meet the needs of the maintenance facility. Nevertheless, it went forward with the previously unscreened Division 22 and Redondo sites, and it did not go back to reconsider any of the other 18 sites screened out on the basis that a new smaller footprint would do.

The Only Identified Basis for Eliminating Sites B and D Was Politically Powerful Opposition. As the SDEIS/RDEIR notes, MTA's Board first considered alternatives for a maintenance facility site in connection with the Crenshaw/LAX project in the DEIS/DEIR. This is how the SDEIS/RDEIR summarizes what happened:

¹⁷ The only public process the SDEIS/RDEIR refers to for this phase is "meetings with key property owners and tenants." In some cases, perhaps, since MTA was the landowner involved as well as the project proponent, these were meetings between MTA and itself. SDEIS/RDEIR at 2-6, 2-7. There is no mention of any meetings or attempts to contact residents at Fusion or the City of Hawthorne. To the contrary, it appears to us that all efforts were calculated to obscure the process from us for as long as possible.



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Based on the analysis, the four potential maintenance facility sites were ranked [with B and D being the preferred choices]. Site A and Site C were screened out based on the criteria and Site B and Site D were evaluated in the DEIS/DEIR. *During circulation of the DEIS/DEIR, Site D and Site B elicited local opposition from some, including municipal officials, elected representatives, and abutting business and property owners.*

To try to address and resolve these concerns, the Metro Board directed that Sites D and B be removed from further consideration and an additional alternative maintenance facility sites [sic] be evaluated.

SDEIS/RDEIR at i-4.

"The criteria" that the SDEIS/RDEIR refers to in the above passage was a list of seven standards included in Table 2-3 from the DEIS/DEIR.

- Size and Proximity,
- Land Use and Zoning,
- Land Ownership,
- Buffers,
- Potential Expansion,
- Community Disruption, and
- Preemption of Most Valuable/Best Use.

DEIS/DEIR at 2-18.

Sites B, C and D all were zoned industrial, B and C required demolitions. Sites C and D did not require buffers from residences. Sites B and C would have had moderate community disruption, and D would have low disruption. D was judged by staff to be the least likely to preempt a better use. As far as we can tell, the site has not been developed. We cannot tell who owns it. It is bordered by train tracks used by BNSF for transporting material on behalf of Chevron's refinery nearby. A parcel to the south is industrial and use has been for some time. A parcel somewhat to the north is now occupied by a shopping center. We believe the site is either owned or rented by a large railroad or a large oil company.

Sites B and D were indeed eliminated by the Board at the December 2010 regular meeting, for reasons not explained in the Minutes of that Meeting. The only explanation offered for the elimination of these sites in the SDEIS/RDEIR or anywhere that we have found is that they were politically unpopular.

After mapping the sites identified it also appears that sites A and C were not revisited in 2010.

The Division 22 Site Never Met the Original 12 Screening Criteria – and It Cannot. The SDEIS/RDEIR notes that the 2010 process started with 12 screening criteria that all sixteen of the initial sites met. Those criteria included proximity to residences. Had the D22N site been among the sites proposed for evaluation in 2010, it would never have met the initial screening criteria. Among the early sites, any of these conflicts was considered a fatal flaw and that site was removed from consideration. Quoting directly from the SDEIS/RDEIR, with numbering added here for comparison purposes:

Initial Screening

After the identification of initial sites, a screening process was initiated that considered the following evaluation criteria:

- [1.] Minimize Impacts to Residential Areas
- [2.] Minimize Potential Noise Impacts

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- [3.] Compatible with Adjacent Land Uses and Adopted Plans
- [4.] Minimize Displacement
- [5.] Construction Cost Effectiveness
- [6.] Accessibility of Site to Workers
- [7.] Minimize Traffic Disruption
- [8.] Accessibility to LRT Tracks
- [9.] Adequate Size and Shape
- [10.] Minimize Impacts to Other Transportation Facilities
- [11.] Minimize Impacts to the LRT System
- [12.] Ease of Land Acquisition

These evaluation criteria were used to eliminate unacceptable sites.”

SDEIS/RDEIR at 2-4, *see also id.* at 2-5 (Table 2-2). As a result of this initial screening, eight sites allegedly had fatal flaws, and they went on from there. SDEIS/RDEIR at 2-4, 2-5.

How would the D22N site have stacked up against these screening criteria? Let’s review:

- 1-fail (would affect 280 homes directly adjacent to the south)
- 2-fail (sensitive receptors as close as 22 ft from operational activity)
- 3-fail (The MTA facility would be the only truly industrial use in the area)
- 4-fail (certain to disrupt and possibly displace 280 households due to inverse condemnation and one storage business)
- 5-pass (one of only two redeeming characteristics of this site)
- 6-fail (construction and employee traffic has an entrance on an already congested street with no traffic control device)
- 7-fail (Aviation cannot handle existing traffic without severe congestion)
- 8-pass
- 9-fail (does not meet any of the size and shape criteria in the initial sourcing criteria and allows no room to expand to meet future needs)
- 10-fail (severe disruption to vehicular traffic on a major north-south traffic corridor)
- 11-fail (construction at the existing yard would undoubtedly disrupt existing maintenance functions)
- 12-pass (MTA already owns most of it.)

By no means does this history represent a logical process or a process as to which the public was able to trace the route from analysis to action that its decision makers took. Perhaps that is deliberate. But we do not expect it to stand up under review by either members of the public, or the Courts.

c. **MTA’s Air Quality Projections Are Flawed – Both as to the Project’s Construction and Operational Phases**

Why It is Impossible To Test or Assess the Document’s Assertions on Air Quality – and They Do Not Amount to Full Disclosure. The SDEIS/RDEIR’s discussions of Air Quality impacts are almost completely unintelligible, and they hide what looks to be a lot of important information that should most definitely have been the subject of CEQA review, regional review, federal review, *and* review by the City of Hawthorne. It is for this reason that the exclusion of Hawthorne from this process is particularly egregious.

The SDEIS/RDEIR reaches contradictory conclusions on significance of air quality impacts.

There are multiple segments scattered throughout the SDEIS/RDEIR on air quality impacts. There are two portions of the SDEIS/RDEIR itself. Then there are a couple of appendices that address it – the second half of Appendix C consists of hundreds of pages of raw computer model printouts regarding air quality, with



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virtually no explanation as to inputs or assumptions. Finally, Appendix D sets out “regulatory thresholds,” and contains 4 pages regarding allegedly applicable regulatory “thresholds” on Air Quality.

Working our way through them, it *appears* that Section 3.6 of the DSEIS/RDEIR itself covers Air Quality operationally, and Section 3.16 covers construction impacts.¹⁸ Looking at significance findings through the document we find this:

- Section 3.6 (possible “operational” analysis) says none of the sites will lead to significant air quality impacts. DSEIS/RDEIR at 3-45, 3-48, Tables 3-14 and 3-15.
 - o The “Summary Table” at the beginning of the SDEIS/RDEIR is consistent with that. SDEIS/RDEIR at S-5.
- Section 3.16 (which is “construction” analysis, mostly, it seems) states at Table 3-41 (SDEIS/RDEIR page 3-102) that construction air quality impacts will *not* be significant at Division 22 under *either* the analysis of Localized or Regional Impacts. And it contrasts this with the situation for two of the other alternatives (Sites 14 and 15), where it posits that PM₁₀ and PM_{2.5} impacts *will* be significant. SDEIS/RDEIR at 104, Table 3-42.
 - o However, this time, the Summary Table, SDEIS/RDEIR at S-8, is *not consistent*, stating there will be a “*Significant and Unavoidable Impact.*” SDEIS/RDEIR at S-8.
 - o *The inconsistency is a violation in and of itself* is improper under CEQA, as that is what sets all review as to what the impact is and how it is to be mitigated.

This makes all the analysis in the SDEIS/RDEIR of air quality impacts which relied upon the data and models in Appendix C completely invalid. Again, the discussion is obtuse but we think that means all analysis as to operational and construction impacts for either criteria pollutants or VOCs. The reader of the SDEIS/RDEIR is simply told in the end that the air quality impacts to Fusion from construction (not operation) would be “significant and unavoidable.” But that level of information is not adequate for purposes of CEQA or NEPA for an EIS/EIR.

The Raw Computer Model Runs Are Not Substantial Evidence. As noted above, Appendix C part 2 contains hundreds of pages of printouts of analysis of potential impacts from criteria pollutants at the four sites, supposedly relating to both operational and construction air quality impacts. The models assess potential exposure of “receptors” at the sites to the criteria pollutants (Carbon Monoxide, Ozone, NO₂, PM₁₀, PM_{2.5}, and Reactive Organic Gases (ROGs), which we assume may be a stand-in for Volatile Organic Compounds (VOCs). There are numerous underlying assumptions that go into these runs that are not disclosed. Without that disclosure it is impossible to validate their conclusions. Some of the assumptions that are disclosed invalidate the conclusions reached – but others that are relevant remain missing.

The Significance Thresholds You Purport to Adopt Are Invalid and Self-Serving. Air quality regulation happens at the federal, state, regional, and local levels. Unless some sort of preemption applies, all of these levels of authority are important and need to be addressed. The SDEIS/RDEIR did not do this, and seems mostly to have just applied the most lenient standard. Appendix D on thresholds states:

This section examines the affected environment related to air quality. The analysis was based on a combination of federal and local guidance. *The toxic air contaminant assessment was based on the 2006 Federal Highway Administration (FHWA) Interim Guidance on Air Toxics Analysis in NEPA documents.* The transportation conformity analysis was based on a compilation of guidance documents published by the FHWA.

¹⁸ It’s not clear, for one, because the GHG impacts discussion covering construction is in the 3.6, the section that mostly seems to discuss operation.

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The localized analysis was based on South Coast Air Quality Management District (SCAQMD) guidance.

SDEIS/RDEIR, Appendix D at 6-1 (emphasis supplied). While there is nothing wrong with assessing impacts in part with the authorities listed above, they cannot provide thresholds.

Air Toxics. The notion that a FHWA document can provide a CEQA threshold is rather astounding. Even if there were preemption there would have to be analysis. There are stringent Toxic Air Contaminant rules at the state level and rules that SCAQMD has in place to carefully limit the placement of new Toxic Air Contaminant Facilities. There are entirely valid and important rules that Hawthorne has put in place to protect residents, just as any other municipality does. The FTA may require assessment of toxics for NEPA purposes using the FHWA Manual, perhaps (albeit as a "floor," rather than as a ceiling. see CEQ Regulations, 1502.16), but that does not preclude MTA's duty to apply state, regional and local analysis and to follow state, regional, and local rules to protect public health and safety. Both SCAQMD rules and local zoning rules provide standards by which you need to assess the proposed actions. The agency was required to consider those local plans under both CEQA and NEPA. See CEQ Regulations at 1502.16.

Particulate Matter. Again, local zoning provides a relevant standard. That zoning is there to prohibit exposure to excessive dust in residential areas. That zoning would preclude the proposed project. Both PM₁₀ and PM_{2.5} need to be evaluated. We are unsure that the URBFMIS model you relied on, or the way in which you gave it inputs, adequately calculates the resulting PM₁₀ or PM_{2.5} emissions. We are not sure that the mitigation factor it relies on for SCAQMD rule compliance "per acre" is appropriately applied here or that it would lead to the same results regarding both types of pollutants.

VOCs. With regard to VOCs, to the extent this is what ROG_s represent in your models, this is not something that should be eliminated from evaluation based on a regional "threshold" from SCAQMD alone. Again, Hawthorne has authority, and would not support this project.

Permitting. Again, reliance on a future permit does not permit an agency to avoid conducting CEQA analysis of the likely impacts of the project. That pre-commitment assessment is also required, so that agency decision makers carefully consider the effects of their action on the environment and those who inhabit it, and so that the members of the public whom those decision makers are accountable to have the ability to consider them as well. *CBE v. SCAQMD*.

Failure to Conduct Risk Assessments. MTA is required to conduct risk assessments regarding Toxic Air Contaminants emitted by the project's construction or operation under state law. We understand this measure to be mandated in the case of Toxic Air Contaminants by the California Department of Public Health and various provisions in the Health and Safety Code. The fact that those assessments may be part of a future SCAQMD permitting process does not allow you to defer those assessments until later, as they are an important part of the CEQA review of this project. We note that had you started this project before doing this review, you would have had to provide all Fusion residents with notice. See, e.g., South Coast Air Quality Management District Rules 1401, 1401.1, and 212, regarding the construction of new facilities that may emit Toxic Air Contaminants located between 500 and 1000 feet of school and requiring and numerous other provisions in Title XIV and relating thereto. Risk assessments provide the detail that makes CEQA review meaningful, and they should be made available to the public before the agency commits to a project.

Construction. As to construction there are numerous DPM-emitting items of heavy construction equipment and trucks. You acknowledged this and did some review as to the particulate emissions of these vehicles and machinery but not the much more concerning DPM. We are uncertain whether the asbestos removal or demolition of concrete structures also triggers risk assessment procedures; in any event that analysis seems lacking. You make the statement that you do not have to evaluate cancer risk because SCAQMD requires a cancer risk assessment for DPM as a Toxic Air Contaminant based on an assumed 70-

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year exposure period, and exposure to DPM as a result of construction will only last two years. SDEIS/RDEIR at 3-105. We had not understood health risk assessments to be unnecessary under SCAQMD rules if the opponent of the project cannot show that a receptor will be exposed to a pollutant for 70 years. Such a reading may be contrary to state law even outside of that in CEQA. The 70-year individual cancer risk assessment is meant to simply provide a standard. See, e.g., South Coast Air Quality Management District Rule 1401(c), discussing MICR (Maximum Individual Cancer Risk) (MICR "is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over a period of 70 years for residential receptor locations.") Calculation of the risk level *does not* require likelihood or even probability of exposure for 70 years. We doubt SCAQMD reads the rules the way you do, and if it does, we question the legality of those rules, particularly if they are used as thresholds.¹⁹

Operation. As to operation, the project involves a Paint and Body Shop that almost certainly would be regulated under Title XIV of SCAQMD's rules. Such facilities, even much smaller ones, emit highly toxic pollutants including hexavalent chromium. Additionally, you say that operation will involve a transformer generator which likely runs on diesel and generates its own DPM.

Timing. Again, the fact that risk assessments may be conducted is supplemental to CEQA. If you want to do them with SCAQMD after your CEQA review perhaps that is OK, but you should do them twice in that instance. Even if MTA wishes to evade review of the risks under CEQA, FTA would have to look into these impacts under NEPA. See 40 C.F.R. 1502.22.

The SDEIS/RDEIR Significantly Underestimates Construction Impacts to Fusion In Other Respects As Well. From what we can discern, the assessment of construction impacts in the computer model runs for the criteria pollutants and ROG's were based on several assumptions that were wrong. First, Appendix D states that the analysis was based on the closest "residential receptors" being "located 150 feet or further to the south." SDEIS/RDEIR, App. D, at 6-3. Appendix D also states that there are no closer receptors. This tells us that the writers of the SDEIS/RDEIR did their analysis as if all emissions were to come from the 3.5 acre U.S. Storage Parcel – *not the actual planned construction site.* See also Appendix D at 16-1, 16-2 (stating that construction emissions would be less intense at D-22 site because it would only involve daily grading at "3.5 acres" as opposed to 10). It is true that some *demolition* would occur at a maximum of 150 feet of one of our residential buildings, and grading, and that this would create dust. But it is also true that essentially *all* of the construction (and presumably some demolition and grading in connection with it) would occur within 50 feet of us. Furthermore, it appears that all of the dust from the site would be removed using the road on the existing Division 22 parcel, about 25 feet from our residences and playground.

Additionally, Appendix D states that development at Division 22 would result in construction emissions that are "less intense" because it would only involve 35 truck trips per day, as opposed to 75. Again, we are not sure that the computer models accounted for the fact that the dust from those trucks was to pass within 25 feet of us.

In common with the other sites, Appendix D informs us that there would be:

- 30 worker vehicle trips per day with a round trip distance of 26.6 miles; and
- 8 pieces of heavy-duty construction equipment operating simultaneously for ten hours per day;

Appendix D at 16-1, 16-2. Since the only *construction* at Division 22 (other than the laying of planned tracks) is immediately adjacent to our homes, assumptions regarding exposure at 150 feet rather than 50 are

¹⁹ Further, we wish to note that since operational features of the facility also would involve DPM emissions, the conclusory reliance on a two year construction time frame so as not to look into this would not be warranted.

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invalid. The notion that 8 pieces of heavy construction equipment, involving 35 truck trips and 30 worker vehicle trips per day, for a period of 2 years, most of it occurring within 50-75 feet of some of our front doors, not having a significant air quality impact is implausible.

It appears that the SDEIS/RDEIR relies for its conclusions of insignificant impacts from dust based on the notion that dust will be abated to "below a significant level" based on watering the site down in the morning and evening, which the "URBEMIS 2007" model apparently says reduces dust by a factor of 61% *per acre*. That 61% assumption has to depend on how close dust is to residences to begin with and probably is based upon the notion of construction of residences in less developed areas. We think it is highly unlikely that such reduction would occur in this instance.²⁰ It is very difficult to foresee any kind of effective mitigation when all of this is taking place less than 100 feet from residences, with only a ten-foot high wall between the construction zone and these three- and four-story homes.

The Document Contains Other Major Inaccuracies as to the Operational Air Quality Impacts.
We note that the SDEIS/RDEIR hems and haws as to the Paint & Body Shop and whether it is analyzed in this document. Section 1, purpose and need, does not refer to it as part of the project. Section 2, Alternatives Analysis, depicts the Paint & Body Shop as "a Separately Funded Project," suggesting it is *not* under review here. SDEIS/RDEIR at 2-16, Figure 2-17. Section 3, Affected Environment, suggests that the Paint & Body Shop is under review here. SDEIS/RDEIR at 3-48 ("Toxic Air Contaminants") (although it then states that no actual analysis is required before MTA commits to the project (further)).

In other words, there is no analysis for Toxic Air Contaminants emanating from the giant paint & body shop for (potentially) *all trains* from the *Green Line*, the *Expo Line*, *Gold Line*, or the *Blue Line*, and that facility is to be built about 50 feet from the boundary with our complex, and (we'll repeat this again) not much farther from our toddler's playground. As you are well aware, severe restrictions on emissions from this type of facility (if it could be built at all) would be imposed if you put it, at say, the Redondo site, since it is within 500 feet or ¼ mile of a school. That law was enacted to protect children of school age. Ironically, you seem to have chosen instead to place it much closer to a playground used by infants and toddlers.²¹ You should be well aware of the impacts that Particulate Matter and DPM in particular have on the lung development of growing children. Kindly assess the potential impacts to our children in the document.

Additionally, the SDEIS/RDEIR refers to a "transformer generator," but we do not see the emissions modeled anywhere in the air quality analysis. As with the noise section, the steps from analysis to action should be set out in the document and its appendices in an intelligible way so that the public and the elected officials who represent them can make appropriate decisions based on understandable environmental analysis.

It is well established that the use of a permit does not allow an agency to avoid CEQA review. The California Supreme Court reiterated this very recently in *Communities for a Better Environment v SCAQMD*, even if a higher emissions level is permissible under other laws regulating pollution, that does not mean that an agency can avoid CEQA review because no mitigation is permissible:

²⁰ We recently witnessed construction that has taken way longer than anticipated and left dust clouds wafting across Aviation Boulevard from the corner of Aviation and Marine, which made visibility for those of us driving on Aviation quite poor. We know they were following the same twice-daily watering protocol.

²¹ So, to be clear, we do not think your siting of the Paint & Body shop would be permitted under State law, but even if you were, meaningful CEQA and NEPA review in conjunction with that process would be necessary. Please advise us of all the steps you have taken to obtain permits for the construction on the existing and expanded D22 sites.



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Finally, beyond the fact that CEQA review of the Diesel Project could not affect ConocoPhillips' right to continue operating the boilers the District's and ConocoPhillips's contentions fail for a more fundamental reason. Even if environmental review were to indicate that the project's adverse effects could be mitigated only by a condition requiring ConocoPhillips to reduce or limit its use of an individual boiler below a previously permitted level, but ConocoPhillips' vested rights precluded imposition of that condition, CEQA would still demand an analysis of the project's true effects. That a particular mitigation measure may be infeasible or precluded . . . is not a justification for not performing environmental review; it does not excuse the agency from following the dictates of CEQA and realistically analyzing the project's effects.

P

48 Cal.4th at 324-325 (emphasis supplied). See also *Communities for a Better Environment v. California Resources Agency*, 103 Cal.App.4th 98, 111-114 (2002) (invalidating former CEQA Guideline 15064(h) on thresholds of significance to the extent agencies could use it to rely on thresholds to evade full review of projects that might otherwise require it); and cf. *CURE v Mojave Desert Air Quality Management District*, 178 Cal.App.4th 1225 (2009).

d. The SDEIS/RDEIR's Assessment of Noise Impacts to Fusion Site is Not Based on Substantial Evidence. It Relies on Thresholds of Significance that Are Legally Inappropriate, and Ignores Thresholds that Are Legally Mandated

As with so many other parts of the SDEIS/RDEIR, we are unable to test the validity of the document's analysis on noise because – even if we use the FTA Manual cited – there are too many variables missing to apply the various computations provided for in the Manual. As to operational noise, for example, the document fails to provide the expected average traffic, peak traffic, traffic speed, or average number of cars.

Construction Noise. The SDEIS/RDEIR concludes, at 3-106, that impacts to residences and businesses from construction of the Division 22 alternative would not be significant.

We are not even sure MTA is standing by the statements in its Construction Impacts section on noise, as the Summary Section of the SDEIS/RDEIR on the Division 22 alternative is directly to the contrary, concluding that there would be a "Significant and Unavoidable Impact." See *Fusion Figure 3d-1* below (reproducing portion of Summary Table on page 5-9 of SDEIS/RDEIR).

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Environmental Criteria	CEQA (15064(h))	FTA Manual (15064(h))	CEQA (15064(h))	FTA Manual (15064(h))	CEQA (15064(h))	FTA Manual (15064(h))
Construction (15064(h))	Significant and Unavoidable Impact	Significant and Unavoidable Impact	Less Than Significant Impact After Mitigation	Less Than Significant Impact After Mitigation	Significant and Unavoidable Impact	Significant and Unavoidable Impact

Obviously, where the analysis draws one conclusion and the summary reaches the opposite one, CEQA is not complied with. It is impossible to tell whether mitigation will be required or monitored. The soundness of the analysis could not be more questionable and it is not based on substantial evidence.

If there is any doubt on the point though, we just want to look carefully at the statements made at SDEIS/RDEIR page 3-106 to point out a few fundamental problems with the conclusions they reach:

The FTA has published construction noise criteria in Transit Noise and Vibration Impact Assessment (May 2006). Based on daytime construction activity, the FTA guidance states that residential locations should be identified where residential exposure would exceed 90 dBA L₉₀ and commercial/industrial exposure would exceed 100 dBA L₉₀.

Construction activity would generate a noise level of 91.5 dBA at 50 feet. The



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nearest residential land use to any Project site is located approximately 150 feet from the Division 22 Northern Expansion site. At this distance, the construction noise level would be 82.0 dBA, which would be less than the 90-dBA significance threshold.

...

(emphasis supplied). From these statements, the SDEIS/RDEIR arrives at the conclusion that "Construction activity would not result in an adverse noise impact at residential . . . land uses under any alternative." *Id.* There are a variety of problems with the conclusion. First, by its own logic, the analysis is incorrect. The construction equipment is to be used 50 feet (sometimes maybe less) from the Fusion site. *Even assuming that the FTA Manual provides the Threshold, at 50 feet we are past it: as the paragraph itself concedes, at 50 feet, the noise level would be 91.5 dBA, and that is significant for a residential area.*²²

Second, the FTA Manual itself notes that local land use policies are the relevant measure as to permissible construction noise impacts, and that the FTA Manual is merely providing minimum guidelines in the event that the local codes do not provide such guidance. And Hawthorne's Zoning Code does provide such guidance and it makes clear that this amount of noise is way over acceptable maximums. If our property were zoned C-1, the general rule regarding noise levels abutting C-1 property is that it should not exceed presumed "ambient noise base levels" by 5 dbA at any time. Those "ambient noise base levels" are -

Zone	Time	Decibels
Property zoned C-1 and all property abutting such C-1 zoned property	10:00 p.m. to 7:00 a.m.	50 dbA
Property zoned C-1 and all property abutting such C-1 zoned property	7:00 a.m. to 10:00 p.m.	60 dbA
Property zoned C-1 and all property abutting such C-1 zoned property	Anytime	65 dbA

See Hawthorne Municipal Code, section 17.25.070, parts A, B, and C. If the base level observed is higher, it may be used. According to the SDEIS/RDEIR, the base noise level would be, at most, 61 dbA, so the construction noise anticipated would be a "prima facie violation" of the Code, see Municipal Code Section 17.25.050, section A.2. The only exception is for "performance of emergency work." *Id.*, subsection B.1. In fact, we suspect that the noise rules for properties abutting ours are more stringent. We have been unable to access the noise standards relating to noise in land uses abutting the Willow Glen Specific Plan area that covers the Fusion Complex, but we suspect that the restrictions on noise would be even more stringent. See, e.g., Hawthorne Municipal Code sections 17.21.165 (providing lower presumed maximum ambient noise levels for condominium projects in general), 17.22.060 (providing that provisions of a Specific Plan that conflict with other zoning provisions should control in a Specific Plan area, and that if the Specific Plan is silent, the general zoning provision should control).

Operational Noise. There are a number of problems with the SDEIS/RDEIR's assessment of operational noise impacts as well. First, just as with construction noise, local law, not the FTA Manual

²² A few pages of additional calculations on noise are provided at the end of the traffic or Air Quality portion of Appendix C. The calculations for Fusion do not provide the missing data or make us any more comfortable. They appear to suggest that the nearest noise receptor measurements may have assumed we were actually 250 feet away. Additionally they add to our concern that all noise measurements were taken inside, that accurate train traffic data was not used for the measurements, that the incremental increase to noise or vibration from the tracks 22 feet away from homes – or anywhere on the existing D22 site – was not assessed.



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should provide a threshold standard if it is more stringent. Again, that would be the provisions of the Hawthorne Municipal Code.

Second, it appears MTA skews its impacts analysis here by improperly identifying “the center of the noise-generating activity” somewhere *within a maintenance building* – not the screeching wheels and train horn tests that happen repeatedly late in the evening and in the early morning hours. SDEIS/RDEIR at 3-55 (“The majority of sources would be located within the maintenance and storage facility buildings If openings are necessary, building shell and openings would be designed and oriented to control noise at nearby noise sensitive land uses.”) Measurements should have been taken from the outdoor noise sources nearest to Fusion, and it appears that they were not. See SDEIS/RDEIR at 3-55. The SDEIS/RDEIR states that its Table 3-19 shows the projected noise levels “based on the distance from the center of the work area to the sensitive receptors.” SDEIS/RDEIR at 3-55.²³ It would appear that pursuant to the FTA Manual measurements should have been taken from the center of the tracks closest to Fusion as well as from inside closed buildings. That would include the tracks that are 22 feet away from residences – tracks that are now supposed to get a lot more traffic. Even as to indoor noise we do not think it evaluated noise from the nonexistent paint & body shop.

Third, we do not think any evaluation was done on predictable increase in outdoor noise on the tracks 22 feet away from one of the residential buildings.

One of the fundamental purposes of environmental review like this is to allow the public to test the validity of the conclusions reached in the document. We do not have all the necessary variables to do that here. We do not know how the measurements were done. We do not know the volume of train traffic at the facility’s busiest hour, or how much that volume is expected to increase. We do not know the point from which noise measurements were taken or whether the facility was fully operational that day. We do not know how MTA chose to project the difference between existing operations and projected new operations. Inexplicably, *all* measurements for existing operational noise are identical to those expected with the project, for *all* the sites analyzed, in Table 3-19.

Did the MTA use a proportionate increase in assessing the machinery noise inside a building? Did it assess *any* of the noise outside?²⁴ Did it measure train horn test noise and screeching wheel noise – or were the horns not tested on that particular day?²⁵ Did it consider applying a proportional factor that reflects the *likely increased train traffic to the site for maintenance*, not just the actual increased number of cars planned stored there (per discussion in Section 3.a of this letter, above)?

The FTA Manual states that *with increasing noise, the permissible additional noise must be more and more circumscribed*.

²³ Table 3.19 in its last row refers to “Figure 3-22, ID No. 1” as depicting the “sensitive receptor” evaluated – Fusion. We note that like all the other depictions of the D22 site, it is only the acquisition parcel that is identified as “the Maintenance Site,” leaving decision makers and the public to believe a fiction - that there actually is some parcel between us and the operation and construction noise.

²⁴ We also are suspicious of MTA’s use of the term “obstructed” with regard to its assessment of noise impacts to Fusion. Even if measurements of outside noise were used, we note that the FTA Manual provides different assessment criteria for “obstructed” and unobstructed” views. As noted in Section 3.a of this letter, the SDEIS/RDEIR states that Fusion’s buildings are “two stories” rather than four. See SDEIS/RDEIR at 3-38.

²⁵ Although MTA does not acknowledge it in the SDEIS/RDEIR, there is a long history of noise disturbances to Fusion residents throughout the night as a result of bells and wheel and brake screeching sounds in the late night and early morning hours when traffic is the heaviest – as noted in Section 1 of this letter.

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The curve defining the onset of noise impact stops increasing at 65 dB for Category 1 and 2 land use, a standard limit for an acceptable living environment defined by a number of Federal agencies. Project noise above the upper curve is considered to cause Severe Impact since a significant percentage of people would be highly annoyed by the new noise. This curve flattens out at 75 dB for Category 1 and 2 land use, a level associated with an unacceptable living environment.

FTA Manual at 3-5 (emphasis supplied). By the MTA's own measurements, without the project, we are already at 61 L_{dn}. Reproduced below as Fusion Figure 3d-1 is Table 3-1 from the FTA Manual – a table included in the SDEIS/RDEIR's thresholds discussion but apparently not used.

3-4 Transit Noise and Vibration Impact Assessment

Table 3-1. Noise Levels Defining Impact for Transit Projects

Existing Noise Exposure* L _{dn} (h) or L _{dn} (dBA)	Project Noise Impact Exposure*, L _{dn} (h) or L _{dn} (dBA)					
	Category 1 or 2 Sites			Category 3 Sites		
	No Impact	Moderate Impact	Severe Impact	No Impact	Moderate Impact	Severe Impact
<43	< Ambient+10	Ambient + 10 to 15	> Ambient+15	< Ambient+15	Ambient + 15 to 20	> Ambient+20
43	<52	52-58	>58	<57	57-63	>63
44	<52	52-58	>58	<57	57-63	>63
45	<52	52-58	>58	<57	57-63	>63
46	<53	53-59	>59	<58	58-64	>64
47	<53	53-59	>59	<58	58-64	>64
48	<53	53-59	>59	<58	58-64	>64
49	<54	54-60	>60	<59	59-65	>65
50	<54	54-60	>60	<59	59-65	>65
51	<54	54-60	>60	<59	59-65	>65
52	<55	55-60	>60	<60	60-65	>65
53	<55	55-60	>60	<60	60-65	>65
54	<55	55-61	>61	<60	60-66	>66
55	<56	56-61	>61	<61	61-66	>66
56	<56	56-62	>62	<61	61-67	>67
57	<57	57-62	>62	<62	62-67	>67
58	<57	57-62	>62	<62	62-67	>67
59	<58	58-63	>63	<63	63-68	>68
60	<58	58-63	>63	<63	63-68	>68
61	<59	59-64	>64	<64	64-69	>69
62	<59	59-64	>64	<64	64-69	>69
63	<60	60-65	>65	<65	65-70	>70
64	<61	61-65	>65	<66	66-70	>70
65	<61	61-66	>66	<66	66-71	>71
66	<62	62-67	>67	<67	67-72	>72
67	<63	63-67	>67	<68	68-72	>72
68	<63	63-68	>68	<68	68-73	>73
69	<64	64-69	>69	<69	69-74	>74
70	<65	65-69	>69	<70	70-74	>74
71	<66	66-70	>70	<71	71-75	>75
72	<66	66-71	>71	<71	71-76	>76
73	<66	66-71	>71	<71	71-76	>76
74	<66	66-72	>72	<71	71-77	>77
75	<66	66-73	>73	<71	71-78	>78
76	<66	66-74	>74	<71	71-79	>79
77	<66	66-74	>74	<71	71-79	>79
>77	<66	66-75	>75	<71	71-80	>80

* L_{dn} is used for land use where nighttime sensitivity is a factor; L_{dn} during the hour of maximum transit noise exposure is used for land use involving only daytime activities.

