

1. Introduction

The Draft Initial Study and Mitigated Negative Declaration (IS/MND) was distributed for public review on December 19, 2016, through January 19, 2017, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15105. The public review period was subsequently extended to February 13, 2017. A total of 19 comment letters and emails were received. While not required per CEQA Guidelines for an IS/MND, this appendix provides responses to written environmental comments received during the public review period.

Neither the comments received nor these responses change the analysis or conclusions of the Draft IS/MND. The final document has minor modifications for clarity but no new information is presented.

Written responses are presented for all comment letters received during the public review period, starting with comment letters from agencies, followed by organizations and individuals.

Each letter has been assigned a number code, and individual comments in each letter have also been coded to facilitate responses. For example, the letter from Caltrans is identified as Comment Letter 1, with comments noted as 1-1, 1-2, 1-3, etc. Copies of each comment letter are provided prior to each response.

2. Comment Letters and Emails Received

All of the comment letters are listed in Table 2-1 and the corresponding responses are provided in this section.

Table 2-1: List of Comment Letters

Letter No.	Agency/Organization/Individual	Date
1	State of California – Department of Transportation	12/27/16
2	State of California – Native American Heritage Commission	01/11/17
3	Jose Huizar – Councilmember, 14 th District	01/18/17
4	Central City Association of Los Angeles	01/18/17
5	Fixing Angelenos Stuck in Traffic	01/19/17
6	BizFed – Los Angeles County Business Federation	08/19/16
7	Latham & Watkins, LLP on behalf of RCS VE, LLC	12/21/16
8	Liner, LLP	01/18/17
9	XYVEST Holdings Inc.	01/18/17
10	Corinne Grassini Mathern	01/19/17
11	Deborah A. Meadows	01/19/17
12	Unknown Author	01/19/17
13	Yuval Bar-Zemer	01/19/17
14	Michael Hayes	12/21/16
15	Partho Kalyani	12/7/16; 01/26/17
16	Alexander Freidman	12/8/16; 12/20/16; 01/27/16
17	State of California – Governor’s Office of Planning and Research – acknowledges letters already listed above	01/18/17
18	Central City Association of Los Angeles	02/13/17
19	Liner, LLP on behalf of Arts District Crossing Owner LLC	02/13/17

3. Response to Comments

Responses to all comments received are provided in the pages below. However, there were many comments received on the Draft IS/MND that are outside of the scope of this IS/MND, and which reiterated many of the same points. Therefore, prior to responding to individual comments, this section contains one comment named Master Response #1. This response is provided below and is referenced multiple times throughout the response to comments.

Master Response #1:

There were many comments received on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) that are outside the scope of this IS/MND. These comments indicate a desire by stakeholders in the community for an Arts District station or stations at 3rd Street, 6th Street, or elsewhere. These comments will be shared with the Metro Board. However, these comments are not relevant to the potential environmental impacts associated with the currently proposed Core Capacity Improvements.

This IS/MND evaluates the potential for environmental impacts associated with core capacity improvements that will allow efficient and timely operation of the Metro Red and Purple Lines when the extension of the Metro Purple Line to Wilshire/La Cienega opens for revenue service. This capacity improvement project being considered as part of this IS/MND is a separate project from other Metro projects and has independent utility related to operations. The possibility of a future station or stations in the Arts District at 3rd Street, 6th Street, or elsewhere is an important future possible project that Metro is studying with the community.

To allow flexibility for future projects, the Request for Proposal to provide final engineering design services for this core capacity project (released on July 20th, 2016) states that during preliminary engineering the, "Consultant shall provide 30% level engineering calculations and design of the widened portal structure and turnback facility to accommodate turnback operations with provision to convert the turnback facility into a future revenue station." It further states that, "Track alignment shall consider connection to future extension of revenue service to the south." Additionally, the Request for Proposal adds that, "While the Project's primary objective is to design the alignment to accommodate a turnback facility for WPLE Section 1 operations which would result in the widening of the existing portal to the east, the Project must also consider widening the portal to the west to accommodate a possible future mainline connection to a revenue service station located further to the south and within BNSF property." The maximum potential footprint to accommodate the portal widening to the east or west is shown in Figures 2 and 3 of the Draft IS/MND (Site Vicinity Map and Conceptual Engineering Site Plan, respectively) and is incorporated into the analysis of the IS/MND.

Recently, the January 26, 2017, Metro Board Motion number 2017-0020 (attached) directed staff to look at the feasibility of future station alternatives, including direction that the design of the Division 20 rail yard not preclude new stations in the future. The currently proposed operations improvement actions in no way preclude a possible future station(s). The currently proposed core capacity improvements project will optimize and improve service throughout the system including a potential future Arts District station(s), but the potential of an Arts District station(s) is not a reasonable consequence of the core capacity improvements, and the potential for a future Arts District station(s) does not change the scope or nature of the core capacity improvements. A future Arts District station(s) would be a separate and independent project with its own public input, planning, and environmental review as appropriate. For these reasons this core capacity improvements project will not preclude a possible future station(s).

Comment Letter 1
State of California – Department of Transportation

DEPARTMENT OF TRANSPORTATION
DISTRICT 7—OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-6536
FAX (213) 897-1337
www.dot.ca.gov



*Serious drought.
Help save water!*

December 27, 2016

Mr. Cris B. Liban
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952

RE: Red/Purple Line Core Capacity
Improvements Project
Vic. US-101
SCH#2016121052
GTS#07-LA-2016-00406ME-MND

Dear Mr. Liban:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. Metro is proposing to widen the tunnel portal currently located in the Metro Red/Purple Line Maintenance Yard. At present, non-revenue Metro Red/Purple Line trains proceed underground south of Union Station and emerge at-grade through the portal just south of the US 101 Freeway before entering a complex set of switches in the main rail yard. A widened portal southeast of Union Station and new tracks and switches will allow trains to turn around quickly at Union Station so that subway trains could potentially run every four minutes on each line

Based on a review of the Mitigated Negative Declaration, Caltrans does not expect project approval to result in a direct adverse impact to the existing State transportation facilities. It is noted that construction of the Project will be short-term and construction trucks and equipment will utilize areas within the Project site, therefore, eliminating any on-street queuing that could interfere with existing traffic. It is also noted that operation of the Project will not increase traffic in the surrounding area.

However, please be mindful any transporting of heavy construction equipment and/or materials which require the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute periods.

In the spirit of mutual cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Ms. Miya Edmonson, at (213) 897-6536 and refer to GTS# LA-2016-00406ME.

Sincerely,

A handwritten signature in cursive script that reads "Melani Bradford for".

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Comment Letter #1 Responses:

1-1

Metro will coordinate with Caltrans should oversized-transport vehicles be necessary. The comment also recommends that large size trucks be limited to off-peak commute periods. The comment is noted, as it is Metro's standard operating procedure to limit large size truck trips during peak hour commute periods.

Comment Letter 2
State of California – Native American Heritage Commission

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691
 Phone (916) 373-3710
 Fax (916) 373-5471
 Email: nahc@nahc.ca.gov
 Website: <http://www.nahc.ca.gov>
 Twitter: @CA_NAHC



January 11, 2017

Cris B. Liban
 Los Angeles County Metropolitan Transportation Authority
 One Gateway Plaza, MS 99-17-2
 Los Angeles, CA 90012-2952

sent via e-mail:
 libanc@metro.net

Re: SCH# 2016121052, Red/Purple Line Core Capacity Improvements Project, City of Los Angeles; Los Angeles County, California

Dear Mr. Liban:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the project referenced above. The review included the Project Description/Introduction, the Initial Study/ Environmental Checklist, and Appendix B Mitigation Monitoring & Reporting Plan, prepared for the County of Los Angeles. We have the following concerns:

- There is no Tribal Cultural Resources section or subsection in the Executive Summary as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf> 2-1
- There is no documentation of **government-to-government consultation by the lead agency** under SB-18 or AB-52 with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes. Discussions under AB-52 may include the type of document prepared and proposed mitigation. 2-2
- The Native American Contacts List was requested by the consultant only 7 days prior to the issuance of this document. That time period does not allow for neither Tribal input into the cultural resources assessment conducted by consultants nor for the County to contact and consult with tribes under AB-52. This indicates that meaningful government-to-government consultation did not occur. 2-3
- There are no mitigation measures specifically addressing Tribal Cultural Resources separately. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, **with or without consultation** occurring. Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources. 2-4

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and**

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966^a may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

^a 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report**. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18)."¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10**. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subs. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸
This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- **Contact the NAHC for:**
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- **Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:**
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- **If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.**
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

Comment Letter #2 Responses:

2-1

Metro has made clarifying edits to the Final IS/MND to address tribal cultural resources in accordance with AB 52 and the “Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form” referenced in the comment. In the draft document, cultural resources of Native American origin were considered, and impacts thereto mitigated for, under the broader term of cultural resources. The edits to the Final IS/MND clarify that tribal cultural resources are considered independently, and clarify that mitigation measures are crafted specifically to protect tribal cultural resources.

2-2

Regarding the reference to SB 18, this project does not involve the amendment or adoption of a general plan or a specific plan or designation of open space. Therefore, SB 18 does not apply.

The assertion that “meaningful government-to-government consultation did not occur” is inaccurate. This consultation did occur, although it was not explicitly reported in the Draft IS/MND due to the confidentiality mandated by AB 52 (Pub. Resources Code sec. 21082.3 (c)(1)). AB 52 grants important new powers to California Indian Tribes by broadening tribal consultation rights. It also gives the tribes the choice of which lead agencies, if any, it wishes to consult with. Public Resources Code 21080.3.1 (b) requires Native American tribes that wish to be consulted to contact each lead agency active within its traditional geographic area and request notification of upcoming projects. Metro’s consultant, AECOM, contacted the NAHC on November 22, 2016, and NAHC responded on December 12, 2016. The purpose of this contact was to request a Sacred Lands File search be conducted for the CEQA Project Area. The purpose was not to obtain a list of tribes for consultation. Only the Gabrieleno Band of Mission Indians—Kizh Nation had contacted Metro with a written request to be notified of proposed projects.

Metro consulted with the Gabrieleno Band of Mission Indians—Kizh Nation in accordance with AB 52. On November 21, 2016, Metro notified Chairman Andrew Salas of the planned project. Chairman Salas requested formal consultation in a letter dated November 27, 2016. Consultation was completed on December 13, 2016, with the adoption of mutually agreed-upon mitigation measures designed to protect tribal cultural resources.

2-3

See response #2-2.

2-4

The mitigation measures, crafted in partnership with Chairman Salas and other members of the Gabrieleno Band of Mission Indians—Kizh Nation, require developing a monitoring plan for tribal monitoring of ground-disturbing activities associated with the project. These mitigation measures were included in the Draft IS/MND as mitigation measures CR-2 and CR-3. They have been renumbered as TCR-1 and TCR-2 in the Final IS/MND to differentiate them from other cultural resources mitigation measures.

Comment Letter 3
Councilmember, 14th District – Jose Huizar



JOSE HUIZAR
COUNCILMEMBER, 14TH DISTRICT

January 18, 2017

Dr. Cris B. Liban
Executive Officer
Metro, Environmental Compliance and Sustainability
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952

Re: IS/MND for Metro Red/Purple Line Core Capacity Improvements Project (Division 20 Project)

Dear Mr. Liban,

I am writing to express my support for the Division Core Capacity Improvements Project (Division 20 Project). With the passage of Measure M, Los Angeles has entered a new era. Where we once used to prioritize only cars, the region has now taken a more holistic look at how people move around the Southland. One of those key projects is the Purple Line Extension.

