Comment Letter C1

Aron B. Tendler
Shaarey Zedek Congregation

Governor Gray Davis

June 7, 2001

Dear Governor Davis,

My community needs your help.

I represent Shaarey Zedek Congregation, the largest Orthodox synagogue in the San Fernando Valley and the 2 largest Orthodox synagogue in Los Angeles. I am also the chairman of the Valley Vaad, a confederation of Jewis Orthodox organizations with a constituency of more than 1500 families.

For the past 20 years we have waged a battle against the MTA to preserve the integrity of our community. A responsible citizens of Los Angeles we fully support the need for better public transportation, especially in the Valley However, it must be done with a commitment to servicing the largest number of potential riders and not undermini the safety and development of existing communities. The MTA is planning to build an exclusive bus way through th middle of my community that will severely compromise its viability.

There are many arguments that can be offered as to why the proposed East West Chandler corridor should not b considered. However, I leave that to others to present to you and other elected officials of our state and city. M focus is the unique history, character, and potential of my community that will be negatively impacted now and in th ure.

As traditional, observant, orthodox Jews we build our communities within walking distance of a synagogue. We wal on the Sabbath as well as on all our holidays. The major social life of the community is predicated on having eas access to each other on weekends and holidays. The proposed bus way will divide the community in half and visuall and practically split an otherwise uniquely unified 50 year-old community.

Safety issues and traffic concerns are obvious. Added pollution and noise are a given. A drop in home sales ha already begun, and some are beginning to talk about looking elsewhere to raise their children. We are the faste growing orthodox community in Los Angeles and all indications are that it should continue for many years to com However, the proposed bus way will negatively impact one of the most important traditional family communities in a of California.

Most everyone believes that the bus way is merely a precursor for an eventual light rail that do more than impact m community; it will destroy it. We have fought the MTA for the past 20 years and it's time that we finally put this issu to rest.

Governor, we need your help, we need your influence. Your well-deserved reputation in support of family values an the Jewish community precedes you. Our issue involves every one of those concerns and we are looking toward yo for guidance and wisdom.

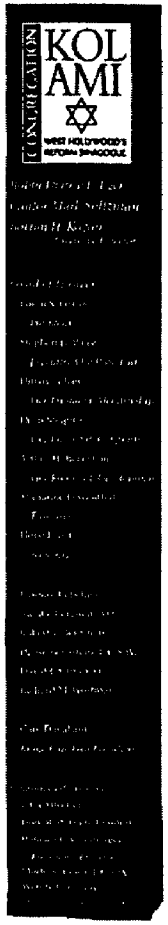
Sincerely,
Aron B. Tendler
Rabbi

First Emunah merged with Shaarey Zedek Congregation - 1987

Response to Letter C1

The commenter's opposition to the Chandler alignment is noted for the record.

Comment Letter C2



CONGREGATION KOL AMI

June 11, 2001

Governor Gray Davis
State Capitol
Sacramento, CA

Dear Governor Davis,

It has been brought to my attention that the Metropolitan Transit Authority has plans to use Chandler Blvd. in North Hollywood as part of a proposed East West Express Bus Corridor linking the North Valley and the Lankershim Red Line Station. The future plan calls for as many 460 buses daily and no doubt that the rail line is targeted for future light rail activity

While it is important to solve the current transportation gridlock of Los Angeles, the proposed solution will significantly disrupt the Jewish community that dwells in this neighborhood. The Chandler Blvd corridor runs in the middle of one of the largest traditional Jewish areas of Los Angeles. Along the proposed route stands, several Orthodox synagogues, a nursery school, several old age homes and several Orthodox day schools. As you are no doubt aware, orthodox Jews walk to synagogue on our Sabbath and Jewish holy days. The proposed bus way through this neighborhood will be a significant disruption, bringing further noise and pollution from the buses, but I question the many safety issues that arise given the large number of pedestrians.

It is my sincerest hope that you will use your influence and help in this matter to deter the MTA from this proposal. While the Jewish community observes its tradition in many ways, I know that wherever Jewish life is threatened it diminishes our entire Jewish community. The proposed Chandler Blvd. bus way will indeed threaten our Jewish communal life.

Thank you for your attention to this matter

Shalom,

Rabbi Denise L. Eger

C: Rabbi Aron B. Tendler,

Response to Letter C2

The commenter's opposition to the Chandler alignment is noted for the record.

NCSY
WEST COAST

Comment Letter C3

JUN 1 0 2001

SCANNED
IN RMC

June 11, 2001

Mr. Kevin Michael
MTA
1 Gateway Plaza, 22nd floor, MS-99-22-5
Los Angeles, CA 90012

Dear Sir,

I am writing you this letter on behalf of The National Conference of Synagogue Youth (NCSY). NCSY is a Jewish Youth organization that has chapters in all different areas of California and beyond. One of our chapters is Shaarey Zedek Synagogue which is located on Chandler Blvd. in the San Fernando Valley.

It has come to my attention that the city would like to have a bus that runs on Chandler Blvd. We feel that this represents a potential danger to the many children who have become accustomed to crossing Chandler Blvd.

It is in our interests to protect the community from potential hazardous. Aside from the increased traffic factor there is also cause for concern with regards to pollution. We find these developments that the city wishes to impose upon a quiet community inappropriate. Please take into consideration our opinion before making any final decisions. Thank you.

Sincerely,

Rabbi Steven Burg
Regional Director
West Coast NCSY

9831 Pico Boulevard Los Angeles CA 90035 Tel (310) 229-9000 Fax (310) 229-9008

Response to Letter C3

The commenter's opposition to the Chandler alignment is noted for the record.

Comment Letter C4

Orthodox Union - West Coast Region
http://www.ou.org
9831 WEST PICO BOULEVARD - LOS ANGELES, CALIFORNIA 90035 - (310) 229-9000 EXT.3 - FAX (310) 229-9011

June 11, 2001

The Honorable Gray Davis
Governor, State of California
Los Angeles Regional Office
300 South Spring Street
Los Angeles, California 90013

Dear Governor Davis,

A situation has come to our attention for which we seek your guidance and assistance. As the umbrella organization for the world's largest coalition of Orthodox Jewish synagogues, we have been alerted to a transportation development plan that threatens perhaps the very existence of our member synagogue, Shaarey Zedek in Los Angeles' San Fernando Valley.

In addition to Shaarey Zedek, a t least four other Orthodox temples, four Jewish educational institutions and a large population of elderly citizens residing in various facilities, including a convalescent hospital, will be affected as well. In addition, we understand that numerous public and private schools will also be negatively impacted by this impending plan.

As you may know, these organizations are clustered on Chandler Boulevard. You may also be familiar with the Los Angeles Metropolitan Transportation Authority's East/West Transit Corridor project. What you may not have realized is that the eastern-most 2.5 miles of the primary route under consideration deviates onto Chandler Boulevard.

For this pedestrian community, who by religious dictate may not drive on some 120 days a year, a fenced-in bus guideway will be an intrusive obstacle that will compromise safety. The elderly will not be able to attend services with assurance and children will not be able to share in youth groups unescorted. A lifestyle that has flourished for half a century and resulted in this being one of the fastest growing Orthodox communities west of the Mississippi, if not the nation, will be irreparably compromised.

Governor Davis, we call upon you, as a longstanding friend of the Jewish community, to do all in your power to see that this travesty does not occur. Time is of the essence, as the Draft EIR comment period closes July 3, 2001. Thank you for addressing this matter.

Sincerely yours,

Rabbi A. Kalinsky
Rabbi Alan Kalinsky
Director

cc: Ervin Poka; Kevin Mitchell; Zev Yaroslavsky

Response to Letter C4

The commenter's opposition to the Chandler alignment is noted for the record.

Comment Letter C5

TPOA

Tarzana Property Owners Association, Inc.

June 11, 2001

Mr. Kevin Michel
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, 22nd Floor, MS 99-22-5
Los Angeles, CA 90012

Subject: **San Fernando Valley East-West Transit Corridor DEIS/DEIR**

After a review of the DEIS/DEIR, we find several levels of concern. At the top level, the report does not demonstrate any advantage to construction of the Bus Rapid Transit project, at least to those of us in the western part of the San Fernando Valley. The major advantages cited, with respect to the Transportation System Management (TSM) to improve the existing bus system are:

1. Projected decreased number of vehicle trips
2. Projected increased bus boardings
3. Projected decreased auto vehicle miles of travel (VMT) and vehicle hours of travel (VHT) on a daily average basis
4. Projected increased daily average vehicle speed
5. Projected decreased total fuel consumption
6. Projected decreased emissions of air pollutants
7. Replacement of the unattractive existing right-of-way from White Oak to Winnetka with landscaping and a bike path.

C5-1

Our analysis of the presented data, however, does not support any of the above claims. As shown in the table below, all of the assumed advantages are so small as to be totally insignificant. Differences in the 0.1% range gains claimed for traffic flow and in the 0.03% range for air pollution would not be statistically significant if they compared two existing alternatives. To claim a distinction between alternatives of that small a magnitude based on 20-year forward projections is ludicrous. The DEIS/DEIR needs to be revised to more accurately match the advantage claims to the data.

Projected Traffic, Air Quality Improvements

Parameter	Projected TSM Value	Projected BRT Value	Percent Difference
Daily vehicle trips, county	25,705,314	25,700,964	0.02%
Daily bus boardings, county	1,590,379	1,596,147	0.01%
Daily auto VMT, valley	23,779,436	23,753,054	0.11%
Daily auto VHT, valley	804,841	802,765	0.26%
Daily average speed, valley	29.55	29.59	0.14%
CO emission	492,199 tons	492,151 tons	0.01%
NOX emission	71,939 tons	71,936 tons	0.004%
ROG emission	28,079 tons	28,071 tons	0.03%
PM10 emission	3,156 tons	3,155 tons	0.03%

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Response to Letter C5

Comment C5-1

This comment lists several regional transportation and air quality projections that show some advantage for the BRT Alternative over the TSM Alternative. The MTA model used to derive this data is a regional model. The Southern California region, which the model simulates, is very large, with a population of over 15 million people today and a projected population of over 20 million in 2020. When data for the alternatives of a single transit project are compared on a regionwide or countywide basis, the "percent difference" between alternatives will inevitably be small. The data that can be compared on a Valleywide basis, such as daily auto vehicle miles of travel (VMT), vehicle hours of travel, and average speed, show a greater percent difference between the BRT and TSM simply because the Valley is a smaller area within which to compare statistics. When compared in absolute terms, however, the data are more meaningful. For example, the model estimates that the upper bound of the BRT alternative in 2020 would generate approximately 10,700 fewer auto vehicle miles traveled every day in the San Fernando Valley, when compared to the TSM Alternative.

These regional and area-wide statistics are among a number of reasons that the MTA Board selected the BRT Alternative over the TSM Alternative as the Locally Preferred Alternative. For example, the on-street bus service improvements of the TSM Alternative have been incorporated into the BRT Alternative, thereby improving transit service across much of the Valley as it would have done under the TSM Alternative alone.

Also, the BRT Alternative will provide a consistent, reliable trip across the Valley both now and in 2020 and, in addition, the BRT exclusive busway would ensure that buses will not be caught in on-street congestion no matter how much traffic grows in the Valley, which constitutes a distinct advantage over the TSM Alternative.

It should be noted that improvements to the appearance of the right-of-way, specifically an integrated landscape and bikeway, are not part of the BRT project. Integration of the bikeway would supposedly take place at some future time, under some other authority, causing additional construction impacts and disruption of whatever landscaping was implemented as part of the BRT project.

C5-2

In addition to failing to substantiate the claimed advantages, the DEIS/DEIR needs to make some of the critical data available in a more understandable manner. The series of tables in Section 3-3.2 concerns traffic impact at key intersections. The tables are confusing and blur the real picture. The table below, developed from the Appendix data, clearly shows that the BRT drastically increases the impact on traffic at intersections along the corridor and does nothing to solve the traffic flow problems in the area. The TSM alternative does not solve the projected problem, but at least it does not make it worse.

Intersection Delay Times, seconds (AM/PM)

Intersection	Current	No build	TSM	BRT
Owensmouth/Victory	37/74	91/127	89/126	91/127
Canoga/Victory	22/42	72/**108**	69/106	73/108
Variel/Victory	90/12	141/30	138/29	143/30
De Soto/Victory	40/76	59/**159**	57/157	60/171
Mason/Victory	9/38	12/82	12/81	24/56
Winnetka/Victory	62/109	**123/203**	118/204	**165/205**
Tampa/Topham	10/19	16/75	16/73	28/132
Balboa/Victory	39/52	91/**123**	89/121	93/126
405 ramp/Victory	16/21	60/34	59/35	60/47
Sepulveda/Victory	42/47	**122/121**	121/121	**291/127**
Sepulveda/Oxnard	14/33	22/72	22/72	29/**123**
Van Nuys/Oxnard	11/33	23/62	22/62	22/62
Laurel Canyon/Oxnard	30/41	60/63	60/63	60/63
AM Weighted Average	20	40	40	53
PM Weighted Average	26	55	55	64

C5-3

Both AM and PM impacts are shown in the table to illustrate the problem. Numbers are rounded to the nearest second; even that specificity is suspect for 20-year projections; tenths of a second numbers are nonsense. Bolded numbers show increases of more than one minute; the box around the PM BTR at Mason/Victory shows the only improvement projected for the BRT plan. That number, however, is highly suspect: how can adding parking lot ingress and egress reduce delay at that intersection? In fact, the appendix shows essentially the same traffic volume at that intersection for the TSM, BRT and MOS options, yet shows significantly decreased delays for the only option that superimposes parking ingress/egress on that traffic flow.

In fact, the whole traffic flow model used may be suspect. It is easy to see why adding the BRT would increase delays at the same level of traffic (as is the case for PM

C5-4

Comment C5-2

The BRT, as currently proposed, incorporates extensive landscaping, including the planting of approximately 4,000 trees, numerous shrubs, and groundcover. Also, reserved space for the bikeway is being included as an integral element of the design, with specific design features to follow.

Comment C5-3

Tables in section 3-3.2 have been prepared in summary form from detailed data provided in Appendix I. The tables identify significant impacts. Information provided in these tables is not intended to claim advantages or disadvantages for the project, but rather to identify the impacts of the project. Where impacts are deemed significant based on the established significance criteria, Tables 3-14, 3-16 and 3-18 clearly list the affected intersections; appropriate mitigation measures have been developed and are listed in Section 3-3.3.2. Traffic volumes for the BRT and BRT/MOS at the intersection of Mason Avenue and Victory Boulevard are lower than the TSM Alternative due to the reduction in traffic volumes along Victory Boulevard resulting from automobile users diverted to the BRT.

The reduction more than offsets the volume of traffic attracted to the BRT park-and-ride station. The numerical specificity in traffic delay analysis is consistent with standard industry practice and impact study criteria recommended by LADOT for long range projections.

Comment C5-4

The MTA travel demand model is an integrated highway and transit model, which forecasts traffic dynamically across a network using an equilibrium traffic assignment process which takes into account available highway capacity, traffic demand and the drivers' desire to take the least congested routes. There are many variables affecting the study intersections, including signal timing, delays associated with the BRT operations, traffic attracted to the park and ride lots, and reduction in traffic from automobile users diverted to the BRT.

at De Soto/Victory, Tampa/Topham, and Sepulveda/Oxnard and for AM at Winnetka/Victory and Sepulveda/Victory) but it is hard to understand why that doesn't happen at essentially all intersections. C5-4 cont'd

There are a significant number of other hard to understand or suspect analyses made in the DEIS/DEIR and assumptions to which we take exception. Noteworthy ones include:

- **Parking:** The assumption that transit patrons will only seek parking at stations with designated parking lots is nonsense. A more reasonable assumption is that a significant number of patrons will seek parking on the major streets adjacent to each station and in the residential neighborhoods surrounding each station. Resulting impacts would include added traffic impact from parking ingress/egress on the major streets, lack of parking for shoppers in adjacent commercial areas, and patron parking (with collateral litter) in the residential areas. C5-5
- **Police and Fire Services:** The DEIS/DEIR notes the number of impacted intersections and the fact that two fire stations are immediately adjacent to the SP ROW and essentially dismisses the problem. Increased time of response, for both police and fire protection, has to be an impact of the BRT due to the impacted intersections and the use of stop bars on cross streets. In addition, there is a very real possibility of collisions between the buses and the police/fire vehicles, both of which assume they have the right of way. C5-6
- **Bus/Pedestrian Accidents:** Section 2-2.3.3 of the DEIS/DEIR indicates that the pedestrian/bikeway portion of the corridor would be separated from the busway by a picket fence; Volume 2 shows a 7-foot high fence. Do we assume a 7-foot high picket fence? If so, that should provide some level of protection against people (especially children) wandering onto the busway. No mechanism is described to restrict access to the busway from the stations, however. Experience with the Blue Line shows that accidents happen with some frequency involving both cars and pedestrians at streets which cross the Blue Line. Such accidents appear much more likely in the environment envisioned for the BRT corridor, where a nice level paved "street" (the busway) separates two pedestrian areas. C5-7
- **Noise and Vibration:** The discussion of the time averaged noise measurements presented in the DEIS/DEIR is confusing, a point made by speakers at the June 21st public meeting who are familiar with noise measurement. More important, however, there does not appear to be any discussion of the instantaneous increase in noise above ambient caused by bus passage. There are currently very few trucks and buses on the Oxnard/Topham section of the corridor and those trucks and buses are clearly audible above the ambient noise. The noise generated by one of the proposed buses (assuming the current Metro Rapid buses as a model) would be clearly audible and distracting. Increasing the frequency of large vehicle passage would have a significant impact on the noise/vibration experienced by residents. The DEIS/DEIR statement that there used to be a train running through the corridor and residents should accept increased transportation noise is totally specious. That train has not run for many years, it ran once a day, and it did not run during the early morning and late evening when people are sleeping. C5-8

Most intersections are affected by one or a combination of these factors. Therefore, while some intersections will experience delays, others will not. Also, it is expected that traffic patterns will shift to take advantage of the BRT. Therefore impacts will vary from intersection to intersection. Mitigation measures have been developed for each of the affected intersections and implementation of these measures will ensure that no significant impacts remain.

Comment C5-5

Potential parking impacts were assessed in the EIS/EIR and mitigation measures proposed for locations where significant impacts are projected. Significant impacts will not occur at every station, but only where it is shown that demand will exceed provided capacity.

It is recognized that on-street parking could occur and spillover into adjacent neighborhoods. Therefore, in the parking mitigation section (Section 3-4.3.1), strategies are identified to address areas where parking supply is low or non-existent and/or parking demand is high. Included among these strategies is a monitoring program linked to additional mitigation measures.

Comment C5-6

The BRT will respond to the presence of emergency vehicles in the same fashion as all other motor vehicles – they will yield at all intersections. The City of Los Angeles Fire Department, Police Department and Emergency Medical Technician (EMT) service policies require that all emergency vehicles slow on approach into an intersection to ensure that all other vehicles have yielded and then proceed through.

There is one intersection that has an emergency vehicle preempted light; this is the intersection of Tujunga Avenue and Chandler Boulevard. The preempt signal at this intersection has been installed as an experiment to test its effectiveness on emergency response times. This test is not associated with the San Fernando Valley East-West BRT project and its results are not incorporated into this document.

- **Neighborhood Cohesion:** Development of the BRT corridor would split in two the communities through which it passes. Some of those neighborhoods, particularly the Chandler area, are excellent examples of the cohesiveness possible in neighborhoods. One of the speakers at the June 21st public meeting related the warning of a minister in an area split 25 years ago by the Santa Monica freeway. That neighborhood has taken 25 years to approach the same level of cohesion as before the freeway. The experience with the Ventura freeway in Encino and Tarzana is similar.
- **Demographics:** We question the accuracy of the demographics data presented. As an example, Table 4-7 indicates that the Tampa/Topham station influence area has the highest percentage of both residents over 64 and residents under 16. I live in that area and find those numbers hard to believe. Certainly the Chandler area, with its high percentage of orthodox Jews, many of whom have large families, would have a larger percentage of residents under 16. The point is not important in and of itself, but, together with other items noted, calls into question the validity of the data and analyses used throughout the DEIS/DEIR.

C5-9

C5-10

In summary, the DEIS/DEIR documents the lack of benefits to either transportation flow or air quality of the BRT. The bottom line gain from building the BRT versus the TSM improvements to the existing bus grid is a projected 0.04 miles per hour increase in the daily average vehicle speed in the valley in 2020 (29.59 vs. 29.55 mph) and a decrease in air pollutants in the 0.01% range. These purported gains are at the expense of significant impacts to the people living in the area of the corridor from increased intersection congestion, parking, spillover, increased noise, increased accident potential, and decreased neighborhood cohesion. These impacts are poorly treated, when treated at all, in the DEIS/DEIR

C5-1 cont'd

While the above paragraphs take issue with the content of the DEIS/DEIR, our overriding concern is with what the report does not cover, i.e., consideration of a non-invasive, comprehensive rapid transportation plan for the area. Chapter 2 provides a brief, quite hard to follow, overview of some of the rapid transit studies since the 1980 passage of Proposition A, but the rest of the DEIS/DEIR makes no mention of alternatives to the BRT as mitigators to the problems it presents. In addition, it does not address at all methods to achieve significantly greater public transit patronage. The economic and political realities, which led to the selection of the BRT corridor as a solution to the transportation problems of the Valley, have changed. We believe the DEIS/DEIR needs to include consideration of a better solution. We feel the primary aspects of that solution should include:

- A not-at-grade-level east-west valley rapid transit corridor. Eliminating the grade-level approach would alleviate many of the problems of the proposed BRT and significantly decrease transit time on the system. Decreased transit time would considerably increase patronage.
- Direct connectivity of the corridor to the Metro Red Line. Direct connection would facilitate transfer to the Red Line, especially for handicapped riders, and decrease transit time to the downtown area.
- Completion of a core rapid transit system. A Valley East-West rapid transit corridor would alleviate some current and projected traffic congestion by providing a quality

C5-11

Should there be an LADOT policy decision made at some subsequent point in time to institute emergency signal preemption at other intersections along the corridor, appropriate adjustments to the BRT operation would be made at that time.

The emergency vehicle preemption at Tujunga Avenue and Chandler Boulevard was developed and installed by a private contractor for the Fire Department to evaluate. It was installed with the assistance of LADOT (on the signals) and the Fire Department (on the trucks). Although the Fire Department found favor with the system, it did not have the funding necessary to install it at other locations. LADOT was not completely satisfied with the system and in turn put out an RFP for preemption technologies, but no bidders met the qualifications. Therefore, at present, there are no plans to install the emergency vehicle preemption system at other signals along the BRT corridor.

Comment C5-7

The BRT will be separated from pedestrian/bikeway access by two types of fencing. At stations and 200 feet preceding them, the corridor will be lined with a metal picket fence. The fence is set to 4 feet, 9 inches in height in these sections for safety reasons. As the bus approaches the station areas (which also are predominately located at intersections) the driver will be ensured a clear line-of-sight without fencing to block any views of the stations or intersections. In the Chandler Boulevard median, an approximately 4- to 5-foot-high fence will be constructed between the existing trees and the busway. The remainder of the busway will be lined with a 6- to 8-foot-high fence constructed from wire mesh. The mesh will not be the standard chain link style, but rather a grid-patterned mesh that is difficult to climb and is more aesthetic, that will decrease to approximately 4 feet in height at a distance of 200 feet before the intersection, to again ensure a line-of-sight for the bus drivers.

Intersections that do not have stations will not have the picket fence; instead, the wire mesh will extend from the main sections of the busway.

The BRT station platforms will be open facing toward the busway with the 4- to 5-foot-high fence to the rear of the station area. The station will be elevated at a standard curb height of 6 to 8 inches above the busway.

alternative for cross-valley trips (RSAs 12 and 13), trips to the downtown area (RSA 23) via connection to the Red Line, and trips to the East/South Central area (RSA 21) via the Metro Blue Line. However, approximately 30% of projected trips from both the East Valley (RSA 13) and West Valley (RSA 12) go to the Hollywood, West-Central area (RSA 17) as opposed to approximately 5% each to the Downtown and East/South Central area. A rapid transit route along the general 405 freeway, Sepulveda Boulevard alignment, connecting to the proposed Westside Extension of the existing Metro and to the Metro Green Line would provide a core system for the Los Angeles area. Such a system could indeed relieve traffic congestion, reduce air pollution, and significantly increase public transportation patronage.

- Improvements to existing busways. The TSM, supplemented with additional Rapid Bus Corridors along Sepulveda Boulevard or Van Nuys Boulevard and a selected east-west street in the northern portion of the valley, would provide an effective feeder network to the Rapid Transit Corridor and increase public transportation coverage throughout the valley.

C5-11 Cont'd

Implementation of these suggestions would go a long way toward satisfying the effective traffic management, improved air quality, and increased patronage of public transit goals stated in the DEIS/DEIR. The proposed BRT does not. The DEIS/DEIR needs to acknowledge the limitations of the BRT and include some higher level considerations of an effective, comprehensive rapid transit network.

Very truly yours,

David R. Garfinkle
Tarzana Property Owner's Association

Comment C5-8

There are many ways to measure and describe noise. The maximum sound level (L_{max}) is often used to characterize a single noise event (e.g., the passing of a bus) and is similar to the "instantaneous" noise referenced in the comment. However, the use of L_{max} is not appropriate for the evaluation of noise from transit systems such as the BRT, because it ignores the frequency and duration of transit events, for example, both of which are important factors in determining people's reaction to the noise source. More appropriately, the Day-Night Sound Level (L_{dn}) is used by the Federal Transit Administration (FTA) and as part of this analysis to characterize noise associated with the proposed transit project. As discussed in Section 4-9.2 of the Final EIS/EIR, L_{dn} is a 24-hour measure of the sound energy that accounts for all of the transit events throughout the day and places extra emphasis (or weighting) on noise events that occur during nighttime hours (10 p.m. to 7 a.m.). This weighting, which overstates the actual nighttime noise, is especially important since people are more easily annoyed by noise at these hours when background noise is lower and people are generally sleeping. As referenced in the comment, noise from large trucks and buses is often audible above the background traffic noise. The increase over ambient noise conditions associated with the additional bus traffic is represented in the L_{dn} and therefore is reflected in the impact evaluation. Although sometimes difficult to conceptualize, L_{dn} is considered an appropriate descriptor of community reaction to environmental noise.

For purposes of the noise assessment in Section 4-9 of the Final EIS/EIR, the Topham/Oxnard portion of the BRT alignment is divided into two sections, the south side of Topham/Oxnard from Winnetka Avenue to White Oak Avenue and the north side of Topham/Oxnard Streets from Winnetka Avenue to White Oak Avenue. Noise measurements were performed in the year 2000 at both locations to characterize the ambient conditions. Existing noise levels on the south side (67 dBA) were much higher than those on the north (56 dBA) due to the higher traffic volumes along Oxnard Street. Additional noise measurements conducted at residences along the south sides of Topham and Oxnard Streets in October 2001 confirmed the results of the previous measurements and analysis.

References to previous freight train operations along the MTA ROW are intended to document the historic use of the BRT alignment for transit uses.

Freight train operations were not considered in the analysis of potential noise impacts.

As discussed in Section 4-9.5 of the Final EIS/EIR, no vibration impacts are anticipated.

Comment C5-9

The environmental analysis has determined that there would be no adverse or significant effect on neighborhoods and community cohesion in the San Fernando Valley. As is detailed in the environmental document, the project would be consistent with the previous and current use of the corridor for transportation purposes, including the substantial amounts of automobile and truck traffic that use portions of the corridor at present. (Please refer to Chapter 3 for the transportation analysis and Section 4-3 for the demographics and neighborhoods analysis.) Moreover, by shifting patrons from automobiles to public transit, the project will increase pedestrian traffic along the corridor, thereby enhancing community cohesiveness. Pedestrian traffic and community cohesiveness will also be enhanced by the proposed pedestrian walkways that parallel the alignment near Ethel Avenue and between Goodland and Bellaire Avenues.

There is no reasonable similarity between the scale and impacts of the 10-lane, above-grade, interstate freeway example that is cited in the comment, and those effects potentially associated with the at-grade, two-lane, landscaped bus route proposed for the San Fernando Valley. The Santa Monica Freeway accommodates more than 100,000 vehicles per day while the BRT is projected to have about 464 buses per day in 2020. There are no pedestrian crossings of the Santa Monica Freeway, except grade separated, either above or below. Unlike the Santa Monica Freeway, the proposed project will not create an imposing physical barrier between neighborhoods. Rather, the project consists of an at-grade profile with signalized pedestrian crossings at all street crossings along the corridor. Access to only one street will be modified, and no culs-de-sac will be created. No ramps, overcrossings, or steep slopes will be constructed. The project will not pose a substantially greater physical barrier than a two-lane, signalized roadway. Along the alignment, the community already coexists with Chandler, Oxnard, Topham, Victory, and many other north-south streets and boulevards.

The project will include several features to maintain and enhance neighborhood character and cohesion. For instance, new landscaping will be added, and right-of-way for a bikeway will be furnished. Operating speeds will not exceed those on the parallel mixed-flow street in the Chandler Boulevard area. In the Chandler/Burbank community, two additional signalized pedestrian crossings will be provided at mid-block locations, at Goodland and Agnes Avenues. Pedestrian crossings in the community will function on timers during the Jewish Sabbath and holidays. Additionally, to the extent that the project facilitates improve mobility in the Valley, the ability of community members to move within and among neighborhoods would also be improved.

Comment C5-10

The MTA has no reason to believe that the United States Census Bureau demographic data that are presented in the environmental document are inaccurate. Data from the Census Bureau are considered to be industry standard upon which nearly all demographic analyses in the United States depend for reliability and accuracy.

Comment C5-11

While the EIS/EIR focuses on at-grade BRT alternatives and a TSM Alternative, numerous other alternatives were considered previously before the MTA narrowed the range of choices under consideration. For instance, in the Major Investment Study, the MTA Board considered light rail, heavy rail, bus rapid transit, dual mode, and diesel multiple unit rail. At-grade and grade separated options were also studied. After evaluating these, the Board directed staff to focus on an at-grade busway. Prior to the MIS, in a variety of studies over the preceding years, the Board considered different alignments and transportation alternatives, ultimately deciding to focus on an east-west project along the Burbank/Chandler alternative. This is summarized in detail in Chapter 2 of the EIS/EIR.

The comment suggests several aspects of an "alternative" transportation solution for the San Fernando Valley:

- *Grade-separated transit corridor* – Grade separations for the BRT Alternative were considered in the San Fernando Valley East-West Transit Corridor Major Investment Study (MIS), released in February 2000. In the MIS, both a completely at-grade BRT Alternative and a

BRT Alternative with two grade separations (at Van Nuys Boulevard and Sepulveda Boulevard) was considered. At the March 2000 Board meeting, the MTA Board directed staff to develop an EIS/EIR for the at-grade BRT alternative, and not the grade-separated BRT.

The two basic reasons that the at-grade BRT Alternative was selected were potential impacts and high capital costs. The two grade separations studied in the MIS were aerial structures. As proposed at Van Nuys and Sepulveda Boulevards, these structures would have been constructed in a commercial/industrial area. However, in residential areas such as Tarzana and Woodland Hills, the impacts of aerial structures would clearly be adverse. Please also see the response to Comment C5-9. Aerial structures need to "ramp up" to their required height over distances of hundreds of feet. Because of this, overpass structures would be clearly visible over homes, and the necessary accompanying soundwalls would create a box-like profile that would cast long shadows.

In order to avoid the impacts of aerial structures, grade-separations in residential areas would need to be below grade, passing under existing roads. In the MIS, the additional cost of two aerial grade separations was estimated at approximately $38 million, or $19 million per grade separation. Below-grade underpasses would be substantially more expensive due to the need for excavation and utility relocation. As a result, with 31 total intersections along the exclusive BRT busway, it could add more than $600 million to the cost of the BRT Alternative to fully grade-separate the busway.

In addition, analysis conducted during Preliminary Engineering determined that even if all 31 of the intersections along the Full BRT alignment were grade separated, only 5.4 minutes of travel time would be saved. Therefore, while grade separations would improve the operations of the BRT to some degree, the high capital cost and potential impacts of grade separations would be prohibitive.

- *Direct connectivity of the corridor to the Metro Red Line* – The BRT Alternative would terminate at a new facility on the west side of Lankershim Boulevard, across the street from the existing portal to the Metro Red Line. Patrons transferring to the Red Line would cross Lankershim at the existing signal along South Chandler Boulevard, and use existing elevators and escalators to reach the Red Line. However, there is a below grade "knock-out panel" on the west side of Lankershim Boulevard which could directly connect the BRT terminus to the Metro Red Line. Although not included in this EIS/EIR, there is potential in the future to create a new portal within the BRT terminus to directly link it to the Metro Red Line. If funding becomes available, MTA will consider construction of the portal.

- *Completion of a core rapid transit system* – This comment suggests linking the Westside with the Valley via a north-south mass transit investment through the Sepulveda Pass. There would certainly be potential benefit from such a system. Construction of the BRT Alternative and implementation of an investment in the north-south corridor are not mutually exclusive, however. In fact, MTA will soon begin study of a north-south corridor in the Valley.

  In the future, north-south investments could be extended from the Valley into the Westside. In addition, MTA is currently funding construction of an HOV lane along I-405 southbound through the Sepulveda Pass and Caltrans is studying implementation of an I-405 northbound HOV lane through the Sepulveda Pass.

- *Improvements to existing busways* – This comment suggests that the TSM Alternative, along with additional Metro Rapid Bus lines in the San Fernando Valley, would provide "an effective feeder network to the Rapid Transit Corridor and increase public transportation coverage throughout the valley." In fact, the BRT Alternative includes implementation of the entire TSM Alternative. Furthermore, the Metro Rapid Bus program will continue to grow. As described in MTA's Draft *Long Range Transportation Plan* (2001), during Phase II of the Metro Rapid program, additional lines are proposed for Van Nuys Boulevard, San Fernando Road, and Roscoe Boulevard. This would occur in concert with the BRT Alternative, not exclusive of it. The Valley would be provided with a comprehensive new network of efficient, on-street and exclusive busway transit service.

Comment Letter C6

YAD AVRAHAM CONGREGATION
12426 BURBANK BLVD.
VALLEY VILLAGE, CA 91607
(818) 766-6736

June 11, 2001

Honorable Gray Davis
The State of California
Los Angeles Regional Office
300 Spring Street
Los Angeles, CA 90013

Re: Chandler Boulevard Express Busway

Dear Governor Davis:

We are an Orthodox Jewish Synagogue with a growing membership (at present, some 40 families). We recently commenced construction of our new building at 12435 Chandler Blvd. (just east of Whitsett Ave.) in Valley Village, CA, and hope to have the building completed within the next several months. (Our new site is part of the larger Valley Village-North Hollywood Orthodox Jewish community.) Our site directly fronts onto the Metropolitan Transportation Authority's proposed Chandler Boulevard express busway route. We strongly object to the busway on Chandler, and we respectfully request your support in our cause. There are two reasons for our objection:

1) The busway would virtually destroy our community, which is unique due to Orthodox Jewish law prohibiting travel on the Sabbath and holidays.

2) The proposed route runs through a highly residential neighborhood consisting mostly of single family homes. As such, the Chandler busway would cause property values to plummet, and the City of Los Angeles would lose a stable, residential community, to be replaced by a transient, high-crime neighborhood.

Let us elaborate on these two points:

Response to Letter C6

The commenter's opposition to the Chandler Boulevard alignment is noted for the record.

Honorable Gray Davis
June 11, 2001
Page Three

a) Chandler Blvd. from Rhodes Ave. to Whitsett Ave. (about 0.1 mile). This segment of Chandler, which includes our new site as well as Aish *Hatorah/Toras Hashem (mentioned above)*, consists almost exclusively of apartment houses or condominiums. There are a few commercial establishments just east of Whitsett.

b) Chandler Blvd. from Whitsett Ave. to Beeman Ave. (about 0.1 mile). On this segment, in addition to single-family residences, there is one office building (a two-story structure at the northwest corner of Whitsett and Chandler), six apartment houses (one large, all the others quite small), and the new building of Valley Torah High School (an Orthodox Jewish institution next to the office building).

c) Chandler Blvd. from Beeman Ave. to Ethel Ave. (about 0.7 mile). This segment includes Chabad and Shaarey Zedek (mentioned above) and the Emek Hebrew Academy nursery (an Orthodox Jewish institution next to Shaarey Zedek). Apart from these three institutions, virtually every structure on this long stretch of Chandler from Beeman to Ethel is a single-family home. Moreover, the surrounding community (both north and south of Chandler) is overwhelmingly single-family homes.

This stable, law-abiding, upper-middle class residential community would, under the MTA's Chandler proposal, turn into a high-crime, transient, graffiti-infested blight on the city. It is for this reason, as well as for the threat to the very existence of our Orthodox Jewish way of life, that we beseech the aid of the your office in our campaign against the Chandler Boulevard express busway.

Thank you for your kindness and consideration.

Very truly yours,

Rabbi David Adatto,
Yad Avraham Congregation

cc: Mr. Ervin Poka,
FTA Metropolitan Office

Comment Letter C7

בס"ד

Chabad Synagogues of the Valley

Headquarters: 18181 Burbank Boulevard • Tarzana, California 91356
Phone: (818) 758-1818 • Fax: (818) 758-3840

June 12, 2001

Mr. Kevin Michel
MTA
One Gateway Plaza
22nd Floor, MS-99-22-5
Los Angeles CA 90012

Dear Mr. Michel,

For more than 20 years now, Chabad Lubavitch, an international organization with branches literally worldwide, has been a vibrant part of the dynamic North Hollywood community.

Chabad of North Hollywood is located at 13079 Chandler Blvd. – on the proposed corridor.

Chabad of the Valley joins the greater North Hollywood Jewish Community in its opposition to the proposed installation of the MTA's East/West Rapid Transit Corridor. The community is united in its belief that this will bring untold harm to our neighborhood. We respectfully request that you use all of the power of your good offices to intercede on behalf of our community.

Respectfully,

Rabbi Joshua B. Gordon
Executive Director

cc: Governor Gray Davis
Supervisor Zev Yarovslavsky
Mr. Ervin Poka

Under the auspices of Machon Menachem- Chabad of the Valley

Tarzana • Encino • North Hollywood • Northridge • Sherman Oaks • Agoura • Westlake • Ventura

Response to Letter C7

The commenter's opposition to the Chandler Boulevard alignment is noted for the record.

Comment Letter C8

ETTA ISRAEL CENTER
Dedicated to serving families with special needs.

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June 12, 2001

To Whom It May Concern:

The Etta Israel Center is an agency that services children with special needs and their families. The center runs a group home for men with developmental disabilities that is located at 5520 Wortser Avenue, north of Chandler Boulevard. As part of the community, our residents attend the local synagogue and participate in other community activities.

A high-speed bus line running along Chandler Boulevard could compromise their safety and ability to participate in community activities. The Etta Israel Center is opposed to the building of this line, as it would impact upon our group home residents as well as the members of the Jewish community at large.

Sincerely,

Michael B. Held, PhD.
Executive Director

Beth Jawary, MA
Educational Director

8846 West Pico Boulevard, Los Angeles, California 90035 • Phone: 310 285.0909 • Fax: 310 286 3099 • www.etta.org

Response to Letter C8

The commenter's opposition to the Chandler Boulevard alignment is noted for the record.

Comment Letter C9

June 26, 2001

Dear

Enclosed you will find The CCTC's response to the MTA Draft EIS/EIR. Please note that since it was drafted the focus of our challenge to the MTA's proposed bus way has changed. Although the concerns outlined in the response are still valid, there is now a far broader concern that involves the full length of the proposed bus way corridor across the Valley.

The public hearing on June 21 at Pierce College showed us that all the communities along the proposed bus way are opposing the plan. We are not alone! We are quickly moving to join our voices and resources in appealing to the elected officials and the MTA to go back to the drawing boards and take a second look. It is time to think outside of the box!

The purchase of the right-of-way is not a good enough reason to build the proposed bus way. The transportation needs of the Valley demand are far more comprehensive plan if the Valley is to be properly serviced.

Without doubt, the MTA unwittingly made a fundamental mistake. They approached the communities along the route offering two alternatives. In so doing they forced each of us to consider between what is clearly two very limited and therefore unacceptable alternatives. They should have opened the dialogue asking for our help in finding or creating solutions. As you well know in your capacities as civic leader and visionaries building consensus can only happen by bringing everyone into the process. Since last week I have met exceptionally creative and bright individuals who have a grasp of the entire picture. We deserve to have their ideas seriously considered.