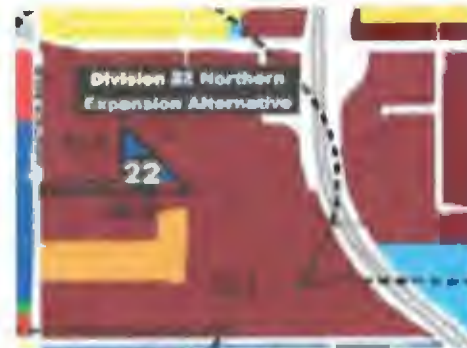
Fusion Figure 3d-1 – Table 3-1 from FTA Manual, using existing noise levels and increasing noise levels at which project would have "Moderate" or "Severe" Impact



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e. The Discussion of Land Use Planning and Zoning Consistency Was Result-Oriented and Inadequate

The discussion of zoning and land use considerations also repeatedly confuses “the project” with the acquisition of the 3.5 acre parcel to the North of the existing Division 22 site. Below as *Fusion Figure 3e-1*, made slightly larger so that the map may be viewed, is a reproduction of a portion of the SDEIS/RDEIR’s Figure 3-5:

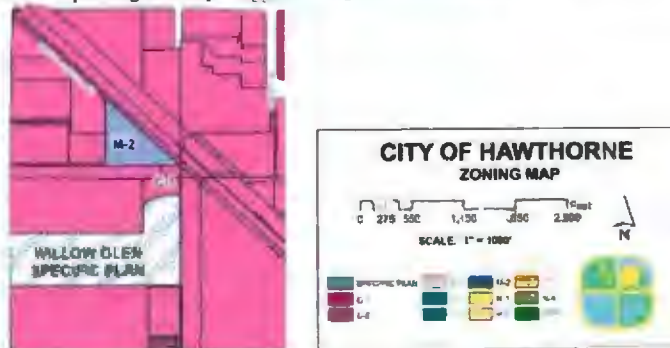


Fusion Figure 3e-1 – Blow-up of Figure 3-5 in SDEIS/RDEIR

The small blue triangle identified as the “Division 22 Northern Expansion Alternative” is in fact zoned M-1 under Hawthorne’s Zoning Map. But the brown area below it, just above the orange rectangle with the foot-shaped extension, is zoned C-1. The orange shape slightly below is Fusion, subject to the Willow Glen Specific Plan as a mixed family residential development. The brown area just above Fusion is Division 22. It is zoned C-1.

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Here is roughly the same area as depicted in Hawthorne’s Zoning Map, along with the key from that map as to the planning areas depicted (*Fusion Figures 3e-2 and 3e-3*):



Fusion Figures 3e-2 and 3: Portion of Hawthorne Zoning Map covering Project area and Fusion. Key to shading from map

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Thus, the existing Division 22 site is within the C-1 zone (and, we are told, was in that zone when MTA acquired it). The little strip to the north of that which is part of the parcel to be acquired is also C-1. The only land zoned “industrial” (M-2) is the small US Storage parcel itself.

Pretty much nothing MTA does on the existing Division 22 site now is permitted in a C-1 zone; thus, at best, these uses would be characterized as “nonconforming.” See Hawthorne Zoning Code, section 17.25. Furthermore, Hawthorne’s zoning code makes clear that increases in nonconforming uses, or additional nonconforming structures in C-1 zones, are not to be tolerated. *Id.*, 17.38-050.

Amazingly, even though both the present Division 22 and the new small parcel to be acquired are within the City of Hawthorne’s jurisdiction, the SDEIS/RDEIR hardly bothers to discuss how the Division 22 project would affect Hawthorne’s zoning, general plans and goals at all (and to the extent it does, it mischaracterizes them)²⁶. We hear that MTA may be taking the position that it is not subject to municipal zoning codes (or general plans). We are not sure we agree with this legal conclusion. In any event however, for CEQA and NEPA purposes, a public agency needs to evaluate consistency with local land use laws and policies *anyway* – so as to determine whether a proposed project is compatible with the land use plans and policies. MTA and FTA most definitely have not done an adequate assessment in this regard.

Table 3-3 of the SDEIS/RDEIR flatly states that the Division 22 project has a “Land Use” that is “Industrial; Public Facilities,” and that the Zoning is “M2-1, Heavy Industrial.” SDEIS/RDEIR, Table 3-3, final row, at 3-8. This is incorrect as previously noted – only the US Storage site is industrial. The Table then describes as “Nearby Uses” “Office and hotel uses to the west, public facilities and residential to the south, and industrial uses to the north and east.” Given that the construction of all new buildings and the bulk of the new use would be on the existing Division 22 site, this is not an adequate description of the project. Additionally, we see no further properties zoned industrial to the north or east of the US Storage site. See Fusion Figure 3e-2 above. If the site of the project were properly described, it would therefore read: “Offices and hotel uses to the west, residential to the south and east, with new, and far more intensive, industrial uses on a site that is not zoned for it.”

Additionally, the purpose of zoning laws and general plans is to prevent a patchwork of incompatible uses that break up a community. Hawthorne designated this area as C-1 to be a *mixed use, community*, zone. That is not what MTA’s proposal would do.

²⁶ See, e.g., SDEIS/RDEIR at 3-13 (Only statement regarding Hawthorne’s General Plan is that “[t]he northern expansion of the Division 22 Maintenance Facility would provide additional capacity for the Crenshaw/LAX LRT line to operate in combination with the existing Metro Green Line. This would be consistent with the City of Hawthorne’s land use policies which encourage the expansion of the LRT system”; no discussion regarding land use consistency).

See also SDEIS/RDEIR at 3-32 (“City of Hawthorne. The City of Hawthorne has a population over 90,000 residents and is made up of approximately eight residential neighborhoods. *The Hollyglen community of Hawthorne is the nearest residential neighborhood to the Division 22 Northern Expansion Alternative and is located approximately 0.15 miles to the north across Rosecrans Avenue.* This neighborhood has no direct physical connection to the maintenance site alternatives. *There is an approximately 280-unit multi-family residential development located adjacent to the south of the existing Division 22 Maintenance facility . . . the Willow Glen Specific Plan area. . . . The immediate area surrounding the Division 22 Northern Expansion Alternative is primarily industrial/commercial and the City of Hawthorne has designated the surrounding area as Freeway Commercial/Mixed Use*”) (Italicized statements are false).

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f. The Traffic Impacts Analysis Was Flawed Both as to the Construction and Operational Phases of the Project

The SDEIS/RDEIR fails to analyze any traffic impacts from construction, and severely underestimates traffic impacts from eventual operation. For the same reason that construction and operation impacts from traffic would be significant, they also raise safety concerns that the document did not address.

The Analysis of Impacts to Traffic from Construction Did Not Rely on Any Studies whatsoever, and Raise Serious Emergency Services Concerns. The SDEIS/RDEIR in Section 3.16.2.1 asserts that:

Construction of the maintenance facility would be limited to the sites and would only require limited and temporary lane closures and/or reductions in parking. . . . [T]he sites are located in the airport area The number of truck trips and construction equipment needed to construct the facility would not adversely affect the surrounding traffic circulation patterns. Truck trips during construction are not anticipated to exceed eight per hour and would not degrade the level of service at surrounding intersections. A traffic management plan to assure access to local roads and businesses would be implemented during the approximately two-year construction period. These effects would be temporary and no adverse effects to traffic, circulation and parking are anticipated.

SDEIS/RDEIR at 3-103.

The SDEIS/RDEIR seems only to be thinking about the sites near the airport, and flatly states that the surrounding uses are industrial. This is clearly not the case at D22.²⁷

Additionally, the conclusory assertion that construction traffic during the two year period would result in only "temporary" lane closures that would not degrade intersection levels of service does not, in the case of the D22 site, have any support at all. There is nothing in the Fehr & Peers analysis in Appendix C that addresses construction impacts. All projections are for operation in year 2018, when Levels of Service are expected to improve. Traffic at the Aviation/Rosecrans intersection is presently at LOS F, as the Fehr & Peers data reflects.

The year 2018 operational analysis was based on a "per car equivalent" (PCE) total of 18 or 21 morning peak and 20 or 23 evening peak, representing a PCE change of 5-8 morning, and 9-13 evening attributable to the project.²⁸ See SDEIS/RDEIR Appendix C, at Apprx 5, and 10 - 12 (Fehr & Peers Memo of Nov. 23, 2010, to Terry Hayes Associates, page 3, and Tables 2 and 3, "Traffic Data from MTA Division 22 Survey," and "Proposed Crenshaw O&M Facility Trip Generation Projections."), SDEIS/RDEIR at 3-2.²⁹ This seems attributable to a presumption that there will be 60 additional vehicle trips to the D22 facility as a result of its expansion, which we

²⁷ Furthermore, Section 3.16.2.4 claims that "...none of the four maintenance site alternatives would alter or block access to any community assets..." – again assuming the actual zoning of the D22 site and Fusion completely out of existence.

²⁸ The consultant calculated PCE by doubling the value of a daily operational truck trip relative to a passenger car trip. It seems clear that the value of trip that was made by a hauling truck for heavy machinery, or a truck removing soil and debris, would have to be much higher.

²⁹ The range of 3 in morning peak/evening peak projected traffic volumes appears to result from the assumption of only 60 LRVs being present at D22, an assumption that may not be accurate either in terms of what the analysis should have been under CEQA and NEPA given likely more extensive use. The assumption also may not be carried through in the existing analysis of the rest of the document.

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think may be an underestimate. Nevertheless, there simply was no analysis done as to impacts on the LOS D and F intersections surrounding Fusion during peak hours as a result of construction traffic, and the evidence is quite clear that the traffic from construction will be much more intense. As noted with regard to Air Quality, the SDEIS concedes that there will be 30 worker vehicle trips, and 35 truck trips, per day, during the two year period, along with the moving in and out of 8 pieces of heavy duty construction equipment.³⁰ And it concedes that there will be lane closures and traffic interruptions. There is one road that exits the D22 site and it is directly adjacent to Fusion's approximately 20-foot wide emergency fire lane and not far from the only road that all 500-plus residents and visitors use to enter and exit the complex absent an emergency. The bare assumption that (1) providing notice to local businesses about traffic interruptions and (2) limiting construction traffic to "off peak hours, as feasible," SDEIS/RDEIR Impacts Summary, Mitigation Measures CON-18, and CON-21, will reduce the impact to peak traffic on Aviation is not supported by any evidence in the record. The assumption that this does not pose a threat to residents in terms of Emergency Service egress or ingress is completely without foundation.³¹

g. The Cumulative Impacts Analysis Was Completely Absent

The SDEIS/RDEIR Avoids Any Meaningful Discussion of Cumulative Impacts. The SDEIS/RDEIR relied on one programmatic EIR/EIS to assert that no cumulative impacts would occur. That document does not and cannot provide all material site-specific information on cumulative impacts for this site.

Additional Air Quality Concerns Required Cumulative Impact Analysis. We note that we are, many of us, within 500 feet of Aviation Boulevard, which is a major highway which may get traffic exceeding 100,000 vehicles per day such that analysis or risk assessment for particulate matter and DPM may have been required under DPH regulations as a separate matter of state law. Additionally, we are slightly over 500 feet from the 405 Freeway (on the other side). Regardless of whether other state health & safety laws required it, though, cumulatively, MTA should have looked at the overall Toxic Air Contaminant risk cumulatively. Many of us are sensitive receptors and the Children's Health Study recently indicated why such analysis is critical with regard to particulate matter and DPM.

We believe such analysis may be required under Federal law as well. See 40 C.F.R. 1502.22 (requiring specific minimum information be provided to the decision maker when there is scientific uncertainty).

Electromagnetic Fields. Homes in the Northeastern corner of Fusion already have above normal exposure to EMFs – probably because they are nearest to the Division 22 facility tracks and to the SCE transmission lines. The highest reading there is 4.1 mG, while the national average is 0.9mG. Expansion of the site and increased traffic of electric trains 22 feet from the affected residential building can only incrementally increase these readings. And it appears that the levels are steadily increasing. The initial reading at this peak point in 2007 was 3.8 mG. The reading at the same location in 2011 had increased to 4.1 mG. (All readings were taken by a Southern California Edison employee).

The placement of a transformer generator and an electrical substation on the facility can only worsen the situation. The SDEIS/RDEIR did not analyze or even mention this issue.

³⁰ Section 3.16.2.i goes on to project eight truck trips an hour, again through the one access point onto Aviation. Imagine, if you will, morning and evening rush hour traffic on that boulevard, with lines of trucks waiting to turn into the same spot that lines of cars are waiting to exit from, all while crossing at least three lanes of bumper-to-bumper commuters. We'd really rather not.

³¹ It seems that the City of Hawthorne was not even consulted with regard to emergency services in this regard, as Appendix D regarding thresholds mentions other police departments, but not Hawthorne's. SDEIS/RDEIR, Appendix D, at 15-1.



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Prolonged exposure to levels of 2.0mG has been considered unsafe in many studies and a similar level has been regulated as the maximum in the European Union. Even though this environmental concern exists, the MTA failed to do any kind of cumulative impact analysis.

There are available standards on the matter: the state Department of Education has enacted 5 Cal. Code Regs. 140109(c) which provides that without a Department-approved exemption, all proposed school sites shall meet certain setback requirements as measured from the edge of easement of overhead transmission lines, depending on the strength of the overhead transmission lines. The minimum setback is 100 feet. Other standards exist for protecting worker health. The health of residents who sleep in these units should be given the same consideration.

Again, even if this is a duty that MTA can evade under CEQA, FTA cannot do so under NEPA. 40 C.F.R. 1502.22 requires a worst case analysis in the absence of scientific certainty.

4. *The SDEIS/RDEIR's Economic Impacts Analysis is Wholly Inadequate*

Unlike CEQA, NEPA does allow for the analysis of socioeconomic impacts when "economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment." CEQ Regulations, 1508.14. To the extent that economic analysis was called for here, the analysis done with regard to impacts from the selection of the Division 22 alternative was hopelessly flawed. The manner in which MTA and FTA reflect the costs and benefits from this alternative reflect the deep bias that at least MTA seems to have in favor of this alternative. The only economic impacts it assumed were five lost jobs and the lost property tax revenue to Hawthorne in connection with the US Storage site, in the amount of slightly over \$2000 a year. It left out the damage to property values for every Fusion residence and the loss of revenue to Hawthorne and other jurisdictions in this regard (including special assessments applicable to the Specific Plan area). It left out the loss of Tenant Occupancy Tax revenue from the hotels on the other side of the Division 22 site, whose business would doubtless be affected. It left out the more than likely loss of revenue to the City of Hawthorne from licensing relating to the filming that occurs at the credit unions in the same complex. It ignored the lost business to those businesses neighboring D22 and US Storage, the lost time for all 500+ daily resident and visitor trips to Fusion as a result of traffic impacts. Etc. These are all equally relevant to any economic impacts analysis under NEPA, and they amount to much more in the way of cost. No doubt, using this as a limitation made the MTA's analysis easier, but it also leaves out MTA's very possible liability to Fusion residents for inverse condemnation for noise, nuisance and dust as a result of choosing this project site. Cf. CEQ Regulations at 1502.23 (If an agency does a cost benefit analysis, indirect impacts as well as direct impacts must be considered, and the environmental and public health impacts must be considered as well). And, of course, economic analysis of this kind itself is prohibited in an alternatives analysis under CEQA.

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On behalf of the Fusion Homeowners' Association Board of Directors, I thank you for this opportunity to comment on your environmental document. All questions and follow-up should be directed to Christopher Richert, member of the HOA Board of Directors, whose contact information is below:

Christopher Richert
5406 W 149th Place #8
H: 424-456-7465
C: 310-429-3382
cgrichert1126@hotmail.com

Sincerely,



Hannah Bentley, Esq.

cc: The Honorable Maxine Waters, U.S. House of Representatives, 35th Cong'l District, California
Office of the California State Attorney General, CEQA Section
The Honorable Rod Wright, California State Senate Representative, 25th Senate District
The Honorable Steven Bradford, California State Assembly Representative, 51st Assembly District
Members of the City Council, City of Hawthorne
Representatives to the South Bay Council of Governments
Mr. Gregg McClain, Director, City of Hawthorne Planning Dept.
Mr. Steve Lantz

v



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LIST OF ATTACHMENTS

<u>Name / Number</u>	<u>Description</u>
<i>Fusion Attachment 1-1</i>	History, with citations, of DEIS/DEIR on Crenshaw/LAX covering study area that did not extend to Fusion development
<i>Fusion Attachment 2-1</i>	Memo to MTA Board in Advance of December 2009 Regular Meeting, concerning proposed approval of Crenshaw/LAX DEIS/DEIR and project.
<i>Fusion Attachment 2-2</i>	MTA February 2010 presentation regarding maintenance site screening for original Crenshaw/LAX project; MTA – and web-posted Presentation Boards from Same Series of Presentations
<i>Fusion Attachment 2-3</i>	MTA December 1, 2010 Open House Flyer
<i>Fusion Attachment 2-4</i>	MTA February 24, 2011, Regular Board Meeting Item 12
<i>Fusion Attachment 2-5</i>	March 18, 2011 Memo to Expo Construction Authority Board of Directors from CEO; March 18, 2011 Press Release by Expo Construction Authority
<i>Fusion Attachment 2-6</i>	Memo to Board, December 2010, re Maintenance Facility Consolidated Development Strategy

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FUSION ATTACHMENT 1-1

**DETAILED ANALYSIS OF NOTICE TO RESIDENTS
RELATING TO THE CRENSHAW/LAX DEIS/DEIR**

**(MEETINGS AND ANALYSIS LIMITED TO THE “STUDY AREA.” AS TO WHICH
FUSION WAS FAR TO THE SOUTH)**

The original Crenshaw/LAX Extension DEIS/DEIR addressed alternatives for the development and construction of a new transit line along the Crenshaw Corridor. Pursuant to NEPA and rules for coordinating the NEPA process with the CEQA process, the Federal Transit Administration (“FTA”) issued a Notice of Preparation for the DEIS/DEIR in the Federal Register in late 2007, and Scoping Meetings were held in community facilities located within the identified project area. See Notice of Intent to Prepare an Environmental Impact Statement and Proposed Transit Improvements in the Crenshaw-Prairie Transit Corridor, Los Angeles, CA, 72 Fed. Reg. 56126 (Oct. 2, 2007) (“FTA Scoping Notice”) (indicating that Scoping Meetings were to be held that month in facilities in Inglewood and Los Angeles within the area to be served by the Crenshaw/LAX Extension).

The Scoping Notice described the project as “transit improvements within the Crenshaw-Prairie Corridor, which extends approximately 10 miles from Wilshire Boulevard on the north to El Segundo Boulevard on the south.” FTA Scoping Notice, 72 Fed. Reg. 56126. The Notice described the “study area” as “the area extending north to Wilshire Boulevard, east to Arlington Avenue, south to El Segundo Boulevard, and west to Sepulveda and La Tijera Boulevards.”

Consistent with the FTA Scoping Notice, the DEIS/DEIR itself, published for circulation in October 2009, identified the study area as extending north from El Segundo Boulevard to Wilshire Boulevard. See DEIS/DEIR, page 1-4 (“Figure 1-1, Study Area”), consisting of a map depicting the study area’s southern boundary as El Segundo Boulevard between Sepulveda Boulevard to the west and Van Ness Ave. to the east. A small copy of the full-page graphic from the original DEIS/DEIR depicting the Study Area is reprinted below (*Fusion Figure A1-1*). The DEIS/DEIR identified and analyzed four LRT Maintenance Sites “Alternatives” and depicted them on a map; all of the proposed alternatives were within the “Study Area.” DEIS/DEIR at 2-48, Figure 2-25 (“Alternative LRT Maintenance and Operational Facility Sites.”) The DEIS/DEIR map of the study area is more or less identical to a graphic of the study area depicted on MTA’s website regarding the Crenshaw/LAX Transit Corridor project as of the end of January of 2011. See *Fusion Figure A1-2*, below.

The map of the Study Area for the proposed project was unchanged when it was included in the Report to the MTA Board in December 2009 recommending approval of the DEIS/DEIR. See *Fusion Figure A1-3a, b, and c* below (reprinting pages from December, 2009 Memo to the Board recommending approval of the DEIS/DEIR).



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Figure 1-1. Study Area



Source: Adapted from the City of Los Angeles, Department of City Planning, 1974.

Fusion Figure 41-1. DEIS/RDEIR Figure 1.1 – Crenshaw/LAX Study Area

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Fusion Figure AI-2: Crenshaw/LAX Transit Corridor from MTA's Website for Crenshaw/LAX Extension Project (as of late January, 2011)



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ATTACHMENT E



Fusion Figure A1-3a:

Map of DFIS/DEIR "Study Area" from Dec. 2009 Board Memo (Attachment B)

ATTACHMENT C1

*Crenshaw Transit Corridor Alternatives for A Facility Preferred Alternative
LRT Alternatives*



Fusion Figure A1-3b:

Map of Maintenance Facility Potential Sites, Dec. 2009 Board Memo

ATTACHMENT C2

*Crenshaw Transit Corridor Alternatives for A Facility Preferred Alternative
LRT Alternatives*



Fusion Figure A1-3c:

Map of Maintenance Facility Potential Sites, Dec. 2009 Board Memo

Response to comment S.20-5A.

Comment noted. The structure of the commenter have been noted and the attachments will be included as part of the administrative record.

Response to comment S.20-5B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. An open process for consideration of a maintenance facility has been carried out. Meetings were advertised. Briefings were accommodated and a full 45-day comment period with full disclosures was conducted.

Response to comment S.20-5D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. It is noted that the comment acknowledges the presence of uses associated with Division 22 when the Fusion residential development was constructed and that the spatial layout of the residential community was developed in that environmental context.

Response to comment S.20-5F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5G.

Comment noted. The project has been developed in compliance with both CEQA and NEPA. The proper noticing and consultation for the proposed project has been ongoing for an extended period of time allowing for disclosure to all affected parties to occur. An extensive public outreach process has been implemented and the potential impacts of the proposed alternatives have been disclosed prior to decision making. The environmental analysis covered all of the elements of a maintenance facility including those elements funded from other sources, such as a paint and body shop. The examination of impacts is actually broader than the commenter suggests. Segmentation would not apply to this condition. Thresholds, which have been identified in the document, are commonly used in the southern California region and are accepted by agencies with jurisdiction in their perspective environmental resources. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5H.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5I.

Comment noted. The project has been developed in compliance with both CEQA and NEPA. The proper noticing and consultation for the proposed project has been ongoing for an extended period of time allowing for disclosure to all affected parties to occur. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5J.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5K.

Comment noted. Metro has not committed to part of the project which has been identified in the project description. The environmental analysis covered all of the elements of a maintenance facility including those elements funded from other sources, such as a paint and body shop. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5L.

Comment noted. Metro has not committed to part of the project which has been identified in the project description. The environmental analysis covered all of the elements of a maintenance facility including those elements funded from other sources, such as a paint and body shop. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. The SDEIS/RDEIR identifies a need for a maintenance facility based on the requirements for the Crenshaw/LAX Transit Corridor Project. The maintenance alternative sites have a base capacity to serve the need for established for the Crenshaw/LAX Line, except for the Division 22 Northern Expansion Alternative which has been identified as having constrained capacity. The sites also have an identified expansion potential for the Crenshaw/LAX Line which would operate in conjunction with other planned and existing rail lines in the Long Range Transportation Plan for the horizon planning year of 2030. The analysis of environmental impacts was based on a worst case assumption of 70 light rail vehicles to provide the most conservative estimation of impacts. No segmentation of impacts has occurred for the Crenshaw/LAX Transit Corridor maintenance facility. If anything, the impacts have been overstated for the maintenance facility alternative sites because they are based on maximum future expansion potential.

Response to comment S.20-5M.

Comment noted. Metro has not relied on another's examination of effects under NEPA. The commenter does not identify the reliance on "other's" impacts that is implied by the comment so that Metro can

accurately respond to the comment. Metro has identified all possible environmental effects of the proposed project which can be reasonably foreseen.

Response to comment S.20-5N.

Comment noted. As stated in the description of alternatives, the SDEIS/RDEIR took into account the improvements to the existing Division 22 Maintenance facility and not just the additional acquisition of the 3.5 acre parcel. Therefore, the evaluation of impacts is not understated as suggested by the commenter. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5O.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. The alternative analysis identified a full range of alternatives that is consistent with the goals and objectives of the Crenshaw/LAX Transit Corridor Project.

Response to comment S.20-5P.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. The air quality analysis is evaluated for both the operation and construction of a maintenance facility. The SDEIS/RDEIR is intended to be a reader friendly document and the technical analysis to support the air quality conclusions is found and referenced in the Technical Appendix. Air quality thresholds are used to provide a meaningful evaluation of impacts of each of the maintenance site alternatives. The summary of construction impacts the commenter refers to (Table S-8), takes into account both NEPA and CEQA analyses. Therefore, the table represents the worst case conclusions. Significant impacts to localized concentrations are identified in the summary even though there is no impact to localized concentrations under NEPA for the Division 22 Northern Expansion Alternative. Section 3.16 identifies impacts from localized concentrations for both NEPA and CEQA. Under NEPA (Table 3-42), the SDEIS/RDEIR correctly finds that no localized impacts would occur for the Division 22 Northern Expansion Alternative. Under CEQA (Table 3-46), localized impacts would occur for the Division 22 Northern Expansion Alternative. The emissions associated with the operation of a maintenance facility are not substantial enough to warrant a detailed health risk assessment. The generator shown on the site plan is an emergency generator that would operate approximately one hour a month.

Response to comment S.20-5Q.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. The assumptions stated to evaluate the noise impacts are stated in both the text and technical analyses contained in the technical appendix. The methods used to evaluate impacts are consistent with both state and federal methodology.

Response to comment S.20-5R.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5S.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. The analysis of operational traffic impacts was based on a maintenance site facility that serves 70 light rail vehicles. The construction effects are based on previous construction projects of a similar size and duration of construction.

Response to comment S.20-5T.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. A cumulative analysis was completed in compliance with CEQA/NEPA which took into account the potential air quality effects that the commenter cites. Based on the analysis, the project would not make a cumulatively considerable concentration to operational air quality.

Response to comment S.20-5U.

Comment noted. The economic analysis was based on estimates of costs from lost property tax revenue and job loss. This information was provided as a tool for comparison of the alternatives. The additional revenue sources referred to by the commenter would not be adversely affected by the project based on the analysis of environmental effects. A cost benefit analysis was not conducted for the maintenance site alternatives. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-5V.

Comment noted.

COMMENT: S.20-6. Kevin Brogan, Hill, Farrer & Burrill.



One California Plaza
37th Floor
300 South Grand Avenue
Los Angeles, California
90071-3147

April 11, 2011

PHONE: (213) 620-0460
FAX: (213) 624-4840
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E-MAIL: kbrogan@hillfarrer.com
WEBSITE: www.hillfarrer.com

Via Facsimile and Email (diazroderick@metro.net)

Roderick Diaz
Project Manager
Metro
One Gateway Plaza 99-22-3
Los Angeles, CA 90012

Re: **Comments on Supplemental Draft Environmental Impact
Statement/Recirculated Draft EIR, Crenshaw/LAX Transit Corridor**

Dear Mr. Diaz:

This firm represents AMB Spinnaker, the owner of 1000 Redondo Beach Boulevard, Redondo Beach, one of the sites being considered for acquisition by MTA for a maintenance facility for the Crenshaw/LAX Transit Corridor. The LACMTA has designated AMB Spinnaker's site as Site 17. This letter is submitted as additional comment to the public comments made during the hearings on March 1, 2011 and March 31, 2011.

1. **Inadequate Project Description of Site 17.** An adequate project description is critical to any CEQA analysis. The Supplemental DEIR/DEIS states that Site 17 is not of an adequate size to constitute a complete maintenance facility, and states that an expansion of the existing Division 22 facility will be required if Site 17 is selected. The DEIS/DEIR fails to adequately describe the exact changes and additional facilities that will be required to be placed on the Division 22 site, and fails to study the impacts of those additional facilities, which may or may not include the expansion option described for the possible selection of the Division 22 site. This is a fatal flaw in the analysis.

2. **City of Redondo Beach's Opposition.** The City of Redondo Beach is opposed to the use of Site 17 as a maintenance facility. In his letter of March 24, 2011, the Honorable Michael A. Gin, Mayor of the City of Redondo Beach, wrote that the City Council of the City of Redondo Beach opposed the MTA's use of Site 17 for a maintenance facility. He submitted a copy of the February 1, 2011 Resolution of the City of Redondo Beach, Resolution No. CC-1102-422, wherein the City Council found that a maintenance facility at Site 17 would violate the Land Use Element of the City's General Plan, would be incompatible, and would disrupt the current and orderly development of the area. The City Council further found that the proposed maintenance facility at Site 17 would be inconsistent with the Goals, Policies and Objectives of the City's General Plan. AMB Spinnaker incorporates the statements in Mayor Gin's letter of March 24, 2011 and, rather than restating them, incorporates objections of the City to the DEIS/DEIR.



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3. Inconsistencies In Description of Site 17. The DEIR/DEIS is inconsistent concerning the number of employees at Site 17. At page 2-17, the DEIR/DEIS references 400 employees at Site 17 but the alternative analysis references 250 jobs at page 3-98. Also, the DEIR/DEIS fails to identify the office uses on Site 17, incorrectly stating that there are no commercial or office facilities on Site 17 (page 3-17). An adequate and accurate description of the project, and the proposed uses on the property to be acquired for the project, is critical to a proper CEQA assessment. The inconsistencies and omissions in the DEIS/DEIR show that it is inadequate.

4. The Difficulties of Relocating the Tenants on Site 17. As the DEIS/DEIR noted, “there is no certainty that all displace businesses can be relocated in areas that ensure that there is no adverse effect on their competitive position.” Page 3-28. As many employees of DHL, the major tenant of AMB Spinnaker on Site 17, noted at the public hearing on March 31, 2011, DHL spent years attempting to consolidate its LAX facilities to one facility, and could only do so once it found the 278,816 square foot building owned by AMB Spinnaker. The employees of DHL explained how important it is to DHL for the operations to remain consolidated at one location, such as the facility at Site 17.

5. Underground Gasoline Pipeline and Easement. The DEIS/DEIR states that there are no underground easements impacting Site 17. That statement is incorrect. There is an underground pipeline easement owned by Chevron which has a pipeline transporting highly flammable fluids. This underground pipeline will impact future uses on Site 17 and yet the DEIS/DEIR omits any mention of it, let alone any analysis of its impacts on the MTA’s proposed uses on Site 17.

6. Northrup Grumman’s Letter of April 10, 2011. AMB incorporates the comments reflected in the letter of Northrup Grumman dated April 10, 2011.

7. Other Significant Omissions.

a. The project description fails to consider the access track or the existence or cost of the aerial connection at the existing Metro Green Line Marine Station, as raised at Page 2-13.

b. While the DEIS/DEIR states that the nearest sensitive land use is a school (page 3-50), we understand Northrup Grumman’s adjacent uses are extremely sensitive to noise and vibrations.

c. The stated acquisition costs on Site 17 are substantially understated. DHL spent over \$6 million in tenant improvements on the site, and unlike the other sites, it is substantially improved with a state of the art freight forwarding facility.

d. AMB notes that two of the other parcels, Sites 14 and 15, have significant car rental facilities. The LAX Master Plan anticipates consolidation of all car rental facilities at



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Page 3

LAX. Proper land planning would be for the MTA to coordinate with the LAX master planners to coordinate both acquisitions and to minimize disruptions. The DEIS/DEIR inadequately studies this issue, dismissing any attempt at coordination between LAX and the MTA.

In conclusion, AMB Spinnaker feels that the public testimony on March 31, 2011 was spot on. Neither Site 17 nor the expansion of the current Division 22 site should be used as a maintenance facility for the Crenshaw/LAX Light Rail line. AMB is opposed to the acquisition of its site.

Very truly yours,

KEVIN/H. BROGAN
OF
HILL, FARRER & BURRILL LLP

CC: Martin Coyne, AMB

HFB 1038981.1 A5028003



Response to comment S.20-6A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-6B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-6C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-6D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-6E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-6F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-6G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.20-7. Cyndi Hench, Neighborhood Council of Westchester Playa.



Neighborhood Council of Westchester Playa

8726 South Sepulveda Boulevard, PMB 191A Los Angeles, CA 90045
213.473.7023 ph • 310.301.3564 fx
email: inquiries@ncwpdr.org • www.ncwpdr.org



April 11, 2011

S20 - 7

Mr. Roderick Diaz, Metro Project Manager
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952
Via email: diazroderick@metro.net

Re: Crenshaw/LAX Transit Corridor MTA Project Maintenance Yard Selection and reiteration of our support for the Manchester/Aviation station.

Dear Mr. Diaz,

We thank you for your extensive outreach efforts and visits to the Neighborhood Council. Our Neighborhood Council representation area includes the Westchester portion of the Harbor Subdivision where the train route will pass both business and residential areas.

We understand that selection of the subject Maintenance Yard will be addressed later this year. In the last several status meetings you have indicated that the selection process has been narrowed to four sites which vary in size with each located south of Manchester along the route.

Our preferred alternative is Site 3, the largest land area site, which is located just south of the "optional" Manchester/Aviation station. Westchester deserves a station that is accessible and the proposed station at Manchester/Aviation meets that requirement. Selection of Site 3 increases the likelihood of this station becoming a reality and is therefore a win-win alternative. In addition to providing an opportunity for consolidating construction activities with the optional site, this alternative has the least negative impact on area businesses while providing good accessibility.

Sites 2 (Arbor Vitae/Bellanca) and 4 (Marine/Redondo Beach) are also acceptable because they have limited impacts, but they do not provide synergy with the Manchester/Aviation station. Site 1 (Metro22 in Hawthorne), although functional, is less desirable due to its inability to be expanded to meet future increased requirements for greater repair activity needs beyond the current project.

In our previous communication we opposed placement of the maintenance yard and/or station at Hindry because of the impacts on local residences and the distance to feeder line buses. We thank you for listening. We again thank you in advance for listening to us and selecting Site 3.

