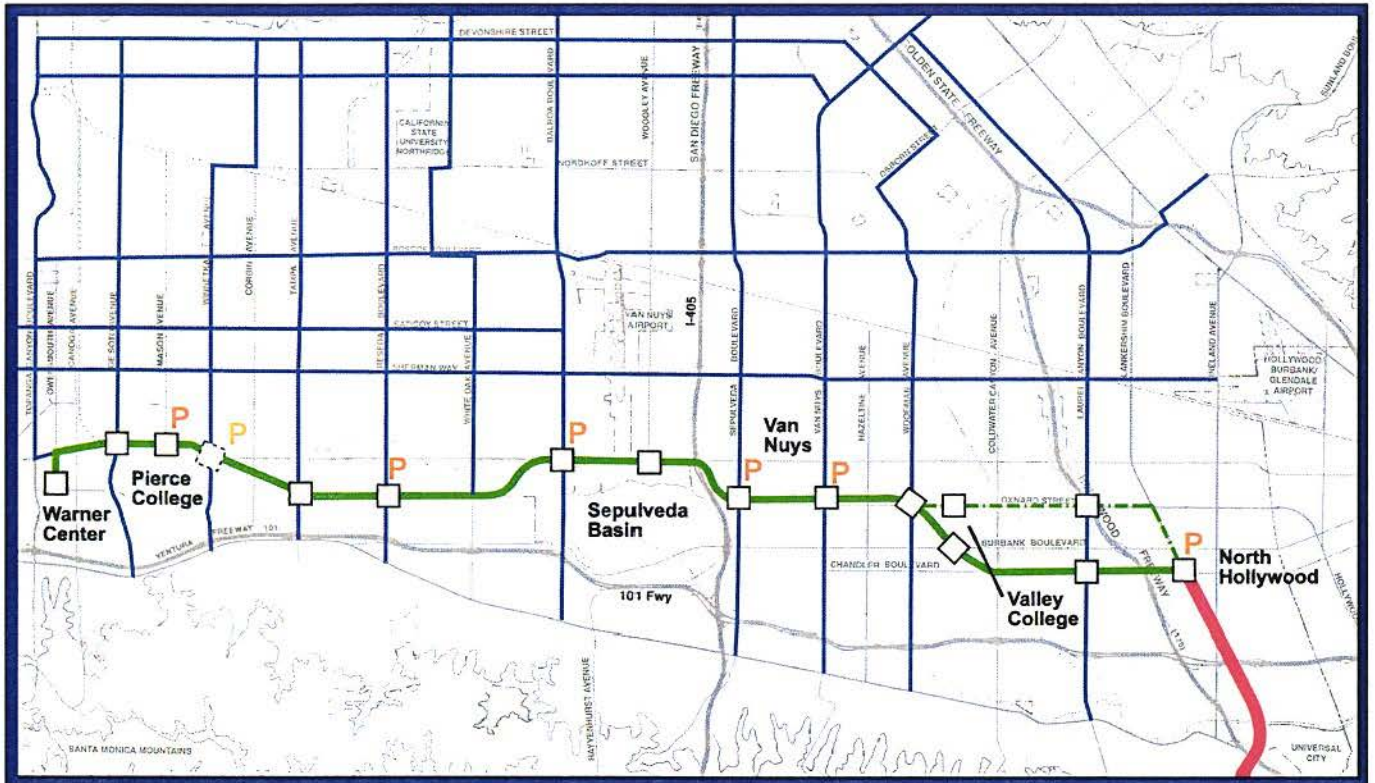


Revised Final Environmental Impact Report Volume 5 – Chapter 9 (Book 1 of 6)



SAN FERNANDO VALLEY EAST-WEST TRANSIT CORRIDOR



Los Angeles County
Metro Metropolitan Transportation Authority (MTA)

December 2004

PREFACE

The environmental document for the San Fernando Valley East-West Transit Corridor Project was re-circulated as a Revised Environmental Impact Report (Revised FEIR) pursuant to the California Environmental Quality Act (CEQA). The Final Environmental Impact Report (FEIR) was processed originally in February 2002 by MTA (the CEQA lead agency). The DEIS/EIR was circulated, and in accordance with CEQA and the National Environmental Policy Act, MTA identified the proposed Project, BRT, as the locally preferred alternative. Thereafter, MTA abandoned its efforts to seek federal funding for the Project and the final environmental document was identified as the FEIR and certified under CEQA only. In the FEIR, a number of project alternatives were evaluated: No Build, Transportation Systems Management (TSM), and three versions of a Bus Rapid Transit (BRT). Since the Court of Appeal found that MTA needed to also consider the alternative of multiple Rapid Bus routes under CEQA, it ordered the Superior Court to direct MTA to set aside its certification of the FEIR.

This Revised FEIR considers and analyzes three multiple-route Rapid Bus alternatives as additional alternatives to the BRT and TSM alternatives that were evaluated by the Los Angeles County Metropolitan Transportation Authority (MTA) in the Final EIR.

This Revised FEIR was prepared in accordance with the decision of California Court of Appeal,¹ dated July 19, 2004 (Decision), which found that the Final EIR should have considered multiple Rapid Bus routes as an additional alternative. The Decision upheld the Final EIR in connection with numerous other challenges, including a finding that the Final EIR adequately discussed pedestrian and traffic safety impacts, the Final EIR adequately responded to comments, there was no need to separately evaluate a fare reduction alternative, and the Final EIR did not improperly segment environmental consideration of a City of Los Angeles bikeway. The particular multiple Rapid Bus routes analyzed in this Revised FEIR were identified based on information contained in the Court of Appeal's decision, which mentioned comment letters that suggesting a series of three or five east-west routes. MTA evaluated the suggested routes and found that they would constitute a reasonable backbone to the following three multiple-route Rapid Bus alternatives (RB Alternatives) considered and analyzed in this Revised FEIR:

- Three East-West Rapid Bus Routes Alternative (RB-3)
- Five East-West Rapid Bus Routes Alternative (RB-5)
- Rapid Bus Network Alternative (RB-Network)

To consider multiple Rapid Bus routes in accord with the Court of Appeal's decision, MTA prepared this Revised FEIR to supplement the Final EIR's evaluation of alternatives in comparison to the Project. The revisions to the sections of the Final EIR are set forth in this Revised FEIR.

^{1/} *Citizens Organized for Smart Transit v. Los Angeles County Metropolitan Transportation Authority* California Appellate Court Case No. B164434.

TABLE OF CONTENTS

Volume 5

CHAPTER 9: COMMENTS AND COORDINATION	9-1
9-1 PUBLIC INVOLVEMENT	9-1
9-1.1 Objectives.....	9-1
9-1.2 Notice of Availability.....	9-2
9-1.2.1 Written Correspondence	9-2
a. Alignments, Ridership, and Travel Time.....	9-2
b. Public Noticing Process	9-2
c. Environmental Effects	9-2
d. Safety.....	9-2
e. Cost.....	9-2
9-2 CIRCULATION OF THE REVISED DRAFT EIR.....	9-3
9-3 REVISED FEIR COMMENTS AND RESPONSES	9-4
a. Web Site.....	9-4
b. Newspaper Notices	9-4
c. Responses to Comments.....	9-4
9-4 ERRATA	9-297



CHAPTER 9 - COMMENTS AND COORDINATION

9-1 PUBLIC INVOLVEMENT

Public involvement is an integral component of the environmental processes associated with the proposed project. Chapter 7 documents the public involvement and community outreach efforts conducted during the preparation and circulation of the Final Environmental Impact Report (Final EIR). Chapter 9 documents the public comment period conducted during the circulation of the Revised FEIR, the comments received during that period, and the responses to those comments.

9-1.1 Objectives

The principal objectives of the public comment period for the Revised FEIR were to:

- Allow the public, government agencies, and other local officials an opportunity to provide written comments or otherwise exchange information regarding the Revised FEIR;
- Allow Metro staff to provide a written response to significant environmental issues concerning the Revised FEIR that were raised by the written comments received during the comment period; and
- Incorporate the environmental concerns of the commenters into the environmental review process.

9-1.2 Notice of Availability

A Notice of Availability (NOA) of a Revised FEIR was published in (list) newspapers on October 23, 2004 and mailed to those properly requesting notice. The NOA announced that MTA had prepared a Revised FEIR pursuant to the California Environmental Quality Act (CEQA) to add a more extensive Alternatives Analysis section which is now called Chapter 8. The NOA provided formal notice to the public of the opportunity to comment in writing on the environmental information presented in the Revised FEIR. The NOA also included information on the proposed project, alternatives, anticipated effects, and contact information.

The public comment period for the Revised FEIR commenced on October 23, 2004 and closed on November 22, 2004. The comment period for state agencies commenced on October 25, 2004 and closed on November 24, 2004. Comments were received from individuals, organizations, and government agencies via written correspondence.



9-1.2.1 Written Correspondence

A total of 32 written comment letters and e-mail documents were received from 30 different parties. The primary environmental concerns about the Revised FEIR that were raised in the comment letters were related to: variations that were not considerably different from the RB Alternatives, ridership, travel time, the public noticing process, environmental effects, safety, and cost. A summary of each of these topics is provided below.

a. Alignments, Ridership, and Travel Time

Comments questioned why the particular routes identified for the three RB Alternatives were selected. A number of these comments suggested variations such as adding a route, deleting a route, or extending certain routes of the RB alternatives. Other comments suggested that the RB alternatives were not routed through the demographic areas where ridership by the transit dependent is most likely. Comments were also received questioning the validity of the travel time savings forecast in the Revised FEIR to attract new riders. Proposed scheduling, hours of operation, and ridership of the RB Alternatives were also commented on.

b. Public Noticing Process

Several comments addressed concern that public comments submitted in response to the original Draft Environmental Impact Report (DEIR) were not taken into consideration by MTA. Other comments suggested that noticing and circulation of the Revised FEIR were inadequate.

Many of these comments addressed the 30-day public circulation period of the Revised FEIR, and claimed that no public scoping efforts with regard to the re-circulation of the document were conducted. A number of these comments suggested that the circulation period should be longer and that the public was not given enough time to evaluate the alternatives in the Revised FEIR.

c. Environmental Effects

Certain comments claiming potential environmental effects of the Orange Line were principally focused on air quality, land-use, and, traffic. Many comments stated that these types of environmental impacts would adversely affect residential neighborhoods and could not be mitigated to the satisfaction of the community. A number of comments suggested that the proposed project would have beneficial environmental effects insofar as traffic congestion and aesthetics would potentially be improved.

d. Safety

Comments on potential safety impacts resultant from the Orange Line can generally be divided into two categories: accidents and crime. New intersections created by the proposed project were stated as being dangerous resulting in greater incidence of accidents, injuries and deaths. An increase in criminal activity in the areas between sound walls and residential fences was also a stated concern.



e. Cost

Comments claimed that there were greater costs associated with the Orange Line versus RB Alternatives.

9-2 CIRCULATION OF THE REVISED DRAFT EIR

The Revised FEIR for the San Fernando Valley East-West Transit Corridor was circulated for a 30-day public review period, as approved by the Office of Planning and Research, beginning on October 23, 2004 and ending on November 22, 2004. A Notice of Availability was published in the three major area newspapers on October 23, 2004. The state agency review period began on October 25, 2004 and ended on November 24, 2004. The MTA Board will consider the document for certification at the regularly scheduled meeting on December 13, 2004 at the Metro Headquarters, One Gateway Plaza, Los Angeles CA 90012 in the Metro Board room on the 3rd floor at 9:30 am. The meeting is open to the public and will accept public testimony regarding the Revised FEIR.

On October 22, 2004, MTA sent copies of the Revised FEIR by 2-hour courier to each of the following libraries identified in the notice of availability: Canoga Park Branch Library, Mid-Valley Regional Branch Library, North Hollywood (Amelia Earhart) Library, Northridge Branch Library, Panorama City Branch Library, Sherman Oaks Branch Library, Superior Court Law Library, Valley Plaza Library, Van Nuys Branch Library, and West Valley Regional Library. Copies of the courier receipts are available for inspection upon request. Also that same day, MTA hand delivered a copy of the Revised FEIR to the MTA Library. Additionally, the Revised FEIR was made available on MTA's web site that same day. Accordingly, the Revised FEIR was properly circulated and made available for public review on October 22, 2004.

Based on the comments received and technical studies conducted during the Revised FEIR phase, the MTA has concluded that the Orange Line and the TSM together continues to be the superior alternative for the following reasons:

1. No feasible project alternative or mitigation measure considerably different from others previously analyzed has been identified between the FEIR and Revised FEIR that would clearly lessen the significant environmental impacts of the project.
2. The Revised FEIR presented information and data sufficient to provide the public with an opportunity to conduct a meaningful review and comment on the RB Alternatives, and the potential environmental impacts with regard to those alternatives.
3. The Orange Line/TSM is within the ability to fund, including capital and operational costs, has the greatest time savings, and operates within its own right-of-way.
4. The Orange Line/TSM connects major activity centers in the San Fernando Valley.
5. Parking is provided at a number of Orange Line stations to facilitate access for park-and-ride patrons, increase transit ridership, and decrease daily trips made by automobiles.

6. The Orange Line supports existing land use plans, accommodates bicycle and pedestrian paths, and provides landscaping along the Metro right-of-way.
7. The Orange Line would decrease energy consumption, reduce daily regional emissions, cumulatively, of three out of the four criteria air pollutants, and would not indirectly affect wildlife, wildlife dispersions corridors, or sensitive species.

9-3 REVISED FEIR COMMENTS AND RESPONSES

The table on the following page presents a list of the written correspondence received on the Revised FEIR. It identifies the Comment Letter Number, the page in this document that the responses begin on, the name of the commenter, and the date on which the comment letter was received.



Table 9-1: San Fernando Valley East-West Transit Corridor Comments Roster

Comment Letter Number	Page	Commenting Party	Date
1	9-7	Mike Jones – West Hills resident	Oct. 23, 2004
2	9-8	Judy Price – Valley resident	Oct. 25, 2004
3	9-9	Larry W. Bradbury – Reseda resident	Oct. 25, 2004
4	9-11	Lillian Silverstone - Valley Glen resident	Oct. 26, 2004
5	6-16	Alexander Friedman	Oct. 29, 2004
6	9-17	Burton Roseman – Van Nuys resident	Nov. 02, 2004
7	9-22	Myra Ferrente – Tarzana resident	Nov. 01, 2004
8	9-24	Jayne Weaver – Woodland Hills resident	Nov. 19, 2004
9	9-25	Jolene Fisher - Van Nuys resident	Nov. 20, 2004
10	9-26	Jody Wittern Slater - Van Nuys resident	Nov. 21, 2004
11	9-29	Richard Hilton - Valley Glen resident	Nov. 21, 2004
12	9-36	Edith Rozsa - Woodland Hills resident	Nov. 21, 2004
13	9-37	Leonard Miropol – Winnetka resident	Nov. 21, 2004
14	9-38	John A. Henning – counsel for COST	Nov. 22, 2004
15	9-53	Elle Saling - Van Nuys resident	Nov. 22, 2004
16	9-59	Grant George	Nov. 22, 2004
17	9-61	Jessica George	Nov. 22, 2004
18	6-64	Petra Devlin - Van Nuys resident	Nov. 22, 2004
19	9-66	Bryan Moscardini – County of Los Angeles employee	Nov. 22, 2004
20	9-67	Thomas A. Rubin - Consultant for COST	Nov. 22, 2004
21	9-229	Marilyn Hencken - Valley Glen resident	Nov. 22, 2004
22	9-230	Susan L. Bok – City of Los Angeles employee	Nov. 23, 2004
23	9-231	Thomas A. Rubin - counsel for COST	Nov. 23, 2004
24	9-233	Eric G. Branche – Victory Park neighborhood resident	
25	9-236	Nancy Bennett - Woodland Hills resident	Nov. 23, 2004
26	9-238	Carl Olson - Woodland Hills resident	Nov. 09, 2004
27	9-240	Roger Christensen – Sherman Oaks resident	Nov. 17, 2004
28	9-241	Deborah Johnson – C-TRIM	Nov. 19, 2004
29	9-244	BHA in LA	Nov. 24, 2004
30	9-249	Terry Roberts – State of California employee	Nov. 24, 2004

Table 9-1: San Fernando Valley East-West Transit Corridor Comments Roster

Comment Letter Number	Page	Commenting Party	Date
31	9-251	Thomas A. Rubin - Consultant for COST	Sept. 16, 2004
32	9-296	Kenneth Katz – North Hollywood resident	Nov. 19, 2004



Comment Letter 1

-----Original Message-----

From: The Jones Family [mailto:jonesmtta4@sbcglobal.net]

Sent: Saturday, October 23, 2004 9:43 PM

To: martinr@metro.net

Subject: My support for the Metro Orange Line

I live in West Hills and work in NoHo. I am very excited about and I support the construction of the Orange Line. | 1-1

Please add my name to the Revised FEIR or tell me how I can correctly endorse it. | 1-2

Thanks,
Mike Jones

Response to Comment Letter 1

Comment 1-1

The Jones Family's support for the Orange Line project is acknowledged for the record.

Comment 1-2

The public hearing on the Revised FEIR is scheduled for Monday, December 13, 2004 beginning at 9:30 AM at Metro Headquarters. The public is invited to attend this public hearing, and to voice their opinions to the Board of Directors of Metro.

Comment Letter 2

-----Original Message-----

From: Judyprice1127@aol.com [mailto:Judyprice1127@aol.com]

Sent: Monday, October 25, 2004 7:41 PM

To: martinr@metro.net

Subject: Public comment: revised FEIR Orange Line

Dear Mr. Martin,

I am writing to express support for the Orange Line currently under construction from Lankershim Blvd. to Warner Center.

2-1

I am a 25 year resident of Valley Glen where the Orange Line will pass through. In fact, it will have two stops within a mile in our little community, at Fulton/Burbank and Woodman/Oxnard. The biggest opponent, COST, was founded by a neighbor of mine. I have a profound difference of opinion with COST and believe the benefits of the Orange Line outweigh the downside. I realize we will have to adjust to two major intersections which will be a significant challenge in our community as well as the density issues surrounding a transit corridor. But, it is important to get people out of their cars and this is an important first step in that regard for the San Fernando Valley.

2-2

Originally, most in Valley Glen opposed the busway, but now that it is under construction, the attitude has changed. People want it completed and for life to go on. Many look forward to the convenience, the landscaping and the bike paths.

2-3

I look forward to the launch in August, 2005.

2-4

Regards,
Judy Price

Response to Comment Letter 2

Comment 2-1

Judy Price's support for the Orange Line project is acknowledged for the record.

Comment 2-2

The comment is acknowledged for the record.

Comment 2-3

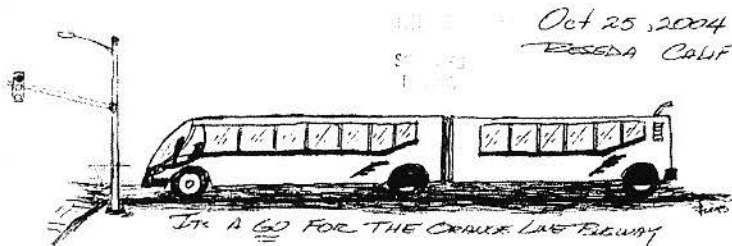
The comment is acknowledged for the record.

Comment 2-4

The comment is acknowledged for the record.



Comment Letter 3



DEAR SIRS:

I AGREE THAT THE ORANGE LINE WILL BE A GREAT SUCCESS & IT'S INVOLVING WITH ^{WITH} PRICE TAG.