Please, do not fall into the trap of having to make an immediate decision that will only end up costing us dearly and not providing the necessary answers to the transportation challenges of the Valley and Los Angeles.

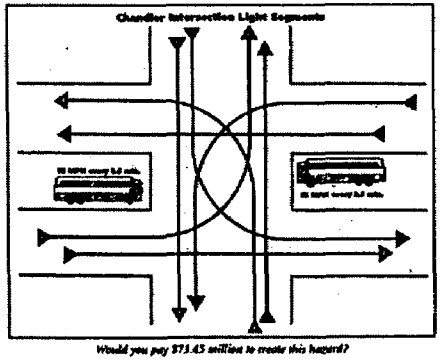
Thank you for your time and consideration.

Aron B. Tendler
Rabbi

CCTC
Concerned Citizens Transit Coalition
12800 Chandler Boulevard
Valley Village, CA 91607

JUNE 1, 2001

Response to MTA Draft EIS/EIR San Fernando Valley East/West Transit Corridor



Would you pay $73.45 million to create this hazard?

Prepared by:
The Attentive Group, Inc.
Contact: M. Fritz Friedman
818 761-6936
email: attgroup@aol.com

Chandler Disadvantages At-A-Glance

Severs Tranquil 50-Year-Old Community
o Endangers 6 care facilities, 6 synagogues, 7 schools (public & private)
o Violates Federal mandates to maintain 'Livable CommunitiesÓ

No Resident Ridership
o Affluent, non-minority, high retiree population
o Red Line = 1 mile from Chandler; 1.7 miles from Oxnard

Longer Trip Time in Practice
o 6 lights (4 turns, 2 straight, min) required at each intersection
o School Zone 25mph speed limit along much of Chandler

Vehicular Accident 'Waiting to Happen'
o 100-foot wide median likely to 'trap' cross traffic
o 2 fire stations Òimmediately adjacentÓ to alignment (meeting NFPA)

High Concentration of Pedestrians
o 120+ days a year when vehicles are prohibited
o Min. 1 round-trip to synagogue; as many as 4 round-trips daily

Pedestrian Accident 'Waiting to Happen'
o Lots of buses (464) + Lots of pedestrians = Lots of accidents
o Automatic light allows only 9.5 seconds to walk across roadway

Incremental Costs Too High
o 11 backyard leases, 6 families, 3 businesses, 1 synagogue, 40 jobs
o $39,250,000 and 2 years for construction, $7.5 million for 'takes'*

GRAND TOTAL: $73.45 Million*

*SOURCE: DEIR Table 6-1

DEIS/DEIR COMMENTS

General Comment #1:
Our overriding major concern is that the BRT Alignment along Chandler Boulevard would, in inescapable consequence of its very presence, break apart an established 50-year-old walking community that is uniquely integrated on both sides of the alignment.

The barrier it would impose will have irreparable economic, psychological and sociological ramifications as well as severely restrict personal mobility. It will compromise safety in a manner and to a degree that no community should be asked to endure.

For half a century we've managed to live on two sides of a track without there being a proverbial "other side of the tracks." This will destroy that magic.

Our children will not be able to visit friends and attend youth groups unescorted. Our elderly will not be able, with any degree of surety, to make their way to synagogue and to attend the lectures and classes that fulfill their lives. Our young mothers will find it a hardship to attend the services that are at the core of their spiritual and social well-being. And so their children will be deprived of the religious experiences that are vital to their successful up-bringing. C9-1

The foregoing is not in question, it is fact. The foregoing is not at all the case for the Oxnard alignment.

The DEIS/DEIR does not evaluate these specific factors and the consequences that result due to Chandler's unique make-up. For example, there are no calculations of the frequency of pedestrian crossings; the speed of pedestrian crossings; the placement and safety of standing pedestrians within the right-of-way; the physical make-up and capacity of these standing places; the crossing time allocations. These are just a few of the very many issues not at all addressed by the DEIS/DEIR.

The failure to adequately evaluate the specific, unique and myriad impacts of the BRT, Chandler deviation, both on pedestrians and traffic; the inability to provide sufficient mitigation thereof as well as the failure to satisfy the requirements of the North Hollywood-Valley Village Community Plan renders the Chandler BRT plan unacceptable, and the DEIS/DEIR that presents it incomplete and invalid. Should approval be granted despite this failing, the MTA Board will be in dereliction of their civic duty and oversight responsibilities.

General Comment #2: CA Streets & Highway Code 2701
Funding for the purchase the Southern Pacific ROW was derived from the three billion dollar ($3,000,000,000) Passenger Rail and Clean Air Bond Act of 1990 (Proposition 106). Established as C9-2

Response to Letter C9

Comment C9-1

Please see the response to Comment C5-9 regarding community cohesion. This community has coexisted, both in the past and at present, with an existing transportation corridor for freight rail, automobiles, trucks, and buses. The effects of a dedicated busway through this area would not be substantially different than previous and current conditions. First, current peak hour traffic volumes on Chandler Boulevard are already indicative of an urban arterial with considerable amounts of truck and automobile traffic. Second, an existing bus line (MTA Line 156) has operated on Chandler Boulevard between Lankershim Boulevard and Whitsett Avenue without generating any substantial adverse impacts to the surrounding community. Finally, similar communities (e.g., the Fairfax District in Los Angeles, and the Williamsburg, Crown Heights, and Midwood communities in New York City) are all located alongside major transit operations. The Chandler Boulevard area will continue to be a viable, vibrant community after implementation of the proposed BRT project. With respect to pedestrian safety, please refer to the response to Comment C9-29.

Comment C9-2

It is true that Passenger Rail and Clean Air Bond Act of 1990 funding was used to purchase the rail right-of-way that will be used for the busway.

However, Streets and Highways Code § 2701.06, which sets forth how such funds may be expended, clearly states that they may be used "for acquisition of rights-of-way." Since this is precisely how the funds were used, the requirements of the statute were clearly met.

Nothing in § 2701.06 requires the conversion of the busway to a rail line within 10 years.

Section 2701 of the California Streets and Highways Code, 2701 dictates a vitally frightening, and inescapable, fact.

The Code, in 2701.06, states in its entirety:

"The money in the fund, upon appropriation by the Legislature, shall be available, without regard to fiscal years, for acquisition of right-of-way, capital expenditures, and acquisitions of rolling stock for intercity rail, commuter rail, and urban rail transit and for capital improvements which directly support rail transportation, including exclusive busways which are converted within 10 years after completion of construction into rail lines, grade separations to enhance rail passenger service, and multimodal terminals."

WITH THIS FUNDING, THE BUSWAY IS A RED HERRING. IN TEN YEARS THE BUS MUST BECOME A TRAIN!

C9-2 cont'd

Furthermore, in the Financial Resolution, Paragraph 2.4, it states:

"...this CTC shall be entitled to a present value refund...in the event that the LACTC... or successor public entities, cease to utilize the project for the intended public passenger rail purpose or sells or transfers title to the project to other than a public entity..."

Thus, if the MTA relinquishes the Chandler alignment, they lose nothing. In fact, they make money. This also helps insure the possibility that the Chandler median could be purchased and converted into a greenbelt.

FAILURE TO ADDRESS THIS STATUTORY INEVITABILITY NOR TO EVALUATE THE CONSEQUENCES OF A RAIL SYSTEM RENDERS THE DEIS/DEIR AT THE VERY LEAST INCOMPLETE AND INVALID. IF NOT INTENTIONALLY DECEPTIVE. SHOULD APPROVAL TO PROCEED BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

General Comment #3: Robbin's Bill SB211 amending Public Utilities Code 130265

It states:

(c) In the area below Tujunga Wash and at least one mile to the east and west of Tujunga Wash, there shall not be constructed any exclusive public mass transit guideway, rail rapid transit or light rail system, or other track, other than as a subway using boring technology as a deep bore subway located at least 25 feet below ground, measured from the existing ground level to the top of the tunnel.

C9-3

Having delineated specifically a) rail rapid transit b) light rail system or c) other track, what could the Bill possibly mean by 'exclusive public mass transit guideway' if not precisely the type of busway under consideration here?

With this limitation, the proposed Chandler alignment is impossible.

It is true that § 2701.06 does allow the use of Bond Act funds "for capital improvements which directly support rail transportation, including exclusive busways which are converted within 10 years after completion of construction into rail lines."

However, by its terms, this provision only applies when the funds are used for "capital improvements" (i.e. construction) related to the busway. In this instance, the Bond Act funds were used only for acquisition of the right-or-way, and will not be used to construct the busway.

Comment C9-3

Public Utilities Code § 130265 ("Robbins Bill") deals with the placement of certain types of transit lines within a prescribed geographic area of the San Fernando Valley. Subdivision (a) of the Robbins Bill requires that "any exclusive public mass transit rail guideway, rail rapid transit or light rail system or other track" built within a described geographic area be built below grade as a subway. Subdivision (c) provides that "any exclusive public mass transit guideway, rail rapid transit or light rail system or other track" built below grade in the area described as the Tujunga Wash and within 1 mile on either side of the Tujunga Wash, must be built as "a deep bore subway located at least 25 feet below ground."

The proposed busway is not subject to subdivision (a) since it is not a rail line. It is not subject to subdivision (c) since there is no intention of building any portion of it below grade in the area within 1 mile on either side of the Tujunga Wash.

Comment C9-4

The line of waiting vehicles collecting at an intersection is also referred to as an average traffic queue. Traffic queues at the study intersections for both north-south and east-west traffic have been addressed as part of the EIS/EIR analysis. This is an integral part of the intersection levels of service analysis performed as part of this EIS/EIR, which uses the operations analysis methodology of the Highway Capacity Manual.

Beyond that, even if the above is not determined to exclude bus guideways, in light of aforementioned Comment #1: CA Streets & Highway Code 2701, this busway must, within 10 years of completion, be converted into a rail system. And any rail system, except deep-bore subway, is hereby prohibited within one mile on either side of the Tujunga Wash, thus invalidating the Chandler alignment.

Furthermore, to initiate the bus project in the faint hope of eventually overturning the clear public mandate expressed in Proposition 108 would be fiscally reckless and a misappropriation of public funds intended clearly for rail, not bus.

FAILURE TO REVEAL THE EXISTENCE OF THIS STATUTORY CONTRADICTION NOR TO ADDRESS ITS CONSEQUENCES RENDERS THE DEIS/DEIR AT THE VERY LEAST INCOMPLETE AND INVALID.IF NOT INTENTIONALLY DECEPTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-3 Cont

General Comment #4
The DEIS/DEIR does not provide the following information: How many waiting vehicles, especially N/S and especially during commuter rush hours, are expected to 'collect' at intersections? How does this number compare to current numbers? C9-4

General Comment #5
The DEIS/DEIR does not provide the following information: What are the precedents and statistical data that can assuage concerns about plummeting real estate values? C9-5

General Comment #6
The DEIS/DEIR does not provide the following information: If real estate values do plummet, how is the MTA prepared to compensate property owners along the route? C9-6

General Comment #7
The DEIS/DEIR does not provide the following information: MTA Board Member, County Supervisor Zev Yaroslavsky, writing as the Chair of the San Fernando Valley Transportation Zone Interim Joint Powers Authority in the 12/24/00 LA Times, stated: "Establishing an independent transit zone for the Valley would be a Triple Crown victory. It would be a win for the Valley because we would get a locally governed, locally based public transit system that would put Valley transit users first. It would be a win for the MTA, which would be freed of the burden of planning and operating transit lines in the Valley, a challenge that hardly has been a top priority. It also would be a win for county and Valley taxpayers who would get a far better return on their annual $1 billion transit investment." In light of the potentially impending total realignment of the MTA/Valley relationship, how does the MTA justify undertaking, at this critical juncture, such a costly, time-consuming, unproven and controversial endeavor as the Bus Guideway? C9-7

WE CONTEND THAT FAILURE TO ANSWER THESE IMPORTANT QUESTIONS RENDERS THE DEIS/DEIR INCOMPLETE AND INVALID. SHOULD APPROVAL BE

In addition to calculating the average vehicular delay, the EIS/EIR analysis calculates the average traffic queues, which collectively measure the levels of congestion at each study intersection. The vehicle delay during the peak hours has been shown for each alternative (No Build, TSM, BRT and MOS) and discussed in detail in the DEIS/DEIR. The average vehicular queue information is also available as part of the detailed technical appendices to the EIS/EIR for every intersection and each alternative.

Comment C9-5

Analyses of the effects of BRT systems on residential property values are limited in number because this type of transit system is relatively new compared to light rail transit (LRT) and heavy rail.

However, a 1998 study of bus service found that the availability of local bus service does increase the value of at least some real estate (Barker, William G. "Bus Service and Real Estate Values", 1998, 68th Annual Meeting of the Institute of Transportation Engineers, Toronto, Ontario, Canada). Moreover, other studies have found that transit facilities generally have a positive effect on nearby property values that can be was attributed to the improved access that transit offers.

The precise degree to which residential property values could increase due to transit is difficult to estimate, but a study of the San Diego LRT system found a direct relationship between proximity to a trolley station and increase in property value. (Landis et al 1994). In addition, studies conducted in Portland (Al-Mosaind et al 1993), the San Francisco Bay Area (Landis et al 1994), Atlanta (Nelson and McCleskey 1990) and Philadelphia (Voith 1991) all found that rail transit had a positive effect on home values. Finally, it should be noted that both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) are primarily intended to focus on impacts on the environment. That analysis of economic effects presented in this EIS/EIR is focused on those tangible consequences, such as property acquistion and resulting loss on property taxes, that can be reasonably estimated from available data. Sufficient data are not available to estimate the expected benefits to property values.

GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

SPECIFIC DEIS/DEIR COMMENTS
Table S-4: Comparison of Alternatives
Even assuming accuracy of the data, this chart displays numerous advantages of the Lankershim/Oxnard alignment over the BRT (Chandler) alternative:
- CAPITAL COST: Savings of $39.3 million for construction, and this does not include additional savings to be derived from the fewer number of property acquisitions required nor the cost of the concomitant erosion of the tax base. (Actual total cost: $73,450,000. See comment re: Table C9-8

Also, a 2001 Victoria Transport Policy Institute literature review lists many studies of the economic effects of transit systems, the vast majority of which find that transit investments increase residential property values.

Comment C9-6

Please see the response to Comment C9-5 above. The applicable Federal and State laws related to compensation provide for compensation where there is a taking of property, or an interest in the property, for a public use. They do not provide for compensation to property owners for changes in the value of property, unless an interest in the property was acquired by the agency.

Comment C9-7

The MTA is aware of the efforts to create an independent city in the San Fernando Valley. However, secession will not substantially affect MTA's bus operations since MTA is not a part of the City of Los Angeles. The community's need for the project is well documented, and the need should not be reduced merely by a reorganization of the city.

Comment C9-8

The capital cost estimates in Table S-4 do include the costs of new property acquisitions and lease displacements. However, the estimated annual losses in property tax revenues to government agencies would not be included in a capital cost estimate. As described in Section 4-5 of the Final EIS/EIR, annual property tax losses are estimated to be $19,080 for the Full BRT and $13,740 for both the Lankershim/Oxnard On-Street and $10,070 for the MOS variations.

The Draft EIS/EIR capital cost estimates in Table S-4 are taken from Table 6-1 in the Draft EIS/EIR, which describes the components of the capital cost in greater detail. In Table S-4, the additional cost of the MTA ROW was not included because the right-of-way was previously purchased in 1990. For purposes of comparing the costs that would need to be budgeted for the various alternatives, Table S-4 correctly presents the necessary information.

- DAILY RIDERSHIP: We strongly differ on ridership numbers (See our comment regarding Table 4-8). But even if the 1300-rider advantage for the Chandler BRT is accurate, and assuming $1 profit per trip, it would still take 116.27 years for the MTA to recoup the $39.3 million investment (see comment re: Table 6-1). C9-9

- RUNTIME: Even the worst-case number provided by the MTA still adds only 5 minutes and 5 seconds, hardly a dis-incentive to use the bus, especially if it puts the bus stop closer to the rider's home. Besides, we strongly believe that congestion caused by the 'unfracturing' of the intersections on Chandler will, in practice, actually make it much slower than the Oxnard route. C9-10

Table S-1, 3-3: Localized BRT Crossings and Station Area Traffic Impacts
In recognition of the problems caused by the elimination of the current 'fractured intersections,' the plan calls for *mitigation of the Adverse (Significant) impact on the intersection of Laurel Canyon and Chandler by the addition of protected left turns in all directions.* Why wouldn't the same mitigation, with the inevitable traffic delays, also be required at the intersections of Chandler and: Colfax; Cortees; Whitsett; Bellaire; Coldwater Canyon; and Ethel; as well as at the Varna intersection? And how could these turn lanes be added at Cortees, Bellaire, Ethel and Varna in light of their narrow width? C9-11
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

S-8: Area of Controversy
The 5th paragraph of this section states: *"...the busway could potentially divide their pedestrian community..."* There is nothing 'could' or 'potential' about it – division is a foregone, factual, real consequence – pedestrian walkway and the MTA's pretty pictures notwithstanding. The paragraph then continues by highlighting various measures the MTA has decided to take to mitigate certain of our other concerns. The implication is that, by continuing our protest, we have not 'registered' their concessions. The opposite is actually true – while we recognize their accommodations to our more superficial concerns, they do not seem to have 'registered', nor does the DEIS/DEIR adequately address, the far more deeply rooted fears regarding safety, the literal splitting of our community, stand-still intersection traffic and a vast squandering of public funds. C9-12

S-9: Issues to be Resolved
This section totally fails to mention a most important concern that, in 2-2.3.4 b. (Traffic Signals, Control, and Safety) the DEIS/DEIR itself admits it is shelving rather than solving – perhaps because it can never be solved: *"The precise signal operation plan details at more complex intersections will require more detailed analysis in subsequent phases of project development."* C9-13
This is an outrageous failing that renders the DEIS/DEIR worthless!!! Any intersection that involves a sixty-foot to one-hundred-foot median is a complex intersection.
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED

Similarly, MTA owns additional infrastructure that would be used as a part of the BRT Alternative, including existing bus maintenance facilities. The cost of the previously acquired right-of-way has therefore been deleted from Table 6-1.

DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

Table 1-4: Characteristics of Major East-West Valley Arterials
The classification of Oxnard Street as a secondary arterial with about the lowest average daily traffic bodes well for the Oxnard alternative. However, why was Chandler Blvd. not included in the chart? C9-14
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

2-2.3.1 Figure 2-6: N. Hollywood Terminal Bus Routing
Two of the three proposed North Hollywood Terminal Alternatives call for the buses to travel on Lankershim Blvd. By extending their circuit from S. Chandler to Oxnard, the Oxnard alignment would help relieve potential traffic congestion on Lankershim. C9-15

2-2.3: BRT From N. Hollywood to Warner Center
States that this EIR is based on an average speed of 17mph. It then says that: *"Furthermore, it has been assumed that in the Chandler Boulevard median, buses will not operate faster than the posted speed limits..."* The EIR's speed calculations are based on the assumption that the posted speed limit on Chandler is 35mph. Thus, for the 2.5 mile distance the segment encompasses, the 2mph speed difference is of negligible difference. And, in Table S-4, the EIR shows the Full BRT (Chandler) to have between a 2.8 minute to 5.5 minute advantage over the Oxnard Alignment. However, the founding assumption is erroneous.

The actual posted speed limit signs on Chandler, vary between 25mph (school zone) and 35mph. There are numerous schools on or within 1 block: Amelia Earhart and North Hollywood High at Colfax; The Country School on Laurel Canyon, Burbank Boulevard Elementary at Albers; Valley Torah Bais Medrish at Wilkenson, Valley Torah High at Whitsett; Emek PreSchool at Goodland. Some of these schools are new so the 25mph speed limit speed has yet to be posted. Consequently, the actual runtime advantage is less, if indeed there remains any at all. Factor in the need to stop at the two pedestrian walkways and for as many as 6 separate turning light segments at the 'unfractured' Chandler intersections, and Chandler is undoubtedly the far slower of the two routes. What is to be gained by the $39.3 million investment (see comment re: Table 6-1) in the Chandler busway, especially if the trip takes longer? Why spend so much in time, energy and money and destroy a stable neighborhood where there is no resident ridership? C9-16

On another side of the coin, drivers being human, what's to keep them from accelerating above the legal speed limit, especially if they'll be practiced in driving as fast as 55mph when they get to the ROW's unpopulated 4 -5 mile stretch in the flood basin? What will restrict drivers' speeds, will automatic speed governors be installed on the buses? With headways of just 2.5 minutes, won't the

Comment C9-9

The main purpose of public transportation is to provide transit service. While full cost recovery would be desirable, it is oftentimes unachievable. Most transit systems in the United States operate at between 30 and 45 percent cost recovery and the remainder of the needed funds are provided from various public and private sources. If cost recovery were to be a policy, many elderly and disabled persons and children would be left without a transit option.

Regarding the comment on Table 6-1, please see the response to Comment C9-8. The estimated cost difference for the Lankershim/Oxnard On-Street Alignment as compared to the Full BRT along Chandler Boulevard was estimated at $43.3 million in the Draft EIS/EIR. While cost is a consideration, other factors go into designing a transportation system—such as environmental impacts, noise, barriers, bus timing (headways), service schedules, and population to be served—to name just a few.

Comment C9-10

Traffic speed analysis conducted as part of the MTA model suggests that run times along Oxnard Street and Lankershim Boulevard would be slower than along Chandler Boulevard, today and in 2020. It is anticipated that BRT speeds along Chandler Boulevard will benefit from having a dedicated right-of-way and fewer intersections compared to the Lankershim/Oxnard.

Comment C9-11

The EIS/EIR document only listed additional left turn lanes at significantly affected study intersections. However, as part of the BRT design, an exclusive left turn lane and protected traffic signal phase will be provided at all of the mentioned intersections along Chandler Boulevard in both directions. These left turn pockets will be created by either widening into the median island or by re-striping of the intersection approaches. These are shown on the engineering drawings in Volume 3.

Comment C9-12

Please see the responses to comment C5-9 and comment C9-1.

MTA seek to maintain very specific schedules and won't it occasionally become necessary for drivers to speed up to avoid creating bottlenecks? C9-16 cont'd
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE PLAN AND THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

2-2.3.3 c - Concept Design
The preamble states: *"Along Chandler Boulevard...To address community concerns expressed in previous studies, there are two cross-section options under consideration..."* The EIR differentiates between Chandler sections with a 100' wide median (from Whitsett west to Ethel) and 60' wide median sections (from Whitsett east to the Hollywood Fwy).
Option 1 (Fig 2-12a) perpetuates left-hand turn and pedestrian crossing problems.
Option 2 (Fig 2-12b), while saving some funds for construction, creates new major problems for how the buses will cross over into and out of mixed traffic lanes from the median busway. Both, to varying extends, remain guilty of literally cutting our neighborhood in two. Also, unlike the Typical Busway Sections displayed in Fig 2-9 and 2-10, these Options do not include sound walls. And yes, we would want it both ways -- no graffiti-magnet walls and no noise, vibration nor visual pollution. Admittedly, that puts the MTA between an impossible rock and an untenable hard place -- but this isn't a problem of our making. C9-17

Additionally, the guideway design offers no dividing k-rail or other such safety divider between its two lanes along its entire 14-mile length. Placing two buses in two narrow 13-foot wide lanes -- driving directly past each other at speeds perhaps as high as 55mph and at 2.5 minute intervals -- without such a safety device is an flagrant disregard for public safety. Head-on collisions between buses are inevitable. This problem is further exacerbated by the route's east/west alignment, placing drivers directly into the glare of the rising and/or setting sun. With such an extreme safety hazard, cost for such a k-rail should be of no consequence.
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDER IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

2-2.3.4 a - Transit Priority
"LADOT will also have to consider the traffic demand on north-south streets in determining the level of priority for buses."
With this sentence the MTA actually passes the buck on perhaps the single most important determinant of the viability of the entire ROW utilization concept and one of the biggest concerns about the Chandler alignment -- collision-inducing foul-ups in the intersections and stand-still north-south traffic, particularly on the vital, over-the-hill commuter thoroughfares of Laurel, Whitsett and Coldwater Canyons. All LADOT considerations and determinations should have been conducted, concluded and incorporated into the DEIS/DEIR. C9-18

Comment C9-13

The traffic analysis conducted as part of the EIS/EIR identifies adverse impacts of the project alternatives compared with future base case conditions. The EIR/EIS traffic impact study is not intended to develop specific traffic operational parameters at individual intersections. Detailed signal operation plans are being prepared as part of the Preliminary Engineering (PE) design process. Appropriate signal timing, priority, and other operating parameters will be designed for each intersection in consultation with the City of Los Angeles Department of Transportation.

Comment C9-14

This table was provided for general setting purposes and no analysis is conducted on daily traffic volumes. Daily traffic volume data on Chandler Boulevard has been added to this table. Traffic volumes were calculated based on peak traffic counts collected in 2000.

Comment C9-15

The number of buses added by extending the circuit to Oxnard Street would not be sufficient to relieve congestion on Lankershim Boulevard. The Locally Preferred Alternative does not include Lankershim Boulevard.

Comment C9-16

Detailed travel time analyses and simulations have been conducted by the Preliminary Engineering team in cooperation with the City of Los Angeles Department of Transportation to develop more precise BRT travel times along the entire length of the corridor. These studies show an average speed (including station stops and signal delay) of 21 to 29 mph for the Full BRT and 20 to 27 mph for the Lankershim/Oxnard On-Street Alignment. The travel time difference between the Full BRT and the Lankershim/ Oxnard On-Street Alignment would remain between 2.8 and 5.5 minutes, as in the Draft EIS/EIR. Please see Section 6-3.1.2 of the Final EIS/EIR for further information.

WE CONTEND THAT THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

2-2.3.4 b. - Traffic Signals, Control, and Safety
Highlights a problem with: *"Only at the Woodman/Oxnard intersection, where the transit corridor crosses the two streets at a diagonal offset from the intersection."*
The concept of crossing two streets at a diagonal offset is frightening in and of itself. What the DEIS/DEIR fails to mention here is that virtually the same problem, only worse, exists where the corridor intersects Burbank Boulevard near Fulton --- nor does it say that within 100 yards east, on the south side of Burbank, is LAFD Fire Station 102 (13200 Burbank Blvd.) as well as the H.E.L.P. Group for Special Needs Education and Valley Cities Jewish Community Center. On the north side of Burbank lies the primary parking lot of Valley College, with traffic so heavy that it raises the Average Daily Traffic from 7,000 to 52,000 (EIR Table 1-4) when school is in session. These problem locations, and potential disaster areas, are totally avoided if the MTA uses the Lankershim/Oxnard alignment. C9-18

This paragraph also confidently contends: *"...warning devices will not be required."*
It then acknowledges: *"The stop bar for traffic approaching the transit crossing will be located before the transit crossing so that there will not be any traffic stopped between the adjacent transit signal and the transit crossing."* In other words, as the CCTC contended, the center of each intersection, astride the median, must remain clear at all times. This is precisely why each intersection will require 6 different light/turning segments -- which will cause endless delays and probable collisions. With a 100-foot width to traverse, drivers could well get stuck astride the median despite the lights and their best intentions.

The next paragraph acknowledges as much: *"A brief clearance interval will be required in the north/south signal phase...Turn movements...east/west...require separate signal phases with red arrows...In addition, right turn lanes* (something the CCTC had never considered) *will be created...Table 2-5 provides a summary of the traffic control strategies..."* The summary provided by the chart does not provide practical answers for how the various problem consequences will be addressed.
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

TABLE 2-5 - Traffic Control Strategies
Other than indicating that there would be a new light near the Ethel transition point and revealing that they are considering closing Corteen, all they indicate is: Modify Signal. The DEIS/DEIR fails to consider how much delay all this will add for vehicular street traffic. Nor does the EIR address how these will be implemented at Bellaire, which is not wide enough to accommodate such turn signal C9-20

The refinements to the signal delay assumptions developed during the Preliminary Engineering phase would not affect how the BRT would operate along Chandler Boulevard. While the average running speed along the entire corridor would be 37 mph, buses would be restricted to the speed limit of 35 mph along Chandler Boulevard. Drivers would follow school zone speed restrictions, at times when they are in effect, when operating in the public street.

Buses operating in the median of Chandler Boulevard, as well as east-west vehicular traffic, would have their speed regulated by the method of signal operations proposed for Chandler Boulevard: Signal Progression along a Green Band (SPGB). SPGB simply means programming the traffic signals so that vehicles on Chandler Boulevard will consistently receive a green light as they move down the road, if they maintain the posted speed. This will serve to regulate the speeds of not only buses but other vehicles along Chandler Boulevard as well. This method of signal synchronization still leaves sufficient time between green bands for north-south traffic—pedestrian or vehicular—to cross the busway, and for left-turns to be completed. Section 2-2.3.5b describes signal operation along Chandler Boulevard in greater detail.

Comment C9-17

A detailed response to this issue is also provided for Comment C14-1. Although the potential to operate buses along Chandler Boulevard in mixed traffic was initially considered, this was subsequently determined to have potential additional adverse impacts, the most notable being increased noise from buses operating closer to homes. Because of this, together with little increased benefit either in terms of operation or cost, this option was not considered further in the EIS/EIR.

The exclusive busway within the median of Chandler Boulevard was taken through the entire EIS/EIR analysis and documentation. As described in detail in Section 4-9, no soundwalls would be required for buses operating in the median of Chandler Boulevard because there would be no significant noise impacts. Soundwalls would only be required where buses would operate closer to receptors in a quieter environment, such as locations where no existing street separates the busway from private property. Vibration impacts would not occur with the BRT Alternative. Please refer to Section 4-9 of the EIS/EIR for additional information on these impacts.

A "k-rail" or other divider between the two lanes of the exclusive busway would not be required for safe operation of the BRT Alternative. Using Caltrans standards for bus lanes, the 13-foot lanes would provide ample width for professional drivers of 10-foot wide buses to safely remain within their lanes. On-street bus operation often occurs in much narrower lane widths without k-rails or other dividers. Driving buses along this east-west roadway would be no different from driving along any other east-west roadway in the San Fernando Valley.

Comment C9-18

Through the Preliminary Engineering design process and in conjunction with the City of Los Angeles Department of Transportation, issues raised in this comment have been addressed through proper signal design and timing schemes. Please see the response to Comment C9-16 for further information on how signals will operate on Chandler Boulevard. For additional information on pedestrian and vehicular safety, please see the responses to Comments C9-29 and C9-66.

Comment C9-19

The EIS/EIR analysis of the Woodman/Oxnard and Fulton/Burbank intersections and other study intersections indicated that traffic impacts to automobiles at most intersections is likely to be minimal. At those few intersections where impacts will be significant, recommended measures have been provided to reduce the impacts to an acceptable level. Both the Woodman/Oxnard and Fulton/Burbank intersections were analyzed for significant traffic impacts according to a methodology and criteria established with LADOT. A significant impact found at the Woodman/Oxnard intersection would be mitigated with retiming of traffic signals. No significant impact would occur at the Fulton/Burbank intersection. During final design of the BRT, operational details of the Fulton/Burbank intersection will be designed to the satisfaction of LADOT according to design standards.

In terms of operations and safety at such intersections, please refer to the response to Comment C9-66. In terms of the uses at Fulton/Burbank, please see the response to Comment C9-27.

The comment also suggests that Table 1-4 of the EIS/EIR shows high Average Daily Traffic (ADT) volumes for the Futon/Burbank intersection while Valley College is in session. In fact, the table refers to the existing conditions of Burbank Boulevard throughout the study area. As is noted in the table, the high end volume (55,000 ADT) would occur at the intersection of Burbank and Sepulveda (near I-405), not at Fulton/Burbank.

Table 2-5 is not intended to be a listing of mitigation measures or problem solutions. It is merely a general illustration of the various control measures proposed for the streets crossing the BRT corridor. During Preliminary Engineering, the intersection control strategies listed in Table 2-5 were updated and refined. Please refer to Section 2-2.3.5 for updated intersection strategies. Through the Preliminary Engineering and Design Development design process and in conjunction with the City of Los Angeles Department of Transportation, issues raised in this comment are being addressed through proper signal design and timing schemes.

Comment C9-20

Issues raised in this comment are being addressed through proper signal design and timing schemes. This process will continue to be refined during design development. It will furthermore be thoroughly reviewed and coordinated with the City of Los Angeles Department of Transportation. Please also see the responses to Comment C9-19, and for intersection safety and operation, Comment C9-66.

lanes. In addition, these red arrows will also exacerbate traffic tie-ups, not help them, at Colfax, Laurel, Whitsett, and Coldwater. But, on top of all this... *"Consideration will be given to the use of pre-signals and queue cutters to prevent traffic from stopping or blocking the busway."* But no practical, definitive plans and no calculations thereof, all of which would probably reveal the foolhardiness of the Chandler option are provided. These considerations and determinations should have been conducted, concluded and incorporated into the DEIS/DEIR.

The 5th paragraph states: *"The precise signal operation plan details at more complex intersections will require more detailed analysis in subsequent phases of project development."* This is an outrageous failing that renders the DEIS/DEIR worthless!!! C9-20 cont'd
Back in September 2000 the CCTC proposed to the MTA that they modify light-timings allowing for 'imaginary' buses to determine the validity and workability of the plan prior to major expenditure. We were ignored. We firmly believe such a test would prove the disastrous impacts of the BRT on north-south traffic. Yet the MTA persists on perpetuating the conceit that 'first we'll build it, then we can solve it.'
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

2-2.6.3 - Feeder Bus Operations for Year 2020
This confirms a particular distressful rumor. Once implemented as a 'bus freeway' the MTA here admits it will cram as many buses as possible from other routes onto the alignment, thereby aggravating all our concerns multi-fold (464 buses in total per Table 4-47). C9-21

Table 3-2: - Characteristics of Major East-West Valley Arterials
The classification of Oxnard Street as a secondary arterial, with about the lowest average daily traffic, bodes well for the Oxnard alternative. However, why was Chandler Blvd. not included in the chart? Also of note is the dramatic range on Burbank Boulevard of 7,000 - 55,000 average car volume. We believe the extreme fluctuation is due to Valley College and whether classes are in session. The vast majority of students access the campus through the parking lots on Burbank. Since this is at the corner of Fulton, where the BRT alternative would cross the intersection at a diagonal, the hugh burst of cars at specific times of day will surly impede the bus and vice-versa. Likewise, it increases the likelihood of accidents, which is already high due to the proximity of Fire Station 102 just 100-yards east. All these problems are avoided if the bus runs down Oxnard, where transit-taking students could actually disembark closer to their classrooms. And none of this seems to have been considered. C9-22
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

3-1.4 Bicycle and Pedestrian Access C9-23

Comment C9-21

The 464 buses indicated are for the entire 15-hour period of 7 a.m. to 10 p.m. This is an average of 30 buses per hour or one bus approximately every 2 minutes, which refers to expected headways in 2020. Headways in the initial years of operation would likely be substantially less e.g., every 7 to 10 minutes. With no other vehicles along this exclusive right of way other than buses, this constitutes an extremely low traffic volume for an arterial facility. The project will not eliminate or divert transit services from other lines to the corridor and will also maintain increased bus services on parallel routes as part of the base TSM services assumed in the BRT Alternative.

Comment C9-22

This table was provided for general setting purposes and no analysis is conducted on daily traffic volumes. Daily traffic volume data has been added to the table in the Final EIS/EIR. The wide range of daily volumes on Burbank Boulevard is not due to fluctuations resulting from the school schedule at Valley College. This is the range (high/low) of volume on this arterial from its high volume in the Van Nuys community to its low volume at the western end in the Tarzana community, where Burbank Boulevard terminates at Ventura Boulevard, west of Reseda Boulevard. Chandler Boulevard has also been added to this table in the Final EIS/EIR. Please also see the response to Comment C9-19.

While we find the presence of bus lanes on Chandler absolutely unacceptable, we encourage the implementation of bike paths there. Not only do bikes rarely if ever hurt pedestrians, but the aesthetic is entirely in keeping with the bucolic environment to which we are accustomed. It is also noteworthy that, when speaking of pedestrian traffic in this section, the EIR does not recognize any significant pedestrian traffic on the Oxnard alignment. So, unlike the unique pedestrian situation on Chandler, there is little cause for concern on Oxnard. C9-23 cont'd

3-3.1.1 At Grade Major & Secondary Arterial Crossings with BRT
Significantly, the EIR states: *"The buses running on Oxnard Street and Lankershim Boulevard would take advantage of the transit signal priority system already planned by LADOT, so they would not cause any additional impacts or delays to other traffic."* C9-24

3-3.1.4 Transit Priority Treatment at Signalized Intersections
The 5th paragraph acknowledges:
"A brief clearance interval may be required in the north/south signal phase to ensure that no vehicles are stopped on the transit crossing... Turn movements from the adjacent east/west street will also require separate signal phases with red arrows to reduce potential for left or right turns across the transitway when a transit vehicle is moving in conjunction with through traffic on the parallel arterial. Consideration will be given to the use of pre-signals and queue cutters to prevent traffic from stopping on or blocking the busway." C9-25
Again, other than this general 'consideration,' the DEIS/DEIR offers no discussion about actual solutions to this, the most fundamental traffic engineering obstacle of the entire BRT plan. No calculations of the delays, either for the bus nor north/south traffic are given. Nor do they mention that, given the sixty foot and one-hundred foot width of the Chandler median, the time allowed for these 'clearance intervals' and 'separate signal phase red arrows' will, by necessity, be lengthy.
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

3-3.2.2 Traffic Impacts of Alternatives
As stated, we believe the Chandler alignment will have severe delay consequences at Coldwater, Whitsett, Laurel and Colfax, forcing even more cars onto the 170/101 and 405 Freeways. This could be avoided by the Oxnard alignment.
In Table 3-16, which compares actual intersection delays, only Laurel/Oxnard and Laurel/Chandler are calculated. And indeed, here even the EIR bears out our fears, showing the Laurel/Chandler intersection suffering 22.6 second delays in the AM (the 2nd worst of any intersection), while the delays at Laurel/Oxnard are less than a second. (And this among figures we know are highly speculative if not suspect.) Why were calculations for all intersections not included? C9-26
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE

Comment C9-23

The commenter's support for the bikeway is noted for the record. LADOT is implementing Class II bike lanes on Chandler Boulevard.

Comment C9-24

The commenter's support for the Lankershim/Oxnard alignment is noted for the record.

Comment C9-25

Details of traffic delays per vehicle to north-south traffic, average queue lengths, etc. can be found in Appendix I. Delays for buses are not calculated in this analysis since the traffic study addresses impacts to automobile traffic. It should also be noted that, through the Preliminary Engineering design process and in conjunction with the City of Los Angeles Department of Transportation, issues raised in this comment were addressed through proper signal design and timing schemes. Preliminary Engineering developed detailed run times and delay calculations for the busway as part of an operational simulation.

Comment C9-26

Key study intersections along Chandler Boulevard were identified in the scoping process by the appropriate review agencies including the City of Los Angeles Department of Transportation.

GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

3-3.2.2 Traffic Impacts of Alternatives
Subsection: Intersection of Fulton and Burbank
We've already discussed the monumental problems inherent at this intersection (see comment re: 2-2.3.4 b. (Traffic Signals, Control, and Safety). In this subsection the MTA acknowledges them by admitting: *"A grade separation was also included in initial discussions for concerns that heavy local traffic could impede transit performance."* A grade separation, imagine that! Obviously the idea was rejected. Why? Also, for the EIR to discuss this intersection without mentioning the presence of Valley College, Fire Station 102 and the school for the learning disabled, is an unconscionable omission perhaps intended to deceive uninformed readers of the EIR.
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-2

3-3.2.3 Comparison of Overall Intersection Delay
"The Lankershim/Oxnard On-Street Alignment would result in weighted average delays between those of the BRT and MOS." In plain English: Oxnard will cause less of a delay than Chandler. Despite what they imply in numerous other places, they acknowledge it here.

C9-2

3-3.2.4 Other Traffic Related Issues
C. Impacts Upon Residential Communities Adjacent to the Transitway
"The automatic activation of pedestrian crossing during the sabbath and Jewish holidays would provide adequate pedestrian crossing time, however at the expense of less vehicular time during during the complete signal cycle phase."
Firstly, and parenthetically, thanks for the priorities revealed by the latter part of the quoted sentence. Anyway, automatic activation has already been implemented at the intersection of Chandler and Bellaire. The crossing light is white for approx. 4 seconds, then flashes for 5 seconds and turns solid red at under 10 seconds; hardly "adequate pedestrian crossing time". And indeed, even able-bodied adults cannot get from the curb across the 35' wide north Chandler or south Chandler arterial before the light changes. Passage must be completed in a manner that is against the law. On Van Nuys Blvd., in similar situations, the police have been issuing $274 tickets for this very infraction.