With the securement of over \$1.6 billion in Federal Transportation Authority funds, the Purple Line Extension to the Veterans Administration Hospital has been accelerated to be completed by 2024. Acquiring more space for rail car storage and building a proper turn back facility are key components of this project.

However, accomplishing Metro's goals can be done in a way that expands Metro's service area by extending the Purple Line service to the vibrant Arts District in Downtown Los Angeles. What was once a neighborhood with a majority of industrial uses has now become a large mixed use community. This growing community has embraced alternative forms of transportation and deserves substantial investments in public transit and multimodal infrastructure.

We must use this once in a lifetime opportunity to construct a Sixth Street/LA River Station on the Purple Line. Doing so will allow for direct access to Metro's new LA River

3-1



JOSE HUIZAR
COUNCILMEMBER, 14TH DISTRICT

Bikeway and will provide desperately needed public transit to the southern Arts District and Boyle Heights. The construction of the new \$482 million Sixth Street Bridge with its accompanying park, as well as \$25 million in active transportation improvements connecting Boyle Heights and the Arts District to the bridge, will make this a local and national destination that will bring significant ridership to the Metro system.

The Red/Purple Line Core Capacity Improvements Project must be designed so that it does not prohibit a station at Sixth Street. Furthermore, the facility should be designed in a way that helps facilitate the construction of a future station at Sixth Street. The IS/MND must consider Metro's desire to acquire new land for rail car storage and look at how that acquisition can be used in order to provide service to Sixth Street.

I would like to express my gratitude to Metro for their desire to expand capacity on the Purple Line, but I strongly urge that the long term goals be kept in mind when constructing this facility. Should you have any questions, please do not hesitate to contact my Chief of Staff, Paul Habib, at (213) 473-7014.

Sincerely,

JOSE HUIZAR
Councilmember, 14th District
City of Los Angeles

3-1 cont

Comment Letter #3 Responses:

3-1

See Master Response #1. The widening of the tunnel will provide flexibility to accommodate a range of configurations for future projects.

Comment Letter 4
Central City Association of Los Angeles



January 18, 2017

Dr. Cris B. Liban
Executive Officer
Metro, Environmental Compliance and Sustainability
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952

Re: IS/MND for Metro Red/Purple Line Core Capacity Improvements Project (Division 20 Project)

Dear Dr. Liban:

Established in 1924, the Central City Association is Los Angeles’ premier organization comprised of 450 members who employ 375,000 people in the region. As the voice of business, we recognize that Downtown is the region’s center for growth and we need Metro’s partnership to thrive. We strongly believe the Division 20 Portal Widening and Turnback Yard Project (Division 20 Project) is the opportunity to establish a revenue station within the Arts District.

The Arts District is a vibrant and rapidly evolving neighborhood. Home to a creative and diverse residential population, unique businesses, and innovative work spaces, it is poised to continue to grow and flourish given its location along one of the region’s most promising assets: the Los Angeles River. Given that the area is no longer characterized by heavy industrial uses, we encourage Metro to take into account the current and future mobility of the Arts District as it proceeds with the Division 20 Project. We believe the Division 20 Project could have far greater long-term impact by connecting the Arts District to Downtown and the region.

4-1

That being said, we are concerned that the Mitigated Negative Declaration (MND) did not consider the true nature of the Arts District. It failed to acknowledge SCI-ARC College and the many live/work units in close proximity to Division 20 and its railyard. The MND also ignored the City’s adoption of the Hybrid Industrial Live/Work zone, which will establish a set of regulations to build new live/work units in the Arts District. The MND also had a very limited public comment period of 32 days that took place over the holiday season. Additionally, the MND did not acknowledge that the Metro Board has already taken two positions of support to construct a revenue station in the Arts District.

4-2

4-3

CCA supports widening the existing portal and track expansion; however, we believe the project must be done in concert with the analysis of a turnback yard and revenue station at or south of 7th Street, not at the location identified in the MND. CCA stands ready to partner with Metro and we appreciate your consideration.

4-4

Sincerely,

Jessica Lall
President & CEO

Comment Letter #4 Responses:

4-1

See Master Response #1.

4-2

The Draft IS/MND evaluated the nearest sensitive receptor, a residential land use (One Santa Fe), to the project site, and concluded that there would be no significant impacts. Therefore, there would be no significant impacts to SCI-ARC College and the other live/work units in the area as they are further from the project site.

4-3

The public comment review period met, and exceeded, CEQA requirements, lasting 32-days when a 30-day review was legally required. Partly as a response to the public's request for more review time, the comment review period was extended to February 13, 2017, resulting in a total of 56 days for review and comment.

4-4

See Master Response #1.

Comment Letter 5
Fixing Angelenos Stuck in Traffic



January 19, 2017

Attn: Dr. Cris B. Liban
Environmental Compliance and Sustainability
Los Angeles Metropolitan Transportation Authority (Metro)
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952
sent by e-mail to LibanE@metro.net

Re: Comments on Initial Study/MND for the Metro Red/Purple Line Core Capacity Improvements Project

Dear Dr. Liban –

As FAST’s Executive Director, I am writing on behalf of Fixing Angelenos Stuck in Traffic (FAST) and our coalition partners to express support for the proposed Division 20 portal widening in order to complete the Purple Line and its extensions by the proposed date of 2024. However, we also request that Metro additionally study extending the turnback facility beyond its current plan of One Santa Fe, farther south toward Seventh Street, to accommodate a revenue station at Sixth Street, which can also be completed in time for the Purple Line’s planned opening in 2024.

5-1

FAST is a public/private organization dedicated to designing and supporting the implementation of short-term strategies to reduce traffic congestion in Los Angeles by optimizing existing roadway and freeway infrastructure, promoting new technology and mobility options, and increasing public transit use in order to improve our quality of life. FAST represents numerous individuals and organizations throughout the region which include hundreds of thousands of businesses, students and residents in Los Angeles County – all committed to addressing gridlock and improving our mobility options. FAST supported Measure M throughout the years of “bottoms up” county-wide planning, and during the campaign in support of Measure M in the November 8th, 2016 election.

I appreciate the many conversations that we have had regarding the portal widening design. Plans show that the portal will be widened on both sides to allow for a turnback facility at One Santa Fe and allow space for future infrastructure improvements and rail service beyond One Santa Fe. Given that there is currently a motion by Metro Board members LA Mayor Eric Garcetti, LA County Supervisor Hilda Solis and LA Councilman Mike Bonin to study additional Arts District revenue stations for the Purple Line, FAST requests that Metro study these potential for new revenue stations at Third and/or Sixth Street and extending the turnback tracks to allow these stations as part of the Division 20 MND process.

5-2

A comprehensive, holistic mobility strategy is crucial for the Arts District for the following reasons:

- 1. Measure M voters supported a Holistic Mobility Vision for LA County.** Voters supported Measure M to fund comprehensive, multi-modal mobility, emphasizing first/last mile strategies in order to reduce our current gridlock, protect our environment and improve goods movement. Numerous stakeholders advocated for a Sixth Street station as part of our Measure M advocacy.

FAST - Fixing Angelenos Stuck in Traffic

445 South Figueroa Street, Suite 2290. Los Angeles, CA 90071
213.233.2542 . Cellular 213.448.2900 . www.FASTLA.org

2. **Arts District stations at Third and Sixth Street are good for Smart Growth.** To meet the region’s demand for new housing and jobs in the most environmentally sustainable manner, the ideal growth pattern for Los Angeles County is one where higher density development is built within existing developed areas – infill development -- in conjunction with transit, in order to reduce dependence on less efficient travel modes such as use of single occupant vehicles (SOV) and increase opportunities to travel by train, bicycle, bus, and on foot.
3. **The Arts District’s growth is now high-density commercial, retail and residential, replacing low density industrial and warehouse uses. Transit is needed to serve the increasing travel demand on limited roadways.** As your motion states, the Arts District is one of the most rapidly growing areas of Los Angeles, with over twenty development projects in the Arts District under construction, entitled or in the entitlement process, including 670 Mesquit, 6AM, Row DTLA, 520 Mateo Street, the Ford Motor Factory Building, 950 E. 3rd Street, At Mateo, and many others. Beyond new construction, due to pressure for new development to occur outside of single family residential areas, new commercial, residential and retail uses have been adaptively reusing warehouse and industrial structures for years, creating a high demand for new transit.
4. **A new station at Sixth Street would connect numerous infrastructure investments in first/last mile travel.** The proposed location for a Sixth Street station would connect: a) the \$485 million Sixth Street Viaduct Replacement Project, linking Boyle Heights and the Arts District with new vehicle, bicycle and pedestrian lanes; b) the LA River Bikeway and in-channel bike lanes; c) \$15 million in Active Transportation Program (ATP) grants for new bikeways and crosswalks in the Arts District; d) Metro’s Bike Share program; e) a new Los Angeles DASH bus route; and f) FASTLinkDTLA – a new Transportation Management Organization (TMO) for all of DTLA, which will incentivize travel using electric vehicle microtransit, EV carpools, Metro, Metrolink, DASH, Metro Bike Share and active transportation, rather than using single occupant vehicles (SOVs).
5. **A new Arts District station at Sixth Street is cost-efficient.** The Red/Purple Line tracks currently exist, and studies conducted by Metro put the cost of a new revenue station at \$90 million.
6. **An Arts District station at Sixth Street, by demonstrating growing demand for new transit service southeast of Union Station, could help garner new federal, state, local funds for planned new transit routes, such as the Eco-Rapid Transit Corridor.**
7. **An Arts District station at Sixth Street will connect the Arts District to numerous film, television, music and production districts by Metro rail and Metrolink --** Hollywood, West Hollywood, North Hollywood, Burbank, Santa Clarita, Sylmar, Leimert Park, and Long Beach.

5-2
cont



- 8. **An Arts District Station at Sixth Street would connect to the LA River and bikeway and the new 12-acre Sixth Street Viaduct Park, providing zero-emission travel to new nature and park spaces which will be regional and international destinations.**



5-2
cont

- 9. **An Arts District station at Sixth Street would be an asset to the entire Metro system, connecting residents and tourists to cultural amenities throughout the region.** When the Purple Line is complete, a new station at Sixth Street would connect the Arts District with a one-seat ride to UCLA, the Museum District in mid-Wilshire, the Civic Center/Music Center/Grand Park, the Italian American Museum and LA Plaza Latino American Museum at Olvera Street and DTLA. Arts District travelers will also be linked by rail to the Pasadena Museum District, the Music Center, Broad Museum, Colburn School, Grammy Museum, USC, and the Exposition Park Museum District of the California African-American Museum, the Museum of Natural History and the California Science Center, and many more.
- 10. **An Arts District station at Sixth Street will support new Innovation districts in DTLA, USC and Boyle Heights, linking creative design space with universities on the entire Metro system.**

Thank you very much for your time and consideration. If you have any further questions of me, please do not hesitate to call me at (213) 448-2900.

Sincerely,

Hilary Norton
 FAST Executive Director



Comment Letter #5 Responses:

5-1

See Master Response #1.

5-2

See Master Response #1.

Comment Letter 6
BizFed – Los Angeles County Business Federation



Strengthening the Voice of Business

August 19, 2016

Metro Board of Directors
CEO, Metro
One Gateway Plaza
Los Angeles, CA 90012

Re: Arts District Station preclusion in current RFP

Dear Mayor Garcetti, CEO Phil Washington, Chairman Fasana and Board Members:

We are writing on behalf of BizFed, representing 163 Business Organizations, 275,000 employers and over 3 million employees in LA County to express our concerns that a current RFP for Metro Division 20 Portal Widening Turnback Facility (RFP C31214C1136) would potentially preclude future design and operation of an Arts District Station adjacent to the Sixth Street Viaduct, despite previous assurances by Metro that no preclusion would occur (see Metro report November 12, 2014 on Division 20 MOW).