Sincerely,



Cyndi Hench, President

CC: Councilmember Bill Rosendahl
Supervisor Don Knabe
Supervisor Mark Ridley Thomas

A
B
C

**Response to comment S.20-7A.**

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. The optional Manchester Station was removed from consideration during the final design process because of low ridership projections. The project has been designed to not preclude the inclusion of Manchester Station over the aerial crossing at a future time.

Response to comment S.20-7B.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-7C.

Comment noted. Please refer to response to comment S.20-7A.

COMMENT: S.20-8. Joe Ahn, Northrup Grumman.

S20 - 8



Northrop Grumman Corporation
Aerospace Systems

One Space Park
Redondo Beach, CA 90278

April 10, 2011

Roderick Diaz, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

**Subject: Crenshaw/LAX Transit Corridor SDEIS/RDEIR
Supplemental DEIS/Recirculated DEIR - February 2011
Candidate Maintenance Sites Selected for Environmental Review**

Dear Mr. Diaz:

Northrop Grumman Corporation appreciates the opportunity to provide comments concerning the proposed Crenshaw/LAX Transit Corridor Project and its accompanying SDEIS/RDEIR Supplemental DEIS/Recirculated DEIR - February 2011.

The following comments are submitted to the Metropolitan Transportation Authority (MTA) within the 45-day comment period established by the MTA "Notice of Public Hearing/Notice of Completion and Availability of Supplemental Draft Environmental Impact Report/Recirculated Draft Environmental Impact Report" (NOC) and are intended to become part of the administrative record.

Northrop Grumman operates a 110-acre facility at One Space Park, Redondo Beach, California 90278, which is directly west of the Marine/Redondo Beach Candidate Site, one of the four candidate sites for the Crenshaw/LAX Transit Corridor maintenance and operations project. Northrop Grumman currently employs 8,000 people at the Space Park facility with an annual economic benefit to the region of approximately \$770 million. The Redondo Beach campus plays a key role in the company's aerospace operations that support U.S. Department of Defense (DoD) objectives to carry out the military mission; NASA space exploration, research and development, engineering, test and evaluation, and collection of global climate change data on behalf of the National Oceanic and Atmospheric Administration (NOAA). Northrop Grumman employees have worked in Redondo Beach for more than 50 years on a variety of projects for the DoD, NASA and NOAA (see enclosed factsheet).

A

As a longtime member of the South Bay business community, Northrop Grumman recognizes the benefits of the Crenshaw/LAX Transit Corridor Project's proximity to our existing operations. We also recognize the regional benefits that may be associated with appropriate regional rail transit development. However, the proposed revisions to existing land-use zoning and the introduction of

B



Los Angeles Metropolitan Transportation Authority
Crenshaw/LAX Transit Corridor Marine/Redondo Beach Avenue Maintenance Site
Page Two

light rail maintenance operations adjacent to our facility raise issues that have not been fully addressed in the SDEIR/RCDEIR and do not take into consideration impacts to our continuing operations.

B

The Marine/Redondo Beach Candidate Site would generate noise, sound vibration, radio and wireless frequency, environmental health and site security issues that would impact operations at our state-of-the-art facilities and affect our ability to execute current and future Department of Defense, NASA and NOAA programs to support the military mission and space exploration. Northrop Grumman performs low-level dynamic vibration measurements on space hardware to verify critical performance parameters. At present, these measurements collect vibration amplitude data at the sub milli g (< 1x10e-3 g's) level. Future requirements using non-contact type vibration measurement equipment will collect data in the nano g (1X10e-9 g's) range. Broadband (20 Hz -2000 Hz) PSD measurements above a noise floor of approximately 1X10e-6 g**2/Hz (.005 g RMS) are also typical of the measurements made. Ambient ground vibration conditions detectable at this level become a significant concern in that the true performance measurement can become tainted by ambient vibration. The proposed site design and placement will cause interference in the 2.2 GHz band and interfere with antenna receive operations when the antenna is in the low (close to horizontal) pointing range and impact the operations of the Telemetry Orbital Testing Station roof parabolic antenna.

C

In addition, Northrop Grumman's Space Park site has more than 14 buildings with 170,000 square feet of state-of-the-art clean rooms and laboratories to conduct research and development, testing and manufacturing of space-based platforms, which require controlled ambient air conditioning. Metro site construction activities as well as increased release of air particulates emanating from the maintenance site will degrade the filtration systems and require Northrop Grumman to develop, test and implement new monitoring systems and filtration upgrades, which will disrupt day-to-day operations to develop current and future space programs. Northrop Grumman will submit an addendum to the DEIR/RCDEIR prior the MTA Board hearing on the final site selection.

D

Despite these concerns, we believe that active participation in the environmental process established under the California Environmental Quality Act (CEQA) will give us the opportunity to discuss these issues, to better understand the nature of the project, and to evaluate opportunities for the site's location and development that do not unduly impact Northrop Grumman's operations.

E

Sincerely,

J. Michael Ahn

Joe Ahn
Manager, Government and Public Affairs

Los Angeles Metropolitan Transportation Authority
Crenshaw/LAX Transit Corridor Marine/Redondo Beach Avenue Maintenance Site
Page Three

enc: Northrop Grumman in Redondo Beach fact sheet

cc: Office of Los Angeles County Supervisor Don Knabe: Ms. Julie Moore, Mr. Steve Napolitano
Honorable Mike Gin, Mayor of Redondo Beach
Honorable Richard Montgomery, Mayor of Manhattan Beach
Mr. Bill Allen, President and CEO, Los Angeles County Economic Development Corporation
Ms. Jackie Bacharach, Executive Director, South Bay Cities Council of Governments
Mr. Donald Camph, Executive Director, El Segundo Employers Association
Mr. Kelly McDowell, Executive Director, LA County Independent Cities Association
Ms. Helen Duncan, President and CEO, Manhattan Beach Chamber of Commerce
Ms. Creasia James, Chair, South Bay Association of Chambers of Commerce
Ms. Tracy Rafter, President and CEO, Los Angeles County Business Federation
Ms. Mama Smeltzer, President and CEO, Redondo Beach Chamber of Commerce



Northrop Grumman Redondo Beach



Northrop Grumman's site in Redondo Beach, California, develops a broad range of systems at the leading edge of space, defense and electronics technology, all of which contribute significantly to the nation's security and leadership in science and technology. The site is also the headquarters of Northrop Grumman's Aerospace Systems sector. Northrop Grumman celebrated 50 years of performance, innovation and discovery in space in 2007.

Site Facts

8,000 employees

400 PhDs

One of the South Bay's largest employers. (With 21,000 employees in Los Angeles County, Northrop Grumman is the second-largest private employer in the region.)

\$770 million annual economic benefit to the South Bay

275 South Bay suppliers

Major Programs

Civil Space	James Webb Space Telescope; Earth Observing Systems - Aqua and Aura; Lunar Crater Observation and Sensing Satellite; Defense Weather Satellite System; Space observatories
Missile & Space Defense	Space Tracking & Surveillance System
High-Energy Lasers	Two of Airborne Laser's high-power lasers; Joint High Power Solid-State Laser
Information Surveillance Reconnaissance	Defense Support Program, Trinidad
Satellite Communications	Payloads for current Milstar satellites and next-generation Advanced Extremely High Frequency Satellite Communications systems
Technology Development	Highly advanced technologies including microelectronics, communications, high-energy chemical and solid-state lasers, and space technologies from propulsion to cryocoolers

Unique Facilities/Capabilities

Clean Room Facilities (ISO 14644-1)

- ISO Class 4 (Class 10)
- ISO Class 5 (Class 100)
- ISO Class 7 (Class 10,000)

Test-Bed (On Orbit) and Development Labs

Microelectronic & Spacecraft Manufacturing

High Bays: 300,000 square feet

- Hook heights up to 72 feet and crane capacities up to 30 tons
- All high bays are nominally ISO Class 8 (Class 100,000) or better

Environmental Testing Facilities (up to full size spacecraft)

- Thermal vacuum chambers
- Acoustic test chambers
- Vibration test tables
- Anechoic test chambers

State-of-the-art technical presentation center, standalone child care center, two full service cafeterias, standalone fitness center

Awards and Recognition

- NASA George M. Low Award
- Goddard Space Flight Center's Contractor Excellence Award
- Six Nunn-Perry Awards from the Department of Defense for Mentor-Protégé program with small socio-economic businesses
- Award of Distinction, U.S. Small Business Administration

Response to comment S.20-8A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-8B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-8C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-8D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-8E.

Comment noted.



COMMENT: S.20-9. Michael H. Leifer, Palmieri, Tyler, Wiener, Wilhelm & Waldron.

S20 - 9

LAW OFFICES
PALMIERI, TYLER, WIENER, WILHELM & WALDRON LLP
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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EAST TOWER - SUITE 1300
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P O BOX 19712
IRVINE, CA 92613-9712

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ROBERT F. WALDRON (1927-1998)	DONNA L. SNOW
ALAN H. WIENER*	RYAN M. EASTER
ROBERT C. IHRKE*	ELISE M. KERN
JAMES E. WILHELM*	MELISA R. PEREZ
DENNIS G. TYLER*	ELIZABETH VALADEZ
MICHAEL J. GREENE*	ANISH J. BANKER
DENNIS W. GHAN*	MICHAEL I. KEHOE
DAVID D. PARR*	ROBERT H. GARRETSON
CHARLES H. KANTER*	RYAN M. PRAGER
PATRICK A. HENNESSEY	CHADWICK C. BUNCH
DON FISHER	ANNIE C. CHU
GREGORY N. WEILER	JERRAD BELTZ
WARREN A. WILLIAMS	HEATHER H. WHITEHEAD
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GARY C. WEISBERG	F. JULIAN FREEMAN III
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mleifer@ptwww.com

REFER TO FILE NO
36451-000

April 1, 2011

*A PROFESSIONAL CORPORATION

VIA E-MAIL & U.S. MAIL

Roderick B. Diaz, Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re: US Storage (Hawthorne Mini Venture) Property Located at 14680
Aviation Blvd., Hawthorne, CA

Dear Mr. Diaz:

As you are aware, this office represents the US Storage property located at 14680 Aviation Blvd., Hawthorne, California.

I have been advised that at yesterday's public hearing held in Inglewood, you stated that the costs of the various maintenance site alternatives are being reevaluated and revised. Please provide me with the revised cost estimates of the four alternative maintenance facility sites for our review.

Also, we have received some conflicting information regarding the end of the comment period for the environmental document. In your February 17, 2011 letter to this office, you stated that the public review period will end on April 11, 2011. However, the enclosure to your letter provided that the deadline for comments is April 4, 2011.

A

B

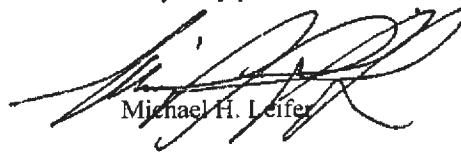


Roderick B. Diaz, Project Manager
April 1, 2011
Page 2

Please confirm that the deadline for public comments to the environmental document is April 11, 2011.

| B

Very truly yours,



Michael H. Leifer

MHL:mp

cc: Clients



Response to comment S.20-9A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-9B.

Comment noted. Revised costs have been reflected Chapter 8.0 of the FEIS/FEIR for the Crenshaw/LAX Transit Corridor Project. Comments will be accepted until the close of the comment period on April 11, 2011.

COMMENT: S.20-10. Ismael Rodriguez, Sky One Federal Credit Union.

S20 - 10



14600 Aviation Boulevard Hawthorne CA 90250
800.421.7111 www.SkyOne.org

April 11, 2011

(949) 851-7294

(949) 825-5412

mleifer@ptwww.com

36451-000

VIA E-MAIL & U.S. MAIL

Roderick B. Diaz, Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re: Supplemental Draft EIS/Recirculated Draft EIR for Crenshaw/LAX
Transit Corridor and Objection to D-22 Northern Expansion site

Dear Mr. Diaz:

This letter is sent on behalf of the SkyOne Federal Credit Union, located at 14600 Aviation Boulevard, Hawthorne, California. SkyOne Federal Credit Union is a member of the Aviation Center Owners Association.

It is our understanding that the Los Angeles County Metropolitan Transportation Authority ("MTA") is reviewing and analyzing four sites for a new maintenance facility along the proposed Crenshaw-LAX light rail line. One of the sites being considered for the new maintenance facility is the D-22 Northern Expansion Alternative that will require the acquisition of one of the members of the Aviation Center Owners Association—the U.S. Storage facility located at 14680 Aviation Boulevard.

This is to notify the MTA and MTA Board that SkyOne Federal Credit Union is strongly opposed to the selection of the D-22 Northern Expansion Facility alternative for the new maintenance facility.

A



14600 Aviation Boulevard Hawthorne CA 90250
800.421.7111 www.SkyOne.org

Roderick B. Diaz, Project Manager
April 11, 2011
Page 2

The selection of the D-22 Northern Expansion alternative would have a negative impact on the SkyOne Federal Credit Union. The SkyOne Federal Credit Union property is located approximately 50 feet or less from the site. **B**

The SkyOne Federal Credit Union property is an active banking branch for its members as well as the headquarters for the company. The telephone center for SkyOne Federal Credit Union faces the area that is proposed to be the new maintenance facility. SkyOne Federal Credit Union is very concerned about the noise and air pollution that will be caused if the D-22 Northern Expansion Alternative is selected. **C**

If the D-22 Northern Expansion Alternative is selected, it will have a negative impact to the SkyOne Federal Credit Union employees and members/customers. **D**

The MTA's environmental document has wholly failed to consider the impacts to the SkyOne Federal Credit Union that will occur if the D-22 Northern Expansion Alternative were to be selected. The environmental document is deficient. **D**

SkyOne Federal Credit Union strongly opposes the D-22 Northern Expansion Alternative for the maintenance facility site. There are other site alternatives that will not have the same significant impacts to the neighboring land uses and communities as the D-22 Northern Expansion Alternative. **E**

There are other site alternatives that will meet the MTA's stated needs and requirements for a maintenance facility, including the need for future expansion. The D-22 Northern Expansion Alternative will not be able to expand for future maintenance uses without the acquisition of other private property interests—likely involving those of other members of the Association. MTA should not be short sighted in its planning and should select a site that meets both its current and future needs. That site is *not* the D-22 Northern Expansion Alternative. **F**

Very truly yours,

Ismael Rodriguez
Facility Manager
SkyOne Federal Credit Union

Response to comment S.20-10A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-10B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-10C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-10D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-10E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-10F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.20-11. Ben Wong, Southern California Edison.

S20 - 11



April 11, 2011

Mr. Roderick Diaz, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

RE: Crenshaw/LAX Transit Corridor Supplemental Draft Environmental Impact Statement/Recirculated Environmental Impact Report (SDEIS/RDEIR)

Dear Mr. Diaz:

Southern California Edison (SCE) appreciates the opportunity to review and provide comments on the Metro SDEIS/RDEIR for the Crenshaw/LAX Transit Corridor. As described, the SDEIS/RDEIR evaluates four alternative maintenance facility sites for the proposed project that are identified as Site #14 Arbor Vitae/Bellanca Alternative, Site #15 Manchester/Aviation Alternative, Site #17 – Marine/Redondo Beach Alternative, and Division 22 Northern Expansion Alternative.

While SCE understands a preference for alternatives that may have a benefit to Metro from a cost or engineering point of view there are significant impacts to SCE’s existing transmission facilities, rights-of-way, easements and land rights, which we feel must be addressed. Specifically, Site D22N would have major impacts on existing transmission facilities and depending on the scope of the project may require additional environmental review. Alternatively, Site 17 has moderate impacts and Sites 14 and 15 appear to have limited impacts. Specific comments on each of the sites are as follows:

Division 22 Northern Expansion Alternative – The expansion of the Metro maintenance yard poses significant challenges to SCE, as it will conflict with existing facilities in a long-standing high-voltage transmission corridor. This alternative proposes construction of three tracks that would cross SCE property underneath both 66 kilovolt (kV) and 220kV transmission lines. SCE overhead lines and structures must adhere to CPUC General Order (GO) 95 minimum requirements for vertical and horizontal clearances from ground and other structures. Existing heights of the 66kV and subsequently the 220kV above any overhead catenary wires used to power trains will also likely not meet GO 95 vertical clearance standards and will require SCE to increase the height of several towers along the adjacent right-of-way as well as possibly several towers down-line. Further, based on drawings and plans provided to SCE it is not clear if there is sufficient horizontal clearance for the 220kv towers. Accordingly, this may require the relocation of 66kV or 220kV towers or realignment of the proposed track. As a separate but no less significant issue to SCE, 24-hour access must be provided to SCE employees to repair and maintain all structures and facilities. Currently, SCE employees attempting to access company-

A

B



owned facilities blocked by the existing maintenance yard experience significant wait times when contacting Metro to be granted access. The addition of three tracks may further burden SCE employees attempting to access the facilities for repair and maintenance which may delay restoration of electricity during an emergency or power outage. Also, if at any point during the future SCE needs to reconductor the 66kV or 220kV lines for regular maintenance or emergency service, all access by trains across the right-of-way could be cut-off.

B

Site #17 – Marine/Redondo Beach Alternative – This alternative does not appear to have major direct impacts to SCE facilities, however there are a few specific issues that should be noted. First, based on preliminary drawings, tracks used by trains to enter and exit the facility pass close to an existing 220kV tower. There was no indication in the plans received from Metro about the exact distance from the tower footings to the track, but it would need to be designed to meet GO 95 specifications. Additionally, Metro would need to indicate the vertical clearance between the overhead catenary wires and the transmission lines. Finally, since the proposed track crossing SCE right-of-way will cut-off access to the transmission tower, SCE requires that permanent 24-hour access be provided.

C

Site #14 – Arbor Vitae/Bellanca Alternative, Site #15 – Manchester/Aviation Alternative – These alternatives have no SCE transmission (over 50kV) facility impacts. There may be some replacement or relocations required for distribution (under 50 kV) facilities located in the vicinity. More detailed site plans will be required from Metro to determine to what extent, if any there are impacts.

D

For all alternatives, please ensure that any required environmental review necessary be considered prior to the issuance of the Final SDEIS/RDEIR. In addition, please note that SCE is subject to California Public Utilities Commission General Order 131-D (GO 131-D). Electric facilities between 50kV and 200kV are subject to the CPUC's Permit to Construct (PTC) review For facilities subject to PTC review, or for over 200kV electric facilities subject to Certificate of Public Convenience and Necessity (CPCN) requirements, the CPUC reviews utility PTC or CPCN applications pursuant to CEQA and serves as Lead Agency under CEQA.

GO 131-D provides for certain exemptions from the PTC and CPCN requirements, some of which enable SCE to proceed with certain construction or relocation activities associated with over 50kV facilities without environmental review. At this time, however, because SCE has not yet conducted design and engineering to determine specific impacts to SCE's 66kV and 220 kV facilities associated with each alternative (as well as any identified crossings associated with the Crenshaw Transit Corridor that may require the relocation of SCE over 50kV facilities along the route), SCE cannot currently ascertain whether or not SCE's scope of work will be eligible for certain PTC or CPCN exemptions or may otherwise require SCE to file a PTC or CPCN application at the CPUC. Accordingly, SCE recommends that Metro work closely with SCE to further define and evaluate impacts in the SDEIS/RDEIR process, because if needed, such efforts may enable SCE to proceed "exempt" from certain CPUC permitting requirements or may facilitate and expedite any required CPUC review through the use of the Metro Final Final SDEIS/RDEIR.

E



SCE looks forward to working with Metro to ensure the success of this project. If you have any questions regarding the information in this letter, please feel free to call me at (323) 720-5292 or Ben.Wong@sce.com. | E

Sincerely,

Ben Wong
Local Public Affairs Region Director
Southern California Edison Company

Response to comment S.20-11A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-11B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-11C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-11D.

Comment noted. Detailed utility relocations have been identified in the civil engineering drawings for the FEIS/FEIR for the Crenshaw/LAX Transit Corridor Project. Necessary utility relocations will result in consultation and coordination with the applicable organizations with authority over the utility prior to construction.

Response to comment S.20-11E.

Comment noted. Metro will coordinate with SCE to identify opportunities to streamline permitting processes.



COMMENT: S.20-12. John S. Harmer, Southland Lumber & Supply Co.

S20 - 12

SOUTHLAND
LUMBER & SUPPLY CO. INC.
8710 AVIATION BLVD. • INGLEWOOD, CA 90301
“SERVICE AND THEN SOME”
(310) 641-8150 • (323) 776-3530
SALES FAX (310) 641-5243
ACCOUNTING FAX (310) 337-2936

March 21 2011

Roderick Diaz
Project Manager, Metro
One Gateway Plaza, 99-22-3
Los Angeles CA 90012

Dear Sir:

We are a Retail Lumber Yard with 165’ frontage at 8710 Aviation Blvd, and leasing Property at 8631 Aviation Blvd. Your proposed site for the corridor and portal would effectively put us out of business, established in 1945.

A

Aviation Blvd is alternate to the 405 and is heavily traveled with traffic to and from LAX. The corridor and its construction would seriously impair traffic.

B

Could not the corridor follow the abandoned railroad right of way, and the portal moved further south to some of the vacant property there?

Yours truly,

John S. Harmer, Mgr

salesdesk@southlandlumber.com • accounting@southlandlumber.com

Response to comment S.20-12A.

The properties that the commenter refers to would not be acquired for the maintenance facility site alternatives or for the project as a whole. The light rail line would operate at-grade within the Harbor Subdivision right-of-way when in the vicinity of the properties described. No portal would be required in this area.

Response to comment S.20-12B.

The number of truck trips and construction equipment needed to construct the facility would not adversely affect the surrounding traffic circulation patterns. Truck trips during construction are not anticipated to exceed eight per hour and would not degrade the level of service at surrounding intersections. A traffic management plan to assure access to local roads and businesses would be implemented during the approximately two-year construction period. These construction effects would be temporary and no adverse effects to traffic, circulation, and parking are anticipated.

The traffic analysis for the project found that the operation of a maintenance facility site would generate a total of 21 trips during the morning peak hour (9 inbound/12 outbound) and 23 trips during the evening peak hours (13 inbound/10 outbound). The proposed project would not create adverse traffic effects at the study intersections during the morning or the evening peak hours for the maintenance site alternatives.

The light rail line would operate within the abandoned railroad right-of-way. During the maintenance site selection process, no vacant land for a maintenance facility site was available that satisfied the evaluation criteria (which included size requirements and proximity to the rail line) identified through the selection process.



COMMENT: S.20-13. Alexis Lantz, Los Angeles Bicycle Coalition.

S20-13



Los Angeles County Bicycle Coalition
634 S. Spring St. Suite 821
Los Angeles, CA 90014
Phone 213.629.2142
Facsimile 213.629.2259
www.la-bike.org

April 13, 2011

Roderick Diaz
Project Manager Metro
Crenshaw/LAX Transit Corridor Project

RE: Crenshaw/LAX Transit Corridor Comments on the Recirculated DEIR Regarding Consistency with the 2010 Los Angeles Bicycle Plan, Bicycle Parking, and Station Access for Bicyclists

Dear Mr. Diaz,

The Los Angeles County Bicycle Coalition brings together the diverse bicycling community in order to make Los Angeles County a better place to ride. Recognizing that many of the bicyclists we represent do not own cars and depend on both bikes and transit for mobility, our comments focus on integrating bicycles and transit in the Crenshaw Corridor. This letter describes our concerns with shortcomings in the DEIR, including:

- The omission of the 2010 Los Angeles Bicycle Plan, a major revision of the Transportation Element of the City of Los Angeles General Plan. The DEIR should report on whether project alternatives are consistent with the Bicycle Plan.
- The DEIR does not make it clear whether or not the proposed project alternatives would make it more difficult to implement the designated bikeways in the 2010 Bicycle Plan.
- The DEIR does not report on whether project alternatives are compatible with the Metro Bicycle Transportation Strategic Plan, nor do any of the proposed alternatives incorporate this plan's recommendation to develop bike-transit hubs along the Crenshaw Corridor.
- The DEIR does not report on how much bicycle parking will be provided at transit stations, or on the quality of this bicycle parking. Bicycle parking is a key element of station access.
- The DEIR projects car parking demand at stations without regard for the price of parking, which defies basic economics.
- The DEIR does not make the trade-offs between alternatives clear; in particular, it fails to highlight the trade offs between BRT, which will connect a longer section of the corridor, achieve higher ridership, and cost less, and LRT, which provides a smoother ride and has a greater ability to stimulate transit-oriented development.

A

We conclude by offering some specific guidance on bicycle parking at stations. We look forward to our comments being addressed.

Safe Routes to Stations: the 2010 Los Angeles Bike Plan

We are concerned that the DEIR has disregarded a major revision to the Transportation Element of the City of Los Angeles' General Plan. This major revision is the 2010 Bicycle Plan, approved by the Los Angeles City Council and signed by Mayor Villaraigosa in March 2011.

Thus, the final EIR should include a revision of the table on page ES-64, which summarizes whether or not the various project alternatives are consistent with the Transportation and Land Use Elements of the City of Los Angeles General Plan. In particular, the final EIR should report explicitly on project impacts on designated bikeways in the Bike Plan. These include:

B

- a designated bicycle lane on Crenshaw Blvd from Wilshire to the LA City boundary south of 76th streets
- designated bicycle lanes on streets that intersect proposed project alignments:



- 54th Street (intersects Crenshaw Blvd)
- Martin Luther King (intersects Crenshaw Blvd)
- Exposition (intersects Crenshaw Blvd)
- designated bicycle-friendly streets - traffic-calmed neighborhood routes - on streets that intersect proposed project alignments:
 - 67th Street (intersects Crenshaw Blvd)
 - Hyde Park (intersects Crenshaw Blvd)
 - 60th Street (intersects Crenshaw Blvd)
 - 52nd Street (intersects Crenshaw Blvd)
 - 46th Street (intersects Crenshaw Blvd)
 - 43rd Street (intersects Crenshaw Blvd)
 - 39th Street (intersects Crenshaw Blvd)
 - Stocker Street (intersects Crenshaw Blvd)
 - Coliseum Street (intersects Crenshaw Blvd)

The EIR should state whether or not the project will change the street cross-sections in ways that make these bikeways more difficult to implement. Not only that, we would like to see the revised EIR specify how each of the alternatives can implement bike facilities at the same time that the transit project is built. For example, if the pavement is going to be dug up for the Crenshaw line, then the Crenshaw bike lane should be striped when the road is repaved. This adds a bikeway to the project and improves station access for basically no cost. In addition, when a roadway is under construction, it is an opportune time to perform a road diet because vehicle traffic patterns are already adjusted to lower capacities on the road. Implementing the Crenshaw bike lane may require a road diet, and if it does, then that is all the more reason to stripe the lane concurrently with the Crenshaw Line construction. We recommend that you consult with LADOT Bikeways to execute the Crenshaw bike lane.

C

Similarly, if signals at intersections are going to be reprogrammed in order to accommodate at-grade transit vehicles, then we should concurrently install intersection treatments specified in the Bike Plan. These include push-buttons for bicyclists, bicycle loop detectors, and vehicle diverters.

The DEIR should also report on how consistent each project alternative is with the policies spelled out in the 2010 Bicycle Plan. These include

- Bike Plan, Policy 1.3.1A: Bikeways along Exclusive Transit Rights-of-Way
- Bike Plan, Policy 1.3.1B: Bicycle Transit-only Lanes
- Policy 1.3.1C Transit Station Bicycle Parking
- Policy 1.3.4B Three-Bicycle Racks,
- 1.3.4C: Advocacy for Bicycles on Trains
- 1.3.4E Turnstile Design

D

All of these policies ensure that the integration between bicycling and riding transit is a seamless one, whether the Crenshaw Line ends up being light rail or bus rapid transit. Some of these policies are only relevant to certain project alternatives - for example, 1.3.4E is only relevant to those project alternatives that include stations with turnstiles and pre-paid boarding. We expect that the revised EIR will parse the relevance of these policies to each alternative and will specify to what extent each project alternative is consistent with the applicable Bike Plan policies.

Metro Bicycle Transportation Strategic Plan

We would also like the revised EIR to comment explicitly on whether or not each project alternative is compatible with the



Metro Bicycle Transportation Strategic Plan. This plan identifies bike-transit hubs throughout LA County. It calls for hubs at both LAX and the Inglewood Bus Center because of high employment, transit ridership, and bicycle ridership surrounding these places. We encourage Metro to incorporate the transit hub concept into future designs for the Crenshaw Corridor. Bikeways that leads to transit hubs on the Crenshaw Corridor should be built concurrent with construction of transit improvements.

E

Station Access for People on Bicycles Requires Bicycle Parking

We expect that the revised EIR will specify the number of bicycle parking spaces that will provided at each station, if a project alternative with stations is chosen. Bicycle parking should include both short-term spaces on inverted U racks and long-term spaces in lockers. The final designs for the Crenshaw Corridor should also provide for bicyclists to carry their bicycles on board, whether this be by accommodating for bicycles on trains or by providing 3-bike racks on buses.

F

Projected Access / Egress Mode Split

For the BRT and LRT alternatives specifically, we are disappointed that Metro has projected parking demand by assuming that all parking will be free. We tire of Metro's park-n-ride policies which systematically subsidize those who drive to access transit at the expense of those who bike and walk to access transit. The revised EIR should include the price of parking as a parameter in predicting parking demand, as basic economics dictates. The revised EIR should state what parking price would be necessary for the parking spaces to pay for themselves rather than be taxpayer subsidized.

G

BRT vs. LRT

We are somewhat disappointed to see that LRT will likely be built in the Crenshaw Corridor even though this DEIR predicts higher ridership and lower costs on the BRT. We understand that a major driver of the higher ridership on the BRT is the fact that it reaches Wilshire Boulevard, a major destination and one of the nation's most heavily traveled transit corridors. The LRT, on the other hand, stops short of Wilshire, requiring riders to make a transfer.

It is well known in mode choice modeling that people hate to transfer. What has not been emphasized or explored is the possibility that bicyclists hate to transfer even more than average riders. For a bicyclist, the need to haul one's bike off the train, possibly up and down stairs at a station, and then place it on a bus is a significant transfer penalty.

H

We urge the revised EIR to more clearly highlight the trade-offs embedded in the DEIR. In particular, while LRT may provide a higher perceived quality of service, it will not cover the entire corridor, and riders will have to transfer. While BRT may run on buses, it is projected to have higher ridership. We call on Metro to go beyond the technical requirements of CEQA in the revised EIR, and to clearly communicate to the public the trade-offs inherent in choosing how to invest in the Crenshaw Corridor. Make it easy for not only bicyclists but all stakeholders to understand what the different project alternatives will accomplish, where they excel and where they struggle, and how much they cost.

Specific Recommendations Regarding Bicycle Parking at Stations

All stations along the Crenshaw/LAX Transit Corridor should have both bicycle parking lots for park and ride as well as bicycle lockers. Bicycle lockers provide an option for more secure bicycle storage. Bicycle parking should be in areas that are highly visible and easily accessible. The bike parking areas should be well lit and secure. This will give a sense of security to those who must leave their bikes for an extended period of time or those who must retrieve their bikes late at night. By creating an environment that is favorable to bicyclists, more commuters would be encouraged to ride their bikes to the transit stations than drive, lowering the number of automobiles being used for daily commutes.

I

The first stop at the northerly terminus of the Crenshaw/LAX Transit Corridor is perhaps the stop that requires the most attention. The stop at Exposition and Crenshaw Blvd is situated midway along the Exposition Bike Path as well as a



transfer junction with the Expo line. Access from the Expo path should be easily accessible and clearly defined. Because we can expect highest volumes of bicycle traffic at this stop, it is pertinent that a large number of parking spaces be dedicated to bicycle parking. It could also be a critical point for those who want to park and ride to LAX where they will fly out of town and must leave their bikes for an extended period of time. Adequate number of bike lockers should reflect this population.

The stations at Martin Luther King Jr. Blvd, Vemon and Slauson should each have proper amounts of bicycle parking according to projected rider-ship. Again, it is of utmost importance that these parking areas are in accessible, visible and well-lit areas to ensure safety for bicyclists retrieving their bikes. These are all major intersections with heavy automobile traffic therefore proper bicycle facilities are pertinent to ensure a safe commute to the Metro stations. Some bike lanes already exist such as the ones on Martin Luther King Jr. Blvd. However, as of the 2010 Bicycle Plan, Slauson and Vemon do not yet have any bicycle facilities. Bike lanes should be installed on these streets and the existing lanes should be reexamined to ensure the safe bicycle travel. Bike lanes should extend a minimum of a two-mile radius from each transit station on these streets. It is at these stops that bicycle specific traffic signals and left turn lanes should be installed wherever it is appropriate. Proper way-finding signage to minimize confusion should also be used to keep bicyclists safe.

For the stops that enter and exit Inglewood we must use the same criteria as the other stations in maintaining a high standard of safety. Bike lanes should sufficient for a safe commute and clear signage should be used here just as at the other stations. The final stops at Century and LAX should also adhere to projected rider-ship. Bicycle parking should be adequate for these two stops. There should be sufficient bicycle facilities for entering and exiting for these final stops.

Sincerely,



Alexis Lantz
Planning & Policy Director
Los Angeles County Bicycle Coalition

cc: Lynne Goldsmith, Metro Bike Program Manager

Response to comment S.20-13A.