C9-2

Elderly residents and parents with kids and strollers invariably find themselves crossing Chandler at Bellaire, dangerously, on the static red. Stranded in the median, pedestrians then proceed across its 100-foot width and await another 9 second north/south automated light cycle. When a 26-foot busway is implanted in the middle of this median, with buses going in both directions, what is to protect pedestrians? And what happens when, as traffic congestion will surly dictate, turning lanes are

Given the length and scope of the east-west corridor, only key major intersections were evaluated as part of the EIS/EIR. Tables 3-13, 3-14, 3-16, 3-18 show the delay comparison to No Build for key intersections, operating at LOS E or F. Furthermore, the comment misinterprets the comparison of Laurel Canyon intersections at Chandler and Oxnard. The values shown are the increases in delay as a result of the BRT operation on Chandler Boulevard only. That is why the impacts are higher on Chandler compared to Oxnard. If this analysis was conducted assuming a BRT operation on Oxnard, the results would be different and would most likely show larger increases in delay on Oxnard compared to Chandler. Referring to intersection operating conditions without the BRT (No Build), which is presented in Appendix I, it can be seen that under both current (1998) and 2020 No Build, the congestion levels are significantly higher at the Laurel Canyon Boulevard intersection at Oxnard compared with Chandler, with average delays being 2-3 times higher at the former.

Comment C9-27

Valley College, Fire Station 102, and the school for the learning disabled, as well as the Valley Cities Jewish Community Center, are all existing uses whose traffic activities are included as part of the existing traffic counts collected for analyzing this intersection. Therefore, from a traffic standpoint, these land uses have been analyzed. The potential need for a grade separation was discussed and rejected due to its impacts on adjacent land uses, development patterns, access to properties, and cost. Moreover, it was shown through the traffic analysis that this intersection can operate acceptably in an at-grade configuration.

Comment C9-28

Even if average intersection delays on Chandler Boulevard were to be higher than on Oxnard Street, the mid-block delays on Oxnard Street would be significantly higher due to operation of the buses in mixed flow traffic. The statement in the EIS/EIR is a qualitative assessment regarding the overall corridor-wide weighted average delay for the Oxnard Street alignment based on the results of BRT on Chandler Boulevard and the MOS Alternative running on Oxnard Street for its eastern segment. It is true that the Oxnard street intersections are shown to experience slightly less overall delay with the BRT on Oxnard than on Chandler.

also cut into the median? Where will people wait and for how long? How do people cross without getting hit? How do buses and turning cars proceed without hitting people? Tragedies are inevitable. C9-29
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

(IMPORTANT NOTE to MTA: Our community pedestrians have already endured random, perhaps anti-Semitic, drive-by insults and even shootings. And LA is notorious for road-rage. If we are only partially right in our projections of traffic disruptions, the potential for a consequential race-war is mind-boggling. This concern is not addressed in DEIS/DEIR discussions about safety.)

(IMPORTANT NOTE to MTA: Orthodox Jews do not carry ID on Sabbath or Holidays. A police officer, unable to issue a ticket, will seek to drive the 'perp' to the station house – another thing we'll be unable to do. We'll be forced into highly confrontational situations.)

(NOT-SO-IMPORTANT NOTE to MTA: Are you aware that the start time of the sabbath changes every week and that all Jewish holidays coincide with different calendar dates every year? If you've developed software that can automatically program the lights accordingly, please share it with us. We know of plenty of other applications.)

3-3.2.4 Other Traffic Related Issues CONTINUED
C. Impacts Upon Residential Communities Adjacent to the Transitway
A few paragraphs further, the EIR mentions: *"...number of drivers... may attempt to find convenient detours around points of arterial congestion..."* The fact is, as a result of the Red Line opening, C9-30
Chandler has already experienced an increase in peak hour street traffic. That's a price for progress we're willing to pay. There's also an argument to be made that it's in the MTA's best interest to promote Chandler as a quick route for passenger cars heading to the Lankershim subway station. Restricting the buses to Oxnard helps accomplish this.

3-3.3.1 General Strategies for Refinement in Preliminary Engineering
"Consideration of signal priority that can give buses a head start over the rest of the traffic (a queue jump) in areas of mixed-flow traffic." Sure, give the buses first crack at creaming any north/south C9-31
vehicle that dares get stuck in the 60- or 100-foot-wide median. Another public service provided by the MTA. All the better – do it while creating what is essentially an additional delay phase in the light cycles! Brilliant. So why don't you take out your calculators and figure and report the consequences?
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

This is due to the fact that with BRT on Oxnard, east-west signal priority provided to transit will help reduce overall delay. In any case, the differences are very minor.

Comment C9-29

Pedestrian safety is a priority for the MTA and the City of Los Angeles. Pedestrian signals will be designed based on the City of Los Angeles Department of Transportation's standards, which allow for adequate and safe crossing time. Medians and pedestrian refuge areas will also be designed to accommodate the projected pedestrian volumes with acceptable levels of service. Two examples are discussed below, to illustrate the approach to be used in the Chandler Boulevard portion of the corridor, where two parallel roadways are involved, and also the West Valley, where one parallel roadway is present.

East Valley Example

For design purposes, pedestrian crossing times have been estimated using the current timing for a pedestrian crossing a combination of one segment of parallel roadway and also the BRT busway during one signal phase (Colfax Avenue and Chandler Boulevard is used here as an example). The *minimum* pedestrian signal phase to make this maneuver is estimated based on a standard pedestrian walking speed (*Highway Capacity Manual 2000*, Transportation Research Board) of 3.5 feet per second. Pedestrians will then wait on a queuing platform on either the north or south side of the BRT busway for the next signal cycle favoring their direction of travel. The queuing platform will be either 21 feet by 10 feet or 15 feet by 10 feet, depending on the median width at the particular intersection. Once the pedestrians have reached the queuing platform, they would then depress a walk-signal push button that will be located on all platforms. Depressing the button will prompt the intersection signal to phase to a stop for both the BRT and parallel traffic while a white walk signal will display for the pedestrians to clear the second segment of parallel roadway. On the Jewish Sabbath and holidays, pedestrian signals would operate on a timer, so pedestrians would not need to press a button to activate the "walk" signal.

Table 3-20: Mitigated Intersection Level of Service & Delay
While we are not certain how to read this chart, we see that most of the affected intersections were not tabulated.
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-32

3-3.3.2 c Intersection Improvements - Lankershim/Oxnard On-Street Alignment
All but one of the locations listed are not actually in the alignment. Is this bad editing or bad understanding? The one listed, Lankershim Boulevard and Burbank Boulevard, also inexplicably appears in the MOS segment as well. And while we have no objection to this intersection improvement, we do not understand why this would be necessitated by the Lankershim/Oxnard route. C9-33

Table 3-22: BRT Ridership and Mode of Access
The exclusion of analysis for the Oxnard/Laurel Canyon location is unacceptable. One might suspect that the data was excluded because it revealed the superiority of the Lankershim/Oxnard alignment.
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA IS A DEFICIENCY OF THE DEIS/DEIR THAT RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-34

3-4.2 Parking Impacts
"Parking was not provided at these stations, however to reduce the potential of traffic impacts in the neighborhoods. The parking situation in neighborhood around stations with no parking should be monitored by LADOT and mitigation measures implemented if it should cause inconvenience to residents."
This solution to inadequate parking is hardly sufficient, as the worsening situation around the Lankershim station attests. But while the Laurel Canyon/Chandler stop would not have parking, the Laurel/Oxnard stop has the distinct advantage of being adjacent to an existing Park 'n Ride. Additionally, the Robinson-May Headquarters/Store has a large parking lot at which additional space may be available.
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA IS A DEFICIENCY OF THE DEIS/DEIR THAT RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-35

4-1.1.2 a Land Use and Development - Laurel Canyon Station
"The commercial development at this intersection serves as a community focal point for the surrounding area..." C9-36

Pedestrians that do not walk at the standard speed of 3.5 feet per second will have time to clear one parallel roadway segment and will then wait on the first queuing platform on either the north or south side of the busway. The pedestrians will then prompt a signal change with the walk-signal push button to phase the BRT to a stop signal and the pedestrians will cross the busway and queue on the opposite site of the BRT. The process will be repeated until they cross the second segment of roadway parallel to the BRT. The slower-paced pedestrians will potentially need to cross an intersection such as Colfax Avenue and Chandler Boulevard one segment at a time, but will have time to do so safely.

West Valley Example

Using the example intersection of Tampa Avenue and Topham Avenue, pedestrians would be crossing both the busway and Topham Avenue in one signal phase, again, in accordance with the standard pedestrian walking speed. Pedestrians will queue on either the north side of the busway or the south side of Topham Avenue to wait for the next signal cycle. Depressing the walk-signal push button will prompt the BRT and parallel traffic to a stop signal phase and pedestrians will receive a white walk signal to clear both traffic segments.

Slower pedestrians will queue on either the north side of the BRT or south side of Topham Avenue. The pedestrians will then prompt a signal change with the walk-signal push button to phase the BRT to a stop signal and the pedestrians will cross either the busway and queue on the north site of the BRT or will cross Topham Avenue and queue on the south side of the BRT. Queuing platforms will be 15 feet by 10 feet on both the east and west sides of the median between the BRT and Topham Avenue. Utilizing the walk-signal push button on the median, pedestrians will phase the BRT and parallel traffic to a stop phase and will then be prompted to cross in their favored direction across the busway or Topham Avenue.

Mid-Block Crossings

There are three mid-block crossings incorporated into the BRT preliminary design. These crossings are at Zelzah Avenue in the West Valley and at Agnes and Goodland Avenues along Chandler Boulevard.

Not true. But basically irrelevant. It's equally true of the Laurel and Oxnard intersection. C9-36 cont'd

4-1.1.2 a Cont'd - Laurel Canyon Boulevard to Coldwater Canyon Boulevard
...several religious structures and schools, including two synagogues, Emek Hebrew Academy and a day care center are located along Chandler Boulevard."
Here's the more accurate tally for the one mile stretch: On Laurel just south of Chandler: 1) The Country School; 2) Margo's Manor Retirement Home; 3) Chandler Convalescent Hospital; 4) LAUSD's Burbank Elementary School (1/2 blk. north of Chandler in a difficult to access cul-de-sac). Moving westward along Chandler: 5) Chandler Residential Care Facility; 6) Valley Village Senior Apartments (a 1 blk. wide facility) ; 7) Chandler Residential Care Home (a 1 blk. wide facility); 8) Royal Bellingham Retirement Home; 9) Toras Hashem Synagogue; 10) Valley Torah Bais Medrish; 11) Yad Avraham (under construction); 12) Valley Torah High School (nearing completion); 13) Emek PreSchool; 14) Rabbi Stephen's Minyan; 15) Shaarey Zedek; 16) Mikva Society; 17) Kollel Valley Learning Center. C9-37
WE CONTEND THAT FAILURE TO CORRECT THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-1.1.2 a Cont'd - Coldwater Canyon Avenue to Woodman Avenue
This section fails to mention a residential home for developmentally disabled young adults at the s/w corner of Chandler and Coldwater, as well as Chabad at Ethel -- but then the plan is to tear the Chabad Synagogue down. C9-38
WE CONTEND THAT FAILURE TO CORRECT THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-1.1.2 a Cont'd - Valley College (Fulton Avenue & Burbank Boulevard)
In what can only be a conscious omission, the report again fails to mention Fire Station 102, the most critically impacted facility of the many at this intersection, disruption of which offers potentially disastrous Valley-wide consequences. C9-38
WE CONTEND THAT FAILURE TO ADDRESS THIS DEFICIENCY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-1.1.2 b - Lankershim/Oxnard On-Street Alignment
Oxnard Street
"Land uses along Oxnard Street are a mix of single- and multi-family residences." C9-40

The mid-block crossings on Chandler Boulevard, as well as other crossings in the Chandler community, are also being designed to be able to operate without cross-walk push buttons or other pedestrian-initiated devices on the Jewish Sabbath and holidays. Signaling for the BRT and parallel street traffic will be regulated by a traffic signal controller unit, which will initiate a stop phase for the busway and parallel traffic while pedestrians will be signaled to cross. The controller is a microprocessor that can be programmed to manage signals based on time of day, day of the week, and month of the year.

Pedestrian Queuing

The space provided for the queuing platforms has also been derived from standards established by the *Highway Capacity Manual*. Similar to the standards used for automobiles, these are expressed in terms of Level of Service (LOS) using a scale of A (best service) to F (worst service). Pedestrian queuing areas in the example intersection above would allow for 16 people to queue on the 21-foot by 10-foot queuing platform at LOS A (13 square feet per person) and 105 people at LOS F (2 square feet per person). The 15-foot by 10-foot platforms would allow for 12 people to queue at LOS A (12.5 square feet per person) and 75 people at LOS F (2 square feet per person). Should more people need to wait on the queuing platform than permitted by its designed size at LOS F, pedestrians can use median space to the right or left of the platform. The West Valley intersection of Tampa Avenue and Topham Avenue provides a good example of this additional space. The east side of the median is 40 feet wide (this includes the space for the bikeway) and the west side of the median is 60 feet wide. If a *minimum* of a 10-foot length of that section were used for pedestrian queuing, it would equate to 400 square feet on the west side and 600 square feet on the east side. The platforms will be paved/concrete sections, but the medians offer additional space for standing should there be large numbers of pedestrians present at any one time. Please see the figures provided for both the East and West Valley intersection examples.

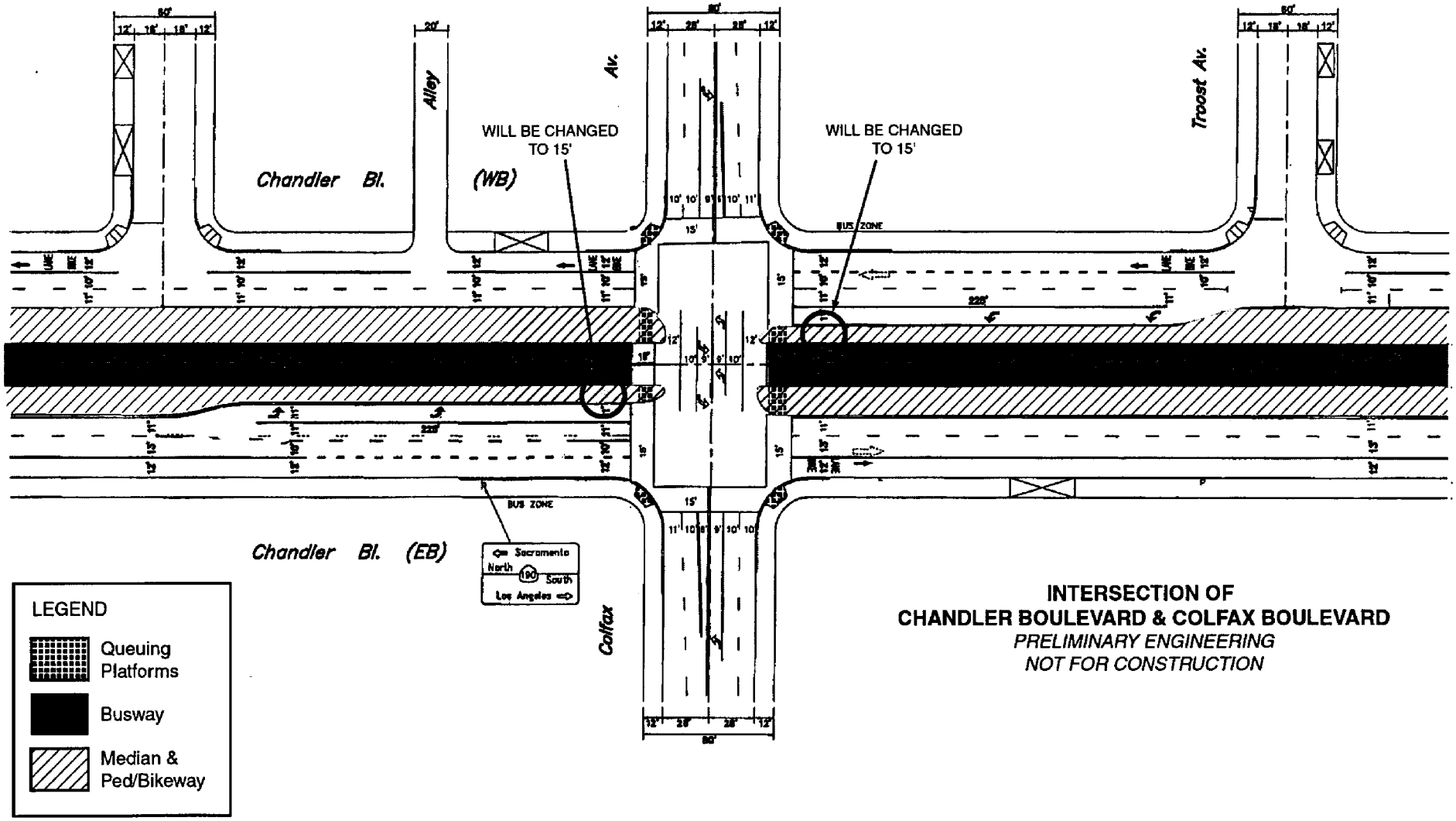


Figure C-1: Intersection of Chandler Boulevard and Colfax Boulevard

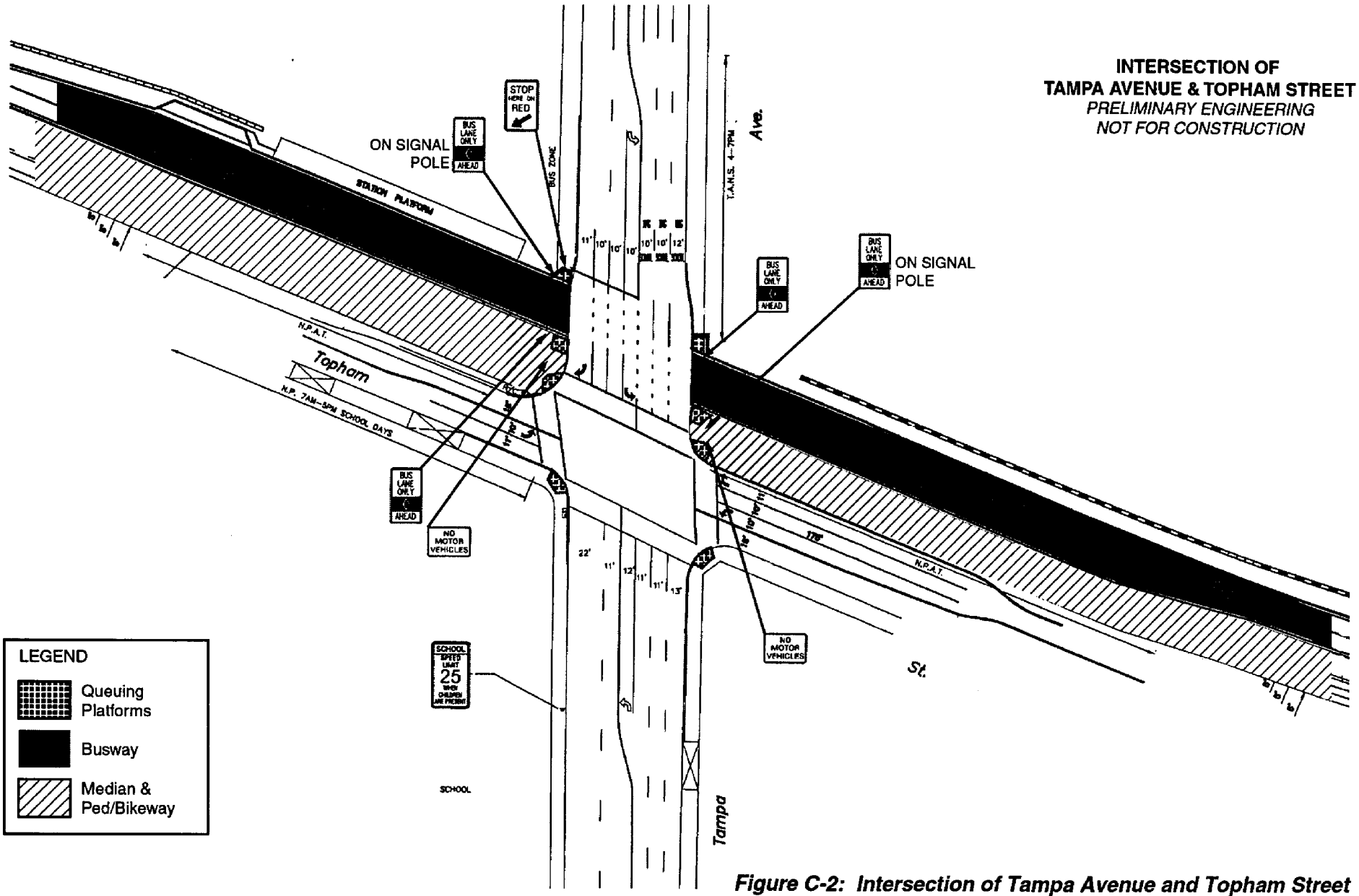


Figure C-2: Intersection of Tampa Avenue and Topham Street

It is important to note that Oxnard's single family dwellings are generally older, smaller and less costly than those on Chandler, while the more numerous multi-family buildings are newer. This is due to the economics and ease with which developers can combine lots and build large multi's on Oxnard. Indeed, in the recent mini-building-boom, Oxnard experienced more such development than any other east-west arterial. That in-fill development trend will surly continue in the future. In turn, this will provide a greater ridership base for the bus.

C9-4(
cont'c

Another contributing factor to generating higher ridership is the fact that the Oxnard station will be 1.7 miles from the Lankershim Red Line, while the Chandler stop is only 1 mile. Rather than drop-off at Laurel/Chandler, commuters are far more likely to proceed directly to Lankershim. Ergo, the absence of a Park n' Ride lot at Chandler. But why were no scientific calculations made of these factors.

WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-1.1.3 Planned Land Use

d. General Plan - Transportation Element Policies

According to the EIR, the Los Angeles General Plan *Framework* set objectives in 1996. Among these are:

- *Establish a transit priority corridor prior to 2010 in the San Fernando Valley between North Hollywood and Warner Center.*
- *Establish the Burbank/Chandler corridor as a priority corridor for Alternative Rail Technology or a busway utilizing publicly-owned railroad right-of-way.*

C9-41

Why are these two distinct and separate objectives? Isn't Burbank/Chandler just a 2.5 mile segment of the overall North Hollywood - Warner Center corridor?

This separate and unequal treatment demonstrates a discriminatory targeting of our area above and beyond the overall objective of creating an effective east-west transit corridor. It should never have been tolerated in 1996 and must be abolished now!

4-1.1.3 e North Hollywood-Valley Village Community Plan (adopted March 1975)

"The plan also suggests that any transit improvements in the SP ROW not divide the Orthodox Jewish Community along Chandler Boulevard."

C9-42

MTA, are you listening?

WE CONTEND THAT FAILURE TO ADEQUATELY EVALUATE THE MYRIAD IMPACTS OF THE BRT ON THIS CONCERN, THE INABILITY TO PROVIDE SUFFICIENT MITIGATION THEREOF NOR TO SATISFY THE REQUIREMENTS OF THE NORTH HOLLYWOOD-VALLEY VILLAGE COMMUNITY PLAN RENDERS THE DEIS/DEIR INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

In the Draft EIS/EIR it was stated that Z-gates or other pedestrian gates may be installed to deter pedestrians from crossing over sections of the busway or street segments when signal timing has phased into a "do not walk" mode.

These measures have been removed from the Final EIS/EIR in response to current Preliminary Engineering designs and have been replaced with the standards discussed above.

Comment C9-30

MTA does not promote specific routes for automobile access to Metro Red Line stations. The BRT will be running in the median on Chandler; it therefore will not interfere with east-west automobile traffic and may actually expedite east-west traffic flow due to signal timing. The delays associated with the BRT on Chandler Boulevard, to the extent they occur, would more affect north-south traffic.

Comment C9-31

Queue jumpers at intersections are common and tested design elements in transit priority systems. Through the remainder of the design process, safety issues and signal phasing/timing concerns raised in this comment will continue to be addressed. Queue jumpers will only be designed at locations where they are deemed advantageous and safe.

Comment C9-32

All significantly affected intersections are shown in this table with average delay results for before and after mitigation. As described in the EIS/EIR, intersections that are listed in this table are only those that were adversely affected and therefore needed mitigation measures, consistent with Tables 3-16 and 3-17.

4-1.1.3 e Cont'd - Valley Village Specific Plan
"....assuring attractive and harmonious multiple residential and commercial developments...and preserving stable single-family neighborhoods presently zoned for single family uses."
MTA, are you listening? You have already challenged our stability. Real estate agents report that more and more potential buyers are rejecting our neighborhood for fear of the impending busway. **WE CONTEND THAT FAILURE TO ADEQUATELY EVALUATE THE SPECIFIC MYRIAD IMPACTS OF THE BRT ON THIS CONCERN, THE INABILITY TO PROVIDE SUFFICIENT MITIGATION THEREOF AS WELL AS THE FAILURE TO SATISFY THE REQUIREMENTS OF THE NORTH HOLLYWOOD-VALLEY VILLAGE COMMUNITY PLAN RENDERS THE DEIS/DEIR INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.** C9-43

Table 4-1: Sensitive Land Uses Adjacent to the Bus Rapid Transit Alternative
This Table reveals a marked advantage for the Lankershim/Oxnard Alignment over the BRT, and even more so when the data regarding Chandler is corrected:
- Oxnard impacts 6 fewer single-family residential blocks
- Oxnard impacts 3 fewer multi-family residential blocks
- Oxnard bypasses North Hollywood Park
- Oxnard impacts 4 fewer schools and learning centers
- Oxnard impacts 4 fewer religious institutions
- Oxnard avoids 6 Senior/Retirement Care facilities

while in 4-1.2.1 the EIR acknowledges *"...impacts related to noise and changes in the visual environment may occur."* C9-44

4-1.3 Compatibility with Surrounding Uses
"...transportation has been the historic land use of the SP ROW, the BRT Alternative would be compatible with existing land uses."
The actual history: Pacific Electric began passenger service on Chandler in 1911. The last passenger train ran in 1952. Virtually all the development visible today along and near Chandler was built after 1952. From 1952 until the late 70's a single freight train, with a gradually diminishing number of cars, plied the ROW tracks one time daily. After freight was totally curtailed, Southern Pacific ran a single engine down the tracks once a day to condition the tracks and maintain their franchise rights. With the purchase of the ROW by LACTC in 1990, even this practice ended. The MTA (successor agency to LACTC) removed the tracks from Lankershim west to Colfax. When our community asked the MTA to continue removing the tracks from Laurel to Ethel, they refused. When we approached them and offered to remove the tracks ourselves, they refused permission, citing the desire to 'keep a visual C9-45

Comment C9-33

De Soto Avenue/Victory Boulevard, Winnetka Avenue/Victory Boulevard, Tampa Avenue/ Topham Street, and Lankershim Boulevard /Burbank Boulevard are identified for mitigation because the Lankershim/Oxnard On-Street Alignment is a variation of the full BRT alternative, which would adversely affect these intersections. The Lankershim Boulevard/Burbank Boulevard intersection is also included in the MOS because this alternative operates along the Lankershim Boulevard/Oxnard Street alignment in the East Valley.

Comment C9-34

Table 3-22 presents information on the full BRT alignment, and does not include stations along the Lankershim/Oxnard On-street Alignment. Ridership information for the Laurel Canyon/Oxnard station is provided on Table 3-23 for the BRT MOS alternative. This table shows that the total daily boardings at the Laurel Canyon/Oxnard station is 777 compared to 1,051 at the Laurel Canyon/Chandler station as shown in Table 3-22.

Comment C9-35

It is recognized that there may be some parking spillover into the adjacent neighborhoods, which is why parking will be monitored, and if necessary, strategies implemented to eliminate or minimize the spillover parking. A park-and-ride facility was not assumed for the Laurel Canyon station along the BRT MOS alternative due to the unavailability of any parking facilities within MTA-owned properties.

Comment C9-36

The area near the intersection of Laurel Canyon Boulevard and Chandler Boulevard includes commercial and retail development, as well as a substantial amount of multifamily housing in the surrounding neighborhood.

reminder for the community' that trains had indeed once run here. (Sort of like the preservation of Auschwitz.) These facts should be reflected and communicated completely and accurately. C9-45 cont'd
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-1.3.2 c - Consistency of Alternative with Planning and Zoning
Regional Policy and Planning
"The Full BRT Alignment is consistent with the plans and policies of the SCAG Regional Comprehensive and Guide, such as its policies to link mass transit with higher-intensity land uses." C9-46
Why does the EIR not mention that the Oxnard alignment is a higher-intensity land use than Chandler?
WE CONTEND THAT THE FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

North Hollywood-Valley Village Community Plan
"'...ensure that the proposed transit line on Chandler Boulevard in North Hollywood does not create a division within a well established residential community.' The Full BRT has been designed to address this provision of the Plan with the following...
2. Two mid-block crossings would be installed (one in front of Shaarey Zedek Synagogue where none currently exists), and
3. Fences installed to prevent pedestrian crossings (except in intersections) would be approximately 4-foot-high iron picket fences that would not block views across the median." C9-47
On a trip to Korea, the author had occasion to visit the 38th Parallel, where a park is maintained to allow South Koreans to gather to gaze across the valley at their North Korean relatives. I hereby suggest we rename Chandler 'The 38th Parallel." Seriously, to say that what is described herein is not a 'division' is akin to contending that a wall is not a barrier if it contains a window and a door. The Community Plan does not specify an 'impenetrable' division -- it prohibits any division. A 4-foot-high iron picket fence, even if it does not block views, and is augmented by a walkway, certainly qualifies.
WE CONTEND THAT FAILURE TO ADEQUATELY EVALUATE THE SPECIFIC MYRIAD IMPACTS OF THE BRT ON THIS CONCERN, THE INABILITY TO PROVIDE SUFFICIENT MITIGATION THEREOF AS WELL AS THE FAILURE TO SATISFY THE REQUIREMENTS OF THE NORTH HOLLYWOOD-VALLEY VILLAGE COMMUNITY PLAN RENDERS THE DEIS/DEIR INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-1.4 Land Use & Development - Mitigation Measures C9-48

In addition, Laurel Canyon Boulevard between Magnolia Street and Burbank Boulevard (inclusive of Chandler Boulevard) is shown as a "Community Center" in the City of Los Angeles *General Plan Framework*. The intersection of Laurel Canyon Boulevard and Oxnard Street is not shown as a center in the *Framework*.

Comment C9-37

Please refer to Table 4-9 in the Final EIS/EIR for the complete list of public facilities and services. Additional services or facilities that may have been omitted on the original list have been added, to the extent that they were identifiable in the field.

Comment C9-38

Please see the response to Comment C9-37. The Chabad at Ethel Avenue will not need to be acquired. See the revisions made in Section 4-2, Table 4-2, of the Final EIS/EIR.

Comment C9-39

Fire Station No. 102 is listed on page 4-93.

Comment C9-40

The regional model used to calculate ridership for the BRT variations in 2020 does account for population growth in the corridor. The estimates of population growth are compiled by the Southern California Association of Governments and based on planned land use in the various cities in the region. In this case, population growth in the corridor is derived from the growth anticipated to occur within the planned land uses shown in the Community Plans. In addition the regional model accounts for station locations and park-and-ride facilities proposed at stations.

This bears repeating from our Comment #1:
**THIS SECTION IN NO WAY ADDRESSES OUR MAJOR CONCERN:
THE BRT ALIGNMENT ALONG CHANDLER BOULEVARD WOULD BREAK APART AN ESTABLISHED 50-YEAR OLD WALKING COMMUNITY THAT IS UNIQUELY INTEGRATED ON BOTH SIDES OF THE ALIGNMENT.
THE DEIS/DEIR DOES NOT EVALUATE THE SPECIFIC FACTORS AND CONSEQUENCES OF CHANDLER'S UNIQUE MAKE-UP (i.e. frequency of pedestrian crossings; speed of pedestrian crossings; placement and safety of standing pedestrians within the right-of-way; capacity of these standing places; crossing time allocations; these are just a few of the very many issues not at all addressed by the DEIS/DEIR.)
FAILURE TO ADEQUATELY EVALUATE THE SPECIFIC, UNIQUE AND MYRIAD IMPACTS OF THE BRT; THE INABILITY TO PROVIDE SUFFICIENT MITIGATION THEREOF AS WELL AS THE FAILURE TO SATISFY THE REQUIREMENTS OF THE NORTH HOLLYWOOD-VALLEY VILLAGE COMMUNITY PLAN RENDERS THE DEIS/DEIR INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.**

C9-48 cont'd

4-2.3.3 a & b Acquisitions and Displacements
The Chandler Full BRT route would require the termination of 20 more MTA leases than the Oxnard alignment. Eleven of these are the backyards, patios and even the pool of single-family homes. The DEIS/DEIR states: "*...the termination of these leases would not require the displacement of any residences.*" But, with a bus zipping by a few feet away every 2.5 minutes, there will certainly be a drastic diminution in the value of these homes and the residents will certainly displace themselves while seeking major compensation. So will the some 56 businesses whose leases will be terminated. Likewise, many of those not dispossessed, but whose backyards and businesses are also affected, will also seek compensation. There is no indication anywhere in the DEIS/DEIR of what the mammoth costs, even just the litigation costs, might be. Certainly this figure must be calculated and factored in before any reasonable decisions can be made on how and whether to proceed.
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-49

When it comes to property acquisitions, the Oxnard alignment saves the cost of 34 jobs, 2 office complexes, a body shop, a single family home, 5 multi-family residential units and it spares a vibrant religious institution from being torn down. All for the sake of tying up traffic and risking lives on Chandler. What will be the actual costs? Examination of Table 6-1 reveals that the amount allocated for this purpose is $7,522,000. **THIS AMOUNT IS IN EXCESS OF FOUR TIMES GREATER THAN THE HIGHEST PROPERTY ASSESSMENT REAL ESTATE PROFESSIONALS FAMILIAR WITH THE AREA ARE WILLING TO PROVIDE! SUCH AN ALLOCATION IS HIGHLY SUSPECT IN THE EXTREME AND RIFE WITH THE POTENTIAL FOR MISAPPROPRIATION, CORRUPTION AND ABUSE.**

Comment C9-41

The two policies listed, which are both quoted from the City of Los Angeles *General Plan Transportation Element*, are not separate objectives. In some planning documents, including the *General Plan Transportation Element*, the MTA ROW is commonly referred to as the "Burbank/Chandler corridor," or sometimes as the "SP ROW." However, this phrase does not refer solely to the 2.5-mile segment of the right-of-way between Lankershim Boulevard and Woodman Avenue. The "Burbank/Chandler corridor" actually encompasses the entire MTA ROW, which extends from North Hollywood to Warner Center. In this EIS/EIR, the term "MTA ROW" is used to describe the former railroad right-of-way in order to eliminate the confusion that surrounds the phrase "Burbank/Chandler corridor."

Comment C9-42

The *North Hollywood-Valley Village Community Plan* states that transit improvements in the MTA ROW should not divide the Orthodox Jewish community. The Full BRT variation of the BRT Alternative has been designed to address that policy and the concerns of the community. The design objectives to address this policy were to retain all existing legal crossings, add new crossings, and minimize the profile of the BRT to maintain views. Below are the specific design elements that address this policy:

- No existing vehicular or pedestrian crossings of Chandler Boulevard at intersections will be closed by the BRT.
- Two new, signalized mid-block pedestrian crossings will be added along Chandler Boulevard, one at Agnes Avenue and one at Goodland Avenue.
- New pedestrian paths will be added within the median between Bellaire Avenue and Goodland Avenue and between Ethel Avenue and Coldwater Canyon Avenue, in areas where no sidewalks currently exist.

WE CONTEND THAT FAILURE TO CORRECT THIS SITUATION AND TO PROVIDE INDEPENDENT, REASONABLE AND ACCURATE PARCEL BY PARCEL ASSESSMENTS OF THE PROPERTIES TO BE ACQUIRED RENDERS THE DEIS/DEIR INCOMPLETE AND INVALID. FURTHERMORE, FAILURE TO TAKE IMMEDIATE ACTION IN THIS REGARD AND TO ESTABLISH, AS AN INTEGRATED PART OF THE PLAN, A SPECIALIZED OVERSIGHT METHODOLOGY RENDERS THE MTA BOARD IN DERELICTION OF THEIR RESPONSIBILITIES.

4-2.4.3 Mitigation, Bus Rapid Transit (BRT) Alternative

Quoting the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, the DEIS/DEIR contends that *"The current replacement housing allowance is a maximum of $22,500."* Presented in this way the information is very misleading. As an LA City Attorney explained it to us, the MTA must purchase the properties at their current market value *plus* provide each homeowner with up to *an additional* $22,500 toward the purchase of their new home. And because, as it states later in the section, *"...the Act seeks to (1) ensure the consistent and fair treatment of owners of real property, (2) encourage and expedite acquisitions by agreement to avoid litigation and relieve congestion in the courts and (3) promote confidence in public land acquisitions."* agencies like the MTA typically begin their negotiation process by offering more than market value. With owners like those to be found here, who are savvy to the MTA and its needs, the hold-outs for really rich numbers are likely to be numerous. Thus, by our rough estimate, the Chandler route would add a total of $1,770,000 in additional acquisition costs to the east/west corridor over the Oxnard alignment -- making the total cost differential somewhat higher than $41 million. And this does not count the cost of litigation. The MTA, in Table 6-1, actually budgets a mind-boggling $7.522 million for these purchases. Why are these facts not clearly revealed here?

C9-50

WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-2.4.4 Applicability of Mitigation

As this section acts as a recap, so shall we:

	Alignment		
	Full BRT (Chandler)	Oxnard	DIFFERENCE
Outdoor Ad Leases Terminated	27	12	15
Commer./Indus. Leases Terminated	68 - 69	62	7
Backyard Leases Terminated	11	0	11
Business Displacements	23 - 28	21	2 - 7

C9-51

- Pedestrian signals at all crossings of the BRT along Chandler Boulevard will operate on a timer on the Jewish Sabbath and holidays, so that pedestrians will not need to press a button to activate the "walk" signal.
- There will be no soundwalls required along Chandler Boulevard.
- The approximately 4- to 5-foot wire mesh fence described along the median of Chandler Boulevard will not block views across the right-of-way.
- The existing trees planted by MTA will be retained where feasible, and new trees and landscaping will be added. Groundcover will not block views across the median.
- Along Chandler Boulevard, buses will operate at the posted speed limit, 35 miles per hour.

Comment C9-43

As described in Section 4-1 (Land Use and Development), the BRT, as a transportation use, would not be incompatible with either single- or multifamily neighborhoods. Furthermore, the planned land use and zoning of the neighborhoods in North Hollywood-Valley Village is set by the City of Los Angeles and would not change because of the introduction of the busway.

Comment C9-44

Table 4-1 lists potential sensitive land uses adjacent to the MTA ROW and along Lankershim Boulevard and Oxnard Street. This table is used in the analysis of land use impacts conducted for each variation of the BRT Alternative. However, actual land use impacts are described in Section 4-1.3. Proximity impacts such as noise (Section 4-9) and Visual and Aesthetics (Section 4-6) are each analyzed in their own section. As described in Section 4-1.3, no land use compatibility impacts would occur along either Chandler Boulevard or Oxnard Street/Lankershim Boulevard. In addition, the Final EIS/EIR has been revised to include additional facilities pointed out by the comment.

Families Displacements	6	0	6
Job Displacements	83	49	34*

* Table 4-13 increases this differential to 40.

C9-51 cont'd

4-3.1 d Environmental Justice

"Federal Action to Address Environmental Justice in Minority Populations and Low Income Populations (Environmental Justice) requires....where there is substantial federal involvement in a project, the federal agency (in this case FTA) must collect data...assess environmental and human health risks borne by the populations...must ensure activities do not discriminate against persons or groups of persons on the basis of race, national origin, or income.

C9-52

"Based upon the demographic information collected and reported in Table 4-8, there does not appear to be a target population (substantial presence of low-income or minority residents, based on proportionality) to be focused on pursuant to Executive Order 12898."

Firstly, we will concede that, as presented in the EIR, ethnicity and religion per se are not a stated basis of Environmental Justice evaluation. And while Orthodox Jewry has been classified as a minority in New York State, such is not yet the case in California. However, the Executive Order does specify 'national origin' as a criteria, and the origin of today's Jews is the ancient nation of Israel. Thus, the FTA's activities here may well be discriminatory.