THE CONSTRUCTION CREW IS DOING A VERY GOOD JOB, AND THEY ARE HANDLING EVERYTHING WITH GREAT CARE. I HAVE HEARD FROM SOME COLLEGE KIDS, & THEY SAID, THAT THEY WOULD EVEN CONSIDER ON USING THE ORANGE LINE TO GO TO SCHOOL.

I SEE A LOT OF POSITIVE THINGS THAT LIE AHEAD WITH THE ORANGE LINE #1) IT WILL GREAT NEW JOBS.

#1) IT WILL EASE THE TRAFFIC FROM THE 101 FREE.

#2) FROM THE HUB OF UNION STATION TO NORTH HOLLYWOOD THE RED LINE SUBWAY CONNECTED TO THE ORANGE LINE TO UPRIVER CENTER. THIS IS A SMART MOVE FROM THE MTA PLANNERS.

#3) A LOT OF GOOD PARKING WILL BE THERE FOR THE ORANGE & RED LINE.

#4) THE SAN FERNANDO VALLEY FINALLY GOT ITS PROMISE FROM THE CITY OF L.A TO HAVE A VERY NICE TRANSITATION SYSTEM SUCH AS THE ORANGE LINE BUSWAY.

#5) IT WILL RAISE THE VALUE OF YOUR PROPERTY WHICH IS VERY GOOD.

#6) IT WILL HELP CLEAN THE ENVIRONMENT.

A) ONE VERY IMPORTANT THING NEEDS TO BE DONE... USE A PAINT ON THE CONCRETE WALLS & BRIDGES SO A GANG BANGER ^{TRUCKER} CANNOT KEEP HIS SPRAY PAINT ON THE WALLS, IT WILL WASH OFF...

Response to Comment Letter 3

Comment 3-1

Larry W. Bradbury's support for the Orange Line project is acknowledged for the record.

Comment 3-2

The comment is acknowledged for the record.

Comment 3-3

The comment is acknowledged for the record.

Comment 3-4

The comment is acknowledged for the record. Metro is very concerned in maintaining a clean and graffiti free environment at all of its facilities. Graffiti is removed as quickly as possible.

3-1

3-2

3-3

3-4



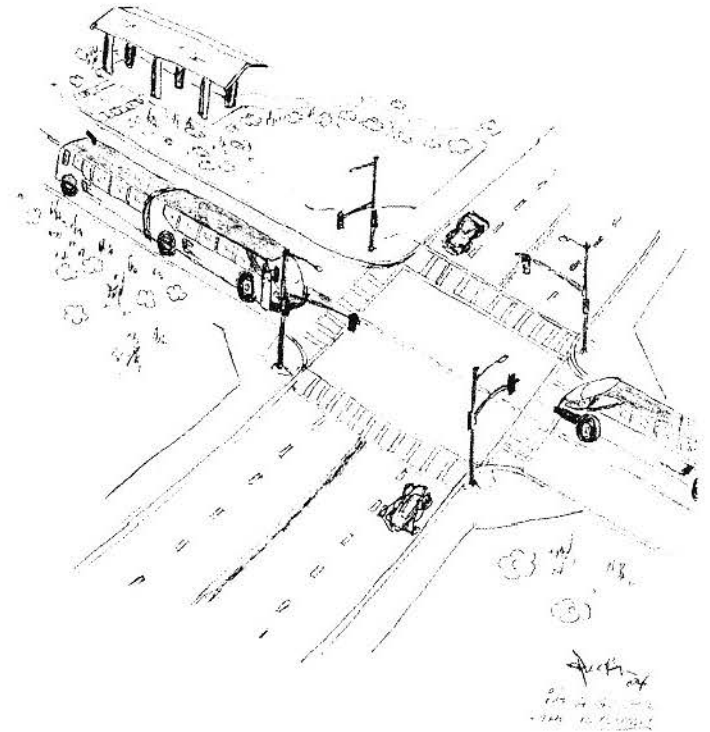
RECEIVED CALIF
OCT 20 2004

THANK YOU VERY MUCH FOR YOUR TIME, FOR READING
MY LETTER. IF ANY HELP IS NEEDED, PLEASE LET ME
KNOW.

THANK YOU
SINCERELY YOURS

Langin. Swadlow
2160 WILBUR AVE
RESEDA CALIF 91335

HOME - 818-9964035
WORK - 818-8862847
FAX - 818-4121951



Langin Swadlow
2160 WILBUR AVE
RESEDA CALIF 91335



Comment Letter 4

-----Original Message-----

From: Lillian & John Cahman [mailto:lilandjohn@earthlink.net]
Sent: Tuesday, October 26, 2004 6:31 PM
To: mediarelations@mta.net
Subject: Orange Line - I am not part of the lawsuit

Dear MTA:

I have always believed that the Orange Line was ill-conceived. However, the MTA and the entire community surrounding the future Orange Line are suffering from a severe case of cognitive dissonance. This occurs when a huge investment, either emotional or financial or both, has already been made, and nobody dares say, "hey, this was not the best idea"; too much has already been invested. A good example is the Iraq War, but I digress. Incidentally, I spoke against the Orange Line at a Community meeting, and will always remember that experience as one where I was talking to myself; no one cared what anyone said at that meeting, and the relevant parties from the MTA and the council were absent. The decision had been made, the money allocated, the contractors contracted, and it was, as they say, a done deal.

I do not know what you base your study of the alternate bus additions on, but nobody asked me or my husband, residents of Valley Glen north of Oxnard Street and just east of Fulton. My husband uses the MTA Red Line regularly, but he can never take the bus to and from the station because, the bus along Oxnard Street to North Hollywood Station runs roughly once per hour, so infrequently that it is not even suggested on the MTA web site as a route to the

4-1

4-2

4-3

Response to Comment Letter 4

Comment 4-1

Lillian Silverstone's concerns for the Orange Line project are acknowledged for the record.

Comment 4-2

The commenter questions the basis for determining the RB Alternatives studied in the Revised FEIR. As discussed in Responses to Comment 14-10 and 14-14, the Court of Appeal determined that MTA must consider the alternative of multiple Rapid Bus routes to the Project. On page RS-1 of the Revised FEIR, it explains that the Court of Appeal's decision mentioned comments suggesting different assemblages of particular multiple Rapid Bus routes. MTA evaluated the suggested three-route, five-route and COST's Network variations of the alternative of multiple rapid bus routes and determined that they would provide a basic reasonable approach. Since the three route and five route comments only identified the routes by street name, MTA determined the specific routing of each end of the routes and determined the Rapid Bus stops according to Rapid Bus spacing criteria of being approximately one mile apart. Once defined, the three RB Alternatives were encoded into MTA's transportation demand model along with the Transportation Systems Management (TSM) alternative and were run to determine their performance. (Rev. FEIR, p. 8-6-8.) The modeling results indicated that the three RB Alternatives provided a good estimate of what multiple Rapid Bus routes could accomplish in the Valley. (See Rev. FIER, Table 8-6.5, p. 8-6-9 for ridership forecasts and pp. 8-6-12 and 8-6-13 for a comparison of the RB Alternatives cost effectiveness.) In all, eight separate east-west routes and six separate



north-south routes were modeled to determine ridership and cost per new rider. The three RB Alternatives were chosen, in part to provide a spectrum of coverage across the Valley. At the lower end of the spectrum, the fewest routes are represented in the RB-3 Alternative, which provides three east-west streets that terminate at both ends at the same termini as the Orange Line. The three east-west routes of the RB-3 Alternative are approximately ½ mile apart. This spacing is desirable since an industry accepted transit-modeling presumption is that most riders will not walk farther than ¼ mile to take transit. FTA's New Starts guidelines for modeling use this assumption as well. Moreover, Victory, Vanowen, and Sherman Way are fairly large arterials (FEIR, Table 8-3-1, p. 8-3-2) running continuously through the Valley that have many commercial centers, industrial centers and community facilities that are served by these routes. (See pages 8-4.1-3 through 8-4.1-5 of the Revised FEIR.)

The RB-5 Alternative provides three continuous routes through most of the Valley. The Burbank route transfers riders on the Ventura Rapid Bus at Reseda to complete their east-west cross valley trips. Burbank Boulevard is a major arterial accommodating average daily traffic up to 55,000 vehicles. (FEIR, Table 1-4, p. 1-9; Revised FEIR, Table 8-3-1, p. 8-3-2.) The Chandler route provides service from the North Hollywood Red Line station to Van Nuys and would connect with the North Hollywood High School and the commercial center at Laurel Canyon Boulevard. (See Page 8-4.1-11 of the Revised FEIR.) Chandler Boulevard is a secondary arterial accommodating up to 15,000 vehicles per day. (FEIR, Table 1-4, p. 1-9;



Revised FEIR, Table 8-3-1, p. 8-3-2.) The Oxnard route is about a ½ mile from Victory and Burbank. Although Oxnard is not continuous through the Valley, as explained above, it was expected to capture those riders that have to walk to the nearest route and would service the Ulysses Grant High School, Valley College, Laurel Plaza Shopping Center and the commercial centers at Van Nuys and Sepulveda. (Revised FEIR, pages 8-4.1-11 and -12.) Oxnard Street is a secondary arterial accommodating up to 28,000 vehicles per day. (FEIR, Table 1-4, p. 1-9; Revised FEIR, Table 8-3-1, p. 8-3-2.)

At the other end of the spectrum, the RB Network Alternative blankets the entire Valley with a network of uniformly spaced and continuous routes throughout the Valley to reach transit riders throughout the Valley and connect with many destinations as commercial centers, industrial centers, schools, parks, several airports including the Van Nuys Airport, and malls or shopping centers. (Rev. FEIR, pp. 8-4.1-20 through 8-4.1-30.) Devonshire Street is a major arterial that serves up to 25,000 vehicles daily. (Revised FEIR, Table 8-3-1, p. 8-3-2.) Roscoe Boulevard is a major arterial that serves up to 39,000 vehicles daily. (*Id.*) Victory Blvd. is a major arterial through the valley that accommodates up to 40,000 vehicles daily. (FEIR, Table 1-4, p. 1-9; Rev. FEIR, Table 8-3-1, p. 8-3-2.) In addition, all the north-south Rapid Bus routes in the RB Network are major arterials that serve up to 48,000 vehicles daily. (Revised FEIR, Table 8-3-1, p. 8-3-2.) The Rapid Bus routes for all RB Alternatives are complemented with the TSM, which will provide feeder service to maximize their potential. Accordingly, the RB Alternatives studied in the Revised FEIR provide a



spectrum of Rapid Bus route combinations, and their performance demonstrates a reasonable choice of routes to carry riders across the Valley in the east-west direction.

The commenter further intimates that MTA should have consulted with her or her husband, as residents of Valley Glen, on the selection of the specific multiple Rapid Bus routes to analyze as an alternative. Please see Response to Comment No. 14-10. MTA respectfully submits that the public has already commented on which routes should be studied in a multiple Rapid Bus routes alternative. During the comment period of the FEIR, MTA received three suggested multiple Rapid Bus routes alternatives. (FEIR pp. 7-213 and 7-216; COST's presentation to the MTA Board entitled, "San Fernando Valley Public Transportation Analysis Re: DEIS/R," dated July 19, 2001.) MTA adjusted and evaluated these suggested alternatives, and based on the discussion above, it found those variations of the multiple Rapid Bus routes alternative to provide a reasonable representation of what multiple Rapid Bus routes can accomplish in the Valley.



station from our location! It also stops running too early for a reliable commuting option. Don't suggest he take two buses to the station, because he won't, and no one would who owns a car.

In sum, the Orange Line is only one line serving only one route. How can it possibly attract more riders than a better all around bus service - absurd! We probably will not use the Orange Line as it is too far to walk from our house. Any thoughts we have had of using the Orange Line, say, to go eat at a favorite restaurant in Reseda, end when we consider walking home in the dark from Woodman and Oxnard Streets. We will probably still drive to Reseda and back.

If anyone who is anyone is experiencing a moment of honest regret about this silly busway, consider that the entire investment could be recouped if the land were sold and some nice new houses were built along the corridor.
Just an idea.

Thanks for your attention. Please forward to the appropriate party if you are not it.

Sincerely, Lillian Silverstone, Valley Glen

4-3

Comment 4-3

The comment is acknowledged for the record. Transferring from one bus to another can be an inconvenience. Public transit systems are designed to transport as many people as possible between connection points with as little inconvenience as possible. However, this goal is not going to be met by all individuals that would like to use public transportation.

4-4

Comment 4-4

The Orange Line operating plan anticipates that several other bus lines, originating from locations such as Chatsworth, Thousand Oaks, Warner Center and Porter Ranch, will also use the busway. Additionally, the Orange Line Project includes the Transportation Systems Management alternative, which provides enhancements to existing bus service in the Valley. Implementation of the TSM alternative will provide for increased bus frequencies and, over time, additional local service to the network of buses serving the Valley. As reflected in the analysis, the Orange Line combined with TSM improvements clearly attracts more riders than Rapid Bus alone. The addition of over 3,400 new parking spaces at five park and ride lots enhances the accessibility of this transit service.

4-5

Comment 4-5

The comment is acknowledged for the record.

Comment Letter 5

-----Original Message-----

From: Alexander Friedman [mailto:alek3000@juno.com]

Sent: Friday, October 29, 2004 10:22 AM

To: martinr@metro.net

Subject: Metro Orange Line support

Hi, there.

I am totally in support for Metro Orange Line! I am against the alternatives (i.e. Rapid Bus, etc.) that the selfish NIMBY's have suggested. The Orange Line project has already started, and should definitely be completed, and implemented, as planned. BRT will be more efficient than a Rapid line. I am looking forward to the project completion and to the ride in the new 60-foot articulated bus, flying through the new wonderful BRT Metro Orange Line.

Once again, You have all my support!!

Thank you for all your efforts.

Yours truly,

Alexander Friedman

5-1

Response to Comment Letter 5

Comment 5-1

Alexander Friedman's support for the Orange Line project is acknowledged for the record.

Comment Letter 6

To ROGER L. MARTIN
PROJECT MANAGER
SFV IN COUNTY AREA TEAM
1-213 922 2060

BURTON ROSEMAN 43
13432 TIARA ST.
VAN NUYS CA 91401
11/2/64
1-818 786 6975

RESPONSE TO THE REVISED FEIR

THE THREE WAY EAST-WEST RAPID BUS
WAY, VAN OWEN, & VICTORY IS REALLY A 4 WAY
RAPID BUS ROUTE WITH THE ESTABLISHED
VENTURA BLVD. RAPID BUSWAY. IT SERVES ONLY
THE SOUTH & MID VALLEY. THERE IS NO
SERVICE TO THE MID-NORTH AND NORTH VALLEY.
VAN OWEN IN THE MID VALLEY IS RESIDENTIAL
AND NARROW. ITS INCLUSION WILL ELICIT HOSTILE
RESIDENTIAL REACTION TO DIVIDE & CONQUER.
MUCH LIKE THE PHONEY OXNARD RAPID BUS OPTION.

THE FIVE WAY EAST WEST ALTERNATIVE IS
A SIX WAY ROUTE WITH THE ADDITION OF
THE ESTABLISHED VENTURA BLVD RAPID BUS.
OXNARD STARTS AT SEMOLVOA ON THE EAST SIDE
AND STOPS AT WHITE OAK IN THE WEST VALLEY
WITH A GAP BETWEEN WINNETKA & TAMPA.
BURBANK STARTS AT DESOTO IN THE WEST
VALLEY AND RESTARTS AT RESEDA. CHANDEL
2192495 ITS WAY THROUGH THE EAST
VALLEY UNTIL IT ENDS ON VAN NUYS.
SHERWAY WAY AND VICTORY ARE WIDE
COMMERCIAL STREETS TRAVORSING THE
CENTRE VALLEY. THE INCLUSION OF OXNARD,
BURBANK AND CHAN ALER WILL ELICIT
BURTON ROSEMAN

6-1

6-2

Response to Comment Letter 6

Comment 6-1

The commenter contends that the RB-3 Alternative only serves the southern portion of the Valley. Feeder service covering the northern half of the Valley is provided by the TSM, which is considered along with the RB-3 Alternative. The northern routes do not appear to be a good addition to the RB-3 Alternative. The RB Network provided routes in the northern portion of the Valley as well and the performance of those routes were analyzed. As explained on page 8-6-9 of the Revised FEIR, the modeling of the northern routes of Devonshire and Roscoe would generate significantly fewer riders (i.e., Daily Transit Boardings in Table 7-6.5), than the southern east-west routes in the RB Network. If these northern routes were not connected with north-south lines, the ridership would be expected to be even less. Thus, although adding additional east-west routes in the northern portion of the Valley may generate slightly more ridership, the cost of operating those routes would not be justified. See the discussion of cost-effectiveness and operating efficiencies on pages 8-6-12 through 8-6-14 in the Revised FEIR.

Inclusion of the Vanowen route in the RB-3 Alternative would not divide the community. The Vanowen route would have Rapid Buses running in the existing Vanowen Street and no substantial facilities would be constructed that could potentially create a barrier to residents on either side of Vanowen Street. Further, the Vanowen route would provide transit to a number of destinations. (See Response to Comment 4-2 for a more specific discussion on the transit connections along the Vanowen route.)



HOSTILE ~~REACTION~~ 'RESIDENTIAL REACTION' 2/3
 IN ORDER TO DIVIDE AND CONQUER THE
 CITIZENS OF THE VALLEY. THE INCLUSION
 OF CHANDLER IS OUTRAGEOUS JEW BAITING.
 WHY ALSO INCLUDE THIS SHORT NARROW
 ZIGZAGGING STREET CONNECTING LANTANASHIM
 WITH ONLY VAN NOYS BLVD. TO EMPHASIZE
 THE ORIGINAL RAPID BUS ROUTE THE
 OXNARD FICTIONAL OPTION SO THE OXNARD
 RESIDENTS WOULD NULLIFY THE CHANDLER
 RESIDENTS. DIVIDE & CONQUER OFFSETTING
 NIMBY'S SHAME ON YOU.
 THE RAPID BUS NET WORK PURPOSES
 4 EAST-WEST LINES (DANVISHIA)
 ROSCOE, VICTORY, AND THE EXISTING
 VENTURA BLVD RAPID BUS. ALL 4
 ARE ~~RESIDENTIAL~~ WIDE BUSINESS STREETS
 TRAVERSING THE ENTIRE VALLEY. IF TRAFFIC
 DEMANDS SHERMAN WAY 1/2 WAY BETWEEN
 VICTORY AND ROSCOE WOULD BE AN
 EXCELLENT 5TH EAST WEST LINE. WHAT
 COULD BE MORE LOGICAL? RAPID BUSES
 ON BUSY STREETS WITH LOTS OF BUSINESSES,
 SCHOOLS, HOSPITALS, AND BUS RIDERS.
 WHAT DIMINISHED LOGIC ALLOWS SO CALLED
 PROFESSIONAL TRANSPORTATION EXPERTS
 TO PURPOSE CHANDLER, BURBANK, OXNARD
 & VAN OWEN. THE FIRST 3 STOP & START
 AND ALL 4 ARE RESIDENTIAL. MY EXPERTISE
 IS THE THOMAS - GUYER AND KING A 20 MILE ROUTE
 THE RAPID BUS ALTERNATIVE PURPOSES
 6 NORTH SOUTH LINES ON SAN FERNANDO
 RD, LAUREL CANYON, VAN NOYS, SANDLEPPA, ROSCOE
 & TORRANCE CANYON.
 Burt Rosenman
 Burt Rosenman

6-2

The commenter is correct that the Ventura Blvd. Rapid Bus line was included as part of the transit network that was taken into account by MTA's modeling forecasts of the RB-3 Alternative's ridership and cost effectiveness.