Comment noted. A revision to the FEIS/FEIR has been made to include the City of Los Angeles Bicycle Plan and the analysis of consistency with applicable policies. The FEIS/FEIR discusses the street configuration for the at-grade portion of the alignment along Crenshaw Boulevard, which includes a discussion of bicycle lanes. Consideration of bicycle linkages was incorporated in all stations along the Crenshaw/LAX Transit Project alignment. The exact configuration of bicycle facilities will be determined final design of the project. Crenshaw Boulevard between Martin Luther King Jr. Boulevard and Exposition Boulevard is currently identified as having potential for bike lanes in the City of Los Angeles 2010 Bicycle Network Plan. Potential Bicycle Lanes are described as “key corridors where bike lanes are desirable, but would require either roadway widening or the removal of travel lanes or on-street parking.” The description from the plan would also apply to the affected section of Crenshaw Boulevard. Bicycle lanes are proposed to be added along Crenshaw Boulevard between 48th and 57th Streets. The operation of the light rail line along the Harbor Subdivision railroad right-of-way would not affect designated bicycle facilities. Parking demand for the project was estimated using a worst case scenario, which is equivalent to free parking. Should Metro choose to implement paid parking, the parking would be reduced and a lower level of impact would result.

An Alternatives Analysis was completed during the preparation of the DEIS/DEIR to identify the transit alternatives to be evaluated in the DEIS/DEIR. The results of the Alternatives Analysis is presented in Chapter 2, Alternatives Considered, of the DEIS/DEIR. This analysis used criteria including but not limited to, regional connectivity, ridership, and cost-effectiveness to compare the different modes of transit and alignment options and determine which alternatives would be carried forward for further analysis into the DEIS/DEIR. The Alternatives Analysis identified that a light rail transit and a bus rapid transit alternative be studied for further consideration based on the evaluation criteria. The two alternatives identified for further study in the Alternatives Analysis, along with a No Build Alternative and a Transportation Systems Management Alternative underwent a comprehensive environmental review in the DEIS/DEIR. Based on the results of this evaluation and public input received, the Metro Board of Directors selected the Light Rail Alternative as the Locally Preferred Alternative. The Crenshaw/LAX Light Rail Transit Alternative proved to generate the greatest travel time savings and reliability, higher ridership for comparable segments, a stronger support of community goals for economic development, and connectivity with other elements of Metro’s regional transit system (specifically, the Metro Green Line). The BRT Alternative did not yield strong travel time benefits due to mixed-flow operation and the slow speeds required of BRT vehicles at un-gated crossings along the Harbor Subdivision railroad right-of-way. Additional traffic impacts would occur from the conversion of mixed flow lanes in narrow sections of Crenshaw Boulevard.

Response to comment S.20-13B.

Comment noted. The analysis has been revised to include the Transportation element with the latest 2010 City of Los Angeles Bicycle Plan. 54th Street is the only designated bicycle lane on Crenshaw Boulevard that would intersect the project at-grade. The project would not prohibit the use of this designated bicycle lane across Crenshaw Boulevard. Please refer to response to comment S20.13A.

Response to comment S.20-13C.

Comment noted. Please refer to response to comment S.20-13A and B. Prior to operation of the project, streets disrupted during construction would be restored at a minimum to the existing condition if no improvements are implemented. Coordination with LADOT is ongoing and will continue throughout the construction of the project.

Response to comment S.20-13D.

Comment noted. The project was analyzed for consistency with all of the policies identified by the commenter and no inconsistencies were found to occur. A description of each individual policy within all of the jurisdictions of the alignment is not required.

Response to comment S.20-13E.

Comment noted. The transit hubs identified by the commenter are beyond the scope of the project. Comments should be directed to the Metro Long Range Planning Department.

Response to comment S.20-13F.

Comment noted. Please see response to comment S.20-13A.

Response to comment S.20-13G.

Comment noted. Please see response to comment S.20-13A.

Response to comment S.20-13H.

Comment noted. Please see response to comment S.20-13A.

Response to comment S.20-13I.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. Please see response to comment S.20-13A.



COMMENT: S.20-14. Michael H. Leifer, Palmieri, Tyler, Wiener, Wilhelm & Waldron.

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April 11, 2011

REFER TO FILE NO.
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*A PROFESSIONAL CORPORATION

VIA E-MAIL & U.S. MAIL

Roderick B. Diaz, Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re: US Storage (Hawthorne Mini Venture) Property Located at 14680
Aviation Blvd., Hawthorne, CA

Dear Mr. Diaz:

As you are aware, this office represents the owners of the US Storage (Hawthorne Mini Venture) Property located at 14680 Aviation Blvd., Hawthorne, California (hereinafter the subject property).

It is our understanding that the Los Angeles County Metropolitan Transportation Authority ("MTA") is reviewing and analyzing four sites for a new maintenance facility along the proposed Crenshaw-LAX light rail line. One of the sites being considered for the new maintenance facility is the subject property which is part of a business park.

As we have previously advised the MTA and its real estate acquisition agent, my client is opposed to the selection of the subject property. It is not interested whatsoever in being considered for acquisition by MTA. Further, we are informed and believe that the residents around the subject property are opposed to the project. The businesses in the business park are opposed.

A



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Roderick B. Diaz, Project Manager
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Further, in reviewing the February 2011 Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report (hereinafter the Environmental Document), we provide the following comments:

It appears that the MTA has unreasonably pre-committed to selecting the D-22 Northern Expansion Alternative before completing environmental review.

Based upon information received, it appears that the MTA has improperly already pre-committed itself to expanding the D-22 maintenance facility to include a new Body Repair and Painting Facility for the Exposition Boulevard Light Rail Transit project. The location of the Body Repair and Painting Facility appears to be the exact location that the MTA now claims to be considering as the new maintenance facility for the Crenshaw-LAX line. The MTA has inappropriately failed to include that component in the environmental analysis. The MTA is not permitted to piecemeal the environmental review.

B

The MTA has improperly committed to the D-22 Northern Expansion Alternative before going through environmental review. This sort of sham planning and environmental review is exactly what CEQA and NEPA were meant to prevent.

The MTA's Environmental Document is insufficient in that it improperly limits the scope of the project.

The MTA's Environmental Document restricts its description of the project in order to limit the environmental review of the project. The MTA has failed to consider the future expansion of such a maintenance facility and the impacts of such expansion. The MTA also failed to consider the use of the maintenance facility by lines other than the Crenshaw-LAX line. The Environmental Document fails to anticipate all the traffic that will occur at the maintenance facility—especially in light of the Exposition Boulevard Light Rail Transit project which the MTA has already contracted to build a new Body and Repair and Painting Facility at the D-22 facility.

C

Because of the MTA's limited scope of the project, the Environmental Document underestimates the environmental impacts that will be caused by the project.



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The D-22 Northern Expansion Alternative is inferior to the other alternatives in that it will not provide sufficient capacity for the MTA's stated needs.

The Environmental Document provides that the requirements for a new maintenance facility include a minimum operating capacity of 33 Light Rail Vehicles ("LRVs") for opening day and a base capacity of 45 LRVs with potential to expand to 70 LRVs; be designed to allow for future expansion of additional services; and contain at least 40 parking spaces. The D-22 Northern Expansion Alternative does not satisfy these requirements. In fact, D-22 is not even close to the stated needs.

D

Rather, the Environmental Document provides that the D-22 Northern Expansion Alternative will only service 16 additional LRVs, contain no parking spaces and have no additional expansion capability.

Based upon the opposition, the failure to meet capacity and the inadequate environmental document, D-22 should not be selected.

The Environmental Document has not sufficiently analyzed the impacts to land use, neighborhood and the community for the D-22 Northern Expansion Alternative.

The Environmental Document has not sufficiently analyzed the impacts that will result if the D-22 Northern Expansion Alternative is selected.

If selected, the D-22 Northern Expansion would also impact the business association (Aviation Center Owners Association) of which the subject property is a part. It would also impact the neighboring land uses which include professional office buildings, a hotel and residences.

E

The analysis of the D-22 Northern Expansion alternative is inadequate. It only analyzes the approximately 3.5 acre parcel of the subject property that will be used as an expansion to the current D-22 maintenance facility. It does not adequately analyze the impacts that will occur from the expansion of the current D-22 maintenance facility site to accommodate the additional LRVs, etc.

Further, as it relates to the residential area to the south of the proposed site, the Environmental Document provides conflicting information relating to the distance from the proposed site to the residential area. Providing such inaccurate and/or conflicting



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information shows that the Environmental Document does not sufficiently analyze the impacts of the D-22 Northern Expansion Alternative.

E

Because the D-22 Northern Expansion Alternative was only recently added for consideration, it has not been afforded the same public feedback and response as some of the other alternatives.

The Environmental Document outlines a process that began one year ago. That process was to provide for public participation and feedback regarding the potential locations for maintenance facilities.

According to the Environmental Document, after the public outreach and feedback, MTA then began the process to narrow down the potential locations for the maintenance facilities through an initial screening, secondary screening process and advanced screening and design refinement process. It was not until the screening and design refinement process resulted in the elimination of two out of the four remaining sites that the MTA added the D-22 Northern Expansion Alternative.

F

Thus, the MTA did not have the benefit of public comment and feedback regarding the D-22 Northern Expansion Alternative prior to the drafting of the Environmental Document. Had the D-22 Northern Expansion Alternative been included in the public outreach effort one year ago, it is unlikely that it would have ever made it to and past the initial screening stage.

Further, even at this stage of environmental review, the MTA did not appropriately notice those members of the public that may be impacted by the D-22 Northern Expansion Alternative.

The cost estimates for the D-22 Northern Expansion Alternative are deficient.

The MTA staff recently announced that the MTA's cost estimates are deficient. Further, the Environmental Document wholly ignores the fact that the subject property is part of a greater association – the Aviation Center Owners Association ("Association").

G

The selection of the D-22 Northern Expansion Alternative would have a negative impact on the property values and businesses that are part of the Association. The Association is a business park. It is not to be a train maintenance station. The MTA's Environmental Document has wholly failed to consider the impacts to the Association



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that will occur if the D-22 Northern Expansion Alternative were to be selected. The Environmental Document is deficient.

The covenants, conditions and other restrictions, such as exist for the Association and its members, are compensable property rights pursuant to the California Constitution, Article I, Section 19. (*Southern California Edison Co. v. Bourgerie* (1973) 9 Cal.3d 169.) Accordingly, if the D-22 Northern Expansion Alternative is selected, the MTA will be required to compensate for the taking and severance damages to the remaining members of the Association and the business participants in the Association. The Environmental Document and the MTA's cost estimates have wholly failed to consider such acquisition costs.

G

Conclusion

There are better sites to be selected. The community opposes the D-22 Northern Expansion Alternative.

There are other site alternatives that will not have the same significant impacts to the neighboring land uses and communities as the D-22.

H

Moreover, the D-22 will not be able to accommodate the need expressed by the MTA. The other alternatives will not only be able to accommodate the need and requirements of a maintenance facility, they will be able to meet the foreseeable needs for future expansion.

The MTA should not be short-sighted. It should select a site that meets both its current and future needs. That site is *not* the D-22.

Very truly yours,

Michael H. Leifer

MHL:mp

cc: Clients

Response to comment S.20-14A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-14B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. The environmental analysis covered all of the elements of a maintenance facility including those elements funded from other sources, such as a paint and body shop.

Response to comment S.20-14C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-14D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-14E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-14F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility. An open process for consideration of a maintenance facility has been carried out. Meetings were advertised. Briefings were accommodated and a full 45-day comment period with full disclosures was conducted.

Response to comment S.20-14G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.20-14H.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.20-15. Duncan Joseph Moore, Latham & Watkins.

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April 27, 2011

BY HAND DELIVERY

Chair Knabe and Board of Directors
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

File No. 048415-0002

Re: Crenshaw/LAX Transit Corridor: Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report

Dear Chair Knabe and Honorable Directors:

On behalf of NSHE Lebanon, LLC (“NSHE”), the owner of real property located at 9310-9430 Bellanca Avenue in the City of Los Angeles (the “Property”), we are writing to express our concerns regarding the Los Angeles County Metropolitan Transportation Authority’s (“Metro”) February 2011 Supplemental Draft Environmental Impact Statement/Recirculated Draft Environmental Impact Report (“SDEIS/RDEIR”) for the proposed Crenshaw/LAX Transit Corridor light rail project (the “Crenshaw Line”). As explained in the SDEIS/RDEIR, the primary purpose of this document is to evaluate four new sites for the Crenshaw Line’s proposed Maintenance Facility “that were not originally evaluated in the DEIS/DEIR.” (SDEIS/RDEIR, p. S-2.) One of these new sites, identified as “Site #14 – Arbor Vitae/Bellanca Alternative,” is the location of NSHE’s Property. In a staff report presented to the Metro Board’s Planning & Programming Committee at its April 20, 2011, meeting, Metro staff recommended that Site 14 be selected as the location for the Maintenance Facility over the three other sites evaluated in the SDEIS/RDEIR.

S20-15A

After careful review of the SDEIS/RDEIR, we have several concerns about the analysis regarding the development of the Maintenance Facility on Site 14 as well as Metro staff’s recommendation that Site 14 be selected over the alternative sites that were presented. Specifically, we have noted several points where the SDEIS/RDEIR fails to comply with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000, *et seq.* and the CEQA Guidelines, California Code of Regulations, title 14, Section 15000, *et seq.* The SDEIS/RDEIR violates CEQA by, among other deficiencies, (1) failing to adequately describe the Maintenance Facility project; (2) improperly “piecemealing” the project into smaller projects to avoid considering the project as a whole; and (3) failing to

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adequately analyze the project's significant environmental impacts in numerous impact areas and failing to analyze feasible mitigation measures or alternatives to those impacts. Each of these concerns is discussed in more detail below.

While NSHE has concerns about the SDEIS/RDEIR's evaluation of Site 14, NSHE wishes to convey to the Metro Board that it is a strong supporter of safe and reliable public transit that is compatible with the surrounding community. NSHE also appreciate Metro's efforts to bring together stakeholders, including the property owners of potential Maintenance Facility sites, to explore the alternative sites and to participate in the site selection process. However, because the SDEIS/RDEIR did not adequately consider the potential environmental impacts of developing the Maintenance Facility on Site 14, we believe that additional review is required. All of the issues set forth below need to be addressed in the FEIS/FEIR and a revised staff report must be presented before any decision can be made on staff's current recommendation. We ask that the Metro Board of Directors carefully consider the potential impacts of developing the Maintenance Facility on Site 14 as it continues to work with its staff and stakeholders, including NSHE, to explore all of the alternative sites, facility configurations and mitigation measures that will be necessary for the proposed Maintenance Facility.

S20-15A

I. THE SDEIS/RDEIR'S PROJECT DESCRIPTION OMITTS ESSENTIAL COMPONENTS OF THE PROJECT AND PROVIDES INSUFFICIENT INFORMATION

The SDEIS/RDEIR fails to fully disclose the planned future uses of the Maintenance Facility site, as well as the demolition of existing buildings that will be required. For an environmental document to evaluate the environmental ramifications of a project adequately, it must first provide an accurate description of the project itself. "[A]n accurate stable and finite project description is the sine qua non of an informative and legally sufficient EIR." (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 655 ("San Joaquin Raptor I") (quoting *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.) Furthermore "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." (*Silveira v. Las Gallinas Valley Sanitary District* (1997) 54 Cal.App.4th 980, 990 (citation omitted).)

S20-15B

While extensive detail in a project description is not necessary, CEQA mandates that an EIR describe a proposed project with sufficient detail and accuracy to permit informed decisionmaking. (See CEQA Guidelines, § 15124.) Thus, where a project description is either inaccurate or incomplete, a CEQA document's analysis of significant environmental impacts is rendered inherently unreliable. As discussed below, the SDEIS/RDEIR fails to meet this basic standard.

The SDEIS/RDEIR's project description does not even provide the most basic information about the size and scope of the Maintenance Facility that is being proposed. The project description notes only that the Maintenance Facility should have a "minimum operating capacity" of 33 Light Rail Vehicles ("LRVs"), with a base capacity of 45 LRVs and an ultimate storage capacity of 70 LRVs. (SDEIS/RDEIR, p. 1-7.) Additional details are provided about the number of proposed employees (approximately 125 to 200 working in three shifts), number of

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parking spaces (at least 40), and ancillary facilities that would be constructed on the Maintenance Facility site (a transformer generator and traction power station, a sheriff/security trailer, and buildings/shops to perform maintenance facility functions). (See SDEIS/RDEIR, p. 1-8.) However, there is no description of the size of any of these project components, including square footages and structure heights, the number of total structures proposed, or critical elements such as setbacks to adjacent properties.

There is a similar lack of detail about the demolition of existing structures on Site 14, including the amount of equipment and duration of activities that would be needed to demolish all of the existing industrial buildings on Site 14. (SDEIS/RDEIR, p. 2-9.) Demolition of existing structures on Site 14 is an integral part of developing the Maintenance Facility on that property, and therefore the SDEIS/RDEIR’s project description should describe the project’s demolition activities with sufficient detail to enable the public and the Metro Board to understand the full scope of those activities and their potentially significant effects on the environment.

The actual characteristics of physical development on the Maintenance Facility site and the project’s demolition activities could greatly alter the impact analysis. In particular, the characteristics of structures on the site and building setbacks could impact whether the Maintenance Facility is consistent with applicable zoning and General Plan requirements, as well as whether the Facility would have impacts to aesthetics and visual resources. Page 2-10 of the SDEIS/RDEIR provides a proposed Site Plan for development of the Maintenance Facility on Site 14, demonstrating that more detailed information about the size and scope of the Maintenance Facility was available at the time the SDEIS/RDEIR was prepared. To the extent that Metro has specific plans for Site 14 (or any of the alternatives considered), the SDEIS/RDEIR’s project description must describe those plans and discuss the distribution of specialized uses on the site. (See *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1213.)

S20-15B

A CEQA document’s project description is meant to provide the level of detail needed for evaluation and review of a project’s environmental impacts. (CEQA Guidelines, § 15124.) By omitting discussions of both the Maintenance Facility’s demolition activities as well as the size and scope of its proposed uses from the project description, the SDEIS/RDEIR excludes critical aspects of the Maintenance Facility project from the environmental analyses. Thus, the SDEIS/RDEIR lacks the information necessary for reasoned and informed consideration of the Maintenance Facility’s environmental impacts, which is one of the primary purposes of CEQA. (See CEQA Guidelines, § 15121(a); *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 712-22.)

II. THE SDEIS/RDEIR IMPROPERLY PIECEMEALS THE PROJECT

In addition to failing to describe the scope of the Maintenance Facility project in any meaningful detail, the SDEIS/RDEIR’s project description also improperly “piecemeals” the project by failing to describe the impacts of relocating the Dollar Rent-A-Car facility from Site 14 as well as the other businesses that exist on the property. As discussed above, the SDEIS/RDEIR also fails to describe the scope of the demolition activities required to implement

S20-15C

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the project on Site 14, and thus does not appear to fully analyze the project's demolition impacts. Under CEQA, a public agency "may not divide a single project into smaller individual projects to avoid its responsibility to consider the environmental impacts of the project as a whole." (*Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 698.) As the California Supreme Court has recognized, an accurate EIR must ensure that "environmental considerations do not become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences." (*Bozung v. Local Agency Formation Comm'n of Ventura County* (1975) 13 Cal.3d 263, 283-84.) By failing to analyze the impacts of developing new facilities for the existing businesses on Site 14 that will be displaced by the Maintenance Facility, the SDEIS/RDEIR improperly splits the Maintenance Facility project into smaller individual projects and therefore dramatically understates the Maintenance Facility's actual impacts.

Here, the Maintenance Facility project necessarily includes the relocation of existing businesses from Site 14 (or from any of the other alternative sites) to some new location. It is reasonably foreseeable that the Dollar Rent-A-Car facility in particular would need to be relocated from Site 14 to some other site near LAX and that a suitable space for Dollar's rental business would need to be constructed. Moreover, it would be unreasonable to assume that Dollar would halt its rental car business at LAX – the sixth busiest airport in the world – until LAX develops the consolidated rental car facility proposed in its LAX Facilities Master Plan, which may never happen. Because relocation and construction of the Dollar facility is a reasonably foreseeable consequence of developing the Maintenance Facility on Site 14, the SDEIS/RDEIR was required to analyze it as part of the project. (See *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 396 ("an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects."))

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The SDEIS/RDEIR's failure to include the relocation and construction of new facilities for the existing businesses on Site 14 in the project description permeates the SDEIS/RDEIR's impact analyses and renders them legally deficient. For example, the SDEIS/RDEIR's construction air quality analysis does not take into account the construction emissions that would be associated with constructing new buildings for the displaced businesses, including the Dollar rental facility. (See SDEIS/RDEIR, pp. 3-111 to 3-117.) In addition, the SDEIS/RDEIR's construction traffic analysis does not consider the potential impacts to traffic and circulation that would be associated with developing those new buildings. (SDEIS/RDEIR, p. 3-103.) Therefore, the Metro Board should not allow the SDEIS/RDEIR to move forward until it is amended to analyze the *whole* of the Maintenance Facility project, including the relocation of the existing businesses on Site 14, to ensure that the SDEIS/RDEIR fully discloses the full scope of the project's significant impacts.

Analysis of the impacts of demolishing existing structures on Site 14 is also required in the SDEIS/RDEIR. Although the construction of the Maintenance Facility at any of the proposed alternative sites will necessarily involve the demolition of existing structures on the selected site, the SDEIS/RDEIR fails to describe those structures in any detail and thus deprives

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the public and decisionmakers from understanding the full scope of environmental impacts that could be implicated by the demolition activities. Details that would be relevant to understanding the full scope of demolition activities on Site 14 in particular would include building square footages, current and historic industrial uses on the properties (which could involve the use of hazardous materials that may not be disclosed in a Phase I Environmental Site Assessment), and whether the existing buildings contain substances like asbestos that could be exposed to the public during demolition. Instead of describing the existing structures on Site 14 in any meaningful detail, the SDEIS/RDEIR provides only the barest of details and states that the “site contains industrial uses, Dollar Car Rental, Avis Car Rental administrative offices, Barthco International, and Gourmet Trading Company.” (SDEIS/RDEIR, p. 2-9.) Demolition activities may not be “piecemealed” into a separate, ministerial project, where as here, those activities are an integral part of the larger Maintenance Facility project. (See *Bozung*, 13 Cal.3d at 283-84.) Therefore, the SDEIS/RDEIR should be revised to properly describe the *whole* of the Maintenance Facility project so that all of its impacts may be analyzed.

S20-15C

III. THE SDEIS/RDEIR FAILS TO PROPERLY ANALYZE THE PROJECT’S TRAFFIC IMPACTS

The flaws in the SDEIS/RDEIR’s traffic analysis preclude the public from understanding the true scope of the Maintenance Facility’s potential impacts on existing traffic conditions. Under CEQA, “[a]n EIR must focus on impacts to the existing environment, not hypothetical situations.” (*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 955.) CEQA further provides that it is only against the baseline of existing conditions that a project’s significant environmental effects can be determined. (See CEQA Guidelines, §§ 15125, 15126.6(a).) As the Supreme Court has explained “[a]n approach using hypothetical allowable conditions as the baseline results in ‘illusory’ comparisons that ‘can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts,’ a result at direct odds with CEQA’s intent.” (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 322 (citation omitted).) Here, the SDEIS/RDEIR neither accurately describes the existing traffic conditions around Site 14, nor compares the Maintenance Facility’s traffic generation to those conditions, and thus violates CEQA’s requirements.

S20-15D

First, the SDEIS/RDEIR’s traffic analysis does not accurately present the existing traffic conditions surrounding Site 14 or any of the alternative sites considered. Although the SDEIS/RDEIR purports to present the existing traffic conditions in 2010 when the analysis was prepared, the SDEIS/RDEIR’s presentation of these facts is entirely misleading. (See SDEIS/RDEIR, pp. 3-2 to 3-5.) A closer examination of the Maintenance Facility’s Traffic Impact Assessment, which is attached as Appendix C to the SDEIS/RDEIR and upon which the traffic analysis is based, reveals that the Traffic Impact Assessment relied on traffic studies prepared for *other projects* in the vicinity of the proposed Maintenance Facility sites in 2007 and 2008. (See SDEIS/RDEIR Appendix C, p. 2.) Moreover, the Traffic Impact Assessment discloses that “no growth adjustment was applied to traffic counts from Year 2007/2008 to estimate Year 2010 traffic volumes.” (*Id.*) While the Traffic Impact Assessment claims that no growth adjustment was necessary due to a “comparative analysis of historic traffic count data” in the area, there is no evidence to support this conclusion.

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Although it is disturbing that the SDEIS/RDEIR has buried in a technical appendix the fact that its traffic counts were taken in 2007/2008 from analyses for unrelated projects, the fact that the traffic counts were not updated to reflect existing conditions in 2010 renders the analysis defective under CEQA and inconsistent with other assumptions in the Traffic Impact Assessment. As the Traffic Impact Assessment admits in its projections of future conditions, “[b]ased on historic trends and projected growth in the region over the next years, it was established that an ambient growth rate factor of 1% per year should be applied to adjust the existing base year traffic volumes to reflect the effects of regional growth and development by the Year 2018.” (See SDEIS/RDEIR Appendix C, p. 3.) Given that the Traffic Impact Assessment found that “historic trends and projected growth in the region” made it necessary to apply a 1% per year growth factor to establish future traffic conditions around the potential sites, it is nonsensical and wholly inconsistent that it did not apply a similar growth factor to account for traffic growth between 2007/2008 and 2010. Since the SDEIS/RDEIR’s traffic counts were not properly updated to reflect existing conditions in 2010, the SDEIS/RDEIR violates CEQA by presenting hypothetical conditions that do not give the public an accurate assessment of how the Maintenance Facility would impact the existing environment. (See *Communities for a Better Environment*, 48 Cal.4th at 322.)

On top of the SDEIS/RDEIR’s failure to describe existing physical traffic conditions, the SDEIS/RDEIR also fails to assess the Maintenance Facility’s potential traffic impacts against the hypothetical existing conditions it did describe. Instead, the SDEIS/RDEIR only evaluates potential impacts against forecasted future traffic conditions in 2018. (See SDEIS/RDEIR, p. 3-2 to 3-7.) The Court of Appeal in *Sunnyvale West Neighborhood Ass’n v. City of Sunnyvale City Council* (2010) 190 Cal.App.4th 1351, recently rejected an EIR’s use of this methodology. In that case, the EIR used hypothetical future traffic volumes as its “baseline” to evaluate the project’s traffic and related impacts under CEQA. (*Id.*) The Court found this approach violated CEQA, observing that “a straightforward assessment of the impacts produced by the project alone on the existing environment is the foundational information of an EIR.” (*Id.* at p. 1383.) This failure amounted to a prejudicial abuse of discretion, since “[e]valuation of the [] project under those projected worse traffic conditions of the future obscures the existence and severity of adverse impacts that would be attributable solely to the project under the existing conditions....” (*Id.* at p.1387.) Just as in *Sunnyvale*, the SDEIS/RDEIR’s failure to evaluate the Maintenance Facility’s impacts against the existing environment obscures the project’s actual impacts on existing conditions and violates CEQA.

S20-15D

In addition to the SDEIS/RDEIR’s flaws concerning its evaluation of existing traffic conditions, the SDEIS/RDEIR omits a critical intersection from its evaluation of the Maintenance Facility’s potential traffic impacts for Site 14. In identifying the relevant intersections to analyze in connection with Site 14, the SDEIS/RDEIR includes the Manchester Ave./Aviation Blvd. intersection. (See SDEIS/RDEIR, Table 3-1.) However, in its analysis of the Maintenance Facility’s impacts under future traffic conditions, the SDEIS/RDEIR inexplicably eliminates this intersection from Site 14’s analysis. (See SDEIS/RDEIR, Table 3-2.) This omission is particularly troubling given that the SDEIS/RDEIR’s analysis of Site 15

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shows the Manchester Ave./Aviation Blvd. intersection will operate at an unacceptable level of service (LOS F) under future conditions. (See *id.*)

In order to correct each of the deficiencies identified in the SDEIS/RDEIR’s traffic analysis and to promote informed decisionmaking, the traffic analysis should be revised so that the Maintenance Facility’s actual traffic impacts can be evaluated.

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D

IV. THE SDEIS/RDEIR’S LAND USE ANALYSIS FAILS TO DISCLOSE POTENTIAL IMPACTS WITH APPLICABLE PLANNING DOCUMENTS

The SDEIS/RDEIR’s analysis of the Maintenance Facility’s potential land use impacts is cursory at best and fails to engage in a meaningful evaluation of the project’s potential inconsistencies with applicable land use planning documents. As discussed above, because the SDEIS/RDEIR’s project description does not disclose the actual size of the project, including number of structures, building square footages, building heights and setbacks, it is impossible to determine whether the project would be consistent with applicable zoning regulations. The absence of this information is particularly egregious because the SDEIS/RDEIR also fails to disclose the limitations of the relevant zoning regulations – so no comparisons can be made whatsoever (even if such comparisons were possible). (See SDEIS/RDEIR, pp. 3-8 to 3-15.) For example, the only mention of zoning for Site 14 is that it is “M2-1; Light Industrial,” but the SDEIS/RDEIR provides no additional information about the uses allowed in this zone or whether the proposed Maintenance Facility would be compatible. (See SDEIS/RDEIR, p. 3-8.) By failing to present any of this relevant information, the SDEIS/RDEIR provides insufficient information to the public and decisionmakers about the project’s potentially significant effects. (See CEQA Guidelines § 15121(a).) Where an EIR fails to include such relevant information and thereby precludes informed public participation, it fails as an informational document. (*San Joaquin Raptor II*, 149 Cal.App.4th at 653.)

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E

The SDEIS/RDEIR also fails to discuss any of the Maintenance Facility’s potential inconsistencies with the land use planning documents it chooses to discuss in some detail. CEQA Guidelines Section 15125(d) requires that an EIR “discuss any inconsistencies between the proposed project and applicable general plans and regional plans.” This analysis is important in a CEQA document for several reasons. First, “[a]n inconsistency might indicate a likelihood of environmental harm and thus trigger a careful review of any potential impacts.” (1 Kostka & Zischke, *Practice Under the Cal. Environmental Quality Act* (Cont.Ed.Bar 2010) § 12.34.) In addition, “[a]n inconsistency may also support the conclusion that the underlying physical impact is significant.” (*Id.*) When an EIR fails to address inconsistencies between a proposed project and applicable plans, the decisionmakers are deprived of information necessary to make a meaningful assessment of a project’s environmental impacts and certification of the EIR is an abuse of discretion. (*Napa Citizens for Honest Gov’t v. Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 361 (“The failure to provide enough information to permit informed decision-making is fatal.”).)

In the case of Site 14, the SDEIS/RDEIR focuses only on the Maintenance Facility’s inconsistencies with applicable planning documents, but it fails to disclose any potential inconsistencies. Courts have held that an EIR is not required to analyze consistency with an

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applicable plan, only *inconsistency*. (*City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 918-19.) Here, for example, while the Maintenance Facility may have some consistencies with the Westchester-Playa Del Rey Community Plan, it also has several potential inconsistencies with the Plan that the SDEIS/RDEIR was required to discuss. The SDEIS/RDEIR also does not discuss inconsistencies with the City of Los Angeles General Plan or the LAX Facilities Master Plan. (SDEIS/RDEIR, p. 3-13 to 3-14.)

One example of the Maintenance Facility’s potential inconsistency with land use plans for Site 14 is with Community Plan Policy 3-3.1, which requires new industrial projects to use “urban design techniques, such as appropriate building orientation and scale, landscaping, buffering and increased setbacks in the development of new industrial properties to improve land use compatibility with adjacent land use.” The SDEIS/RDEIR provides none of these critical details about the project’s design, landscaping or setbacks, so it is reasonable to assume that the project may be inconsistent with some or all of this policy. In addition, Community Plan Industrial Urban Design Policies 4 and 10 require the screening of mechanical and electrical equipment from public view, as well as the screening of loading and delivery facilities. While the SDEIS/RDEIR discloses that the Maintenance Facility will include a transformer generator, traction power substation and a storeroom to facilitate the shipping and receiving of parts, each of which could implicate these policies, it fails to discuss whether some or all of this development would be inconsistent with the Community Plan.

S20-15E

To cure these deficiencies, the SDEIS/RDEIR’s land use consistency analysis must properly identify inconsistencies, classify these inconsistencies as significant impacts where required, and mitigate for the significant impacts identified. The Maintenance Facility cannot be approved unless it is consistent with the General Plan and the Community Plan. (Gov’t Code § 65680(d).)

V. THE SDEIS/RDEIR FAILS TO DISCLOSE AN ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Although the SDEIS/RDEIR analyzes four alternative locations for the proposed Maintenance Facility, the alternatives analysis does not satisfy CEQA’s basic requirements. CEQA requires an EIR to identify and discuss feasible alternatives to a proposed project. (Pub. Res. Code, §§ 21002, 21002.1(a), 21061, 21100(b)(4).) Of the alternatives considered, the CEQA Guidelines require that an EIR identify the “environmentally superior alternative,” which assists decisionmakers in considering a project approval. (See CEQA Guidelines, §§ 15126.6(a), (e)(2).) Here, the SDEIS/RDEIR only describes the alternatives considered, but it does not identify an environmentally superior alternative that would minimize the Maintenance Facility’s significant environmental effects. (See SDEIS/RDEIR, pp. 2-1 to 2-17.)