WE CONTEND THAT FAILURE TO ADDRESS THIS INACCURACY OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

Table 4-8 Environmental Justice Variables

Notwithstanding the above, Table 4-8 is in itself a fascinating subject of study. While not the intended objective of the Table, one must compare the data for 'Laurel Canyon' (by which they mean Laurel/Chandler) against 'Hwy 170/Oxnard' (by which they mean Laurel/ Oxnard). The Resulting Analysis, as per the MTA's own Figures:

Population drops from 74% white on Chandler to 59% white on Oxnard, equal to the average for the entire East Valley.

Per Capita Income plummets from $16,938 for Chandler to below the LA City average, $16,054 for Oxnard. To borrow a word from later in the EIR: Conversely, these figures MUST be considered a federal Environmental Justice mandate to put the buses on Oxnard, where they'll get used by people who need them, rather than on Chandler, where they will kill people who don't want them!

C9-53

The only aspect of Table 4-8 that might be used to make a case for Chandler is the sheer population total – 18,931 vs 8,628 for Oxnard. Undoubtedly, this is the source of the MTA's contention that Chandler represents 1300 more daily riders. However, reducing the total by the nearly 4,000 Over 64

Comment C9-45

The facts surrounding the use of the MTA ROW as a transportation corridor are not in dispute.

Comment C9-46

The EIS/EIR does state in Section 4-1.3.2d that the Lankershim/Oxnard On-Street alignment would provide access to one additional "activity center" compared to the Full BRT alignment. This additional regional center is the Laurel Plaza regional mall. Both alignments would also provide access to a number of other "higher-intensity" land uses, including North Hollywood, Valley College, the Van Nuys Civic Center, the Sepulveda commercial area, the Reseda commercial and multifamily residential area, Pierce College, and Warner Center. Both alignments would be consistent with the plans and policies of the SCAG *Regional Comprehensive Plan and Guide*.

Comment C9-47

The approximately 4- to 5-foot wire mesh fence would prevent anyone from mistakenly wandering onto the busway. However, the fence would not block existing vehicular or pedestrian crossings of the right-of-way nor would it obscure views across Chandler Boulevard. The fence would be erected in locations where it is currently illegal and unsafe to cross.

Comment C9-48

Please see the responses to Comments C9-29 and C9-42. In addition, as described in the response to Comment C9-42, sidewalks are currently missing along substantial portions of both North and South Chandler Boulevards between Ethel Avenue and Laurel Canyon Boulevard. To enhance the walking environment of the neighborhood, sidewalks will be added as a part of the BRT project from Goodland Avenue to Bellaire Avenue and at the Chabad property along the north side of Chandler Boulevard from Ethel Avenue eastward to connect with existing sidewalks.

Age Group (Table 4-7), old-age home residents and retirees who are not potential riders and who have signed petitions protesting the buses, brings these numbers closer.

Additionally, when one contrasts the physical make-up of the two station sites, the biggest reason for the disparity is clear:
Laurel/Chandler consists of six very large elderly care facilities, two-story commercial and multi-family homes. Laurel/Oxnard (Hwy 170) consists of a freeway interchange with a Park 'n Ride lot, the Robinson May corporate headquarters with mammoth parking, a church, a school and numerous retail outlets. While the latter do not provide much in the way of population numbers, they are certainly active transit-rider destinations/generators worthy of a bus stop. C9-53 cont'd

Beyond this, a stated intention of this Environmental Justice evaluation is to *"...assess human health risks borne by the populations..."* Where are the projections of accident rates, most assuredly a health risk – particularly for Chandler, which would eventually serve as the east valley's 'conduit freeway' for 464 daily buses from as far south as Ventura Blvd and north to Sherman Way and beyond?
WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR RENDERS IT INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-3.3.1.c - Neighborhood Impact
"Stated conversely, the proposed transit project can be viewed as a restoration of transportation uses to the historic corridor." Stated 'perversely' is more like it. To equate a once-a-day freight train to a bus every 2.5 minutes is an insult to anyone's intelligence. No type of passenger rail has moved along the Chandler ROW in half-a century!!!! Is the MTA a bunch of Luddites, forsaking progress in the mindless pursuit of the 'restoration of historic transportation?' Hey, let's whip out the horses and buggies, why don't we?

More insults to intelligence follow: *"...the proposed busway is located... adjacent to a major roadway along which hundreds of cars per day already travel. Adding one bus trip every 2.5 minutes... would not change the essential character of the surrounding neighborhoods..."* 60 minutes x 19 hours of operation = 1140 minutes. Divide by 2.5 = 456 buses a day! 456 engine concertos! 456 mini-earthquakes! 456 opportunities to become road kill! (Table 4-47 actually puts the total at 464 daily buses). (Also see our comment Re: Table 1-4.) C9-54

On Oxnard Street however, the introduction of 456 buses to a daily traffic flow of 14,000 - 28,000 vehicles (Table 3-2) will be more like 'a drop in the bucket'. And, as the EIR states: *"MTA buses currently run along Oxnard Street and Lankershim Boulevard. Up to 12 residences (1 single-family residence and 11 multi-family residences) would require sound insulation treatment..."* With the over $40 million saved by not using Chandler, the MTA can, and should, do far more than that to improve Oxnard.
WE CONTEND THAT FAILURE TO COMMUNICATE THESE FACTS ACCURATELY RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE

See the Preliminary Engineering drawings for locations of new sidewalks and the design of pedestrian crossings.

Comment C9-49

Only eligible persons and businesses actually displaced by the proposed project may seek compensation from government relocation assistance programs. The current estimated real estate cost for the Full BRT is about $21 million (2001 dollars). Individual appraisals of affected properties cannot proceed until such time as the environmental review process is completed and the proposed project is approved. Please also see the response to Comment C9-6.

Comment C9-50

The comment correctly notes that the $22,500 replacement housing allowance for homeowners is a supplement to the acquisition cost of the displaced dwelling.

Comment C9-51

The comment correctly summarizes the property acquisition information provided in the Draft EIS/EIR.

Comment C9-52

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires that each federal agency identify and address, as appropriate, "disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on *minority* populations and *low-income* populations" (emphasis added). The term "minority" has been defined, for purposes of environmental justice analyses, to include those persons who identify themselves as Black, Asian/Pacific Islander, Native American, or of Hispanic origin.

THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-3.1.3 Environmental Justice Impacts - Character

"Equally, no single type of adverse effect would disproportionately affect a minority or low-income community. This judgement is supported by the fact that no concerns regarding environmental justice or the racial, ETHNIC, or income characteristics of the affected population have been raised during the ongoing public outreach program."

By including the word 'ethnic' above, the DEIS/DEIR shoots the MTA in the foot. Because, while not yet a minority, Orthodox Jewry is, if nothing else, an ethnic group. The EIR itself belies the bald-faced lie above by virtue of its many references to mitigations and concessions made to the Chandler Orthodox Jewish community. They made these because there certainly have been concerns raised by this group during the ongoing public outreach program.

C9-55

"Once the San Fernando Valley East-West Transit Corridor is operating, the effect would be largely beneficial... Low-income and minority populations, particularly those living in close proximity to the corridor, would be beneficiaries." True, provided the MTA does the honorable thing in response to our analysis of Table 4-8, above, by putting the bus route on Oxnard.

WE CONTEND THAT FAILURE TO COMMUNICATE THESE FACTS ACCURATELY, RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-4.1.2 - Schools and Libraries

"The schools public and private, located within 1/4 mile of the proposed bus alternatives and alignments are listed in Table 4-4.1. The TSM, BRT, and MOS would be adjacent to two LAUSD schools(North Hollywood and Birmingham High Schools) and three non-LAUSD schools (Emek Hebrew Academy, Los Angeles Valley College and Pierce School)..."

C9-56

Working backwards: the MTA has miscounted the non-LAUSD schools. This may be because some are new and/or under construction. In addition to Emek, Chandler is now also home to Valley Bais Medrish, Valley Torah High School and the Kollel Valley Learning Center. But how could they overlook Burbank Boulevard Elementary, half a block from Chandler, especially since it is listed as S3 in the DEIS/DEIR Table 4-9 on page 4-97? Finally, and perhaps this is our failing, but we can't even find Table 4-4.1.

WE CONTEND THAT FAILURE TO ADDRESS THESE DEFICIENCIES OF THE DEIS/DEIR AND TO EVALUATE NEGATIVE IMPACTS OF THE BRT ON THE EDUCATIONAL EFFICIENCY OF THESE INSTITUTIONS RENDERS THE EIR INCOMPLETE AND INVALID. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-4.2.1 - Impacts on Fire & Police Protection

C9-57

The term "low-income" includes persons whose household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. The reference to "national origin" in the Executive Order is a restatement of the requirements in Title VI of the Civil Rights Act of 1964 and is not intended to broaden the class of persons covered by the Executive Order. In any case, the MTA and FTA are strongly committed to conducting their activities related to the proposed project in a manner that ensures that no person or population is excluded from participation in, denied the benefits of, or subject to discrimination under, the project.

Comment C9-53

As documented throughout the EIS/EIR, neither the Full BRT nor the Lankershim/Oxnard On-Street alignments would have disproportionately high and adverse human health or environmental effects. To the extent that public safety considerations are among the human health effects relevant to an environmental justice analysis, those matters are described in Section 4-13 (Safety and Security).

Comment C9-54

Please see the responses to comments C5-9 and comment C9-1.

Comment C9-55

The statement from the Draft EIS/EIR that is quoted in the comment refers only to potential environmental justice issues raised by those population groups covered by Executive Order 12898 (i.e., minority and low-income populations). Please see the response to comment C9-52.

Comment C9-56

Please see the response to Comment C9-37.

"...Fire Station 60 and Fire Station 102, are located immediately adjacent to portions of the SP ROW...There is very low likelihood that emergency services' access across the corridor would be substantially impaired once a busway is operational."
Finally, a mention of these 'fire traps,' but without any real warning. We contend that the potential for a collision between a bus and a racing fire truck leaving, particularly, 102 at Burbank and Fulton, where the ROW crosses the intersection at a diagonal -- is enormous. For the DEIS/DEIR to contend otherwise defies logic and may even constitute depraved indifference.
WE DEMAND THAT THE MTA, WORKING WITH LADOT AND THE LOS ANGELES FIRE DEPARTMENT, ANSWER THE QUESTIONS AND DISPROVE OUR VARIOUS ASSERTIONS STATED ABOVE. FURTHERMORE, WE ASSERT THAT THE DEIR/DEIS IS DEFICIENT AND INVALID WITHOUT THIS FURTHER EVALUATION. FINALLY, WE ASSERT THAT, IN APPROVING THE PROJECT WITHOUT THESE FURTHER INVESTIGATIONS/MODIFICATIONS, THE MTA BOARD WOULD BE ACTING IN BLATANT DISREGARD OF PUBLIC SAFETY AND IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-57 cont'd

4-4.3.3 - Religious Institutions
An accurate list of institutions on Chandler can be found in our comment Re: 4-1.1.2.
The EIR's discussion regarding the Lankershim/Oxnard alignment makes little sense because 6220 Corbin Avenue, site of St. John's Lutheran Church, is further west. It does not fall between Lankershim and Woodman, where the Oxnard Alignment joins the full BRT route.
WE CONTEND THAT FAILURE TO COMMUNICATE THESE FACTS ACCURATELY RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-58

4-4.3.4 Health Care Facilities
"Convalescent hospitals such as Chandler Convalescent Hospital and Residential Care Facility and the Laurelwood Convalescent Hospital would particularly profit from the nearby transit facilities since a large number of the persons served by these hospitals may not be capable of driving."
Patients checking-in certainly do not arrive by mass transit. There is no reason to believe patients confined to such a facility are desirous of traveling anywhere -- after all, they are there to receive care and hopefully recuperate. What their health status truly demands is peace, quiet and perhaps a safe neighborhood to stroll through. Why would the MTA deprive them of what they desperately need, have become accustomed to and have every right to expect?
WE CONTEND THAT FAILURE TO EVALUATE NEGATIVE IMPACTS ON PATIENT HEALTH IN ADJACENT INSTITUTIONS RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-59

4-4.4 - Mitigation Measures

C9-60

Comment C9-57

Please see the response to Comment C5-6.

Comment C9-58

Please see the response to Comment C9-37.

Comment C9-59

The text in the Final EIS/EIR has been changed to read as follows:

"...would particularly profit from the nearby transit facilities. Staff members and volunteers would have access to a convenient transportation line to work and visitors (some of whom may not be able to drive) would have a means to travel to the hospitals and care facilities to see friends and/or family."

Comment C9-60

Please see the response to Comment C9-29.

Comment C9-61

Typographical errors in Section 4-5.3.1 and Table 4-13 have been corrected. The employment figures now correspond with those presented in Tables 4-2 and 4-3. The difference in potential employment loss between the Full BRT and the MOS Alternative would be 14 jobs and between the Full BRT and the BM Alternative would be 38 jobs. These differences are not considered to be statistically significant difference in the context of all jobs in the area.

Comment C9-62

Typographical errors in Section 4-5.3.1(c), Table 4-15, and Table 4-16 have been corrected.

Comment C9-63

The comment is noted for the record.

"Under all the alternatives and alignments pedestrian safety would be maintained at intersections and/or corridor crossings by installing fencing, proper signalization, pedestrian gates and signage." None of which will stop a kid from darting out, or help quicken an elderly person or a mom struggling with her stroller. What proof is the MTA prepared to cite to prove that the mitigation measures mentioned are sufficient and efficient?
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-60 cont'd

Table 4-13: Employment Loss Due to Property Acquisitions
The data in this Table is inconsistent with that provided in Tables 4-2, 4-3. Those reveal an incremental loss of 34 jobs for the Chandler route (full BRT), while this Table calculates the incremental loss of 40 jobs should Chandler be chosen over Oxnard (On-Street).
WE CONTEND THAT THIS FAILURE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-61

4-5.3.1-c. Tax Revenue Loss
Again, the DEIS/DEIR demonstrates informational inconsistencies. The write-up speaks of the loss in annual tax revenues for the full BRT of $19,400. Table 4-15 shows it to be $23,070 with an incremental loss, when compared to the Oxnard route, of $3580. in tax revenue per year. Table 4-16 reveals that the greatest percentage of that loss will be to the School Districts.
WE CONTEND THAT THIS INCONSISTENCY RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-62

4-5.4 Mitigation
"While acquisition and relocation are unavoidable..."
Considerably less so if they used Oxnard.

C9-63

4-6.1.2 Visual Assessment c. Chandler, Laurel Canyon to Ethel
"Key views of the Santa Monica and Santa Susana Mountains can be seen from Whitsett and Colchester Canyon but existing development blocks these views from the right-of way. These views are of high quality and, where visible, can be seen by pedestrians and motorists traveling on these streets for up to five miles."
How can the EIR contend that *'existing development blocks these views from the right of-way.'* The right-of-way is an open 60- to 100-foot stretch in the middle on Chandler. If anything, the *'high quality'* views are best in the right-of-way and the MTA will deprive us of that. The chart: Visual Assessment Unit C is correct. With the exception of some trees planted within the past few months, there are no Visual Resources because Southern Pacific and the MTA have neglected the medias for years, intentionally maintaining it as an eye-sore. Why does the EIR misrepresent the facts?

C9-64

Comment C9-64

The EIR states that views of the Santa Monica and Santa Susana Mountains are visible from north-south streets such as Laurel Canyon Boulevard and Coldwater Canyon Avenue. Because the MTA ROW and Chandler Boulevard are east-west streets, views of these mountains would be blocked by existing development to the north and south. As described in the response to comment C9-42, the Full BRT variation has been designed to minimize new vertical elements in the right-of-way, so existing views from Chandler and the MTA ROW would be preserved. The only new vertical elements that would be constructed along Chandler Boulevard would be an approximately 4- to 5-foot-high wire mesh fence, new landscaping along within the right-of-way, and the proposed Laurel Canyon station.

Comment C9-65

As outlined in Section 4-9.3 of the Final EIS/EIR, implementation of the Full BRT with the Lankershim/Oxnard On-Street Alignment would result in 372 moderate noise impacts and 96 severe noise impacts. Compared to the Full BRT Alternative, this represents the same number of moderate impacts (although the moderate impacts with the On-street Alignment would include a higher number of multi-family buildings in addition to two schools and one day-care facility) and a net decrease of 31 severe impacts.

Comment C9-66

A busway project operating in Miami, Florida is similar to the proposed San Fernando Valley East-West Transit Corridor BRT and is offered as an example of safety performance. The Miami Project has been in operation since February 1997. The busway, which traverses 8 miles, has 19 intersections, and runs parallel to US-1, is operated by Miami-Dade Transit. The Miami Project has intersections with coordinated signal control (such as would be the case with the BRT) and intersections without coordinated signal control. The accident rate at the intersections with coordinated signal control was approximately 1 accident per every 20 million entering vehicles.

WE CONTEND THAT THIS FAILURE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-9.3 Noise and Vibration Impacts
4-9.3.3 a. and b.
Comparing the information provided: while the Oxnard alignment does reflect an increase of 11 sites that will be moderately affected over the Chandler route, it also results in 25 fewer sites that will suffer severe impacts. C9-65

4-13.3.1 Accident Prevention
"It should also be noted that the accident experience is based on buses running in mixed flow traffic. The BRT Alternative would place buses within a dedicated corridor, separated from mixed-flow traffic except at intersections, which would reduce the potential for conflict between normal street traffic and bus operations."
Firstly, what 'accident experience.'? None is cited. Secondly, if the MTA wants accident data to consider they need look no further than their own Blue Line, with the worst accident record in the State. The MTA Summary of Metro Blue Line Train/Vehicle & Train/Pedestrian Accidents (7/90 - 3/00) issued May 19, 2000 shows an accident average of *one-a-week and more than five fatalities a year.* Forty-nine percent (49%) of the accidents, 252 in all, occurred during left hand turns. C9-66
Accidents not directly involving a train were not reported.
The following differences should be noted:
- Chandler is much wider at intersections, increasing the potential for cars getting caught in the problematic area, resulting in more collisions.
- Each Chandler intersection would require 6 separate traffic light sequences to keep the bus guideway clear at all times. With buses preempting light control, there will be irregular light-changing sequences which will take drivers by surprise. This increases the chances for collisions.
- There will be as many as 464 buses a day (Table 4-47) rather than 134 daily Blue Line trains. More buses increases the statistical probability of crashes.
- Under one alternative being considered, buses on Chandler would weave in and out of the median when they reach the narrower 60' sections east of Whitsett. This represents the worst of both worlds.

WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

"The Z gate is comprised of two-2 1/2-foot high metal barriers offset from one another, creating an obstacle that the pedestrian would have to weave through before reaching the corridor. A low, C9-67

The proposed BRT is designed to operate at-grade with all intersections signaled in a manner similar to the coordinated signal control intersections in the Miami Project. The BRT busway and parallel street traffic will have the same signal phasing at intersections. Cross traffic will be phased to pass through both intersections as if they were one.

Additional safety measures have been incorporated into the BRT project design that are not present in the Miami project. Although the busway and parallel traffic will have the same signal phasing, they will each have their own signage, active signs, street painting, and signals to warn cross traffic and right-turn lanes that they are not to enter either intersection. Pre-signals will be installed to keep all cross traffic from entering the busway/parallel traffic intersection. Should a motorist enter into the intersection on a yellow signal, the vehicle will be able to pass through the full intersection before the busway/parallel traffic is phased to green. Right turn lanes will have active "No Right Turn" signs and should motorists ignore that warning they will be stopped by a signal situated on the opposite side of the busway.

Comment C9-67

Current engineering designs for the BRT project have eliminated the Z-gate or any other such apparatus from the queuing areas. Please also see the response to Comment C9-29.

Comment C9-68

Drivers operating in mixed-flow lanes of traffic (non-busway lanes) will be warned by signs that they are approaching a busway intersection and a pre-signal will be in place to regulate traffic before crossing over the busway. This signaling and signage will be applied in various compositions to fit the safety needs and different traffic complexities of each intersection along the busway.

Comment C9-69

This statement in the EIS/EIR merely reaffirms that the design process will provide adequate safety features in accordance with design standards.

hinged door that would require the pedestrian the push through to gain access across the corridor is another approach to this situation."
Rather than protection, both these solutions seem to present problems. As the EIR says, they are 'obstacles' which would make it difficult for the elderly and parents pushing strollers to traverse, while also being 'Disney-esque' playthings that will be enticing to young children.
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-67 cont'd

"Specific safety features have also been designed to protect vehicular traffic crossing the corridor. Before reaching the intersection, drivers would be warned by 'pre-signals' that they are approaching an intersection that crosses the corridor."
Since the dawn of the motor age, virtually every accident that ever happened at any intersection occurred despite the presence of 'signals', whether 'pre,' stuck on a 'post' or otherwise. Why would the MTA believe otherwise?
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-68

"Traffic lighting will be modified to insure adequate stopping distances for cross traffic lanes to maintain acceptable levels of service at intersections."
Where are the calculations of the delays these 'modifications to stopping distances' will, by definition and necessity, cause for north/south traffic?
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-69

"Bus drivers will have direct control over their vehicles and will be able to brake quickly or move out of the way to avoid incidents."
Since the dawn of the motor age, virtually every accident that ever happened occurred while drivers were controlling, braking and moving out of the way. In most cases, they weren't trying to control a 9.5-foot-wide bus within a 13-foot lane with the choice of veering into either another on-coming bus or taking out a four-foot iron fence and the pedestrians beyond. In the intersections, of course, they can also choose to take out huddled groups of pedestrians, trapped there on tiny islands, waiting to cross.
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-70

The assumptions and calculations for additional clearance delay at BRT crossing intersections are provided in the detailed technical appendices (available on file at MTA). The potential additional delay to north-south traffic has been quantified in the EIS/EIR and mitigation measures are offered to provide acceptable levels of service at study intersections.

Please also see the response to Comment C9-68.

Comment C9-70

Bus operation in an exclusive busway (as stipulated by the BRT Alternative) is inherently safer than buses operating in mixed-flow traffic. The BRT exclusive busway will employ "pre-signals" and appropriate stopping distances as safety measures at intersections, which are the only locations at which buses come into contact with automobiles in the street system. These provisions will be sufficient to assure the public of adequate protection.

Comment C9-71

Please see the response to Comment C9-66.

Comment C9-72

Please see the response to Comment C5-6.

Subsequent to issuing the Draft EIS/EIR, discussions with LAPD and LAFD emergency service providers have concluded that there would be no need for emergency vehicles to use the busway as an additional route to emergency locations. Responses to emergencies via existing surface streets will remain efficient and effective.

Comment C9-73

Please see the responses to Comments C9-29 and C9-67.

"As a result of the dedicated corridor and the integrated safety features (for drivers, bikes and pedestrians), the project would have, at most, a minor impact under NEPA (not significant impact under CEQA) on safety."
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-71

4-13.3.3 c Emergency Response- Full BRT
"The dedicated corridor segments within the alternative or alignments would not block or interrupt emergency access or evacuation routes.... This alternative would have a not adverse impact under NEPA (not significant under CEQA)."
We specifically challenge this assertion and demand that the MTA prove it definitively – particularly in light of the proximity of Fire Stations 60 and 102 and the corridor's positioning relative to these facilities.
"However, should a major accident occur within the dedicated corridor... emergency vehicles could, with permission of the MTA, use the corridor as an emergency access route."
Would the MTA have EMS risk lives, wasting time searching for an official to provide permission, while bloody passengers and/or pedestrians lay strewn along the busway?
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THESE ISSUES RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-72

4-13.4.3 - Mitigation Measures - Full BRT
"Crossing protection devices including signs, pedestrian "Z" (or similar) gates, and road painting/striping at intersections may be provided."
We have already discussed the inadequacies of these measures for children, mothers with strollers and the elderly. Now we discover that they only 'MAY' be provided. C9-73

4-14.3. Impacts on Historic & Archaeological Resources
Residence for S.B. Gleason, 5404 Bellingham Avenue, Residence for Mike Masciotra, 12641 Chandler Boulevard, North Hollywood Post Office, 11304 Chandler Boulevard. *"The construction of a paved and landscaped busway would not create adverse indirect effects under NEPA (significant indirect effects under CEQA), such as changes in the visual character or noise levels, and would not conflict with the historic use of the right-of-way and its relationship to the... Gleason Residence/Masciotra Residence/North Hollywood Post Office."*
We specifically challenge this assertion and demand that the MTA prove it definitively, particularly in light of 464 buses per day, the introduction of landscaping inconsistent with the various properties and the planned introduction of ultra-modern articulated buses. Even the buses' Red color would be glaringly objectionable within the context of the greenbelt landscaping. Furthermore, the resulting red C9-74

Comment C9-74

The residence for S.B Gleason, the residence for Mike Masciotra, and the North Hollywood Post Office were found to be individually eligible for the National and California Registers under Criteria C and 3, respectively, for their quality of architectural design. These three historic properties are all separated from the MTA ROW by Chandler Boulevard, and their relationship to the MTA ROW had no bearing on their National Register eligibility.

Further investigation of the three historic properties was undertaken to evaluate their associated landscaping, in order to clarify what landscaping is consistent with these historic properties.

The existing landscaping at the North Hollywood Post Office consists of young street trees in sidewalk planter wells. There is no landscaping on the property or in the parkway that dates to the period of historic significance. The section of the right-of-way adjacent to the North Hollywood Post Office is occupied by the Lankershim Depot, where no landscaping presently exists.

The existing landscaping at the S.B. Gleason residence consists of mature palms and an aging broadleaf. The existing landscaping in the sidewalks consists of a Southern Magnolia tree. The existing trees in the section of the MTA ROW across Chandler Boulevard from the Gleason residence consist predominantly of small evenly spaced and recently planted sycamore and pine trees, a few mature palm trees, a walnut tree, and a small bush.

The existing landscaping on the Masciotra residence property is dominated by large mature pine trees that appear to date from the time of construction. The existing trees in the section of the MTA ROW across Chandler Boulevard from the Masciotra residence consist predominantly of small, evenly spaced sycamore and pine trees that were planted within the last few years, one mature palm tree, and a young eucalyptus.

The existing mature landscaping is the only landscaping known to be consistent with the three historic properties.

and green coloration, with its overriding Christmas connotation, is an offensive provocation in this predominately Jewish neighborhood. C9-74 cont'd

SP/Los Angeles River Bridge
"Should MTA propose to replace the piers or construct a new bridge at this location in the future, evaluation of the resource within this context would be required under section 106, with the Army Corps of Engineers as the lead agency. If the bridge is found eligible for the National Register, either individually or as part of a district, then effects on the bridge would be taken into account as part of that section 106 compliance process." C9-75
In this section the EIR implies that the Los Angeles River Bridge would not be replaced. We challenge the proposed treatment of the Los Angeles River Bridge on numerous fronts. Firstly, the bridge is of sufficient architectural significance, as one of the rare surviving Late Moderne structures in the Valley, to warrant immediate further evaluation. Secondly, the notion that this bridge is adequate to serve the busway, without significant modification for widening, the installation of safety parapets and the installation of additional support, is frightening. There would be an unprotected drop from the bridge roadway to the river bed. The bridge, at 7-feet wide with five-foot open metal grate extensions on each side, is even narrower than the barely adequate 26-foot busway width. And, with proposed traffic of 464 buses per day, there is not adequate support strength in the slender, elliptical 60 year-old piers.

Hypothetically, let's consider the use of this bridge operationally. By being only wide enough to accommodate a single bus at most, the bridge becomes by necessity, a bottleneck. How long of a delay will added to the overall trip-time? What consequences will the bottleneck back-up have to the immediate environment?
WE DEMAND THAT THE MTA, WORKING WITH THE ARMY CORPS OF ENGINEERS UNDER SECTION 106, ANSWER THE QUESTIONS AND DISPROVE OUR VARIOUS ASSERTIONS STATED ABOVE. FURTHERMORE, WE ASSERT THAT THE DEIR/DEIS IS DEFICIENT AND INVALID WITHOUT THIS FURTHER EVALUATION. FINALLY, WE ASSERT THAT, IN APPROVING THE PROJECT, AND THUS THE DE FACTO USE OF THE LOS ANGELES RIVER BRIDGE WITHOUT THESE FURTHER INVESTIGATIONS/ MODIFICATIONS, THE MTA BOARD WOULD BE ACTING IN BLATANT DISREGARD OF PUBLIC SAFETY AND IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-15.4.1 c Impacts on Section 4(f) Properties
"At the west end of the Sepulveda Dam Recreational Area, the busway would pass within 50 feet of a Little League ball field complex. The busway would be on an elevated berm, at least 30 feet above the level of the playing fields. Passing buses could occasionally distract those using the fields, just as vehicles passing by on Oxnard Street ...do now. These occasional distractions would not substantially diminish the utility or quality of the resource." C9-76

The landscaping to be introduced as part of the BRT would be in the MTA ROW in the median of Chandler Boulevard, separated from the three historic properties by the width of the street and sidewalk. As indicated in Section 4-6.3.2b of the EIS/EIR, "along the median right-of-way, existing trees would be maintained to the extent possible and landscaping along the median would be improved." There are no plans to remove any of the mature landscape elements that are on the historic properties, in the adjacent sidewalk wells, or in the MTA ROW across Chandler Boulevard from the historic properties. The mature landscaping on and near the historic properties covers a broad range of species and is not uniform. In addition, there already exist a large number of young specimens on and near these properties that were introduced after the historic period of significance. Because the mature landscape elements would remain, because new landscaping has previously been introduced, and because the MTA ROW is separated from the historic properties by Chandler Boulevard, the proposed landscaping would not affect the characteristics that qualify the historic properties for the National or California Registers.

Historically, the MTA ROW was used as a transportation corridor, with railroad locomotives and railroad cars traveling by these three historic properties. The proposed transportation corridor would utilize buses instead of railroad locomotives and cars. The transportation corridor would remain in the same relative location to the historic properties that it always did. The buses would still be buffered from these historic properties by Chandler Boulevard. The views to the historic properties from motorists on Chandler Boulevard would remain unobscured regardless of the number of buses per day or their color.

Comment C9-75

Based on the State Historic Preservation Officer's (SHPO's) concurrence on August 23, 2001, that the bridge is ineligible for the National Register, MTA made a decision that the existing bridge will be replaced for structural reasons. The replacement bridge structure is shown in the Preliminary Engineering drawings. At the time the Draft EIS/EIR was written, the disposition of the bridge was unclear, because SHPO comment had not yet been received.

A bus running by, 30 feet overhead, every 2.5 minutes, is not an occasional distraction, it is the conscious destruction of this facility. 30 feet must be a typo, -- that's a three story building, which will put the bus higher than most Valley residences are allowed to be. Any Little Leaguer with the determination and powers of concentration to ignore the distraction should be instantly recruited into the Dodger's farm club. This problem must be addressed.
Inexplicably, the EIR paragraph continues:
"Thus, no constructive use of the ball field complex would result from the full BRT alignment...."
We couldn't agree more in plain English. In Federal-speak, however, we disagree.
The paragraph then goes further into la-la-land...
"The Lankershim/Oxnard On-Street Alignment and the MOS do not pass by this location and would have no effects on this location."
Oh, how we wish this were so. Unfortunately, this problem remains valid under all alignments. It is a problem the MTA must address under all circumstances.

C9-76 cont'd

4-15.5 Avoidance Alternatives
"No avoidance alternatives are needed...because there would be no uses of these protected section 4(f) resources." Not true, see above.
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-77

4-15.8 Section 6(f)(3) Considerations
The Section of the Land and Water Conservation Fund Act (LWCF) reads:
"SEC. 6(f)(3) - No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreational use. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure substitution of other recreation properties of at least equal fair market value and of reasonable usefulness and location.
The DEIS/DEIR then reveals:
"A review of the LWCF grants database indicates that a $244,983 grant was provided in 1968 for the Sepulveda Dam Recreation Area. Consultation with the National Park Service has been initiated to determine the location and size of the funded property."
We submit that the Chandler median would make a wonderful substitute recreational property. With the State's newly allocated Parks funds, adherence to this requirement should be no problem.

C9-78

4-16.1.4 Other Impact Considerations - Demographics and Neighborhoods
"The proposed project is unlikely to have indirect effects related to demographics and neighborhoods. Population density, distribution and growth would not be expected to change from forecast projections..."

C9-79

The concrete piers of the SP Los Angeles River Bridge follow standard railroad plans and are utilitarian in design, with minimal architectural character or distinction, and are therefore not unique to the Late Moderne period. A qualified architectural historian did an evaluation of the bridge and found that "The bridge does not appear to be individually eligible for the National Register under any criteria." In a telephone message dated August 23, 2001, and in a letter dated August 23, 2001, the SHPO stated that they "...concur with FTA's determination that the Los Angles River Crossing structure is individually ineligible for inclusion in the National Register under any of the criteria established by 36 CFR 60.4. The structure has no strong associations with significant historical events or persons and is not an example of outstanding engineering design or function. On the basis of these comments, we can now concur with FTA's determination that any proposed project involving the alteration or replacement of the structure will have no effect on historic properties."

As stated above, the existing bridge over the Los Angeles River would need to be replaced for structural reasons. The replacement bridge would meet all current applicable safety standards.

Comment C9-76

Please see the response to comment B1-24.

Comment C9-77

Please see the response to comment B1-24.

Comment C9-78

Information provided by the National Park Service indicates that no property acquired or developed with assistance under Section 6(f) would be converted from its existing recreational use as result of the proposed project. Consequently, no substitute recreational property such as the Chandler Boulevard median will be needed.

Comment C9-79

Please see the responses to Comment C5-9 and Comment C9-1.

We couldn't disagree more. See our comments re: 4-1.1.3 e, The Valley Village Specific Plan, as well as virtually this entire document. Our neighborhood growth is already on hold. It is our knowledgeable opinion and experiential fear that without unfettered access to our synagogues and institutions, our population will erode and eventually disappear, much as the Blue Line caused abandonment along much of Washington St.

Radical change in livability causes change in communities. It happened to numerous LA neighborhoods in previous generations. Today's enlightened city leadership, including the MTA, is trained to avoid precisely this type of consequence in their planning. But even with no other factors at play – all our community death will require is this single transportation arrow piercing and slicing right through our heart. And it will begin with the first inevitable pedestrian accident. Planning for the opposite, the preservation of neighborhoods, is what the MTA is charged to do. It is inherent in federal Livable Community standards, in Environmental Justice regulations, and in the MTA's very own charter. It is for these reasons EIR formats require answers like that provided in the quote above. But the answers are worthless if they are duplicitous delusions fostered by politics. Then they are nothing but a dereliction of duty. To accomplish your positive mandate, see our comments Re: 4-1.1.2 b and know we firmly believe the Oxnard/ Lankershim alignment will foster the synergetic growth of that area, while simultaneously allowing the Chandler area to continue its growth unfettered. C9-79 cont'd

4-16.1.5 Impacts on Community Facilities and Services
"Increased transit access to public facilities would represent a beneficial indirect effect of the proposed project." By the MTA's own .25 mile-from-the-stop-standard, on Oxnard said beneficial impact would effect 3 schools and one religious institution while, in fact, hurting two religious institutions. But on Chandler, the tally is only 1 positive impact, and a full 13 negative impacts. C9-80
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-16.1.6 Fiscal and Economic Conditions
"...resulting improvements in the business climate...." When the people go, the businesses will first flutter, then blow away. How's that for business climate? C9-81
WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-16.1.7 Visual and Aesthetic Conditions
"...except to the extent that urban design, landscaping and artwork elements along the corridor would contribute to a more pleasant environment in which to reside, visit or conduct business." We could have all this if the MTA would cede the median to the City for a park. We won't have it if the MTA condemns us to a purgatory, albeit an attractive one, that's akin to living inside a real life 'Frogger' video game. C9-82

Comment C9-80

The comment is noted.

Comment C9-81

The comment is noted for the record.

Comment C9-82

The commenter's preference for use of the corridor as a park is noted. However, the right-of-way was purchased for potential transportation improvements, not a park.

Comment C9-83

The air quality analysis in the EIS/EIR addresses the air quality impacts associated with vehicular exhaust due to the change in traffic circulation and increase in traffic congestion. As indicated in Section 4-7.1 of the EIS/EIR, carbon monoxide concentrations are typically used as an indicator of conformity with the California Ambient Air Quality Standard (CAAQS) and the National Ambient Air Quality Standard (NAAQS) because: (1) Carbon Monoxide (CO) levels are directly related to vehicular traffic volumes, the main source of air pollutants, and (2) localized CO concentrations and characteristics can be modeled using United States Environmental Protection Agency (USEPA) and South Coast Air Quality Management District (SCAQMD) methods. The air quality analysis in Section 4-7.3 provides a worst-case simulation of CO concentrations adjacent to street intersections that may be affected by the proposed project. CO concentrations were calculated using the USEPA CAL3QHC micro-scale dispersion model. CAL3QHC is an USEPA-approved computer model used to estimate localized pollutant concentrations, using carbon monoxide as an indicator compound and a Gaussian plume distribution methodology.

4-16.1.8 Air Quality
"...would not have an indirect adverse effect under NEPA (indirect significant effect under CEQA) on biological resources, public health or other sensitive systems. A net benefit to air quality...may result as persons choose to make trips on public transit..."
The MTA made no effort to project or ascertain what the affects of 'civilian' vehicular exhaust would be as a result of traffic-jams and detours. WE CONTEND THAT FAILURE TO PRESENT FACTUAL RESEARCH DATA ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. WE FURTHER ASSERT THAT, IN APPROVING THE PROJECT WITHOUT THESE FURTHER INVESTIGATIONS, THE MTA BOARD WOULD BE ACTING IN BLATANT DISREGARD OF PUBLIC SAFETY AND IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-83

4-16.1.12 Biological Resources
"...the proposed project would traverse the Los Angeles River. Prior to mitigation, there exists the possibility that pollutants discharged at this crossing would enter the river and indirectly affect downstream vegetation and habitat areas."
The Full BRT would actually traverse some 5 water resources (Figure 4-57): Caballero Creek; Los Angeles River; Bull Creek; Tujunga Wash; and Central Branch Tujunga Wash. The type of impact described above could potentially occur at any of these crossing points. Yet the DEIS/DEIR fails to mention here whether work will be conducted at the other 4 crossings nor to evaluate impacts at any but the Los Angeles River. (And in that instance their approach is questionable – see our concerns under 4-14.3, Los Angeles River). For definitive proof that they will be working on all five crossings, one must see Section 5-12.2.3, Water Resource Impacts, Floodplains where it states: *"Cooperation with the U.S. Army Corps of Engineers and the Los Angeles County Department of Public Works during planning of the construction phase of the five bridges will result in there being no adverse impact under (NEPA (significant impact under CEQA) due to flooding of the channels."* How could they possibly arrive at that definitive statement? – there is no line item in the budget for 'Crystal Ball.'
WE CONTEND THAT FAILURE TO CONDUCT AND PRESENT FACTUAL RESEARCH DATA ON ALL THESE LOCATIONS RENDERS THE DEIS/DEIR DEFECTIVE. WE FURTHER ASSERT THAT, IN APPROVING THE PROJECT WITHOUT THESE INVESTIGATIONS, THE MTA BOARD WOULD BE ACTING IN BLATANT DISREGARD OF PUBLIC SAFETY AND IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-84

4-16.3 Unavoidable Adverse Impacts After Mitigation
"The residual effect would be adverse noise effects under NEPA (significant noise effects under CEQA) at about 25 sensitive noise receptors." Why are these 25 receptors not identified? Will they have an impact on people's sleep, on students' learning? C9-85

A total of 51 intersections were analyzed in the project area. When projecting future "build" and "no build" traffic volumes, the analysis took into account the future growth in traffic at each intersection with and without project implementation, as well as the potential impact street closures would have on nearby roadways. Based on the projected traffic volumes and the capacity of each intersection, the analysis determined the level of service (LOS) for each intersection. Capacity is defined to represent the maximum total hourly movement volume that has a reasonable expectation of passing through an intersection under prevailing roadway and traffic conditions. LOS is a qualitative description of operating conditions ranging from LOS A, which represents free-flow conditions with little or no vehicular delay, to LOS F, which represents jammed conditions with excessive vehicular delays.