It is BizFed's strong desire to work with Metro in support of its upcoming Measure M in November, and we have reiterated in numerous communications that one of the most important items for our membership which still needs to be included in Measure M funding is an Arts District Station adjacent to the soon to be rebuilt Sixth Street Viaduct.

But the immediate issue at hand is that the upcoming work at Division 20 to accommodate the Metro Purple Line Westside Extension must be done so as to enable a future Sixth Street station rather than prevent it. In short, BizFed calls upon Metro to keep its word to the Arts District and Downtown communities.

Metro has already investigated the feasibility and cost of an Arts District station along the Red/Purple Line tracks in its reports of June 16, 2010 and March 18, 2015 and has indicated that it would do nothing to preclude such a connection. BizFed requests that Metro again clearly and expeditiously communicate its support position - to staff as well as to the successful bidder for the Division 20 work - that the turn back location and alignment within Division 20 provide for direct

6-1

6-2

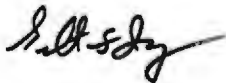
- Chambers of Commerce
Alhambra
Arcadia
Azusa
Bell Gardens
Beverly Hills
Burbank
Culver City
El Monte/South El Monte
Filipino American SBC
Glendale
Glendale
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Greater Los Angeles African American
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La Canada Flintridge
LAK Coastal Area
Long Beach Area
Los Angeles Area
Los Angeles Junior
Los Angeles Latino
Los Angeles Metropolitan Hispanic
Malibu
Pacific Palisades
Pasadena
Pomona
Redondo Beach
Regional Black - San Fernando Valley
Regional Hispanic
Regional San Gabriel Valley
Rosemead
San Pedro Peninsula
Santa Monica
Santa Monica Junior
South Bay Association
Toluca Lake
Terrace Area
United Chambers San Fernando Valley
Universal City North Hollywood
United States-Mexico
Venice
Vietnamese American
West Hollywood
West Los Angeles
Westside Council
West Valley/Western Center
Wilmington
Trade Associations
AIA Los Angeles
American Beverage Association
Antelope Valley Board of Trade
Apartment Association, California Southern Cities
Apartment Association of Greater Los Angeles
Arcadia Association of Realtors
Asian American Business Women Association
Asian American Economic Development Enterprise
Asian Business Association
Association of Industrial and Commercial Producers
Beverly Hills / Greater LA Association of Realtors
Building Industry Association, LA / Ventura Counties
Building Owners & Managers Association, Greater LA
Business Association of Realtors
California Apartment Association, Los Angeles
California Business Roundtable
California Cannabis Industry Association
California Construction Industry and Materials Association
California Contract Lines Association
California Fashion Association
California Grocers Association
California Hotel & Lodging Association
California Independent Bankers
California Independent Petroleum Association
California Life Sciences Association
California Metals Coalition
California Restaurant Association
California Small Business Alliance
California Trucking Association
CALInnovates
Carson Dominguez Employers Alliance
Citrus Valley Association of Realtors
Coalition for a Prosperous America
Community Associations Institute, Los Angeles
Construction Industry Air and Water Quality Coalition
Consumer-Habitat Products Association
Council on Trade and Investment for Filipino-Americans
Downey Association of Realtors
Downtown Long Beach Associates
Employers Group
Engineering Contractor's Association
Entrepreneurs Organization, Los Angeles
F.A.S.T. - Fixing Angeles Streets In Traffic
FilmLA
FloraPorts
FWD.us
Glendale Association of Realtors
Greater Los Angeles New Car Dealers Association
Harbor Association of Industry and Commerce
Harbor Trucking Association
Hospital Association of Southern California
Hotel Association of Los Angeles
Industry Manufacturers Council
International Warehouse Logistics Association
Japan Business Association of Southern California
Leadership for Urban Renewal Network
League of California Cities
Los Angeles Black MBA Association
Los Angeles CleanTech Incubator
Los Angeles County Waste Management Association
Los Angeles Urban League
Los Angeles World Affairs Council
Maple Business Council
Mission Picture Association of America
MoovLA
NAIDP Southern California Chapter
National Alliance for Jobs and Innovation
National Association of Women Business Owners, LA
Pacific Merchant Shipping Association
Pasadena/Foothill Association of Realtors
Recording Industry Association of America
Rotary Club of Los Angeles
San Gabriel Valley Civic Alliance
San Gabriel Valley Economic Partnership
Santa Clarita Valley Economic Development Corp.
Society of Hispanic Professional Engineers - Los Angeles
South Asian Business Alliance Network
South Bay Association of Realtors
Southern California Golf Association
Southern California Grapes
Southern California Minority Supplier Development Council, Inc.
Southland Regional Association of Realtors
Torch Hill Los Angeles
Tri-Counties Association of Realtors
U.S. Green Building Council-LA
Valley Economic Alliance
Valley Economic Development Center
Valley Industry & Commerce Association
Valley International Trade Association
We Care for Humanity
West San Gabriel Valley Association
Western Manufactured Housing Association
Western States Petroleum Association
Young Professionals in Energy - LA Chapter
Youth Business Alliance
Business Improvement Districts
Gateway to LA
South Park Stakeholders Group
Winnet Center Association
Wynwood Villages Improvement Association

connectivity to a future 6th Street station to ensure serviceconnection along the existing Red/Purple Line track.

Given the high volume of new development planned for the Arts District and the desire of these new residents to live car-free in a newly designed urban, mixed use walkable Arts District, a Sixth Street station is urgently needed to link the bicycle, pedestrian and LA River connections being integrated into the new design for the Sixth Street Viaduct. The cost effectiveness of creating a new station along the existing Red/Purple Line tracks has led BizFed to consistently support an economical, sensible and badly needed Sixth Street station.

As such, BizFed again strongly urges Metro to ensure that the Division 20 designs, and the designs for LinkUS, include properly located turn back and track alignments that facilitate the development of a future Sixth Street Viaduct/Arts District Station.

Sincerely,



Gilbert F. Ivey
BizFed Chair
Former CAO,
Metropolitan Water District



David Fleming
BizFed Founding Chair



Tracy Hernandez
BizFedFounding CEO
IMPOWER, Inc.

6-2
cont

Comment Letter #6 Responses:

Please note, this letter is dated August 19, 2016, and was written in response to a Metro Request for Proposal (RFP) at that time. However, this letter was submitted during the public comment period in response to the Draft IS/MND.

6-1

See Master Response #1.

6-2

See Master Response #1.

Comment Letter 7
Latham & Watkins, LLP

355 South Grand Avenue
Los Angeles, California 90071-1560
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December 21, 2016

Dr. Cris B. Liban, D. Env., P.E., Executive Officer
Environmental Compliance and Sustainability
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952

Re: Red/Purple Line Core Capacity Improvements Project; Notice of Intent to Adopt a Mitigated Negative Declaration

Dear Dr. Liban:

We represent RCS VE, LLC, which is proposing an exciting new mixed-use project at 670 Mesquit Street in the center of the Arts District along the Los Angeles River and rail tracks between the Sixth Street and Seventh Street bridges. The project site has been owned for many years by the Gallo family, long-time stakeholders in the area who have been very active in the local community. The Gallo family has supported the City's investment in the new Sixth Street Bridge, including its community focus with planned recreational, pedestrian, and bicycle amenities, and believe this area represents a critically important link between Boyle Heights, the Arts District and other parts of the City. Frank Gallo also co-chairs the Arts District BID's committee in support of Metro's Sixth Street Station to serve Boyle Heights and the Arts District, as well as providing much needed public transportation opportunities to connect to the Los Angeles River.

Our client's highly innovative, mobility-forward, job-creating Project is designed to encourage public access to the Los Angeles River and enhance existing plans for revitalization of the area. Accordingly, they have asked us to conduct a careful review of the recently issued IS/MND for the proposed Metro Red/Purple Line Core Capacity Improvements Project. We look forward to obtaining additional information through Metro's public outreach process for the Improvements Project and providing further comments as the details are clarified, including as to any potential impacts on the previously proposed Red/Purple Line extension to Sixth Street and the Sixth Street Station.

7-1

We look forward to supporting stakeholder efforts to work together with Metro on the Sixth Street Station.

Very truly yours,



Lucinda Starrett
of LATHAM & WATKINS LLP

cc: Zach Vella, RCS VE, LLC
Frank Gallo, Rancho Cold Storage
David Grannis, pointC
Hilary Norton, FAST
Dan Rosenfeld
Beth Gordie, Latham & Watkins

Comment Letter #7 Responses:

7-1

Partly as a response to the public's request for more review time, the comment review period was extended to February 13, 2017, resulting in a total of 56 days for review and comment. Additionally, see Master Response #1.

Comment Letter 8
Liner, LLP

January 18, 2017

Dr. Cris B. Liban
Executive Officer
Metro, Environmental Compliance and Sustainability
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952
libane@metro.net

Re: *IS/MND for Metro Red/Purple Line Core Capacity Improvements Project (Division 20 Project)*

Dear Dr. Liban:

This firm represents many real estate developers who are investing billions of dollars in the revitalization of Downtown Los Angeles. Downtown is the region's center for growth and Metro has the critical responsibility to plan for this growth with adequate transportation infrastructure. To this end, the Division 20 Portal Widening and Turnback Yard Project (Division 20 Project) presents a viable opportunity to establish a revenue station within the Arts District.

The Arts District is a vibrant and rapidly evolving neighborhood. Home to a creative and diverse residential population, unique businesses, and innovative work spaces, it is poised to continue to grow and flourish given its location along one of the region's most promising assets: the Los Angeles River. Given that the area is no longer characterized by heavy industrial uses, Metro must take into account the current and future mobility of the Arts District as it proceeds with the Division 20 Project. The Division 20 Project could have far greater beneficial long-term impacts by connecting the Arts District to the rest of Downtown and the region; this connectivity would help reduce vehicle miles traveled and further the numerous laudable goals of reducing congestion and GHG emissions.

8-1

That being said, the proposed Mitigated Negative Declaration (MND) fails to accurately describe the existing environmental baseline conditions of the Arts District, as well as anticipated residential and commercial growth. See Sec. 2.3 of the MND. It fails to acknowledge SCI-ARC College and the many live/work units in close proximity to Division 20 and its railyard. The MND also ignores the City's adoption of the Hybrid Industrial Live/Work zone, which would establish a set of regulations to build new live/work units

8-2

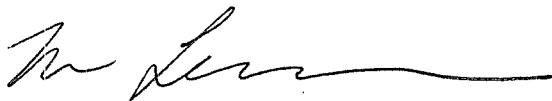
January 18, 2017
Page 2

in the Arts District. On a fundamental level, the Division 20 Project seems designed to conflict with the project objective of "meet[ing] the anticipated ridership and provid[ing] sufficient capacity to serve future passengers" because it would appear to largely block a revenue station to the south near 7th St. See Sec. 2.2 of the MND.

Widening the existing portal and track expansion appears to be necessary to support future growth in subway ridership. However, for the reasons addressed herein, this project must be done in concert with the analysis of a turnback yard and revenue station at or near 7th Street, not at the location identified in the MND. Thank you for your consideration.

Very truly yours,

LINER LLP



Ryan M. Leaderman

cc: Jessica Lall, CCA
Marie Rumsey, CCA

8-3

Comment Letter #8 Responses:

8-1

See Master Response #1.