S20-15F

A closer examination of the SDEIS/RDEIR’s impact summary reveals that Site 14 – the alternative that Metro staff is recommending – cannot be the environmentally superior alternative. (See SDEIS/RDEIR, pp. S-5 to S-10.) According to the SDEIS/RDEIR, Development of the Maintenance Facility on Site 14 would result in a total of three significant and unavoidable impacts, which is a greater number of significant impacts than would result from development of the project at any of the other alternative sites. Disclosure of this

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information is critical to the Metro Board’s evaluation of the alternatives, since CEQA prohibits agencies from approving projects as proposed if there are feasible alternatives that would substantially lessen the significant environmental effects of such projects. (Pub. Res. Code § 21002.)

The SDEIS/RDEIR’s failure to disclose an environmentally superior alternative is necessarily prejudicial, where as here, agency staff is recommending an alternative that is clearly not environmentally superior. Under CEQA, a proper analysis of alternatives is essential to comply with CEQA’s mandate that significant environmental damage be avoided or substantially lessened where feasible. (Pub. Res. Code, § 21002; CEQA Guidelines, §§ 15002(a)(3), 15021(a)(2).) Accordingly, the SDEIS/RDEIR should be revised so that it accurately presents which of the feasible alternatives analyzed is environmentally superior to Site 14.

S20-15F

VI. THE SDEIS/RDEIR DOES NOT ADEQUATELY ANALYZE THE PROJECT’S AIR QUALITY, CONSTRUCTION NOISE AND GEOTECHNICAL IMPACTS

A. Air Quality

The SDEIS/RDEIR appears to omit significant aspects of the Maintenance Facility’s construction from its emissions modeling, and thus appears to base the modeling on inappropriate assumptions. Due to the significant health impacts associated with construction emissions in the South Coast, proper calculation and disclosure of these construction emissions is particularly important. Specifically, in the SDEIS/RDEIR’s construction noise and vibration analysis, eight different pieces of construction equipment are identified (i.e., excavator, loader, backhoe, crane, compactor, paver, grader, and pneumatic tool.) (SDEIS/RDEIR, p. 3-105.) However, in the “Regional Construction Emissions (Sites 14, 15 and 17) – Mitigated” modeling worksheet provided in SDEIS/RDEIR Appendix C, only three pieces of construction equipment are modeled for purposes of determining the project’s construction emissions (i.e., excavator, grader and loader). Omission of the emissions that would be generated by the other equipment the SDEIS/RDEIR explicitly identifies as being used during project construction is significant, and indicates that the SDEIS/RDEIR severely underestimated the Maintenance Facility’s construction emissions.

S20-15C

In addition, the SDEIS/RDEIR fails to include a site-specific analysis of construction emissions in its construction air quality analysis. (See SDEIS/RDEIR, p. 3-104 to 3-105.) Instead, the SDEIS/RDEIR assumes that construction will occur over a 24-month period at all of the alternative sites evaluated, regardless of the existing conditions on those sites. (See SDEIS/RDEIR, p. 3-102.) The failure to conduct a site specific analysis for Site 14 is particularly egregious because Site 14 contains multiple, large industrial buildings that will require substantial demolition activities. Due to the lack of information provided in the SDEIS/RDEIR’s construction air quality analysis, it is impossible to know if these added demolition activities were fully taken into account in the project’s air quality modeling. Moreover, it is clear that demolition of the existing structures was not taken into account in the content of toxic air contaminants, because the potential release of asbestos from demolition of the existing structures is not disclosed or mentioned. (See SDEIS/RDEIR, p. 3-105.)

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It is well understood that “[a]n 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.” (*Laurel Heights Improvement Assn.*, 47 Cal.3d at 405.) As discussed above, the SDEIS/RDEIR’s construction air quality analysis contains significant gaps in information that most likely indicate substantial flaws that preclude the public from meaningfully considering the project’s impacts. Where, as here, an EIR fails to include relevant information and thereby precludes informed public participation, it fails an informational document. (See *San Joaquin Raptor II*, 149 Cal.App.4th at 653.)

S20-15G

B. Construction Noise and Vibration

Although the SDEIS/RDEIR does not identify any noise sensitive uses adjacent to Site 14, it fails to specifically consider the adjacent Neutrogena facility to the west, which contains research laboratories that could be particularly susceptible to noise and vibration impacts. (See SDEIS/RDEIR, p. 3-105 to 3-106.) Noise and vibration impacts are highly localized, and thus the SDEIS/RDEIR should have engaged in a more detailed evaluation of the potential noise and vibration impacts associated with developing the Maintenance Facility on Site 14. The SDEIS/RDEIR evaluates potential impacts associated with noise and vibration using thresholds used by the Federal Transit Authority. (See Federal Transit Authority, *Transit Noise and Vibration Impact Assessment*, May 2006 (“FTA Guidelines”).) Under the FTA Guidelines, the Neutrogena facility’s laboratory are likely “noise sensitive” uses.

The FTA Guidelines address noise impacts based on three categories of “noise sensitive” land uses that, “apply to business uses which depend on quiet as an important part of operations, such as sound and motion picture recording studios.” (See FTA Guidelines Sec. 3.2.1 and Table 3-2.) The FTA Guidelines also address vibration impacts and identify television and recording studios as uses that are very sensitive to vibration. The buildings that house such uses are characterized as “Special Buildings” and are subject to stringent analysis. (See FTA Guidelines, Table 8-2.) The FTA Guidelines recognize that each Special Building may have a unique specification for acceptable vibration levels and thresholds should be determined on a case-by-case basis. (See FTA Guidelines Sec. 8.2.2.)

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The laboratory operations in the Neutrogena facility may depend on quiet as an important part of their operations. Thus, the SDEIS/RDEIR’s failure to evaluate whether the construction of the Maintenance Facility could have an adverse noise and vibration impacts on operations at the Neutrogena facility is inconsistent with the FTA Guidelines, which may require that Neutrogena’s operations be given special consideration and be subject to a more stringent analysis. The SDEIS/RDEIR contains no evaluation of the impact of noise or vibration on the Neutrogena facility’s laboratories, and thus it is impossible to know whether construction of the Maintenance Facility could have an adverse impact on any sensitive laboratory uses. Accordingly, the SDEIS/RDEIR should be revised to include a more detailed evaluation of the Neutrogena facility’s laboratory uses and whether they require more stringent analysis under the FTA Guidelines.

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C. Geotechnical Impacts

Although the SDEIS/RDEIR describes the geologic setting for all of the alternative Maintenance Facility sites using a general description of geology in the Los Angeles Basin, it does not engage in a site specific geologic investigation of any of the sites – including Site 14. (SDEIS/RDEIR, p. 3-62.) Identifying potential geotechnical impacts requires a site-specific analysis that cannot be accomplished through a broad description of geologic conditions in an entire region. Missing from the SDEIS/RDEIR’s discussion of potential geotechnical impacts is a discussion of existing geologic conditions on Site 14, a description of the amount of excavation and fill that will be required to develop the Maintenance Facility on that site, and whether those activities have the potential to result in significant environmental impacts. Additional environmental analysis of the site-specific geotechnical impacts is required before any final action is taken on the Maintenance Facility.

S20-15I

VII. THE SDEIS/RDEIR’S CUMULATIVE IMPACT ANALYSIS IS INADEQUATE

The SDEIS/RDEIR provides scant analysis of the Maintenance Facility’s cumulative environmental impacts and violates CEQA’s fundamental requirements for a cumulative impacts analysis. An EIR must discuss cumulative impacts. (CEQA Guidelines, § 15130.) That is, an EIR must discuss a project’s impacts over time in conjunction with past, present and reasonably foreseeable future projects. (Pub. Res. Code, § 21083; Guidelines, § 15130; see also *id.*, § 15355(b) (defining cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts”).) “An EIR which completely ignores cumulative impacts of the project is inadequate.” (*Fairview Neighbors v. County of Ventura* (1999) 70 Cal.App.4th 238, 245.)

The SDEIS/RDEIR devotes a mere three pages to analyzing the project’s potential cumulative impacts at all four alternative locations, despite the fact that two of those locations (Sites 14 and 15) would be heavily impacted by the approved LAX Facilities Master Plan (the “Master Plan”). The Master Plan contemplates significant development at and surrounding LAX, including the development of a new Ground Transportation Center, Intermodal Transportation Center, Consolidated Rent-A-Car facility, an Automated People Mover rail system, the demolition and construction of new terminals, and the development of approximately 4.5 million of airport-related industrial and commercial uses as part of the LAX Northside project, among others. Each of these Master Plan components is therefore “reasonably foreseeable” and deserved substantially more analysis than the cursory discussion provided in the SDEIS/RDEIR.

S20-15J

Although the SDEIS/RDEIR does mention the Master Plan generally, it does not engage in the level of analysis required, particularly in the area of construction-related impacts. The CEQA Guidelines require that an EIR’s “discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence . . . [t]he discussion should be guided by the standards of practicality and reasonableness . . .” (CEQA Guidelines § 15130(b).) Here the SDEIS/RDEIR notes only that “[i]n the event that all proposed LAX facilities would be constructed in the same time frame as the maintenance facility, there would be cumulative air emissions from construction equipment, as well as traffic disruption from haul trucks, detours

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and lane closures.” (SDEIS/RDEIR, p. 3-120.) Missing from this discussion, however, is the critical analysis of the *severity* of the impacts identified in areas such as traffic, air quality and water quality, as well as a discussion of impacts in a host of other critical areas such as noise and vibration, greenhouse gas emissions, and hazards. Given that the Final EIS/EIR for the Master Plan details all of the Master Plan’s environmental impacts in extensive detail, it was both practical and reasonable for the SDEIS/RDEIR to disclose each of those impacts and to quantify the Maintenance Facility’s contribution to those impacts.

In addition, the SDEIS/RDEIR fails to identify whether the Maintenance Facility’s contribution to the Master Plan’s cumulative impacts would be cumulatively significant. An EIR’s cumulative impact analysis must take a two-step approach: first, the EIR must determine whether combined effects from a project and other projects would be cumulatively significant; and second, based on the answer to the first step, the EIR must determine whether the proposed project’s incremental effects are cumulatively considerable.¹ (See *Communities for a Better Environment v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 120 (“*Communities for a Better Environment*”).) Further, and as explained in *Communities for a Better Environment*, an EIR cannot simply compare a proposed project’s impacts against the collective impacts of other projects to determine the proposed project’s “relative” impact. Instead, the EIR must add the proposed project’s impacts to those of the related projects and determine in that context whether the project’s incremental effects are cumulatively considerable. (*Id.* at pp. 117-21.) Simply comparing the project’s impacts to the cumulative impacts of other projects would result in the *de minimis* approach (aka the “ratio approach”) disapproved in *Kings County Farm Bureau v. City of Hanford*. ((1990) 221 Cal.App.3d 692, 721 (“*Kings County*”)) (noting such an approach would allow “approval of projects which, when taken in isolation, appear insignificant, but when viewed together, appear startling.”))

S20-15J

Here, the SDEIS/RDEIR’s approach to analyzing cumulative impacts does not even come close to the basic requirements articulated in *Communities for a Better Environment*. The SDEIS/RDEIR does not identify whether any of the potential cumulative impacts from the Master Plan and the Maintenance Facility are significant, and thus it cannot reasonably determine whether the Maintenance Facility’s impacts are cumulatively considerable. (See SDEIS/RDEIR, p. 3-120.) Despite this fact, the SDEIS/RDEIR summarily concludes that the Maintenance Facility’s impacts would not be cumulatively considerable “due to low intensity use, small peak hour trip generation, and the industrial character of the use.” (*Id.* at 3-121.)

This approach is similar to the discredited *de minimis* approach discussed in *Kings County*. (See *Kings County*, *supra*, 221 Cal.App.3d at p. 721.) Specifically, the *Kings County* court noted that an EIR’s cumulative impact analysis cannot simply identify a potential overall environmental problem and then conclude that a project’s relative effects will not have a significant impact because it “avoids analyzing the severity of the problem and allows approval of projects which, when taken in isolation, appear insignificant, but when viewed together,

¹ A project’s incremental contribution is cumulatively considerable if the incremental effects of the project are significant “when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” (CEQA Guidelines, § 15065(a)(3).)

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appear startling” (*Id.*) Here the SDEIS/RDEIR identified that there may be cumulative impacts – at least in the areas of construction air quality and traffic – and the EIR’s failure to appropriately quantify and analyze whether the Maintenance Facility’s contribution to those impacts is cumulatively considerable must be addressed. Moreover, the SDEIS/RDEIR’s failure to even mention, let alone quantify and analyze potential cumulative impacts in all of the other environmental impact categories – noise, land use, hazards, and public services, among others – makes the document’s cumulative impacts analysis a pointless exercise that in no way accurately reflects the project’s true cumulative impacts.

As a result of these numerous deficiencies, the SDEIS/RDEIR does not engage in a “reasonable analysis of the cumulative impacts of the relevant projects” as required under CEQA. (CEQA Guidelines, § 15130(b).) Furthermore, the absence of this analysis precludes any ability to identify potential mitigation measures that could reduce any significant cumulative impacts, which also violates CEQA. (See CEQA Guidelines, § 15130(b)(5) (“An EIR shall examine reasonable, feasible options for mitigating or avoiding the project’s contribution to any significant environmental effects.”))

S20-15J

The SDEIS/RDEIR’s failure to engage in a reasonable cumulative impacts analysis renders the document fatally defective. In sum, the SDEIS/RDEIR did not reflect a “conscientious effort to provide public agencies and the general public with adequate and relevant detailed information” about cumulative impacts. (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.) As the *San Franciscans for Reasonable Growth* court held, omitting such information that is reasonable, feasible and practical to include in an EIR is an abuse of discretion that requires an EIR certification to be vacated. (*Id.* at p. 81.)

VIII. METRO’S STAFF REPORT IS MISLEADING

In addition to the deficiencies identified in the SDEIS/RDEIR, the staff report presented to the Metro Board’s Planning & Programming Committee at its April 20, 2011, meeting (the “Staff Report”) is misleading, and underestimates the true environmental impacts of developing the Maintenance Facility on Site 14. In essence, the Staff Report appears more concerned with selecting a recommended site for the Maintenance Facility that will be the least controversial and that will cost the least to acquire, rather than selecting a site that will result in the least impacts to the environment, as CEQA requires. As discussed above, in approving CEQA the Legislature found that “it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which would substantially lessen the significant environmental effects of such projects.” (Pub. Res. Code, § 21002.) Accordingly, Metro’s evaluation of the alternative sites for the Maintenance Facility should be focused on selecting a site that will cause the least environmental harm.

S20-15K

The Staff Report completely ignores the significant and unavoidable impacts that will result from developing the Maintenance Facility on Site 14, and thus fails to adequately represent the actual significant impacts that would result on Site 14. Specifically the Staff Report provides that “Site I4 (Arbor Vitae/Bellanca) is being recommended . . . The potential significant environmental impacts associated can be *entirely mitigated.*” (Staff Report, pp. 2-3 (emphasis

LA12251330.2



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LATHAM & WATKINS^{LLP}

added.) This statement is inaccurate and is directly contradicted by the SDEIS/RDEIR. As discussed above, and as disclosed in the SDEIS/RDEIR, development of the Maintenance Facility on Site 14 would result in *three significant and unavoidable impacts*, which means that those impacts cannot be mitigated. (See SDEIS/RDEIR, pp. S-5 to S-10.) When the analysis is corrected, as noted above, additional significant and unavoidable impacts may be identified. Those already recognized are in the areas of construction noise, construction air quality and economic and fiscal impacts. (*Id.*) Moreover, as described earlier in this letter, the number of significant and unavoidable impacts associated with Site 14 is greater than the significant and unavoidable impacts associated with *each of the other alternative sites*. (*Id.*) This information is critical to the Metro Board's consideration of alternative sites and its ability to proceed in the manner required by CEQA, and should be disclosed accurately to the Board before it takes any action.

In addition, the Staff Report inexplicably reduced the estimate of the cost to develop Site 14 from the estimate presented to the public in the SDEIS/RDEIR. The Staff Report provides that "[t]he cost of developing this maintenance facility [on Site 14] is estimated to be \$280-290 million, which is cost-effective compared to the other sites studied." (Staff Report, p. 3.) However, the SDEIS/RDEIR estimates the cost of developing Site 14 as \$302.9 million, which is significantly more than the estimates to develop Site D22N (\$116.6 million) and Site 17 (\$221.1 million). (SDEIS/RDEIR, p. 2-17.) Accordingly, the cost to acquire Site 14 appears to be more than two of the three other alternative sites studied, so it is misleading to suggest that the cost of acquiring Site 14 is "cost-effective" when compared to those other sites.

According to Metro staff's PowerPoint presentation provided at the April 20, 2011, Planning & Programming Committee meeting, staff revised its cost estimates for developing the alternative sites on April 6, 2011, but has provided no evidence to support these revised estimates or any explanation as to why the estimates differ from those presented in the SDEIS/RDEIR. Under the revised estimates, the costs to develop the sites are as follows:

- Site D22N: \$110-\$120 million (in the same range as the \$116.6 million estimate in the SDEIS/RDEIR);
- Site 14: \$280-\$290 million (\$23 to \$13 million less than the \$302.9 million estimate in the SDEIS/RDEIR);
- Site 15: \$290-\$300 million (\$36 million to \$26 million less than the \$325.8 million estimate in the SDEIS/RDEIR); and
- Site 17: \$275-\$285 million (\$53 to \$63 million more than the \$222.1 million estimated in the SDEIS/RDEIR).

(See Metro Staff PowerPoint (April 20, 2011), p. 5; SDEIS/RDEIR, p. 2-17.)

This dramatic change in development estimates is disturbing, given that the estimates changed by tens of millions of dollars in the three months since the SDEIS/RDEIR was released to the public in February 2011. Even more concerning is the fact that the estimate for developing the site that Metro staff is recommending – Site 14 – is now within the range of the cost of developing Site 17, despite the fact that the SDEIS/RDEIR estimated it would cost \$80 million

S20-15K

LA2251330.2



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more to develop Site 14 than Site 17. Without any evidence to support the rationale for the changes in these estimates, it is impossible for the public and the Metro Board to understand why these estimates have changed so dramatically in such a short period of time. This disparity is even more troubling where, as here, the SDEIS/RDEIR does not disclose an environmentally superior alternative that would enable the Metro Board to accurately consider the environmental issues associated with developing Site 14 in comparison to the other alternative sites, in addition to comparing the costs of development.

S20-15
K

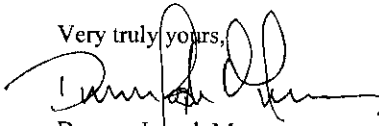
Metro staff should be required to disclose to the public and the Metro Board the reasons for the changes in these cost estimates, including the changes in staff's underlying assumptions, so there can be a full evaluation of the revised estimates to determine if they are accurate. In the absence of such a full disclosure, the Metro Board may end up selecting a site that in fact costs tens of millions of dollars more than most of the other sites evaluated, and thus would not be proceeding in a manner that is either "cost effective" or fiscally responsible.

IX. CONCLUSION

NSHE continues to support the efforts of Metro and the Crenshaw Line project in general. We also understand and appreciate the fact that Metro staff has worked hard to identify potential sites for the location of the Maintenance Facility. However, we ask that Metro address the significant environmental concerns raised in this letter, and direct staff to work with NSHE and resolve these issues before moving forward with a site selection for the Maintenance Facility. NSHE also reserves its rights to make additional comments on the SDEIS/RDEIR, the to-be-prepared FEIR/FEIS and the Maintenance Facility project during Metro's ongoing administrative process.

S20-15L

Very truly yours,



Duncan Joseph Moore
of LATHAM & WATKINS LLP

cc: Roderick Diaz, Project Manager
Marc Nathanson
Chuck Ng
Alex Horvat
Lucinda Starrett, Esq.

LA/2251330.2

Response to comment S.20-15A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. Please refer to responses to comments S.20-15B through S.20-15K.

Response to comment S.20-15B.

Comment noted. The comment states that specific physical building details, such as square footage, are necessary to assess impacts. This contention for a maintenance facility is incorrect. Impacts are driven by the number of cars serviced and stored and the overall size of the site. This description allows for informed decision making. Please refer to response to comment S.15-G for a discussion of demolition activity.

Response to comment S.20-15C.

Comment noted. The comment states that the impacts of the relocated tenants/owners from the maintenance facility site need to be addressed. This is incorrect. Metro is providing relocation benefits per the Uniform Act. It is speculative as to where the tenants would or could relocate. Metro is not required to address unknown speculative secondary effects.

Response to comment S.20-15D.

Comment noted. Technical details are raised about the existing conditions. The uses displaced generate substantially more trips than the maintenance facility. Traffic counts were taken during the pm peak hour on May 9, 2011. The existing uses on the Site #14 – Arbor Vitae/Bellanca Alternative generated 147 inbound and 258 outbound trips during the pm peak hour. The maintenance facility is anticipated to generate 23 trips during the pm peak hour. Under no circumstance, could there ever be a traffic impact. Because none of the four sites analyzed would have more traffic than existing conditions, these effects would not be used in determining a staff recommendation.

Response to comment S.20-15E.

Comment noted. Please refer to response to comment S.20-15B. The project analyzed consistency with all applicable plans and policies. Had any inconsistencies been determined, they would have been stated. No inconsistencies with land use policies were found. The comment also states that the project does not respond to urban design requirements of the community plan. The project is however only designed to the level of understanding if the site plan works on the allotted acreage. The plans were developed only to the level to compare alternative sites and analyze impacts.

Response to comment S.20-15F.

Comment noted. The comment asserts that the superior alternative was not disclosed and prejudices the staff recommendation. The staff recommendation is based on variety of cost and feasibility factors to discern between the maintenance facility sites. Environmental evaluation is just one of the considerations. The comparative effects of the alternatives have been presented in the document for consideration by the Board.

Response to comment S.20-15G.

Comment noted. The comment states that the air quality analysis is inadequate for not addressing site specific construction emissions, including the demolition of buildings. The analysis provided in the SDEIS/RDEIR addresses, as required by SCQAMD, a worst case day, which is typically site grading and preparation and not the building demolition phase. The construction thresholds established by the SCAQMD are based on pounds per day of emissions. The project analysis was completed assuming that the maximum daily emissions would occur during the site preparation phase of construction activity. Site preparation activity would utilize more equipment than demolition activity and would generate more fugitive dust emissions. As an example, the SCAQMD has provide example emissions in *Sample Construction Scenarios for Projects Less than Five Acres in Size* (February 2005). Although the project site is larger than five acres, the emissions from a five acre site can be used to compare relative demolition and grading emissions. Localized demolition emissions are estimated at 19.7 pounds per day for CO, 43.9 pounds per day for NOx, and 3.5 pounds per day for PM10. Localized site preparation emissions are estimated at 43.6 pounds per day for CO, 101.7 pounds per day for NOx, and 10.4 pounds per day for PM10. This example shows that localized emissions are typically higher for site preparation compared to demolition. The project analysis assumed 75 truck trips per day. It is not anticipated that this quantity of trucks would be exceeded during any construction phase.

Response to comment S.20-15H.

Comment noted. The comment states that the Neutrogena research lab would be adversely affected by the project generated noise and vibration. Neutrogena was noticed about the project and provided no comments or concerns. It should noted that the Neutrogena facility is located directly beneath the LAX flight path and operates today with heavy air traffic passing approximately 200 feet above the facility. The cosmetics manufacturing facility has adapted to these significant existing environmental effects.

Response to comment S.20-15I.

Comment noted. The comment states that there is no site specific geotechnical analysis. This is inaccurate. A Phase I Assessment was prepared for the Site #14 – Arbor Vitae/Bellanca Alternative.

Response to comment S.20-15J.

Comment noted. The comment states that the document does not indicate whether the maintenance facility's impacts are cumulatively considerable. This assertion is not correct. That determination is made on page 3-121 of the SDEIS/RDEIR. The commenter also questions the depth of the analysis. As the Lead Agency, Metro has determined that the analysis presented allows a reasonable comparison of the environmental impacts of the alternative sites.

Response to comment S.20-15K.

Comment noted. The comment references a staff recommendation report and does not address environmental issues/questions regarding the SDEIS/RDEIR.

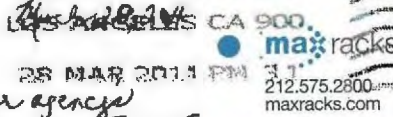

Response to comment S.20-15L.

Comment noted. Metro has addressed the concerns of the commenter.



COMMENT: S.30-01.Steve Cady.

S30 - 1

Mr. Diaz:
 I received your agency letter, re, the Crenshaw Transit Corridor & the placement of the maintenance facility, etc. I thought the maintenance facility should be built in Redondo Bch. to assist in facilitating the newest part of the Green Line Extension of the Airport Area. I'd assumed the Crenshaw area would be serviced by the original bus system, perhaps with a train line in Mid City. The latter, however, is not a good idea for excessive congestion. The Red Line should be extended to Sta. Monica, then the LAX area, underground.

Regards, Steve Cady
 1289 S. Citrus Av.

Rodrick Diaz, Metro
 1 Gateway Pl. 99-22-3
 Los Angeles, CA. 90012

To have our latest cards sent to your inbox, sign up for the E-card of the week e-mail list at: www.maxracks.com/ecardlist

Response to comment S.30-1A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-1B.

Comment noted. An Alternatives Analysis was completed during the preparation of the Draft EIS/EIR to identify the transit alternatives to be evaluated in the Draft EIS/EIR. The results of the Alternatives Analysis are presented in Chapter 2, Alternatives Considered, of the Draft EIS/EIR. This analysis used criteria including but not limited to, regional connectivity, ridership, and cost-effectiveness to compare the different modes of transit and alignment options and determine which alternatives would be carried forward for further analysis into the Draft EIS/EIR. Based on the results of this analysis, a light rail transit alternative and a bus rapid transit alternative were determined to be the modes of transit capable of being supported by the Crenshaw Corridor.

Response to comment S.30-1C.

Comment noted. The extension of the Red Line is not part of the proposed project. Information on other Metro projects can be obtained at the Metro website at www.metro.net, under the Projects and Programs tab.



COMMENT: S.30-02.Becky Chan.

S30 - 2

Crenshaw/LAX
Transit Corridor
Project

Supplemental Draft Environmental Impact Statement/
Recirculated Draft Environmental Impact Report

Comment Form

The Crenshaw/LAX Transit Corridor project team welcomes your comments on the evaluation of proposed maintenance facility sites for Metro's light rail system and an update on potential impacts to parklands and historic resources. Please fill out this form and use additional sheets, if necessary. Give this form to project staff or return to Metro (see directions on reverse).

Name (First & Last Name, Organization)

BECKIE CHAN

Address (Street, City, State, Zip)

5408 W 9th St # Hawthorne CA 9025

Email (enter address to receive periodic project updates)

pcchan543@gmail.com

Would you like to be added to the project mailing list?

Yes No

THS001-1-10

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division 22 North Expansion
- General Comments

Parklands and Historic Resources
(Section 4(f) Resources)

Comment (please print):

I would like to express my strong opposition to the Division 22 North Expansion. I have a house adjacent to the Division 22 North Expansion Building, a maintenance facility. This train will increase noise pollution and decrease the property value of houses. Decreasing the property value of houses will result in reduced income to the city of Hawthorne. Please do not build the maintenance facility at the Division 22 North Expansion.

A

B



Response to comment S.30-2A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-2B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.30-03.Silvio Chianese.

S30 - 3

Crenshaw/LAX
 Transit Corridor
 Project

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 Recirculated Draft Environmental Impact Report

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Name (First & Last Name, Organization)

Silvio Chianese, Wisburn Watch

Address (Street, City, State, Zip)

4900 W. 137th St Hawthorne, CA 90250

Email (enter address to receive periodic project updates)

silvio.chianese@gmail.com

Would you like to be added to the project mailing list?

Yes No

ISSUE CATEGORIES TO

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division #2 North Expansion
- General Comments

Parklands and Historic Resources
 (Section 4(f) Resources)

Comment (please print).

Site 17 is the most appropriate site for the maintenance facility. It meets the requirements for size and number of cars that can be handled. In addition, this site is much cheaper than the other large options. Finally there are fewer businesses to relocate at site 17 compared to the other sites.

A

The quantitative selection criteria used to rank and select the maintenance facility should be clearly stated in a document available for review by the public.

B



Comment (continued):

Multiple horizontal lines for writing a comment.

PLEASE PRINT YOURSELF

What is your home zip code: 90250 Work zip code: 90278

Do you: (check all that apply)

Live in the project area? Commute through the project area?

Work in the project area? Other? _____

Own a business in the project area?

AFFILIATION

- Resident Business
- Community or Neighborhood Organization
- Public Agency
- Environmental Organization
- Civic Organization
- Economic Development Organization
- Other

Thank You!

Give this form to project staff or return to Metro:

Postal Mail

Roderick Diaz, Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Mail Stop: 99-22-8
Los Angeles, CA 90019-2952

Email:
diazroderick@metro.net
Project Hotline
(213) 922-2736

Comments must be received by April 11, 2011 by 5pm



Response to comment S.30-3A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-3B.

Comment noted. The criteria used to evaluate the maintenance alternatives is both qualitative and quantitative and is identified in the Chapter 2.0, Alternatives of the SDEIS/RDEIR. This criterion, along with the environmental analysis and comments received on the alternatives, were used to make a staff recommendation to the Metro Board of Directors to select Site #14 Arbor Vitae/Bellanca as the preferred maintenance site alternative.



COMMENT: S.30-04.Abby Frank.

S30 - 4

From: Abigail Frank [absterabs@hotmail.com]
Sent: Tuesday, April 12, 2011 9:30 PM
To: Diaz, Roderick
Subject: mta expansion
Attachments: mta card.pdf

Dear Mr. Roderick,

As mentioned in the Fusion at South Bay Homeowners Association public comment letter, page 3, footnote 2, please find attached a copy of the card and my statement authenticating it so that it may become a part of the Administrative Record ("AR") and Record of Decision ("ROD") in this matter. So as to protect that employee's privacy, we are submitting it under separate cover as opposed to including it in the actual letter. I personally met the MTA employee and he gave me his card. Here is a recap of the events:

I was out front with my neighbor Martine (he lives in the front building diagonal to me). There was a man standing outside the gate looking like he was trying to get in. Martine went up to the gate and spoke with the man and he said he was from the MTA. He was asking about who he could talk to about testing. Then Martine said my name and said I was on the board. Martine opened the walking gate and the MTA guy (Joe Daniels) said he wanted to know who to contact to notify the residents when they would be doing testing. I gave him Ariel's (our property manager) phone number.

Then Martine and I were discussing the noise from when the trains come in. He said they have been working on that to make them quieter since they had been getting a lot of complaints. He said that if we or any other resident had any concerns to contact them directly and then gave me all those phone numbers, one of which is his cell number. He said they take all concerns seriously and will do what they can to make it better for us. I told him how at night it seems the loudest when they are bringing them in. I explained that it sounds like nails on a chalkboard, but 10 times louder. I made a comment about using WD40 and he laughed. He said that was not good and we shouldn't have to live like that. Things have not changed since that conversation. This was at the end of last year when he came by.

Sincerely,

Abby Frank

A



14724 Aviation Blvd.
Mail Stop 22-2-2
Lawndale, CA
90260

Joe Daniels: 310-643-5078 cell
Rail Transit Operations Supervisor
Light Rail Division 29
310-643-5090 Tel
310-643-5030 Fax
jdaniels@metro.net

310-910-5078 Home
Metro
213 716-2610 cell

Metropolitan Transportation Authority



Response to comment S.30-4A.

Comment noted. The existing operations of the Metro Division 22 Green Line Maintenance Facility are not part of the proposed project. Comments regarding the existing Division 22 facility should be directed to the Metro public relations office.



COMMENT: S.30-05.Jason Gromski.

S30 - 5

Crenshaw/LAX
 Transit Corridor
 Project

Supplemental Draft Environmental Impact Statement/
 Recirculated Draft Environmental Impact Report

Comment Form

The Crenshaw/LAX Transit Corridor project team welcomes your comments on the evaluation of proposed maintenance facility sites for Metro's light rail system and an update on potential impacts to parklands and historic resources. Please fill out this form and use additional sheets, if necessary. Give this form to project staff or return to Metro (see directions on reverse).

Name (First & Last Name, Organization)

Jason Gromski

Address (Street, City, State, Zip)

4598 W 132nd ST Hawthorne CA 90250

Email (enter address to receive periodic project updates)

jason.gromski@gmail.com

Would you like to be added to the project mailing list?

Yes No

THIS COMMENT RELATES TO:

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division #2 North Expansion
- General Comments

Parklands and Historic Resources
 (Section 4(f) Resources)

Comment (please print):

The division 22 North Expansion does not meet the project requirements. I support maintenance facility options that meet all of the opening day requirements as well as provide an opportunity for expansion.

~~Site #17~~
 For a maintenance facility, I support the option that meets the project requirements completely, ~~and~~ is most cost effective, and has the path of least resistance. Project delays are unacceptable.

The Site #14 and Site #17 sites appear to be the best options

A

Response to comment S.30-5A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.30-06.Patricia P. Gulto.