Generally, CO concentrations increase as vehicular speeds decrease. Thus, CO concentrations are higher at intersections with long vehicular delays, i.e., intersections that operate at LOS D, E, or F. Out of the 51 intersections analyzed, 21 study intersections were selected for the CO analysis. It is anticipated that these 21 intersections would have an LOS of D, E, or F under either "no build" or "build" conditions. As indicated in Section 4-7.3.2, CO concentrations at the study intersections are not anticipated to exceed the CAAQS. The CAAQS were established by the State government to protect public health. Since CO concentrations at the study intersections would not violate the CAAQS, it is not likely that increases in traffic volumes would result in CO concentrations that would have a significant adverse impact on public health.

Comment C9-84

There are a total of five drainage crossings on the proposed BRT. There are two riparian habitats in the vicinity of the project site, one 20 yards downstream of Bull Creek and another 100 yards downstream on the Los Angeles River. No sensitive species were found in either of these habitats. The Los Angeles River, is the only site where construction will occur directly in the channel. The footings of the current bridge will be replaced and the potential for indirect pollution impacts would therefore require more care. The other three drainages have no vegetation nearby.

WE CONTEND THAT FAILURE TO PROVIDE THIS DATA RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

4-16.4 Relationship Between Short-Term Uses of the Environment and Maintenance of Long Term Productivity
"...the BRT Alternative would maintain and enhance the productivity and quality of life in the San Fernando Valley and greater Los Angeles through attainment of the following objectives:"
We take exception to the claim as stated in the following:
" • Maximize community input; • ...compatible with and enhances the physical environment... • Provide a transportation project that minimizes impacts on the community."
At the very least, the EIR should contrast the degrees of accuracy of these contentions relative to the Chandler and Oxnard alignments specifically.
WE CONTEND THAT FAILURE TO PRESENT ADEQUATE FACTUAL DATA ON THESE ISSUES RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-86

4-16.7 Environmentally Superior Alternative
"This section is required by CEQA and NEPA."
We protest the failure of the DEIS/DEIR to contrast the degrees of accuracy of the contentions listed in this section relative to the Chandler and Oxnard alignments specifically. Such weighted comparisons would have helped fulfill one of the EIR's basic purposes – to help clearly identify the best alignment alternative. We fear that the MTA failed to include such comparison because the results are not to their liking. See attached "Oxnard Advantages At-A-Glance" (Appendix B) and "Chandler Disadvantages At-A Glance (Appendix C).
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

C9-87

Table 5-5/5-6 Daily Construction Emissions
Without going into detail, these charts highlight significant emission reductions of as much as 25% achieved by the implementation the Oxnard On-Street Alignment rather than the Full BRT.

C9-88

5-9.1.2 Construction Noise Criteria & 5-9.1.4 Construction Noise Mitigation Measures
"Construction of the BRT would need to be in compliance with the requirements of Sections 112.03 and 41.40 of the City of Los Angeles Municipal Code and any variances to the Code issued by the City."

C9-89

All necessary permits for all 5 water crossings will be obtained and water quality standards will be observed. Additionally, potential construction impacts due to flooding in these drainages will be reviewed with the Army Corps and the Los Angeles County Department of Public Works. Because construction in each channel will be limited in both scope and duration, it is expected that no significant impact will occur.

Comment C9-85

Section 4-9.4 of the Final EIS/EIR identifies mitigation measures to reduce potential noise impacts. With the installation of approximately 5.6 miles of sound walls for the Full BRT Alternative and approximately 4.2 miles of soundwalls for the BRT with the Lankershim/Oxnard On-street Alignment together with a 3-dBA reduction in vehicle noise, all noise impacts would be eliminated. If the reduction in vehicle noise is not feasible, some of the moderate impacts would remain, including approximately 65 sensitive receptors for the Full BRT Alternative and 155 sensitive receptors for the BRT with the On-street Alignment. In most instances, the residual impacts would only represent a slight increase over the existing ambient conditions. The majority of the residual impacts associated with the Full BRT are located in the East Valley either along the diagonal section of the MTA ROW between Oxnard Street and Chandler Boulevard (represented as Road Segment G in Table 4-50 of the Final EIS/EIR) or along Chandler Boulevard (represented as Road Segments H and I). A few of the residual impacts would be located along Oxnard Street between Sepulveda Boulevard and Woodman Avenue (Road Segments F).

Predicting individual response to community noise is not feasible. First, people react different to the same noise level. Secondly, the predicted outdoor noise exposure levels are used to identify potential noise impacts. However, the actual disruption to residents depends on the noise levels inside the building and the outdoor to indoor noise attenuation rates vary according to the physical characteristics of the structure. Efforts will be made during the final design of the project to minimize any residual impacts.

Good news, the MTA will comply with the law -- and any loopholes they can coerce out of the City. When contrasting Table 5-9: Typical Equipment with Table 5-10: Construction Noise Impact Thresholds, one sees that the equipment Leq (dBA) exceeds all but one of the Daytime 8-hour Leq (dBA) Thresholds and far exceed all the Nighttime thresholds. Well, there are old age homes, schools and residences all along the Chandler alignment. At all times noise will be a problem.

Translated into Impact Distances, in Table 5-11, we see alignment sections where you'll hear the noise almost half-a-mile away. As the EIR says: "*...the distances show that impact from construction activities will be difficult to avoid if there is to be any nighttime construction. Impacts from construction noise is likely whenever a construction site would be located within about 500 feet of residences, schools or places of worship.*" C89 cont'd
How many such locations are there? They never say. And they never say clearly whether they will seek variances and try to work at night. Then,
5-9.1.4 reveals to a careful reader that they will employ the following mitigation measure: "*Limiting the noisy construction activities, particularly during nighttime hours.*" Evidently they do intend to be working at night.
WE CONTEND THAT FAILURE TO PRESENT CLEAR FACTUAL DISCLOSURES ON THESE ISSUES RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

But the Note (1) at the bottom of Table 5-10 is worth noting:
"*The study area for the on-street alignment (I.e. Oxnard) would not be subject to construction activity and is therefore not shown in this table.*"

5-10.2.2. Impacts Hazardous Materials
The DEIS/DEIR fails to reveal any analysis conducted for and any consideration given to contaminants resident in the railroad track, ties and aggregate base material to be found along the alignment. Surely such investigations should have been conducted. C9-90
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

5-12.2.3. Water Resource Impacts. Floodplains
It states: "*Cooperation with the U.S. Army Corps of Engineers and the Los Angeles County Department of Public Works during planning of the construction phase of the five bridges will result in there being no adverse impact under NEPA (significant impact under CEQA) due to flooding of the channels.*" How could they possibly arrive at that definitive statement? C9-91
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

Comment C9-86

Any of the three BRT Alternative alignments (i.e., Full BRT, Lankershim/Oxnard On-Street, and MOS) would have essentially the same relationship between short-term uses of the environment and maintenance of long-term productivity.

Comment C9-87

The discussion of the environmentally superior alternative assesses the relative overall environmental effects of the three project alternatives (i.e., No Build, TSM, and BRT). The Full BRT alignment along Chandler Boulevard and the Lankershim/Oxnard On-Street Alignment are two of the three variations of the BRT Alternative that are considered to be environmentally superior. Specific information about the types and degrees of potential environmental effects associated with each of the three BRT alignments can be found in each respective section of Chapter 4.

Comment C9-88

Daily air pollutant emissions associated with the construction of the three build alternatives were based on the expected construction scenario for the proposed project. Construction of the proposed project requires converting the existing MTA-owned railroad right-of-way into an at-grade busway. Construction of the Full BRT would convert the entire railroad right-of-way (between Lankershim Boulevard and Warner Center) into an at-grade busway. However, construction of the On-Street Alignment would convert a smaller portion of the railroad right-of-way (between Woodman Avenue and the Warner Center) into an at-grade busway. Buses traveling on the On-Street Alignment would use existing streets between the North Hollywood Metro Red Line station and Woodman Avenue (along Lankershim Boulevard and Oxnard Street). Thus, construction along the existing streets on which the buses for the On-Street Alignment would travel would involve less activity than construction at the rail right-of-way. Since less construction activities are involved for the On-Street Alignment, it is likely that construction emissions for the On-Street Alignment would be less than the Full BRT.

5-13.3 Safety & Security Mitigation Measures
"School officials will be consulted in order to ensure maintenance of safe student walk routes and access for passenger vehicles and school buses;"
How good of the MTA to be concerned about these things during construction when they have not at all addressed these issues for when the BRT is in actual operation. We also pose the following question: How can 'consultation with school officials' assure control of the off-campus problems the MTA will be creating when school officials can barely control problems in their classrooms?
WE CONTEND THAT FAILURE TO PRESENT ADEQUATE MITIGATION MEASURES ON THIS ISSUE RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-92

5-14.2.3 a Cultural Resources Impacts, Full BRT
"Construction of the BRT would not directly affect any of the historical resources within the proposed project's APE."
In 4-3.3.1 c the DEIS/DEIR states: *"...the proposed transit project can be viewed as a restoration of transportation uses to the historic corridor."*
The EIR author believes the corridor is 'historic' and we agree. We hereby put forth the assertion that the Southern Pacific ROW, stemming from 1911 is, in and of itself, a valuable historical, cultural resource, one of the few in the San Fernando Valley, and as such it should not be destroyed.
WE CONTEND THAT FAILURE TO CONSIDER THIS ASSERTION RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-93

6-1.1.1 d - Purpose and Need - BRT Alternative - Lankershim/Oxnard On-Street Alignment
"The Lankershim/Oxnard On-Street Alignment variation of the BRT would improve mobility in the Valley in a manner similar as would the Full BRT Alignment. However, because portions of the alignment would operate on-street, travel times would be longer, transit service would be less improved and less traffic would likely be intercepted."
We contest the last sentence. To summarize our comments on Table S-4 and numerous others places: Six separate turn segments per intersection will result in Chandler being a slower busway than Oxnard. As a result, Chandler is the route that would improve transit service less. C9-94

The final phrase *'less traffic would likely be intercepted'* opens the interesting notion that it is the MTA's intent, in pursuing the Chandler Alternative, to screw-up traffic in the Valley so badly that people have no choice but to take the train. While that would in fact provide a semi-reasonable motive for this foolhardy plan, it replaces it with an even more foolhardy one. We would contend that the Red Line, with its finite capacity and frequency, lack of parking facilities, and destination limitations, is inadequate to handle the deluge of commuters that would result. Consequently, the MTA would accomplish nothing so much as driving more commuters onto the freeways and bringing the Valley and its economy to a screeching halt. And do not forget that screeching halts are what the buses will still have to do whenever a pedestrian attempts to cross.

Comment C9-89

The equipment and total workday L_{eq} values represented in Table 5-9 of the Final EIS/EIR are based on noise levels measured at 50 feet from the noise source. In contrast, the thresholds identified in Table 5-10 do not take into consideration the distance between the source and the receiver. Rather, these thresholds are based on the noise level measured at the sensitive receptor regardless of whether it is more or less than 50 feet from the construction activity. Therefore, a comparison between the two is not relevant to the analysis.

The potential impact distances associated with noise levels generated during project construction are presented in Table 5-11 for both the daytime and nighttime hours. However, the number of sensitive receptors that may be potentially affected by noise from construction activities is not quantified for several reasons. First, for an individual receptor, these impacts will be temporary, as they would be limited to the duration of the construction period along a small portion of the alignment. In addition, the impact distances are approximate and will vary considerably depending upon the specific construction activities at a given location.

The assessment of potential construction noise impacts represents a potential worst-case scenario. First, as indicated in Section 5-9.1, impact distances of up to 2,500 feet (as listed in the table) are not likely to occur due to the potential acoustical shielding provided by intervening buildings. Secondly, the actual noise exposure is generally 5 dBA lower than projections. Lastly, daytime impact criteria for residential areas are lower than that recommended by the FTA Guidance Manual, while the nighttime criteria are consistent with the manual.

In terms of nighttime construction, implementation of mitigation measure N&V-C1, which may including limiting the noisy construction activities, particularly during nighttime hours, does not preclude nighttime construction. Rather, it would minimize the loudest construction activities between the hours of 10 p.m. and 7 a.m. It may be necessary for some portion of the construction process to be conducted at night, in which case the project will seek a variance for nighttime construction. The actual construction procedures will be developed by the contractor in compliance with the Final EIS/EIR and city ordinances.

6-1.1.4 c Compatibility with the Physical Environment - Full BRT
"In addition, the design of the BRT, conceived of as a multi-modal transportation facility within a 14-mile greenway, would enhance the surrounding environment."
Where did the term 'multi-modal' come from? Is this a sly reference to the requirement of CA Streets & Highway Code 2701 that the 'greenway' be converted to rail within 10 years of completion? (SEE COMMENT #1)
WE CONTEND THAT REFERENCE TO THE TERM 'MULTI-NODAL' IS SUSPECT AND REQUIRES FAR MORE CLARIFICATION. FAILURE TO RESTATE AND/OR TO COMPREHENSIVELY CONSIDER, INVESTIGATE, AND FULLY ASSESS IN EVERY ASPECT THE CONSEQUENCES OF A 'MULTI-MODAL TRANSPORTATION FACILITY' CONVERTED FROM BUSWAY TO RAIL RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES. C9-95

6-1.1.6 d. Cost Effectiveness - Lankershim/Oxnard
"Capital costs would be lower than the Full BRT, but annual operating costs would be slightly higher."
Since this section ostensibly compares cost-effectiveness, why not do the math: The $100,000 annual increase in operating costs for Oxnard could be absorbed for 400 years before it would be less cost-effective than the $40 million capital cost of the Chandler route.
"The Lankershim/Oxnard would not maximize use of the MTA ROW."
The full 14 mile ROW cost $159 million. Thus, a 2.5 mile section cost $28.4 million. Deducted from the $40 million capital cost savings, this leaves a net savings to the MTA of $11.6 million – or enough to cover the higher operating costs for 116 years. Why were these calculations not clearly and explicitly presented?
WE CONTEND THAT FAILURE TO EXPRESS THESE NUMBERS CLEARLY IS AN ATTEMPT TO OBSCURE THE FACTS AND RENDERS THE DEIS/DEIR DEFECTIVE. C9-96

Table 6-1: SFV East/West Transit Corridor Cost Estimate Summary
Not being at all conversant with the DEIS/DEIR format, we began composing our comments in the time-honored tradition of starting at the beginning and working our way forward. Little did we realize that the facts presented at the end would belie those presented elsewhere in the document. And, not being bureaucrats, we are at a loss to explain why. But the fact is that this chart clearly reveals, in black (and red) ink that the actual Grand Total cost differential between the Full BRT and the Lankershim/Oxnard alignment is $73,450,000. in favor of Oxnard, not the previously stated $43.3 million. Thus, certain of our calculations are erroneous – the financial benefits of Oxnard should be nearly twice as great as stated. C9-97

Table 6-5: Ridership C9-98

Comment C9-90

The potential for hazardous materials to be contained in the area currently occupied by the railroad track and ties is clearly understood. The reader is referred to Section 4-10.1.4.d, Hazardous Materials, and Table 4-54 for a description of known contamination. Section 5-10.2.2, Hazardous Materials, identifies the potential for encountering hazardous materials within the corridor and Section 5-10.3.2, Hazardous Materials, identifies proposed mitigation measure GEO-C1 to deal with that situation.

Comment C9-91

Please see the response to comment C9-84.

Comment C9-92

Construction activities occurring near schools and school crossings would require an additional level of safety protection and surveillance as outlined in the EIS/EIR. When the BRT is operating, students will walk or ride to school via the same routes they currently use. For a detailed discussion of pedestrian crossings, which also applies to crossings near schools, see the response to Comment C9-29.

Comment C9-93

Section 5-14.2.3a, (Cultural Resources) Impacts - Full BRT, states that "Construction of the BRT would not directly affect any of the historical resources within the proposed project's APE." The APE includes not only the MTA ROW, but all parcels adjacent to the right-of-way, some of which have been determined to be eligible for the National Register. The fact that some of the parcels in the APE have been determined eligible for the National Register does not imply that the MTA ROW is eligible.

The quoted sentence is in Section 4-3.3.1 (Demographics and Neighborhoods analysis). Section 4-14 (Cultural Resources) states that the SP railroad right-of-way was analyzed and found not to be eligible for the National Register in a report by a qualified railroad historian.

See our comment regarding Table 4-8. C9-99 cont'd

Table 6-6 2000 Travel Time Comparison
See our comments regarding Table S-4.
The potentially erroneous calculation here leads to potential inaccuracies in Table 6-7 - Value of Travel Time Savings; Table 6-9 - Cost-Effectiveness Over No-Build; Table 6-10 - Cost-Effectiveness Over TSM; and Table 6-11 Annualized Cost per New Daily Transit Trip. C9-100
WE CONTEND THAT THIS FAULTY DATA RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

6-3.6.2 Overall Response
"Approximately half of comments expressed support or were neutral about the project, and half expressed opposition."
For the MTA to count neutral responses with positive comments, on the one hand, applies highly subjective, and perhaps prejudicial, criteria to an empirical measure and, on the other hand, totally discounts peoples' proclivity toward politeness. The data for these three groupings should have been presented separately. C9-101
WE CONTEND THAT FAILURE TO PROVIDE THIS DATA SEPARATELY IS AN ATTEMPT TO OBSCURE THE FACTS AND RENDERS THE DEIS/DEIR DEFECTIVE. SHOULD APPROVAL BE GRANTED DESPITE THIS FAILING, THE MTA BOARD WILL BE IN DERELICTION OF THEIR OVERSIGHT RESPONSIBILITIES.

6-3.7 Significant Trade-Offs
"Generally, the Orthodox community along Chandler Boulevard has been opposed to any transit investments within the SP ROW in the Chandler median. Conversely, little community opposition has arisen against the Lankershim/Oxnard variation. Outreach to the community-at-large, however, has been more balanced, with the number of comments for and against the BRT project received during the scoping process being roughly equal." C9-102

The very existence of this paragraph is blatantly bigoted and stupefyingly insulting. Firstly, we are not opposed to a subway within the SP ROW in the Chandler median We are willing, at this point, to accept the havoc that would be caused by any of various 'cut and cover' schemes because they would not result in an irreparable split of the community nor compromise safety.

Secondly, 'Community-at-large' indeed. The MTA may not like the fact that on Chandler its largest constituency is composed of Orthodox Jews nor that we are inherently organized by virtue of our 'community'. They may not like that we are vocal and have the wherewithal to spring to the defense of our rights. It's something the MTA is not used to in a City that has historically allowed them to function with profligate inefficiency.

However, the sentence cited in Section 4-3.3.1 (which does not provide a cultural resources analysis) is confusing in that it could be construed to imply that the corridor is historic. This sentence has been stricken from the Final EIS/EIR.

Comment C9-94

The CCTC comments that the higher number of "turn segments" per intersection along Chandler Boulevard will create a slower busway than along Oxnard Street. Although there will be several phases required for all movements at intersections along Chandler, the necessity for these movements was incorporated into the transportation analysis in Chapter 3. Particularly during peak hours, the advantage of an uncongested busway will allow buses to operate at a consistent speed, while traffic on Oxnard Street would operate subject to normally occurring congestion. In addition, east-west travel along Chandler Boulevard can be synchronized so that buses and auto traffic are likely to both get a green light as they approach the next intersection. Signal timing and phases are being developed in consultation with the City of Los Angeles Department of Transportation.

The phrase "less traffic would likely be intercepted" has been deleted from the Final EIS/EIR.

Due to higher traffic volumes and turn movements, overall intersection delay along the Lankershim/Oxnard On-Street Alignment is higher than along the Chandler alignment. As seen in the Appendix I tables titled "Comparison of Overall Intersection Delay," intersections of the same north/south street with Oxnard and Chandler, such as Coldwater Canyon, Whitsett and Laurel Canyon, and Colfax have higher volumes and overall higher delay at the Oxnard crossing compared to the Chandler crossing. In addition, the Oxnard alignment travels along Lankershim Boulevard to access the eastern terminus at the Red Line station and will experience additional congested intersections and travel time delays than the Chandler alignment, which will have an exclusive right-of-way and will benefit from good signal progression along Chandler.

The MTA can even propagate misinformation to achieve their misbegotten ends. The fact is that on June 2nd, 2001, the Daily News conducted a call-in poll on the question: "Would you find the bus system from the North Hollywood subway to Warner Center useful?" Notice that the question was about the entire busway concept, not a particular alignment. The result: NO's were in the majority. June 2nd was a Saturday – telephone use is forbidden Orthodox Jews. We had nothing whatsoever to do with the results.

The article accompanying the poll begins with the banner front page headline: **"Busway in jeopardy."** The subheading reads: **"Orthodox Jews, other residents fear crossing busy street on foot."** The article, by Troy Anderson, Staff Writer, begins: "Organized neighborhood opposition along both proposed routes for the east-west San Fernando Valley busway threatens to jeopardize the long-sought project to speed commuters from North Hollywood to Warner Center.

Resident along Oxnard Street in North Hollywood and Valley Glen have started organizing to fight efforts to put a new cross-Valley busway through their neighborhood.

A long awaited environmental impact report, released in May, recommends that the proposed east-west busway should be built along the former Southern Pacific railroad right-of-way along Burbank and Chandler boulevards.

But Orthodox Jewish residents who scuttled plans for a subway along the Burbank Chandler alignment on religious grounds now object to the disruptive effects on the community from the busway and are calling for an alternate route along Lankershim Boulevard and Oxnard Street.

The Lankershim-Oxnard alternative would cost $245 million and buses would average 24.4 miles-per hour and take 34.3 minutes to cross the Valley. The Chandler-Burbank route would cost $285 million and buses would average 29 mph and take 28.8 minutes to get across." The article goes on.

On June 5th the Daily News published a letter a letter from Kevin J. Michel, Project Manager, San Fernando Valley East/West Transit Corridor, Metropolitan Transportation Authority. Its heading is "Bus Rapid Transit" and it reads:
"We appreciate the Daily News' continuing coverage of the planning process for the San Fernando Valley East/West Transit (BRT) project, however the May 15 story incorrectly concludes that the MTA is only looking at an alternative on Chandler Boulevard in the draft environmental impact report-statement on the eastern end of the project, and specifically states that we are not considering an alternative on Oxnard."

Where did "specifically states that we are not considering an alternative on Oxnard" come from? The article could not have been clearer on there being two routes.

If Mr. Michel were to simply clarify that EIRs never make recommendations, that would make sense. If he were to correct the dollar and mile-per-hour figures as being inconsistent with the EIR, that would be a drive for accuracy. If he were to declare that Orthodox Jewish residents did not in fact scuttle plans for a subway but rather fostered the Robbin Bill, a law that assures that mass transit on Chandler may be nothing other than a subway,

Comment C9-95

The term "multi-modal" refers to the concept for the BRT Alternative that more than one *mode of transportation* would utilize the MTA ROW. Three modes of transportation would typically occupy the right-of-way: (1) Bus Rapid Transit, (2) Bicycle, and (3) Pedestrian. Along Chandler Boulevard, the bicycle facility would be constructed as Class II bike lanes along the street. This EIS/EIR does not address rail within the MTA ROW. To convert the proposed BRT Alternative to rail, another environmental document would be necessary.

Comment C9-96

The capital cost, operating cost, and cost-effectiveness calculations for all of the alternatives and their variations are presented in Chapter 6. In addition, for transit agencies, the funds for capital costs and operations costs come from different sources and are not interchangeable. Therefore, any money that might theoretically be saved from capital investments could not be used to fund increases in operating costs.

Comment C9-97

Please see the response to comment C9-8.

Comment C9-98

Please see the response to comment C9-53.

Comment C9-99

Please see response to comment C9-8. The comparison measures described which incorporate the capital cost estimate (Cost-Effectiveness over No Build, Cost-Effectiveness over TSM, Annualized Cost per New Daily Transit Trip) are all used to evaluate new transit investments. The funds expended to purchase the MTA ROW were spent in 1991 and were provided by a state bond issue, and would not be considered when comparing new transit investment alternatives.

- that would have been noble. If he would have made clear that he takes exception to the article's contention about Orthodox Jewish residents "calling for an alternate route along Lankershim Boulevard and Oxnard Street" that would have been heroic.

Unfortunately, Mr. Michel's comments do not really help clarify the facts. He never makes clear that the Oxnard alternative was entirely the MTA's creation. As a result we fear he accomplished nothing so much as to confuse the issue further for an already massively confused populace. The consequences? Perhaps it will help ferment divisiveness between the two factions.

True, the News, through its phone-poll timing, as well as the article's inaccuracies and tone, is the true guilty culprit of fermenting divisiveness. Perhaps even anti-Semitism. But what shouldn't be lost in all this is the fact that, what the EIR calls 'the community at-large,' phoned-in to the News to say that they don't want <u>any</u> plan. Nor does it change the fact that the Chandler plan is fundamentally misconceived. Nor that the bulk of our objections seek to serve the entire citizenry of the Valley by protecting people of every race, every age, every religion from the plans' disastrous consequences. And that's our last word.

Comment C9-100

A revised summary of comments is now presented in Chapter 7.

Comment C9-101

The EIS/EIR has been revised to state that "the Orthodox Jewish community along Chandler Boulevard has been opposed to at-grade transit investments within the MTA ROW in the Chandler median."

Comment Letter C10

THE ATTENTIVE GROUP

June 29, 2001

Mr. Ervin Poka
Federal Transit Administration
Metropolitan Office
201 No. Figueroa Street, Suite 1460
Los Angeles, CA 90012

Mr. Kevin Michel
MTA
One Gateway Plaza
22nd Floor, MS-99-22-5
Los Angeles, CA 90012

DELIVERED BY HAND

Dear Concerned Official,

Enclosed please find copies of letters from state-wide Organizations voicing their protest to various aspects of the MTA's San Fernando Valley East/West Transit Corridor. These letters were initially requested by Governor Davis' office and, as such, were addressed directly to him. You may have received copies from other sources, but they are being delivered herewith to guarantee their inclusion in the DEIS/DEIR public response record. C10-1

Likewise, the enclosed response from The Attentive Group on behalf of the Concerned Citizens Transit Coalition may have previously been delivered under separate cover. Please understand that it is only one part of the CCTC's overall comprehensive response and other sections will be forthcoming. All should be included in the public response record and it is our profound hope that all the concerns raised will be addressed responsibility. C10-2

Yours,

The Attentive Group

CC:
Supervisor Zev Yaroslavsky - 500 W Temple St, Rm 821, LA CA 90012
Supervisor Michael Antonovich, 500 W Temple St, LA, CA 90012
Supervisor Don Knabe, 500 W Temple St, LA, CA 90012
Supervisor Yvonne Brathwaite Burke, 500 W Temple St, LA, CA 90012
Supervisor Gloria Molina, 500 W Temple St, LA, CA 90012
Via Mail:
Board Member John Fasana, Councilmember, City of Duarte, 1600 Huntington Drive, Duarte, CA 91010-2534
Board Member Frank C. Roberts, Mayor City of Lancaster, 44933 N. Fern Avenue, Lancaster, CA 93534-2461
Board Member Beatrice Proo, Councilmember City of Pico Rivera, 6615 Passons Blvd., Pico Rivera, CA 90660-3698
Board Member Pam O'Connor, Councilmember, City of Santa Monica, 906 9th St #2, Santa Monica, CA 90403-2854

Response to Letter C10

Comment C10-1

The following is a list of letters included with the Attentive Group's cover letter. A number of the letters were also submitted separately and are therefore answered individually. Under "Letter ID" the corresponding identification numbers are indicated. For the remainder of the list, the comments are included along with letter C10.

Date:	Letter ID	Organization:	Signed By:
07-Jun-01	C1	Shaarey Zedek Congregation	Rabbi Aaron B. Tendler
11-Jun-01	E1	Adat Ari El	Rabbi Moshe J. Rothblum
11-Jun-01	C2	Congregation Kol Ami	Rabbi Denise L. Eger
11-Jun-01	E8	Emek Hebrew Academy	Mrs. Bernice Zachariash
11-Jun-01	C3	NCSY	Rabbi Steven Berg
11-Jun-01	C4	Orthodox Union – West Coast Region	Rabbi Alan Kalinsky
11-Jun-01	E8	Valley Torah High School	Rabbi Avrohom Stulberger
11-Jun-01	C6	Yad Avraham	Rabbi David Adatto
11-Jun-01	E9	Yeshiva Rav Isacsohn	Rabbi Berish Goldenberg
12-Jun-01	C7	Chabad Synagogues of the Valley	Rabbi Joshua B. Gordon
12-Jun-01	C8	Etta Israel Center	Michael B. Held, PhD.
13-June-01	A4	Jim Hahn	Jim Hahn
	E4	Kollel	Rabbi Yehoshua Kohl
08-Feb-01		L.A. County Board of Supervisors	Michael D. Antonovich
05-Mar-01		Congress of the U.S.	Henry A. Waxman
11-Jun-01			Bruce Gregory, Ph.D.
11-Jun-01			David and Goldy Jannol
11-Jun-01			Issac and Selma Friedman
11-Jun-01			Rabbi Aryeh Striks
11-Jun-01			Rabbi Sholom Raskin
11-Jun-01		Kollel	Rabbi Avrohom Miller
13-Jun-01		Valley Beth Israel	Rabbi Len Muroff
27-Nov-00		Congress of the US	Howard L. Berman

Comment C10-2

The transmittal of comments under separate cover, from CCTC, as part of the Attentive Group's comments, is acknowledged. Please see the responses to comment letter C9.

25TH DISTRICT, CALIFORNIA
COMMITTEES:
JUDICIARY
RANKING MEMBER, SUBCOMMITTEE ON COURTS AND INTELLECTUAL PROPERTY
INTERNATIONAL RELATIONS
STANDARDS OF OFFICIAL CONDUCT
RANKING MEMBER

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House of Representatives
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(818) 891-8543
(818) 764-1200

HOWARD L. BERMAN

November 27, 2000

[redacted]
Valley Village, CA 91607

Dear [redacted]

Thank you for contacting me regarding the MTA's proposal to utilize the Chandler Boulevard Median for a busway to link the North Hollywood Metro Rail station to the Warner Center. Like you, I have serious problems with this proposal and believe that there must be a better alternative.

I am very worried about the impact that the proposed busway would have on our community and our quality of life. I live very close to Chandler Boulevard and know first-hand how well-used the area is by pedestrians. Also, as one who has fought hard to support and maintain a vibrant orthodox Jewish community in North Hollywood, I am keenly aware of the disruptions that could be caused by the proposed busway.

I do not want any decline in our safety, our air quality or our sense of community. I will fight forcefully against any increases in traffic congestion, noise pollution, or visual blights. Although I do not have direct oversight over the MTA as it is controlled by the County and not the Federal government, I will do everything in my power to influence this process.

I have already contacted the appropriate officials at the MTA to express my fears and concerns about their proposal. I urge you to do the same, if you haven't already done so. They have promised me that they will hold extensive public meetings to fully flesh out all of our concerns and to incorporate them into their Environmental Impact Report (EIR). They have also promised to include other options such as running the busway along Lankershim and Oxnard into their EIR. In addition, they have assured me that a draft of this EIR will be available for us to review by late January or early February.

Once we have reviewed their EIR, we will need to actively lobby the MTA Board of Directors. This will be a critical time for us because the MTA Board will most likely make a decision during their April meeting. Again, thank you for writing on this very important issue and I look forwarding to working with you to find and promote a sensible resolution to the East-West Corridor issue.

Sincerely,

Howard L. Berman

HOWARD L. BERMAN
Member of Congress

Board of Supervisors
County of Los Angeles

MICHAEL D. ANTONOVICH
MAYOR

February 8, 2001

Rabbi David Adatto
Yad Avraham Congregation
12426 Burbank Boulevard
North Hollywood, CA 91607

Dear Rabbi Adatto:

Thank you for your letter regarding the proposed Chandler Boulevard express busway. I appreciated it and I share your concerns. It is vital that you also obtain Supervisor Zev Yaroslavsky's support. We need seven votes to stop this proposal.

Once again, thank you for writing and best regards.

Sincerely,

Mike Antonovich

MICHAEL D. ANTONOVICH
Mayor, Los Angeles County

MDA:rfh:3350

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Congress of the United States
House of Representatives
Washington, DC 20515–0529

HENRY A. WAXMAN
29TH DISTRICT, CALIFORNIA

RANKING MEMBER
COMMITTEE ON GOVERNMENT REFORM
MEMBER
COMMITTEE ON COMMERCE
DEMOCRATIC STEERING COMMITTEE

March 5, 2001

Mr. Fritz Friedman
16161 Ventura Boulevard
Suite 435
Encino, California 91436

Dear Mr. Friedman,

Thank you and the members of the Concerned Citizens Transit Coalition for taking the time to meet with Lisa Pinto in my district office regarding Los Angeles County Metropolitan Transportation Authority's (MTA) proposed Chandler Boulevard bus right-of-way.

I share your concern about disruptions the proposed route would cause North Hollywood residents who live on both sides of Chandler Boulevard. This is a heavily-used pedestrian area, and members of the Orthodox Jewish community regularly traverse Chandler Boulevard to and from home and synagogue. I have sent the enclosed letter to MTA CEO Julian Burke to express my concern and to urge the consideration of alternative routes.

Thank you again for taking the time to share your concerns with me. I look forward to working with you to achieve a reasonable resolution of this matter.

Sincerely,

Henry A. Waxman

HENRY A. WAXMAN
Member of Congress

HAW:lp
Enclosure

Rabbi Avrohom Miller, Rosh Kollel
Rabbi Yehoshua Kohl, Dean

KOLLEL

WOMEN'S PROGRAMMING
Mrs. Ariella Adatto
Mrs. Aviva Kohl

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Rabbi Avrohom Stolberger
Valley Torah High School
Rabbi Marvin Sagarman
Shaarey Zedek
Rabbi Aron Tendler
Shaarey Zedek

June 11, '01

Honorable Gray Davis
Governor of the State of California

Dear Governor Davis:

I am writing to request your personal intervention to stop the proposed busway from being built on Chandler Boulevard. That proposed busway would wreak havoc on our Orthodox community.

Our children would be less able to reach vital locations safely, and our precious educational network would be threatened.

Our observant membership's ritual and spiritual life would be terribly disrupted.

If you absolutely cannot stop this busway, I will understand completely. But if you at all can, I would really appreciate it, and you will have done a great deal.

Very truly yours,

Avrohom J. Miller

KOLLEL · Valley Jewish Learning Center
12800 Chandler Boulevard, Valley Village, CA 91607
(818) 760-3245 · Fax (818) 760-3247 · kollel@inamc.com · http://www.valleykollel.org

Bruce Gregory,Ph.D.

Van Nuys, Calif 91411
Phone 818-781-3098
Fax 310-455-4285

15233 Sherman Blvd

June 11, 2001

Gray Davis
Governor of California

Dear Mr. Davis,

As a licensed professional I am very concerned about the impact of the proposed train line near Chandler in the valley. I feel that the threat of accidentscould have a significant detrimental impact on the psychological states of children.

I urge you not to support the train line in this area.

Sincerely,

Bruce Gregory,Ph.D.

David and Goldy Jannol
13342 Killion Street
Sherman Oaks, CA 91401
818-994-8256/ Fax 818-780-3196

June 11, 2001

Governor Gray Davis
300 South Spring Street
State Office Building
Los Angeles, CA 90013

Re: MTA E/W Busway

Dear Governor Davis:

We are residents of the area in which the MTA is planning a busway to travel east and west through the San Fernando Valley. We also own a residential income unit at 13524 Gilmore Street, Van Nuys, California. This home is north of Oxnard Street in the San Fernando Valley in what is known as the "Valley Glen" area. The area along Oxnard Street itself consists predominantly of apartments and has a vibrant and growing Latino community.

Unfortunately, this area does not get its fair share of transit dollars. There are no convenient and rapid transit options for those who want to link to the Red Line station in North Hollywood. This is a high ridership area that needs a direct and express bus to the Red Line Station. Currently, the MTA is deciding between constructing an expensive busway on Chandler Boulevard, which is a single family area with low bus ridership (in fact, buses do not currently run on Chandler west of Whitsett), versus introducing rapid buses on Oxnard, where there are already MTA buses on scheduled routes. The Oxnard alternative is cheaper and makes more sense since the MTA's policy is to increase ridership. The best place to put a new bus line is where it is needed the most.

As taxpayers with interests in the area of Oxnard Street who are concerned that transit dollars not be wasted, we endorse the Oxnard alternative for the new rapid busway, as that alternative is addressed in the MTA's draft Environmental Impact Report. Please contact me if you have any questions and thank you for your consideration on this matter.

Very truly yours,

David Jannol

Goldy Jannol

:ODMA\MHODMA\LADOCS;425485;1

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June 11, 2001

The Honorable Gray Davis
Governor, State of California
Los Angeles Office

Dear Governor Davis:

We are property owners in Van Nuys, California and live north of Oxnard Street. We understand that there is a proposed rapid bus system in the North Hollywood area and that one of the alternatives to that proposal is for a rapid bus system going north on Oxnard.

Therefore, we wish to advise you that we are definitely in favor of the Oxnard Street route for said rapid bus system.

Please feel free to call us or e-mail us at the above numbers for verification.

Sincerely,

Isaac J. Friedman

Selma J. Friedman

*A. Louis Forgon
Honorary President
*Maurice Rather
Honorary President
Leonard Z. Murroff
Rabbi
Mark Goodman
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Sandra Bohar
President
Merrill Bohar
Abe Gelfand
Dale Kaufman
Men's Club Presidium
Melissa Abramovice
Sisterhood President

June 13, 2001

Gov. Gray Davis
State Capitol
Sacramento, CA 95841

Dear Gov. Davis,

I know that you value the importance of families and good neighborhoods. It is in that spirit that I am writing to you. I am a Conservative Rabbi working in the East San Fernando Valley. I have worked hard to create an environment in which communities can thrive and people can flourish.

Recently, I became aware of the proposed high speed Red Line that is being planned for Chandler Boulevard in North Hollywood. I urge you NOT to support this policy for several reasons. There is a special need for all people to live in areas where they can walk safely. Having buses that will travel at a high speed at regular intervals will make it difficult for all members of the community to enjoy walking as much as they have in the past. It will also make it especially difficult for members of the Jewish community to observe their Sabbath in the manner in which they are accustomed and required.

Additionally I am concerned about the division of the community that will result if the imposition of this bus line becomes a reality. People that previously casually walked to see friends will no longer be able to do so. It will be especially onerous for seniors that need added time to cross the road.

I appreciate you taking the time to read my letter and carefully considering the merits of my arguments against implementation of the Chandler line.

Sincerely,

Rabbi Lee Murroff

Comment Letter C11

JUL 06 2001
SCANNED
IN RMC

CHATTEN-BROWN AND ASSOCIATES
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July 3, 2001

Mr. Kevin Michel
Metropolitan Transportation Authority
Los Angeles County MTA
One Gateway Plaza, 22nd Floor
MS 99-22-5
Los Angeles, CA. 90012

Mr. Ervin Poka
Federal Transit Administration
Metropolitan Office
201 No. Figueroa Street
Suite 1460
Los Angeles, CA 90012

Re: Comment on Draft EIR/EIS for San Fernando Valley East/West Transit Corridor Project

Honorable Board Members:

The purpose of this letter is to comment on the Draft Environmental Impact Report/ Environmental Impact Statement ("DEIR/EIS") on the San Fernando Valley East/West Transit Corridor Project.

Our firm was retained by the Concerned Citizens Transit Coalition ("CCTC") late during the week of June 25th. We requested a fifteen day extension to have an adequate opportunity to comment upon the draft, but that extension was denied. CCTC has previously submitted detailed comments on the Draft. Moreover, Tom Rubin, a widely recognized expert in transit efficiency, is submitting comments addressing safety, efficiency and cost of the proposed system. Therefore, our comments are limited and will focus primarily upon the legal reasons why the DEIR/EIS is so inadequate that it should be revised and released in draft for further comment.

I. Introduction.

CCTC represents the interests of the predominantly Orthodox Jews in the C11-I

Response to Letter C11

Comment C11-I

The commenter's support for the TSM Alternative is noted for the record.

Comment C11-IIA

Section 15121 of the *CEQA Guidelines* states: "An EIR is an informational document which will ... describe reasonable alternatives to the proposed project." Section 15126.6(a) of the *Guidelines* states: "An EIR shall describe a range of reasonable alternatives to the project ... which would feasibly attain most of the basic objectives of the project ..." While it is generally true that CEQA-only documents oftentimes identify one project and then describe alternatives to be considered, it is also often the case that a clear project choice is not available until after completion of the environmental process. In such cases, the CEQA environmental document has the duty to disclose the alternatives under consideration and also make it clear that the preferred alternative will be selected at the completion of the environmental process. As the commenter has noted, NEPA requires an equal consideration of alternatives in its environmental process, with the selection of a preferred alternative being made only after completion of the environmental disclosure and consideration of public commentary. When a combined NEPA-CEQA document is prepared, the evaluation of alternatives is left open and equivalent, thereby responding to both NEPA and CEQA.