8-2

The Draft IS/MND evaluated the nearest sensitive receptor, a residential land use (One Santa Fe), to the project site, and concluded that there would be no significant impacts. Therefore, there would be no significant impacts to SCI-ARC College or live/work units in the area, including the City's adoption of the Hybrid Industrial Live/Work zone. These other uses are further away from the project site compared to the One Santa Fe development.

8-3

See Master Response #1.

Comment Letter 9
XYVest Holdings Inc.



January 18, 2017

Dr. Cris B. Liban (via email to LibanE@metro.net)
Metro Los Angeles
One Gateway Plaza
Los Angeles, CA 90012

Re: Metro passenger station in the Arts District

Dear Dr. Liban,

I am the president of a small family-owned real estate holding company in downtown Los Angeles. We established our company about 35 years ago with a mission to always give back to the community. As a consequence, I as well as my spouse who works at Chrysalis Enterprises have become very involved with the downtown businesses and social community. We hereby want to express our thoughts about the planned Metro passenger station in the Arts District.

With the growth of the entire downtown area and the need to address an increasing traffic problem, Metro should properly consider the future transportation needs of the Arts District. What is being referred to as The Division 20 Project involving a passenger station within the Arts District is crucial for the prosperity of the region. The Arts District is evolving as a very desirable neighborhood for unique residences, businesses and creative work spaces. The critical link that a Metro station would provide between the Arts District to the rest of downtown and the entire area is important, but it must be done in a manner to address the needs of the community.

9-1

It doesn't seem like the Mitigated Negative Declaration process gave local stakeholders the opportunity to provide their feedback, as it was done over the holiday season. Such feedback would overwhelmingly support construction of a passenger station at or south of 7th Street, not at the location identified in the Mitigated Negative Declaration study.

9-2

9-3

We are hopeful that you will consider a Metro passenger station that would best suit the needs of the local stakeholders.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sauli Danpour". The signature is fluid and cursive, with a large initial "S" and "D".

Sauli Danpour

Comment Letter #9 Responses:

9-1

See Master Response #1.

9-2

The public comment review period met, and exceeded, CEQA requirements, lasting 32-days when a 30-day review was legally required. Partly as a response to the public's request for more review time, the comment review period was extended to February 13, 2017, resulting in a total of 56 days for review and comment.

9-3

See Master Response #1.

Comment Letter 10
Corinne Grassini Mathem

From: Corinne Grassini <777cmm777@gmail.com>
Date: January 19, 2017 at 09:10:38 PST
To: <libane@metro.net>
Subject: Transit Stop Arts District

Good Morning Mr. Libane-

I bought a commercial building on the corner of 3rd and Santa Fe in 2005 and have watched the neighborhood go from a beaten up ghost town to a thriving marketplace. Los Angeles is becoming the hub for artists that I always hoped it would and the Arts District is at the forefront of that movement.

I'm writing you to propose a transit stop in the Arts District so that access to our growing neighborhood can continue. At this point there isn't enough parking to support the population that wants to spend time (and money) in the neighborhood. The economical impact that the growth of the Arts District has had on Los Angeles is undeniable. A transit stop would allow the Art's Districts growth to continue.

10-1

If I can do anything to help work on this, I would love to. Thank you in advance for all your time.

Corinne Grassini Mathern
(323) 394-3731

Comment Letter #10 Responses:

10-1

See Master Response #1.

Comment Letter 11
Deborah A. Meadows

From: "Deborah A. Meadows" <dameadows@cpp.edu>
Date: January 19, 2017 at 10:48:06 PST
To: "libane@metro.net" <libane@metro.net>, "ESOC@metro.net" <ESOC@metro.net>
Cc: Valerie Mitchell <valerie@valeriemitchell.com>
Subject: email transit stop at 3rd in Arts District

Dr. Libane, (CC: Valerie Mitchell),

As an Arts District homeowner and active member of our community, I urge Metro to construct a stop behind One Santa Fe at 3rd. Our community needs it, our traffic flow, as well as, enhanced car-free life would vastly benefit. Few were able to attend the meeting during Christmas break, so please accept this message of urgent support.

11-1

Respectfully,

Deborah Meadows

Comment Letter #11 Responses:

11-1

See Master Response #1.

Comment Letter 12
Unknown Author

January 19, 2017

Attn: Dr. Cris B. Liban
Los Angeles Metropolitan Transportation Authority (Metro)
Environmental Compliance and Sustainability
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952
LibanE@metro.net

Re: Initial Study/MND for the Metro Red/Purple Line Core Capacity Improvements Project

Thank you for the opportunity to comment on the Initial Study / Mitigated Negative Declaration ("IS/MND") prepared for the Metro Red/Purple Line Core Capacity Improvements Project (Division 20 Portal Widening and Turnback Facility). The expansion of public transportation and the easy accessibility of public transit to all Angelenos is vital. Accomplishing these goals requires comprehensive analysis, as acknowledged in the March 2015 Board report describing the comprehensive review to be prepared addressing Division 20 facilities, potential stations near the Arts District, and Red/Purple Line improvements.

Instead of providing that analysis, however, over the winter holidays Metro appears to be rushing through a stand-alone project for the proposed Turnback Facility, without reasonable time for review and discussion, failing to meet the requirements of CEQA and not addressing the community's serious concerns about the proposal. These include its location and design which would effectively eliminate the potential transit station at 6th Street providing access to the Arts District, Boyle Heights, East LA, the LA River, and the Sixth Street Bridge. The proposal does not commit to passenger service for 3rd Street and appears to relegate 6th Street to equipment servicing needs, including the proposed new Maintenance of Way building and Metro priorities for heavy rail car storage space. Meeting Metro's equipment and maintenance needs should not preclude providing passenger transit service to this area. Metro must reconsider this proposal, including providing substantial evidence to support the analysis of important issues identified below, and instead make the necessary revisions to the design allowing for revenue stations to serve both 3rd Street and 6th Street locations.

12-1

12-2

The current proposal locates turnback service platforms to one side of the rail ROW, immediately adjacent to the One Santa Fe building between 1st Street and 3rd Street (see Figure 2: Site Map (pg. 3)). By contrast, when previously studied in the 2010 Draft EIR for the Purple Line Extension, this facility was shown to be out on the mainline, east of the One Santa Fe development, in a central location adjacent to the LA River allowing for passenger connections via "Pedestrian Bridge to Development Site By Others". The 2010 proposal would have allowed stations on both sides of the River, while the current proposal precludes East LA access based on the proposed design shown on Figure 2. Further analysis should include design modifications to demonstrate that the proposed project will not preclude rail access to a future 6th Street passenger station.

12-3

12-4

A new station at 6th Street would provide public transit to a new and economically diverse area of Los Angeles that critically needs transit. As staff recognized in March 2015, investment in this area is quickly turning it into a regional housing, employment and entertainment center. This is an area ideally suited for public transportation – an urban core with a diversity of incomes, limited parking and residents who routinely walk and use bicycles. The City of Los

12-5

Angeles is spending approximately \$485 million on the visionary Sixth Street Bridge Project, which will include pedestrian and bicycle lanes, parks and other community-serving facilities that merit excellent transit access. The LA River is also expected to undergo a significant transformation in the next ten years. Mayor Eric Garcetti has made it a top priority to revitalize the LA River, recognizing its potential to reconnect neighborhoods and communities. Combined, these two massive investments in the public realm will attract visitors and tourists, in addition to the new private projects in the area. The 6th Street location for a new passenger station would also serve communities in Boyle Heights and East LA.

12-5 cont

The proposed design for the Turnback Facility described in the IS/MND, however, makes no provisions for a future passenger station at 6th Street, forfeiting the opportunity to support East LA, the Arts District, and the LA River with a 6th Street Station. This is inconsistent with prior Metro Board action directing staff not to take any action that would preclude a future station at 6th Street. While a new turnaround area is needed to increase the frequency of trains to West LA, Metro's 2010 analysis proposed that it could be accomplished at 6th Street. As noted above, no comprehensive analysis has been prepared and accordingly the broad impacts of approving this project have not been identified in the IS/MND. Any project proposal should explain how the stations can be accomplished; absent the ability to do so, any approval of this project as proposed constitutes a barrier to the goals of expanding public transit to the Arts District, Boyle Heights, and East LA. People of all income levels and all geographic areas deserve access to public transportation. Given the investment by the City in the LA River and in the Sixth Street Bridge, including proposed parklands and other recreational improvements, heavy rail car storage and maintenance of way facilities should not represent Metro's only confirmed proposals for this area.

12-6

12-7

12-8

The public has also not had adequate opportunity to review Metro's proposed project. For the reasons described below, the Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration for the Turnback Facility is deficient. Additionally, a public meeting on the Turnback Facility was held on December 21, a time when many people are not available to attend due to holiday vacations. The IS/MND was also circulated for public comment during the holidays. Finally, the public comment period on the MND ends on January 19 - the very same day when the project goes to the Metro Board's Operation Committee for a vote. That does not provide adequate time for Metro staff or the Operations Committee to consider public comments on the MND prior to a vote. All of these factors have served to limit the public's ability to provide input on this important project.

12-9

The CEQA analysis provided in the MND is also very concerning. There are several areas where conclusory statements are provided without any supporting, substantial evidence. The analysis contained in the IS/MND should be redone to determine whether an Environmental Impact Report is required to address certain potentially significant impacts. The IS/MND does not provide an adequate basis to conclude that all impacts can be fully mitigated. At the very least, recirculation of the MND is needed with the required substantial evidence supporting the MND's findings. Comments on the NOI and MND are provided below.

12-10

A. The NOI to Adopt a Mitigated Negative Declaration is Deficient

The NOI circulated by Metro does not comply with CEQA Guidelines Section 15072 and is therefore fatally flawed.

CEQA Guidelines Section 15072(f)(2) requires that the NOI state “The starting and ending dates for the review period during which the lead agency will receive comments on the proposed negative declaration or mitigated negative declaration. This shall include starting and ending dates for the review period.” However Metro’s NOI fails to state the ending date for the review period or when comments from the public are due. Without this critical information, the average community member would not know the deadline to submit comments.

12-11

CEQA Guidelines Section 15072(f)(3) also requires that the NOI state “The date, time, and place of any scheduled public meetings or hearings to be held by the lead agency on the proposed project, when known to the lead agency at the time of notice.” Metro circulated the NOI on December 19, 2016. Two days later, Metro held a public meeting to discuss the project. This public meeting had already been planned and scheduled by Metro, yet Metro failed to include the date and time of the meeting in the NOI so that the public could receive additional information about the public. This clearly contravenes both the law and intent of CEQA.

12-12

Metro’s NOI fails to comply with CEQA and the MND must be recirculated for public review.

B. The Initial Study / Mitigated Negative Declaration is Fatally Flawed

The IS/MND is legally deficient because, for many topics, it lacks the basic information necessary to allow meaningful public review of the CEQA analysis. No data was provided to support many of the MND’s conclusions. In sum, the MND lacks the substantial evidence necessary for the decisionmaker to make findings necessary under CEQA.

This runs counter to CEQA’s mandate that CEQA documents contain facts and analysis, not just bare conclusions. (Guidelines, § 15151 [standards of adequacy].) Policymakers and the public should not be forced to rely only on the agency’s unsupported opinion, but should have access to the basis for that opinion, so as to be able to make informed decisions. Without supporting analysis and methodological description, it is impossible to meaningfully review the MND’s analysis and CEQA’s informational purpose is not met.

12-13

Additionally, the environmental analysis prepared previously in 2010 for the 6th Street Station included review through an EIR. Given the complexity of the Turnback Facility and the potential for significant impacts, it appears that the same level of CEQA analysis should have been undertaken, rather than a freestanding MND lacking analysis of the related projects and other issues that should be considered in connection with any decision on the Turnback Facility.