S30 - 6

Crenshaw/LAX
Transit Corridor
Project

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Recirculated Draft Environmental Impact Report

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Patricia P. Gulto

Address (Street, City, State, Zip)
5406 W. 149th Unit 10, Hawthorne, CA 90250

Email (enter address to receive periodic project updates)
ppumettish@hotmail.com

Would you like to be added to the project mailing list?
 Yes No

- THIS COMMENT RELATES TO:
- Maintenance Facility Sites:**
- Site #14 Arbor Vitae/Bellanca
 - Site #15 Manchester/Aviation
 - Site #17 Marine/Redondo Beach
 - Division 29 North Expansion
 - General Comments
- Parklands and Historic Resources**
(Section 4(f) Resources)

Comment (please print):

As a Los Angeles Historian, I need to know what percentage of the city uses these trains? Why are you expanding? There's truly a need? We live in a country that largely does not use transportation. These are questions & concerns as part of the broader issue of what is the need for expansion.

As a Ferguson resident, I truly oppose this expansion. Ferguson is a wonderful community that contributed a great deal of property taxes to the City of Hawthorne. The City of Hawthorne needs these people, taxes, community involvement to create a better community.

The Manchester/Aviation is a much better place for this expansion. That truly is a commercial area. There would be environmental, traffic, and health concerns that would tremendously affect good, tax paying, American people, who deserve the right to live freely & happily - smile, etc. →

A

B

C

D

E



Comment (continued):

In addition, as an employee of the
 ACROSS C Industry, this area is already
 extremely congested with traffic.
 People commuting from all over the South Bay to
 the USA AFD use this portion of Aviation to go to
 and from work. In addition, many of these
 employees use these hotels for business and the
 expansion would impact this economy in a
 poor way.

F
G

TELL US ABOUT YOURSELF

What is your home zip code: 90250 Work zip code: 90245

Do you: (check all that apply)

- Live in the project area? Commute through the project area?
- Work in the project area? Other? _____

Own a business in the project area?

- Resident Business
- Community or Neighborhood Organization
- Public Agency
- Environmental Organization
- Civic Organization
- Economic Development Organization
- Other

Thank You!

Give this form to project staff or return to Metro.

Postal Mail
 Roderick Diaz, Project Manager
 Los Angeles County Metropolitan
 Transportation Authority
 One Gateway Plaza
 Mail Stop: 99-22-5
 Los Angeles, CA 90012-2952

Email:
 diazroderick@metro.net
 Project Hotline
 (213) 922-2756

Comments must be received by April 11, 2011 by 5pm.



Response to comment S.30-6A.

Comment noted. The provision of public transportation within the Los Angeles area provides an alternate means of transportation to eliminate reliance on the automobile and address increasing congestion that is occurring in the region as the population continues to grow.

Response to comment S.30-6B.

Comment noted. The need for a maintenance facility is described in Chapter 1.0 Purpose and Need of the SDEIS/RDEIR. The existing maintenance facilities cannot accommodate the light rail vehicles needed to operate the Crenshaw/LAX Transit Corridor Project.

Response to comment S.30-6C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-6D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-6E.

Comment noted. The concerns that the commenter raises are all evaluated in Chapter 3.0 of the SDEIS/RDEIR.

Response to comment S.30-6F.

Comment noted. Please see response to comment S.30-06A.

Response to comment S.30-6G.

Comment noted. The economic effects of the maintenance facilities are evaluated in Section 3.14 of the SDEIS/RDEIR. Adverse economic effects would occur for all of the alternatives except the Division 22 Northern Expansion Alternative.



COMMENT: S.30-07.Raphael & Jim Machado.

S30 - 7

Crenshaw/LAX
 Transit Corridor
 Project

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Name (First & Last Name, Organization)

RAPHAELE & JIM MACHADO, FUSION AT SOUTH BAY 90250

Address (Street, City, State, Zip)

5401 W. 149th PL. #11, HAWTHORNE, CA 90250

Email (enter address to receive periodic project updates)

JIMNRAF@AOL.COM

Would you like to be added to the project mailing list?

Yes No

THIS COMMENT RELATES TO:

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division #2 North Expansion
- General Comments

Parklands and Historic Resources
 (Section 4(f) Resources)

Comment (please print):

WE LIVE NEXT DOOR TO THE
 MTA FACILITY WITH OUR BALCONY
 FACING NORTH. WE ARE CONCERNED
 WITH THE NOISE, AIR POLLUTION &
 LOSS OF OUR PROPERTY VALUES.
 OUR BALCONY GETS VERY DIRTY
 FROM THE TRAIN ACTIVITY NOW.
 WITH INCREASED ACTIVITY, OUR
 QUALITY OF LIFE WILL BE AFFECTED
 ADVERSELY.

WE ASK THAT YOU CHOOSE ONE
 OF SITES THAT WILL NOT AFFECT
 OUR HOME.

THANK YOU

Response to comment S.30-7A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-7B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.30-08.Jonathan Meister.

S30 - 8

From: Meister, Jonathan [jmeister@24-r.com]
Sent: Monday, April 11, 2011 5:42 PM
To: Diaz, Roderick
Subject: Comment on LAX/Crenshaw Expansion Project

Dear Mr. Diaz,

I attended the last two Public Hearing Meetings, one at the beginning of March at the Flight Center on Imperial HWY, the other at the Inglewood City Hall at the end of the month. We spoke together briefly at the end of the Inglewood City Hall meeting through a sign language interpreter. I was unable to find the online forum to register a comment, so please accept this email to you as my Comment and forward to the appropriate source.

As a trained professional in architecture and urban planning, I hope that my comment will lend some weight. I have two points I'd like to make:

A

1. The ultimate aim of any urban planning project should be to cultivate a healthy urban environment by using ingredients already present at the site or to inject new ingredients to the site. The sites of D-22 and Site 17 already has viable ingredients for a healthy and growing urban environment-- the development of the Fusion HOA, and the world renown tenants at Site 17 including DHL. LA Metro's presence is already evident especially at the D-22 site, and this is an opportunity to cultivate a healthy relationship between LA Metro and the neighborhood by keeping the D-22 site to the manageable scale it already has. There is much opportunity for community education at this manageable scale. Any growth to this site-- even a small \$5M expansion-- will upset the scale and cause D-22 to become a industrial blight.

2. A government funded project has the privilege to exercise long-term strategic and financial planning, and each such project SHOULD take advantage of this privilege. As it stands on the boards, the lower cost option is to appropriate Site 17 and use D-22 for some expansion (which will come to approximately \$20M). However, this is face cost. The embodied cost will be far different. The expansion will bring an industrial scale to a location that is one of the more coveted residential locations in Los Angeles, and threaten to parasitically devalue this residential location. The total cost given these scenarios will be far higher than if one of the other sites were selected.

B

In conclusion, I appeal to LA Metro to eliminate D-22 and Site 17 from final consideration, so that the ultimate aim of this urban planning project is reached-- which is to ensure the new or continued vitality of the urban environment that is being appropriated. A simple statement, but it defines an attitude that I ask that you all take with you to the decision table, and to honor all the eloquent statements already made by the caring and intelligent citizens whose personal and career lives stand to be affected by this project.

C

Thank you for your consideration of my statement,

Jonathan Meister

--
In Service,

4/13/2011

Jonathan Meister

Business Developer & Project Manager | 24 Hour Restoration ☎ 1-888-524-4687 toll free
jmeister@24-r.com | 310.728.6197 tel | 888.249.0024 fax



CA LIC # 895339
Restoration Certified Firm # 118327

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4/13/2011



Response to comment S.30-8A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-8B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-8C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.30-09.Erin Moore.

S30 - 9

Crenshaw/LAX
 Transit Corridor
 Project

Supplemental Draft Environmental Impact Statement/
 Recirculated Draft Environmental Impact Report
Comment Form

The Crenshaw/LAX Transit Corridor project team welcomes your comments on the evaluation of proposed maintenance facility sites for Metro's light rail system and an update on potential impacts to parklands and historic resources. Please fill out this form and use additional sheets, if necessary. Give this form to project staff or return to Metro (see directions on reverse).

Name (First & Last Name, Organization)

ERIN MONROE, Fusion at South Bay

Address (Street, City, State, Zip)

5406 W. 149th Pl. #9 Hawthorne, CA 90250

Email (enter address to receive periodic project updates)

erinmonroe@yahoo.com

Would you like to be added to the project mailing list?

Yes No

THIS COMMENT RELATES TO

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division #2 North Expansion
- General Comments

Parklands and Historic Resources
 (Section 4(f) Resources)

Comment (please print):

Said sites were chosen "in consultation with the public".
 Never was ~~consulted~~ consulted was given a notice once in the mail about a month ago.

①

②

③

I live and work at home

50 feet divided by a wall

④ EMFS! Cannot increase

⑤ Lots of Brand new Babies 280 Homes in that tiny spot will affect more people with

⑥ Security - 70 more trains? That many more workers? Construction workers

A

B

C

D

E



Metro

Comment (continued):

[Lined area for handwritten comment]

[Redacted area]

What is your home zip code: 90250 Work zip code: 90250

Do you: (check all that apply)

Live in the project area? Pass through the project area?
 Work in the project area? Other? _____
 Own a business in the project area?

[Redacted area]

Thank You!

Give this form to project staff or return to Metro.

- Resident Business
- Community or Neighborhood Organization
- Public Agency
- Environmental Organization
- Civic Organization
- Economic Development Organization
- Other

Postal Mail
Roderick Diaz, Project Manager
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
Mail Stop: 99-23-3
Los Angeles, CA 90012-2952

Email:
diazroderick@metro.net
Project Hotline
(213) 922-2736

Comments must be received by April 11, 2011 by 5pm.



Metro

Response to comment S.30-9A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-9B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-9C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-9D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-9E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.30-10.Ann Murakami.

S30 - 10

Crenshaw/LAX
Transit Corridor
Project

Supplemental Draft Environmental Impact Statement/
Recirculated Draft Environmental Impact Report

Comment Form

The Crenshaw/LAX Transit Corridor project team welcomes your comments on the evaluation of proposed maintenance facility sites for Metro's light rail system and an update on potential impacts to parklands and historic resources. Please fill out this form and use additional sheets, if necessary. Give this form to project staff or return to Metro (see directions on reverse).

Name (First & Last Name, Organization)

Ann Murakami - resident - Fusion Complex

Address (Street, City, State, Zip)

5404 W 149th Pl #12, Hawthorne, 90250

Email (enter address to receive periodic project updates)

annmiya@hotmail.com

Would you like to be added to the project mailing list?

Yes No

THIS COMMENT RELATES TO:

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division 22 North Expansion
- General Comments

Parklands and Historic Resources
(Section 4(f) Resources)

Comment (please print):

A/C on 22N 26

Some of the other sites are more desirable for they are in industrial/commercial areas, & not adjacent to residential developments

A



Response to comment S.30-10A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.30-11.Mark Poulvan.

Crenshaw/LAX
 Transit Corridor
 Project

Supplemental Draft Environmental Impact Statement/
 Recirculated Draft Environmental Impact Report

S30-11

Comment Form

The Crenshaw/LAX Transit Corridor project team welcomes your comments on the evaluation of proposed maintenance facility sites for Metro's light rail system and an update on potential impacts to parklands and historic resources. Please fill out this form and use additional sheets, if necessary. Give this form to project staff or return to Metro (see directions on reverse).

Name (First & Last Name, Organization)

Mark Poulvan Southkind Lumber

Address (Street, City, State, Zip)

8710 Aviation Ave Los Angeles, CA 90301

Email (enter address to receive periodic project updates)

mpoulvan47@sbcglobal.net

Would you like to be added to the project mailing list?

Yes No

THIS COMMENT RELATES TO:

Maintenance Facility Sites:

- Site #14 Arbor Vitae/Bellanca
- Site #15 Manchester/Aviation
- Site #17 Marine/Redondo Beach
- Division 22 North Expansion
- General Comments

Parklands and Historic Resources
 (Section 4(f) Resources)

Comment (please print):

~~The existing abandoned railroad right of way makes more sense as a route than disrupting existing businesses along Aviation Ave.~~

It would make more sense to use the existing railroad right of way, which is now abandoned, than to uproot and relocate the existing businesses along Aviation Ave.

We need businesses and jobs now more than ever.



3/31/2011

Comment (continued):

Series of horizontal lines for writing a comment.

TELL US ABOUT YOURSELF

What is your home zip code: _____ Work zip code: _____

Do you: (check all that apply)

- Live in the project area? Commute through the project area?
- Work in the project area? Other? _____
- Own a business in the project area? _____

AFFILIATION

- Resident Business
- Community or Neighborhood Organization
- Public Agency
- Environmental Organization
- Civic Organization
- Economic Development Organization
- Other

Thank You!

Give this form to project staff or return to Metro:

Postal Mail
 Roderick Diaz, Project Manager
 Los Angeles County Metropolitan
 Transportation Authority
 One Gateway Plaza
 Mail Stop: 99-22-3
 Los Angeles, CA 90012-2952

Email:
 diazroderick@metro.net

Project Hotline
 (213) 922-2736

Comments must be received by April 11, 2011 by 5pm.



Response to comment S.30-11A.

Comment noted. The existing railroad right-of-way is being used for the project alignment. The project would not travel within the Aviation Boulevard right-of-way.



COMMENT: S.30-12. Denny Schneider.

S30-12

To Ken Alpern, Chair, CD11 Transportation Committee

3-12-2011

Re: Crenshaw/LAX Transit Corridor MTA Project Maintenance Yard Selection

I understand that the subject Maintenance Yard will be discussed by the Transportation Committee.

Bottom line Maintenance Site recommendation: Site 3 is best; Sites 2 and 4 are acceptable; and Site 1, although functional, is less desirable due to its limited ability to be expanded to meet greater repair activity needs if, (when) the system is expanded beyond the current project.

Our Westchester Neighbors Association (WNA) has held several meetings with MTA to highlight this project and to provide community input. WNA has expressed support for the MTA project as a whole and has asked for the "local" rail stop site to be located at Manchester/Aviation.

A

I have had the privilege to be involved in this process for almost two years and am selected for the Crenshaw/LAX Leadership Council which will help to review and guide the development of the environmental evaluation.

Four candidate sites remaining in contention for selection later this year:

1. Metro Division 22 Northern Expansion 3.5 Acre site just south of Rosecrans off the Harbor Subdivision rail at Isis adjacent to an existing rail maintenance yard in Hawthorne.
2. Arbor Vitae/Bellanca 17.6 Acre site just south of Arbor Vitae off the Harbor Subdivision rail line in LA near Aviation.
3. Manchester/Aviation 20.5 Acre site just west of the Harbor Subdivision rail line to Aviation in Inglewood from Arbor Vitae to the potential Manchester/Aviation proposed rail stop.
4. Marine/Redondo Beach 14.2 Acre site off Redondo Beach Ave north of Manhattan Beach Blvd.

B

Although none of these are outright reject able, Site 1 is an adjunct to an existing facility and is not expandable to meet future needs should they arise when the rail system is expanded. The other three meet are expandable and therefore more desirable.

From our perspective Site 3, Manchester/Aviation, is the largest and most desirable. It is farthest from residential areas and displaces the least amount of business activity because most of the land is consumed by rental car facilities which will eventually be moved into the LAX Consolidated Rental Car facility. Further, construction at this site will improve construction costs for the "optional" Manchester/Aviation rail stop due to simultaneous construction overlap opportunities.

C

There is strong support for a rail stop located at Manchester/Aviation within the Westchester Community. It is the only local stop within walking distances of residences and is easily accessible to connector bus lines. MTA has projected that this stop will be a very highly used when the South extension branch of the Crenshaw/LAX line is enacted.

D

Denny Schneider, community advocate
Denny@WeLiveFree.com

Response to comment S.30-12A.

Comment noted. Metro appreciates the ideas of the commenter and public input is an important part of the planning process. The optional Manchester Station was removed from consideration during the final design process because of low initial ridership projections. The project has been designed so as not to preclude the inclusion of Manchester Station over the aerial crossing at a future time.

Response to comment S.30-12B.

Comment noted. The commenter correctly asserts that the Division 22 Northern Expansion Alternative does not have the future expansion potential that the other three alternatives have.

Response to comment S.30-12C.

Comment noted. The commenter correctly asserts that the Site #15 Manchester/Aviation Alternative is the largest site, and along with the Site #17 – Martine/Redondo Beach Alternative, are the furthest from residences. The amount of business activity that the commenter refers could be seen as a subjective qualification. This site has the most businesses located on site. The presumption that the rental car facility could be moved to the consolidated rental car facility is speculative and cannot be reasonably weighed in the characterization of business activity.

Response to comment S.30-12D.

Comment noted. Please see response to comment S.30-12A. Metro acknowledges the support from the Westchester community for a Manchester Station and the increased ridership potential if the South Bay Extension of the Metro Green Line is implemented.



COMMENT: S.30-13. Celinda Vazquez & George Avalos.

S30-13

From: Celinda Vazquez [celindavazquez@gmail.com]
Sent: Monday, April 11, 2011 4:19 PM
To: Diaz, Roderick
Cc: George Avalos; ariel@scottmgmt.com; Ball, Rob
Subject: Crenshaw/LAX Transit Corridor/Site #17 Marine/Redondo Beach: Opposition Letter
Attachments: Metro Opposition Letter Vazquez-Avalos.doc

Hello Mr. Diaz,

Attached please find a letter of opposition to the Crenshaw/LAX Transit Corridor/Site #17 Marine/Redondo Beach proposed project.

Should you have any questions please do not hesitate to contact me. My contact information is below.

Thank you, Celinda

—

Celinda M. Vazquez
5405 W. 149th Place, Unit 5
Hawthorne, CA 90250
310.844.8076
celindavazquez@gmail.com



April 11, 2011-04-11

Roderick Diaz, Project Manager
Metro
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952
diazroderick@metro.net

RE: Crenshaw/LAX Transit Corridor – Maintenance Facility Site #17 Marine/Redondo Beach Proposed Project

Dear Mr. Diaz:

My husband and I are homeowners at Fusion Condo (Building 5405 Unit 5). I am writing this letter in strong opposition to the proposed Metro Maintenance Facility Site #17 project. There are several reasons for this opposition. They are as follows:

- We are gravely concerned with the air pollution this construction will cause as we have a two year old and our building is 50 feet away from this site. Our son plays daily in our community's Tot Lo. This construction site is absolutely in a residential area not an industrial one as Metro has described. This site is bounded by young children. It is not acceptable to expose young children to this kind of environmental hazard. My son is not the only child resident at Fusion. There are many, many young children in the community. A
- Noise coming from this current site is a nuance, but we knew that when we purchased our home and have to deal with it. However, expanding this site will further the noise level. B
- At this difficult time in our economy and housing market, it is simply unthinkable to do more harm to homeowners/tax payers by contributing to lowering property values. Construction dust, noise and traffic issues will absolutely negatively impact our property value. C
- Lastly, we didn't learn about this project until our Homeowners Association and Property Management Company informed us of it and from what we understand they were not notified in a pro-active timely manner by Metro. D

We urge you to reconsider this project and avoid putting innocent children in harms way.

Sincerely,

Celinda Vazquez & George Avalos



Response to comment S.30-13A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-13B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-13C.

Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-13D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.30-14. Debbie Bliss.

S30-14

Dear Mr. Diaz and whomever else it may concern:

Please consider this email written to express my strong opposition to the MTA Expansion in Hawthorne, California.

A

I am a resident of the Fusion at South Bay Community. I was one of the first buyers and have been living here since December 2006.

As a relatively long-term resident, I am extremely concerned about the proposed expansion efforts for the following reasons:

- - I work at home several days a week and will be significantly disrupted by the construction noise.
- - I also rent my 2nd bedroom, and both the noise and proximity of the construction work to my home will be unappealing to prospective renters and may even turn desirable tenants away.
- - Since I live in this community, which is less than 50 feet away from the proposed construction site, the work would absolutely be "adjacent to" a residential area and should not be inaccurately classified otherwise in order to make it okay.
- - In addition to dust and other construction related air pollution, truck noise and increased traffic on Aviation, the singular point of access to the community, will negatively impact quality of life in Fusion at South Bay.
- - Currently, I believe that the Fusion community is adequately insulated from the main street to the west, the MTA site to the north and the Federal Building to the south. Some units, including mine, are also separated from the electrical field on the eastern border. However, if MTA expands as proposed, construction, publicity, public opinion and the final MTA facilities will significantly impair the value of my home.

B

C

In addition, I am unacceptably uninformed by MTA of plans to build a car servicing and paint facility in this space adjacent to my home, but strongly oppose it for the same reasons as listed above.

D

I most certainly would not have purchased a home in the Fusion community if I had known previously of the possible MTA expansion, and may reconsider continuing to live here if the plan is approved.

In the given economy, it will probably be more realistic to rent than sell my home. And if the MTA expansion project proceeds, I may be forced to rent at a below market price. I fear that some neighbors may feel the same way. Ultimately, this could result in a complex that does not have the same culture of owner-occupied pride, visual aesthetics and safe surroundings.

E



Please consider these points of strong opposition to the proposed expansion and find another place for the new facility/facilities. If you have any questions, please do not hesitate to ask.

Thank you for your time and consideration,

Debbie Bliss

Response to comment S.30-14A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-14B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-14C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-14D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.30-14E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



Oral Comments from Flight Path Learning Center 3/1/11

LOS ANGELES COUNTY
METROPOLITAN TRANSIT AUTHORITY
CRENSHAW/LAX TRANSIT CORRIDOR LIGHT RAIL
PROJECT
OPEN HOUSE/PUBLIC MEETING

FLIGHT PATH LEARNING CENTER
6661 WEST IMPERIAL HIGHWAY
LOS ANGELES, CALIFORNIA
MARCH 1, 2011

were received.

Please come to the mic when your name is called.

Each speaker will be given two minutes to speak. There will be a timer on the screen for you to keep track of your time left.

If you have any additional comments when your time is up, once again, you'll be able to submit comments today or at a later date prior to April 11th by 5:00.

Please remember to state your name, speak clearly and into the microphone so that the court reporter will be able to record all your comments.

Oh, we have one more representative. We have Alex Varga with the Office of Mayor Pro Tem -- I'm sorry. We have Alex Varga, Mayor Pro Tem, in attendance as well, with the City of Hawthorne. I apologize.

Okay. Robert Leabow, take it away.

- PUBLIC COMMENT FORUM -

ROBERT LEABOW: Robert Leabow, Rolling Hills Estates.

Looking at the four proposals, the one on -- for the Yard 22 North seems too small but that seems like the most logical location since you do have some facilities there.

And of the other three yards, I would suggest the one in Redondo Beach because I think the ones closer to the airport, the land could be put to better use than a railroad yard.

And the one in Redondo Beach, if it is built, will they -- the question I know you can't answer is: Will they have two yards, no matter which one is chosen, other than 22, operational almost side by side, or will they combine the two?

S44-1



Thank you.

MR. GUTIERREZ: Thank you.

If I could please have Chris Richert up at the mic.

CHRIS RICHERT: Chris Richert. I am a resident of Hawthorne. I'm also a board member for the Fusion at South Bay Community Association.

S44-2A

We have some serious concerns about the expansion of Division 22.

First, we are in such close proximity, it's going to be a real noise nuisance as well as directly affect our property values.

S44-2B

We have homes that are within 20 feet of the tracks existing. If we are, you know, potentially doubling the track, like there's no way that's not going to be a direct impact on quality of life.

Another concern we have is it seems like we've been categorically excluded from the selection process as well as the information gathering.

I have a copy of the distribution lists for the community groups, both from the September EIR as well as the one that was just released in February.

S44-2C

We have homeowners associations from all over the city that are included on the distribution list. We are categorically excluded from both. Not once has the MTA reached out to us as homeowners or as an organization to solicit our feedback.

I know part of the requirement for an expansion of a facility like this is to, you know, notify people within a certain radius of the impacted area of public hearings, of environmental impact reports.

There was a public hearing similar to this in December. I didn't receive a single notice and I found out after the fact and it was brought to my attention by a neighbor.



S44-2D	<p>For this hearing I received nothing from the MTA and, again, only through our proactivity did we know about this.</p> <p>You know, property values for us -- you know, we're one of the only facilities that you're considering that's directly bordering, adjacent to a residential neighborhood. All the other sites are industrial, commercial.</p> <p>You know, these are kids. These are homes. These are -- wow. We really have a buzzer?</p> <p>MR. GUTIERREZ: Thank you.</p> <p>Can I please have Mary Jo Farrell.</p>
S44-3A	<p>MARY JO FARRELL: Hi. I'm Mary Jo Farrell. I reside in Hawthorne. I also live in the Fusion at South Bay Community.</p> <p>Just to put it in perspective for you, if the D22 North expansion takes place, those guys will be working less than a hundred feet from my front door.</p> <p>I can already tell you, based on the noise from that facility, which one of those guys working nights is having trouble with his wife and whether they're getting along any better now, because all that noise comes into my home.</p>
S44-3B	<p>And, yes, we bought after that thing was established but, you know what, we bought because it was a relatively contained, quiet facility.</p> <p>We did not sign on for a two-year construction process that will have eight trucks an hour trundling down our driveway right next to ours, with the noise, with the dust, with the stock-piled materials, with all that stuff blowing around.</p>
S44-3C	<p>Now, another perspective for you is I find it disingenuous that the maps all show a tiny little triangle on the north border 650 feet from our homes. In reality, that's a staging area.</p> <p>The actual maintenance and preventive maintenance and paint and body</p>



S44-3D | work is done 50 feet from a child's playground, 70 feet from the only park that our residents have access to.

There's one way in and out of Fusion. There's one way in and out of D22 North. This is not the place to put a two-year construction project.

S44-3E | Second thing that I find disingenuous is the financial impact is stated as only a loss of \$2894 after the U.S. Storage facility goes away.

You have to realize that the 280 residences at Fusion South Bay contribute two million dollars to this county's economy by way of property taxes. You're going to chop those by whatever proportion property values drop.

S44-3F | And I'm guessing, as a real estate professional, that we won't be able to give those homes away after a two-year construction period with twice the number of trains coming in and out of there.

Thank you.

MR. GUTIERREZ: Thank you.

Up next we have Jim Segner.

S44-4A | JIM SEGNER: My name's Jim Segner. I'm a board member of the Fusion community that's being affected by this as well.

What's interesting is I just received a map and I'd like to also verify that I did not receive, as two of my neighbors did not receive, any correspondence on any of the hearings from the MTA.

S44-4B | One thing I'd like to point out is what the gentleman before pointed out as to where the construction and the property was going to be brought in. They were pointing that out as the side yards, the storage yards for the trains.

So what they did not point out is that when they do the expansion, that if you look at the map of what they're going to expand -- I'm going to go on with what

- Mary Jo said here -- is that the facilities to be expanded are right next door to the homes.
- S44-4C All the construction, all the 70 trains a day that are going to be maintained instead of the 17 they currently now have will be done within 50 feet of our homes. That is not acceptable.
- S44-4D The other thing I'd like to point out is that we were one of the facilities that was added on as an afterthought. So when they talked about at the beginning of the presentation when they sought out public comments as part of the EIR, well, since we are not part of the original selection process, none of us, even if we would have been notified, which we have not been notified, had no comment, no process, no way to input to the selection process and the criteria.
- S44-4E And, second of all, the gentleman who said that there's no criteria for evaluating a major project like this, I work for a major aerospace company, and on a project this size there's always evaluation criteria on how it will be evaluated to make the final site selection based on technical, cost and public comments. So, sir, you misled us again.
- Thank you.
- MR. GUTIERREZ: Thank you.
- Up next we have Matthew Hetz.
- MATTHEW HETZ: Thank you.
- S44-5A Matthew Hetz, Westchester resident, transit rider since 1992, so I greatly support the line.
- And as a Los Angeles resident, I think I'll have to go to bat and support the Arbor Vitae/Bellanca site. As it being in a commercial area, there's no homes taken. I don't believe there's any homes close to it, so that makes sense.



S44-5B

And perhaps with the construction of the yard, perhaps the City of Los Angeles could be approached to help redevelop the whole business area there because it's rather old, falling down, decrepit and so forth.

So it could be a win for transit, it could be a win for the maintenance yard and for the city of Los Angeles to get a redeveloped business area in that center.

S44-5C

I also support the station at Manchester and Aviation as an option.

So I look forward to the line. I'll ride it. I can't wait for it to start.

Thank you.

MR. GUTIERREZ: Thank you.

Our next speaker is Tom Gutto.

S44-6A

TOM GUTTO: Hi. Good evening. My name is Tom Gutto and I'm also a resident at the Fusion townhome complex there on 149th Place, and I just basically wanted to go on the record to voice my opposition to the D22 expansion.

My wife and I bought our home there in July, so we were kind of late to this whole process, and we just don't want to see our property values decline anymore than they already are.

S44-6B

Along with the points that my colleagues have made regarding traffic, the distance to our complex, the children playing there in the playgrounds, I just think that of the four sites you have, this is probably the worst site, and we definitely vehemently oppose that expansion.

Thanks.

MR. GUTIERREZ: Thank you.

Next speaker is David Slavin.

DAVID SLAVIN: My name is David Slavin. I'm also a resident at Fusion.



S44-7A

I was looking at the relative merits and costs of the different sites, and it seems like an expansion of Redondo is only relatively small in terms of price compared to the D22 choice.

S44-7B

And there's a possibility that if you actually expanded one of the other three areas you could build more than you intended and also -- so that you could replace the work at D22 so that all -- you could actually take that away. You could sell that property.

If you're going to buy property now for 14 or 17 or the other one, you're going to be buying at a lower price.

If after two or three years, when you've built up that new facility, you could then sell the property at 22A for a higher value, it can offset the overall cost of the project.

You would, then, not only get the advantages of that money that you'll get for selling the land if you sell it to something like condos or townhomes, you'll get an increased revenue strain from future property taxes.

S44-7C

And I noticed that D22A is currently marked as industrial. That particular plot may be industrial but there is nothing around there that is industrial. The closest thing that's industrial is across the street which is a semiconductor fab area for Northrop. But that building is made so that whatever goes on inside is quiet and there's no noise or light coming out of there.

The noise and light that currently comes out of the D22A facility is very annoying and disruptive to our property values and our way of life.

So if you could consider that as a possibility, I think that's a win-win for the city, the county, MTA and the residents in that area.

Thanks.



MR. GUTIERREZ: Thank you.

Up next we have Bonnie Shrewsbury.

BONNIE SHREWSBURY: Hi. I'm Bonnie Shrewsbury. I also live in Fusion. I wanted to reiterate what my neighbors have been saying.

S44-8A

This is the one site, the one choice that is adjacent to residential. The expansion that you're talking about up on the north property, the actual expansion will be happening 50 feet from people's homes. There are children that live there.

You have other options and I would like to ask that you please choose a site that does not impact residences, does not impact L.A. County property taxes.

MR. GUTIERREZ: Thank you.

Next speaker is Jennifer Newman.

JENNIFER NEWMAN: Hi. My name is Jennifer Newman. I also live in Fusion.

S44-9A

I just wanted to go on the record to say that it definitely needs to be taken into consideration that it is not just an industrial site. Everything in that presentation suggested that it was industrial, leading everyone to believe that it is, but if I could go on the record to make that wall that we have right now higher, I would, but that's not even an option.

We are already inconvenienced by the sounds and the noise and dust and everything going on right now. To expand it would -- it would be unbearable. We'd have to leave and our property values would go down, so we'd be at a bigger loss than when we started, so thanks.

S44-9B

MR. GUTIERREZ: Thank you.

I will be announcing two at a time so we can make sure everyone has time to make their comments tonight.

S44-10A

So first up is John Bacon followed by Hannah Bentley.

JOHN BACON: I'm a local electrical engineer.

MR. GUTIERREZ: Can you please state your name into the record.

JOHN BACON: John Bacon is my name and, having grew up in Chicago, I'm familiar with this particular technology under consideration; rail technology.

It seems to me that one thing you could do instead of building these -- having these special storage lots in one small area, we could just have lines -- have a storage track parallel to the line -- well, the present Green Line along the 105. There should be enough room for at least one track all along there and it would cut down on deadheading in the evening and in the morning because of the heaviest traffic that sources from the east end.

Also, it would be more convenient to drop off failed trains and activate fresh ones so you could maintain reliability.

S44-10B

Certainly, you would have to have some way of cutting the cost of moving to and from the maintenance facilities, which there's enough room right now where they're doing it now, but you could do it automatically using electronics.

I mean, there's an electronics revolution and some rail -- some commuter lines actually run without requiring personnel onboard at all, even in passenger service. And certainly for deadheading and so on you could do that; have an automatic operation, rather.

S44-10C

The original Green Line was designed so you could have automatic operation because none of it's along the street.

So, anyway, I would suggest that you use electronics for control to avoid having to have any of these four sites expanded for storage and it would be more

convenient and lower cost in operation as well as initial construction.

Thank you.

MR. GUTIERREZ: Thank you.

So we have Hannah Bentley up next followed by Steven Johnson.

HANNAH BENTLEY: Hi. My name is Hannah Bentley. I'm a resident of Fusion complex. I'm also an environmental lawyer and I've done a lot of work under CEQA. So I have a lot of things I want to say very quickly.

S44-11A

First of all, I think there's a segmentation issue with regard to this EIR. I think that's true because we know that you're looking at maintenance facilities for a number of different lines and it appears that you've just tried to jam this issue onto this EIR. So I don't think that's appropriate because you're considering more traffic than is covered in the present EIR at that site.

S44-11B

Second, the project area that you described, as many other residents have discussed, you're talking about buying a little triangle to the north, but all of the construction is going to occur right next to our residences, so that's not -- it's quite deceptive.

S44-11C

That brings me to notice. There's a huge issue about nobody in the complex knows about it. We're talking about 280 units and thousands of people going in and out of this one driveway. And that brings me to traffic.