Comment 6-2

The commenter suggests that Oxnard, Burbank, and Chandler routes of the RB-5 Alternative would divide the community. As discussed in Response to Comment 6-1, the RB Alternatives operate in existing streets and have no facilities that would not create barriers that would divide the community. See Response to Comment No. 4-2 for a discussion on MTA's reasoning for selecting the specific routes of each RB Alternative.

6-3

The commenter is correct that the Ventura Rapid Bus line was included as part of the transit network that was taken into account by MTA's modeling forecasts of the RB-5 Alternative's ridership.

Comment 6-3

The commenter suggests adding a Sherman Way route to the RB Network Alternative. Sherman Way was not considered part of the RB Network Alternative because the premise behind it was to produce a logical geographic distribution of Rapid Bus routes to cover the entire Valley. Adding a Sherman Way Route would imbalance that distribution. The suggested addition of one additional east-west route to a nine-route assemblage already containing three east-west routes is a minor variation. Thus, the commenter's suggested variation is not considerably different from the RB Network Alternative analyzed in the Revised FEIR. Further, the Sherman Way route included in the RB-3 Alternative did not cause it to generate new ridership



ALL ARE WIDE BUSINESS STREETS EQUALLY 3/3
 SPACED EAST TO WEST ACROSS THE
 VALLEY ~~UNLESS YOU WANT TO~~
 ROSCOE COULD TURN SOUTH ON LANKERSHIM
 TO THE RED LINE. VINE LAND IS ANOTHER
 LOGICAL NORTH SOUTH ROAD. ~~UNLESS YOU~~
~~WANT TO TURN~~ FINALLY MOST OF
 THE RAPID BUS NETWORK COST WAS NOT
 DREAMED UP BY COST BUT COMES FROM
 SECOND AND THIRD STAGE PROPOSALS
 OF THE LOS ANGELES DEPARTMENT OF
 TRANSPORTATION. THE VENTURA BLVD
 RAPID BUS WAS WILDLY SUCCESSFUL
 BUT IT WAS NEVER FULLY DEVELOPED
 BECAUSE THE MTA LEFT TO THE NEXT
 COOL FAD THE BRAZILIAN RAPID
 BUSES OF CRUITSHES. A GREAT JUNCT
 FOR THE MTA BOARD. FINALLY I PROPOSE
 A JUNCT PAID BY COST FOR THE MTA
 BOARD TO UNIVERSAL STUDY 6 STORY
 PARKING GARAGES AROUND THE 2 RED
 LINE STOPS.
 FINALLY, MY WIFE AND I WERE ACTIVE COST
 MEMBERS THROUGH THE "PETITIONING OUR GOVERNMENT"
 PHASE BUT DROPPED OUT BEFORE COST. ~~SO~~ THE
 MTA, IT WAS OUR DEFINITE FEELING THAT "THE
 FIX WAS ALWAYS IN" AND ~~ON~~ THAT THIS AMANDA
 FEIR IS ALSO MEANINGLESS. I AM 100% SURE
 MTA WILL DO A TOWN INCORPORATION BUT
 FINISH THE EAST WEST BUS-WAY JUST AS IT WAS
 PLANNED FROM DAY 1. I AM JUST AS CONVINCED
 THE COST AND OF RAPID BUSES (DERIVED FROM
 THE DOT PHASE III) WOULD HAVE GIVEN BETTER
 SERVICE AT A MUCH CHEAPER PRICE.
 BURTON ROSEMAN

6-3

6-4

6-5

6-6

Transit Trips for the RB-3 Alternative is forecast to only produce 1,100 new riders over the TSM. Even if the new riders forecast for the RB-3 Alternative were completely attributed to the RB-Network Alternative, the new daily transit riders would be only 2,400 for the RB Network; whereas the upper-bound for the Orange Line would still achieve nearly double that of the RB-3 Alternative at 4,000 new daily transit riders. In addition, the Orange Line's lower bound is forecast to achieve 6,300. Moreover, the operating expense of adding the Sherman Way route to the RB Network would increase and would still be much higher on a per new rider basis than the single-route Orange Line. Thus, inclusion of a Sherman Way route in the RB-Network Alternative would not make it perform as well as the Orange Line.

The commenter also suggests diverting the Roscoe route of the RB Network down Lankershim. This suggestion is again another slight variation to the RB Network Alternative already studied in the Revised FEIR. Thus, the commenter's suggested variation is not considerably different from the RB Network Alternative analyzed in the FEIR. See response to Comment 4-2 for a further discussion on MTA's reasoning for selecting the routes of the RB Network Alternative to study in this Revised FEIR.

The commenter presents no facts to suggest that implementing his suggested variations would significantly increase ridership while making the modified alternative more cost effective. These suggested variations to the RB Network are not considerably different from the RB Network Alternative already studied in the Revised FEIR.

By suggesting these variations, the commenter infers that MTA was required to fully analyze numerous slight variations of the RB Alternatives to determine the best or optimum configuration of a multiple-route public transit system. However, transportation planning agencies do not conduct numerous model run iterations for multiple-route public transit systems to determine the optimum mix of routes. See Response to Comment 20-6 for a discussion on the reasons why finding the optimum mix of Rapid Bus routes is infeasible. Here, MTA studied a reasonable range of feasible alternatives by completing this Revised FEIR. Indeed, MTA went beyond that requirement by studying three variations of the alternative of multiple Rapid Bus routes.

See Response to Comment 4-2, for a discussion on the MTA's reasoning for selecting the routes that included the Oxnard, Chandler, and Burbank routes in the RB-5 Alternative.

Comment 6-4

The commenter contends that the City of Los Angeles Department of Transportation (LADOT) proposed a network of Rapid Bus routes that eventually was adopted by COST. MTA is not aware of LADOT ever suggesting Rapid Bus routes other than the Ventura Blvd. Rapid Bus and the Wilshire Rapid Bus as demonstration lines. However, in the preparation of this Revised FEIR, LADOT has concurred with MTA's selection of Rapid Bus routes for the three RB Alternatives. The Ventura Blvd. Rapid Bus has been fully developed and is no longer a demonstration line, but a permanent addition to MTA's Rapid Bus system.



Comment 6-5

The comment is acknowledged for the record.

Comment 6-6

COST's Network of Rapid Buses formed the elemental base of the RB Network Alternative that was studied in the Revised FEIR. The financial analysis contained on pages 8-6-4 through 8-6-14 demonstrate that although the RB Network would be cheaper to build, it would not however be as cost effective as the Orange Line. In Table 8-6.10 on page 8-6-13, the RB Network costs between \$59 to \$74 annually per new rider, whereas the Orange Line (Full BRT) only costs \$18 to \$27 a year per new rider. Additionally, the RB Network only attracts 1,300 new daily transit trips, whereas the Orange Line will attract up to 6,300 new daily transit trips. (Revised FEIR, Table 8-6.5, page 8-6-9.) Accordingly, the evaluation of the RB Network demonstrates that it does not perform better than the Orange Line.



Comment Letter 7

NOV 8 2004
11:43 AM
November 1, 2004

Mr. Roger F. Martin / Project Manager
Draft Revised Final Environmental Impact Report

Let me start by saying how happy I am that the East/West Busway Project is on its way to completion.

7-1

I live 3 blocks North of Tipler/Orinda + Lindley.

7-2

The area was an environmental hazard before you started the project. People seemed to feel it was a dumping ground or land fill. They dumped garbage, tires, old cars & boats, oil, electronics, furniture, refrigerators, washers & dryers.

I have lived in the area for 18 years and it was an eye sore, blight and danger with glass from beer, whiskey, soda. It was awful, I am glad those mess-ups are last thru appeal.

7-3

With all of this consideration that it is kept clean & free of graffiti and hope fully it will be green

Response to Comment Letter 7

Comment 7-1

Myra Ferrante's support for the Orange Line project is acknowledged for the record.

Comment 7-2

The commenter's concern for the local environment is acknowledged for the record.

Comment 7-3

Please see Response 3-4.



with landscaping. I have seen the design & it look great.

7-3

Comment 7-4

The comment is acknowledged for the record.

Looking forward to using the bus and pathways. Good luck your doing a great job even now it looks better already.

7-4

Comment 7-5

The comment is acknowledged for the record.

I would like you to know I have been in touch with Devon Brown, she's a lovely lady, I know I met personally but have spoke to her many times. when I making my petitions were necessary to fight for the project completion. I feel good to know my efforts made a difference

7-5

If you ever need my appearance or testimony on behalf of the project please feel free to call (cell 888-822-6231)

Lucy
Thompson



Comment Letter 8

MTA SFV/WC PLANNING Fax: 213-922-6358 Nov 23 2004 14:28 P. 24

November 19, 2004

To: Roger Martin
MTA
Re: Draft of the Revised Final Environmental Impact report for the San Fernando Valley East-West Corridor dated October, 2004.

Gentlemen,

I have lived in a peaceful, quiet little neighborhood in Woodland Hills since I was a teenager and am now well into my forties. What I see is the advent of this awful busway taking away my quality of life for absolutely no reason. It is an ill conceived, poorly planned and pathetically obvious ploy to masterplan something that no-one concerned has been the least bit honest about. It is shameful.

8-1

If you believe in Karma, you will get yours.

It seems to me that I heard that local buses were taken off Ventura Boulevard to be used for the Rapid Bus on that street. Are you planning (a word that should probably not be used in connection with this project) to do the same with the Rapid Bus Alternatives presented in the Revised FEIR? If so, how many of the buses now operating locally would switch over to Rapid Buses? And, if some, or all of the buses on a local route are used, how come the number of buses would be increased on the street as you contend? Also you say elsewhere that automobile trips would be reduced with more use of a Rapid Bus on a route. Wouldn't that mean the traffic might go down, or at worst, stay about the same? I don't understand this logic at all. Please explain.


8-2

8-3

I have nightmares about crossing all of the already dangerous intersections that you have now created and think constantly about all of the people who are going to be maimed or killed.

8-4

Please address all of the above questions I have asked.


Jayne Weaver
Woodland Hills.

Response to Comment Letter 8

Comment 8-1

The commenter's concern for the Orange Line project is acknowledged for the record. See response to Comment 4-2 for discussion on MTA's reasoning for selecting the RB Alternatives to study in the Revised FEIR.

Comment 8-2

As part of the analysis of these alternatives the local bus service was not reduced on corridors where Rapid Buses were added. The TSM Alternative expanded local bus service over existing conditions and the Rapid Bus alternatives were added on top of the TSM Alternative.

Comment 8-3

The commenter is correct to note that the net change in traffic on some streets might be a decrease or stay about the same as a result of the decrease in auto trips offsetting any increase in bus trips.

Comment 8-4

This comment does not address a specific environmental impact of the project alternatives, but it is acknowledged for the record.



Comment Letter 9

NTA SFV/MC PLANNING Fax:213-922-6358 Nov 23 2004 14:22 P.06

Jolene Fisher
6301 Blucher Ave.
Van Nuys, CA 91411

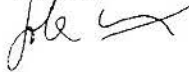
20 November 2004

Dear Mr. Roger L. Martin:

I am a resident of Van Nuys, and want to voice my concerns and questions regarding the new Final Environmental Impact Report (FEIR) for the San Fernando Valley East-West Transit Corridor.

I would like to know why in Tables 8-4.3-4 and 8-4.3-5, MTA only choose persons under 16 and persons over 64 as characteristics for the Rapid Bus stop influence areas of Rapid Bus-3 alternative? Are they the demographics that ride the bus? Are these the same demographics that are going to be riding on the new Orange line bus way? Does this mean that people between 16 years of age and 64 years of age do not ride the buses?

Thank-you,
Jolene Fisher



9-1

Response to Comment Letter 9

Comment 9-1

As stated on page 8-4.3-11 of the Revised EIR, "RB stop influence area is defined as the area encompassed by a 0.5-mile radius around a stop. It represents the largest probable pedestrian capture area for a RB stop". On page 8-4.3-12 of the Revised FEIR, it is noted that the numbers used to describe transit dependency as, "(a) the population unlikely to drive (those under 16 and over 64 years of age) and (b) the number of workers using public transportation. The tables list the percentage of people under 16 and those over 64 given that people in these age groups are less likely to drive their own vehicles and are thus more likely to be transit dependent." These are the demographics that are expected to utilize the Rapid Bus system most frequently; therefore, they are used to define the majority. However, they are not the only people who utilize the Rapid Bus system.

Table 8-4.3-3 in the Revised FEIR lists commonly used transit indicators near bus stops. These transit indicators are industry standards used in transit modeling.



Comment Letter 10

From: JRWJGS@aol.com [mailto:JRWJGS@aol.com]
Sent: Sunday, November 21, 2004 6:44 PM
To: martinr@MTA.NET
Subject: Revised FEIR

Mr. Roger L. Martin
Project Manager
SF Valley/No. County Area team
MTA
One Gateway Plaza
LA, CA 90012

Dear Roger:

I was fortunate enough to have a neighbor share their copy of the revised EIR with me. I was not aware that the revised EIR had already been made available to the public. **How was that fact that a revised EIR had been completed communicated to the public? And why wasn't it available at public libraries?**

I spent the better part of the weekend reviewing this document and have some questions.

1. On page 8-1-5 in Table 8-1-1, the figures used in the analysis of the Population along the SF Valley E-W Transit Corridor figures seem odd to me. The population along this corridor in 1994 was estimated to be 204,000. Six years later it is estimated to have grown by less than 5% to 214,000. This would equate to 1,666 new residents per year. Your estimate for the population in 2020 is 268,000, or a 25% increase from

10-1

10-2

Response to Comment Letter 10

Comment 10-1

See response to Comment 14-6 for a discussion on how MTA communicated the availability of the Revised FEIR to the public and how the Revised FEIR was delivered to the various libraries described in the notice of availability. In addition, please see Response 24-2.

Comment 10-2

The data in Table 8-1-1: *Population and Employment* is taken from the *1998 Regional Transportation Plan, Southern California Associations of Governments (SCAG), April 1998*. SCAG is the regional planning agency that is responsible for long-term population growth forecasting for the San Fernando Valley. SCAG population projections were used in Table 8-1-1 because they are the recognized authority in this planning area. All corridor studies in the San Fernando Valley study area comprise the area within one-half mile on each side of the corridor.



2000. This would equate to 2,700 more residents per year which is almost DOUBLE the annual growth of the last 6 years. **WHERE would these additional residents be living?** Between Sepulveda and White Oak, there is NO residential housing opportunities as the southside of the proposed busway runs along commercial property between Sepulveda and the 405 and the Sepulveda Dam Recreation Area is adjacent to the proposed busway between the 405 and Balboa. The area south of the proposed busway between the recreation area and White Oak is also non-residential. My question is **How did your study come up with a 25% increase in residents along the East-West busway?** Wouldn't it make more sense to put the buses along routes where people actually live now and will live in the future instead of placing them along parks and commercial property that do little if any retail business or provide few employment opportunities?

My second question concerns PRS-39 on Air Quality. The FEIR chart states that in order to mitigate any environmental impact to the residents adjacent to the Sepulveda Park and Ride that AQ-C1, C2, C3, C4, C5, C6, C7, C8, C9, C10 would need to be enforced. The neighborhood in question has gone on record with the MTA, AQMD and the EPA that none of these measures were consistently enforced by the contractor, SOJV, during the construction phase prior to the requirement of a new EIR. **My question is what is the plan to enforce those measures now? What will be the cost to this project to hire full time inspectors to ensure that AQ-C1 through AQ-C10 are enforced 24 hours a day, seven days a week?** That figure needs to be included in the cost. SOJV has consistently operated in bad faith with the community adjacent to the Sepulveda Parking structure and continues to break AQMD rules during this period between EIRs and no one is doing anything about fining them or bothering to enforce these measures.

10-2

Comment 10-3

The air quality mitigation measures listed in the FEIR have been made binding upon the construction contractor through its construction contract with the MTA. MTA monitors the construction contractor's adherence with these mitigation measures under MTA's mitigation measure monitoring plan. It is true that a number of times the contractor was found not to be employing these mitigation measures. To remedy this failure, MTA has stepped up monitoring of these mitigation measures and has received further assurances from the construction contractor that the mitigation measures in the FEIR would be fully implemented.

The comment relates to existing construction impacts relating to the Orange Line Project. Implementation of the Rapid Bus alternatives would not cause the same level of construction impacts, because, as stated in the RFEIR, construction for the RB stops would be minimal.

10-3

Lastly, on page RS-43, I question the travel time savings of 439,000 hours that BRT will provide. **How did the committee who created this report arrive at that figure? Does that include the increased traffic of 1400 cars per day traveling on Sepulveda to reach the parking structure on Sepulveda at Erwin? Was the impact of the new east-west crossings created by this new busway considered in calculating the increased traffic time impact on all the north-south vectors that will occur because of the added stops on those major streets?**

I believe that the questions raised above, require further study and investigation to assure that the figures used in the amended EIR accurately reflect the current needs of valley residents and are in line with the future transportation needs of this area.

Sincerely,

Jody Wittern Slater
6331 Langdon Avenue
Van Nuys, CA 91411

10-4

Comment 10-4

The annual travel time savings of 439,000 hours for the BRT Alternative was derived by applying annualized factors to daily auto travel time savings and daily transit time savings as calculated according to a standard procedure set by FTA. This procedure computes “composite mobility” of all travel modes for all trip interchanges for an alternative and a baseline (such as No Build or TSM). The impacts of the cars traveling to the Sepulveda parking structure and at each of the at-grade crossings of the busway were quantified through intersection level of service analysis in Chapter 3, Transportation Setting, Impacts and Mitigation Measures, of the Final EIR.



Comment Letter 11

MTA SFV/WC PLANNING Fax: 213-922-6358 Nov 23 2004 14:22 P. 03

November 21, 2004

Mr. Roger Martin
 MTA
 One Gateway Plaza
 Mail Stop: 99-29-9
 Los Angeles, CA 90012

Dear Mr. Martin:

Regarding the Draft Revised Final Environmental Impact Report, San Fernando Valley East-West Transit Corridor, October 2004, I am writing this letter as a protest not only of the decision to choose the BRT alternative in the first place, but also to claim that the latest court-ordered FEIR is totally inadequate.