12-14

1. Project Description

Per Section 15378 of the CEQA Guidelines, the “Project” means

“the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

- (1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures....

A basic principle of CEQA is to inform governmental decisionmakers and the public of potential significant environmental effects of a project, which can only be done by reviewing an accurate and comprehensive Project Description consistent with the requirements above. The Turnback Facility's MND fails to meet CEQA's basic requirements for a Project Description.

The MND's Project Description fails to provide enough specificity to evaluate and review the environmental impacts associated with the various project components and their processes. As noted above, the impacts on other transit opportunities in the area are not identified. Even as to the project itself, there is no information in the Project Description regarding the length of construction, when construction is scheduled to begin, or the proposed buildout date. While demolition is included in the proposed project, the Project Description lacks any reference to required demolition, let alone the number of structures that may need to be demolished or the amount of demolition being proposed. Likewise, there is no information provided as to whether excavation is required, or the amount of excavation, or whether any trenching will need to be done. Without quantifying the amount of excavation and export that will be required, the MND cannot adequately analyze a number of environmental topics, include construction noise impacts, construction traffic impacts, and construction air quality impacts This also suggests that the project has not been fully defined. There is no information about the type of construction needed, and the number of construction trucks and construction employees that may be needed for the project. These are significant omissions from the Project Description, without which the full scope of the project cannot be reviewed by the public or decision-maker.

12-15

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Section 15378 of the CEQA Guidelines also defines the "Project" as including "activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one of more public agencies." The Project Description in the Initial Study states only that 'acquisition' and 'partial acquisition' of non-Metro owned parcels will be required, but does not specify the contract, grant, loan, or other mechanism by which that acquisition will take place. It asserts with a level of certainty that the acquisition will occur without consideration of alternative locations in the event said acquisition should not occur or how this MND sufficiently covers the full scope of the project, including identification and evaluation of alternative sites.

12-18

12-19

The Project Description violates the basic CEQA principle to inform governmental decision makers and the public of potential environmental effects of the project. Without detailed information about what the project includes, and its impacts on other transit facility opportunities, evaluation and review of the environmental impact of the project is impossible and the decision makers and the public are not informed of the potential significant environmental effects.

2. Aesthetics

The Initial Study finds a 'Less Than Significant Impact' due to the project's location near an existing rail maintenance yard, but lacks sufficient analysis to determine if this finding also applies to the three parcels slated for acquisition. As Metro is well aware, there are numerous known development projects in the vicinity that include residential and other habitable uses. These developments could experience aesthetic impacts from both construction and operations of the proposed capital improvements that the Initial Study fails to consider.

12-20

3. Air Quality

The Initial Study makes a finding of 'Less Than Significant with Mitigation Incorporated' by simply stating that "Metro has policies in place, such as the Green Construction Policy which limits criteria air pollutant and greenhouse gas (GHG) emissions..." However, there is no Air Quality analysis provided in the MND using CAPCOA's CalEEMod to determine whether the potential criteria pollutant emissions resulting from the project would fall within and be fully mitigated by existing policies. In fact, there is no quantitative analysis provided at all that identifies the project's emissions, level of emissions after mitigation, and compares those emissions to significance thresholds. This is simply not sufficient.

12-21

The MND fails to properly quantify baseline emissions. No study of existing emissions is reported. No explanation is given for why the MND does not include actual site emissions. There is no quantification of the project's construction or operational emissions. The MND provides no documentation of the project's criteria pollutants or toxic emissions from construction or operations. No technical report is provided which provides required detailed information regarding construction vehicle type and other construction machinery, hours of machinery operation, etc. The air quality analysis fails to provide the substantial evidence necessary for a decisionmaker to make any finding regarding the project's air quality impacts, and necessary for the public to gain an accurate understanding of potential impacts.

4. Greenhouse Gas Emissions ("GHG")

The importance of GHG issues for California cannot be overstated. Ironically, the Portal improvements are proposed to be funded by a state Cap and Trade grant arising from the State's GHG program. Yet the MND's entire greenhouse gas analysis is two sentences, and simply provides the conclusory statements that the projects will have less than significant impacts without any qualitative or quantitative analysis. This does not meet the level of analysis required under CEQA and fails to provide any substantial evidence upon which the decisionmaker could make a finding.

12-22

5. Health Risk Assessment

The MND fails to provide a Health Risk Assessment ("HRA") for either the project's construction or operational impacts even though a sensitive residential use (One Santa Fe) is located nearby. Construction of the Project would result in diesel particulate matter emissions associated with incidental medium- and heavy-duty delivery and potentially haul trucks idling on the Project Site, in addition to emissions from construction equipment. Incidental diesel particulate matter emissions may also be generated by periodic maintenance and testing of any on-site emergency generators. As these sources would be considered sources of TACs, an HRA should have been

12-23

conducted to evaluate the potential for construction and operational impacts. An HRA must be performed in accordance with the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA Guidance). Disclosure of these impacts to the surrounding community is required, and the MND is not sufficient without such analysis.

12-23 cont

6. Cultural Resources

The IS/MND fails to disclose the historic uses of the properties involved. Without proper consideration and full disclosure of the historical use of the land, the decisionmaker cannot make any accurate finding regarding project impacts.

12-24

7. Hazards and Hazardous Materials

The MND's analysis of the project's potential hazardous impacts is insufficient and fails to satisfy CEQA's basic purpose to "[i]nform governmental decision makers and the public about the potential significant effects" of the proposed project. (CEQA Guidelines § 15002(a)(1).)

The properties are zoned for Heavy Manufacturing land uses, have a history of industrial and manufacturing uses, and the MND states that soil contamination is likely. However the discussion on Hazards and Hazardous Materials is so brief that it's difficult to ascertain if even all the parcels involved are being properly assessed. No Phase 1 study is provided of all the affected parcels to identify at least the preliminary nature of existing contaminants or to otherwise determine if subsequent studies are warranted. There is no indication that even a minimal level of diligence was conducted to determine if the site is listed on any environmental databases as having a recognized, controlled or historical environmental condition on the site. The MND simply defers identification of potential contaminants in a historically industrially-zoned area and states that "property testing would take place prior to construction." Mitigation Measure HM-1 impermissibly defers all analysis of this issue, including potential remediation, to a later point in time when it will not be analyzed as required under CEQA.

12-25

Potential significant impacts which could arise from the remediation work itself need to be disclosed and analyzed since CEQA requires that potentially significant effects caused by mitigation measures must be discussed in an environmental document. The Court of Appeal held in *Save Our Peninsula Committee v. Monterey County Bd. Of Supervisors (2001) 87 Cal.App.4th 99, 130*, that the discussion must come early enough in the planning process to allow for critical evaluation. Implementation of Mitigation Measure HM-1 could cause significant effects that have not been disclosed or analyzed. The MND fails to disclose or discuss how the remediation work would impact the environment since the public does not know what the extent of the contamination is or what remedial work will be required. For example, how many trucks will be needed to haul away contaminated soil and what will be their impact on traffic during construction? The public cannot understand the impacts of these and other questions without more information including the extent of the required remediation.

12-26

Another omission is the failure to analyze the project's location in an identified Methane Zone, per ZIMAS (zimas.lacity.org). Aside from HM-7, which states that the project will be consistent with the City's Methane Mitigation standards, there is no disclosure of potential exposure to Methane, or how construction and/or operation of the project will

12-27

affect Methane release into the environment, thus making it difficult to ascertain whether the proposed mitigation is adequate. Simply stating that it will follow City standards without full disclosure of potential impacts is neither adequate analysis nor proper mitigation.

12-27 cont

Neither the public nor the decisionmaker has been given the necessary information to analyze the potential hazardous impacts from the project on a site with acknowledged soil contamination.

8. Cumulative Impacts

The MND asserts that when “viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, the proposed Project would not be significant.” As noted above, this project has impacts on other decisions for transit facilities that are not identified. The neighborhoods in the vicinity of the project site have numerous projects under consideration, which include uses such as office, retail, housing, and hotel uses. However the MND fails to provide any substantial evidence to support its conclusory statements that cumulative impacts – including concurrent construction impacts from the project together with nearby related projects – would be less than significant.

12-28

C. Project Objectives

Section 1.2 Project Background and Overview (pg.1) states that widening the portal serves three important objectives, including that “3) The portal widening will ensure that Metro can operate safe and reliable service to meet anticipated ridership and provide sufficient capacity to serve future passengers.” However it is unclear to us how the Turnback Facility accomplishes this objective when it severely limits access to public transportation for passengers from the Arts District, Boyle Heights, East LA, the Sixth Street Bridge, and the LA River. Anticipated ridership from these areas is rising rapidly, however the Turnback Facility as currently designed will effectively preclude a 6th Street Station that would provide the capacity to serve these future passengers. No analysis of local area ridership is included. The Turnback Facility does not accomplish this objective.

12-29

Section 1.5 Regulatory Permits (pg. 4) states that “...it is Metro's policy to coordinate with relevant City departments (for example, Building, Planning, Transportation) to ensure that Metro's projects are consistent with City goals, policies, and requirements.” Bureau of Engineering (“BOE”) is spending approximately \$485 million, the largest bridge project in its history, to replace the 6th Street Viaduct. This improvement will include pedestrian and bicycle lanes, parks and other community-serving features. The City is also investing over \$13 million in grant and City funds to construct infrastructure and landscaping improvements immediately adjacent to the viaduct. The public should be provided with information on the coordination that Metro has undertaken with Planning, BOE, and other City agencies to ensure that transit is provided, and not precluded, to this massive public project.

12-30

The 2015 Metro Planning & Programming staff report acknowledged the City's investment, indicating that “a coordination study would be completed that would result in an integrated plan for the area and a roadmap for future implementation including options for two new passenger revenue stations.” This followed the 2010 reports

referenced above, studying a station at 6th Street and associated tracks, and committing to "continue to review conceptual layouts of the turn-back facility that do not preclude future public access". (2010 Planning & Programming Staff Report.) Metro stated in its June 16, 2010 Board Report that "Staff will preserve potential public access options to any Westside Extension turnback facility design." In the same report, Metro staff made a commitment to "continue to review conceptual layouts of the turnback facility that do not preclude future public access." Yet this Turnback Facility project, as currently designed, is inconsistent with these statements and further evaluation of revenue stations in the area should be provided as promised nearly two years ago in 2015.

12-31

Metro should follow through with its commitments by directing staff to design the Turnback Facility in a way that does not preclude a 6th Street station and the accompanying public transportation access to the Arts District, East LA, the LA River and the Sixth Street Bridge. The design and implementation of Metro's Turnback Facility must provide for the economical and expeditious connection to a 6th Street station. Additionally, given the flaws identified above in the MND, the CEQA analysis must be revisited to determine if potentially significant impacts should be analyzed through an Environmental Impact Report. At a minimum, the MND needs to be recirculated with the necessary substantial evidence provided for each conclusion that impacts can be fully mitigated, along with an NOI that meets the legal requirements of CEQA and allows for reasonable review time by the public.

I sincerely appreciate Metro's efforts to expand transit and ensure that the greatest number of Angelenos have access to public transportation. Thank you for your time and consideration.

Sincerely,



Comment Letter #12 Responses:

12-1

The public comment review period met, and exceeded, CEQA requirements, lasting 32-days when a 30-day review was legally required. Partly as a response to the public's request for more review time, the comment review period was extended to February 13, 2017, resulting in a total of 56 days for review and comment.