Comment C11-IIA.1

Please see the response the previous comment.

Chandler/Burbank neighborhood. CCTC members support the need for public transit as a solution to congestion and transportation needs. However, an exclusive busway does not meet the transit needs of the San Fernando Valley, with the Valley's highly distributed population and the lack of a transportation center. The BRT is a costly and dangerous way to increase mobility. It will create enormous public safety risks throughout the Bus Rapid Transit ("BRT" or "Full BRT") service area. While the Full BRT would have adverse neighborhood impacts along the full length of the corridor, it would also particularly disrupt the Chandler/Burbank neighborhood and cause particular safety concerns, despite the slower speed in the Chandler/Burbank neighborhood, because of its unique pedestrian character associated with the presence of thousands of Orthodox Jews residing in the community. This would be done without achieving significant benefits when compared to other alternatives.

C11-I
Cont'd

Although not analyzed in the DEIR/EIS, the critique prepared by Tom Rubin shows that an improved Transportation System Management Plan that substantially increases the use of buses through Rapid Bus lines similar to that instituted on Wilshire Blvd. would provide far more mobility at a lower cost, and without the serious safety risks posed by the BRT. As discussed below, this is a reasonable alternative that must be considered in a revised DEIR/EIS.

Likewise, the alternative of reducing fares in order to increase bus ridership and improve mobility is an alternative that appears to be much better suited to meeting the mobility needs of the San Fernando Valley, reducing congestion, and providing transit to those who are in greatest need of low cost public transit alternatives. As stated by Tom Rubin, historically reduction in fares have led to large increases in ridership. That alternative, too, is a reasonable one and should be considered in a revised DEIR/EIS.

Instead of adopting the BRT alternative which is clearly the alternative favored by the MTA staff, the CCTC supports adoption of an improved transportation system management (TSM) and/or reduced rates as a cost effective means of increasing ridership and mobility. If a BRT alternative is to be chosen, the Lankershim/Oxnard Alignment is preferable to the unmodified BRT alternative because of the degree of community disruption the Full BRT alternative would cause, the cost savings which could be used to fund additional transit, and the increased ridership which would likely result.

II. The DEIR/EIS Is So Inadequate That It Must be Revised and Recirculated for Public Comment.

A. The Process Being Followed for Development and Use of the DEIR/EIS is Flawed.

The DEIR/EIS states that based upon this document the MTA Board will select a preferred alternative that will be documented in a *Locally Preferred Alternative Report*, after which the MTA will complete the preliminary engineering activities and prepare a Final EIS/EIR. (DEIR/EIS, S-1.) While it is very clear from the administrative process that has occurred thus far that the DEIR/EIS was drafted in order to favor the Full BRT alternative,[1] the adopted process is deeply flawed as described for two reasons. First, unlike NEPA, CEQA arguably requires the draft EIR to include an explicit statement of the preferred alternative proposed by staff. Second, even if it does not, the action of the decisionmaker in selecting the preferred alternative without the benefit of seeing the comments and response to comments on the DEIR/EIS, as appears to be contemplated by the description of the procedure contained in the DEIR/EIS, would improperly pre-commit the Board to the project without the benefit of a complete EIR. Third, the preparation of preliminary engineering activities prior to completion and consideration of a Final EIR may pre-commit the Board to a specific project because of the expense of such engineering activities. Engineering activities should only be undertaken with regard to a particular route to the extent needed to assure that the environmental analysis is complete.

C11-IIA

1. The Preferred Alternative Should Be Identified by Staff As Part of the CEQA Process.

The requirement for identification of a preferred alternative is mandated throughout the California Environmental Quality Act ("CEQA") and the CEQA Guidelines. For example, pursuant to CEQA, an EIR must contain a detailed statement of "All significant effects on the environment of *the* proposed project." PRC § 21100(b)(1), emphasis added. The EIR must include alternatives "to *the* proposed project." PRC § 21100(b)(4). The CEQA Guidelines also provide a project description shall include "The precise location and boundaries of *the* proposed project . . . ." CEQA Guideline Section 15124(a), emphasis added. Examples abound of the presumption by CEQA and the CEQA Guidelines that there must be a single proposed project which is the subject of the environmental analysis. Statutes should be interpreted according to their plain and

C11-IIA.1

[1] For example, it is quite clear that the Los Angeles Times would not have endorsed the Full BRT alternative without some lobbying from MTA staff.

MTA and FTA
July 3, 2001
Page 4

unambiguous wording. *Sutton v. Industrial Acc. Com.* (1956) 46 Cal.2d 791, 797. CEQA plainly requires identification and analysis of a single proposed project. The importance of *a single, defined project description* also has been discussed repeatedly by the courts:

C11-IIA.1 Cont'd

> [A]n accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. The *defined project and not some different project must be the EIR's bona fide subject.* [Citation].

M.M. Homeowners v. San Buenaventura Cty. etc. (1985) 165 Cal.App.3d 357, 365, emphasis added.

2. While the Preferred Alternative Must be Identified for Purposes of Analysis, Pre-commitment to a Single Project or Alternative is Prohibited.

C11-IIA.2

Although a preferred project must be identified for purposes of clarity of analysis, actions which pre-commit a public agency to that alternative must be avoided until after environmental review is conducted. (CEQA Guideline, § 15004 (b)(2) ["... public agencies shall not undertake actions that would ... limit the choice of alternatives or mitigation measures, before completion of CEQA compliance"].) At this early stage, environmental review should be an integral part of the decision-making process. The DEIR/EIS should not analyze impacts in a way that it becomes the sort of '*post hoc* rationalization[] to support action already taken,' which the Supreme Court disapproved in *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 394. Also see *Citizens for Responsible Govt. v. Albany* (1997) 56 Cal. App.4th 1199.

We are concerned that the selection of the preferred alternative by the Board, as opposed to the staff, apparently to be made without the benefit of seeing comments and response to comments, would pre-commit the agency. This is a particular concern because the DEIR/EIS states that after the preferred alternative is selected, preliminary engineering studies will be conducted, even though there is no indication that the engineering studies are required to complete the environmental analysis.

We are already concerned that the ownership of the right of way may have so pre-committed the MTA that the staff is not giving fair consideration to alternatives. Indeed, the extreme narrowness of the discussion of alternatives, and the bias in analysis of the TSM alternative versus the BRT alternative in terms of speed and effectiveness, suggests there already is a level of pre-commitment to the BRT, at the very least on the part of the staff. This should not be aggravated by having the Board (as opposed to a staff recommendation of a preferred alternative for purpose of analysis) select a preferred

Comment C11-IIA.2

The MTA must certify a final EIR before approving the San Fernando Valley East-West Transit Corridor Project. In this context "approval" means the decision by the MTA Board which commits the MTA to a definite course of action in regard to the project. The MTA Board action of July 26, 2001 which identifies a Locally Preferred Althernative ("LPA") does not constitute project approval. The Board approved moving forward with Preliminary Engineering on the Full BRT Alternative, but with the added requirements that MTA staff: (1) "continue to study the Oxnard/Lankershim alternative during the PE and Final EIS/EIR phase as a possible operating alternative on Saturdays and Sundays should the Board choose not to operate the BRT on Chandler Boulevard on Saturdays and Sundays" and (2) "continue to work with adjacent communities during the PE and Final EIS/EIR phase to refine project design features where appropriate to address concerns." A final decision to adopt a project will be made after consideration of the final environmental document, a substantial portion of which will be public comments and responses to those comments. By authorizing Preliminary Engineering of the BRT, the MTA did not act in a manner that would have a significant adverse effect or limit the choice of alternatives or mitigation measures. Rather than foreclosing project options, the MTA Board action of July 26, 2001, requested the evaluation of another variation, namely the Lankershim/Oxnard weekend service option.

MTA and FTA
July 3, 2001
Page 5

alternative prior to completion of a Final EIR/EIS, and have preliminary engineering studies conducted.

B. The DEIR/EIS Fails to Consider a Reasonable Range of Alternatives.

1. Alternatives Analysis is the Core of an EIR.

Discussion of project alternatives and mitigation measures has been described by the California Supreme Court as the "core" of an EIR. *Citizens for Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564. An EIR must describe a *reasonable range of alternatives* to the project, as well as mitigation measures that would minimize the adverse impacts of the project as it is proposed. In fact, "[o]ne of its [an EIR's] major functions...is to ensure that *all reasonable alternatives* to proposed projects are thoroughly assessed by responsible officials." *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197, emphasis added. The EIR must "produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned." *San Bernadino Valley Audubon Society, Inc, v. County of San Bernadino* (1984) 155 Cal.App.3d 738, 750-751. C11-IIB.1

As stated in CEQA Guidelines Section 15126.6(a):

. . .An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. . .

2. The DEIR/EIS Fails to Consider a Reasonable Range of Alternatives.

The DEIR/EIS sets forth only two real alternatives to a BRT: the no project alternative and a minimally developed TSM. The Oxnard route is not an alternative to the BRT, but only a re-routing and brief departure from an exclusive bus lane, included because of community opposition to the Chandler/Burbank portion of the BRT. Thus, the DEIR/EIS fails to provide a reasonable range of alternatives. C11-IIB.2

The DEIR/EIS gives short shrift to its version of a TSM alternative, devoting less than one page of text to describe the TSM alternative compared to many pages of description for the Full BRT. *Compare* EIR § 2-2.2 at 2-17 to 2-19 *with* § 2-2.3 at 2-20 to

Comment C11-IIB.1

The range of alternatives considered in the EIS/EIR includes the following: (1) a No Build (or No Action) Alternative, which would not implement any further improvements within the corridor other than those which are already planned; (2) a Transportation Systems Management (TSM) Alternative, which would use a low-capital intensity approach to improving transit service within the corridor; (3) a Full BRT Alternative, which would use the Burbank Chandler right-of-way as an exclusive busway; and (4) the Lankershim/Oxnard alignment, which would consider an alternative route in one portion of the corridor that has been the subject of concern on the part of nearby residents. In addition, a Minimum Operable Segment (MOS) is also considered, which would respond to a financial constraint not permitting implementation of a full project. Taken together, these alternatives represent a range that includes doing nothing, providing a full service project, and various options in between. This range of alternatives is reasonable since it offers a full range of choices and fully bounds the range of potential impacts that are expected. This most recent range of alternatives being considered is a direct a result of a multi-year process that included successive evaluation of even a broader range of alternatives, such evaluation being documented in the 1996 and 2000 Major Investment Study (MIS) documentation.

Comment C11-IIB.2

Please see the response to the above comment with regard to evaluation of the TSM. MTA respectfully submits that it has fairly evaluated and described this alternative. See the response to Comment F-16.

MTA and FTA
July 3, 2001
Page 6

2-55. It is also not an impartial comparison, for the reasons set forth in the letter submitted by Thomas A. Rubin and Richard K. Stone ("Rubin letter"). The biased nature of the comparison between a TSM system and the BRT violates CEQA. "The lead agency must *independently* participate, review, analyze and discuss the alternatives in good faith." (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736, citing *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal.App.3d 893, 908- 910.) C11-IIB.2

For the reasons set forth in Rubin's letter, an improved TSM system and rate reductions provide reasonable alternatives to the BRT that should be considered in the DEIR/EIS. Further, for the reasons set forth in Tom Rubin's letter, a reasonable range of alternatives should include greater use of freeway express bus service and timed transfer centers. A revised draft DEIR/EIS should be prepared and circulated for comments including these alternatives.

C. **The BRT Would Result in Numerous Adverse Impacts Which Were Not Fully Analyzed.**

The requirement for an EIR under CEQA serves the dual purpose of enabling a reviewing agency to make an informed decision and making the decisionmaker's reasoning accessible to the public, thereby protecting informed self-government. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 670. Preparation of an DEIR/EIS on a transit system may facilitate better decision-making and properly involve the public only if the DEIR/EIS provides a meaningful analysis of impacts, alternatives, and mitigation measures at an early stage in the planning process. It is incumbent on MTA and FTA to make sure that this DEIR/EIS is sufficiently informative so that the affected public may become involved in the planning process now, rather than later when it may be harder to modify the proposed project.

1. **The DEIR/EIS Fails to Adequately Describe the Proposed Project by Omitting Mention of the Possibility of Conversion to Rail and the Necessity for Bridge Construction.**

The DEIR/EIS states the concept is for a 26-foot wide, at-grade busway typically located in the center of the Southern Pacific Right of Way (SP ROW). (DEIR/EIS, p. 2-28.) The SP ROW is typically 60-feet wide east of Whitsett Avenue. (DEIR/EIS, p. 2-28.) During peak hours, buses will be traveling once every 1.25 minutes because there will be 24 in each direction every hour at peak operations but operation schedules are not set forth. (DEIR/EIS, p. 3-26.) Such a limited project description violates the mandate of CEQA that: C11-IIC.1(a)

Comment C11-IIC.1(a)

Operating schedules are not needed to understand the frequency with which buses would be operating along the corridor. A computer modeling exercise was performed and the headways (time between buses) were reported in order to provide information regarding the number and frequency of buses operating along the corridor. The headways are directly related to expected patronage and boardings. It is only necessary that the number of bus movements in a specified time frame be provided in order to specify the potential impacts with a reasonable degree of certainty. Also, the number of buses needed to permit the corridor to function as it is intended is known, which translates into cost estimates. Therefore, the manner in which the corridor would operate, the cost of its operation, and the impacts associated with its operation, are available to the decision maker. Knowing the bus schedules would merely translate the number of buses in one hour to specific times during the hour that buses would be expected to stop at a given station. This does not add information that contributes substantially to understanding the project and its associated impacts.

MTA and FTA
July 3, 2001
Page 7

"Documents prepared pursuant to this division be organized and written in such a manner that they will be meaningful and useful to decision-makers and to the public."

C11-IIC.1(a) cont'd

(Pub. Resources Code § 21003 (b).)

The project description also fails to disclose what may be a legal mandate for establishment of a light rail service along the exclusive busway route. We were informed by MTA legal counsel that some funding for the purchase of the Southern Pacific ROW came from the Passenger Rail and Clean Air Bond Act of 1990 (Proposition 108). The relevant portion of the California Streets and Highways Code which codifies Proposition 108 states "The money in the [Passenger Rail Bond] fund . . . shall be available . . . for acquisition of right-of-way . . . which directly support rail transportation, *including exclusive busways which are converted within 10 years after completion of construction into rail lines*. . . ." (St. & Hwy. Code § 2701.06, emphasis added.) Thus, if this section applies, as it appears it does, then clearly conversion of the project into a light rail system within 10 years is reasonably foreseeable and must be disclosed and analyzed. The DEIR/EIS must consider "All phases of project planning, implementation and operation." (CEQA Guidelines § 15063 (a)(1).) The analysis must include future development that will foreseeably occur if the agency approves the project. (*City of Antioch v. City Council* (1986) 187 Cal.App.3d 1325, 1333-1336.) If MTA has no plan or intention to convert this exclusive busway to a rail system, the funds from Proposition 108 should be returned to the Passenger Rail Bond Fund.

C11-IIC.1(b

The project description also fails to disclose that new bridges are required components of the project. "The project would cross five flood control channels: Caballero Creek, the Los Angeles River, Bull Creek, and two branches of the Tujunga Wash. New bridges would be required across some, and perhaps all, of these channels for the BRT alternative . . . ." (DEIR/EIS, p. 4-261.) These five new bridges are not set forth in the project description, but should be because they are reasonably foreseeable components of the project. The DEIR/EIS states "The bridge across the Los Angeles River would require five to six piers. . ." (DEIR/EIS, p. 4-261.) The effects of this construction must be analyzed, but was not. Additionally, the Army Corps of Engineers wrote that it had reviewed the project and "determined that the project will affect Sepulveda Dam's flood control capacity." (Army Corps Oct. 27, 2000 letter, Appendix H, Agency Comments.) The DEIR/EIS should fully explain the project's fill requirement and its effect on the dam's flood control capacity.

C11-IIC.1(c)

Comment C11-IIC.1(b)

Please see the response to Comment C9-2.

Comment C11-IIC.1(c)

The five bridges and their operational effects are identified in Section 4-12.3.3. The construction impacts associated with these new bridges are described in Section 5-12.2.

MTA and FTA
July 3, 2001
Page 8

2. Public Safety Impacts Will Be Significantly Increased Under Every BRT Alternative.

Public safety would be significantly threatened by any version of the BRT. At peak hour, at any given point, buses will be traveling in one direction or the other every 1.25 minutes because 48 trips will occur every hour. (DEIR/EIS, p. 3-26.) By the MTA's own historical statistics, *"one accident per approximately 80,000 vehicle miles"* can be expected. The No Build alternative would have no adverse impacts under NEPA or CEQA, since it would maintain existing transit service. The TSM alternative could be expected to result in 40 new accidents a year (based upon the additional 3,200,000 additional bus miles.) (DEIR/EIS, p. 4-265.) The BRT Alternative and its variations would result in *more than 60 new accidents per year* involving collisions with vehicles or people (based upon the additional 5,000,000 additional bus miles per year.) (DEIR/EIS, p. 4-265.) Although the DEIR/EIS does not set forth any standards of significance against which to measure this impact, though it should, the impact is presumptively significant under CEQA. CEQA creates a presumption of significant impacts when a project will cause substantial adverse effects on human beings, either directly or indirectly. Guidelines § 15065(d). The DEIR/EIS should state this fact. Instead, the DEIR/EIS relies upon the "dedicated corridor and integrated safety features" to eliminate public safety threats, though it still admits the project "would have, at most, a minor adverse impact." C11-IIC.2(a)

Streets with grade crossings by the exclusive busway will be a significant problem. There will be many bus-vs.-auto, bus-vs.-truck, bus-vs.-pedestrian incidents, just like there has been on the Blue Line in Long Beach. As discussed in the Rubin letter, the MTA can expect a greater rate of fatalities than even the Blue Line has caused because of the higher speeds of operation proposed for the BRT, the relatively shorter lead time before crossing at-grade intersections, and lack of standard railroad crossing protections such as gates. (Rubin Letter, p. 20.) Presently, the Blue Line is known as the most dangerous light rail line in the United States. However, by comparison, the proposed BRT Alternatives, as the Rubin letter concludes, could be "far more dangerous" than the Blue Line. C11-IIC.2(b)

The Community Facilities and Services section's discussion also demonstrates that public safety will be increasingly threatened by the BRT and even the MOS because they impair access to emergency services. A significant impact would occur if "the use of facilities would be substantially impaired as a result of . . . impaired access." (DEIR/EIS, p. 4-102.) The DEIR/EIS states "The LAFD considers intersections that operate at level of service (LOS) E or F . . . as limiting factors on fire protection and emergency services." (DEIR/EIS, p. 4-102.) Further, the DEIR/EIS states the No Build or TSM alternative would mean 13 of 53 intersections operate at LOS E or below. As the Rubin C11-IIC.2(c)

Comment C11-IIC.2(a)

Please also see the responses to Comments C5-6, C5-7, C9-29, C9-66, and C9-68. The commenter has estimated the number of additional accidents based on MTA's bus operations on mixed-flow streets. The BRT, however, is within a dedicated corridor, and the number of accidents would be expected to be lower. (See Volume 1, Section 4-13.) Further, BRT ridership is primarily from commuters who would otherwise be travelling in cars or buses on mixed-flow streets. Hence, the number of total accidents in the San Fernando Valley should decrease.

Comment C11-IIC.2(b)

Please see the responses to Comments C11-IIC.2(a), C9-66, and C9-68.

Comment C11-IIC.2(c)

Please see the responses to Comment C9-72.

letter points out, the traffic impact of exclusive use of intersections by buses would severely impact the capacity of these intersections to a greater degree than is acknowledged by the DEIR/EIS. (Rubin Letter, pp. 18-19.) The DEIR/DEIS requires "recalibration of signal timing" (DEIR/EIS, p. 3-44), but does not state how this would affect exclusive busway use. Even assuming the DEIR/EIS analysis is correct, the BRT alternative would impact 17 and the first phase of the BRT, the Minimal Operable Segment ("MOS") would impact 14. (DEIR/EIS, p. 4-102.) Thus, either the Full BRT or the MOS would adversely impact access to fire service when compared with the No Build Alternative or a TSM alternative because more intersections would operate at levels of service the Los Angeles Fire Department considers to be "limiting factors" on emergency services. This impact is not acknowledged when the DEIR/EIS concludes "Existing and planned service levels of fire protection . . . are expected to be adequate with or without the proposed project."

C11-IIC.2(c) cont'd

3. The BRT Alternative Would be a Significant Threat to Public Safety and Convenience, Especially Along Chandler Boulevard.

While any BRT alternative poses a threat to public safety, the Full BRT alternative poses significant threats to the safety of members of the Chandler neighborhood community, which is predominantly Jewish Orthodox. (See DEIR/EIS, p. 4-75.) The Orthodox Jewish Sabbath encompasses a significant part of two days each and every week – the latter part of Friday and the greater part of Saturday; 104 days a year, plus Biblical festivals that bring the total to nearly 125 days per year during which thousands of members of the Chandler/ Valley Village community – estimated at more than 5,000 people – encounter these restrictions. The DEIR/EIS lists three synagogues on Chandler, Emek Hebrew Academy, and North Hollywood High School, but fails to list Valley Torah High School and Yad Avraham Sephardic Synagogue. (DEIR/ EIS, Table 4-1 at 4-41.) Full information should be set forth and the impact to this unique community must be reconsidered.

C11-IIC.3

Pedestrian traffic is heavy in this neighborhood for several reasons: (1) there are 15 schools near the route, with thousands of students passing through twice daily; (2) for many Orthodox Jewish residents there are approximately 125 days per annum on which driving is prohibited for at least part of the day; (3) many elderly neighborhood retirement facility residents rely on walks along Chandler as daily physical therapy; and (4) most synagogues conduct multiple session prayers every morning and evening to which youths and many elderly, who generally walk very slowly, attend. The 100-foot wide right of way would take a long time to cross and expose pedestrians to traffic hazards for great lengths of time.

The DEIR/EIS claims pedestrian accessibility to religious institutions "would not

Comment C11-IIC.3

Valley Torah High School was constructed during preparation of the Draft EIS/EIR. Yad Avraham Sephardic Synagogue is under construction at the time of this writing. Please see the responses to Comments C11-IIC.2(a), C5-6, C5-7, C9-29, and C9-68.

be reduced along Chandler Boulevard, due to new mid-block crossings" and that "pedestrian safety would be maintained at intersections and/or corridor crossings by installing fencing, proper signalization, pedestrian gates, and signage." (DEIR/EIS, p. 4-108.) However, this optimistic forecast is disputed by residents of the nearby community who know from experience that such measures impede their access. C11-IIC.3 cont'd

4. **Growth-Inducing Impacts Should be Reanalyzed.**

The DEIR/EIS fails to acknowledge the growth inducing impact of routing the BRT through residential neighborhoods, including the Chandler Burbank neighborhood, rather than distributing enhanced bussing throughout the Valley, or, with the BRT, routing a portion through the already commercial and multi-family neighborhood along Oxnard. C11-IIC.4

In *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, the court opined that the growth-inducing impacts from construction of a single street would be extensive:

> The project would result in the loss of the residential community characteristic of the area, and a decrease in residential property values. The residential desirability of adjacent properties would be adversely affected by the increased noise and exposure to traffic, reduced setbacks of the structures from the street, and the loss of on-street parking. *The conversion of single-family dwellings to commercial or multi-family use would be accelerated.*

Friends of "B" Street, at 1003, emphasis added. Just as construction of a street could be expected to accelerate the conversion of single-family dwellings, the siting of an exclusive busway would have the same effect.

5. **Community Division Will be a Significant Impact.**

Appendix G of the CEQA Guidelines recommends that public agencies query whether a proposed project will "Physically divide an established community." (CEQA Guidelines, App. G, IX subd. (a).) Courts have recognized that the presumption of significance in the predecessor of this section, former Appendix G subdivision (u), "was intended to apply to projects, such as highway construction, that would constitute physical barriers dividing a community." (*Cathay Mortuary, Inc. v. San Francisco Planning Comm'n* (1989) 207 Cal.App.3d 275, 280.) C11-IIC.5

The DEIR/EIS states an adverse impact could occur "if the presence of the project

Comment C11-IIC.4

The *Friends of "B" Street* opinion is clearly distinguishable from the proposed BRT project in that the quoted language refers only to conditions specific to that particular case. Clearly, the court was not suggesting that any and all street construction projects have exactly the same environmental effects. The MTA rejects the simplistic notion that, because a street project that formed the basis of a well-known CEQA case was found to have certain environmental effects, all other street projects must, therefore, be found to have the same exact effects. MTA believes that Section 4-16.6 correctly describes the growth-inducing impacts of the BRT.

Comment C11-IIC.5

Please see the responses to Comment C5-9 and Comment C9-1. Using year 2000 traffic counts, averages across the Chandler Boulevard reach between 9,000 and 15,000 vehicles per day travel on Chandler Boulevard. Please also see the responses to Comments C9-1 and C9-14.

could potentially change the character of the neighborhood by introducing an incompatible use to the area." (DEIR/EIS, p. 4-85). And and impact could occur if "the project alignment. . . could substantially impair access to, from, or within a neighborhood or create a division within a neighborhood that was not previously present" (DEIR/EIS, p. 4-85.)

C11-IIC.5 cont'd

The community's character along Chandler will be changed because of the significant increase in bus traffic this road will experience. The DEIR/EIS admits ". . . the proposed bus schedule differs greatly from the infrequent freight train trips that characterized the right-of-way in past years. . ." That statement highlights the difference between historic usage and planned usage. There has been no bus traffic on Chandler west of Whitsett for over ten years because there is no ridership on Chandler to support such bus traffic. The DEIR/EIS claims the added buses "would not substantially increase the number of vehicles traveling along the transit corridor" but this is wrong because 48 trips will occur every hour (DEIR/EIS, p. 3-26 [reporting 24 trips per hour in *each* direction]), thus resulting in 1152 new bus trips every day. This increase would significantly increase traffic on a roadway where presently only "hundreds of cars" travel. (DEIR/EIS, p. 4-88.) The DEIR/EIS fails to provide accurate data regarding the usage of Chandler Street. In Table 3-2, Existing Characteristics of East-West Arterials, Oxnard Street is noted as a Secondary arterial with 14,000-28,000 vehicle trips, but no similar information is given for Chandler. Characteristics of Chandler should be included before any conclusion can be reasonably made that its characteristics would not substantially change with the addition of 1152 new bus trips per day.

6. Community Disruption Will Be Caused by Real Estate Acquisition and Displacement.

C11-IIC.6

There are areas of commercial and industrial lease termination under both the Full BRT and the Oxnard variation, but with the Chandler alignment, there is a "concentrated area of residential leases" that will have be terminated (DEIR/EIS, p. 4-58). These residential disruptions include "fences, landscaping, patios, and even a pool. . .. (DEIR/EIS, p. 4-60.) The mitigation for displacement of persons and businesses is compliance with the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970. (DEIR/EIS, p. 4-67.) However, no specific standard of significance is stated. Instead, it is assumed mitigation would reduce this impact to insignificance. The CEQA Guidelines specifically use construction of a road or freeway which divides a community as the type of physical change for which "... the social effect on the community would be the basis for determining that the effect would be significant." Guidelines § 15131 subd. (b). The DEIR/EIS must state the basis it uses for determining the effect is not significant.

Comment C11-IIC.6

The effects of property acquisitions and displacements may be significant with respect to either individual property owners or to an entire community. Property acquisitions are significant to individual owners when their property is taken and they must relocate. The significance of property acquisitions for a community can be significant if they are so numerous as to divide or otherwise disrupt the fabric of an established community.

In the first instance, eligible displaced persons and businesses will be made whole through financial compensation and relocation assistance, with no significant effect remaining. In the second case, the number of acquisitions associated with the proposed BRT project is such a small proportion of all residences and businesses in both the immediate community and the transportation corridor as a whole that there is no likelihood of substantial disruption to the community. See the responses to Comments C5-8, C5-9, and C9-1.

MTA and FTA
July 3, 2001
Page 12

7. The Air Quality Fails to Analyze Impacts Caused by the Project.

Transportation routes have profound short- and long-term air quality impacts. *Association Concerned About Tomorrow, Inc. v. Dole*, 610 F.Supp. 1101,1110 (N.D. Tex. 1985). "Transportation routes affect human and physical settlement patterns throughout a region, which in turn have a *major impact on air quality*, plant and animal habitats, and noise." *DeVita v. County of Napa* (1995) 9 Cal.4th 763, 819, emphasis added.

C11-IIC.7

The DEIR/EIS predicts that regional air quality will be improved (DEIR/EIS, p. 4-182) because of a cleaner vehicle fleet means Year 2020 air pollution concentrations would be approximately half their current levels (DEIR/EIS, p. 4-187). By assuming a situation based upon the vehicle fleet twenty years in the future, the DEIR/EIS completely fails to analyze the situation that would occur immediately following project approval, as numerous bus trips are added to city streets. For example, as shown above, 1152 new bus trips per day would be added to Chandler Boulevard, which currently has no bus traffic west of Whitsett. This represents an enormous increase in emission generating traffic which the DEIR/EIS fails to account for. The DEIR/EIS states existing CO concentrations at certain intersections exceed state standards (DEIR/EIS, p. 4-178), then presents a situation in Year 2020 where no standard is exceeded, assuming that vehicle fleet improvements will reduce emissions up to 80%. There is no accounting for growth in traffic or the possibility that standards may be exceeded during the intervening years. Thus, the air quality analysis needs to be substantially revised.

8. *BRT Alternatives Cannot be Selected Based Upon the Existing Record Because of Impacts on Section 4(f) Protected Resources.*

C11-IIC.8

The DEIR/EIS demonstrates that the Full BRT and the Oxnard variation potentially affects public wildlife and waterfowl refuges, historic sites, and bikeways, while the TSM and No Build Alternatives would not. (DEIR/EIS, pp. 4-294 to 4-295.) As a federal partner in this project, FTA is constrained by Section 4(f) of the Department of Transportation Act. This is one of the most stringent federal environmental and historic preservation statutes ever enacted by Congress. The statute explicitly prohibits the Secretary of Transportation from approving any project that requires the "use" of historic sites or parkland, *unless* (1) there is no "prudent and feasible" alternative to the use of the sites, and (2) "all possible planning" has been taken to minimize harm to the sites. 28 U.S.C. § 138; 49 U.S.C. § 303(c).

The avoidance mandate of Section 4(f) applies whenever a transportation project will require the "use" of a resource protected under the statute, even if that "use" fall short of actual taking of land. The determination of whether a "use" has occurred, includes *constructive use* by "noise, air pollution and general unsightliness" (*D.C.*

Comment C11-IIC.7

The EIS/EIR analyzed air quality impacts associated with implementation of the proposed project for the year 2020 in order to reflect full operation of the proposed project at a time when project-related traffic would be stabilized. Section 4-7.3.1 provides the estimated change in criteria pollutant emissions for the three build alternatives (Full BRT, On-Street Alignment, and MOS). The regional emissions estimates for the three build alternatives accounts for the increase in bus vehicle miles traveled (VMT) due to the proposed project. The emissions estimates also include the change in passenger vehicle VMT and commuter rail VMT as a result of the increase in bus trips from the proposed project.

In addition to the impacts the proposed project would have on regional emissions, Section 4-7.3.4 discusses the localized impacts that would result from the increase in bus activity. Since CO concentrations are higher when vehicles idle or travel at low speeds, CO concentrations at bus stations were analyzed. Additionally, CO concentrations generally follow the spatial and temporal distribution of vehicular traffic. Although the proposed project would increase the number of daily bus trips, it is unlikely that all buses operating under the proposed project would be traveling in the area at the same time. The CO analysis in Section 4-7.3.4 calculates CO concentrations emitted by buses at the bus stations during peak hour, when most of the buses would be traveling along the busway. It is estimated that, during peak hour of operation, buses for the Full BRT and On-Street Alignment would contribute to approximately 0.3 ppm and 0.2 ppm of the one- and eight-hour CO concentration in the area, respectively. Buses for the MOS would contribute to approximately 0.2 ppm and 0.1 ppm of the one- and eight-hour CO concentration in the area, respectively. CO concentrations contributed by buses were added onto year 2020 one- and eight-hour ambient CO concentrations of 5.1 ppm and 3.6 ppm, respectively. Thus, one- and eight-hour CO concentrations at bus stations area estimated to be approximately 5.4 ppm and 3.8 ppm, respectively, for the Full BRT and On-Street Alignment. One- and eight-hour CO concentrations at bus stations for the MOS is anticipated to be approximately 5.4 ppm and 3.8 ppm, respectively. Since CO dissipates as the distance from the source increases, contributions of CO by buses at study intersections would be significantly less than at the bus stations. As shown in Section 4-7.3.2, none of the study intersections are anticipated to exceed the State one- and eight-hour CO standards. Contributions of CO by

buses at nearby study intersections would not result in violations of the State CO standards.

The assumptions in the EIS/EIR are based on the emissions inventory compiled by the California Air Resources Board (CARB). The EMFAC7G emissions model and the MEVI7G emissions inventory model were used in the EIS/EIR when estimating pollutant emissions, pollutant concentrations, and year 2020 ambient CO concentrations. The EMFAC7G emissions model is a set of CARB-approved emissions factors for motor vehicles. The emissions factors generated from the EMFAC7G emissions model indicate that pollutant emissions in future years are anticipated to be less than existing conditions. The MVEI7G emissions inventory model consists of predicted vehicle emissions based on future VMT. The predicted vehicle emissions and estimated VMT from the MVEI7G emissions inventory model were projected by the CARB. Based on the MVEI7G emissions inventory model, year 2020 VMT would be greater than existing conditions and pollutant emissions from individual vehicles in year 2020 would be less than existing conditions. This increase in cleaner-running vehicles offsets the increase in VMT as a result of stringent state and federal mandates, as well as the removal of older vehicles over the 20-year period.

The EIS/EIR indicates that the existing one- and eight-hour CO concentrations are anticipated to be approximately 10.4 ppm and 7.3 ppm, respectively. Year 2020 one- and eight-hour ambient CO concentrations are calculated to be approximately 5.1 parts per million (ppm) and 3.6 ppm, respectively. Year 2020 ambient CO concentrations are calculated to be lower than the existing ambient CO concentrations. Year 2020 ambient CO concentrations are derived by using the federal protocol for calculating future ambient CO concentrations (see 40 CFR Part 51). Based on the federal protocol, year 2020 ambient CO calculations are calculated by applying a factor to the existing ambient CO concentrations. The factor is derived by multiplying the ratio of future to current emissions factors to the ratio of future to current traffic. The existing and future emissions factors are derived from the EMFAC7G emissions model; and the existing and future traffic volumes are derived from the MEVI7G emissions inventory model. The resulting year 2020 ambient CO concentrations, which are added onto project-related CO contributions from traffic, park-and-ride facilities, and bus stations, are lower than the existing ambient concentrations since the factor is calculated to be a number that is less than one.

Federation of Civic Ass'ns v. Volpe, 459 F.2d 1231, 1239 (D.C. Cir. 1971), *cert. denied*, 405 U.S. 1030 (1972).) The courts, including the Ninth Circuit, have been virtually unanimous in construing the statutory term "use" very broadly, to include not only the physical taking or incorporation of land from historic sites and parks, but also the indirect adverse effects of transportation projects, such as noise, air pollution, vibration, and visual impacts, which may threaten harm to protected sites nearby. These indirect effects may amount to a "constructive use" of the site, thus triggering the full protection of Section 4(f), if they would "substantially impair" the protected values of the property. (See *Adler v. Lewis*, 675 F.2d 1085, 1092 (9th Cir. 1982) ("Even off-site activities are governed by § 4(f) if they could create sufficiently serious impacts that would substantially impair the value of the site in terms of its prior significance and enjoyment"); *Stop H-3 Ass'n v. Coleman*, 533 F.2d 434, 445, 452-53 (9th Cir.), cert. denied, 429 U.S. 999 (1976) (6-lane highway passing within 100-200 feet of a historic petroglyph rock would result in constructive use); *Citizen Advocates for Responsible Expansion, Inc. (I-CARE) v. Dole*, 770 F.2d 423, 441 (5th Cir. 1985) (widening of elevated highway from 4 to 9 lanes, coming within 40-200 feet of several downtown historic buildings was constructive use); *Coalition Against a Raised Expressway (CARE) v. Dole*, 835 F.2d 803, 810 (11th Cir. 1988) (elevated waterfront highway within 40-100 feet of urban historic buildings was constructive use); see also 23 C.F.R. § 771.135(p).)

C11-IIC.8

The DEIR/EIS fails to avoid or minimize harm to public recreational and historic properties that would suffer "constructive use," and fails to acknowledge the potential for any constructive use impacts at all. In fact, the most telling evidence of this particular 4(f) violation is that *not a single instance* of constructive use is acknowledged for the entire Project. On the contrary, the DEIR/EIS states "No constructive use of the wildlife reserve would occur." (DEIR/EIS, p. 4-302.) The DEIR/EIS concludes "use" of Section 4(f) resources is limited exclusively to those with *physical* impacts. The DEIR/EIS essentially substitutes a "physical take" standard for the constructive use doctrine, an approach that simply cannot be reconciled with well-established standards for evaluating "constructive use" under Section 4(f). The whole point of the constructive use doctrine is to evaluate, and avoid or minimize, substantial indirect impacts that are "more subtle" than a physical taking of land. (*D.C. Federation of Civic Ass'ns v. Volpe*, 459 F.2d at 1239.)

The DEIR/EIS should analyze the noise impacts on the Sepulveda Basin Wildlife Reserve, with its associated parks and playing fields, rather than assume it "will be lost within the traffic noise currently generated along Victory Boulevard." (DEIR/EIS, p. 4-301.) The EIR cannot assume the addition of impacts to an already bad situation will not be significant because the project's cumulative impact of the poor noise environment must be considered. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 718.) In *Los Angeles Unified School Dist. v. City of Los Angeles*

Comment C11-IIC.8

The comment is incorrect in stating that there is no analysis of potential constructive use of Section 4(f) resources in the EIS/EIR. In fact, Section 4-14.4.1.c describes all potential uses (i.e., direct, temporary, and constructive) that could potentially result from the BRT Alternative. The comment apparently misunderstands the terminology that has been utilized to designate the Sepulveda Basin area. The entire basin area is referred to as the Sepulveda Dam Recreation Area. Seven smaller subunits comprise the recreation area, including the Sepulveda Basin Wildlife Reserve to which the commenter refers. The discussion of this smaller subunit in Section 4-15.4.2 of the EIS/EIR should not, and does not, constitute the only discussion of potential use of Section 4(f) resources in the entire Sepulveda Basin area.

Please see the responses to Comments B1-26 to B1-32 regarding noise and visual effects in the Sepulveda Basin area.

MTA and FTA
July 3, 2001
Page 14

("*LAUSD*") (1998) 58 Cal.App.4th 1019, the court of appeal rejected the contention that a project's contribution to a regional condition need not be extensively examined if it is individually small. In *LAUSD*, the City of Los Angeles' conclusion that increases in noise levels around schools caused by the project were insignificant because levels already were beyond the maximum level permitted under Department of Health guidelines was held to have failed to properly analyze the cumulative effect of the project. (*Id.* at 1025.) For the same reason that the environmental reviews were set aside in *Kings County* and *LAUSD*, the analysis must be redone here. C11-IIC.8 cont'd

Since there are two parks within 50 feet, and five others are 300 feet or less from the alternative alignments (DEIR/EIS, p. 4-294), the constructive use of these areas must be analyzed. The Army Corps of Engineers wrote that it had reviewed the project and "determined that the project will affect Sepulveda Dam's flood control capacity." (Army Corps Oct. 27, 2000 letter, Appendix H, Agency Comments.) Therefore, it is clear that proposed fill would constitute "use" of a section 4(f) resource. Additionally, the BRT Full alignment potentially affects historic sites. (DEIR/EIS, p. 4-295.) Therefore, all possible planning to minimize harm to these sites must be undertaken.