1. **Ridership:** The BRT was obviously never intended to be a comprehensive mass transit solution for the San Fernando Valley because: it does not reach many transit-dependent riders; as a single route, it is not "comprehensive"; and, the corridor is not justified by population density and/or demographic ridership potential. It is, therefore, unnecessary and too costly. What is the goal of the MTA? To create new mass transit riders or serve the mass transit riders who are transit-dependent? If it is both, then why isn't the Rapid Bus network the Preferred Alternative. By the MTA's own assessment in the Revised FEIR, the Rapid Bus Alternatives "result in increased transit mode share, increased transit ridership and decreased daily vehicle trips" and "the Rapid Bus alternatives would improve transit services for low- to moderate-income populations." The BRT to the contrary is categorized in the FEIR (2/002) as "Overall, study area residents are less likely to be transit dependent than residents of the City of Los Angeles as a whole." You've but to look at the Valley demographics to know that is true. Only two questions determine the efficacy of a mass transit system: (i) is it meeting the needs of the transit dependent, and (ii) is it's convenience and time-saving capabilities going to create new riders. As for the BRT, the answers are no. It is documented that people will not walk more than 1/4 mile to use mass transit. The Rapid Bus alternatives would be accessible to more people (especially, the transit-dependent - what should be the MTA's first priority) and, therefore, more people would use it. The skewed statistics of the Revised FEIR are a shambles on this issue. With these facts, please explain how the BRT could possibly elicit more new riders than a nine-route, on-street alternative? The Rapid Bus network will also take people to east/west and north/south locations - places where they live, work and play, not just one end of the Valley or the other. Also, please explain Table 8-6.5 "Ridership." If Victory Boulevard shows 18,700 boardings in the RB-Network Alternative and the BRT shows 18,700 boardings in the Upper-Bound Estimate, why does the RB-Network only generate 10,300 new daily transit trips over No Build when the BRT generates 13,000 new daily transit trips over No Build?
2. **Safety:** The BRT is unsafe as it creates new intersections where there are none now. Left and, more importantly, right turns will be dangerous for motorists not expecting bus traffic. Two intersections will have diagonal bus traffic surprising drivers in many directions. The on-street Rapid Bus network will have none of these problems. Why

1.

Response to Comment Letter 11

Comment 11-1

The comment is acknowledged for the record.

Comment 11-2

MTA considers both the benefits of attracting new riders to transit, as well as improving service to existing transit riders. The ability to attract new riders is based on a number of factors including demographics, the relative attractiveness of the proposed service, and the extent to which the market is already being served. In the case of rapid bus on streets with existing local routes, the introduction of rapid bus will allow many existing transit riders to shift, improving their travel times; yet the attraction of new riders may not be as significant as a route which is introduced where there is no current bus service.

Table 8-6.5 in the Revised FEIR expresses ridership both in terms of boardings (how many people get on and off the bus route(s)) and new daily transit trips (how many more end-to-end transit trips are made). A route may have greater boardings than another route yet generate fewer new end-to-end transit trips if riders are simply shifting from one bus route to another.

A detailed discussion on how MTA's transportation model determines ridership is contained in the "Service and Travel Forecasting Methodology Report," prepared by Parson Brinckerhoff, Quade & Douglas in August 2002. A copy of this report is available for review in the MTA library. Moreover, MTA does not question the model's results, because it has been shown to be sufficiently accurate through validation exercises. See also responses to Comment 20-33 and 20-255.

11-1

11-2

11-3



have safety problems on the only parallel project in Miami-Dade County, Florida not been discussed at length? Crashes were often and severe enough to force the system to rid itself of signal priority (obviously, an important part of making transit "rapid"). Signal priority it still not an option there today.

3. **Congestion:** With new intersections being created (not a problem with the Rapid Bus alternative), greater congestion is a must. I have observed the already busy intersections at Burbank/Fulton and Woodman/Oxnard during construction. If a mass of rapid buses get going diagonally through those intersections at peak hours, there will be even more back-up. For these reasons, why does the MTA constantly refer to the BRT as "traffic-free"? If the BRT is constructed, all drivers in the San Fernando Valley will be negatively impacted. Secondly, isn't it true that traffic will get more congested on the north-south streets as well as on the east-west streets (i.e. that is if the assumption is correct that more congestion is inevitable). Thus, what will happen to the BRT as it gets less and less signal priority from LADOT? After all, LADOT has to keep the traffic flowing on the north-south streets as well. Won't that signal priority go down on the BRT, thus making the bus operations on it "less reliable?"
4. **Cost:** The BRT (a single bus line) is more costly than a network which reaches more people. The starting figure of \$330 million, has already been exceeded and we will probably be looking at something closer to the \$400 million mark (this does not include the initial purchase price of the right-of-way). A Rapid Bus network would cost, at most, ¼ that. By the end of the project, with assured cost overruns, how many promised mitigations will be dispensed with? The bike paths? Walkways? Landscaping? Some community members think these ideas justify the crime, danger and \$330 million price tag alone. What are the "legal limitations imposed upon the use of capital funds that have been identified for the construction of the Project" that prohibits the use of these funds for operating expenses on the Rapid Bus routes?
5. **Crime:** At down times, 12:00 p.m. to 5:00 a.m., the BRT is available for drug racing, and other criminal activities as it is left open for public consumption. Also, at some points along the route, sound walls will create a "crime alley" between the walls and the adjacent property lines. How many miles of sound wall graffiti will need to be tended to on a regular basis? Who will be patrolling these areas at what cost to the taxpayers? A Rapid Bus network would not have these problems.
6. **Time Factor:** The MTA originally promised an under 30-minute commute from Warner Center to North Hollywood. That was never possible and was upgraded to 40 minutes. I have recently driven this route during morning rush hour, going the speed limit (which no one does) and taking the Victory to Lankershim route. I made it in 26 minutes. No bus alternative can perform faster with 14 mandatory stops. The best case scenario would be that the on-street Rapid Bus network could come close if it had signal priority. For safety reasons, the BRT will not have signal priority, rendering it impotent. Commuters will not take a bus unless it is faster and easier than driving themselves. Because of the single-corridor concept and a lack of parking along the route, many commuters will have to find some way to even get to the BRT. Where are the statistics on how many commuters (or transit-dependent for that matter) will take what other form of transportation to get to the BRT and how much time that will add to their commute? The BRT will not be faster and unless you live right next to a stop and you are going one end or the other (Warner Center or N. Hollywood), not easier. The time factor has always been an MTA publicity device, both in the original EIR and the newly "Revised FEIR". I want to discuss one of the most important parts of the Court of Appeal decision, origin-to-destination travel time. I

2.

11-3

11-4

11-5

11-6

11-7

Comment 11-3

The commenter's concerns for traffic safety are acknowledged for the record. Turns across the BRT will be controlled by turn signals to provide a clear right of way indication to turning drivers. At many intersections on the Rapid Bus networks, turns at intersections through which buses travel will be permissive (not controlled by a turn signal) and drivers will have to determine when they feel it is safe to turn. Comments related to the Miami-Dade County, Florida busway have previously been addressed in the 2002 FEIR (See Response to Comment C9-66), but are acknowledged here for the record.

The design of the BRT project has taken these concerns into consideration by providing positive controls, including dedicated turn lanes and turn signals as part of the project design. All left turns across the BRT will be protected, meaning they will be controlled by green left turn arrows (which include green, yellow and red cycles) to provide a clear right of way indication to turning drivers. MTA and its consultants, working closely with LADOT, have taken every precaution to design the Orange Line in as safe a manner as members of the traffic engineering and civil engineering professions know how to do.

The "South Miami-Dade Busway Safety Study" prepared by DMJM Harris and F.R. Aleman dated August 13, 2001 ("Miami Study") noted that the vast majority of accidents on the Miami busway occurred at "isolated" intersections, where the average accident rate was seven times higher. (Miami Study, p. 23.) A copy of the Miami Study is available for review upon request. A principal problem with the "isolated" intersections was that they were admittedly



“inconspicuous in nature” and motorists may “unintentionally disregard the traffic control devices.” (Id. at p. 24.) The probable casual factors included the “inconspicuous” nature of the isolated intersections and the poor visibility of the traffic controls. (Id.)

Accordingly, the principal measures recommended to improve the visibility of the isolated intersections on the Miami busway were to: (1) install post mounted signals (Miami used signals strung across the street) (Id. at p. 41); (2) install backplates on the signal heads (a standard requirement for LADOT, but not standard in Florida because of high winds) (Id. at pp. 34-35); and (3) install raised curbs on the corners of the intersections to “improve the conspicuity of the isolated intersections.” (Id. at p. 44.)

Post mounted signals and backplates for traffic signals are standard LADOT requirements, and will be installed as part of the Project. (Draft EIR, pp. 3-27, 3-42, 4-264 to 4-266, 4-269; Final EIR, pp. 2-41 to 2-45, 3-44 to 3-45, 4-282 to 4-285, 7-142 (LADOT Standards to be followed).) Moreover, all BRT intersections will be improved with curbs, gutters, sidewalks, and painted stop bars. (Draft EIR, pp. 3-29 to 3-35; Final EIR, Vol. III, Preliminary Engineering Plan and Profile Drawings, Sheets 1 to 17 (intersection improvements depicted); Draft EIR, p. 2-36; Final EIR, p. 2-41 (stop bars).)

Further, additional safety measures have been incorporated into the BRT, which are not present at the isolated intersections on the Miami busway. These include street painting to designate the busway, active “No Right Turn” signs, and signals to warn cross-traffic. (FEIR, p. 7-157.)



The Final EIR compared the BRT intersections to the better performing coordinated intersections in the Miami study, and roughly converted the accident statistic for these intersections, of 0.061 accidents per million vehicles to one in 20 million. (Miami Study, p. 23; FEIR, p. 7-156.)

Because the BRT intersections have been designed to make them prominent, rather than inconspicuous, the BRT intersections were properly compared to the better performing, “coordinated” intersections in the Miami Study. (FEIR, p. 7-156.)

The Miami Study states, as one of the probable causal factors, “The isolated busway intersections are inconspicuous in nature and this could be a contributing cause as motorists may unintentionally disregard traffic control devices installed at the intersections.” (Miami Study, p. iii, and p. 24.) Thus, it can reasonably be inferred that the BRT’s visible traffic signals and well-designed and conspicuous intersections are better compared to the coordinated intersections in the Miami Study.

In addition, none of the BRT intersections are planned to be signaled “independently” as was the case with the isolated intersections on the Miami busway. (Compare Miami Study, p. i (“Isolated Busway Intersections”) to FEIR, pp. 2-41, 2-45.)

Additionally, the BRT’s intersections are not more complex than the Miami busway’s. Nearly every intersection of the Miami busway is at an oblique angle to the cross streets. (Miami Study, p. 2.) Yet, most of the BRT’s intersections will be at a 90-degree angle,



much like standard street intersections. (Draft EIR, Vol. 2, Sheets 25 to 54.)

Accordingly, the Orange Line (BRT) intersections will be as safe as normal city-street intersections.

Contrary to the commenter's assertion, Miami Dade reports that it will initiate signal single priority on the Miami-Dade busway in mid 2005. (Telephone interview with Miami-Dade's Project Manager, Isabel Pedron, on December 2, 2004.)

Comment 11-4

The BRT is referred to as "traffic-free" only in the sense that the buses on the BRT will be traveling in dedicated bus lanes, rather than in mixed flow with other vehicles as do buses on city streets. The FEIR quantifies the effects of increased traffic on the north-south and east-west streets and at intersections adjacent to the busway in Chapter 3, Transportation Setting, Impacts and Mitigation. The potential reduction in transit signal priority was addressed in the 2002 FEIR by assessing the BRT with an upper limit 40.0 minute travel time, assuming a low level of priority.

Comment 11-5

No mitigations or betterments identified in the Final EIR will be eliminated from the BRT Project Funding for the project consists of Proposition 25%, Transportation Congestion Relief Program (TCRP), and State Regional Improvement Program (RIP) funds. Each of these funding sources are only eligible for certain expenditures. Please refer to Ordinance 49 - Prop C as Amended by the Reform and Accountability



have read the entire Revised FEIR and found only one discussion of this subject, i.e., on page 8-6-11, Section c. Travel Time Savings. Again, where is the supporting data to be found for your conclusions? And, why did you compare the Rapid Bus Alternatives to the Full BRT Lower-Bound Estimate? The Lower-Bound BRT assumes travel time of 28.9 minutes. You know that this travel time has never been, and will never be, a possibility. It is physically impossible for the Busway to ever achieve that travel time even if LADOT decides to give the Busway full signal priority at every intersection for every bus. In addition, given the fact that this was a most important point for the Court of Appeal, why is discussion of this issue is given only half a page in this very long document?

11-7

This court-mandated "Revised FEIR" is not accurate nor was it done with diligence. The MTA was committed to choosing the BRT at the outset, created the first EIR to fit their desires and then voted for its approval. The MTA said it was committed to following through with the BRT when a lawsuit was first filed. The MTA said it was committed to the BRT when it was told to study another alternative and to halt construction. The MTA has been committed to building the BRT even though it has no certified EIR. The MTA does not care that the details of this project do not support what should be their mandate - a comprehensive, cost-effective mass transit solution for all the people of the San Fernando Valley.

11-8

Sincerely,

Richard Hilton
Valley Glen, California

Act of 1998. TCRP usage is specifies by State legislature and RIP funds, which can only be for capital use is allocated by the California Transportation Commission (CTC).

Comment 11-6

The Los Angeles Police Department is responsible for monitoring criminal activity and apprehending criminals along the BRT Corridor as well as throughout all City of Los Angeles portions of the San Fernando Valley. The MTA is installing security fencing at all locations along the BRT Corridor to ensure access to the areas between the soundwalls and property lines is protected. The soundwalls will be coated with a graffiti proof surface. In addition, vines will be planted on both sides of the soundwalls, which will also act as graffiti deterrent.

Comment 11-7

Information regarding the number of BRT commuters that either use their automobile versus transit/walk/ other was provided in the Final EIR (February 2002) in Table 3-10. For purposes of environmental analysis this information was reported to understand potential traffic impacts related to users driving their automobiles to stations.

In terms of end-to-end travel times, the transportation demand model does account for the time taken on each leg of a trip (whether another bus route, automobile access, or walk/bike/other) in the traveler's decision-making process. However, there is no readily available procedure to summarize the average time spent on other modes for BRT users. The transportation demand model is not set up to output this information



automatically; a specialized program would have to be developed. Even if such an exercise were embarked on for routes using the busway, it would not have value unless compared to equivalent information for other alternatives. While such an exercise would provide information of interest, it would not be needed in identifying and addressing environmental impacts, which is the focus of an environmental document.

For the full BRT (upper bound estimate), annual savings compared to No Build are estimated at 291,000 hours. Annual savings compared to TSM are estimated at 10,000 hours. In terms of travel time savings, see response to comment 10-4.

Comment 11-8

The comment is acknowledged for the record.



Comment Letter 12

MTA SFV/RC PLANNING Fax: 213-922-6358 Nov 23 2004 14:28 P. 23

November 21, 2004

To MTA
Attn: Roger Martin

Re: Busway behind my house

I came to U.S. from Hungary 40 years ago to get away from persecution and horrible conditions. I love the USA and have had a good life here, raised my children here, lost my husbands here, and cherish the safety and freedoms that many Americans take for granted. I know different.

I am much concerned about this busway going behind my house. I am now in my 70's, not in great health and am very frightened about what is to come of this.

Your document does not see any problem with neighborhood security for the Rapid Bus Alternatives. But what about the busway? The quote I found was "An adverse significant impact under CEQA to a neighborhood's security could occur if the physical proximity of the alignment, or transit stops, to a residential neighborhood would provide substantially enhanced access to the neighborhood by people whose objective is to engage in crimes against persons or property, and also if there is opportunity to exercise that objective." What are you planning to do about these "crime alleys" that your design has created? These are the areas between the sound walls and my property. Do you honestly think that putting up a high fence (where criminals cannot be observed by anyone because walls block it from view, putting in some ground cover and a few trees (which they could probably climb to get into your property) so making it more dangerous. And what about the public safety late at night when teenage drag racers use it for their fun and games. What are you planning to do to prevent this criminal things?

I do not want to spend the few years I have left in fear for my life because of this.

Please address my concerns.

Edith Kozsa
Edith Kozsa
Woodland Hills

12-1

12-2

Response to Comment Letter 12

Comment 12-1

The comment is acknowledged for the record.

Comment 12-2

Please refer to Response 11-6 for information on safety and crime.



Comment Letter 13

MTA SFV/NC PLANNING Fax:213-922-6358 Nov 23 2004 14:28 P. 25

Re: Draft Revised Final Environmental Impact Report
 Volume 4- Chapter 8 – San Fernando Valley East-West Transit Corridor
 October 2004
 Attn: Roger L. Martin – Project Manager, San Fernando Valley/North County Area
 Team, MTA

November 21, 2004

Re: Revised Environmental Impact Report for San Fernando Valley Busway

Dear Sirs:

In light of the unprecedented process that the Metropolitan Transit Authority has gone through in regard to this project, the Authority, according to the California Government Code, no longer has immunity from liability for accidents, injuries, or deaths that will occur as a result of the Busway being constructed. This, of course, would mean excessive and unaffordable expenses paid out to the public, and indictments for criminal negligence for the members of the Board, employees of the Transit Authority, including bus drivers, and any other entities involved in the project's construction and operation.

As you know, public officials are immune from any liability for the defects of public works projects. If not, then any good faith effort on the part of public employees that falls for any unforeseen or ill-conceived reasons could be regarded, thus chilling any projects for the general good being undertaken at all. However, under certain circumstances showing a lack of reasonable judgment, this immunity is no longer in effect, and officials may be rightly punished for their negligent or uninformed actions.

This legal, unpleasant circumstance fits the present case of the San Fernando Valley Busway and its proponent, the Metropolitan Transit Authority. In short, and by no means is it the entire argument, the Transit Authority was warned about safety reasons during the original hearing process and chose to either ignore outright major safety concerns, or offer so-called mitigating remedies. Later, during the subsequent hearings in court, additional information was presented, including the experience of the Miami Busway, that showed the obvious and proven dangers of a busway if it were to be operated.

The Transit Authority intentionally chose to reject and ignore any contrary data that demonstrated in fact and theory that this Busway would be an unacceptable, hazardous project to proceed upon. Furthermore, after approval and certification were revoked, the construction of the predictably dangerous busway was unreasonably continued using discretionary powers that were negligent at best.

And during the future renewed public hearings, these same legitimate and demonstrated safety problems regarding accidents, injuries, and deaths will be brought forward. If the Transit Authority once again rejects the evidence to persist in its willful disregard of public safety, and decides to finish the project, then the results can already be predicted based on cases elsewhere: an inordinate amount of traffic accidents, and deaths, will occur, and then the speed limit of the busway will be lowered to try to prevent this disaster, thus defeating the whole, original purpose of a rapid transit system.

If numerous individuals of the public can predicate this imminent fiasco based on readily available information, then it can only be negligence or misconduct of the Authority that places them in the dark. Thus, rightly so, will the immunity for liability be removed, paving the way for a just prosecution of those involved in such a disreputable and wasteful project.

Yours truly,

 Leonard Mirapal
 6529 Comanche Avenue
 Winnetka, California 91308
 (818) 887-9158

Response to Comment Letter 13

Comment 13-1

The comment is acknowledged for the record.

Comment 13-2

The commenter's concerns for traffic safety are acknowledged for the record. The design of the BRT project has taken these concerns into consideration by providing positive controls (turn signals and dedicated turn lanes) as part of the project design. Please see response to comment 11-3. In addition, accidents that may occur at busway intersections during construction would not reflect the traffic safety of the intersections once the busway is operational. During construction, busway intersections would operate under temporary worksite traffic control plans approved by the City of Los Angeles Department of Transportation. However, these temporary circumstances would not reflect those of the final signal, striping, signage and other configuration of the busway.

Comment 13-3

The comment is acknowledged for the record.

13-1

13-2

13-3



Comment Letter 14

MTA SFV/NC PLANNING Fax: 213-922-6358 Nov 23 2004 12:00 P. 01

John A. Henning, Jr.
ATTORNEY AT LAW

November 22, 2004

VIA MESSENGER

Mr. Roger L. Martin
Project Manager, San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza
Mail Stop: 99-22-9
Los Angeles, CA 90012-2952

Re: Comments on Draft Revised Final Environmental Impact Report / San Fernando Valley East-West Transit Corridor.