12-2

See Master Response #1

12-3

As currently presented, the portal opening is to be widened on both sides of the current portal width. This design allows flexibility to build the current turnback facility as defined in the IS/MND and any future configuration consistent with previous concepts (such as the one in 2010) as funding and other factors allow those alternatives to proceed. The Metro Board has directed staff to look at the feasibility of future station alternatives through a Board Motion dated January 26, 2017 (attached). Additionally, the Board Motion directs that design of Division 20 not preclude new stations and necessary track(s) in the future if funding is identified for an Arts District station(s) on the Metro Red/Purple Line. As project design progresses, Metro will review the design to confirm that it is within the description of this IS/MND. If, due to a change in project design, the conclusions of this IS/MND are no longer valid, Metro would undertake additional CEQA review, including public review. Plans for a future station(s) and related facilities would be subject to CEQA review as appropriate.

12-4

See Master Response #1

12-5

See Master Response #1

12-6

See Master Response #1

12-7

See Master Response #1

12-8

See Master Response #1

12-9

See response #12-1. Additionally, the motion presented and approved at the Metro Board meeting on January 26, 2017, directed the CEO to initiate a holistic assessment of MTA's long-term needs at Division 20 and accommodation of future Arts District station access, which is unrelated to the IS/MND. Prior to certifying the IS/MND, and thus approving the project, the Metro Board will adhere to CEQA Guidelines Section 15074(b), which states that the lead agency shall consider, among other items, any comments received during the public review process.

12-10

Please see comments and responses below that relate to specific environmental topics within the IS/MND.

12-11

See response #12-1. Additionally, it is clear the community was well aware of the public commenting end-date, as many comment letters referenced the comment time period. Additionally, the end-date of January 19, 2017, was mentioned in this comment letter (see comment #12-9 on page 2).

The end-date was given in several places, including the Metro project website, in related public electronic communications, the PowerPoint presentation at the community meeting held on December 21, 2016 (available on the project website), other stakeholder meeting dates during the original comment period, with the State Clearinghouse, and page 5 of the Draft IS/MND.

Out of an abundance of caution and to be responsive to requests for more time Metro has extended the public comment period with the Los Angeles County Clerk to February 13, 2017. Since the State Clearinghouse publication contained the end-date, their 30-day comment period has been satisfied.

12-12

Per CEQA Guidelines Section 15087(i), a public hearing is not required as an element of the CEQA process. Metro opted not to have a public meeting on the IS/MND for this project due to its minimal environmental impacts. The meeting on December 21, 2016, was a Metro briefing to the community on this and other projects in the area. The purpose of the meeting was not to comment or focus on the IS/MND, therefore, it would have been inappropriate to reference this meeting in the NOI.

Additionally, partly as a response to the public's request for more review time, the comment review period was extended to February 13, 2017, resulting in a total of 56 days for review and comment. The NOI which extended the comment review period noted that meetings to consider the approval of the proposed project, Final IS/MND and mitigation measures will be held by Metro Board's Construction Committee on February 16, 2017, at 9:00 a.m., and by Metro's Board of Directors on February 23, 2017, at 9:00 a.m. Both meetings will be held in the Metro Board Room, located at One Gateway Plaza, 3rd Floor, Los Angeles CA 90012.

12-13

CEQA Guidelines Section 15151, cited by the comment, pertains to the informational requirements of an Environmental Impact Report (EIR), not an IS/MND.

The analyses and conclusions in the IS/MND are based upon Metro's extensive knowledge and experience of the project area and its surroundings. Per CEQA Guidelines Section 15070(a), Metro has utilized, "the whole record before the agency" in determining the conclusions of the IS/MND.

Additionally, Section 15384 of the CEQA Guidelines states:

- (a) "Substantial evidence" as used in these guidelines means enough relevant information and reasonable inferences from this information that a fair argument

can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

(b) Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

While the commenter provides numerous comments on the content of the IS/MND, which are addressed below, the commenter does not provide substantial evidence that the IS/MND fails to disclose one or more significant impacts of the proposed project. Nor does the commenter provide substantial evidence in support of a fair argument that, even as mitigated, the project may have a significant environmental impact.

12-14

See response #12-3.

12-15

The Project Description in the IS/MND meets CEQA requirements as it includes the whole of the project action of the turnback facility and widening of the tunnel portal in appropriate detail allowing for accurate environmental analysis. Regarding impacts to other transit opportunities, see response #12-3.

12-16

The IS/MND conclusions regarding potential impacts of construction are not changed by description of the possible start date and duration of construction. At this time, construction is expected to begin in the fall of 2018 and extend approximately 12 to 18 months. The IS/MND conclusions regarding potential impacts of construction are not changed by description of the possible start date and duration of construction. Technical analyses were based on Metro's extensive construction experience and utilized maximum potential daily activities for modeling. However, if a change in project construction leads to the conclusions of this IS/MND no longer being valid, Metro will undertake additional CEQA review.

12-17

Demolition is discussed on page 12 of the Draft IS/MND. Construction details will be finalized when project design is complete. To further clarify, the project will require demolition of the existing portal structure, trackwork and appurtenances, and pavement. Excavation will be required to install foundations for the new portal structure and operator relief platform. If existing utilities are in conflict with the project, trenching may be required for relocation.

All construction activities will be consistent with the impacts disclosed in this IS/MND. If final construction plans would result in impacts not anticipated, Metro would undertake additional CEQA review as appropriate, including public review. However, based on the nature and scale of the project and surrounding area, Metro does not believe this will occur.

12-18

Section 15378(a)(2) is cited in this comment. This subparagraph of the CEQA Guidelines does not apply to this project. It is Section 15378(a)(1) that applies to this project, as stated at the top of page 4 of the comment letter, in that this is an activity directly undertaken by a public agency. Furthermore, the citation referenced in this comment does not conclude that environmental analysis must identify the financial mechanism(s) by which property acquisitions will be procured. Therefore, this comment is drawing an erroneous conclusion as to the intent of CEQA Guidelines Section 15378(a)(2).

12-19

See response #12-3. Additionally, there are no alternative sites for this project as this is a modification of an existing facility. Therefore, the project site needs to be at the existing facility.

12-20

Section 15143 of the CEQA Guidelines states, “[S]ignificant effects should be discussed with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further...” The proposed project is located in an existing rail yard in an industrial area. The nearest sensitive receptor is the One Santa Fe residential property which overlooks the existing rail yard. The addition of a turnback facility and widening of an existing rail tunnel in an existing rail yard will have no significant aesthetic impacts.

12-21

Section 15143 of the CEQA Guidelines states, “[S]ignificant effects should be discussed with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further...” The Draft IS/MND conservatively concluded that mitigation measure AQ-1 would be required to reduce impacts to less than significant. However, as design and analysis continued, Metro has confirmed that mitigation measure AQ-1 would not be required in a technical memo, *LA Metro, Metro Red/Purple Line Core Capacity Improvements Project, Air Quality and Greenhouse Gas Emissions Analysis*, which is available for public review at the Metro Transportation Library at One Gateway Plaza, 15th Floor, Los Angeles, CA 90012. However, out of an abundance of caution, Metro will keep mitigation measure AQ-1 as part of the Final IS/MND.

The criteria air pollutant and greenhouse gas (GHG) emissions were quantitatively analyzed using the California Emissions Estimator Model (CalEEMod) Version 2016.3.1. As shown in Table 1 of the technical memo, construction emissions for the project would not exceed any of the South Coast Air Quality Management District's construction thresholds of significance. The project's operational emissions were evaluated qualitatively. The project would not require additional maintenance trips or activities beyond existing conditions and rail propulsion is electrically powered; thus, there would be no substantial criteria pollutant or toxic emissions generated as a result from project operations above existing conditions.

In addition, operation of the project is consistent with 2016 Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS) as the project is a means for optimizing the performance of the Red/Purple Line. The 2016 RTP/SCS is supported by a list of strategies that help the region achieve state GHG emission reduction goals and federal Clean Air Act requirements. As the project would not require activities beyond existing conditions and transit improvement projects help achieve state GHG reduction goals and improve the air quality of a region, further evaluation of operational emissions is not required.

See also Response to Comment 12-23.

12-22

Based on Metro's extensive experience analyzing transit improvement projects, the proposed core capacity improvements will not result in a significant adverse impact on GHG emissions. As shown in Section 3.2(a) of the technical memo, construction GHG emissions do not exceed the SCAQMD annual threshold of 10,000 metric tons (MT) carbon dioxide equivalent (CO₂e) per year for industrial projects. Furthermore, the project would not conflict with existing California legislation and GHG reduction plans. As stated in Response to Comment 12-21, operation of the project is consistent with 2016 RTP/SCS as it will improve the reliability, speed, and safety of trains; thereby making transit a more attractive and viable option and reducing GHG emissions from motor vehicles.

12-23

As discussed in the IS/MND, the project site is located in a primarily industrial area within the Arts District of Los Angeles. Although sensitive receptors are located adjacent to the southwestern portion of the project site, construction activities and associated emissions would be dispersed over the total project site. Due to the nature of these construction activities, similar to a moving assembly line, trucks and off-road equipment would not operate in the immediate vicinity of the residential building for an extended period of time. Therefore, emissions would be generated at distances from 25 to more than 500 meters from the sensitive receptors. The majority of the construction activities associated with portal widening would occur on the northwest corner of the project site, approximately 600 meters from the residential building. According to the California Air Resources Board, concentrations of mobile-source diesel particulate matter emissions are typically reduced by 70 percent at a distance of approximately 152 meters.

According to the Office of Environmental Health Hazard Assessment (OEHHA) methodology, health effects from carcinogenic toxic air contaminants (TACs) are usually described in terms of individual cancer risk, which is based on a 30-year lifetime exposure to toxic air contaminants (e.g., diesel particulate matter). Construction activities are anticipated to last approximately 12-18 months and would cease following completion of the project. Therefore, the total exposure period for construction activities would be five percent of the total exposure period used for typical residential health risk calculations (i.e. 30 years). Due to varying buffer distances to the sensitive receptors, the highly dispersive nature of diesel particulate matter emissions, and overall construction schedule, a detailed health risk assessment is not required.

In addition, operation of the project would not require or result in trips or activities for operations and maintenance beyond existing conditions. As such, further analysis is not required.

12-24

The Draft IS/MND incorporated the recent and extensive Cultural Resources Assessment for the adjacent Metro Emergency Security Operations Center (ESOC). The ESOC project site is immediately adjacent to this project site and its Cultural Resources Assessment included an Area of Potential Effect (APE) that is geographically similar to this project's APE. The ESOC assessment concluded that there are no known cultural resources in the project area that would be impacted. As design and analysis continued, Metro has confirmed these conclusions in a technical memo, *Cultural Resources Assessment for the Red/Purple Line Core Capacity Improvements Project, Los Angeles, California*. The technical memo includes Native American consultation in accordance with SB52, and is available for public review at the Metro Transportation Library at One Gateway Plaza, 15th Floor, Los Angeles, CA 90012.

12-25

The Draft IS/MND fully acknowledges that the project site is located in an industrial area and that contamination is likely. As opposed to deferring mitigation, the Draft IS/MND commits Metro to mitigation measures that will ensure there are no significant impacts. As design and analysis continued, Metro has confirmed these conclusions in a technical memo, *Hazardous Materials Technical Memorandum for the Metro Red/Purple Line Core Capacity Improvements Project*, which is available for public review at the Metro Transportation Library at One Gateway Plaza, 15th Floor, Los Angeles, CA 90012. The technical memo reviewed publically available agency databases (e.g., Envirostor and Geotracker), available environmental reports associated with each parcel (e.g., Remedial Investigation, Tetra Tech/ TRC 2002, 2003), and included preliminary results from a Phase I Environmental Site Assessment (ESA) (Kleinfelder, December 2, 2016). A Phase I ESA is a process that identifies the potential for, and/or existing, environmental contamination liabilities.

