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## California High Court Won't Review Decision on Orange Line EIR

(Sept. 24, 2004) The California Supreme Court has refused to review a Court of Appeal decision that invalidated the Metro Orange Line environmental impact report (EIR).

But in a decision handed down, Thursday, the high court also refused to grant a request by a local opposition group – COST – to halt construction work on the San Fernando Valley transitway.

The issue will now be sent back to the Superior Court for possible further action. COST has indicated it will ask that court for an injunction to again stop construction.

The Court of Appeal earlier held up construction for 23 days in August in a dispute over whether the Metro Orange Line EIR should have included a study of the Metro Rapid system as a possible alternative to the 14-mile dedicated bus route.

## Study to cost \$650,000

Since the Court of Appeal order, Metro has begun a study of Metro Rapid. The study is expected to cost \$650,000 and require at least two more months to complete.

Metro Rapid was not considered as an alternative, earlier, because it was still an unproven pilot project at the time the EIR was being written.

Since neither the Supreme Court nor the Court of Appeal provided specific direction to the Superior Court, Metro's County Counsel Steve Carnevale wrote in a memo to the Board of Directors that the Superior Court "will have considerable discretion when it considers the matter." Construction on the \$330 million Metro Orange Line, which was halted Aug. 2, resumed Aug. 26.