Dear Mr. Martin:

As counsel for Citizens Organized for Smart Transit ("COST"), I submit the following comments on the Draft Revised Final Environmental Impact Report / San Fernando Valley East-West Transit Corridor ("DRFEIR")

1. Improper 30-Day Public Comment Period. COST objects to the 30-day public comment period for the DRFEIR. A project for which a state agency is a "responsible" agency (i.e., rendering a subsequent discretionary decision), requires submittal to the State Clearinghouse and a 45-day public review period. (Pub Res. Code sec. 21091(a); CEQA Guidelines sec. 15105(c), 15205(d).) Here, the DRFEIR itself has identified at least two state agencies -- Caltrans and the Regional Water Quality Control Board -- that will make discretionary decisions relating to the project (DRFEIR at p. RS-50.) (See California Permit Handbook, Sacramento Office of Permit Assistance (1996) (defining state responsible agencies).) This 45-day period may only be reduced by the State Clearinghouse under "exceptional circumstances," which must be set forth in a written request from the decisionmaking body, i.e., the MTA Board, along with 10 copies of the draft EIR. Here, the only support for the 30-day comment period set out in the DRFEIR is an "Office of Planning and Research email dated September 23, 2004." (DRFEIR, p. I-3, fn. 2.) There is no evidence that this email met any of the foregoing requirements, and, in particular, it appears highly doubtful that copies of the DRFEIR could have been included with the request, given that OPR's email was dated a full month before the publication of the DRFEIR.

14-1

125 North Sweetzer Avenue Los Angeles, CA 90048 Phone 323 655-6171 Fax 323 655-6109
jhenning@planninglawgroup.com

Response to Comment Letter 14

Comment 14-1

The commenter contends that MTA utilized an improper public comment period of 30 days. As the Revised FEIR explained on page I-3, MTA received the Office of Planning and Research State Clearinghouse and Planning Unit's (State Clearinghouse) approval of a 30-day comment period. The approval was by the State Clearinghouse was given in response to a request by an MTA staff member for a 30-day comment period. The State Clearinghouse approved MTA's request by e-mail dated September 23, 2004. On October 22, 2004, MTA sent the Notice of Availability and 16 copies of the Revised FEIR to the State Clearinghouse. By letter dated October 27, 2004, the State Clearing house confirmed its approval of the 30-day comment period and noted that MTA's request was consistent with the State Clearinghouse's written guidelines and Public Resources Code Section 21091. A citation to this letter from the State Clearinghouse has been added to the Revised FEIR at page I-3. Accordingly, MTA appropriately specified a 30-day comment period for the Revised FEIR.



Mr. Martin
November 22, 2004
Page 2

2. **Unfairness of Abbreviated Comment Period to COST and the Public.** In addition to the fact that this abbreviated comment period violates the letter of CEQA, it is also unfair to COST and other members of the public in light of the sheer scope and significance of this project, and the intense public interest in this project as illustrated by the hundreds of comments received on the original EIR. In particular, the brevity of the comment period has effectively foreclosed COST from adequately commenting on the DRFEIR in time for the deadline. A member of COST, Thomas Rubin, who is commenting separately, has had serious difficulty obtaining the data underlying various analyses in the report, notwithstanding repeated requests to MTA officials beginning as early as October 28, 2004. Mr. Rubin has identified these requests and the various responses of MTA officials in his separate comment letter of today's date.
3. **Request for 15-Day Extension of Comment Period.** For the reasons stated above, COST requests an extension of the public comment period for at least 15 days, or until December 7, 2004. (See CEQA Guidelines sec. 15207.) In the event the comment period is not extended, we request that MTA, at minimum, agree in writing to accept and respond to additional comments from Mr. Rubin, this office, and other representatives of COST that may be filed through December 7, 2004. (In making this request for an extension, COST does not waive its objections below concerning MTA's failure to make the EIR available to the public on the commencement of the comment period, and to provide proper notice to members of the public who had previously commented - failures which we deem to render the public review process inadequate under CEQA.)
4. **Failure to Provide Notice of Recirculation to Commentors.** MTA apparently means for the Draft Revised FEIR to constitute a "recirculated" EIR pursuant to Pub. Res Code sec. 21092.1 and CEQA Guidelines sec. 15088.5. For example, in the notice of recirculation, MTA stated that "Pursuant to Guidelines Section 15088.5(f)(2), Metro asks that reviewers limit their comments to the Revised FEIR." This provision of the Guidelines is designed for recirculated EIRs only. Its use here by MTA is manifestly intended to foreclose comment on the original Final EIR for the busway project, something to which COST objects elsewhere herein. Yet MTA, while contending this is a "recirculated" EIR, has failed to comply with the requirement in Guidelines sec. 15088.5(f)(3) that "As part of providing notice of recirculation . . . the lead agency shall send a notice of recirculation to every agency, person or organization that commented on the prior EIR." To our knowledge, none of the individuals or organizations submitting comments on the original EIR, including, but not limited to, COST and various of its members, ever received any notice of recirculation. (If we are mistaken, please provide evidence of the prior commentors to whom the notice was circulated.) This failure, in conjunction with the unusually brief comment period and truncated nature of the document, has dramatically hampered the public's ability

14-2

14-3

14-4

Comment 14-2

The commenter contends that the abbreviated comment period is unfair to COST and the public. The original FEIR, which considered the Bus Rapid Transit, No Project, TSM, Lankershim/Oxnard Alignment (plus this as a weekend only alternative), and the MOS, was circulated for public comment a total of 69 days. (See Vol. 2, page 7-12 of the FEIR.) The Revised FEIR considered the three RB Alternatives and compared them with the BRT with the TSM. The Revised FEIR did not alter any of the analyses of the BRT, No Project, TSM, the Lankershim Oxnard Alignment (including the weekend only alternative) or the MOS contained in the FEIR. Moreover, as discussed in response to comment number 14-1, the State Clearinghouse found that the Revised FEIR warranted a 30-day review period.

The commenter contends that Mr. Rubin has had difficulty obtaining data in a separate formal Public Records Act request ("Request"). Although the Request is a separate proceeding, MTA notes that it processed the request within the timeframes set out in the Act and provided Mr. Rubin with responsive records. Mr. Rubin's Request had to be properly processed in order for MTA to locate and provide responsive records. The request sought a substantial amount of information. In fact, some of the records Mr. Rubin requested called for information that was not already prepared and had to be generated in order to respond. When Mr. Rubin was advised of this, he requested that such information be generated, and MTA agreed to do so in the spirit of disclosure.

It also appears that a substantial amount of the information sought in the Request related solely to



Mr. Rubin's comments on matters outside the scope of the Revised FEIR. Pursuant to CEQA Guidelines Section 15088.5(f)(2), MTA specifically explained in the Revised FEIR that the comments were to be limited to analyses in the Revised FEIR. (Revised FEIR, p. I-2.) Therefore, Mr. Rubin's request for information that did not pertain to this proceeding likely delayed the ability of the MTA to provide requested information that was potentially relevant to this proceeding even more quickly than it did. MTA provides this response to this comment without waiver of the assertion that a response to a Public Records Act request is a separate proceeding and, therefore, the timeliness of a response to such request is not a proper subject for comment under CEQA.

Thus, Mr. Rubin, COST, and the public were not prejudiced by the duration of the public review period.

Comment 14-3

The commenter requests a 15-day extension to the comment period. MTA respectfully declines to extend the comment period on the Revised FEIR. As noted above in Response Nos. 14-1 and 14-2, the State Clearinghouse approved of the 30-day comment period on the Revised FEIR and there appears to have been no prejudice to commenters as a result.

Comment 14-4

The commenter contends that MTA did not provide notice of circulation of the Revised FEIR to commenters on the prior FEIR. In support the commenter references CEQA Guidelines Section 15088.5(f)(3), which provides that "As part of providing notice of recirculation ... the lead agency shall send a notice of recirculation to every agency,



Mr. Martin
November 22, 2004
Page 3

to comment on this project.

- 5. Failure to Consult With, and Request Comments From, Affected Agencies. As a "recirculated" EIR, the DRFEIR requires "consultation pursuant to [CEQA Guidelines] Section 15086." (CEQA Guidelines, sec. 15088.5.) This consultation is to include Responsible Agencies, bordering cities and counties, and, given the areawide significance of this project, the transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project, including arterials, freeways, highways and rail transit service. There is no evidence that consultation has been performed according to this Guideline.

14-4
- 6. Failure to Circulate at Commencement of Public Comment Period. According to MTA's notice of recirculation, the public comment period began October 22, 2004, and is to conclude November 22, 2004. However, as of October 22, 2004, MTA had not complied with the requirements for circulation. For example, the document was not available on that date in any of the public libraries in which the notice indicated it would be available. Indeed, MTA's own records will show that although the DRFEIR was apparently given to some newspaper reporters at a press conference on October 22, it was not actually made generally available to the public - or even to COST - until several days later, and well into the comment period it was not available in several of the libraries where MTA claimed it would be.

14-5
- 7. Failure to Circulate Entire EIR. The DRFEIR consists solely of a new chapter 8, discussing three new project alternatives, and an introduction and Revised Executive Summary. As a threshold matter, it is impossible for members of the public to conduct any meaningful review of the DRFEIR without cross-referencing to the original FEIR as well. Yet, the original FEIR was not made available to the public in any of the public locations identified in the notice of recirculation. Accordingly we request that the two documents be recirculated in conjunction with each other.

14-6
- 8. Improper Limitation of Public Comments to "New" Sections of EIR. MTA has required commentors to refrain from commenting on portions of the project EIR that were not revised in the DRFEIR. (DRFEIR, p. I-2.) This is improper because of the change in circumstances, information and data that may have occurred in the intervening four years since the Notice of Preparation was issued for the original FEIR.

14-7
- 9. Failure to Compare New Alternatives to the Project. Chapter 8 of the DRFEIR is limited solely to the new project alternatives, and contains virtually no narrative discussion comparing the new alternatives to the BRT or to the "no project" and TSM

14-8
- 10. Failure to Compare New Alternatives to the Project. Chapter 8 of the DRFEIR is limited solely to the new project alternatives, and contains virtually no narrative discussion comparing the new alternatives to the BRT or to the "no project" and TSM

14-9

person or organization that commented on the prior EIR." However, this provision is not applicable to the Revised FEIR. This subsection was only recently adopted on September 7, 2004. Pursuant to CEQA Guidelines Section 15007(d)(2), agencies are required to comply with a Guideline amendment when the agency adopts procedures that conform to the amendment or 120 days after the effective date of the amendment, whichever occurs first. Since MTA has not created any procedures that conform to the amendment, the 120-day rule applies. Thus, Section 15088.5(f)(3) is not applicable to MTA until December 3, 2004. Because amendments to the CEQA Guidelines are prospective only, MTA would not have to provide notice pursuant to Section 15088.5(f)(3) for the Revised FEIR after December 3, 2004. Therefore, MTA was not required to provide notice of circulation of the Revised FEIR to commenters on the prior FEIR.

Comment 14-5

The commenter contends that MTA did not consult with or request comments from "affected agencies" in preparing the Revised FEIR. However, MTA consulted with Susan Bok, Sean Skehan and possibly others from the City of Los Angeles Department of Transportation ("LADOT") a number of times during the preparation of the Revised FEIR on issues, including, but not limited to, signal priority, traffic volumes, and the specific layouts of the RB Alternatives. In addition, LADOT did provide comments on the Revised FEIR indicating it agreed with the analysis contained in it. The LADOT's comment letter is included with the other comment letters attached to the Revised FEIR. Further, MTA consulted with Susan Shu of the City of Los Angeles'



Bureau of Engineering, Greg Herrmann from the City of Burbank and Paul Debel from the City of San Fernando during the preparation of the draft Revised FEIR. In addition, among others, the Revised FEIR was submitted to the Southern California Association of Governments (“SCAG”), an areawide clearinghouse for regionally significant projects which reviews the consistency of local plans, projects and programs with regional plans. SCAG responded that it had no additional comments other than those it submitted on the FEIR. SCAG’s December 1, 2004 letter is attached to the Revised FEIR. The Revised FEIR was submitted to the State Clearinghouse for comments from state agencies. The State Clearinghouse reported that no state agency commented upon the Revised FIER. (State Clearinghouse Letter dated November 24, 2004.) Therefore, the Revised FEIR complies with this Guideline, if it is applicable.

Comment 14-6

The commenter contends that MTA did not properly circulate the Revised FEIR. On October 22, 2004, MTA sent copies of the Revised FEIR by 2-hour courier to each of the following libraries identified in the notice of availability: Canoga Park Branch Library, Mid-Valley Regional Branch Library, North Hollywood (Amelia Earhart) Library, Northridge Branch Library, Panorama City Branch Library, Sherman Oaks Branch Library, Superior Court Law Library, Valley Plaza Library, Van Nuys Branch Library, and West Valley Regional Library. Copies of the courier receipts are available for inspection upon request. Also that same day, MTA hand delivered a copy of the Revised FEIR to the MTA Library. Additionally, the Revised FEIR was made available on MTA’s web site that same day. Accordingly, the Revised FEIR was properly circulated



and made available for public review on October 22, 2004.

In addition to having access to the Revised FEIR, COST was also offered a free copy of the Revised FEIR on Friday, October 22, 2004, which COST did not accept because it demanded twelve copies free of charge. Therefore, COST chose to defer receiving a copy until MTA could determine how many additional copies it had printed and could provide. MTA provided five Revised FEIRs to COST on or about Monday, October 25, 2004 and, when more copies were available by the end of that week, MTA provided more copies for a total of twelve copies without charge to COST.

A detailed discussion on how the MTA's model considers a rider's total origin-to-destination travel time is contained in the "Service and Travel Forecasting Methodology Report," prepared by Parsons Brinckerhoff, Quade & Douglas in August 2002. A copy of this report is available for review at the MTA library.



Comment 14-7

The commenter contends that MTA was required to circulate the entire EIR. However, MTA explained that it was proceeding under CEQA Guidelines Section 15088.5(f)(2), which provides for the sole circulation of the Revised EIR because it has only revised portions of the FEIR. (See page I-3 of the Revised FEIR.) Moreover, MTA made the FEIR and all referenced documents available to the public at the MTA Library. The FEIR was also available for review and download on MTA's website. Accordingly, MTA appropriately circulated the Revised FEIR.

Comment 14-8

The commenter contends that MTA improperly limited public comments to the Revised FEIR. However, as discussed above in Response No. 14-7, the CEQA Guidelines authorized MTA to limit public comments to the Revised FEIR. Further, the CEQA Guidelines do not limit their applicability to the span of time between an original EIR and a revised EIR. Thus, MTA properly requested that comments be limited to the Revised FEIR. Nevertheless, without waiver of this limitation, where possible, MTA has endeavored to respond to comments it received that were outside this limitation.



Mr. Martin
November 22, 2004
Page 4

alternatives, with respect to the various impact categories. The Revised Executive Summary and "Financial Analysis and Comparison of Alternatives" sections, meanwhile, do purport to compare all of the new and existing alternatives organically, but does so only in summary fashion, using tables and minimal narrative. This hybrid approach to the EIR, in which the summary discusses all of the alternatives but the detailed chapters do not, deprives the public and the decisionmakers of a meaningful opportunity to compare the project as proposed and the original alternatives to the three Rapid Bus alternatives, which is the underlying purpose of presenting the new alternatives in the first place. In this regard, it bears noting that this is not a circumstance in which MTA was ordered to reanalyze a single impact category, such as aesthetics. The analysis of alternatives implicates all impact categories, as well as various performance and financial criteria. Hence, the analysis should have been an organic one and blended with the original analysis. We request that MTA respond in the Final EIR with a blended analysis in all of the various impact categories, and then recirculate this document for public review and comment.

14-9

10. **Failure to Conduct Scoping Before Preparation.** The CEQA Guidelines provide for public agencies to conduct "scoping" with persons and organizations "it believes will be concerned with the environmental effects of the project," and is particularly helpful in identifying the range of alternatives to be analyzed in an EIR. (See CEQA Guidelines sec. 15083.) Here, to our knowledge there was to our knowledge no scoping performed whatsoever, with any organization or member of the public, including COST and its members. Notwithstanding the litigation over this project spanning more than two years, and the expertise that members of COST manifestly possess concerning possible Rapid Bus alternatives, MTA never consulted with COST concerning the scope or nature of the DRFEIR. Indeed, although Thomas Rubin, a member of COST, wrote letters to MTA staff making very specific proposals concerning methodology and potential route alignments, and requesting to consult with MTA, those letters were either ignored or answered with a refusal to meet. Mr. Rubin discusses these letters in more detail in his letter of today's date.

14-10

11. **Failure to Issue Notice of Preparation ("NOP").** An NOP was not issued for the DRFEIR. This violates CEQA.

14-11

12. **Improper Use of Year 2000 Baseline for Existing Physical Conditions.** The DRFEIR notes that the project and its original alternatives were evaluated in the original FEIR based upon "existing physical conditions" as of May 2000, when the Notice of Preparation was published for the original FEIR. (DRFEIR, p. I-2.) It goes on to say that "the environmental setting, or baseline, for analyzing the [Rapid Bus] Alternatives is, except as noted herein, the same as that used in the Final EIR." (Id.) As stated above, a Notice of Preparation should have been issued for the DRFEIR,

14-12

Comment 14-9

The commenter suggests that MTA was required to compare the RB Alternatives to the Project within each of the environmental impact sections of the Revised FEIR. As the commenter noted, MTA compared the RB Alternatives with the Project in the Financial Analysis and Comparison of Alternatives and summarized those comparisons in the Executive Summary Sections of the Revised FEIR. The detailed bases for these comparisons are contained in the individual impacts sections for the RB Alternatives in the Revised FEIR and the Project in the FEIR. Therefore, MTA adequately compared the RB Alternatives to the Project in the Revised FEIR.

Comment 14-10

The commenter contends that MTA was required to conduct further scoping to help identify the range of alternatives to be analyzed in the EIR. As discussed in Response to Comment No. 4-2, MTA evaluated the RB Alternatives and found that they represent a reasonable and good approximation of what multiple Rapid Buses can do in the Valley. The commenter's reliance on CEQA Guidelines Section 15083 for requiring consultation with the public and agencies during scoping is misplaced. Section 15083 pertains to the initial preparation of an EIR for a project rather than a revision to an already prepared EIR, as is the case here. Moreover, Section 15083 only suggests that scoping can help agencies determine the range of alternatives to be analyzed in an EIR. Here, the Court of Appeal's decision specified the additional alternative to be studied, namely multiple Rapid Bus routes. (See pages



28 and 32 of the Court of Appeal's decision.). The Revised FEIR complied with the Court of Appeal's decision by analyzing three reasonable variations of the multiple-route Rapid Bus alternative.

Comment 14-11

The commenter contends that MTA had to issue a Notice of Preparation for the Revised FEIR. However, CEQA does not require an additional Notice of Preparation for a revision to a prior EIR. As explained in the Revised FEIR on page I-2, the Notice of Preparation for this Project was issued in May 2000. Thus, MTA was not required to issue a Notice of Preparation specifically for the Revised FEIR.

Comment 14-12

The commenter contends that it was improper for MTA to use the year 2000 as its baseline or environmental setting. The commenter asserts that year 2000 data is stale and MTA should have used the most up to date data. On page I-2 of the Revised FEIR, MTA explained that the Revised FEIR utilized the same environmental setting as the FEIR to provide a proper comparison of the benefits and detriments of the RB Alternatives to the Project and to be consistent with the Notice of Preparation that was filed in May 2000. Further, the Revised FEIR only revised portions of the FEIR to include the analyses of the three RB Alternatives. (See page I-1 of the Revised FEIR.) It did not rewrite the EIR. Thus, the environmental setting or baseline sought to match, as closely as possible, that of the FEIR.