S44-11D

So you haven't talked about traffic that would result from the construction at the site and how this would affect all the residents who are trying to get in and out of this one entrance at Fusion.

S44-11E

There's huge issues about noise that other residents have brought up and questions about inverse condemnation. It's nice that we're here next to the airport today and there's precedent regarding inverse condemnation due to noise, so I would



just commend that to your attention.

S44-11F

Zoning and land use. I thought that discussion is not really adequate because you're talking about dividing an established community and you're saying that's not happening, but if you get a critical mass of trains going in and out of this one site that's basically like a finger sticking between a commercial area and a residential area, it's a problem.

Thank you.

MR. GUTIERREZ: Thank you.

Steven Johnson followed by Brandon Bentley.

S44-12A

STEVEN JOHNSON: Hi. I'm Steven Johnson. I am also a board member of the Fusion and I've been following this issue for the past few months.

You know, my personal unit, I look out my window and I look right into the Metro yard. Granted, I knew it when I bought it and, you know, right now I can't have my windows open at night because they like to test their horns at night, and just to increase that noise to a triple-, quadruple-fold is going to be a problem.

S44-12B

Another issue we're having is EMFs; electromagnetic fields. Right now our ratings are 3.8 right by the tracks from about Building 5400 on the north side and national average is .9. So when you double in the amount of trains that come across, you're going to increase that rating potentially even more.

S44-12C

As others have said, that area where it's north expansion is not really a northern expansion. It's a full expansion of all of Division 22. That area's just going to be just for storage.

S44-12D

I haven't seen personally, yet, the building plans and how the construction's going to work there and what's going to be the aesthetic appeal. Maybe you're looking at improvements. I think we need to see some more of that

information.

S44-12E

As far as -- you know, Fusion is the only residential community that is going to be impacted by any of your four sites. The other three sites are primarily industrial, and I find it very interesting that our community even got considered.

S44-12F

The other problem I see is long-term expansion. You know, it's our facility. Unless you start buying out all of Fusion and maybe buying out the office buildings that are next to it, there's really no other place to expand right there. You're pretty much tied in with streets, with corridors, with buildings that are probably not taken -- that you can't take over, where the other sites you have a lot longer, bigger expansion.

S44-12G

So I think the best thing would be, obviously, build and consolidate and get rid of that facility altogether and bring up our property values and do the reverse. I'm sure we would all be happy with that.

So we would just like to keep seeing more information but, obviously, the association and the homeowners are wholly against this. We have 280 homes, over 500 to 600 residents that would be impacted by this.

S44-13A

MR. GUTIERREZ: Thank you.

If we could have Brandon Bentley next followed by Mason Rothert.

BRANDON BENTLEY: Brandon Bentley, resident of Fusion. I live in Building 5400 which is the closest building to the tracks that enter Division 22 facility.

Trains. What'd you say? 17, I think, is the number someone gave. 17 trains that are there now expanding to 70 trains. That's 70 trains going by my front door every day. More than that, because we have the other track that goes to and fro every day as well.

But if you don't think that that's going to impact the way that I live in my



S44-13B | home, the way that you live in your home if you lived that close -- granted, when we all bought in Fusion we knew that that facility was there, but we did not expect for them to double or triple or quadruple the size of that facility.

And it's not even the size. It's the number of trains that are going in and out of that facility.

S44-13C | And, to reiterate everything that everyone else has said from Fusion here, the little triangle that you're talking about, you've already stated you're not putting a building on that site. You're just using that to store your trains.

All the buildings are going to be expanding, the buildings that are currently there, which means two years of construction, two years of dust and noise, all of that right on top of us and I don't think that's right.

S44-13D | I think either one of the two LAX facilities would be much bigger. Your board over there says that the expansion possibilities on Site 22 after this expansion are zero. The expansion possibilities on your other three sites, you can practically double those.

S44-13E | Why would you go for this one when you can't expand when you know you want to expand in the future, you want to add more rail lines to the city of L.A., which the city of L.A. needs.

Why would you pick a site that you cannot expand any further than what it is right now. Why not go with a site that you can take and you can build it to what you need now but it can also expand for your future needs.

Thank you.

MR. GUTIERREZ: Thank you.

Mason Rothert followed by Joel Reeves.

MASON ROTHERT: Hi. My name's Mason Rothert. I'm a resident of

Fusion as well.

S44-14A

I want to say pretty much everything that my fellow residents are saying about property values and traffic and noise. It's a problem but I think that what we're also leaving out is the fact that behind Fusion is a massive power grid for the Edison power station.

You've got a lot of electricity blasting out there. You're going to put more overhead contact lines for trains that are already there.

I've got an eight-month-old daughter. I've got a wife who works at home, and I'm very concerned about the electromagnetic field that's going to increase with that.

So I hope that you guys find something that's away from Fusion. We have too many children, too many young families and we don't need to increase that electromagnetic field.

So thank you.

MR. GUTIERREZ: Thank you.

Joel Reeves followed by Erin Monroe.

S44-15A

JOEL REEVES: Joel Reeves. I also live in the Fusion condo complex. Just to reiterate what my neighbors have said eloquently, I vehemently oppose Division 22 as well as Site 17, the Marine/Redondo one, for three main reasons.

One, as a citizen of Hawthorne, the MTA's disclosure and announcement of possible sites was not handled, in my understanding, according to procedure.

Number two, as a resident, I'm concerned about possible radiation and other health-related issues and impact on my family, just like Mr. Rothert pointed out.



S44-15B

I don't understand the total impact of electromagnetic fields, but it makes me nervous enough that we've got the power grid behind us, we've got the rail station right here. The last thing I want to do is to increase that.

S44-15C

And, thirdly, as a real estate professional, I'm extremely concerned about property values especially in Fusion, as well as the entire area, and I personally don't want to see my property value go down.

Thank you very much.

MR. GUTIERREZ: Thank you.

Erin Monroe followed by Alex Vargas.

S44-16A

ERIN MONROE: Hi. My name is Erin Monroe. I also live at the Fusion complex.

I actually live on the opposite side, away from the train station that's there, and I actually can hear it from my window as well. I keep my windows closed at night. The light is very, very bright.

To piggyback on what everybody else has already said, I would like to say all that plus the electromagnetic field.

S44-16B

We have babies; a lot of newborn babies. Those are very young families that live there. So just -- I feel like I'm in an Erin Brockovich movie with -- you know, with that it's a very scary thing if you live there.

I live at home. I work at home. I'm there all day long. My fiance's there all day long. It's a big deal to us.

S44-16C

Property values -- I mean, we can't even imagine. There's so many more things that I want to say.

S44-16D

The wall that separates us from the train station is literally from where you're standing to probably about this post and it's probably about a foot-wide brick



S44-16E | wall that's maybe a little higher than me. It's not very much of a separation. I mean, we're talking, when people are saying 50 feet, it's literally 50 feet. It's right there.

What else did I have to say.

S44-16F | Also, the security. All of those people coming in and out, 70 more trains, all those construction workers, all those people in and out.

There is the one driveway everybody keeps talking about, again, about that wide, separated by the brick wall. There's a lot more people coming to our backyards.

S44-16G | 280 units. That's a lot of homes in that tiny, little area. A ton of people are going to be affected by just this one simple thing that can be easily put somewhere else. It's just a lot of people to move and to affect that way.

S44-16H | Also, the consultation. I've only received one letter about a month ago and this was already all done. Never once was I asked if I was okay with this. So that's the last thing I'd like to say.

Thank you.

MR. GUTIERREZ: Thank you.

Alex Vargas followed by Peter Jorgensen.

S44-17A | ALEX VARGAS: Hi, there. My name's Alex Vargas. I'm the mayor pro tem for the City of Hawthorne and I'm here in solidarity with the residents of Hawthorne and the residents of the Fusion complex.

And I just wanted to make note that the City of Hawthorne city council has passed a resolution opposing the expansion of the maintenance facility at the right north of the Fusion complex. So that's one of the things I wanted to note.

But I personally am here as mayor pro tem for the City of Hawthorne in solidarity with the residents. And I definitely won't take away some of the points that



the residents want to make, but we are opposing it because it is adjacent to residences and the increased activity is going to affect the residents in a negative way.

S44-17B

And also I want to make note that to the northwest we also have some hotels and some long-term-housing hotel complexes right there that might be affected as well.

S44-17C

And one of the things I want to -- you could take away is -- okay, if not build it here, where else.

Well, this is a site that is very small. It's about 3.5 acres, 4 acres at the max, so the opportunity for expansion is not there. And we do have three other sites that are not surrounded by residences which is one of the major considerations that you should have.

S44-17D

And I also wanted to touch base on the evaluation process and the gentleman did say that they were going to take the totality of all the information but, as we know, this is public money and everything I do and everything all the other agencies stated they do are subject to accountability.

So we would hope that there's going to be some accountable information that's going to be presented to the taxpayers and to the residents.

MR. GUTIERREZ: Thank you.

Peter Jorgensen followed by Rob Antrobis.

S44-18A

PETER JORGENSEN: Good evening. My name is Peter Jorgensen. I'm the district manager of DHL Global Forwarding, the largest tenant at Redondo Beach, the site referred to in the project as Marine/Redondo Beach Alternative.

I'm here to state that DHL clearly opposes the selection of the site as preferred alternative for the new light rail maintenance facility.

DHL has been a tenant at the site for five years. We have a lease left for

S44-18B

five years and we have an option for another five years.

Before moving to this facility, we paid for an extensive research for properties that were large enough to suit our operation's needs and close enough to the last remaining competitor in our industry. Literally, this was the only location we could find and the same would be true if we did another search today.

After spending roughly 7 million dollars on improvement and going through extremely lengthy and expensive process to be certified and bonded by U.S. Customs and TSA, it would be a great burden to have to go through the same process soon after this is completed.

S44-18C

In addition, it is the only gateway facility of DHL Global Forwarding in the western U.S. and any disruption on the move and our critical freight and our employees' working environment would have considerable impact on the DHL system and our customers globally.

We currently employ 337 people at this location including 212 office employees and 125 warehouse employees. These are good paying jobs. The average annual income of an office worker is around \$70,000 and for warehouse \$75,000. The majority of these jobs are union jobs as well represented by Teamsters Local 986.

On behalf of DHL and hundreds of employees, we rely on these highly paying jobs.

Thank you.

MR. GUTIERREZ: Thank you.

Rob Antrobis followed by Ken Alpern.

ROB ANTROBIUS: Good evening. My name is Rob Antrobis. I'm the vice president for AMB Property Corporation and an officer out of our Los Angeles office.



S44-19

We're the landowner of 4000 Redondo Beach Boulevard. Our property is referred to as the Marine/Redondo Beach for purposes of this maintenance facility site selection process.

I am here to state AMB's unambiguous position -- opposition to the selection of our property for a Metro maintenance facility in conjunction with the Crenshaw/LAX Transit Corridor project. We want to be clear that under no circumstances would we be a willing seller.

AMB is one of the leading owner-operators of air freight and distribution facilities in the world and we are especially prominent here in Southern California.

This particular property stands out as unique because of its size, proximity to the airport and support by the city of Redondo Beach. It is because of this fact that this type of property is literally irreplaceable.

And I am also here to support the interests of our two principal tenants, DHL Global, whom you just heard from, and JR286.

DHL Global is a leader in the air and ocean freight market, and JR286 is an entrepreneurial leader in the manufacturing and distribution of branded licensed sports products. JR286 actually just became the exclusive distributor for the Nike brand.

To recommend or select this site as a prospective location for a maintenance facility would jeopardize both of these companies and, most importantly, the over 400 employees they have at this site.

We respectfully urge you to select a site with less significant impacts or, at the very least, a willing seller.

Thank you.

MR. GUTIERREZ: Thank you.



Ken Alpern is next followed by Jim Machado.

S44-20A

KEN ALPERN: Good evening. My name is Ken Alpern and I co-chair the Grassroots Friends of the Green Line. I am also Bill Rosendhal's counsel, District 11, Transportation Advisory Committee Co-chair but, really, I can only speak for myself.

I have been a big advocate of the Crenshaw Line and the Green Line going to the South Bay for quite some time, but I also understand the principles that they have to be cost effective and also we need to, if possible, go in the path of least resistance. And I could be wrong, but I'm getting the idea Hawthorne's not too foolish about their local site.

S44-20B

Also, Redondo Beach, you know, to be my knee-jerk sort of selfish, preferred place, because it would help get the Green Line into the South Bay, that, unfortunately, has to sort of step below the options of 14 and 15 for a very painful reason.

S44-20C

Those of us who have dealt with the FAA blocking, really blocking the fact that we've Green-Lined to LAX, we may discover to our horror that that is not gonna -- that's going to continue. That's going to drag on. There will always be obstructionists.

S44-20D

It may force us, to our horror, that we have to establish a maintenance location north of the LAX runway simply because getting the Expo Line to LAX, Century and Aviation will be something that we can do before the connection to Green Line.

This isn't something I say happily but I've been observing the FAA obstructionism for quite a few years -- a decade, as a matter of fact -- and this is just a hard, painful reality.

S44-20E What's interesting is I've not yet heard any Westchester residents badmouth either 14 or 15 by preference in terms of the shape and the size is for 15 for that reason.

S44-20F And on a final note, we do realize we're trying to extend the Crenshaw Line to the Wilshire corridor and beyond, maybe, so having a very large but expensive -- I'm sorry -- expensive, large facility may be, in the short and long run, the right thing to do.

Thank you very much.

MR. GLUTIERREZ: Thank you.

Jim Machado followed by Craig Saulsbury.

JIM MACHADO: Jim Machado and I would just like to say shame on you MTA.

S44-21A How you can stand in front of us and give a presentation like this and put up a chart where the Fusion is standing there, with all those people, all the construction, the 70 trains coming forward, and what do you do? You show a small graphic as if that was going to be part of the action. I don't know how you could stand in front of us and give us misinformation like that.

We're only a few people here. When they leave and they take this information, it goes out to the community and that's how it's going to be voted.

There's only a few of us. These people are giving the community misinformation.

I insist that you change that damn chart and put on it where the Fusion is, where the kids are and what you're trying to do.

I don't know who's going to get the benefit of your choice, but how we ended up at the very last minute on the list, how we ended up not getting any



information shows the poor government and poor administration.

I am ashamed of both of you.

MR. GUTIERREZ: Thank you.

Next speaker is Craig Saulsbury followed by Celinda Vasquez.

CRAIG SAULSBURY: Yes. Craig Saulsbury, also a resident of Fusion.

You know, it's very difficult to stand up here and make a lot of great points when most of them have already been made. I think the last presenter with a lot of zest really hit two points.

S44-22A

I'm standing in the back room with a four-month-old. My wife's traveling. I'm a concerned resident so I'm here, actually, with a young baby which is one of many at this facility.

And I'd actually ask any of you guys to come on any day and see how many strollers are being pushed around and ask if that's where you'd want your kid to be.

With the last gentleman, a couple points that I'm just standing back there all night listening to is everybody's transparency and disregard.

S44-22B

The amount of transparency has obviously been lacking and I hope you guys take it to heart and really take a moment to say if this is a location near the Fusion property that you want to use, did you actually give the people around it the ability to have a voice.

Full disclosure absolutely not there.

Disregard. I've seen multiple people with MTA badges leaving. I've seen people in the back room chatting.

We're your constituents in a sense. We're the people that hopefully we're working -- Mr. Diaz I talked to for quite a while. He's like, "We want to be good

neighbors." I haven't seen much neighborly interaction happening here.

S44-22C

I think you guys really need to take a look at the court reporter's list and line item every single thing that's been discussed. There's no reason for me to reiterate it except for really take a good look and when you say industrial for the other options and leave it out for this option, I'm wondering, if we go back to the transparency piece, are you guys really being transparent with us.

Thank you for your time.

MR. GUTIERREZ: Thank you.

Celinda Vasquez followed by Mike Stevens.

S44-23A

CELINDA VASQUEZ: My name is Celinda Vasquez and I'm a homeowner at Fusion and I'm also a mother of a two-year-old.

I grew up in the area so I'm very familiar with the community and I'm really displeased with the description of this project.

We are absolutely -- this site is absolutely bounded by residents. I see children all over the complex and it really is disheartening to be here as a mother and to really understand clearly that that has not been taken into consideration.

S44-23B

The health impacts, as others mentioned before, the EMFs. We were concerned when we first purchased our home four years ago, five years ago. We did the research and we felt comfortable with what was in place at the time.

S44-23C

My building is right next to the maintenance facility as well and we hear the noise at night. Increasing any activity there would just absolutely impact the quality of life for the residents, for the children that are there, for the families.

I urge you all to look at this. I urge our elected officials to look at this and to really voice the concerns of the residents.

The children that are not here today that will be impacted, it's just -- it's



really disheartening to see this process. And as someone that comes out of government, I just know that we can do better.

MR. GUTIERREZ: Thank you.

Mike Stevens and our last speaker card for tonight is Jeff Tiddens.

MIKE STEVENS: My name's Mike Stevens. I'm an Inglewood resident.

Years ago we -- well, it still exists. LAX expansion. Now, we covered area from Playa del Rey all the way to South Central Los Angeles, from El Segundo to Westchester and Culver City.

Now, I want to say two things here. The best solution here would be Arbor Vitae and Bellanca. That property -- Dollar Rent-A-Car has proposed a master plan for LAX to be relocated. So what we would do is just simply remove them earlier than what supposedly is going to be projected.

S44-24A

Bottom line is that's where it should go. There's no residences. L.A. has acquired the property all the way to the 405 Freeway.

So from what I've been able to observe here from what you have here, my choice would be for you to impact the area of Arbor Vitae and Bellanca because no one lives there. The only people that you have to really deal with is the rental agencies and LAX.

Now, I want to say something to the people who are here. 15 years ago, when LAX proposed to expand its airport, many of you felt that it was good for commerce and business. Those of us who lived around the airport, we tried to let you know how we were negatively impacted.

S44-24B

This fight is not over yet with LAX expansion. But just as you're complaining about the electromagnetic waves, we complain about diesel soot and diesel particulate matter. Benzene causes cancer.



S44-24C

I'd like for you all to keep the same frame of mind that you have today when L.A. proposes bringing this airport all the way to the 405 Freeway.

If this transit center was placed where it needs to be, at Arbor Vitae and Bellanca, LAX may not be able to expand its runway all the way to the 405 Freeway. Do you see?

We're all in this together. You have a good evening.

MR. GUTIERREZ: Thank you.

The last speaker card is for Jeff Tiddens.

JEFF TIDDENS: My name is Jeff Tiddens. I'm a resident of Fusion as well and my son's one of -- basically the troublemaker around here that's been rallying up and clapping for everybody from Fusion.

So thank you, Parker.

But he's a perfect example. He goes and plays on that play lot and 10 feet away is the wall and on the other side of it's a bunch of trains.

Not only -- luckily, we only have 17 to deal with right now but I can tell you he's been woken up in the middle of the night not because of traffic on the railway right there, but actually up in front of Fusion where they're pulling in some of the cars out on the semis.

Have you ever heard a semi try to stop with a megaton trailer on the back at 2:00 in the morning? Guess what. It wakes you up. And it's woken him up and it's woken us up.

That's only one part of the noise pollution that we're going to have. If you have 70 more trains coming in, guess what, you're going to have a lot more pollution.

All the construction that goes back there, guess what, that's back by the

S44-25A



S44-25B

play area. That's where our kids are going to have all that dust and exhaust coming into their lungs.

My kid's played back there. I've seen hundreds of other kids play back there and our Fusion apartment -- or Fusion complex is young. We have a lot of young families. We're hoping to create a very family-oriented area. That only happens when people stay around.

S44-25C

And guess what. We won't be able to sell our places if we do want to move because of this. So guess what. We're going to be in there for the long haul. I hope you guys are with us.

There's two options up there that seem a lot better than going right at Fusion or D22 or whatever it is. So I hope you guys really do consider everybody's speeches tonight. They absolutely did a wonderful job expressing everything that we have.

So thank you very much.

- CLOSING REMARKS -

MR. GUTIERREZ: Thank you.

If there aren't any other speaker cards, I'm going to pass it back to the project manager, Roderick Diaz. Thank you.

MR. DIAZ: I won't address all of the questions, but a lot of you made a few points that I do want to address related to the layout of the facilities. That is a fair point and that's why I pointed out the pages in the Environmental Document where those are pointed out. We will make efforts to place them on boards for our public hearing and into the presentation. That is a fair recommendation to make.

A lot of you did mention notice. We did purchase commercial mailing lists within a half mile of each of the sites that were purchased. Maybe some of you are new people who purchased into it that aren't on the commercial mailing lists that we purchased.

If there is a way where we can enter your complex and put hangers on the doors or whatever and make flyers, we'd like to be able to do that, and maybe one of you can contact me with a way and a strategy to have better notice related to this.

All of you who did sign in are on our mailing list now and will receive notices, most prominently through e-mail, of future meetings and future activities related to this project.

But we're glad that you all did get notice of this meeting and were able to come tonight. So we do look forward to attendance at the March 31st hearing. It will be structured in the very same way.

The last thing I will address is the evaluation criteria. Of course, we do have evaluation criteria. There are some listed there in terms of a comparison of proposed alternatives, but it's impossible at this point as to what's the most compelling of all of these evaluation criteria.

Part of what we get from these hearings is to get a sense of what is important to the residents and that's why I say the totality of the comments and the technical information is what we use to make recommendations to our Board.

And so with that, Edgar, did you have any closing comments?

MR. GUTIERREZ: No.

MR. DIAZ: Okay. I'd like to thank you all for coming this evening. We did certainly hear a lot of good comments and a lot of very technically focused ones that we do have to focus on and develop responses to.



There are people in badges. We will remain until the end of the period and even after if you so choose to stay with us.

I don't know if there are airport representatives here but we'll stay as long as we're allowed to stay.

Thank you very much. If we can answer any more questions, we'd be happy to do so.

Thank you.

And if you want to attend our next hearing, it's March 31st.

(At 8:00 p.m. the meeting was closed.)

-oOo-





COMMENT: S.44-1. Robert Leabow.

Response to comment S.44-1A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-2. Chris Richert.

Response to comment S.44-2A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-2B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-2C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-2D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-3. Mary Jo. Farrell.

Response to comment S.44-3A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-3B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-3C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-3D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-3E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-3F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-4. Jim Segner.

Response to comment S.44-4A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-4B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-4C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-4D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-4E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-5. Matthew Hetz.

Response to comment S.44-5A.

Comment noted. The Site #14 – Arbor Vitae/Bellanca Alternative was selected as the preferred alternative.

Response to comment S.44-5B.

Comment noted. While the maintenance facility could replace underutilized land uses, there is no evidence that it would lead to the redevelopment of adjacent businesses in the area.

Response to comment S.44-5C.

Comment noted. The optional Manchester Station was removed from consideration during the final design process because of low ridership projections and comments in opposition to the station. The project has been designed to not preclude the inclusion of Manchester Station over the aerial crossing at a future time.

COMMENT: S.44-6. Tom Gutto.

Response to comment S.44-6A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-6B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-7. David Slavin.

Response to comment S.44-7A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-7B.

Comment noted. The goal of the project is to provide transit infrastructure for the efficient movement of passengers through a transit dependent corridor. The selection of the site is based on criteria that does not include future earnings

Response to comment S.44-7C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-8. Bonnie Shrewsbury

Response to comment S.44-8A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-9. Jennifer Newman.

Response to comment S.44-9A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-9B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-10. John Bacon.

Response to comment S.44-10A.

Comment noted. Metro appreciates the input from the commenter. The Harbor Subdivision right-of-way is constrained and does not have enough space for a continuous third storage track to provide maintenance services.

Response to comment S.44-10B.

Comment noted. Currently automated maintenance service is not a technology available to Metro based primarily on financial feasibility and need.

Response to comment S.44-10C.

Comment noted. Please refer to Response to Comment S.44-10A and 10B.



COMMENT: S.44-11. Hannah Bentley.

Response to comment S.44-11A.

Comment noted. The SDEIS/RDEIR establishes the base capacity and expansion potential for the site. The planned future extensions of the Metro Rail system have not been approved and no segmentation of the current SDEIS/RDEIR has occurred.

Response to comment S.44-11B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-11C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-11D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-11E.

Comment noted. A noise analysis was completed for the project that added project noise to existing noise. Upon project approval, Metro enters into voluntary negotiations with owners if the acquisition of their property is required. If a price cannot be negotiated Metro will provide compensation based on a third party appraisal.

Response to comment S.44-11F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-12. Steve Johnson.

Response to comment S.44-12A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-12B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-12C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-12D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-12E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-12F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-12G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-13. Brandon Bentley.

Response to comment S.44-13A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-13B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-13C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-13D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-13E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-14. Mason Rothert.

Response to comment S.44-14A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-15. Joel Reeves.

Response to comment S.44-15A.

Comment noted. Please Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-15B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-15C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-16. .Erin Monroe

Response to comment S.44-16A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16F.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16G.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-16H.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-17. Alex Vargas

Response to comment S.44-17A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-17B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-17C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-17D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-18. Peter Jorgensen

Response to comment S.44-18A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-18B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-18C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-19. Ron Antrobius

Response to comment S.44-19A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-20. Ken Alpern

Response to comment S.44-20A.

Comment noted. Metro appreciates the input from the commenter.

Response to comment S.44-20B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-20C.

Comment noted. Metro and FTA actively pursue coordination with agencies with jurisdiction regarding the project.

Response to comment S.44-20D.

Comment noted. Please refer to Response to comment S.44-20D.

Response to comment S.44-20E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-20F.

Comment noted. The northern extension of the Green Line is part of a different study. Comments concerning that study should be directed to the Metro Long Range Planning Director.



COMMENT: S.44-21. Jim Machado

Response to comment S.44-21A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-22. Craig Saulsbury

Response to comment S.44-22A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-22B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-22C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.44-23. Celinda Vasquez

Response to comment S.44-23A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-23B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-23C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.44-24. Mike Stevens

Response to comment S.44-24A.

Comment noted. The timing of the planned consolidated rental car facility is unknown and cannot be relied on to provide relocation for any potential car rental facilities. Relocation benefits will be provided to all displaced owners and tenants. The commenter is correct in stating that no residents are located on the Site #14 – Arbor Vitae/Bellanca Alternative.

Response to comment S.44-24B.

Comment noted. The expansion of LAX is not part of this project. However cumulative impacts associated with LAX projects have been analyzed with implementation of this project.



COMMENT: S.44-25. Jeff Tiddens

Response to comment S.44-25A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-25B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.44-25C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

PUBLIC COMMENT: S.45 Inglewood City Hall 3/31/11

given two minutes to speak. There will be a timer.

Given the number of speaker cards I've already received and the temperature in this room, I think we'll want to move through this pretty quickly.

And please remember to state your name, speak clearly into the microphone so that our court reporter is able to accurately capture your comments.

Are there any additional speaker cards that anyone would like to . . .

Okay. So our first five speakers I will call, and please go to the microphone, is Mary Jo Farrell. Second is Honorable Councilman Daniel Juarez, Raphaelle Machado, Erin Monroe and Chris Richert.

Ms. Farrell.

- PUBLIC COMMENT FORUM -

S45-1A

MARY JO FARRELL: Good evening. My name is Mary Jo Farrell and I'm a resident of the community Fusion at South Bay which is immediately south of the Division 22 North maintenance facility.

First of all, I have to tell you that I am a fan of public transportation and I use Metro whenever I can, so don't misunderstand my opposition to mainly D22 North as an expanded facility. Had that been one of



the original choices, it's our position that it would never have made it past the initial screening.

S45-1B

On the 12 criteria that were used to measure likely projects, that one fails all but three of them. I don't see how it can be considered.

Second, it's not in MTA's best interest to use that facility, either, as a long-term solution. There isn't enough room, as you can see, to last beyond the next two or three years, and I don't know about all of you, but I really don't want to do this again in two or three years.

S45-1C

Finally, I believe that the environmental impact report was based on flawed data. The report references, repeatedly, 13 households adjacent to that facility. That data is tremendously outdated. There are 319 residences between two complexes.

We're very familiar with it. The existing bay door is about a hundred feet from my front door, so the remodeled one would be about 30 feet from my front door.

I think you could agree that at the end of a two-year construction project with eight trucks an hour coming in and out of that driveway, 200 construction workers plus the regular load of employees all trying to enter and exit the only access point, which is



Aviation Boulevard, which is 15 feet from our driveway, I think it makes no sense to consider that as a possibility.

Thank you.

MR. JACKSON: Thank you.

Councilman Daniel Juarez.

S45-2A

COUNCILMAN JUAREZ: Good evening. My name is Daniel Juarez, Councilman from the City of Hawthorne, and I represent 90,000 people but today I'm here representing my constituency over at the Fusion project. I'm not going to repeat what was said already but just go over some other items that were not covered.

The biggest concern that I have is the noise concerns. You know, we talked about -- or we were told about a project over in Pasadena where there was a buffer zone. Well, over here there's no room for a buffer zone so it would do us no good.

S45-2B

The other item is the electromagnetic fields. Right now over at the Fusion they've got a rating higher than the standard and that is unacceptable for our residents.

S45-2C

We talk about property value. Right now with this construction going over there and we're already in a down economy, this is going to bring down the values



that much more, especially when you bring in an expanded facility there.

S45-2D

We already talked about the capacity and I guess what irritates me is if we're going to have to do this again, let's do it right the first time. There's limited money. So let's not go that route.

Limited access. There's very little access.

Aviation. I work for Northrop Grumman. I've been there for four years and I have to fight that traffic every day on Aviation. This is just going to create more congestion all the time.

The required notice that was given, the other potential sites were given a lot more time. Our folks at Fusion were not given enough or ample time to do this.

S45-2E

We talked about the sample size and I just want to end by saying that this issue's about quality of life and I hope that those that are making the decision think about would I want to put this facility next to my house and if you don't, then don't vote for it and put it in another spot.

Thank you.

MR. JACKSON: Raphaelle Machado.

S45-3A

RAPHAELE MACHADO: Raphaelle Machado and I'm a resident of the Fusion at South Bay and my unit is



actually on the north end, which is right next to the Metro maintenance yard, and with this connection that we're talking about, it would definitely create a problem for us as far as the noise and the congestion and the air quality, which is my concern.

I go out and clean my deck every day and there's this heavy, black soot on my deck and I can just imagine having more cars and more construction and all that would just exacerbate the situation already.

S45-3B

Plus the air quality is a big concern of mine and I think it would definitely have an impact on our air quality and, not to mention, you know, the value of our properties. We're already in a bad real estate market and I think with this construction going on for a year or two, it would definitely destroy whatever value that we might have left now.

S45-3C

So I am definitely against having the expansion of this property, and I think some of the other locations definitely would work better in that they're larger and would be able to accommodate the traffic that you're talking about and so, anyway, that's it.

Thank you.

MR. JACKSON: Our next speakers are Chris Richert but prior to her, I'll ask that Joel Reeves,



Samantha Millman, David Slavin, Kevin Brogan and the Honorable Alex Vargas please come to the microphone.

Chris.

ERIN MONROE: Actually, I'm Erin Monroe. I also live in the Fusion complex and I came to the previous meeting that was held at the beginning of March.

S45-4A

I'm a little bit confused today because I think that all of the residents were pretty clear at that meeting about what this actually does mean to us, and on the video that I just saw, it said that all the residents that are living right next to that facility have no problem opening up their windows because the noise level is so low; so a little bit of a disconnect and I think that's also on video, so I'm just stating that that's not true.

S45-4B

And, if we need to, I'm happy to go door to door for those people that couldn't make it at six o'clock tonite and ask them and get a petition because I think there's a whole lot more people than could actually come tonight that would also agree with me on top of what everybody else has said.

I also don't understand why it's even considered. When I look at all those criteria, it's half the size. It is half the money, so maybe that's



S45-4C

why. I don't know. Half the capacity. There's residents next to it.

I haven't seen any reason why it's even on the list, why it made it, why it was added at the end, why it's the fourth one. So I guess maybe that just needs to be clarified.

And, also, their claim that there was zero displaced residents, well, I think there's 300 households that are going to be displaced and very unhappy when this happens. And if it does happen, I have a feeling a lot of people will be moving out. Whether or not we can sell, I don't know.

Also, the EMFs. We talked about the EMFs, that they're out of control as it is and to do this would just, I think, make it toxic for us all to live there, especially with babies, all the babies that are there. There's just so many things but it's all on the previous video, so that's all I have to say today.

Thank you.

MR. JACKSON: Thank you.

Chris.

S45-5A

CHRIS RICHERT: Chris Richert. I'm also a resident of Fusion at South Bay.

The previous speakers as well as probably most of the speakers behind me will probably talk about the



quality of life issues, so I'm going to skip that tonight. I'm going to talk about this from a concerned taxpayer's standpoint.

S45-5B

Yes, I understand the initial cost for the expansion of D22 is 117 million, approximately, but everyone has stated so far that barely meets, you know, our opening day and medium-term goals. It gives us no room for expansion.

One of these other sites is going to have to be considered a few years down the road anyway. We brought this up, actually, with multiple people with the MTA staff and, you know, one of the responses I got was, you know, when I said we're going to have to go through this whole process again a few years from now, the response was: Well, you know, the EIR process is only a couple million bucks.

S45-5C

Well, that's a couple of million bucks from all of us. We voted for Measure R. We paid increased sales taxes to fund these projects. When I hear it's only a couple million bucks or when I hear, well, we're going to do a \$117 million Band-Aid and then probably have to spend 300 million later, for a combined total of 400 and change, when we could have done it for 300 and done it right the first time, I am real hesitant to ever support an MTA project again when I hear that's

how my money's being used.