Once finalized, the Phase I ESA for the project will be in accordance with the ASTM E-1527-13 standard. ASTM E-1527-13 is the standard followed by professionals preparing Phase I ESAs within the United States. Metro will make the Phase I ESA report available to the public at the Metro Transportation Library at One Gateway Plaza, 15th Floor, Los Angeles, CA 90012. The report will provide data sources, information, the potential that a significant hazardous material or petroleum hydrocarbon release may have occurred on or affected the project property, and recommendations for further environmental work, if any.

12-26

Based on Metro's experience and ownership of most of the project site, it does not expect significant amounts of remediation hauling. The final Phase I ESA will include recommendations to investigate (e.g., sample) soil and/or groundwater if a suspected release of a hazardous material occurred. The environmental results and recommendations would be included in the project design and construction approach to protect workers, the public, and the environment. In the event the Phase I ESA results would adversely impact construction activities and create a significant impact, such as significant additional truck trips, Metro would be required to conduct additional CEQA analysis prior to moving forward with construction activities. Therefore, should a conclusion unexpectedly change, Metro would undertake additional CEQA analysis if appropriate.

12-27

The MMRP acknowledges the potential to encounter methane and commits to mitigation which would reduce potential impacts to less than significant. Per the City of Los Angeles' methane mitigation standards, Division 71, Methane Seepage Regulations, sets forth the minimum requirements of the City of Los Angeles for control of methane intrusion emanating from geologic formations. The general requirements (Section 91.7103) states all new buildings and paved areas located within a Methane Zone or Methane Buffer Zone shall comply with these requirements and the Methane Mitigation Standards established by the Superintendent of Building. The Methane Mitigation Standards provide information describing the installation procedures, design parameters and test protocols for the methane gas mitigation system. Metro will work with the City of Los Angeles Building Department and other agencies based on their experience working on similar projects within Methane Zones or Methane Buffer Zones, such as the Regional Connector Transit Corridor Project. Additionally, Metro's standard construction contracts contain gas detection and alarm system protocol, per Technical Requirements Section 28, System Safety, Security, and System Assurance.

12-28

The proposed project is an isolated expansion of existing transportation facilities that has independent utility. Other nearby projects include the Metro Purple Line Extension and its Division 20 maintenance building 61S and the Metro Emergency Security Operations Center (ESOC). Both of these projects are within an existing industrial area and do not have significant impacts. Due to its location and function, the core capacity improvements project will not result in a cumulatively significant impact. On the contrary, it will contribute cumulative benefits to the entire transit system by increasing efficiency and attracting transit patronage.

12-29

See Master Response #1

12-30

See Master Response #1

12-31

See Master Response #1 and response #12-3.

Comment Letter 13
Yuval Bar-Zemer

YUVAL BAR-ZEMER
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January 19, 2017

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LibanE@metro.net

Re: Initial Study/MND for the Metro Red/Purple Line Core Capacity Improvements Project

On December 19, 2016, the IS/MND for the Red and Purple Line Core Capacity Improvements Project was released for public comment pursuant to Section 15073 of the State CEQA Guidelines. As described, the Project involves the construction of the portal widening and acquisition of non-Metro owned parcels for turnback tracks in an effort to increase train speeds and ensure reliable service to meet anticipated ridership.

We have several concerns regarding the substance of the Initial Study, as well as the critical and glaring omissions of both descriptive information related to the project, as it must be defined pursuant to Section 15378 of the CEQA Guidelines, and the lack of substantial evidence necessary for the Lead Agency (Metro), and the public, to adequately assess environmental impacts and also appropriately consider all feasible mitigation.

13-1

Project Description

Per Section 15378 of the State CEQA Guidelines, the "Project" means the whole of the action, including any "activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one of more public agencies." As described, the project description in the Initial Study only states that 'acquisition' and 'partial acquisition' of non-Metro owned parcels will be required, but does not specify the contract, grant, loan, or other mechanism by which that acquisition will take place. It asserts with a level of certainty that the acquisition will occur without consideration of alternative locations in the event said acquisition should not occur or how this IS/MND sufficiently covers the full scope of the project, including identification and evaluation of alternative sites.

13-2

13-3

Aesthetics

The Initial Study finds a 'Less Than Significant Impact' due to the project's location near an existing rail maintenance yard, but lacks sufficient discussion to determine if this finding also applies to the three parcels slated for acquisition. As Metro is well aware, there are numerous known development projects in the vicinity that include residential and other habitable uses.

13-4

These developments could conceivably experience aesthetic impacts from both construction and operations of the proposed capital improvements that the Initial Study fails to consider.

13-4
cont

Air Quality and Greenhouse Gas Emissions

The Initial Study makes a finding of 'Less Than Significant with Mitigation Incorporated' by simply stating that "Metro has policies in place, such as the Green Construction Policy which limits criteria air pollutant and greenhouse gas (GHG) emissions..." However, the Initial Study/MND fails to indicate if it undertook an Air Quality Analysis using CAPCOA's CalEEMod to determine whether the potential criteria pollutant and GHG emissions resulting from the project would fall within and be fully mitigated by existing policies. If one was prepared it was not provided and was not discussed. Without a technical report to draw from, which requires detailed information regarding construction vehicle type and other construction machinery, hours of machinery operation, etc., the Lead Agency fails to demonstrate the substantial evidence necessary to determine that the proposed mitigation will reduce impacts to less than significant levels. The Initial Study/MND provides little to no information, making it difficult for the public to effectively consider whether the Lead Agency is representing a true assessment of the environmental impacts of the project.

13-5

Cultural Resources

The properties are zoned for Heavy Manufacturing land uses. The IS/MND fails to disclose the historic uses of the properties involved, which raises further questions in the subsequent analysis of Hazards and Hazardous Materials. Without proper consideration and full disclosure of the historical use of the land, how can the Lead Agency determine what potential contaminants may exist on the project site?

13-6

Hazards and Hazardous Materials

The discussion on Hazards and Hazardous Materials is so brief that it's difficult to ascertain if all the parcels involved are being properly assessed. A general statement about likely contamination and groundwater levels is insufficient analysis to fully and properly disclose potential impacts of the project. Based on the discussion regarding presence of hazardous materials, the IS/MND defers identification of potential contaminants in a historically industrially-zoned area and simply states that "property testing would take place prior to construction." *How can the Lead Agency have considered all feasible mitigation absent any attempt to determine the true nature of the existing hazardous conditions of the project site?* The Lead Agency apparently did not undertake Phase I studies of all affected parcels to identify at least the preliminary nature of existing contaminants or to otherwise determine if subsequent studies are warranted. If one was prepared, it wasn't shared with the public. The public has not been given the necessary assurance as to the potential for exposure to contaminants and is being intentionally misled about the true nature of the project's impacts.

13-7

Additionally, there is no discussion of the project being located in an identified Methane Zone, per ZIMAS (zimas.lacity.org). Aside from HM-7, which states that the project will be consistent with the City's Methane Mitigation standards, there is absolutely no disclosure of potential exposure to Methane, how construction and/or operation of the project will affect Methane release into the environment thus making it difficult to ascertain whether the proposed mitigation

13-8

is adequate. Moreover, the mitigation fails to detail the characteristics of what the standards entail, and leaves it to the public to research a different agency in order to determine what that mitigation involves. Simply stating that it will follow City standards without full disclosure of potential impacts is neither adequate analysis nor proper mitigation.

13-8
cont

Utilities and Service Systems

The IS/MND mentions that a small amount of landfill material will be generated from construction, but does not specify how much. This only suggests that the project has not been fully defined in order to calculate the amount of export anticipated to result from the project.

13-9

Mandatory Findings of Significance

The IS/MND incorrectly concludes that “all environmental impacts that could occur as a result of the proposed Project would be reduced to a less than significant level with implementation” of the recommended mitigation measures. However, as previously stated, the IS/MND has failed to fully and properly disclose the existing environmental conditions, how the project will result in environmental impacts to the environment, and proposes mitigation measures without adequate detail that would provide the public assurance as to their effectiveness. The Lead Agency has therefore failed in its responsibility to analyze all impacts and consider all feasible mitigation in order to responsibly reduce impacts to less than significant levels.

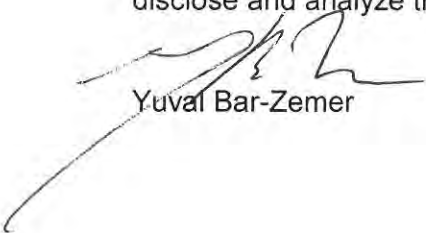
13-10

In addition, the IS/MND mistakenly asserts that when “viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, the proposed Project would not be significant.” The neighborhood adjacent to the project site has numerous ‘projects’ under consideration by the City of Los Angeles Planning Department, which include uses such as office, retail, housing, and hotel uses. Failure to consider these uses as part of its baseline analysis suggests that the Lead Agency hastily produced the IS/MND without proper and thorough consideration of the project’s full impacts to the environment and its inhabitants.

13-11

As such, I respectfully request that the IS/MND be corrected, recirculated, or otherwise adequately determined whether an Environmental Impact Report is the proper approach to fully disclose and analyze the true impacts of the project on the environment.

13-12



Yuval Bar-Zemer

Comment Letter #13 Responses:

13-1

See responses below regarding specific concerns from the commenter.

13-2

Section 15378(a)(2) is cited in this comment. This subparagraph of the CEQA Guidelines does not apply to this project. It is Section 15378(a)(1) that applies to this project, in that this is an activity directly undertaken by a public agency. Furthermore, the citation referenced in this comment does not conclude that environmental analysis must identify the financial mechanism(s) by which property acquisitions will be procured. Therefore, this comment is drawing an erroneous conclusion as to the intent of CEQA Guidelines Section 15378(a)(2).

13-3

There are no alternative sites for this project as this is an expansion of an existing facility. Therefore, the project site needs to be at the existing facility.

13-4

Section 15143 of the CEQA Guidelines states, “[S]ignificant effects should be discussed with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further...” The proposed project is located in an existing rail yard in an industrial area. The nearest sensitive receptor is the One Santa Fe residential property and overlooks the existing rail yard. The addition of a turnback facility and widening of an existing rail tunnel in an existing rail yard will have no significant aesthetic impacts.

13-5

See Responses #12-21 and 12-23.

13-6

While under the subtitle of “Cultural Resources” this comment is regarding Hazards and Hazardous Materials. The Draft IS/MND fully acknowledges that the project site is located in an industrial area and that contamination is likely, and commits to mitigation to reduce potential impacts to less than significant.

13-7

See Responses #12-25 and #13-6.

13-8

See Response #12-27.

13-9

Section 15143 of the CEQA Guidelines states, “[S]ignificant effects should be discussed with emphasis in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further...” Metro has extensive construction experience as it relates to generating landfill material. The small amount of demolition and digging required for this project will cause a less than significant impact, and as stated in the Draft IS/MND, the Sunshine Canyon Landfill has sufficient capacity to operate until 2037.

13-10

The responses provided in relation to other comments from this letter address the commenter's concern on the analysis of existing conditions, potential environmental impacts, and the proposed mitigation measures.

13-11

The proposed project is an isolated expansion of existing transportation facilities that has independent utility. Its location and function will not result in a cumulatively significant impact. On the contrary, it will contribute cumulative benefits to the entire transit system by increasing efficiency and attracting transit patronage.