Mr. Marin
November 22, 2004
Page 5

and this situation illustrates one of the reasons why. A substantial new analysis prepared more than four years after the original Notice of Preparation should not use stale information and data. The data and information used should all have been as up-to-date as possible. Moreover, since the evaluation of new alternatives requires that these alternatives be compared to the existing project and the original alternatives, the information and data used to evaluate the project and original alternatives should have been updated to the present as well. Here, because no NOP was published for the DRFEIR, MTA should have assessed existing physical conditions "as they exist . . . at the time environmental analysis is commenced," which here would be some time after the July 19, 2004, decision of the Court of Appeal requiring MTA to consider the Rapid Bus alternatives. (See CEQA Guidelines sec. 15126.2(a).) Indeed, the use of a year 2000 baseline for the evaluation of alternatives in year 2004 ensures that any changed circumstances and four years of relevant data will be systematically ignored. For example, as Mr. Rubin discusses, the now-documented safety and performance experience of a similar busway facility in Miami, Florida, and of a light-rail line in Houston, Texas, are relevant to the comparison of the Rapid Bus alternatives to the busway option. Yet they are ignored because of the methodology used here.

14-12

13. Improper Mixing of Year 2000 and Year 2004 Data. The DRFEIR does not, in fact, rely solely on year 2000 data, but notes that "If year 2000 data were unavailable, this year's conditions were used." (Id.) This methodology is improper under CEQA because it results in an apples-to-oranges comparison between the busway project and the new alternatives.

14-13

14. Poorly Devised Alternatives. As set out in more detail in Mr. Rubin's comment letter, the alternative routes chosen here appear to be derived from relatively brief non-expert comments about potential east-west routes in the study area made during the proceedings on the original FEIR. (See DRFEIR, p. RS-6.) Although these comments were certainly an illustration of the fact that MTA had not properly evaluated an obvious alternative, none of them qualify as systematic analyses of ideal Rapid Bus alignments or groups of alignments. That analysis was best left to the agency itself, which possesses the expertise to evaluate such matters. Indeed, the agency's obligation to consider reasonable alternatives is an independent one, and is not dependent on a demonstration by commenters of what those alternatives will be. (See *Laurel Heights Improvement Association v. Board of Regents*, 47 Cal.3d 376, 405.) Here, as Mr. Rubin explains, the routes and groups are in several respects illogical on their face, resulting in poorer performance in key metrics such as travel time. Mr. Rubin, who does possess some of the expertise that would be helpful in devising appropriate routes, offered the meet with the agency, was rebuffed, and then submitted written comments proposing routes and methodologies, all well before the issuance of the DRFEIR. These appear to have been ignored.

14-14

Comment 14-13

The commenter contends that it was improper for MTA to use some year 2004 data in the environmental setting because it results in an "apples-to-oranges comparison between the busway project and the new alternatives." As the Revised FEIR explained on page I-2, the environmental setting had to be augmented with additional information in limited circumstances, such as where year 2000 data were unavailable. The Revised FEIR further directed the reader to each section of the Revised FEIR for a discussion on any modifications used in the environmental setting or baseline. For example, year 2000 data was not available on community facilities and services adjacent all of the routes in the three RB Alternatives. To conduct the impact assessment of the RB Alternatives, the Revised FEIR used Year 2004 data by conducting field surveys. (See page 8-4.4-13 of the Revised FEIR.) Using this 2004 data only served to analyze the impacts of the RB Alternatives to adjacent community facilities to determine if the RB Alternatives would create a significant impact upon such facilities. Thus, the use of 2004 data on community facilities and services adjacent to the RB Alternatives does not create an improper comparison where the impacts of the BRT on community facilities used year 2000 data. The result of the impact analyses was compared to find that neither the BRT nor the RB Alternatives would create a significant impact on community facilities and services. Accordingly, it was proper for MTA to utilize year 2004 data in certain limited circumstances as described in the Revised FEIR.

Comment 14-14

The commenter contends that the three RB Alternatives analyzed in the Revised FEIR are poorly devised. See



Response to Comment No. 4-2 for a discussion on MTA's reasoning for selecting the three RB Alternatives as a reasonable and good approximation of the performance of multiple Rapid Bus routes through the Valley. As discussed in response to Comment 14-10, the Court of Appeal's decision required that MTA consider multiple Rapid Bus routes as a feasible alternative in further proceedings on the FEIR. The Court of Appeal explained that the multiple Rapid Bus routes alternative was suggested in comments. The routes in these comments do, for the most part, correspond with the routes embodied in the three RB Alternatives considered in the Revised FEIR. However, this does not mean that MTA blindly studied the routes specified in the comments. Instead, MTA staff and consultants considered whether variations of these routes might perform better and, in fact, made modifications to the commenters' proposals so that they could be improved and compared. In all, eight separate east-west routes and six north-south routes were analyzed in the three RB Alternatives to serve the Valley's population. Thus, the three RB Alternatives are reasonable ones to consider and to compare with the Project. Please see the responses to Comment Letter 20 that address Mr. Rubin's specific comments concerning the routing of the RB alternatives and the travel-time performance of the RB Alternatives.



Mr. Martin
November 22, 2004
Page 6

15. **Significant Air Quality Impact from Construction.** The matrix at page RS-39 indicates that BRT will have a "potentially significant" impact on Air Quality during construction, after mitigation. This is not a statement that the residual impact under CEQA is "not significant" or "beneficial." Hence, the residual impact is presumably significant. Yet, the EIR for the project has not been revised to reflect this impact; rather, there is no analysis at all in the DRFEIR of air quality impacts from BRT construction, much less significant impacts. Please explain the basis for this conclusion of significance and the scope of the impact pre- and post-mitigation.

14-15

16. **No Analysis of Origin-to-Destination Travel Time.** A key ground for the Court of Appeal's July 19 decision requiring further analysis was MTA's failure to take into account the relevance of "origin-to-destination" travel time (i.e., the total time that individual riders take to travel from their origin to their destination), in the selection of alternatives. The new analysis done of the three Rapid Bus alternatives contains no apparent evaluation of this metric. Rather, the section entitled "Financial Analysis and Comparison of Alternatives" states that "travel time is expressed by comparing cross-valley travel on a number of key arterials." (DRFEIR, p. 8-6-9.) In the following section entitled "Travel Time Savings," the document refers to "total travel time savings" of various alternatives, but again makes no reference to origin-to-destination travel time. (Id., p. 8-6-11.) The DRFEIR should have included a comprehensive discussion of this essential metric. One should be developed and the document recirculated for public comment.

14-16

17. **Failure to Systematically Analyze "Upper-Bound" BRT Travel Time Estimate.** The DRFEIR continues to maintain that a 28.8-minute run time for BRT is an appropriate "lower bound" time estimate, as contrasted with the 40-minute "upper bound" estimate. We object to the continued use of this fallacious run time, given that MTA has conceded in the original FEIR that it would require 100 percent priority and virtually no stop time at stations - assumptions that simply cannot be made - to accomplish this travel time. Moreover, in any event MTA does not explain the effect of the time range on various metrics that manifestly depend upon travel time. In the only place where the new Rapid Bus alternatives are systematically compared to BRT and the original alternatives (the chapter entitled "Financial Analysis and Comparison of Alternatives"), MTA calculates various metrics without reference to the effect of the range values. For example, the charts relating to "Cost Effectiveness" and "Operating Efficiencies" simply provide estimates for "Full BRT," even though substantial differences in run time would necessarily affect these calculations. (DRFEIR, pp. 8-6-12, 13.) Meanwhile, a table in the section entitled "Travel Time Savings" estimates time savings *only for the Lower-Bound Estimate*. Given the essential nature of this analysis, this omission is a serious one.

14-17

Comment 14-15

The matrix at page RS-39 indicates that the Orange Line will have a resultant "potentially significant" impact on air quality during construction. Although the FEIR in the Summary Section (the main text in the Final EIR determined there would be a significant adverse air quality impact during construction) indicated that the impact of the Orange Line on air quality was not significant, the analysis in the main text (Section 5.8 of the Final EIR) of air quality impacts during construction revealed that the impact could not be mitigated to less than significant. The matrix of the Draft Revised FEIR contains the correct resultant impact of "potentially significant." The section entitled, "Significant Trade-Offs" in the Financial Analysis and Comparison of Alternative Chapter of the Draft Revised FEIR has been modified to address the temporary and localized air quality impact during construction of the Orange Line and is contained in Section 9.4 Errata of this document. There was no need for further analysis in the Revised FEIR because the full analysis was already contained in the Final EIR. The basis for the conclusion of significance is found in the Air Quality portion of the Construction Impacts section of the Final EIR.

Comment 14-16

The discussion of origin-to-destination travel times in the Court of Appeal's July 19, 2004 decision appears to focus on the lack of information regarding the part of the trip that leads to getting to the transit facility (length of time driving or walking to the nearest station) in determining the overall origin-to-destination travel time. This level of information is highly atypical to report and, in fact, the transportation demand model has no built-in summary feature that allows a calculation of



average trip times spent on other modes used in an end-to-end trip involving BRT (or rapid bus) users. (Also see Response 11-7.) Because of the multiplicity of possible origins and destinations and the multiple arterials identified for rapid bus service, it is a challenge to provide meaningful comparisons of travel time. The endpoints of Warner Center to North Hollywood were retained for the BRT alternative and the rapid bus along Victory Boulevard, yet would seem to be unreasonable endpoints for routes along Sherman Way, Roscoe or Reseda since these would involve travel paths that would not make sense. The intent of providing cross-valley travel times was to at least provide an understanding of the average speeds that could be expected along each of these arterials. The reporting of average travel times is meant to be a way of allowing a potential user to understand how long it would take to get from one point to another. The potential user is then able to add on additional travel time tailored to his/her own personal circumstances.

It should be noted that while the travel time table cannot include a meaningful expression of the average time taken on other modes (whether another bus route, automobile access, or walk/bike/other), the transportation demand model does in fact account for the time taken on each of these “legs” in the traveler’s decision-making process. The model also is sensitive to the introduction of new alternatives in making the decision of what mode/route to use.



Table 8-3-4: Countywide Change in Transit Passenger Travel Time (minutes)

Valley Statistics	Base 1998	2020 No Build	Valley TSM	BRT		RB-3	RB-5	RB-Network
				Lower Bound	Upper Bound			
Average Passenger Minutes Traveled	18.46	18.74	18.76	18.70	18.71	18.72	18.71	18.69
% Change from No Build			.1	.2	.1	.1	.1	.3

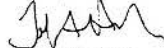
Source: Meyer, Mohaddes Associates, Inc., 2004.



Mr. Martin
November 22, 2004
Page 7

Thank you for the opportunity to comment on this document.

Very truly yours,



John A. Henning, Jr.

Comment 14-17

The continued use of the 28.8-minute run time for BRT as a lower-bound estimate allows decision makers to understand the environmental impacts and changes to ridership that occur when an aggressive policy of transit priority/pre-emption is allowed. This calculation allows 20 seconds of "dwell time" at each stop, which is considered a reasonable average in the transit industry.



Comment Letter 15

-----Original Message-----

From: Rosie Rivetor [mailto:pupenator@yahoo.com]
Sent: Monday, November 22, 2004 12:00 PM
To: martinr@MTA.NET
Subject: Revised FEIR

November 22, 2004
Roger L. Martin
Project Manager
SFV/No County AREA team
MTA
One Gateway Plaza
Los Angeles, CA 90012

SUBJECT: Public response to the FEIR

Dear Mr. Martin:

Let me start by saying that I am absolutely disgusted with your entire agency. Not only do you waste precious taxpayer resources on frivolous, partisan projects that are destined to fail but you lie to the public about what you are doing. This EIR is more of a joke than the original EIR for the Orange Line. The purpose of this EIR was to do a real TRANSPORTATION (you remember transportation, right? Getting people from point A to point B which is why the agency exists) analysis of a grid of rapid buses on major streets across the San Fernando Valley. It was not just an exercise for the MTA in proving how inept you are at analysis. When is the agency going to serve the needs of the transit dependent population and not the interest of politicians who use the MTA to award frivolous contracts and put more money in their own pockets.

Since this EIR is so incomplete, inaccurate and blatantly misleading, there are many places to question but I'll keep mine to a few specifics. First off, as one of the people who

Response to Comment Letter 15

Comment 15-1

The comment is acknowledged for the record.

Comment 15-2

See Response to Comment No. 4-2 for MTA's reasoning for selecting the three RB Alternatives to consider in the Revised FEIR. See response to Comment No. 14-13 concerning the data used in the Revised FEIR. In addition, the Revised FEIR does not merely compare distance traveled, but rather a number of factors.

15-1

15-2



sat in a room after the Draft EIR was introduced in 2001 and came up with the idea of a rapid bus grid based on the subway grid in NYC I have a few questions. See in NYC there is not just one subway line, there is a network grid with routes on the Westside the Eastside and going North/South all over the 12 mile by 5 mile island. This system moves millions of people everyday across all economic levels. It was this thought that brought the grid idea to the forefront. This small group of citizen, none of which are transportation experts, came up with an idea and hastily drafted a grid to illustrate the idea which was then presented to the Metropolitan Transportation AUTHORITY (meaning those who are supposedly experts in this field). Why did the MTA take that drafted grid, prepared by non transportation experts and build their entire EIR on it? Why didn't the MTA use their expertise and do a thorough study on all East/West and North/South routes in the Valley to determine the best streets to use to move the MOST people? Why was the data used for the Orange Line based on different figures than those used for the Grid? And why in almost every case did the MTA compare the Orange Line to a rapid bus going in opposite directions where the rapid bus was traveling in some cases up to 3/4 of a mile farther due to directional constraints?

Per figures I received from the MTA, at the present time there are roughly 400,000 people that ride the bus in all of Los Angeles County everyday. Based on the 2000 Census, in Los Angeles County there are roughly 414,767 household or 11,98% of the population that do not have vehicles with roughly 200,000 of them having a household incomes below \$12,000 a year. Now, I am no transportation expert but I do know an awful lot about demographics and keeping this in mind, none of your data adds up. First off, I called SCAG which is the agency where the MTA got it's demographic data and they do NOT calculate demographics for just the San Fernando Valley. They could not even give me the zip codes for that area so how than can the MTA provide a sourced reference when the agency they source does not

15-2

Comment 15-3

As noted in Section 8-1-1 of the Revised FEIR, SCAG does report socio-economic data by Regional Statistical Areas (RSAs). The San Fernando Valley is made up of RSA 12 (West San Fernando Valley) and RSA 13 (Est San Fernando Valley) as illustrated in Figure 8-1-4.

Ridership is determined through use of a transportation demand model. See response to comment 11-2 for discussion of how an alternative can lead to greater total boardings, yet fewer incremental new riders.

15-3

calculate that number or have the individual part of that data? Since I could not replicate your data, based on a polygon of the SFV (from the 118 freeway to Ventura Blvd and from Lankershim to Topanga Canyon - the busway ends and the entire Valley) roughly 9.37% of the County population lives in this area or 939,000 people. The number of transportation dependent is roughly 33,000. Of those transportation dependent, 21,000 live more than 1/2 mile away from this Orange Line. Keeping all of this in mind, my question is, what type of crappy math did you use to come up with the figures to show that a grid of buses that services 21,000 riders (and remember, this is just the transportation dependent, not the rest of the population of the area away from the busway, 69% of which live below the poverty line making them perfect public transportation candidates) will move LESS people than one line that services only 11,000? Would it not be faster and much less expensive to taxpayers to offer a Rapid express bus that makes no stops to get commuters from the redline station at Lankershim to Warner Center? This would take care of commuters that live outside the SFV. Why put in a busway where 13 of the 14 stops do not service transit dependent riders, that slows traffic for all commuters when you could offer a rapid bus on Victory that makes exactly the same stops as the Orange Line, uses Rapid bus technology to change lights just like the technology that the busway will use, flows with the traffic instead of disrupting it and costs pennies on the dollar compared to the nearly 1/2 billion cost of the busline? The intersections that cross the Orange line are already so confusing that there have been at least 5 major accidents and the bus is not even running. If people are already getting hurt in car on car accidents without a bus at confusing bus intersections, how many people are going to be killed when a bus is involved? How many lives have to be lost before the MTA stops the project like they did down in Miami? Two years later and the buses still stop at every single intersection. And finally, how is the MTA going to pay the taxpayers back the nearly 1/2 billion dollars that they wasted on this stupid, ineffective and 19th century project?

15-3

Comment 15-4

The first stated goal of the San Fernando Valley East-West Transit Corridor Project is to improve east-west mobility by connecting important activity centers, provide bi-directional transit service and provide opportunities to intercept traffic passing through the Valley. Designing service that does not stop in the Valley, but merely passes through, does not meet this goal. Further, Rapid Bus and/or BRT service is designed to have stops approximately every mile, offering commuters within the Valley the opportunity to avail themselves of the service.

15-4

If a bus has partial signal priority technology, it would facilitate traffic flows whether the bus is in the exclusive bus lane or on Victory Boulevard. Locating the bus on Victory slows down the service, as the bus is operating in the same traffic as other commuters.

15-5

Comment 15-5

Please refer to Response 13-2.

15-6

Comment 15-6

The financial investment in the Orange Line project will provide a premium transit service benefiting the commuting public in San Fernando Valley and greater Los Angeles County. It makes available a transit alternative to reach multiple destinations across the Valley, offering predictable travel times and frequent service on a quality system. Additionally, the Orange Line provides for nearly 13 miles of bicycle lanes and paths, 10 miles of pedestrian paths and extensive landscaping on an unused, barren strip of land extending across the Valley.



Now, in the EIR you say "Total boardings for Rapid Bus routes are shown as they operate from end-to-end. Therefore these boardings cannot be directly compared to boardings as reported for the LPA, which only reports those boardings occurring in the fixed guideway portions of the route (that is, board and disembark at stations along the project). Also, boardings do not distinguish between whether transit riders are merely shifting off other bus routes, or whether new riders are attracted to transit." That makes no sense to me. How are boardings on a route "from end-to-end" different than those "occurring in the fixed guideway portions of the Orange Line [BRT]? Doesn't the BRT run "end-to-end" as well? I'm assuming you're only counting boardings on the Rapid Bus routes that occur on the routes? Explain.

Also, I understand the difference between "linked" and "un-linked" trips. However, I don't understand why you assume there would be more un-linked trips on the BRT fixed guideway than say on Victory Blvd. Since Victory almost totally parallels the BRT, why would Victory attract more linked than un-linked trips on the BRT? After all, the speed you have calculated for Victory is almost equivalent to that of the BRT; i.e., faster travel time isn't the answer. And don't respond by saying the big, fancy new buses you plan to put on the BRT coupled with the parking lots and stations means more new people will ride the BRT. That is speculation and based not based on hard data and transportation modeling. I want a real, detailed explanation of the facts and figures of your ridership models. Where was this derived from? What was the model method you used? Please provide a detailed break down similar to that used in the appendix of the SCAG 2004 transportation report on the model you used?

