

Expo wins again in court

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As the first segment of the Expo Line gets [ready to roll](#) later this month, the light rail's second leg, to Santa Monica, received an important green light this week from a state appeals court, which rejected a challenge to the project's environmental review process.

The court found that the review was properly conducted to assess the project's impact on future traffic and air quality. The ruling marks the second rebuff of a legal challenge to the project that was filed by the homeowners' group [Neighbors for Smart Rail](#). The group [filed suit](#) in 2010, but a Los Angeles Superior Court judge [rejected](#) its argument last year.

The group had contended that the Exposition Metro Line Construction Authority improperly based its environmental review on projected 2030 conditions instead of using 2009 conditions as a baseline. The group said previous court cases involving projects in Sunnyvale and Madera had disallowed the use of such hypothetical projections.

But the appeals court said those cases did not apply to Expo.

"In our review of the record, we found the Expo Authority's use of 2030 projections is supported by both substantial evidence and common sense," the court said in its [opinion](#).

The court said that it was impractical to look at current conditions in trying to assess how the project would affect traffic and air quality.

"As a major transportation infrastructure project that will not even begin to operate until 2015 at the earliest, its impact on *presently existing* traffic and air quality conditions will yield no practical information to decision makers or

the public,” the court said. “Many people who live in neighborhoods near the proposed light rail line may wish things would stay the same, but no one can stop change.”

Terri Tippitt, president of Neighbors for Smart Rail, said that the court’s ruling is in direct conflict with decisions handed down by other state appeals courts, and her group is planning another appeal.

“The California Supreme Court needs to review and decide what the law is,” she said in a brief statement.

But Expo CEO Rick Thorpe hailed the decision. “The appellate court decision allows us to move forward without delay to this much needed project,” he said. “This is great news for improving mobility on the Westside of L.A.”

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