H. Noise Impacts Will Be Significant.

The DEIR/EIS concludes that noise impacts will be less than significant because it assumes all mitigation measures will be implemented and effective. "Without mitigation, 454 noise impacts are projected for the Full BRT Alternative, including 310 with moderate impact and 144 with severe impact." (DEIR/EIS, p. 4-221.) No impacts are expected with the TSM or No Build alternatives. (DEIR/EIS, p. 4-222.) The mitigation proposed for these severe impacts are quieter vehicles, sound barriers "on the order of 12 feet" and sound insulation. (DEIR/EIS, p. 4-223.) To fully mitigate noise impacts, 4.4 miles of 12-ft high sound wall would be required. (DEIR/EIS, p. 4-224.) Such a long, high wall would create impacts of its own in terms of aesthetics and possible violations of Los Angeles Municipal Code height restrictions. Additionally, a soundwall that reduces bus noise and visual impact for those outside the wall also will muffle or conceal emergency-vehicle alarm sounds and visibility outside the soundwall from MTA bus drivers. Where mitigation measures have impacts of their own, those impacts must be analyzed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986, 995-996; CEQA Guidelines Section 15126.4 (a)(1)(D).) C11-H

III. The DEIR/EIS Fails to Require Feasible Mitigation Measures.

CEQA requires that every EIR must contain a complete discussion of potential mitigation measures available to avoid or reduce adverse environmental effects. Pub. Res. Code Section 21000(b)(3); Guidelines Section 15126(c). This is because one of the C11-III

Comment C11-H

As discussed in Section 4-9.4 of the EIS/EIR, the project includes up to approximately 29,000 feet of sound walls. Some of these sound walls would be located near the intersection of the busway and local streets. However, the walls would be set back (approximately 45 feet) from the intersection in accordance with MTA requirements. The sound walls will also conform to any other applicable City of Los Angeles standards and regulations. The purpose of the setback is to provide adequate visibility for both the buses and vehicle traffic, including emergency vehicles.

Even with the sound walls, emergency vehicles will generally be audible within the busway. Furthermore, due to the setback requirements discussed above, noise from the sirens will be audible well beyond the intersections. As a result, adverse safety impacts under NEPA (significant safety impacts under CEQA) from the proposed sound walls are not anticipated.

Soundwalls will be designed to be aesthetically integrated with the BRT corridor and sufficiently separated from residences such that adverse secondary impacts will not result.

Comment C11-III

The intersection of Laurel Canyon and Chandler was the only significantly affected intersection among those studied along Chandler Boulevard. However, regardless of lack of significant impacts at other study intersections, as part of the BRT design process, left turn lanes and protected exclusive left turn phases will be provided at all street crossings along Chandler Boulevard including those stated in this comment. These improvements would not be required as "mitigation measures"; rather they are standard design features of the BRT project. The Chandler/Corteen, Bellair and Varna intersections were not identified by LADOT as necessary study intersections, due to their relatively minor nature. However, the BRT preliminary design has considered all necessary geometric modifications to implement a BRT project in accordance with design standards at these intersections. The purchase of "clean fuel" buses (such as compressed natural gas) is an MTA Board policy. Buses purchased for the BRT would also be clean fuel buses.

MTA and FTA
July 3, 2001
Page 15

basic purposes of an EIR is to identify significant effects on the environment and "indicate the manner in which those significant effects can be mitigated or avoided." (Pub. Res. Code Section 21002.1(a).) A mitigation monitoring plan with fully enforceable conditions is required. (Pub.Res.Code Section 21081.6(b).) A public agency must determine that all proposed mitigation measures and/or project alternatives capable of substantially reducing environmental impacts have actually been incorporated into the project or that the proposed mitigation measures or alternatives are *infeasible* for specific economic, social, or other reasons. (Pub. Res. Code Section 21081(a); *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30.)

C11-III cont'd

The mitigation measure of protected left turn lanes is proposed for the intersection of Laurel Canyon and Chandler (DEIR/EIS, p. S-22), but similar impacts are not mitigated at Chandler and Colfax, Corteen, Whitsett, Bellair, Coldwater Canyon, Ethel, and Varna. It appears Chandler's intersection with Corteen, Bellaire, and Varna are not analyzed at all. (See DEIR/EIS, Appendix I.)

Further, the DEIR/EIS states that the BRT would use Compressed Natural Gas ("CNG") rather than diesel but the DEIR/EIS does not commit to that mitigation measures.

IV. If the MTA Proceeds With a BRT Alternative, The Oxnard Street Route Should be Selected Because it Would Serve a Greater Number of Potential Riders, Would be Less Costly, and Would be Less Disruptive to the Adjacent Neighborhood.

C11-IV

The CCTC does not support the BRT because there are safer, less expensive, and more effective ways to increase mobility in the San Fernando Valley. However, if the MTA insists upon going forward with the BRT, then the CCTC feels the DEIR/EIS data shows the Oxnard Street Route is superior because it would have the following benefits when compared with the Chandler route: (1) it will transport the same number of people between Lankershim and Warner Center in only a little more time; (2) it provides direct transportation to Valley College; (3) it serves the rental community along Oxnard Street, which is more likely to use public transit; (4) it would help businesses at Valley Plaza and in the strip malls along Laurel Canyon from Oxnard Street northward; and (5) it avoids virtually all the impacts on the large portion of the Chandler community which is pedestrian dependent because of religious restrictions, the public safety hazards associated with a wide busway in the middle of a wide street, which has to be crossed on foot by members of the community on the Sabbath, and historical resource impacts associated with an alignment along Chandler.

Apparently, the MTA staff favors the Full BRT over the Oxnard Variation because

Comment C11-IV

The commenter's support for the Lankershim/Oxnard alignment is noted for the record.

On the other hand, savings of $40 million (the out of pocket cost difference between the Full BRT and the Oxnard Variation) could be utilized to enhance transit elsewhere. Further, this amount could be augmented further if MTA then sells, or continues to lease-out, the Southern Pacific right-of-way (SP ROW) along Chandler in the Chandler/Burbank neighborhood.

C11-IV cont'd

Conclusion.

The analysis of the DEIR/EIS must be redone to include a reasonable range of alternatives, more carefully evaluate whether there are significant adverse impacts from the BRT, and acknowledge the safety and community disruption impacts. The air pollution, noise, and vibration associated with this project will severely and negatively impact existing communities, public safety, and historic and recreational resources. For these reasons, we urge you to fully analyze and then adopt an expanded TSM alternative, or a rate reduction alternative.

Thank you for your attention.

Sincerely,

Jan Chatten-Brown

cc: Metropolitan Transportation Authority Boardmembers
Governor Gray Davis
Congressman Howard Berman
Congresswoman Diane Watson
Senator Richard Alarcon
Congressman Henry Waxman
Councilmember Jack Weiss
Councilmember Dennis Zine
Seymour Feuerstein

Comment Letter C12

Laurel Plaza Neighborhood Association
6013 Carpenter Avenue, North Hollywood, CA 91606
818-754-1220

June 26, 2001

Kevin Michel
Los Angeles County Transportation Authority
One Gateway Plaza
22nd Floor, MS 99-22-5
Los Angeles, CA 90012

Re: Petition Against Oxnard Alternative

Dear Mr. Michel,

Attached is a petition signed by 1,484 concerned citizens who oppose the Oxnard Alternative. The petition is signed by the following; residents of homes and apartments along Oxnard; people who work on or near Oxnard; citizens of the Orthodox community along Oxnard; members of Emmanuel Lutheran Church; members of Laurel Plaza Neighborhood Association; residents of Valley Glen and North Hollywood; parents of children who attend Grant High School, Erwin Street Elementary, Monlux Elementary, Victory Elementary and Laurel Hall School. Some employees at the above listed schools and some employees at the Robinsons-May have also signed the petition. It is felt that of the four choices presented by the MTA the Chandler route is the most viable alternative.

Sincerely,

Diann Corral
President

Enclosure

Cc: Mayor James Hahn
Supervisor Zev Yaroslavsky
Senator Richard Alarcon
Councilman Joel Wachs
Assemblymember Robert M. Hertzberg

The petitions and 44 letters, all stating similar concerns, have been received and are on file.

Response to Letter C12

The commenter's support for the Chandler Boulevard alignment (and opposition to the Lankershim/Oxnard alignment) is noted for the record, as are the 1,484 such opinions conveyed by means of petition.

Reasons why Oxnard Street is not the best alternative

1. Since the MTA already owns the land along Chandler there is not a 40 million savings as the value of that land is going to waste.
2. Monday through Friday when the majority of these busses will be running a large number of Oxnard's pedestrian traffic consists of the 6,000 children who attend the Elementary Schools and High School along Oxnard Street between Radford and Woodman. These Schools are Laurel Hall School, Monlux Elementary, Grant High School and Erwin Street Elementary.
3. It is said that the commuter bus will help Grant High School. This is not true, as the added bus route will NOT stop in front of the High School. The added bus route will stop at Fulton and Oxnard. The children who ride the bus to Grant High will continue to use the existing bus line that drops them off in front of their school, and not the added bus line.
4. It is said that the bus line will help Valley College, this is true, but so will the Chandler route. If the Chandler route is used the busway will stop at Burbank and Fulton, if Oxnard is used the busway will stop at Oxnard and Fulton. Valley College benefits with either alternative.
5. Oxnard is congested near Laurel Canyon and the 170 fwy ramps due to commuters using the 170 freeway. Chandler does not have a freeway entrance.
6. Anyone, who has driven near any of the schools along Oxnard when children are arriving or being let out of class, knows that the area is congested and chaotic during key hours of the day.
7. The MTA's Environment Impact Report's traffic study on Oxnard Street indicates that the highest volume of traffic on Oxnard is just west of Laurel Canyon with average daily traffic at 27,000 vehicles. This is right where the buses will run.
8. It is said that using the Oxnard route will only lengthen the time by about 5 minutes. This is not true as during peak hours when school starts and ends it can take up to 15 minutes to move along Oxnard from Radford to Fulton.
9. According to long term residents of Oxnard Street, Oxnard used to be a two-lane street. When the road was widened to four lanes, 8-10 feet was taken off the properties on each side of Oxnard. The buses would run in some cases as close as 10 feet from the existing homes on Oxnard Street. If the Chandler route is used soundwalls will be placed along areas where the busses run in close proximity to homes. Soundwalls will not be placed along Oxnard, only additional busses.
10. According to the LAPD traffic report for Oxnard Street and Chandler Blvd from June 1, 2000 to May 31, 2001. There were a total of 88 accidents along Oxnard between Lankershim and Woodman, and 29 accidents along Chandler between Lankershim and Ethel. 2/3 more accidents were reported along Oxnard. Respectively at the intersection of Lankershim/Oxnard there were 10 accidents, Lankershim/Chandler 0; Laurel Canyon/Oxnard 12, Laurel Canyon/Chandler 1; Whitsett/Oxnard 15, Whitsett/Chandler 4. There were 19 accidents near Grant High School & Valley College, along Oxnard between Coldwater and Fulton.
11. The 156 service that runs down Chandler currently runs every 5 minutes during peak hours and there has not been a problem with crossing the street.

These are just a few of the concerns and facts brought by the residents along Oxnard Street.

LAPD Traffic Accident Report for Oxnard Street and Chandler Blvd.
From June 1, 2000 to May 31, 2001

Cross Street	Traffic Accidents on Oxnard Street	Traffic Accidents on Chandler Blvd.
*Lankershim	10	0
Tujunga	XXX	4
Hazelhurst Place	1	XXX
Troost	1	0
Colfax	6	4
Carpenter	2	0
Radford	1	1
170 No & So Fwy Ramps	4	XXX
*Laurel Canyon	12	1
Vantage	1	1
Bellingham	0	1
Hermitage	XXX	2
Corteen Place	XXX	2
Rhodes	2	XXX
Wilkinson	0	1
Whitsett	15	4
Beeman	0	1
Bellaire	6	1
Goodland	1	1
Coldwater	7	3
Ethel	6	2
*Fulton	6	XXX
Sunnyslope	1	XXX
Buffalo	2	XXX
Woodman	4	XXX
Total	**88**	**29**

Schools located on or near Oxnard Street

Traffic Accidents	Name & Location of School	Number of Children/ Students	Location of Accidents near Schools
17	**Laurel Hall School** 11919 Oxnard Street	600	Oxnard Street between Radford & Laurel Canyon
14	**Monlux Elementary School** 6051 Bellaire Avenue	856	Oxnard Street between Bellaire & Coldwater
19	**Grant High School** 13000 Oxnard Street & **LA Valley College** 5800 Fulton Avenue	Grant 3,300 Valley 17,000	Oxnard Street between Coldwater & Fulton
14	**Erwin St Elementary School** 13400 Erwin Street	1,065	Oxnard Street between Fulton & Woodman

XXX = Street does not cross or busway does not continue to street indicated
* = Station

Comment Letter C13

Laurel Plaza Neighborhood Association
6013 Carpenter Avenue, North Hollywood, CA 91606
818-754-1220

June 29, 2001

Mr. Kevin Michel
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza
22nd Floor, MS 99-22-5
Los Angeles, CA 90012

Re: Petition Against Oxnard Alternative

Dear Mr. Michel,

Attached are additional petitions signed by 43 concerned citizens who oppose the Oxnard Alternative and believe the Chandler route is the most viable alternative. Please add these petitions to the ones I provided you with at the MTA meeting on June 26, 2001, which were signed by 1,484 concerned citizens. These additional 43 signatures, brings the total to 1,527.

Attached is a list of concerns brought to me by residents along Oxnard, listing why they feel Oxnard is not the best alternative and Chandler is. Also enclosed is a breakdown of traffic accidents along Oxnard and Chandler from June 1, 2000 to May 31, 2001. Officer Connor MacIvor with the LAPD provided these statistics. As indicated on the chart there were 2/3 more accidents along Oxnard and a large number of accidents near the schools along Oxnard. Please forward this information to the MTA Board Members. Thank you for all your assistance and for coming out on June 13th to explain the proposed busway to the residents along Oxnard.

Sincerely,

Diann Corral
President

Enclosure

Cc: Mayor James Hahn
Supervisor Zev Yaroslavsky
Senator Richard Alarcon
Councilman Joel Wachs
Assemblymember Robert M. Hertzberg

The additional petitions have been received and are on file.

Response to Letter C13

Please see the response to the above comment. The additional 43 petitions are noted for the record.

To: Metropolitan Transportation Authority Board

PETITION BY LAUREL PLAZA NEIGHBORHOOD ASSOCIATION, CITIZENS OF VALLEY GLEN, EMMANUEL LUTHERAN CHURCH, LAUREL HALL SCHOOL AND OTHER CONCERNED CITIZENS AGAINST THE MTA'S LANKERSHIM/OXNARD ON-STREET BUS ROUTE.

Dear MTA Board,

We, the undersigned, homeowners, tenants, business owners, educational institutions and religious institutions are petitioning against the MTA's Lankershim/Oxnard on-street bus route. The MTA's objective for the proposed busway from North Hollywood to the Warner Center is to speed the travel of thousands of commuters across the San Fernando Valley. Thus reducing the commute from 55 minutes to 30 minutes. The MTA has found that the best way to obtain this objective would be to create a two-lane busway along the Burbank/Chandler right-of-way. Using the alternative Lankershim/Oxnard on-street bus route would only cause additional delay, due to the heavy congestion along Oxnard Blvd.

The alternative Lankershim/Oxnard route has buses operating in mixed traffic. Unlike the Burbank/Chandler right-of-way, the Lankershim/Oxnard route will not have traffic lanes exclusively for bus operation. Currently every morning and afternoon there is bumper to bumper traffic along Oxnard Street between Radford and Fulton. Oxnard Street is highly congested due to commuters using the Oxnard 170 freeway on-ramp and off-ramp. Adding to the congestion is Grant High School, Laurel Hall School and Valley College's commuters. The MTA's EIS/EIR report indicates that Oxnard Street's highest volume of traffic is west of Laurel Canyon Blvd. This area is between Laurel Hall School and Valley College. The report also indicates that on-street bus stations would be placed at the Laurel Canyon/Oxnard and Fulton/Oxnard intersections. Placing additional buses along Oxnard Street running every 7 to 10 minutes, will not only add to the existing congestion, but would also defeat the MTA's objective of speeding the travel along the San Fernando Valley. The additional buses, two added bus stations and current high volume of traffic along Oxnard Street could add an additional 15-20 minutes to the North Hollywood/Warner Center commute. In fact, the commute would be faster if the buses were to operate in mixed traffic along Chandler's existing roads, rather than on Oxnard Street.

The Lankershim/Oxnard busway route would also create hazards for the large number of children walking to the three schools located on Oxnard Street. A traffic related death of a child has occurred in front of Grant High School. There has also been a large number of traffic accidents at the Oxnard and Fulton intersection at Valley College. About once a month there is an accident on Oxnard Street at the northbound 170 freeway off-ramp. Due to the congestion and number of accidents on Oxnard Street the Lankershim/Oxnard route would not be the best alternative, but the worst.

The additional buses along Oxnard Street will increase noise pollution in an area that has already been waiting over 10 years for a soundwall to reduce the noise level from the adjacent 170 freeway. The Burbank/Chandler right-of-way is not only the best route, but also the most direct route.

Cc: County Supervisor Zev Yaroslavsky
Kevin Michel, MTA
Senator Richard Alarcon
Mayor Richard Riordan
City Councilman Joel Wachs
Assemblyman Robert M. Hertzberg
Los Angeles Times
Daily News

SEE REVERSE SIDE FOR SIGNATURES

VALLEY VILLAGE HOMEOWNERS ASSOCIAT

Comment Letter 14

SCANNED IN RMC

P.O. Box 4916, Valley Village, CA 91617 • (818) 506-5158

Serving the Valley Village Community located in the City of Los Angeles, bounded by Burbank Blvd., on the North, Ventura Fwy. on the South, Tujunga Wash on the West and the Hollywood Fwy. on the East.

June 29, 2001

Mr. Kevin Michel
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza, 22nd floor
MS 99-22-5
Los Angeles, Cal. 90012

Comments on the San Fernando Valley East-West Transit Corridor Draft Environmental Impact Statement/Report

Dear Mr. Michel,

The Valley Village Homeowners Association has the following comments on the draft DEIS/DEIR:

1. Page 2-32, top of the page. The draft notes that Option 2 "locates buses on Chandler Boulevard in mixed traffic and the existing median would be unchanged from today". However, nowhere else in the DEIS/DEIR is there any analysis of this variation for a Chandler Boulevard busway route. All of the analysis is for a busway in the Chandler median, not on the existing roadways of Chandler Boulevard. Our Association requests that either an analysis of Option 2 be added to the DEIS/DEIR or that a supplement to the DEIS/DEIR be prepared for Option 2. In addition, this analysis should state whether the Chandler Boulevard median will be still be landscaped and the railroad tracks removed under Option 2. C14-1

2. Page 3-3, lower portion of page. Table 3-2 incorrectly states that Burbank Boulevard is classified as a Secondary highway when it is actually shown as a Major highway on the Van Nuys-North Sherman Oaks District Plan and on the Highways and Freeways map of the Transportation Element of the Los Angeles General Plan. The classification for Burbank Boulevard should be changed to Major highway. C14-2

3. Pages 4-68, bottom portion & 4-69, top portion. The discussion of relocation assistance for outdoor advertising lenses that are terminated notes that 27 outdoor advertising leases would have to be terminated for the Full BRT and 12 leases would be terminated for the Lankershim/Oxnard On-Street Alignment with the difference of 15 leases presumably being due to billboards in the Chandler Boulevard median at Whitsett C14-3

Response to Letter C14

Comment C14-1

Although the MTA Board did not direct staff to evaluate the option of operating buses in mixed traffic along Chandler Boulevard within the EIS/EIR, it was considered during the development of the report, and included as "Option 2" in the Draft EIS/EIR. However, the environmental considerations of operating in mixed traffic, particularly the potentially significant noise impacts of operating near homes and community facilities, caused it to be eliminated from consideration. The Final EIS/EIR text has been modified to reflect this decision.

Comment C14-2

This comment has been noted and the correction has been made in the Final EIS/EIR.

Comment C14-3

The analysis of potential real property acquisitions, including outdoor advertising signs, is essentially a "snapshot" of conditions as they were at the time the draft environmental document was prepared. It is likely that a number of conditions may have changed in the intervening period, such as the removal of some outdoor advertising signs. A current inventory of all properties subject to acquisition will be compiled subsequent to project approval. In the event that removal of some advertising signs is necessary, negotiations with sign owners may or may not result in compensation or other relocation assistance.

Comment C14-4

Please see the response to Comment C14-3.

Avenue and at Laurel Canyon Boulevard. However, there are no longer any billboards in the Chandler median at Whitsett and at Laurel Canyon. Our Association, with the assistance of State Senators Rosenthal and Alarcon, was able to obtain the removal of the billboards from the median. The billboard companies completed the removal of 16 billboards from the median in August and September, 2000 without compensation and without relocation assistance. Therefore, the number of leases that would be terminated for the Full BRT should be about the same as the number of leases to be terminated for the Lankershim/Oxnard On-Street Alignment, around 12 leases. C14-3 cont'd

4. Page 4-128, middle of the page. Since the billboards were removed from the Chandler Boulevard median in August and September, 2000 the sentence "Billboards are located in the median at Laurel Canyon Boulevard and Whitsett Avenue." is no longer correct (see no. 3 above) and should be deleted. C14-4

5. Page 4-144, middle of the page. The Valley Village Senior Apartments are three rather than four stories in height. Since the billboards were removed from the Chandler Boulevard median in August and September, 2000 the sentence "There are billboards in the right-of-way, which are slated for removal by the billboard company." should be changed to "There were billboard in the right-of-way that were removed by the billboard companies in August and September, 2000." C14-5

6. Page 4-261, bottom of the page. A sentence states that new bridges would be required for up to three of the channels (Bull Creek and two branches of the Tujunga Wash) for the MOS alternative. Where is the second branch of the Tujunga Wash? In checking a map, the Tujunga Wash has only one branch. C14-6

7. Page 6-17, top of the page. Table 6-6 lists a transfer time of three minutes as part of the total runtime from Warner Center to downtown. Based on our experience in riding the Red Line subway, this is not realistic. Besides the wait for the Metro Rail train to arrive at the North Hollywood station, there is the additional wait of six to seven minutes while the train sits in the North Hollywood station before departing, apparently to change drivers or for the driver to take a break. The transfer time should be half of the time between the departure of a Metro Rail train and the departure of the next train, to average out the differing arrival times of passengers, plus walking time from the bus to the station platform. The resulting transfer time is probably at least ten minutes. C14-7

8. The DEIS/DEIR appears to be silent on whether any of the north/south local streets that are not major streets will be closed as part of this project. Examples of such local streets are Vesper Avenue, Ethel Avenue, Bellaire Avenue and Corteen Place. Please indicate in your responses to the comments whether any of these north/south streets will closed where they cross the right-of-way for this project. C14-8

Comment C14-5

The corrections noted in the comment have been made in the Final EIS/EIR.

Comment C14-6

There is in fact only one branch of the Tujunga Wash that passes through the project area. The text in Section 4-12.1.1 has been revised in the Final EIS/EIR.

Comment C14-7

The transfer time of 3 minutes used in Table 6-6 accounts for a Red Line headway of approximately 6 minutes at North Hollywood, which is the headway which was used in the modeling of 2020 Red Line operations. Because trains would leave North Hollywood every 6 minutes, the average wait for someone at the platform would be half that time, or 3 minutes. This methodology is the same methodology used by the commenter. It is also important to take into account the walking time required between the BRT terminus and the Red Line platform. Although the potential exists to construct a portal directly from the BRT terminus on the west side of Lankershim Boulevard to the Red Line station, the BRT Alternative as described in the EIS/EIR would require patrons to cross Lankershim at the signal at South Chandler Boulevard and access the Red Line via the existing portal on the east side of Lankershim Boulevard. This walking time would vary depending on the passenger but would be approximately 3 additional minutes for a typical passenger. However, this time should also be taken account when considering total travel time from Warner Center to downtown Los Angeles. Therefore, Table 6-6a (the revised version of Table 6-6) has been revised to include the walking time between the BRT and the Red Line.

Comment C14-8

In general, most minor north/south streets will remain open. Specifically, all streets mentioned in the comment (Vesper Avenue, Ethel Avenue, Bellaire Avenue and Corteen Place) would remain open. These minor street crossings and their geometric treatments are indicated in detail in the Preliminary Engineering plans.

9. The DEIS/DEIR also does not discuss whether the Chandler Boulevard median will still be landscaped if the Oxnard Street alternative for the busway is selected. Please indicate in your responses to the comments whether or not the landscaping of the Chandler Boulevard median will be done even if the median is not used for busway and the Oxnard Street alternative is selected instead. C14-9

Sincerely.

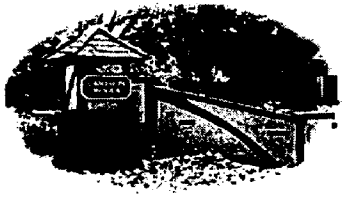
Lori Dinkin, President
Valley Village Homeowners Association
P.O. Box 4916
Valley Village, Cal. 91617

Marc Woersching, Consultant
Valley Village Homeowners Assoc.
P.O. Box 4471
Valley Village, Cal. 91617

Comment C14-9

The MTA Board has selected the Full BRT variation, which would operate within the median of Chandler Boulevard as the Locally Preferred Alternative (LPA) for the corridor. The Board also directed staff to include as an option operating service along Lankershim Boulevard and Oxnard Street on weekends. However, in either case, the BRT would be constructed in the median of Chandler Boulevard. With construction of the BRT Alternative, existing trees would be retained where possible, new trees would be planted, and groundcover would be installed.

Comment Letter C15



CAMERON
WOODS
ASSOCIATION

July 3, 2001

Mr. Erwin Poka
Federal Transit Administration
Metropolitan Office
201 No. Figueroa Street, Suite 1460
Los Angeles, CA 90012

Re: Draft Environmental Impact Statement/Report

Cameron Woods is neighborhood of established homes since the late 1940s. It lies just north of the proposed Sepulveda Transit Center. A site which this neighborhood helped save the citizens of LA, the taxpayers, several million dollars when the MTA was in negotiations with a purported development on the site of the Sepulveda drive-in, now the proposed site of the Sepulveda Transit Center. The Cameron Woods neighborhood worked with then Councilman Marvin Braodes' aide and chief deputy Cindy Miscicowski to lower the purchase price of the Sepulveda drive-in by exposing a falsified agreement supporting the bogus development. Since the development had no credibiity the MTA was able to negotiate a lower price for that property.

Unfortunately, the Draft has failed to protect the Cameron Woods neighborhood and residents in the near vicinity by:

- Including ingress/egress on Erwin Street inviting traffic intrusion and safety issues.
- Failing to fully articulate or specify mitigations and remedies for impact on the neighborhood, e.g., soundwalls, buffer zones, landscaping
- Not detailing the necessary street inlet offsets on Victory Boulevard protecting this established neighborhood from the 1200 park and ride cars daily taking shortcuts speeding to their busses through the pristine, quiet, child filled neighborhood.

We agree that rapid transit is needed. The traffic mitigations discussed and agreed upon to protect our neighborhood must be memorialized (as detailed) to ensure this neighborhood's support of this project.

We would like the following written comments submitted for the record.

The following comments refer to specific figures or sections in the Draft.

Figure 2-19: This figure shows the Sepulveda Transit Center Design Concept. Of concern here is an access road running firstly east/west along the south side of the center and then turning sharply to a north/south direction finally exiting onto Erwin Street. This would encourage traffic to exit and enter on Erwin Street. This is already a congested intersection due to the Sav-On Drug Store and Wendy's located nearby. We also believe traffic would intrude into the neighborhood creating safety concerns and reducing the quality of life in the neighborhood. We would request that there be no ingress/egress to Erwin Street, i.e., only from Sepulveda. C15-1

Section 4-52: The Draft notes that the development of the proposed Sepulveda Transit Center (park and ride) could accelerate the transition from industrial to higher density or different uses. This would constitute an adverse impact under NEPA (significant impact under CEQA at this station). The draft states, "However, appropriate buffering and compatible land use conditions would need to be included with proposed C15-2

Orion Avenue Homeowners Association, Inc. • 6301 Orion Avenue, Van Nuys, CA 91411

Response to Letter C15

Comment C15-1

After reviewing the traffic characteristics of the Sepulveda park-and-ride, in light of the 2020 projected traffic volumes forecast in the Draft EIS/EIR, it has been concluded that providing only two access points to the Sepulveda park-and ride lot would cause unacceptable traffic delay at the Haskell Avenue/Victory Boulevard intersection. Therefore, all three access points to the park-and-ride lot will remain as currently proposed. However, in order to respond to community concerns, Erwin Street will be restriped to provide a left-turn lane for eastbound motorists turning left onto northbound Sepulveda Boulevard. In addition, a left-turn lane will be provided for westbound motorists turning into the park-and-ride.

On-street parking will be prohibited on Erwin Street between Peach Avenue and Sepulveda Boulevard to allow for the left-turn lanes. In order to discourage motorists from using the Cameron Woods/Blucher court neighborhoods as a short cut to the park-and-ride, left turns out of the park-and-ride on Erwin Street will be prohibited. Motorists exiting the park-and-ride lot will only be permitted to turn right (eastbound) onto Erwin Street. In addition, eastbound traffic approaching the park-and-ride lot entrance from the west on Erwin Street will not be permitted to turn right into the park-and-ride lot.

Comment C15-2

In response to community concerns, the MTA has modified the project to incorporate a soundwall at this location. Examples of buffering that could be made part of later development projects could include generous setbacks, lighting restrictions, and landscaping.

● Page 2 July 3, 2001

development projects in this area." As this statement is somewhat ambiguous we would like clarification with some specific examples of what would constitute "appropriate buffering and compatible land use conditions." C15-2 cont'd

Section 4-163 paragraph f. This discusses the station at Sepulveda Boulevard. The section notes, "A 20-foot landscaped buffer and possible soundwall along the north edge of the parking lot would create an over 50 foot separation between the parking lot and single-family homes." We encourage this mitigation but would like to be assured *there will be* a soundwall. In addition there is no discussion of the height of this soundwall or any berm in the buffered landscape area. We would suggest the same mitigation as specified along the route of the bus lanes. These appear to be 4-6 foot berms with a 4-6 soundwall (see Figure 2-9). The landscaping is not specified and we would request a dense well maintained landscaping, e.g., tall trees. As mitigation against graffiti we would like some form of landscape covering for the soundwall, e.g., ivy. C15-3

Section 4-163 paragraph f. This section indicates, "The access road along the north side of the station would be maintained." This is somewhat confusing and we are unclear the road to which this refers. We would like some clarification as to the location of this access road and any proposed egress or ingress adjacent to Erwin Street. C15-4

The comments following are not covered by the Draft.

Traffic Intrusion Measures: Please refer to the included figure proposing staggered openings into the neighborhood alongside Victory Boulevard. We would like this modification to the median, which separates Victory Boulevard from the access road located just south. This would discourage "short cutting" through neighborhood C15-5

Also included is a suggested elevation view of the Victory Boulevard entrance including a perimeter wall. This wall as a visual cue would further mitigate the use of the neighborhood as a throughway to the Transit Center. C15-6

Signage: We would like to see the location of proposed informational signage that would direct traffic to the Sepulveda Transit Center. At the very least we would like to see such signage at the Northbound Victory Boulevard exit of the 405 directing traffic to the access road to the left (directly opposite of Haskell). This would discourage traffic from "short cutting" through the neighborhood. Please see Drawing C-117. C15-7

We appreciate the opportunity to participate in the process and look forward to our issues being addressed by the MTA.

Sincerely,

Steven P. Davis
President

Orion Avenue Homeowners Association., Inc. - 6301 Orion Avenue, Van Nuys, CA 91411

Comment C15-3

In response to community concerns, the MTA has modified the project to incorporate a soundwall at this location.

Comment C15-4

The access road would provide access from Haskell Avenue, pass under the I-405 freeway and run parallel to the busway into the Sepulveda Boulevard station park-and-ride.

Comment C15-5

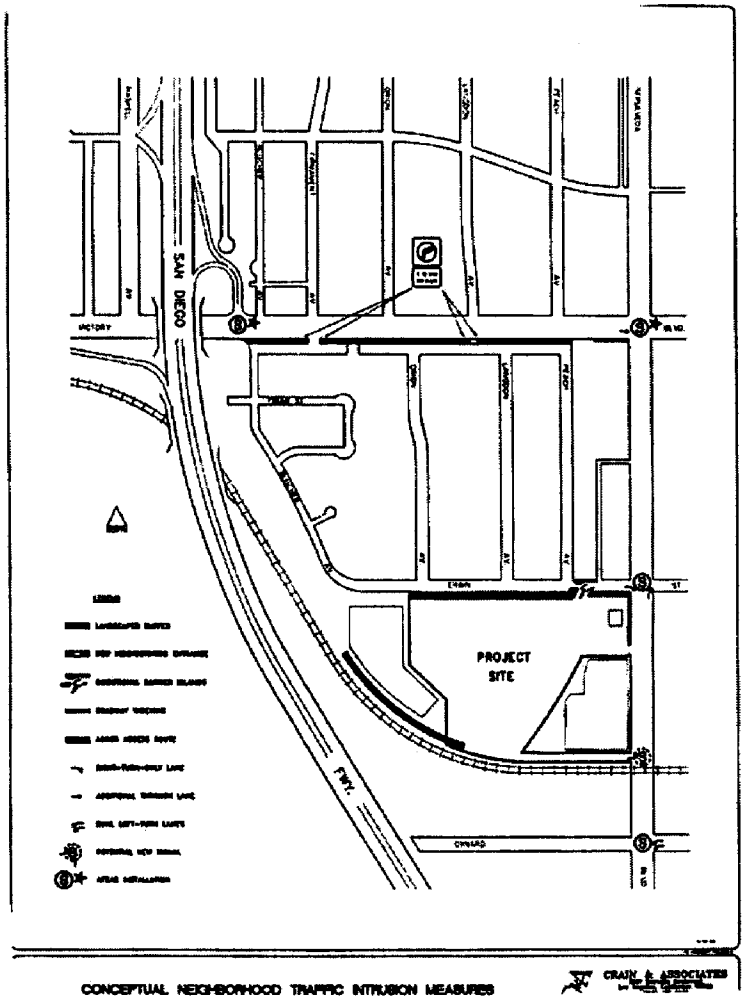
See response to comment C15-1.

Comment C15-6

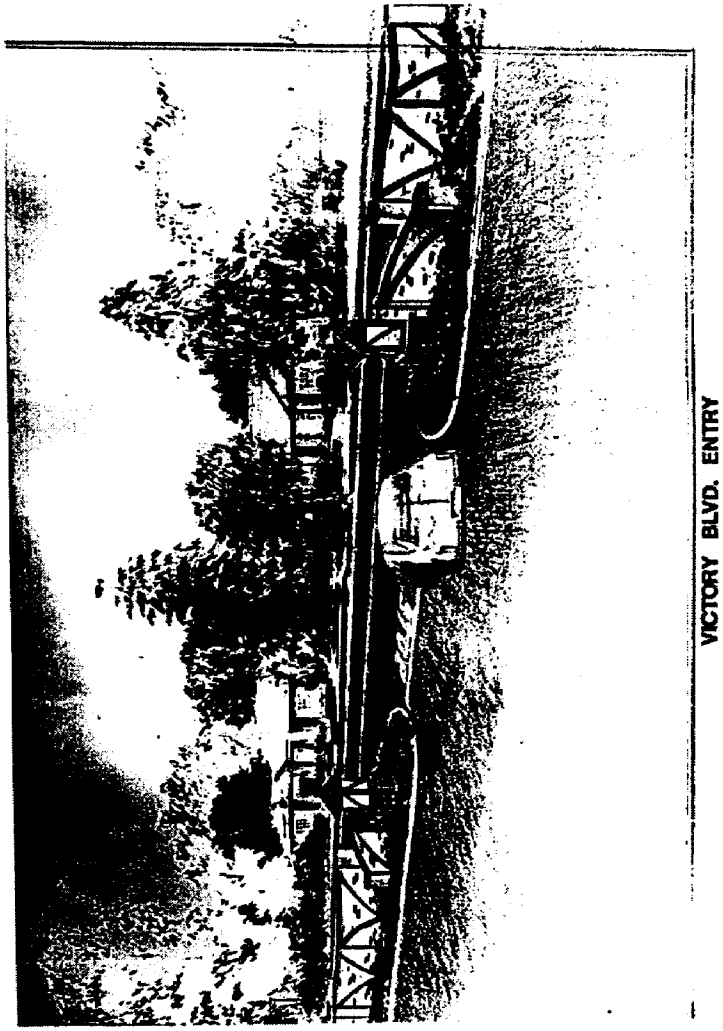
Please see the response to comment C15-1.

Comment C15-7

As a part of the BRT project, MTA, subject to the City of Los Angeles and Caltrans approval, will install signage at key intersections, including the northbound Victory Boulevard offramp of the I-405 freeway directing traffic to the Haskell Avenue access road and away from the Cameron Woods neighborhood.



CONCEPTUAL NEIGHBORHOOD TRAFFIC INTRUSION MEASURES



VICTORY BLVD. ENTRY AND PERIMETER WALL

Comment Letter C16

Protecting The Integrity Of Our Community
WHHO
WOODLAND HILLS HOMEOWNERS ORGANIZATION
P.O. Box 6368, Woodland Hills, CA 91365

July 3, 2001

Mr. Kevin Michel
Los Angeles County Transportation Authority
One Gateway Plaza
22nd Floor, MS 99-22-5
Los Angeles, CA 90012

Mr. Michel:

Thank your for the opportunity to respond to the Draft EIS/EIR for the San Fernando Valley East-West Transit Corridor, State Clearing House Number 1995101050.

Please find attached Pages 1 to 4 of our comments to the proposal. We will submit more by July 9, 2001.

We attended the public meeting on June 21, 2001 at Los Angeles Pierce Community College from 5:00 to 8:00 p.m. Since the public was given only 3 minutes to make comments it may have fulfilled the legal requirements for a public hearing, but this hardly made it possible for really useful input that the MTA will also listen and respond to in a positive manner.

Equally, people from the MTA came to the Executive Board meeting of the Woodland Hills Homeowners Organization and listened and took notes from the Board members. Sadly not one comment or recommendation appeared in the DEIR/DEIS.

We do not take lightly the total lack of respect for peoples time to respond and give their time so bureaucrats may justify their over paid and useless positions by using the law to their benefit themselves at the publics expense. We take our time and our expertise to comment to get a worthwhile and useful project, and then we are totally ignored, but the worthless project goes ahead and disenfranchises the public at great expense which has only served the bureaucracy to insure their jobs to keep correcting a uncorrectable problem and makes traffic and public transportation more cumbersome.

Perhaps the comments will be looked at and honest and in depth answers will be given to the issues raised about this project. We certainly hope we are surprised and a change takes place.

Respectfully:

Gordon Murley
President

A California Nonprofit Corporation
4128 Morro Drive, Woodland Hills, California 91364
(818) 346-5842 e-mail g.murley@worldnet att.net

RESPONSE TO THE SAN FERNANDO VALLEY EAST/WEST TRANSIT CORRIDOR
DRAFT EIS/EIR
STATE CLEARING HOUSE NUMBER 1995101050 Page 1 of 4

EXECUTIVE SUMMARY

S-1 no comment

S-2.1

This uses statistics but no baseline numbers. Percentages are just digits and have no value unless there a valid numbers to use them on. 0 times any number is 0. There is no rational basis for any project from what is given in the section. This violates all rules of CEQA and NEPA and should be basis for total invalidating this study. C16-1

S-2.2

In paragraph #1 just statistics are given. There must be a baseline from which one may multiply to see how significant these number are. To say 62% work outside the valley says that only 38% work in the valley. Where did these numbers come from and how valid are they. Also since supposedly 29% work in three other areas where do the other supposed 11% work?

Paragraph #2 Nice words but rather obfuscating to say that freeways and arterials are operating at or near capacity in the peak direction of travel. What are you trying to say? It is pure gobbledygook. C16-2

Paragraph #6 All gobbledygook. Spell out what the numbers actually are. How and where were they derived. Please show source and documentation.

Paragraph #7 Just how can you operate even at 1% over capacity let alone 50 to 60 percent. This physically is impossible. Capacity by it very definition in the dictionary states that it is impossible. Where do you get your definition? Please document source of your use of the word "capacity" and justification to exceed by 50 to 60 percent.

Paragraph #8 Once again you use percentage and no baseline. You also use 1980's as the beginning of increase in congestion. Yet you say you have done studies in S-3 much later and so your numbers become even more suspect.

Response to Letter C16

Comment C16-1

A more complete description of the data referenced in this section can be found in Chapter 1 - Purpose and Need.

Comment C16-2

The statistics are taken from the SCAG Regional Transportation Demand Model, which is updated periodically.

The peak direction of travel is toward downtown Los Angeles in the morning and from there in the afternoon.