Why didn't the Appendices include ridership data? Where is the detailed facts and figures including methodology and sourcing of your ridership figures? How am I supposed to

15-7

Comment 15-7

There is only a single route pattern assumed for rapid bus routes along individual arterials, which makes reporting boardings on these routes very straightforward. For the BRT facility, there are several bus routes with different origin points (Chatsworth, Thousand Oaks, Warner Center, and Porter Ranch) which make their way onto the busway, as described in Section 2-2.6.3 of the February 2002 FEIR. Counting the boardings for these routes in their entirety would include boardings on segments outside the busway such as Topanga Canyon, Reseda Boulevard, and a western extension to Thousand Oaks. If boardings were counted in their entirety for the four routes serving the busway, the totals would be 25,500 to 31,800 (upper bound and lower bound respectively).

MTA agrees with the commenter that boardings do not distinguish between whether transit riders are shifting off other bus routes. However, a comparison to the output of MTA's model on new daily transit riders indicates nearly the entire ridership (i.e. boardings) would shift from pre-existing transit to the RB Alternatives. On the other hand, the Orange Line has much less of a shift in riders from pre-existing transit as is shown in Table 8-6.5 on page 8-6.9 in the Revised FEIR. For example, the RB Network is forecast to generate a nominal 1,300 new daily transit trips but overall boardings of 56,900. The BRT is projected to attract upwards of 6,300 new daily transit trips while having 24,700 boardings.

Comment 15-8

Boardings and "linked" trips are generated through MTA's transportation demand model. See response to 11-2.

15-8

15-9

In addition, although the BRT parallels Victory RB line, there are certain critical traffic generators that are within half-mile walking distance from the busway, but almost or beyond one-mile from Victory. This difference in accessibility would also contribute to the reason why the BRT attracts different ridership than the Victory BR line.

The report that documents the mathematical assumptions underlying the forecasting model has been submitted to and accepted by FTA during the course of planning for the Eastside Light Rail Corridor project. This report is available through a Public Records Act request.

MTA's model determines links v. unlinked trips through millions of calculations on numerous dimensions. For a more detailed discussion on how the MTA's model utilizes linked and unlinked trips, see "Service and Travel Forecasting Methodology Report," prepared by Parsons, Brinckerhoff, Quade & Douglass in August 2002. A copy of this report is available in the MTA library for review.



believe your facts and figures for ridership when there is no supporting data? It is inconceivable as an intelligent person to believe that the RB3 Alternative only generates 1100 new daily transit trips especially since those routes are basically in the same corridor as the BRT. Once again, explain your fancy math because as a data analyst by profession, I just don't seem to how this adds up.

With the budget issues in the state of California and the City of Los Angeles and the traffic congestion on the freeways, one would think that as the MTA you would be able to come up with a cost effective solution that really offers options to get people out of their cars. But unfortunately, the Orange Line which you so biasly support in this poorly compiled EIR is not the answer. As a former transit rider who lives with 1/8 of a mile of a stop, even I would not get out of my car to sit on a bus. Unlike a great city like New York, San Francisco or Chicago which seems to understand the need to transport their citizen outside of automobiles both efficiently and cost effectively, Los Angeles once again proves the ineptitude of both it's leaders and it's public agencies by spending the limited money we have available to improve our city on frivolous, expensive and wasteful projects. Your data does not add up, your ideas are misguided, your conclusions are biased and your EIR is a down right embarrassment. Shame on you for wasting our money, shame on you for endangering our lives and shame on you for lying. IF this Orange Line was the great answer like you profess it to be, there would be no need to massage your data or exclude important information or compare routes in opposite directions. If this was the right thing to do, the truth would have been obvious.

Regards,

Elle Saling
Van Nuys, CA

15-9

Comment 15-9

Ridership data such as boardings, new transit trips, etc. are provided in Section 8-6 of this Revised FEIR. Typically, ridership output and other output data from MTA's model is voluminous and cryptic to the lay reader. MTA's model output reports are available for review upon request. The MTA's model methodology for determining ridership is set forth in the "Service and Travel Forecasting Methodology Report," prepared by Parsons, Brinckerhoff, Quade & Douglas in August 2002. A copy of this report is available in the MTA library for review.

15-10

Comment 15-10

The comment is acknowledged for the record.

Comment Letter 16

-----Original Message-----

From: Grant George [mailto:grant@grantgeorgedesign.com]

Sent: Monday, November 22, 2004 12:31 PM

To: martinr@MTA.NET

Subject: Regarding the FEIR

Importance: High

November 22, 2004

Dear Mr. Martin:

After reviewing the current FEIR, it is completely obvious that the MTA did an extremely sloppy job (once again) when "re-evaluating" the BRT plans versus alternative routes (as they did when the first "evaluated" alternative routes for the original EIR)...that is, if any comparison was really in fact done because the conclusions are so ridiculously illogical. I certainly hope you can shed some light on it for me because it appears the MTA wrongfully assumed their new BRT was the best solution, when in fact it makes no logical sense at all for passengers.

First, for example, the current FEIR states that signal priority cannot be given to all the Rapid Bus routes in the various alternatives. That would impede the flow of the North-South traffic. Now, the truth is that a person's total travel time is more important than the speed of the bus on any given route. Let's suppose someone lives on the corner of Reseda and Sherman Way and they work in downtown Los Angeles. The final leg of their trip in getting Downtown is to take the subway from Lankershim Blvd. to Downtown during rush hour traffic. Wouldn't that passenger's travel time be faster to use the Sherman Way Rapid Bus in the RB3 Alternative even if the Sherman Way

16-1

16-2

Response to Comment Letter 16

Comment 16-1

The comment is acknowledged for the record.

Comment 16-2

All Rapid Bus routes will be equipped for transit signal priority, but all routes may not be provided the same level of priority. It is hypothetically true that it could be faster for someone at the corner of Reseda and Sherman Way to travel by bus on Sherman Way to the North Hollywood Red Line Station than to travel down Reseda to transfer to the BRT bus to get to North Hollywood, but that does not mean that a Rapid Bus route on Sherman Way would provide the best transit service for the entire San Fernando Valley. Indeed, MTA's model forecast demonstrates that the Orange Line will generate more new riders than any of the RB alternatives. (FEIR, p. 8-6-9.) Moreover, a passenger's travel time is merely one component of a person's decision to take public transit. For a discussion on how MTA's model takes in account total transit time, see the report entitled "Service and Travel Forecasting Methodology Report," prepared by Parsons, Brinckerhoff, Quade & Douglas in August 2002. A copy of this report is available in the MTA library for review. The BRT project, which links several major employment and high-density residential areas of the Valley, results in higher overall transit ridership.



Rapid Bus is slower than the BRT - because - otherwise that person would have to take a local bus 2 miles down to the BRT or walk that distance to reach the stop at Reseda and Oxnard? Isn't it true that a close Rapid Bus is more convenient and more likely to be utilized even if the BRT itself is a only slightly faster?

16-2

Secondly, why doesn't the Sherman Way Rapid Bus go to the North Hollywood Subway station in the RB5 Alternative? How can you make a firm comparison when it's not completely evaluated?

16-3

And lastly, I understand that ridership on the Ventura Boulevard Rapid Bus went up 23% in the first year of its existence. Presumably, these were new riders to the system. Have you calculated the ridership on the Rapid Bus Alternatives using the same percentage over local bus ridership? Since no data is included, its hard to tell what figures you have used. Please explain to me how you calculated the new riders on the Rapid Bus routes in the three alternatives?

16-4

Once again, it is obvious the MTA has rushed to concoct a illogical and poorly conceived FEIR in the interest of quickly resuming their project.

16-5

Grant George

Comment 16-3

Connecting the Sherman Way Rapid Bus to the North Hollywood Red Line Station would result in four overlapping Rapid Bus routes on Lankershim Boulevard. This could cause traffic impacts with so many Rapid Buses attempting to access the North Hollywood Red Line Station.

Comment 16-4

MTA's model is encoded with the Ventura Boulevard Rapid Bus line and is considered in the overall calculations of ridership on the RB Alternatives. A detailed discussion on how ridership is modeled is contained in the "Service and Travel Forecasting Methodology Report," prepared by Parsons, Brinckerhoff, Quad & Douglas in August 2002. A copy of this report is available in the MTA library for review.

See response to Comment 4-2 for a discussion on MTA's reasoning for selecting the RB Alternatives to study in the Revised FEIR. See Response 11-2.

Comment 16-5

The comment is acknowledged for the record.

-----Original Message-----

From: Jessica George [mailto:jessicagee@adelphia.net]

Sent: Monday, November 22, 2004 12:44 PM

To: martinr@MTA.NET

Subject: MTA FEIR

November 22, 2004

Mr. Martin:

I looked through the new FEIR and a major red light when on for me. The major issue of safety and security for ourselves, our children, our homes and our personal property.

This document doesn't identify any problem with neighborhood security for the Rapid Bus Alternatives. But what about the BRT? The Revised FEIR states: "An adverse significant impact under CEQA to a neighborhood's security could occur if the physical proximity of the alignment, or transit stops, to a residential neighborhood would provide substantially enhanced access to the neighborhood by people whose objective is to engage in crimes against persons or property, and also if there is opportunity to exercise that objective."

What is the MTA planning to do about the alleys of crime that will be constructed behind our homes? These are the areas between the sound wall and the residents' fences of their properties. Do you really think that putting a high fence at either end and planting the area with shrubbery and ground cover is going to stop criminals from climbing into our backyards?

Response to Comment Letter 17

Comment 17-1

The comment is acknowledged for the record. Please refer to Response 11-6 for information on safety and security.

17-1



Your failure to secure the existing fencing around the project currently has not kept thieves, narcotics users and dealers, prostitutes and joy riders/dirt bikers off the property. And what about the public safety in the wee hours of the morning when "drag racers" hoping to trim time off their commutes come spewing off the BRT roadway into the streets?

What are you planning to do to prevent this criminal activity and danger to citizens? Have you even considered this? Clearly this safety issue is not discussed in writing in the FEIR and warrants additional consideration.

J. George

17-1



Comment Letter 18

Response to Comment Letter 18

-----Original Message-----

From: Petra Devlin [mailto:devlinpetra@yahoo.com]

Sent: Monday, November 22, 2004 12:48 PM

To: martinr@metro.net

Subject: EIR comments

Petra Durnin
6211 Blucher Avenue
Van Nuys, CA 91411

November 22, 2004

Roger L. Martin

Project Manager

SFV/No County AREA team

MTA

One Gateway Plaza

Los Angeles, CA 90012

SUBJECT: Public response to the FEIR

Dear Mr. Martin:

The FEIR your agency presented is woefully incomplete. It's as if you were told what the final analysis should be and then went and found data to support that.

I noticed you didn't show the TSM routes on any of the maps showing the Rapid Bus Alternatives. Is the TSM included in those alternatives in terms of cost? Also, were the new riders coming to TSM because of the upgrades factored into the ridership model when calculating ridership for the Rapid Bus Alternatives?

Why didn't the Appendices include ridership data? How am I supposed to believe your facts and figures for ridership when there is no supporting data? I can't imagine how the RB3 Alternative only generates 1100 new daily transit trips when those routes are basically in the same corridor as the BRT? What's the explanation?

Please explain the population data in Table 8-1.1. I don't understand where that population is supposed to live UNLESS high density housing is built along the transit corridor, i.e. which comes first, the chicken or the egg? In any case, how is that data calculated? Did you extrapolate from the San Fernando Valley data with a percentage change?

18-1

18-2

18-3

18-4

Comment 18-1

The comment is acknowledged for the record.

Comment 18-2

All TSM improvements (as described in Section 2-2.2 of the February 2002 FEIR) are assumed in all of the Rapid Bus Alternatives, and are included in terms of cost and ridership projections.

See response to Comment 4-2 for a discussion on MTA's reasoning for selecting the RB Alternatives to analyze in this Revised FEIR.

Comment 18-3

See response to 15-9 regarding availability of ridership data. The RB3 alternative does differ from the BRT alternative in ways, which may contribute to the relative lower amount of new transit trips:

- The rapid bus routes are on streets with existing transit, so are more likely to shift existing transit users rather than generate new transit users;
- Several bus routes directly bringing in riders from Chatsworth, Thousand Oaks, and Porter Ranch, which feed the busway facility in the BRT alternative. This leads to combined service levels that become more frequent as the route proceeds eastward.

Comment 18-4

The comment is acknowledged for the record. Please refer to the response to Comment 10-2.



Recently, local buses were taken off Ventura Boulevard to be used for the Rapid Bus on that street. Are you planning to do the same with the Rapid Bus Alternatives presented in the Revised FEIR? If so, how many of the buses now operating locally would switch over to Rapid Buses? And, if some or all of the buses on a local route are used, why would the number of buses would be increased on the street as you contend? Also, you say elsewhere that automobile trips would be reduced with more use of a Rapid Bus on a route. Wouldn't that mean the traffic might go down, or at worse, stay about the same?

Do you realize that your analysis is directing the MTA, an organization that is not concerned with transportation at all, to go ahead and finish its highly dangerous, ill-conceived and poorly executed busway project that WILL lead to numerous deaths??

Sincerely,

Petra Durnin

Van Nuys, CA

18-5

Comment 18-5

Ridership projections are based on a transit service plan, which does not change assumed headways for local bus service. In practice, MTA would evaluate all service types in a “family” of local bus, limited stop, and rapid bus service to see whether refinements to headways on any of these services are warranted.

The analysis included in the Draft EIS/EIR and the Revised Final EIR does reflect the fact that traffic volumes on many streets are lower in the future with the BRT and Rapid Bus Alternatives due to the mode shift of some travelers from auto ridership to bus ridership. These differences are reflected in Table 8-3-6 where background traffic volumes are generally shown to grow less by 2020 with the transit alternatives in place than under the No Build scenario.

18-6

Comment 18-6

Please refer to Response 13-2.

Comment Letter 19

Response to Comment Letter 19

Comment 19-1

The comment is acknowledged for the record.

MTA SFV/NC PLANNING Fax: 213-922-6358 Nov 23 2004 17:18 P.03 PAGE 02/02



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION



November 22, 2004

Mr. Roger L. Martin
Project Manager
San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Dear Mr. Martin:

**NOTICE OF AVAILABILITY OF A DRAFT FINAL ENVIRONMENTAL IMPACT
REPORT FOR THE SAN FERNANDO VALLEY
EAST-WEST TRANSIT CORRIDOR PROJECT**

The Notice of Availability has been reviewed for potential impact on the facilities of this Department. Development of the project as described in the Notice will not impact facilities under the jurisdiction of this Department.

Thank you for including this Department in the review of this notice. If we may be of further assistance, please contact Bryan Moscardini at (213) 351-5133.

Sincerely,

Bryan Moscardini
Park Project Coordinator

BA/responses/TA/SFV

19-1

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1973 • (213) 736-2961



Comment Letter 20

Response to Comment Letter 20

Comment 20-1

Per the commenter's request, as a courtesy, MTA intends to notify of the commenter of the availability of final Revised FEIR.

THOMAS A. RUBIN, CPA, CMA, CMC, CIA, CGFM, CFM
2007 Bywood Drive
Oakland, California 94602-1937
Home Office Telephone/FAX: (510) 531-0624
LAUSD: (213) 833-7463 Mobile: (213) 447-6801
e-mail: trubin@earthlink.net

Mr. Roger L. Martin
Project Manager, San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza
Mail Stop: 99-22-9
Los Angeles, California 90012-2952

November 22, 2004

**COMMENTS ON DRAFT REVISED FINAL ENVIRONMENTAL IMPACT REPORT,
SAN FERNANDO VALLEY EAST-WEST TRANSIT CORRIDOR**

Dear Mr. Martin:

On behalf of Citizens Organized for Smart Transit (COST), I submit comments on the Los Angeles County Metropolitan Transportation Authority's (MTA) Draft Revised Final Environmental Impact Report (DRFEIR) for the San Fernando Valley East-West Transit Corridor, October 2004¹. Where the plural pronoun, "we," appears, and elsewhere, I am commenting as the authorized representative of COST, although other COST supporters will also be commenting separately.

On page 1-3 of the DRFEIR, it states, "Once the public comment period has expired, MTA will evaluate and respond to the significant environmental issues raised in comments. The comments and responses will be incorporated in the Revised FEIR. Once completed, the Revised FEIR will be presented to the MTA Board for consideration of certification and approval of the project." Be advised that we intend to closely review and, as may be necessary and appropriate, comment on the response document described above. Because of the very short period of time contemplated between the end of the comment period and the anticipated MTA Board action²,

20-1

¹ In this letter and Attachments, "DRFEIR" will refer to the October 2004 document and "FEIR" will refer to the Final Environmental Impact Report (FEIR), San Fernando Valley East-West Transit Corridor that the MTA Board of Directors adopted in February 2002.

² MTA's press release of October 22, 2004, "Revised Environmental Report for Metro Orange Line Corridor Released, Study Examines Rapid Bus Alternative," states, "Comments on the draft Revised FEIR may be submitted, in writing, on or before November 22, 2004..." and "Upon completion, the Revised FEIR will be presented to the Metro Board December 13, 2004 for consideration of certification and approval of a San Fernando Valley East-West Transit Corridor project."

Discounting the final day for submission of comments, November 22, and the day of the MTA Board meeting, December 13, this is a period of 20 days. After consideration that these 20 days includes Saturdays, Sundays, and the Thanksgiving Holiday, it is obvious that the completion and availability of this document several days prior to the meeting scheduled for Monday, December 13 - to allow the members of the MTA Board and the public to review it in detail - is not likely.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 2
November 22, 2004

we believe that the members of the public, as well as the MTA Board Members, will have very little time to review the final document prior to the date scheduled for MTA action. I ask that I be immediately notified of the date, time, and place of availability of this "final" RFEIR as soon as these can be reasonably anticipated and that such notification be done by e-mail and telephone to the contact points in the letterhead above. Be also advised that I will be in contact with your (Mr. Martin's) office on a regular basis to make inquiries regarding the anticipated availability. I will be asking for printed copies of the document, as well as web-based availability³.

While my experience and qualifications in the public transit industry and with MTA and its predecessor organizations are, undoubtedly, very well-known to MTA management from approximately 25 years of direct contact, I enclose my resume to establish, on the record, my professional qualifications in the transportation industry as an expert and expert witness (Exhibit I).

As you are well aware, the preparation and circulation of the DRFEIR was required because the MTA failed in its responsibility to properly complete the California Environmental Quality Act (CEQA) requirements in the FEIR. COST successfully challenged that FEIR and, through the implementation of the Decision of the Court of Appeal of the State of California, Second Appellate Division, Division Seven, July 19, 2004, Case No. B164434 (DRFEIR, Chapter 8, Technical Appendix 8-A), MTA was required to, "...on any further proceedings on the EIR, to address the alternative of multiple Rapid Bus routes⁴."

The MTA-preferred Alternative, Bus Rapid Transit (BRT) on the portion of the former "Durbank Branch" railroad line between North Hollywood and Warner Center, has, since the adoption of the original FEIR, been named by the MTA Board as the "Orange Line." Although that term is not utilized anywhere in the FEIR, it will be utilized in this comment letter to refer to the BRT Alternative approved by the MTA Board of Directors in its actions of February 2002, for the sake of convenience and simplicity.

In the comments following, I submit an abundance of direct evidence to demonstrate that MTA has failed to properly fulfill its responsibility to address the alternative of multiple Rapid Bus routes in this DREIR. While the shortcomings of this document are many, by far the most important is that MTA, rather than making a reasonable effort to construct the optimal

³ While I certainly encourage MTA to continue with its practice of making CEQA, NEPA, and other important documents available through its web site, there are significant disadvantages to this as the primary form of delivery. In the case of the DRFEIR, for example, none of the six appendices were available through this source, one section (8-5.14 Cultural Resources) was not originally available, and two pages of another section were missing. It took me several hours to download and print this material, even with a high-speed internet connection and the availability of both the required color and large-document (11" x 17") printers. Much of the material in the DRFEIR, particularly the figures and tables, are difficult to review solely on computer screens.
⁴ Disposition, page 32.