13-12

The Final IS/MND has been updated with clarifying statements based partially on public comments received. Per Section 15073.5(c)(4) of the CEQA Guidelines, recirculation of an MND is not required when, "New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration." Therefore, the IS/MND will not be recirculated.

Comment Letter 14
Michael Hayes

From: Michael Hayes <michael@michaelhayes.la>
Date: December 21, 2016 at 12:40:26 GMT+8
To: <libane@metro.net>
Subject: Portal Widening / Turnback Facility

Hello Cris,

I've just learned of the motion to pursue improvements to Division 20 rail yard. It's been mentioned that the project *might* threaten the likelihood of arts district stations. The 6 minute increase in turnaround time is not worth the loss of potential station additions in the rapidly growing neighborhood, largely neglected by transit service. Please prioritize Arts District stations over minimal speed gains.

14-1

Thank you for your continued efforts to improve transit in a region so desperate for sustainable alternatives to personal automobiles.

Best,

--

Michael Hayes
951.704.6849
michaelhayes.la

Comment Letter #14 Responses:

14-1

See Master Response #1.

Comment Letter 15
Partho Kalyani

From: Partho Kalyani <parthokalyani@gmail.com>

Date: January 26, 2017 at 12:41:26 PST

To: Cris Liban <libane@metro.net>

Subject: Div 20

I fully support this project and must insist the growing Arts District and up 6th St Bridge be serviced with revenue stops at 3rd St and 6th Street. Thanks.

15-1

Partho Kalyani

Comment Letter #15 Responses:

15-1

See Master Response #1.

Comment Letter 16
Alexander Friedman

From: Alek [<mailto:alek3773@gmail.com>]
Sent: Tuesday, December 20, 2016 11:26 AM
To: Liban, Emmanuel
Cc: Keiner, Bronwen; Lee, Pauline
Subject: "Division 20 Portal Widening & Turnback Facility" project
Importance: High

Dear Metro:

Thank you for considering the project of improving the Division 20 portal turnback - including widening and facility. Generally, I **support** the project, but only under one condition: the project **must include construction of a new passenger station** at/around the Arts District location / 6th Street.

It would be quite shameful if - despite having numerous tracks south of Union Station and Metro trains running to/from the depot - there would be no passenger service past Union Station. In addition, the housing south-east of the Union Station has substantially grown, including the large One Santa Fe mixed-use development. Therefore, reliable subway access is a "Must".

I therefore strongly urge Metro to consider adding a passenger station in the Arts district, i.e. south / south-east of the Union Station, to meet increased demand and growing population in the area. This project will be critically important to the area.

Thank you for your time and consideration.

Sincerely,
~ **Alexander Friedman**
(323) 465-8511
Hollywood, California

16-1

Comment Letter #16 Responses:

16-1

See Master Response #1.

Comment Letter 17
**State of California – Governor’s Office of Planning and
Research**



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

January 18, 2017

Cris B. Liban
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS: 99-17-2
Los Angeles, CA 90012-2952

Subject: Red/Purple Line Core Capacity Improvements Project
SCH#: 2016121052

Dear Cris B. Liban:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 17, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

17-1

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

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

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016121052
Project Title Red/Purple Line Core Capacity Improvements Project
Lead Agency Los Angeles County Metropolitan Transportation Authority

Type MND Mitigated Negative Declaration

Description The proposed project would be located within the existing Division 20 rail yard. The Division 20 rail yard is an approximately 45 acre site and is home to the Metro Red/Purple Line train storage and maintenance facilities. It is located primarily between the 1st and 4th St bridges, running parallel to the Los Angeles River Channel and east of Santa Fe Avenue.

The Metro Red/Purple Line tunnel portal is situated between Commercial St to the north; Ducommun St to the south; Center St to the west; and the LA River Channel to the east. Construction of the portal widening will require the acquisition of an existing industrial use and partial acquisition of a vacant parcel for the tumbback tracks.

The General plan land use designation for the project site and vicinity is cited in the city's zoning database as heavy/light manufacturing, as well as being identified as a transit priority area. There is one residential land use located adjacent to the southwest corner of the proposed project. There are no other residential/housing, educational centers, institutional or public open space uses in the immediate area (within 1,000 ft).

Lead Agency Contact

Name Cris B. Liban
Agency Los Angeles County Metropolitan Transportation Authority
Phone 213-922-2471 **Fax**
email
Address One Gateway Plaza, MS: 99-17-2
City Los Angeles **State** CA **Zip** 90012-2952

Project Location

County Los Angeles
City Los Angeles, City of
Region
Lat / Long 34° 03' 03" N / 118° 13' 49" W
Cross Streets Commercial St, Ducommun St, Center St
Parcel No. 5173-022-902
Township

Range **Section** **Base**

Proximity to:

Highways 110, 2, 101, 60
Airports
Railways Metro, UPR, BNSF
Waterways LA River
Schools Multiple
Land Use Heavy manufacturing and public facilities

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Growth Inducing

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Air Resources Board, Transportation Projects; Air Resources Board, Major Industrial Projects; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

**Document Details Report
State Clearinghouse Data Base**

Date Received 12/19/2016

Start of Review 12/19/2016

End of Review 01/17/2017

DEPARTMENT OF TRANSPORTATION
 DISTRICT 7—OFFICE OF REGIONAL PLANNING
 100 S. MAIN STREET, MS 16
 LOS ANGELES, CA 90012
 PHONE (213) 897-6536
 FAX (213) 897-1337
 www.dot.ca.gov

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Serious drought.
 Help save water!

December 27, 2016

Governor's Office of Planning & Research

DEC 30 2016

STATE CLEARINGHOUSE

Mr. Cris B. Liban
 Los Angeles County Metropolitan Transportation Authority
 One Gateway Plaza, MS 99-17-2
 Los Angeles, CA 90012-2952

RE: Red/Purple Line Core Capacity
 Improvements Project
 Vic. US-101
 SCH#2016121052
 GTS#07-LA-2016-00406ME-MND

Dear Mr. Liban:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. Metro is proposing to widen the tunnel portal currently located in the Metro Red/Purple Line Maintenance Yard. At present, non-revenue Metro Red/Purple Line trains proceed underground south of Union Station and emerge at-grade through the portal just south of the US 101 Freeway before entering a complex set of switches in the main rail yard. A widened portal southeast of Union Station and new tracks and switches will allow trains to turn around quickly at Union Station so that subway trains could potentially run every four minutes on each line.

Based on a review of the Mitigated Negative Declaration, Caltrans does not expect project approval to result in a direct adverse impact to the existing State transportation facilities. It is noted that construction of the Project will be short-term and construction trucks and equipment will utilize areas within the Project site, therefore, eliminating any on-street queuing that could interfere with existing traffic. It is also noted that operation of the Project will not increase traffic in the surrounding area.

However, please be mindful any transporting of heavy construction equipment and/or materials which require the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute periods.

In the spirit of mutual cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Ms. Miya Edmonson, at (213) 897-6536 and refer to GTS# LA-2016-00406ME.

Sincerely,

Melanie Bradford for

DIANNA WATSON
 IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691
 Phone (916) 373-3710
 Fax (916) 373-5471
 Email: nahc@nahc.ca.gov
 Website: <http://www.nahc.ca.gov>
 Twitter: @CA_NAHC



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 Governor's Office of Planning & Research

JAN 17 2017

STATE CLEARINGHOUSE

January 11, 2017

Cris B. Liban
 Los Angeles County Metropolitan Transportation Authority
 One Gateway Plaza, MS 99-17-2
 Los Angeles, CA 90012-2952

sent via e-mail:
 libanc@metro.net

Re: SCH# 2016121052, Red/Purple Line Core Capacity Improvements Project, City of Los Angeles; Los Angeles County, California

Dear Mr. Liban:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the project referenced above. The review included the Project Description/Introduction, the Initial Study/ Environmental Checklist, and Appendix B Mitigation Monitoring & Reporting Plan, prepared for the County of Los Angeles. We have the following concerns:

- There is no Tribal Cultural Resources section or subsection in the Executive Summary as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>
- There is no documentation of government-to-government consultation by the lead agency under SB-18 or AB-52 with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes. Discussions under AB-52 may include the type of document prepared and proposed mitigation.
- The Native American Contacts List was requested by the consultant only 7 days prior to the issuance of this document. That time period does not allow for neither Tribal input into the cultural resources assessment conducted by consultants nor for the County to contact and consult with tribes under AB-52. This indicates that meaningful government-to-government consultation did not occur.
- There are no mitigation measures specifically addressing Tribal Cultural Resources separately. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, with or without consultation occurring. Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources.

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966^a may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

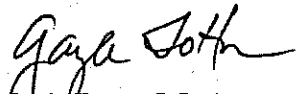
Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

^a 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,⁹ and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subds. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸
This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to local governments and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - o The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - o Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - o A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - o A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - o If part or the entire APE has been previously surveyed for cultural resources.
 - o If any known cultural resources have been already been recorded on or adjacent to the APE.
 - o If the probability is low, moderate, or high that cultural resources are located in the APE.
 - o If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - o The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - o The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- o Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

Comment Letter #17 Responses:

17-1

This comment letter acknowledges that the project complied with the State Clearinghouse review requirements for draft environmental documents. It also contains the comment letters from the State of California Department of Transportation and Native American Heritage Commission. Each of these letters has been included in this appendix as comment letters 1 and 2 above, respectively.

Comment Letter 18
Central City Association of Los Angeles



February 13, 2017

Dr. Cris B. Liban
Executive Officer
Metro, Environmental Compliance and Sustainability
One Gateway Plaza, MS 99-17-2
Los Angeles, CA 90012-2952

Re: IS/MND for Metro Red/Purple Line Core Capacity Improvements Project (Division 20 Project)

Dear Dr. Liban:

Established in 1924, the Central City Association is Los Angeles' premier organization comprised of 400 members who employ 375,000 people in the region. As the voice of Downtown, we recognize that Downtown is the region's center for growth and we need Metro's partnership to thrive.

We are concerned that Mitigated Negative Declaration (MND) for the project did not consider the evolving nature of the Arts District and did not provide sufficient time for the community to learn about the project and evaluate its impacts on this evolving neighborhood. In particular, we are concerned that the project's proposed mitigation measures, which do not fully address residential uses, are insufficient to ensure the safety and well-being of the growing Arts District community.

18-1

18-2

Additionally, expanding rail service to the Arts District and the creation of a new Red/Purple Line station in the Arts District should be included in the discussion of this project. The failure to consider Metro's stated plans to extend Red/Purple Line passenger service into the Arts District raises a concern that the scope of analysis undertaken in the MND is insufficient.

18-3

In light of these concerns, **we believe the MND should be revised and recirculated.** We appreciate your consideration, and if you have any questions, please contact CCA's Director of Government Relations, John Howland, at 213-624-1213 or jhowland@ccala.org.

18-4

Sincerely,

Jessica Lall
President & CEO

cc: Metro Board of Directors

Comment Letter #18 Responses:

18-1

The Draft IS/MND analyzed potential impacts on the closest residential land use (One Santa Fe development) and determined there would be no significant impacts.

The public comment review period met, and exceeded, CEQA requirements, lasting 32-days when a 30-day review was legally required. Partly as a response to the public's request for more review time, the comment review period was extended to February 13, 2017, resulting in a total of 56 days for review and comment.

18-2

See response #18-1.

18-3

See Master Response #1.

18-4

The Arts District community is located near, and will continue to be near, the Metro Division 20 rail yard. The IS/MND for this core capacity improvements project properly analyzed the proposed project and determined that with mitigation, there would be no significant adverse impacts. Analysis included the closest residential receptor and the public comment review period exceeded CEQA requirements. For these reasons, the IS/MND will not be revised or recirculated.