The percentages stated in paragraph 6 refer to the Valley's share of overall regional VMT.

The traffic system can operate at over-capacity, but with greatly diminished operating characteristics (i.e., speeds, waiting times).

The comparison is between the late 1980s and 2020.

2

S-3

This is appalling that there have been this many studies and we are spending more money on studies. Your figure S-2 doesn't clear up anything. We have still not gotten the answer to "when are you going to do it right the first time and quit wasting money on useless studies"? C16-3

S-3.1

Wasted space

S-3.2

More wasted space

S-3.3, S-3.4, S-3.5, S-3.6

More obfuscation

S-4 EIS/EIR ALTERNATIVES

S-4.1

No Build alternative is about as good as it gets since there is no where in any of the proposals for increasing the north/south grid so that the existing series of bus and rail routes are connected into a TRANSPORTATION SYSTEM. C16-4

S-4.2

The TSM alternative does not address the north/south problem and maintains just a series of routes. It does not address the need for a TRANSPORTATION SYSTEM. C16-5

S-4.3

The Bus Rapid Transit Alternative (BRT) still does not address the lack of north/south connectivity for the route to work. It also fails because it does not address the lack of a TRANSPORTATION SYSTEM. C16-6

Comment C16-3

The commenter's opinion is noted for the record.

Comment C16-4

The commenter's opinion is noted for the record.

Comment C16-5

The commenter's opinion is noted for the record.

Comment C16-6

The commenter's opinion is noted for the record.

3

5-4.3.1 FULL BRT

This short synopsis hardly tells us the real problems with this scenario. One has to read almost every page of this EIR/EIS to really fathom the problems that this project really produces. This whole EIR/EIS is an abomination that seems to be cleverly disguised as and EIR/EIS but is meant to confuse, require and abnormal amount of time to find the information and is so segmented that it defies comprehension.

Why isn't everything related to each project contained in that section?

1. There are no grade separations at the north/south intersections with the streets.
   a. How do you propose not to impede north/south traffic with your design?
   b. How do you improve surface traffic times for all traffic.
   c. How do you landscape and not block views of both buses and street traffic?
   d. Why is so little money being spent to make this effective in moving all traffic?
   e. Why have the past comments and concerns that asked for a subway being totally ignored.
   f. Why can't this project be done right the first time?

C16-7

2. Your tables show lack of documentation.
   Table 1-2 page 1-3 merely says from 1998 MTA Travel Model. We want to see the raw data that went into this and how the model was complied. The numbers defy the realities of what the various streets and freeways can carry.
   Table 1-3 show average daily numbers of vehicles yet statements say they are at capacity. If they are at capacity then how can freeways with the same number of lanes have different capacities? You give numbers without any documentation to substantiate any validity.
   Table 1-4 page 1-9 and Table 3-2 page 3-3 give ADT Volumes but the volumes for each street are different from table 1-4 to Table 3-2. They are from the same source. How can they be different? This makes all of your data completely suspect and until you can give the raw data and how it was compiled to the public to evaluate you have violated both NEPA and CEQA that requires validness of all information.

C16-8

1-1.2.3 Public Transportation

It states that there is an existing transit network. However this network does not become a TRANSPORTATION SYSTEM.
How do you propose to make a TRANSPORATATION SYSTEM out of this or any of the other projects? Isn't the object to get to any other part of the greater Los Angeles area

C16-9

Comment C16-7

North/south traffic will experience additional delays with the implementation of the BRT. However, through proper design of the overall system, the impacts on the north/south traffic should be minimized. Identified significant negative impacts will be mitigated through the recommended mitigation measures. Diversion of some commuters from personal auto to the BRT system will help reduce automobile trips. The analysis has shown that grade separations at north-south arterial crossings will not be necessary to mitigate negative impacts of the BRT project. Landscaping will be constructed to city standards regarding site distances A subway configuration was considered in previous phases in conjunction with rail options and was rejected due to various environmental and economic reasons.

Comment C16-8

Table 1-2: "Raw" data from the MTA model will need to be requested directly from MTA. Specific questions about how the MTA model was compiled should be addressed to the MTA's modeling section.

MTA is currently preparing a methodology report regarding the Transportation Demand Model for its Eastside light rail project. It is anticipated this report will be completed in the near future and available for public perusal. This is the same travel model used for the analysis of the San Fernando Valley East-West Transit Corridor Bus Rapid Transit project, and it is believed this general methodology report would serve to provide answers to questions the commenter outlined in this letter. The table reflecting traffic volumes contains information secured from 1997 traffic counts provided by Caltrans. Finally, the average daily traffic counts were secured from the City of Los Angeles Department of Transportation's database, and MTA does not have access to their raw data.

Table 1-3: Volume ranges for freeways are provided for illustrative not analytical purposes. The indicated figures are daily traffic flows and not capacities as the comment contends. Freeways are at or near capacity when the volumes are at the upper limits of the indicated ranges. Although not relevant to this table and issue, freeways with the same number of lanes can technically have different operational capacities due to differences in other geometric features such as lane widths, lateral obstructions, horizontal and vertical curvatures, percentage of heavy vehicles and other factors.

4

by being available in short travel times that will rival or exceed the single occupancy car vehicle?

2. If the object is to relieve congestion on the surface streets then:
   a. Why are there parking lots rather than north/south service to feed this proposed bus way?
   b. Why are the parking lots designed to inhibit traffic along the surface streets?

C16-9 cont'd

THIS IS AS FAR AS WE CAN GO IN THIS SUBMITTLE. However since you have said you will accept all that we are to submit, we hereby give notice that we will give further written testimony by Monday July 9, 2001 as per phone conversation with Mr. Kevin Michel.

Respectfully:

Gordon Murley
President

Tables 1-4 and 3-2: Comment noted. Volume ranges in Table 3-2 are the latest and most up-to-date figures. Data in Table 1-4 have been updated to match to Table 3-2. Volume ranges in these tables are provided for illustrative, not analytical, purposes. Please also see the response to Comment F16-7.

Comment C16-9

The BRT is anticipated to be a vital part of the transportation system in the San Fernando Valley area by 2020. The travel time for BRT across the Valley by 2020 will rival and exceed that of the private vehicle along the same general corridor. With increased transit service (higher frequencies) on the north-south feeder bus routes connecting to the BRT, introduction of the Metro Rapid Bus on Ventura Boulevard, the connection to the Red Line at North Hollywood, and the park and ride facilities, the BRT and its related network elements will provide a viable transportation system connecting to other parts of the greater Los Angeles area.

The park-and-ride lots are only one element of the overall system. The BRT will be strongly supported by improved north-south bus service provided by feeder lines as described in the EIS/EIR.

Comment Letter C17

Protecting The Integrity Of Our Community
WHHO
WOODLAND HILLS HOMEOWNERS ORGANIZATION
P.O. Box 6368, Woodland Hills, CA 91365

July 9, 2001

Mr. Kevin Michel
Los Angeles County Transportation Authority
One Gateway Plaza
22nd Floor, MS 99-22-5
Los Angeles, CA 90012

Mr. Michel:

We are adding this addendum to the response dated July 3, 2001.

The attached pages of this addendum begin as page 5 and end as page 8

We must say that the obfuscation of this document really violates the intent of both NEPA and CEQA. The use of adding a percentage rather than show the numbers that should have been collected is a great disservice and deceiving of the public.

Mark Twain, even though he never saw this document, stated the absurdity of this document when he said there are "lies, damn lies and statistics".

We are therefore, attempting to get answers by asking questions about this document even though it is difficult to find the correct words to phrase the questions that will not end up with a response to a numbered section we have questioned as the answer to our question. We fully expect an answer that can be understood by the general public and not in bureaucratic jargon.

Respectfully:

Gordon Murley
President

A California Nonprofit Corporation
4128 Morro Drive, Woodland Hills, California 91364
(818) 346-5842 e-mail g murley@worldnet att net

5

ADDENDUM TO JULY3, 2001 RESPONSE TO: SAN FERNANDO VALLEY
EAST/WEST TRANSIT CORRIDOR
DRAFT EIS/EIR
STATE CLEARING HOUSE NUMBER 1995101050 Pages 5 to 8

3-2 FUTURE CONDITIONS AND AREAWIE MOBILITY IMPACTS OF THE PROJECT

The percent of increase of ridership of 1.26 is extremely small and shows that this as proposed does not meet the needs of the public for ridership. Why are there not more north/south lines to feed Ventura Blvd., proposed bus way and metrolink? 17-10

3-2.2.5 Here is a good example of what Mark Twain said. Need raw data and formula used to even begin to fathom how these figures are derived. Why would the miles traveled be less? On what assumption is this based? 17-11

3-3.1.1 You don't give and exact number of streets crossed. The signalization required has not been calculated into time lost to vehicular traffic. Time is fixed and not variable, so how do you increase traffic flow both north/south and east/west? MTA can use these to figure how much time will be lost in slower driving times, but should also admit that they are the direct cause and not increase in amount of vehicular traffic. What is the difference between MTA caused delays and growth caused delays? 17-12

3-3.1.4 This section shows how little is done to alleviate the current failure at rail crossings. How do you propose to change drivers habits of "beating the signal" that happens all to frequently at rail crossings and red lights? If you have the answers, then why are they not now in use? 17-13

3-3.2.1 This clearly shows, that as designed, that BRT is most detrimental to overall traffic flow. That the parking lots will even more, greatly increase traffic delay and increase road rage due to delays at signals. How do you intend to reduce the irritation to both the potential bus rider and the vehicle commuter?
There are 53? intersections or just 53 critical intersections along the proposed corridor. 17 of these are proposed to be at level E or worse.
Cannot find section 3-3.4 for mitigations. There is a section 3-3.3 Mitigation measures under which 3-3.3.1 and 3-3.3.2 gives some generalized statements. Just what are the mitigation measures? How do they mitigate to less than significant the time factor. If the mitigation is to increase delay time, reduce traffic speed, and increase road rage, then you have mitigated the very thing that was more tolerable than before the mitigation. 17-14

3-3.3.2 Why are these changes classed as improvements? They increase traffic delay and running red signals for left turns and endanger oncoming traffic for right turns. 17-15

3-4 PARKING

3-4.2 There is currently on one parking lot and it is already at capacity. The other parking lot is used for park and ride. It does not say that park and ride as exists now will be eliminated. How does one tell which of the 1 50 or 90 parking spaces can be used by whom for what? 17-16

Response to Letter C17

Comment C17-10

The estimated 1.26 percent increase due to the BRT, which accounts for up to 15,000 additional daily transit trips, is an increase over the total daily transit ridership in the southern California region in 2020, which is projected to be more than 1.2 million transit trips. This is relatively a major improvement given the cost of the system. Furthermore, the percentage increase would be significantly higher if only Valley transit trips were considered.

Increased service on the north-south lines (in terms of higher frequencies) is also proposed as part of the BRT feeder system. In addition to serving the BRT, these north-south lines will connect to both Metrolink and the Ventura Boulevard Metro Rapid Bus line.

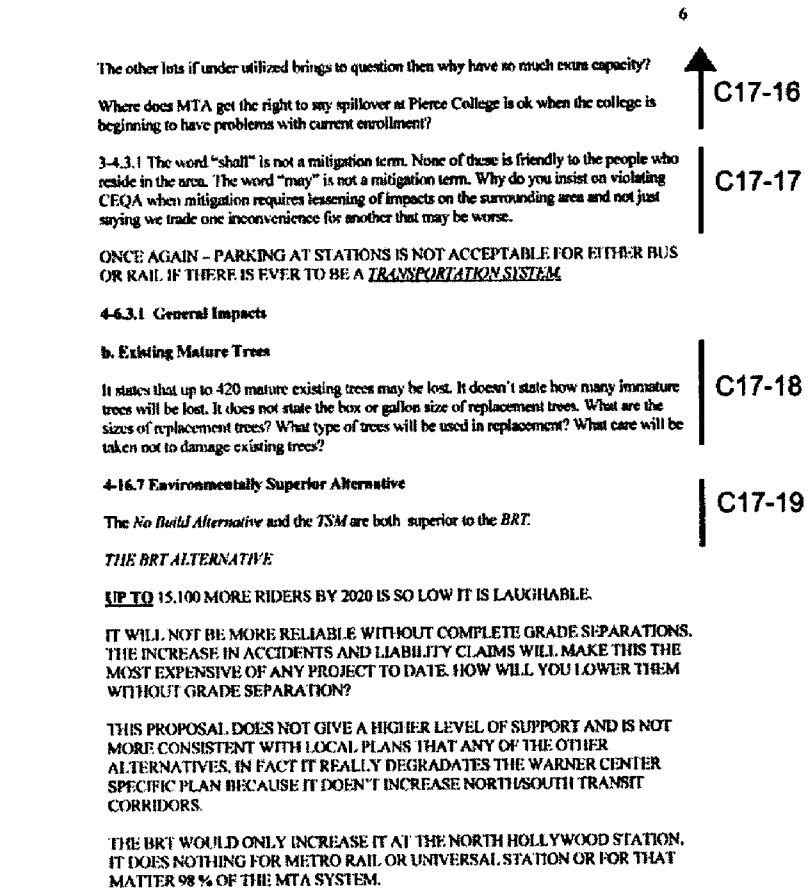
Comment C17-11

The analyses conducted are outputs from the overall modeling effort. Background and raw data supporting these figures can be made available for review. It should be clear that due to the overall increased transit ridership with the BRT, a reduction in vehicle miles of travel would result as more auto trips are converted to transit trips.

Comment C17-12

Figure 3-3 shows the key crossings along the transit corridor. Plans have also been developed and provided for the entire alignment which show all street crossings (see Volume 3). Intersection analysis has taken into account both delay caused by the BRT as well as that caused by the increases in traffic. Detailed technical calculations can be found in the separate technical appendix for this project, which is available at the MTA.

The EIS/EIR does not contend to increase traffic flow for north-south or east-west directions. Study intersections that were shown to be significantly affected based on delay were mitigated with specific improvement measures. The results can be found in Table 3-20.



6

The other lots if under utilized brings to question then why have so much extra capacity?

Where does MTA get the right to say spillover at Pierce College is ok when the college is beginning to have problems with current enrollment?

C17-16

3-4.3.1 The word "shall" is not a mitigation term. None of these is friendly to the people who reside in the area. The word "may" is not a mitigation term. Why do you insist on violating CEQA when mitigation requires lessening of impacts on the surrounding area and not just saying we trade one inconvenience for another that may be worse.

C17-17

ONCE AGAIN – PARKING AT STATIONS IS NOT ACCEPTABLE FOR EITHER BUS OR RAIL IF THERE IS EVER TO BE A *TRANSPORTATION SISTEM.*

4-6.3.1 General Impacts

b. Existing Mature Trees

It states that up to 420 mature existing trees may be lost. It doesn't state how many immature trees will be lost. It does not state the box or gallon size of replacement trees. What are the sizes of replacement trees? What type of trees will be used in replacement? What care will be taken not to damage existing trees?

C17-18

4-16.7 Environmentally Superior Alternative

The *No Build Alternative* and the *TSM* are both superior to the *BRT.*

C17-19

THE BRT ALTERNATIVE

UP TO 15,100 MORE RIDERS BY 2020 IS SO LOW IT IS LAUGHABLE.

IT WILL NOT BE MORE RELIABLE WITHOUT COMPLETE GRADE SEPARATIONS. THE INCREASE IN ACCIDENTS AND LIABILITY CLAIMS WILL MAKE THIS THE MOST EXPENSIVE OF ANY PROJECT TO DATE. HOW WILL YOU LOWER THEM WITHOUT GRADE SEPARATION?

THIS PROPOSAL DOES NOT GIVE A HIGHER LEVEL OF SUPPORT AND IS NOT MORE CONSISTENT WITH LOCAL PLANS THAT ANY OF THE OTHER ALTERNATIVES. IN FACT IT REALLY DEGRADATES THE WARNER CENTER SPECIFIC PLAN BECAUSE IT DOEN'T INCREASE NORTH/SOUTH TRANSIT CORRIDORS.

THE BRT WOULD ONLY INCREASE IT AT THE NORTH HOLLYWOOD STATION. IT DOES NOTHING FOR METRO RAIL OR UNIVERSAL STATION OR FOR THAT MATTER 98 % OF THE MTA SYSTEM.

Comment C17-13

The MTA does not purport to be able to change driver behavior at BRT crossings, or to be able to prevent traffic violations. The BRT system will be designed to adhere to all busway design and safety standards and criteria to prevent accidents.

Significant additions in traffic delay caused by the project are proposed to be mitigated. Beyond this, additional driver irritation and road rage as a result of increased traffic delays are not elements that can be controlled or mitigated by the MTA.

Comment C17-14

There are 53 key intersections along the study corridor which were included in the analyses. Impacts were determined at these key locations and mitigations developed for the significantly affected study intersections. The mitigation measures for the affected locations are summarized in Section 3-3.3. Thresholds of significant traffic impacts are identified in section 3-3.2.1. The mitigations for the project are not to "increase delay time and reduce traffic speed, etc." as inaccurately stated by the comment.

Comment C17-15

The changes (i.e., mitigated measures) discussed in Section 3-3.3.2 are considered improvements because they reduce the delay and therefore reduce the adverse effects of increased delay to the level where they are considered less than significant. The statement that the mitigations increase delay is inaccurate.

Comment C17-16

There are currently 150 parking spaces at the Balboa Boulevard/Victory Boulevard lot. An additional 135 spaces will be added to bring the total number of spaces to 285. The lot is used at present and will be used in the future mostly by transit riders.

7

EMPLOYMENT OPPORTUNITIES FOR CONSTRUCTION IS TIME LIMITED. NOTHING SAYS THAT THIS WILL INCREASE EMPLOYMENT IN WARNER CENTER, CHATWORTH, SYLMAR, ARLETA, NOTHRIDGE, RESEDA, VAN NUYS OR EVEN NORTH HOLLYWOOD. SO AFTER CONSTRUCTION YOU HAVE 22,730 UNEMPLOYED.

FINDINGS

- BRT is no more consistent than all the other alternatives.
- BRT is no better that all the other alternatives.
- All of the alternative would tend to improve access to community services and facilities.
- Most of the alternatives would generate employment as the BRT
- True it would, but the part about *aesthetically unobtrusive stations* is not true to most who think of them as lousy abstract art form with no redeeming values.
- In spite of the statistics, it is doubtful that MTA (BRT) would *cumulatively contribute* to the reduction of daily regional emissions. You have fallen short on the past predictions.
- You are playing with meaningless figures because they are assumptions.
- You are playing with the words "if all proposed mitigations measures can be applied". Which says you might not want to spend the money or that they are impossible to apply so therefore none of the mitigations will be done.
- *This one might* be true.
- This one may have truth in it, but it could have adverse biological effects in Sepulveda Basin.
- It may have a great safety impact due do no grade separations
- This may be true
- If the BRT alternative doesn't require any use of protected section 4(f) resources, which seem to undefined, then how much of section 4(f) resources are used by each of the other alternatives? C17-20

RECOMMENDATIONS:

1. Don't build unless grade separation at all crossings.
2. Have no park and ride or kiss and ride areas due to traffic congestion and safety.
3. Have no drop off areas except at Warner Center and North Hollywood Stations.
4. Design this so heavy rail could be used for transportation.
5. Subway or open cut construction for the Chandler portion
6. Nothing on Oxnard street in North Hollywood. C17-21
7. Bicycle path must stay on north side the complete route.
8. Unless north/south routes are improved this amount of money for 15,000 possible riders makes no sense.
9. Before spending one dime, show the public your TRANSPORTATION SYSTEM and how it is designed at each segment to integrate into not only Citywide, Countywide, but entire Southern California Region wide system.

The fact that some lots are under-utilized does not mean they will have too much capacity. Where space is available, MTA will provide additional parking capacity beyond the identified demand to plan for the future and prevent potential parking spillovers. Furthermore, by making transit service near these lots more attractive, it could encourage more people to use these lots.

MTA does not state that spillover parking is "ok" at Pierce College. Section 3-4.2 says that "the parking situation in neighborhoods around stations with no parking should be monitored by LADOT and mitigation measures implemented if it should cause inconvenience to residents."

At the request of Pierce College, an alternative to Pierce College (Mason Avenue) station is under consideration at Winnetka Avenue that would provide 389 additional parking spaces. These parking spaces have the potential for shared use with Pierce College.

Analysis conducted as part of the EIS/EIR did not indicate that spillover parking will be a major issue, due to a relatively smaller demand for park and ride. However, as an added precaution, the proposed mitigation monitoring program for residential neighborhoods surrounding the transit stations is designed to lessen and eliminate any potential negative parking impacts, which may occur in the future. MTA, working with LADOT, is committing to a long-term monitoring program to inventory parking in the neighborhoods before and after the project, and to develop parking management strategies to address spillover parking impacts, if they occur. MTA will commit to providing assistance to affected neighborhoods in developing permit parking districts or other effective mitigation measures.

Comment C17-17

Mitigation measures have been committed to in the final environmental document.

Comment C17-18

Based upon the current engineering drawings, it is anticipated that approximately 420 trees will be removed for the project. MTA standards require a minimum replacement tree size of a 24-inch box for street trees.

As proposed this project is totally unacceptable and must not be built.

We have commented on many EIR's and EIS's and this, like many done by government agencies have reached a conclusion that is the antithesis of what has been presented. This EIR tries to justify a poorly thought out, insufficient plan which neither does what it says its proposes is, nor gives any ability to make modifications so that it can improve and make a transportation system.

For whatever reason many give against this proposal, the cumulative effect is that they are right that it serves no one with a public transportation system and injures the entire public.

Respectfully:

Gordon Murley
President

Comment C17-19

The commenter's support for the No Build and TSM Alternatives is noted for the record.

Comment C17-20

As detailed in Section 4-15.4 of the EIS/EIR, none of the alternatives (i.e., No Build, TSM, or BRT) would require or result in the use of any protected Section 4(f) resources.

Comment C17-21

The commenter's recommendations are noted for the record and will be considered as further development of the project proceeds.

Comment Letter C18

Salazar, Mariana

From: Michel, Kevin
Sent: Thursday, July 05, 2001 5:35 PM
: 'BRT Opposed'
bject: RE: MTA BRT Opposed - Favor TSM Alternative

Thank you for your comments, which I will forward to the team preparing the Final EIS/R.
Kevin

Kevin J. Michel, AICP, Transportation Planning Manager
L.A. County Metropolitan Transportation Authority
1 Gateway Plaza, Mail Stop 99-22-5,
Los Angeles, CA 90012-2952
Phone: (213) 922-2854 Fax: (213) 922-3060

-----Original Message-----
From: BRT Opposed [mailto:brtopposed@yahoo.com]
Sent: Saturday, June 30, 2001 3:29 PM
To: michelk@mta.net
Cc: brtopposed@yahoo.com
Subject: MTA BRT Opposed - Favor TSM Alternative

I oppose the proposed Bus Rapid Transist (BRT) in the San Fernando Valley and favor the Transportation System Management (TSM) Alternative.

Proceeding with the BRT, a bus line parallel to major existing thoroughfares, would be an obvious waste of MTA's transportation funds (i.e., approximately $280 illion plus). Until we have garnered the funds to ntinue the Metro Red Line Subway System into the alley, we should place our funds into the TSM Alternative which would increase current bus line efficiencies by the addition of buses and implementation of Rapid Buses (including rapid bus technologies) along major East - West Valley streets such as Victory Blvd., Vanowen Blvd., Sherman Way, etc. Current bus lines on these streets, as well as throughout the Valley, are too few in number, make infrequent stops and are over congested - all of which make current rider ship unbearable and discourage new rider ship. We NEED to increase and build up these current bus lines, and the TSM is cheapest temporary solution to the Valley's traffic congestion problem.

The pace of population growth in Los Angeles has been enormous. In fact, rates of growth are increasing further, placing overwhelming burdens on L.A.'s infrastructure. The waistband of L.A.'s traffic congestion is buckling - and action is needed NOW. Decision makers have decided that Los Angeles' traffic problems can be dealt with quick, cheap fixes and have failed to consider the full complexities of the problem. Los Angeles enjoys the reputation for having the WORST traffic congestion problem in the U.S., yet decision makers have failed to sufficiently emphasize and allocate the necessary funds to a region with the greatest transportation needs. This is comprehensible! The Valley NEEDS the Metro Red Line tension!

In a nutshell, we should reserve money for the Metro

1

Response to Letter C18

The commenter's opposition to the BRT and support for the TSM Alternative are noted for the record.

Red Line subway extension into the Valley. However, until such time sufficient money is reserved, we should improve current in-place transportation via the TSM Alternative and not proceed with the BRT.

Sincerely,

Coalition for Community Responsibility
San Fernando Valley Resident
email: brtopposed@yahoo.com

Do You Yahoo!?
Get personalized email addresses from Yahoo! Mail
http://personal.mail.yahoo.com/

Comment Letter C19

Los Angeles County Metropolitan Transportation Authority
U.S. Department of Transportation Federal Transit Administration

San Fernando Valley East West Transit Corridor
Bus Rapid Transit Draft Environmental Impact Statement/Report

COMMENTS email: michelk@mta.net

Please use this page to submit your comments about the Draft Environmental Impact Statement/Report (DEIS/R) on the San Fernando Valley East-West Corridor. You may discuss any aspect of the project in which you are interested and/or specific items related to the DEIS/R.

Please see attached.

(If necessary, please continue your comments on the reverse side of this paper.)

To receive information regarding the San Fernando Valley East West Transit Corridor Bus Rapid Transit DEIS/R, please complete the information below.

Name: West Valley Concerned Citizens Group Phone: 818-881-2963

Address: 6159 Melvin Ave

City: Tarzana (Melody Acres) State: CA Zip: 91356

E-mail Address: vivian_pine@yahoo.com

Please return by July 3, 2001 to:
MTA, Kevin Michel, Project Manager, One Gateway Plaza, MS 99-22-5, Los Angeles, CA 90012-2952.
(213) 922-2854 Fax: (213) 922-3060

Response to Letter C19

The commenter's opposition to the BRT is noted for the record.

July 9, 2001

Submitted at the July 9, 7-8pm Community Meeting, located at Woodcrest Elementary School, by the West Valley Concerned Citizens Group

To the MTA Board:

We are writing to you to convey our strong opposition to the proposed Bus Rapid Transit (BRT) on the railroad tracks directly north of the Melody Acres area in Tarzana (Topham and Oxnard streets).

The BRT would bring noise, inconvenience, crime, and upheaval into what are now very pleasant, quiet, safe neighborhoods. In addition, the residents flanking this busway are not citizens who ride the bus, or need to, for that matter. Furthermore, the proposed riders of this BRT would have nowhere to park, as we have been informed that parking lots would not be constructed at all of the station stops. It seems absurd to create a busway which would require people to be transported to and from itself!

This land would be put to much better use in one of the following ways:

1) A green space, providing much needed park land and a bike lane, which would be a form of transport for those intrepid soule who could ride to and from work or school, and/or a wonderful form of family recreation. A bike path and pet path would be quiet, useful and aesthetically pleasing. All of this would contribute to property values, preserving the quality of these communities.

2) A better use of taxpayers money would be to pursue the TSM alternative. It would be a far better idea to install Metro Rapid lines (if not underground Metro Rail) along existing Valley boulevards such as Victory, Oxnard, Chandler, Burbank and Sherman Way. These streets are commercially zoned, and flanked by hundreds of low income apartment buildings whose residents need a rapid, reliable bus line to get to and from work both in the Valley and L.A. Such rapid busways could provide them with access to the MetroRail Valley line, and thus to downtown. In addition, north and south lines could be established along existing arteries, further connecting these areas. These people need and currently use public transport, and would make these routes economically viable for the MTA.

3) In the future it would make sense to construct a subway system through the valley, thus connecting the Western Valley with the Red Line. This plan would allow for green space and preserve peace, quiet and safety (insured by the underground line).

We want to preserve the pastoral quality that we moved to the San Fernando Valley to find. However, we do want to be served by adequate transportation. Let's place it intelligently, where it would be of greatest use to the community. Our city planners devised wonderfully efficient boulevards which connect all points in the Valley. We have only to mirror this grid with modern, efficient, rapid transport. We believe there would be little opposition to a system such as this, which would enhance commercial opportunities along those routes, and improve adjacent residential areas. Safe, adequate parking must be provided, as well as a well-thought out system that allows you to complete the entire leg of your trip on public transport.

- more -

What good is a system you have to drive to, just so you can take public transport? It is difficult to escape the conclusion that the useless and expensive BRT being pushed through by Zev Yaroslavsky is merely to justify having bought the railroad land in the first place.

It is time we listened to the actual residents in terms of what they want and need, and follow the excellent plan that has already been laid out in our system of roadways.

Sincerely,
West Valley Concerned Citizens Group

From Bur Comment Letter C20

Attn Brent Caldwell 213 922 6573 FAX

July 21,2001

Dear M.T.A. Board of Directors: John Fasana Chairman

M.T.A. says the BRT helps the greater good and C.O.S.T. is just a selfish Orthodox Jewish Community and a few nimbys. C.O.S.T. says the BRT serves the privileged few and enhanced TSM(maximal bus service with DOT's Stage 2 grid of rapid buses) serves all of the valley and is for the greater good. C.O.S.T. includes many groups along the entire 14 mile corridor proudly including the C.C.T.C., a predominantly Orthodox Jewish group, Valley Village homeowners, Valley Glen Homeowners Association, Sepulveda Homeowners Association, Melody Acres and many individuals from the entire fabric of our society. M.T.A. has done tolerance a disservice by overemphasizing and compartmentalizing the Orthodox Jewish component of dissent. C20-1

Let's examine mathematically the facts. MTA states for 20 years, until 2020, the BRT will provide rapid bus in 29 minutes versus 50 minutes on the Ventura Rapid Bus. BRT will take 29 minutes but not for 5 years, assuming they prevail against litigation and finish on time. Rapid Bus by June 2001 (L.A.Dot report) takes just 43 minutes on Ventura Blvd. A 12.5% shorter route on Victory Blvd will take 37.6 minutes. Victory Blvd is not as congested and so the trip will more likely be 35 minutes. Six minutes longer and 5 years earlier. MTA says every year traffic will get worse as population in the south valley grows. But the south valley is 99% built and we have a general plan preventing conversion of residential to apartments. We fear the MTA plans to increase population by allowing increased urbanization of the valley - adjacent to all of the stations. If the general plan is left intact, traffic should change much less in the next 20 years. If bus service and rapid bus buys us 10-20 years, who knows what superior transportation upgrade technology will develop? Perhaps in 10-20 years the MTA will desert its opulent lifestyle, gets its financial house in order, and we can have a first class deep bore subway to both the west valley as C20-2

C20-3

Response to Letter C20

Comment C20-1

There has been no attempt to organize or mischaracterize comments received from any commenting party. All comments have been reported as they have been received and are responded to individually, with the following exception. Many written comments were received that articulated identical (or nearly identical) statements of opinion either in support of or in opposition to one or another of the proposed alternatives or alignments. These comments have been grouped according to their similarity and are presented as such in Group F.

Comment C20-2

Victory Boulevard may currently be a fair candidate for transit enhancement similar to the Metro Rapid Bus program on Ventura Boulevard. However, Victory Boulevard even today is highly congested during the peak hours (with many schools in the vicinity) and its traffic congestion is expected to get significantly worse by 2020. A proposed Metro Rapid Bus on Victory Boulevard would operate in mixed-flow traffic and will not offer the same long-term transit priority benefits that a BRT project along the exclusive Chandler Boulevard right of way would provide. Please also see the responses to Comments F16-2 and F16-6 for further detail.

Comment C20-3

The MTA does not develop population growth projections. These are provided by the Southern California Association of Governments and are based on current population counts and trends, as well as planned land use and zoning information provided by the City of Los Angeles (in the case of the San Fernando Valley). In addition, the MTA does not set land use policy for the City of Los Angeles. Any growth which would occur adjacent to stations would be constrained by the legally binding land use policies of the City, contained in the General Plan, the Community Plans, and zoning. Section 4-1.3.3, Station Area Development Potential, describes whether increased development could occur in proposed station areas. In some locations, such as the North Hollywood station, planned land use and zoning would allow increased development. However, at other proposed stations, such as the Tampa Avenue station, planned land use and zoning limits development to single-family residential and neighborhood commercial.

2

originally promised, but especially in the northeast valley where it is most needed.
MTA says the BRT will end congestion on the Ventura Freeway. Mathematically, that's not true.
Maximal BRT capacity is a 60 passenger double articulated bus every 5 minutes. June 2001 DOT study of rapid bus brags that 13% of its riders earn more than $50,000 per year. (MTA's definition of a car driving "suit"). Assume ridership doubles to 25%. This will decrease traffic on the Ventura Freeway by just 3 cars per minute. It's a statistically insignificant amount. C20-4
MTA says TSM is "nothing" and besides, it is included in the BRT. Not true. C.O.S.T believes that TSM will get second priority to building BRT and be delayed for 5 years until BRT is built. Bus service in the valley stinks. TSM will decrease wait time on many major streets from 60 minutes to 30 minutes on many important routes (Roscoe,Devonshire, Tampa and Woodman) called secondary arterials. TSM will decrease rush hour wait time on major transit corridors to less than 10 minutes on major transit corridors like Sherman Way, Vanowen, Van Nuys Blvd, Sepulveda and Reseda Blvds. TSM will buy 38 new buses for our valley. C20-5
Why is TSM not in place now? Phase 2 Rapid Bus will add 4 more routes to the valley, Sepulveda Blvd, Van Nuys Blvd, San Fernando Blvd and Roscoe Blvd. C.O.S.T. proposes just adding Victory Blvd instead of BRT. Thus, immediately we could have 3 Rapid Bus routes(33-45 minutes) beginning at Warner Center (Ventura, Victory and Roscoe Blvds) going east to the Red Line. We could have 3 routes beginning in San Fernando/Pacoima (San Fernando Blvd, Van Nuys and Sepulveda) connecting them to the Red Line (San Fernando to Lankershim) to the city/county offices (Van Nuys) and to the entire cities' job opportunities. All 3 of our Community Colleges (Pierce, Valley and especially the most in need, Mission College in Pacoima) would get Rapid Bus service to the Red Line. The Victory line could switch to Burbank Blvd in the East Valley for Valley College access.
MTA says the cost of the BRT will be $284 million. Not true. They use 1999 dollars. Hello! This is 2001. Construction begins in 2002 and ends in 2006. Assume 2004 dollars as C20-6

Comment C20-4

The MTA does not claim that the BRT will end congestion on the Ventura Freeway. A major objective of the BRT, however, is to provide an alternative mode of travel across the Valley, which is integrated with other transit services in a network, connecting major activity centers, and which is convenient, efficient and competitive with the automobile for a similar trip.

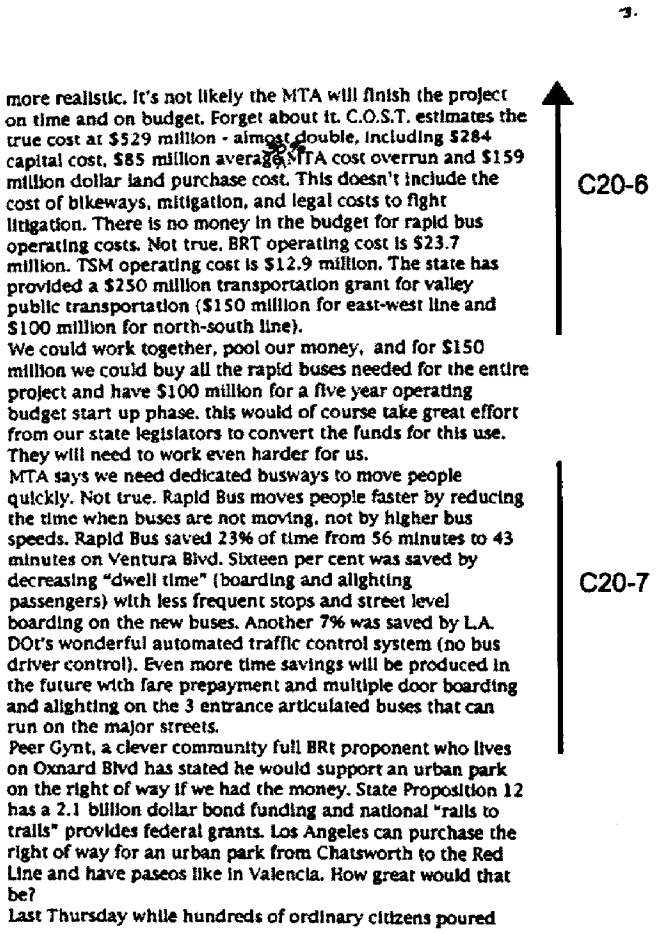
Comment C20-5

The commenter's support for the TSM Alternative is noted for the record. Please also see the response to Comment F16-2.

Comment C20-6

When MTA develops its financial plans, it increases estimated costs to their year of expenditure. However, these costs must be based on available data. All of the capital cost estimates in the Draft EIS/EIR were listed in 1999 dollars, because the unit costs on which the estimates are based were developed in 1999. Because the capital cost estimates included in an EIS/EIR are used for comparison between alternatives, it would be inappropriate to escalate costs to their year of expenditure, especially as different alternatives could be implemented over different time frames. The capital cost estimates developed for the Draft EIS/EIR have been retained in the Final EIS/EIR (as a record). In addition, the Final EIS/EIR contains a refined capital cost estimate for the Locally Preferred Alternative in 1999 and 2001 dollars.

Please see the response to Comment C9-8. The cost estimate in the EIS/EIR contains the costs of construction and vehicle procurement, as well as contingencies, as shown in detail in Table 6-1. The previously acquired MTA ROW was purchased with state money from a separate bond issue not tied to this project. Therefore, the cost of the previously acquired right-of-way, while included in Table 6-1 for informational purposes, would not be added into the capital cost estimate used for evaluation of the project.



more realistic. It's not likely the MTA will finish the project on time and on budget. Forget about it. C.O.S.T. estimates the true cost at $529 million - almost double, including $284 capital cost, $85 million average MTA cost overrun and $159 million dollar land purchase cost. This doesn't include the cost of bikeways, mitigation, and legal costs to fight litigation. There is no money in the budget for rapid bus operating costs. Not true. BRT operating cost is $23.7 million. TSM operating cost is $12.9 million. The state has provided a $250 million transportation grant for valley public transportation ($150 million for east-west line and $100 million for north-south line).

We could work together, pool our money, and for $150 million we could buy all the rapid buses needed for the entire project and have $100 million for a five year operating budget start up phase. this would of course take great effort from our state legislators to convert the funds for this use. They will need to work even harder for us.

MTA says we need dedicated busways to move people quickly. Not true. Rapid Bus moves people faster by reducing the time when buses are not moving, not by higher bus speeds. Rapid Bus saved 23% of time from 56 minutes to 43 minutes on Ventura Blvd. Sixteen per cent was saved by decreasing "dwell time" (boarding and alighting passengers) with less frequent stops and street level boarding on the new buses. Another 7% was saved by L.A. DOt's wonderful automated traffic control system (no bus driver control). Even more time savings will be produced in the future with fare prepayment and multiple door boarding and alighting on the 3 entrance articulated buses that can run on the major streets.

Peer Gynt, a clever community full BRt proponent who lives on Oxnard Blvd has stated he would support an urban park on the right of way if we had the money. State Proposition 12 has a 2.1 billion dollar bond funding and national "rails to trails" provides federal grants. Los Angeles can purchase the right of way for an urban park from Chatsworth to the Red Line and have paseos like in Valencia. How great would that be?

Last Thursday while hundreds of ordinary citizens poured

C20-6

C20-7

Comment C20-7

It is true that reducing station dwell times, an expedited boarding process, less frequent stops, street level boarding and automated traffic control systems, will play a major part in the attractiveness and time savings offered by the BRT. All of these will be elements of the overall BRT system. However, a dedicated busway will offer an added element, which is the ability to move people faster between the stops, because it does not have to operate on the same congested road with vehicular traffic. The savings in travel time can be significant, especially during peak commute periods.

their hearts and souls out before the MTA Board, Mayor Hahn was absent attending a large meeting of business leaders. An ironic imagery. His father, Kenny Hahn, would have been with the "people", but we have not seen his equal in many a day. Mayor Hahn has pledged to oppose the Chandler BRT. If the Mayor opposes the BRT with his heart and soul, the BRT will not pass. We challenge the MTA Board to carefully consider and hear us out in full. We believe the BRT is another costly MTA mistake which will only serve the privileged few. We believe enhanced TSM is a frugal, correct, first class step in the right direction for the common good of the entire San Fernando Valley.

Sincerely,

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