Thank you.

MR. JACKSON: Thank you.

Joel.

JOEL REEVES: Hi. Good evening. My name is Joel Reeves. I'm also a Fusion resident and this is probably the third or fourth meeting that I've been to where we kind of look at the same map that's been redrawn a little bit and look at it and here's the same information.

S45-6A

This was pulled off the website. I believe that every other meeting that I've attended, someone in the group has asked the question, "What's the criteria?" And they've touched on it briefly, but no one has ever answered that before.

Here's the criteria from the website. Here's the matrix that people have alluded to. There's 11 or 12 criteria on here.

If you see those red dots on there, those are other sites. Originally, there were 16 sites and the D22 was not one of those originally. It was added after that. Every red dot you see on there was a failed site because of a specific reason.

I think one of the other residents, Mary Jo, had mentioned that there's only 3 out of 11 or 12 of

these that the D22 complies with. So the very first thing -- and this is off the website too -- as the maintenance facility evaluation criteria is the impact to residents. So you'll hear over and over again the impact to residents is fiscal, it's quality of life, it's the concern of raising our kids.

We already have power lines behind us and so it's pollution, it's noise, it's not being able to open your windows in the middle of the night to enjoy the fresh air instead of breathing exhaust. These things we shouldn't have to deal with.

S45-6B

So I agree with another one of the residents, Chris, in saying let's not just ax D22 now. Can we please ax it for future expansion as well. Can we just eliminate it because it would never even have passed the initial screen, so why are we even considering it.

Thank you.

MR. JACKSON: Thank you.

Samantha.

S45-7A

SAMANTHA MILLMAN: Hi. My name is Samantha Millman and I'm here from Millman Redondo Properties. We own the property adjacent to directly north of the subject property in Redondo Beach. We're at 4020, 4030 Redondo Beach Avenue. We've owned this property since 1978, and Northrop Grumman has been our tenant since



1987 when at that time they were TRW.

For starters, MTA's failed to provide any notice to us. No notice that it was under consideration, no notice of the public hearing on the 1st, no notice of this hearing, and that is even after contacting MTA on February 14th and asking to be put on the list.

Redondo Beach is not the right place for this facility. DHL has spent millions of dollars upgrading the facility nextdoor to ours. It is perfectly located for what DHL does and it would be very hard for them to find a new facility.

S45-7B

Many businesses including our tenant, Northrop Grumman, would be very disturbed by this facility. Northrop Grumman, in particular, has invested millions of dollars in highly technical and noise-sensitive equipment which is not copacetic with a rail maintenance yard.

The City of Redondo Beach is opposed to the facility and, in addition, there's a large Chevron pipeline that goes underneath the subject property in Redondo Beach and the vibration caused by the continual ingress and egress of heavy rail cars could have a severe negative impact on that pipeline which also runs under our property.



S45- 7C

In short, this is really not the right place. It's also not the cheapest option despite what's been presented. It's not cheaper than Arbor Vitae and Manchester. The costs of relocation are incredibly high for DHL and the other tenants.

The time frame to get the Redondo Beach approved will be much longer due to litigation and eminent domain proceedings, and the price calculations need to be redone to take this into account.

The City of Inglewood appears to want the Manchester site and cheaper relocation costs for Arbor Vitae and Manchester in that area seem to welcome the cost.

Thank you.

MR. JACKSON: Thank you.

David.

S45-8A

DAVID SLAVIN: Hello. My name is David Slavin. I'm also a resident at Fusion. I live in a unit that's about as far away from the train yard in the proposed expansion at D22 as you can still live in the complex, and even I can hear that loud, piercing, blood-curdling sound that happens every time the trains brake to come into the facility.

If you were here earlier, you heard that feedback from the mic when it was being adjusted and



S45-8B you multiply that by about a factor of 10 and you have it go on for about 30 seconds or maybe even a minute, that's the kind of sound that comes from that yard.

Now, it comes from that yard a few times a day and that is something that's currently acceptable. I can hear that sound through a double-paned glass, half of a building and then a whole row of buildings between me. I can still hear that sound. But if that happens, you know, regularly throughout the day and night, that is going to become a complete nuisance.

S45-8C The only building in that entire stretch of Aviation, probably within about a half-mile radius of that property that generates that amount of noise and sound and light pollution is that facility. Currently it's annoying. It would be completely unacceptable.

And so in terms of long-term planning, it seems to me that choosing a larger facility that's in a more truly industrial zone makes a lot of sense.

S45-8D Leaving that facility the way it is and potentially thinking about selling it and turning it into another place where residents will be close to the line, which would be potential users of the rail, would be much better in the long-term.

If the plan is to turn a luxury set of condos into Section 8 housing, then choose D22A.



MR. JACKSON: Kevin.

KEVIN BROGAN: Thank you. My name's Kevin Brogan, B-r-o-g-a-n. I represent AMB Spinnaker, the owner of Site 17.

S45-9A

Site 17 is a 336,000 square-foot building which, to give you an idea, is about 7 acres under roof, which employs over 400 people involving two tenants; DHL's key facility and DK28.

We are opposed to the acquisition of Site 17 for this maintenance yard and we'll submit a letter to Mr. Diaz that will formally detail at length all of our issues. But for the purpose of tonight's hearing, I'd like to address a couple of matters.

S45-9B

First of all, the MTA acknowledges in its Draft EIS that it will be difficult to relocate tenants to the same proximate area with respect to LAX. That's a very important factor with respect to these 400 employees and, of course, DHL.

S45-9C

Secondly, Site 17 only works if the MTA expands its facilities at Division 22 at Hawthorne; in other words, Site 17 is coupled to the expansion of Division 22.

According to the EIR, if it chooses Site 17, the MTA must create a paint and body shop in Division 22, build more tracks, add more building



space, create ancillary facilities including additional utility lines and parking all on Division 22.

S45-9D

The EIR glosses over the combined effect of the impact of both Site 17 and the Division 22 acquisitions and certainly creates a greater impact in two areas as opposed to one in some of the other sites.

S45-9E

I'd like to point out that the City of Redondo Beach has passed a resolution opposing -- opposing the acquisition of Site 17 for the maintenance yard as a use inconsistent with the city's proposed zoning and general plan.

And, finally, I'd like to point out there's a underground pipeline that pushes jet fuel under the subject property, under Site 17, that has not been addressed at all in the EIR.

We will address the rest of our issues in a letter to Mr. Diaz.

Thank you.

MR. JACKSON: Thank you.

Our next speakers are Alex, however, I would like to call up Martin Coyne, Aaron Jones, Tom Gutto, Kim Bordet and Marc Gephart.

Honorable Alex Vargas.

ALEX VARGAS: Thank you. My name is Alex Vargas. I'm mayor pro tem for the City of Hawthorne



S45-10A

and I'm here in solidarity with the residents of the Fusion project and the residents of Hawthorne as a whole.

I had the privilege of being invited by the Fusion residents to go to the site, to go to their resident complex, and I have been witness to all the concerns that they are feeling that might happen with the expansion of the site.

One of the things that the city council of Hawthorne rarely does is issue resolutions against these types of projects. We're usually on board but in this case we can't. Overwhelmingly, we support a resolution opposing this.

And I was present at the Fusion complex and I am concerned as well and I understand their concerns with regards to the EMFs. That's nothing negligible. I'm a physicist. I'm an engineer. I understand what the impacts of that could be health-wise. They're not negligible as some people may say.

S45-10B

Noise pollution definitely a concern with the increased activity that might happen there at that site and the issues with property values and the whole litany of additional items that the residents of Fusion are going to be presenting to you today.

One item of concern that was not really



S45-10C

mentioned was the fact that the residents of the Fusion project were not included in the early phases of consideration for the maintenance sites. There was a list of about 20 neighborhood associations but the one resident homeowners association that's closest to or directly affected by this type of expansion was not included in that list, so that's of concern to me.

But other than that, I'm here as a resident of Hawthorne. I'm here as mayor pro tem for the City of Hawthorne respectfully asking the board to please consider an alternative site.

MR. JACKSON: Martin.

S45-11A

MARTIN COYNE: Good evening. My name is Martin Coyne. That's C-o-y-n-e. I'm senior vice president and regional manager for AMB Property Corporation. We own the property at 4000 Redondo Beach Avenue referred to in your documents as Marine/Redondo Beach Alternative or Site 17.

I want to restate AMB's unambiguous opposition to the selection of our property for a Metro satellite maintenance facility in conjunction with the Crenshaw/LAX Transit Corridor Project. I want to be clear that under no circumstances are we a willing seller.

AMB is the world's leading third-party owner and operator of air-freight distribution real estate at



S45-11B

and near major cargo and logistic airports such as LAX. We are especially prominent in the southern California region.

This particular property is distinctive because of its size, proximity to the airport, support from the city in which it is located and because of its unique combination of office and warehouse space.

It is because of the fact that this property is literally irreplaceable that I am here to support the interests of our two principal tenants, DHL and JR286. These are two world-class tenants.

S45-11C

DHL Global Forwarding is a leader in air and ocean freight markets, and JR286 is an entrepreneurial leader in manufacturing, distribution of branded licensed sports accessories. JR286 has recently become the exclusive distributor for Nike.

To recommend or select this site as a prospective location for a satellite maintenance facility would jeopardize both these companies and over 400 employees they have on this site. That is 400 employees.

In light of these facts, I respectfully urge you to remove from consideration the Site 17.

Thank you.

MR. JACKSON: Thank you.



Next speaker is Aaron Jones.

S45-12A

AARON JONES: Good evening. I'm Aaron Jones, the planning director for the City of Redondo Beach. Pleasure to be here this evening. I wanted to reinforce some of the statements made earlier this evening.

The city has unanimously adopted a resolution opposing the location of the Marine/Redondo site, and I would like to go a little bit further and discuss some of the rationale for that decision.

S45-12B

In particular, the environmental document spends very little time addressing the issues of physical division in the community, inconsistency with our general plan, our land use goals for this critical area of our community, and does not discuss in any detail the zoning consistency; in fact, it completely erroneously states a conclusion about consistency with zoning.

S45-12C

We have submitted written comments on March 24th addressing these issues as well as the prior resolution.

I do think it's important to note that this is a critical aerospace campus section of our community and that all of our land use goals for the area are for aerospace campus, industrial and other large-scale



S45-12C

campus park use of this property.

Our major businesses and employers demand that this location be free from heavier industrial uses, especially those generating impact such as vibration. And we, in particular, in a long-range perspective certainly support transit-oriented development in and around the site that would not be at all consistent with a rail maintenance facility in close proximity to those types of uses.

So thank you for your consideration and your time this evening.

MR. JACKSON: Thank you.

Next speaker is Tom.

S45-13A

TOM GUTTO: Tom Gutto. I'm a resident of Fusion complex as well and my constituents have so eloquently spoken about the quality of life issues.

My wife and I, shortly after our one-year wedding anniversary, bought a home for the first time in the Fusion complex. We had a number of reasons for wanting to live there; the occupants there, the value of our homes, the location.

We were a little concerned with the MTA site as was but we thought we could really build a life there. We thought we could make Fusion a part of our life for the long-term.



When we found out about this proposed D22 expansion, we were shocked, you know. We can't believe that of all the sites chosen that this was even under consideration for all the points made prior regarding the increase in traffic on Aviation, the EME's, the noise, the construction.

There are a lot of young families that live in Fusion and we would like to be one of those young families very soon. We're having second thoughts about raising children in a place where you've got a doubled increase in trains running in and out, noise all night long and decreased property values.

I just urge the board here to think about selecting another site.

Thanks.

MR. JACKSON: Thank you.

Next speaker is Kim Bordet.

KIM BORDET: Hello. Good evening, everyone.

S45-14A

My name is Kim Bordet and I work for DHL Global Forwarding and I'd like to talk a little bit of a personal nature.

To me, that is my residency. Unfortunately, I work there 10 to 12 hours. My boss is here so I thought I'd put that on the line.

When we first moved to this facility, we had



come from four different facilities and it was a real issue for us because having an operation of ocean, air, import, export, domestic under four separate facilities, it meant that we could not communicate well between each other.

An import operation has to give documents to a brokerage department. A brokerage department has to give documents to a domestic department. And when you're in four separate facilities, it makes it really impossible and really impacts our customer and our overall operation.

S45-14B

When you come to our facility and we give you the tour, the first thing we say is we're so proud to be in one building where we can all be together, work in unison and support each other in a way that we could bunch in and, you know, provide excellent customer service.

S45-14C

I actually am married to someone at DHL Global Forwarding, so my husband and I are both very concerned that our jobs could be displaced. They could possibly be moving out of the Redondo Beach area which we love so much.

And this is the first time I've come to these presentations. I wish I'd have come to the others. I'm very happy to see many support from our colleagues

and others with DHL, and I can tell you that we have a wonderful group of people and there will be, I feel, issues if we move into another facility, whether four different sites again or one facility with double, triple the cost, and I hope you will reconsider our DHL site.

Thank you.

MR. JACKSON: Thank you.

I'd like to call up Peter Jorgensen, Cory Seibert, Rafael Galban, Steven Johnson and Gordon Michael Mego.

Our next speaker is Marc Gephart.

S45-15A

MARC GEPHART: Thank you. Marc Gephart, G-e-p-h-a-r-t. I am also from DHL, also known as Site 17. I'm here to voice my opposition to the acquisition of Site 17 and as an occasional Metro Green Line rider myself and representing the 350 approximate employees that we have at DHL, we are very opposed to this.

S45-15B

As Kim mentioned, we did consolidate from four large facilities into one major facility for us to be able to do our operation. There is nowhere adjacent to the airport that we can relocate to without significant cost. And in a recession and in an environment where we are competing for nickels on every shipment that we



S45-15C

do, we cannot absorb the cost it's going to take to relocate us.

Additionally, we have to consider the employees that work at DHL that come from various parts of the southland. There is no access to Green Line anywhere else we may relocate to, and we have a significant number of riders on the Green Line who are also a green partner with the South Bay Economic Committee and we take our responsibility as a citizen in the city of Long Beach -- Redondo Beach very seriously.

We are opposed adamantly to Site 17. We don't feel it is the best use of the Metro's money and we hope you will take us off the consideration list.

Thank you.

MR. JACKSON: Our next speaker is Peter.

PETER JORGENSEN: Good evening. My name is Peter Jorgensen.

S45-16A

Mr. Diaz, I know we've talked a few times. I just want to -- I already did my public last time, but I just want to say -- I'll spare you the repeat, but one of our big concern is that we had a very hard time to find this location for all of our employees, and we will have a very hard time finding a new site, at least consolidate all the different operations.



I'm very concerned with our employees due to being very competitive now in one building and, approximately, we also have 200 members with agents and council members which have all been affected by moving out of this area if we have to find another location.

So, again, I certainly hope you can consider us removed for this site.

Thank you.

MR. JACKSON: Thank you.

Next speaker's Cory Seibert.

CORY SEIBERT: I'm Cory Seibert. I'm a resident of the area and also an employee of DHL Global Forwarding.

S45-17A

From what I understand from this project, you guys have an overall goal of helping the community and helping all of us improve our lifestyles both with reducing traffic and also creating some jobs.

I think those are great, great goals to have, and I'm really happy to hear that we're trying to do something about the traffic, since I drive on the 405 all the time and it's packed all the time.

S45-17B

But what I'd like to say and point out is that there's about 350 employees at DHL and if one of our goals is to create jobs and from what the -- what it was stated is about 100 to 200 jobs we're going to



create, but if we're taking away our facility with 350 people plus the site next to us with another 50, we're going to damage the jobs of about 400 of us to create 100 to 200 jobs which I think really defeats the purpose of this project.

S45-17C

And so what I'd ask is that you guys reconsider and think about the lives you're going to affect by taking away our facility and our jobs, because a lot of us here at DHL today are worried about, you know, are we going to be able to maintain our employment if you take away our facility, and so I ask that you reconsider taking away Site 17.

Thanks.

MR. JACKSON: Rafael Galban.

S45-18A

RAFAEL GALBAN: Good evening. My name is Rafael Galban. I'm an employee of DHL Global Forwarding for 36 years. I actually -- we initiated the move into 4000 Redondo Beach approximately six years ago and it was hard work to actually find that facility.

As stated by my colleagues prior me here, it was very hard to find facility and put a operation, which is world-class operation, together which affects many lives, and I'm here to express my concern of the employees that are currently with us, which is



S45-18A

approximately 350, a hundred of those within the warehouse, and their families, which we count is approximately 1500 people that will be affected. And that's not only the people that will be affected.

We are a gateway, the major gateway of DHL which is north America. We have a 24-hour, seven-day-a-week operation bringing in cargo into United States and shipping cargo overseas and domestically.

S45-18B

Major accounts are handled in that business -- in that building and a lot of people here have cell phones and computers. Well, we bring those in on a daily basis and we have a perfect site with employees, you know, very good people and they don't deserve to lose their jobs.

Currently, we have no other site that would fit our business in the area. We try, you know, to express our concern and for the committee to reconsider another site instead of our site.

Thank you.

MR. JACKSON: Thank you.

Next speaker is Steven Johnson.

S45-19A

STEVEN JOHNSON: Hi. Steven Johnson. I'm on the board of directors for Fusion; been very involved in this for the past two months now.



S45-19A

Yeah, just thinking of this from a purely business -- I'm a very business-minded person and looking at a 15-, 20-year strategy, if I was looking at a property at Fusion with three and a half acres versus a property that has 15 to 20 acres and I have growth potential, I have, easily, expansion from moving to -- maybe we have another four lines that are added or maybe we need to add another hundred cars that we'd have to do maintenance on, I would look at what my cheapest expansion alternative would be.

S45-19B

At Fusion we are contained. There's not really any more unless they try to do eminent domain on 280 units, which I don't see happening very cost effectively or even being possible.

So I would always look at, okay, I can take this expansion, I have this area, maybe I'll build a park right now, but now I have another 10 acres that I can later on remove and add, you know, another two lines, another 50 cars coming in.

It is already within our community. My personal house faces the open area of the maintenance yard. They honk their horns at night, they bang, they do other things.

I knew about this coming into it. I live with it. But trying to double that or triple that of the



S45-19C

amount of vehicles or cars that keep moving in, it'll be nonstop. I mean, there will be never any times when it's going to be open during day or night due to that maintenance and the amount of traffic that runs through.

S45-19D

The opposition here has been 95 percent, probably, 90 percent, at least, between 17 and our D22. The other ones we've been hearing very little about from an overall perspective so -- and there's clearly -- I think we have a big car lot. There's clearly easier spaces for it to move out, so it should be removed from the list and we'll be pursuing this further and the City of Hawthorne is behind us, as you've heard before, with a resolution against this project.

Thank you.

MR. JACKSON: Our next speaker is Gordon Michael Mego.

S45-20A

GORDON MICHAEL MEGO: Hello, everyone. My name's Gordon Michael Mego. I'm a native and resident of Hawthorne since October the 8th, 1952, and I have a mechanical engineering background and currently I am working with the City of Hawthorne.

I come from a large family, grew up on, you know, the southwest side and I've just seen like a



S45-20A steady decline in the quality of life, whether it's related to, you know, infrastructure expansions, some of which we're talking about here tonight, the rail line would exacerbate that and for a number of reasons.

The District 22 would be the least desirable choice and should be eliminated from consideration, you know, especially the residential aspect. You know, that's the primary concern. Quality of life, property values, etc., a number of people have mentioned that.

S45-20B Businesses that would be greatly affected that are very large concerns and they generate a lot of revenue in the area that -- jobs and so forth that is very, very important to this region and to disturb that would be, you know, just wrong, you know.

S45-20C And then when I look at the different other locations that are out there, you really need to look at a site that can be encompassing a large enough area that can be done right.

And if you're talking about 45 and even maybe, you know, 70 cars, obviously, Hawthorne's not going to do it, so it's like it should be a no-brainer. Why even consider it.

And there's a whole host of other problems whether it's pipelines or, you know, traffic considerations. And now, like, I have a sister who



works for DHL Global Forwarding, although not at this site here.

MR. JACKSON: Thank you. Time is up.

I have four last -- okay -- five remaining speaker cards.

Is there anyone else that would like to speak? Please fill out a speaker card and give it to staff.

Okay. So I'm going to call up next Tut Hayes, Victor Taylor El, Honorable Councilwoman Judy Dunlap and Ken Alpern. Will you please come in that order, as well as John Koppelman.

Mr. Hayes, you have two minutes.

TUT HAYES: You can't trust these people. Don't worry about what they're going to do. Let's look at what they have done.

S45-21A

Before the Blue Line was constructed, I told them the platforms were too short. They took the short ones anyway. Many years later they extended the platform at the cost of the entire platform.

They make a map of their transit system; a full-color map. They had UCLA three miles away from where it's located. Same thing, too, with Santa Monica airport.

S45-21B

The Red Line trains have a decal showing where you should put your wheelchair, your bicycle and your



S45-21B

baby stroller but it's at the opposite end of the place where you put them.

Each coach has spring doors but they don't put that indication at the door where it belongs.

Now, what they will do is operate with such stupidity, incompetence and opposition to public needs is incredible.

This train doesn't go to the airport. No train does. Why not? Get an aerial view of the airport facility. You'll see hundreds and hundreds, maybe thousands of parking which you pay for, eight bucks a day or more, and they have shuttle services that take you back and forth to the airport.

S45-21C

Now, they say they didn't put in an airport -- allow it to go to the airport to begin with because it might obstruct the airplane flights. Put it underground. They call that a subterranean. All right?

In Washington they go to the airport, Baltimore they go to the airport, but not in L.A. Not with these people.

And you're not going to run this train past Crenshaw High School. Now, that's a definite. I'm not asking you. I'm not pleading. I'm telling you. All right? You can do anything you like but you're not



going to run it past a high school.

Thank you.

MR. JACKSON: Thank you.

Next speaker is Victor Taylor El.

Going once.

Victor Taylor El, going twice.

Okay. Our next speaker is Honorable
Councilwoman Judy Dunlap.

COUNCILWOMAN JUDY DUNLAP: Thank you very
much. Councilwoman Judy Dunlap, City of Inglewood.
I'd like to welcome all of you to our city. Thank you
very much for participating in this very critical
public hearing this evening.

S45-22A

I would like to, I'm going to say,
congratulate MTA staff because of the 200 people here,
no one is supporting any of your project areas. Zero.
So I don't know how much money it cost to get to this
point, but I think you're batting a zero at the moment.

With regard to -- I'm going to speak on behalf
of Hawthorne because it's a neighboring city. When I
see how close that is to the residential properties, I
just can't even believe it. That should never have
even been considered.

I don't think my colleagues on the -- my peers
on the Hawthorne city council would mind you speaking



S45-22B

to that because I couldn't believe what I'm seeing and what I'm hearing with regard to the proximity to residential properties. It's a tremendous impact. It has to be a no and I agree with them.

How it got added, I have no idea because it doesn't fit anything and it's just an affront to any homeowner anywhere to see that any governmental agency would even consider a project of this magnitude so close to where people are living and raising their families.

S45-22C

And with regard to the site for Inglewood, with the speaker who said no one else seems to want it but they seem to want it in Inglewood so put it there, no, no, no. I don't want it. We don't have any resolution either way with regard to the city but I'm speaking for myself.

S45-22D

I do not want it in the city of Inglewood. We have businesses there that we don't want to have to be relocated because they are functioning just fine the way they are. And our city staff will be preparing in-depth comments for planning and our other departments, traffic and economic, all of that prior to the deadline.

But, once again, I want to thank all of you. Please continue to participate because you are making a

difference.

Thank you.

MR. JACKSON: Thank you.

Our next speaker is Ken Alpern.

S45-23A

KEN ALPERN: Good evening. My name is Ken Alpern and I co-chair the Council District 11 Transportation Advisory Committee for Bill Rosendhal and I chair the nonprofit transit coalition.

First off, I'd like to thank Metro, LAX, City of Inglewood, Roderick Diaz, Allen Pitasniak (phonetic) and Wendy Berlin (phonetic) for all the work they've done.

And I really want to emphasize that this has the potential to be something big, something huge. This is the first major north-south light rail line that will connect, potentially, the mid-city to the South Bay.

S45-23B

This is very, very important and I'm meaning no disrespect to the previous speaker. I want you to recognize that these maintenance site facility meetings, they don't attract people who want it. They only attract people who don't want it. And with that in mind, it's pretty obvious as to who is here but you must listen to who is not here.

There is only one person from Inglewood who



just spoke opposing the Sites 14 or 15. Just one. And no one from Westchester or the city of L.A.

S45-23C

There's been outreach, so please recognize, read into who is not here because the Century Boulevard corridor is a wonderful place for industrial job development.

I'm going to focus on what I'm for. Clearly, the South Bay isn't that densified. You know, trying to build a whole bunch of concentrated industrial land really doesn't work there but it does on the Century Boulevard corridor. It's next to LAX. It's a jobs magnet. It's the one place secondary to downtown that we need more jobs.

S45-23D

This line's going to go someday to Wilshire, down to Torrance. We need to have it go to the west side as well. I've made it clear on many occasions my agenda is to get this also to the originally planned Playa Vista up to Lincoln Boulevard corridor.

Someday we may see a 405 Sepulveda Line go under or along Sepulveda. We need to have it atwixt of the light rail line. Make it at least a parking lot at Sepulveda and Lincoln. Please, let's focus on Sites 14 or 15. They are our best investment.

Thank you very much.

MR. JACKSON: Thank you.



Our next speaker is John Koppelman.

JOHN KOPPELMAN: Good evening. My name is John Koppelman. I am the president of the Del Aire Neighborhood Association. I currently represent 207 homes in my community.

S45-24A

We stand in support of the City of Hawthorne and their opposition to this project. I personally have worked in a career for 35 years and I'm very familiar with heavy maintenance facilities. I know what kind of noise and dust and what kind of negative impact they do create. It's entirely an inappropriate use within the close proximity of residences and we oppose this.

And I'd also -- I can't help but -- I just can't let it go. You need to listen to the people who are here because the people who aren't here didn't find it necessary to show up, so I can't help but add that. Please listen to the people who are here.

Thank you.

MR. JACKSON: Thank you.

Our next speakers will be in this order: Mr. James Burt, Jacqueline Hamilton and then Charlotte Lee Gunter.

Will you come in that order.

Please state your name.



anybody else that wishes to speak this evening?

Okay. Our last speaker shall be Charlotte Lee Gunter.

CHARLOTTE LEE GUNTER: My name is Charlotte Lee Gunter and, frankly, I had not planned to speak this evening but I'm rising to the challenge.

I really am in sympathy with what I've heard here from you Fusion people. All I can say is have courage. I really don't know where this is going to go, but I can tell you that Kenwood Players and the Westchester community got together and we have attended -- I have attended every meeting since the inauguration of this process and we were listened to and it is my sincere hope that you will be listened to also or that a resolution will come about.

As I said, I wasn't planning to speak because we have been resolved and resolved in a way that we're very pleased with. Hopefully, in the end, you, too, will be pleased.

S45-27A

- CLOSING REMARKS -

MR. JACKSON: Thank you.

Again, thank you for attending this evening and providing your input to our process. If you have



S45-25A

JAMES BURT: Thank you for letting me come and speak. I'm a welder by trade. I'm an electrician by trade. I have never seen -- the only thing I want them to leave (unintelligible) where it is, leave Walgreens where it is and put that station somewhere else. That's all I want.

The maintenance station's going over near the airport. Who's been over there lately? It's nothing over there. Planes flying too low. That's why they're putting a maintenance station. That's where I'm a welder for the next two years. That's where I'll be an electrician for the next two years.

Now, I want to know how can I get one of them good jobs like you got when they first start off. Now, that's all I want to know.

I'm waiting for my answer. I got one minute, 14 seconds, 13.

MR. JACKSON: This is the comment period.

S45-25B

JAMES BURT: The reason I ask you that, I asked you before, because my grandson want to be an engineer. I'm looking out for my grandson because I ain't got much time left.

So the most of you people that never rode on the light rail, go down there and buy you a day pass or two-day pass. Go from one to the other. We call it



S45-25C

the silent killer because (unintelligible) and we can't hear it coming. It's so quiet.

Anybody stay in a place for 30 years, that's bad. You don't know what's happening on the outside. I keep moving from state to state, sometimes from country to country. Everybody got (unintelligible) and got stuck because I don't have no way out of here.

And look what happened in Japan. All them beautiful trains they lost.

Let's build this subway so I can get it before I die, make this money and get my grandson a job with that man there being an engineer; okay?

Thank you.

MR. JACKSON: Thank you, Mr. Burt.

Jacqueline Hamilton.

S45-26A

JACQUELINE HAMILTON: Hello, everyone. I'm Jacqueline Hamilton. I'm with the Tuskegee Airmen Incorporated Los Angeles Chapter organization. I'm also with the LAX Focus Group and the LAX Master Plan Stakeholder Group. I am someone who formerly lived in the Manchester square area of the LAX redevelopment project.

This information is also part of the project. One of the things we're trying to do in being involved in several mentoring activities is to find out where



S45-26A

are we going to receive our safety in all of this.

Several of us have already been displaced in housing. We've been displaced in our employment, in living in the Manchester square area. When I lived there, I worked as a mergers and acquisitions consultant, software engineer and manager, customer services manager, for a company called Unicom Systems Incorporated. There are several of us who lived in that area who are direct descendents of World War II veterans.

S45-26B

My father's information has been displayed at LAX and we're trying to find out what's going on with these projects, so several of us are doing assessments.

I've actually worked for the census bureau. I worked for 2010 census. I was one of the ones who was immediately promoted to assistant manager of technology.

We all need careers that will last for decades. We all need the funds. We all need jobs. This state needs a rehauling of the economy. So what we're trying to do is meet with everyone now to find out what's going on and to also give our comments.

Thank you for listening.

MR. JACKSON: Thank you.

I have one last speaker card. Is there



COMMENT: S.45-1. Mary Jo Farrell

Response to comment S.45-1A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-1B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-1C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-2. Councilmen Daniel Juarez

Response to comment S.45-2A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-2B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-2C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-2D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-2E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-3. Raphaelle Machado

Response to comment S.45-3A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-3B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-3C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-4. Erin Monroe

Response to comment S.45-4A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-4B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-4C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-5. Chris Richert

Response to comment S.45-5A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-5B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-5C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-6. Joel Reeves

Response to comment S.45-6A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-6B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-7A. Samantha Millman

Response to comment S.45-7A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-7B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-7C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-8A. David Slavin

Response to comment S.45-8A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-8B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-8C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-8D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-9A. Kevin Brogan

Response to comment S.45-9A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-9B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-9C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-9D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-9E.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-10. Alex Vargas

Response to comment S.45-10A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-10B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-10C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-11. Martin Coyne

Response to comment S.45-11A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-11B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-11C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-12. Aaron Jones

Response to comment S.45-12A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-12B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-12C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-13. Tom Gutto

Response to comment S.45-13A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-14. Kim Bordet

Response to comment S.45-14A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-14B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-14C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-15. Marc Gephart

Response to comment S.45-15A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-15B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-15C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-16. Peter Jorgensen

Response to comment S.45-16A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-17. Cory Seibert

Response to comment S.45-17A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-17B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-17C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-18. Rafael Galban

Response to comment S.45-18A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-18B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-19. Steven Johnson

Response to comment S.45-19A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-19B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-19C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-19D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-20. Gordon Michael Mego

Response to comment S.45-20A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-20B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-20C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-21. Tut Hayes

Response to comment S.45-21A.

Comment noted. The views and opinions of the commenter are appreciated.

Response to comment S.45-21B.

Comment noted. Public input and ridership projections have shown that an airport connection would be desirable.

Response to comment S.45-21C.

Comment noted. The FAA has regulations about crossing adjacent or near a runway. Metro and FTA have ongoing coordination with FAA to establish what protocols are necessary to ensure airport and passenger safety. Crenshaw High School is located one block east of the alignment. The light rail vehicles would travel within the center of the street right-of-way between two way traffic. The FEIS/FEIR determined that no adverse safety impacts would occur.

COMMENT: S.45-22. Councilwoman Judy Dunlap

Response to comment S.45-22A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-22B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-22C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-22D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-23. Ken Alpern

Response to comment S.45-23A.

Comment noted.

Response to comment S.45-23B.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-23C.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

Response to comment S.45-23D.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.

COMMENT: S.45-24. John Koppelman

Response to comment S.45-24A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



COMMENT: S.45-25. James Burt

Response to comment S.45-25A.

Comment noted. Walgreens in Inglewood will not be displaced because of the project. The Florence/La Brea Station has been moved further east along the Harbor Subdivision right-of-way. Warning signals will be present at all grade crossings to alert pedestrians to oncoming light rail vehicles.

Response to comment S.45-25B.

Comment noted. Please refer to response to comment S.45.25A.

Response to comment S.45-25C.

Comment noted. Please refer to response to comment S.45.25A.

COMMENT: S.45-26. Jacqueline Hamilton

Response to comment S.45-26A.

Comment noted. You have been added to the stakeholder database and will receive all further notices about the Crenshaw/LAX Transit Project.

Response to comment S.45-26B.

Comment noted. Please refer to Response to comment S.45-26A.



COMMENT: S.45-27. Charlotte Lee Gunter

Response to comment S.45-27A.

Comment noted. Please refer to Supplemental Master Response regarding the selection of Site #14 (Arbor Vitae/Bellanca) as the site for the maintenance facility.



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