20-1

20-2

20-3

20-4

20-5

Comment 20-2

It is acknowledged that your resume has been included for the record.

Comment 20-3

MTA acknowledges that the Revised FEIR was prepared to address the alternative of multiple Rapid Bus Routes pursuant to the Court of Appeal's decision. The commenter's statements about the materials available on MTA's website are noted for the record.

Comment 20-4

The comment is acknowledged for the record.

Comment 20-5

The commenter suggests that MTA did not properly address the alternative of multiple Rapid Bus routes. See Response to Comment No. 4-2 for MTA's reasoning for selecting the three RB Alternatives to analyze in the Revised FEIR. The Revised FEIR thoroughly addressed the alternative of multiple Rapid Bus routes by analyzing three variations of the alternative. The Revised EIR contains full analysis of each of the three RB Alternatives and compares them to the Project. Thus, the Revised FEIR properly addressed the alternative of multiple Rapid Bus routes as required by the Court of Appeal.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 3
November 22, 2004

transportation option built upon multiple Rapid Bus routes and other low-cost transit improvements, or even a good transportation option or options built upon multiple Rapid Bus routes and other easily implemented related improvements, has instead constructed three very poor multiple Rapid Bus line alternatives and then performed improper comparisons of the Rapid Bus and the Orange Line Alternative. This passive-aggressive approach to meeting the requirements of CEQA, as detailed in this specific case by Second Appellate in its decision, fails the tests of reasonableness and propriety, as well as being a gross failure of MTA's responsibilities to the transit riders, taxpayers, residents, and other users of the Los Angeles County urban transportation system.

While this "make the Orange Line look good by making Rapid Bus look bad" action of MTA was certainly not unexpected by COST, it is, never-the-less, very disappointing. Anticipating that MTA would construct sub-optimal Rapid Bus alternatives, we made every possible effort to meet with and work with MTA on this matter, beginning the very week when the Second Appellate decision was issued. These contacts included personal contacts between me and Roger Snoble, MTA's Chief Executive Officer, and with James de la Loza, MTA Chief Planning Officer, County Wide Planning & Development and e-mails, faxes, hand-delivered letters, and a presentation to the MTA Board in which I urged cooperation in this matter. In my letter of July 23, 2004, hand-delivered to Mr. Snoble's office (Exhibit II) and receipted, I, as the authorized representative of COST, urged that COST and MTA meet early and continuously through the development of what became the DRFEIR. The very first technical item on my list of activities was, "The methodology for identification, analysis, rating, ranking, and selection of the routes for the 'multiple Rapid Bus routes' alternative mandated by the Court."

Despite my also sending this same document by facsimile and e-mail, and despite multiple phone messages left for Mr. Snoble, and despite "cc'ing" the MTA Chair, MTA Chief Counsel, and MTA Special Counsel for the CEQA litigation, and despite urging response in the fastest possible way by telephone or e-mail, MTA did not respond until a letter of Mr. Snoble dated July 29 (Exhibit III) -- but not mailed and facsimiled by MTA until August 2, the following week, and those sent to my Oakland residence, where I did not receive them until I returned home late on Friday, August 6. Despite all of my attempts to convey that time was of essence, MTA evidently was not of the same opinion and did not avail itself of any of the telephone or e-mail contact points that would have provided a faster means of communication. Further, Mr. Snoble's letter simply ignored all the suggestions in my letter, refused to even identify the person responsible for preparing the DRFEIR, and essentially indicated that while MTA would receive any comments in writing, it would not engage in any interactive activity akin to "scoping" under CEQA.

Despite this response, I made a second attempt to gain input to the DRFEIR process. In my letter to Mr. Snoble of September 16, 2004 and the attached technical appendix of over three dozen

20-5

20-6

20-7

20-8

Comment 20-6

The commenter suggests that the three RB Alternatives are sub-optimal. MTA believes that the RB Alternatives provide a good and reasonable representation of what the alternative of multiple Rapid Bus routes can accomplish in the Valley. For a more detailed discussion on MTA's reasoning for choosing the RB Alternatives, see Response to Comment No. 4-2. The Court of Appeal's decision required that the alternative of multiple Rapid Bus routes be addressed on any further proceedings on the FEIR. Thus, MTA found three reasonable variations to cover a spectrum of multiple Rapid Bus routes. However, the commenter's call for MTA to generate the optimal mix of Rapid Bus routes is not supported by any facts that this is feasible for MTA to do. There is no modeling system available to generate the optimum assemblage of bus routes to serve the most riders. There currently is no transit model in existence that can determine optimum transit routes. Instead, MTA's model and other agency transit demand models calculate the performance of transit routes that are manually coded into the models. Even at this level of analysis, the task is substantial. MTA's model utilizes hundreds of thousands of input data and evaluates that data with hundreds of thousands of calculations using nine dimensions of socioeconomic data, three dimensions of census data, six factors that influence a person's decision to take transit, and the characteristics of the street network and transit. A detailed discussion on the intricacies and breadth of the modeling effort is contained in the "Service and Travel Forecasting Methodology Report," prepared by Parson Brinckerhoff Quade & Douglas in August 2002. Moreover, the possible permutations of multiple Rapid Bus routes are in the thousands, if not the hundreds of thousands. Conducting modeling on hundreds of



permutations of multiple Rapid Bus routes, let alone thousands, would also be extremely time consuming and would likely take years to perform. Each model run takes at least one week to conduct a complete model run.

Comment 20-7

For a discussion on consultation with the public, see Response to Comment No. 14-10. The commenter characterizes Mr. Snoble's letter to Mr. Rubin dated July 29, 2004 as a statement that MTA "would not engage in any interactive activity akin to 'scoping' under CEQA." However, Mr. Snoble's letter does not make this statement. Rather, Mr. Snoble informed Mr. Rubin that MTA would consider Mr. Rubin's suggestions while preparing the Revised FEIR.

Comment 20-8

MTA considered Mr. Rubin's letter dated September 16, 2004 in preparing the Revised FEIR.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 4
November 12, 2004

pages³ (Exhibit IV), sent on behalf of COST, I set forth the technical issues, and approach to addressing them, that COST was expecting to see in the DRFEIR and the process to produce it. Again, despite receipted hand-delivery of this document to the authorized representatives of Mr. Snoble and other senior MTA officials, there was no response of any type from Mr. Snoble or anyone else from MTA.

More disappointing, we have been unable to find anything in the DRFEIR that indicates that MTA responded to our input, issues, and concerns in any way. Our input was ignored – assuming that our letter was even read. This is most disappointing.

Why has MTA refused to meet with COST to discuss the matters comprehended in the DRFEIR?

The one consolation that we have is that, at least, our efforts to prepare this section letter with its many technical issues and discussions was not wasted – it is, in fact, the basis for many of the comments on the deficiencies in the DRFEIR contained in this letter.

The short comment period, together with not being able to actually obtain copies of the DRFEIR for four days after the official announcement and five days after it was made available to the press/media, coupled with the absence of detail data in the DRFEIR and the late response to my Public Records Act request, and then not receiving the electronic files I had requested, but only poorly organized and inconsistently formatted "hard copy" reports, has prevented me from doing much more than a preliminary analysis of the outputs of MTA's transportation planning model runs. What I have found to date raises extremely important questions, as I have indicated below. Be advised that I intend to continue my analysis of this data and submit additional comments. The workings of this model are the key to the evaluation of the Alternatives and the MTA decision-makers and the public must have confidence its workings and in its products. From what I have seen to date, I am unable to form an opinion that such confidence would be justified.

My specific comments follow in two Attachments and I enclose a number of Exhibits. All and each of these are part of our comments and should be reproduced as such in the "final" RFEIR. Attachment 1 is a summary of the most significant comments, Attachment 2 is a list of exhibits, and Attachment 3 contains detailed comments on individual items.

Sincerely,
Frank Rubin
Frank Rubin

Attachments
Exhibits

³ The Comments in the Attachment to this letter are to be treated as comments on the DRFEIR in the same manner as if they were included in the body of this letter.

20-8

20-9

20-10

20-11

20-12

20-13

Comment 20-9

MTA evaluated Mr. Rubin's letter dated September 16, 2004 and determined that it did not raise any significant environmental issue that MTA was not already considering in the Revised FEIR. In addition, see Response 31-6.

Comment 20-10

For a discussion on consultation with the public, see Response to Comment No. 14-10. In addition, Mr. Rubin acknowledges that neither he nor any member of COST is a transit planning expert. Accordingly, meeting with Mr. Rubin would not have provided the MTA with any expert assistance in developing the specific details of the RB Alternatives. Moreover, Mr. Rubin was proposing a process of evaluation by repetitive iterations of numerous variations of multiple route Rapid Bus alternatives that would likely take years to process, but offered no reasonable assurance that the process would merit the effort.

Comment 20-11

MTA concurs with the commenter that his efforts have not been wasted. MTA considered his suggestions in preparing the draft Revised FEIR and herein addresses the significant environmental issues he raises in his comments. In addition, to the extent possible and without waiver of MTA's right to assert that it is not required to address comments concerning issues outside the Revised FEIR, MTA responds to Mr. Rubin's comments herein.

Comment 20-12

See Response to Comment No. 14-2 for a discussion on why the comment period for the Revised FEIR was



proper and on MTA's compliance with Mr. Rubin's Public Record Act request.

Comment 20-13

MTA intends to attach Mr. Rubin's entire letter, together with its voluminous attachments and exhibits, in the final Revised FEIR at Mr. Rubin's request.



**ATTACHMENT 1
SUMMARY OF MOST SIGNIFICANT COMMENTS**

The numbers in parenthesis for each comment summary below refers to the paragraph number or numbers in Attachment 2, Detailed Comments.

- A. There was absolutely no public outreach or public participation of any type in the preparation of the DRFEIR (25-28, 30, 187-191, 220-222.)
- B. The attempts by COST to participate in the preparation of the DRFEIR were rebuffed and ignored (Cover Letter, pp. 3-4, 205.)
- C. The DRFEIR was prepared over an exceedingly short time period – indeed, if the December 13 Board Action date holds, MTA will beat its own projection of completion date, presented to the California Supreme Court, by more than half – which appears to have contributed to numerous errors, omissions, and inconsistencies (48.C., footnote 11, and all the below)
- D. The Rapid Bus Alternatives are very poor. The choice of Rapid Lines in each Alternative is flawed and the individual Rapid Line routes are suboptimal and unimaginative. Even after MTA's own transportation model runs (sometimes referred by MTA as its "transportation demand model") clearly showed superior results on the limited options that were modeled, MTA did not make adjustments that would have substantially improved Rapid Bus Alternative performance. (6-24,29, 161-174, 172-192, 428-430.)
- E. MTA claims that the selection of the Rapid Bus lines in the Rapid Bus Alternatives was dictated by the Second Appellate Order that directed it to consider Rapid Bus. However, no such requirement exists in the Order. Of the three Rapid Bus Alternatives in the DRFEIR, two were taken from single sentences in one e-mail and one written comment, where it was very clear from the context that the commenters were presenting concepts and a list of candidate lines for detailed consideration for inclusion, not final networks to be modeled. The other Alternative was from a concept map produced by COST – which communicated a detailed methodology for selection of Rapid Bus routes into Alternatives and communications between COST and MTA to facilitate this, which MTA ignored. (30, 176-207.)
- F. MTA made several changes to the Rapid Bus lines in the COST map, which discredits its own contention that the Rapid Bus Alternatives to be studied in this CEQA process were dictated by the Second Appellate Order. (185-186.)
- G. MTA significantly overstated a key performance indicator, the Warner Center to North Hollywood end-to-end run time, for the Victory Rapid Bus line by forcing it to utilize a far longer, slower route for no transportation purpose and by assuming a speed limit for Victory lower than the actual posted speed limit, which lowered its performance relative to the Orange Line Alternative. (31-58, 91-96, 120-134.)

20-14

20-15

20-16

20-17

20-18

20-19

20-20

Comment 20-14

See Response to Comment No. 14-10 for a discussion on "public outreach" (i.e., consultation with the public).

Comment 20-15

This comment duplicates Comment Nos. 20-7 through 20-10. See the responses to these comments.

Comment 20-16

The commenter's general statement is noted for the record. As to the review period, please refer to comment responses 14-1 and 14-2.

Comment 20-17

See Responses 4-2 and 20-6 for a discussion on MTA's reasoning for choosing the RB Alternatives.

Comment 20-18

See Responses 4-2 and 14-14 for a discussion on MTA's reasoning for choosing the RB Alternatives. See Response to Comment No. 14-10 for a discussion on consultation with the public.

Comment 20-19

The commenter suggests that MTA made changes to the Rapid Bus route network proposed by COST that is purported contrary to MTA's contention that such alternatives were dictated by the Court of Appeal. The Revised FEIR stated that the Court of Appeal mentioned two comment letters and COST's suggested network. (Revised FEIR, page RS-1.) MTA looked at those suggestions and determined that would be a reasonable mix of multiple Rapid Bus routes to study. MTA does not contend that the Court of Appeal dictated that MTA must evaluate only the suggested



variations of the alternative of multiple Rapid Bus routes. See Response to Comment No. 4-2 for a more detailed discussion on MTA's reasoning for choosing the RB Alternatives.

Comment 20-20

The rapid bus end-to-end run times used in the transportation demand model do not integrate any specific loop routings at either end of the rapid bus routes. Run times for rapid bus routes are automatically determined through the transportation demand model as a function of highway speeds in the forecast year. (Highway speeds in the forecast year are typically slower than existing highway speeds.)

Bus speeds (and therefore resulting travel times) are automatically calculated using a percentage of the modeled highway speed, depending on category:

	<u>Urban Roadway</u>	<u>Suburban Roadway</u>
Local Bus	65%	76%
Rapid Bus	78%	91%

These percentages account for the stop patterns that are typical for the bus service type.

Also see Response 20-34.



- H. MTA made the Orange Line Warner Center to North Hollywood run time appear significantly shorter by improperly mismeasuring the route length, assuming higher travel speeds on Chandler than it had committed to operate, and making ridiculous assumptions regarding the time required for traffic signal delays. (59.-96., 120.-127.)
- I. MTA has made no adjustment to the Orange Line end-to-end run time after procuring a bus that is far slower to accelerate than the performance assumptions it utilized in doing its original run time calculations. (97.-119., 138.)
- J. The bus purchased for the Orange Line, operated with a full passenger load, would be in significant violation of the California bus axle load statutes. Even though MTA was aware of this – and executed a change order to thicken the roadway on its exclusive guideway – it has taken no action to recalculate the higher number of buses, and higher operating costs, to operate this bus legally with lower maximum passenger loads. (144.-160.)
- K. MTA has taken no notice of the Los Angeles Mayor James Hahn's "Street Smart" program, which has as one of its main elements, better timing of traffic signals on major arterials to speed traffic flow, with the first street to be improved Victory Boulevard and Roscoe and other potential Rapid Bus streets also on the list. Faster Rapid Bus travel on Victory would improve Rapid Bus Alternative scores relative to those of the Orange Line alternative. (250.-252.)
- L. MTA claims that the Rapid Bus speed improvements it has achieved elsewhere will likely not be possible in the Valley due to a lesser ability to use limited traffic signal priority to better get Rapid Buses through signalized intersections, but its own published route schedules show that buses that make limited stops – *without* the use of any traffic service priority and without other speed improvement methodologies that Rapid Bus will be able to utilize – routinely have operating speed improvements over 20%, which MTA states will not be possible for Rapid Bus lines in the Valley. (247.-260.)
- M. MTA has done its Orange Line ridership projections assuming several large free Park & Ride lots, which are a significant inducement to ridership, but does not assume any Park & Ride lots for use of Rapid Bus passengers, even though every single Orange Line Park & Ride lot is on at least one Rapid Bus Alternative Rapid Bus route, most are on MTA-owned property, most are actually well along in construction – and one has been completed and is in use now and MTA has no legal way to prevent Rapid Bus passengers from using it. If there were Park & Ride lots available for Rapid Bus passengers, there would undoubtedly be more of them. (261.-268.)
- N. In its ratings of Potential Environmental Impacts, MTA negatively evaluates Rapid Bus because it "preclude(s) the construction of a high-capacity transit system in the Valley ..." However, the Victory Rapid Bus line plus Victory local ridership in the RB-Network Alternative are greater than that projected for the Orange Line Upper Bound range. If the Orange Line Upper Bound is considered a "high capacity transit system," then how can an Alternative that produces *greater* ridership in a corridor not be so considered? (208.-209., 280.)

20-21

20-22

20-23

20-24

20-25

20-26

20-27

Comment 20-21

The original 28.8 minute run time calculation from Warner Center to North Hollywood was based on measuring distances from engineering drawings and assumed an extensive system of signal priority including full preemption at street crossing between stations. Discussions with LADOT led to the addition of an "upper-bound" travel time estimate of 40 minutes. See Response 20-75.

Comment 20-22

The acceleration rates used in the run time model, which generated the original calculation of 28.8 minutes are not significantly different from those cited for the recently-ordered Metro Liners. Using a sample 2,700-foot section between Tampa Avenue and Wilbur Avenue (per comments 20-83 through 20-85), the run time model estimates 55.6 seconds, as compared to the 55.9 seconds as calculated by Mr. Rubin in comment 20-85.

Before MTA accepts the articulated bus, the bus OEM is required to certify that the bus it built meets the vehicle performance specified in the contract. Hence MTA made no adjustment to the Orange Line end-to-end run time.

Comment 20-23

See Response 20-22. MTA's specification requires the bus OEM to provide vehicles that conform to federal, state, and local codes and regulations. Before MTA's acceptance, the bus OEM must certify that the vehicles it built comply with federal, state, local codes and regulations.



Comment 20-24

The specific details of Mayor Hahn’s “Street Smart” program have not yet been developed or announced to the public, so it would be difficult to reflect the effects of this program in the MTA travel demand-forecasting model. It appears that the Mayor’s plan will provide progressive signal timing along certain major arterials, such as Victory Boulevard, which may be counter productive to the real-time transit signal priority system installed as part of the Rapid Bus program and may make it even more difficult to provide transit priority in both the east-west and north-south directions of a grid street system, like the San Fernando Valley. The analysis of the Rapid Bus Alternatives in the Revised FEIR was conducted based on assumptions consistent with those used for the Project in 2000-2002, at which time the “Street Smart” program had not yet been conceived. Additionally, in order to make the appropriate comparisons between the RB Alternatives and the Project, the environmental setting and policies in place at the time the Project was analyzed were used to evaluate the RB Alternatives. Thus, it is inappropriate to consider the “Street Smart” program in the Revised FEIR.

Comment 20-25

Other east-west Valley streets might not experience quite the same travel time savings as Ventura Boulevard because Ventura Boulevard is the heaviest east-west street and the signal timing on Ventura is set to favor east-west traffic. There is simply not as much green time available along the other east-west corridors because the signal timing favors north-south traffic north of Ventura.



Comment 20-26

The concept of implementing rapid bus is that it can be done at minimal cost. Therefore, no park-and-rides were assumed in the rapid bus alternatives.

Comment 20-27

Please refer to response to comment 20-136.



- O. All of the actions that MTA has taken that make the Orange Line faster and the Rapid Bus lines slower have major impacts on their relative ratings. Travel time is a prime factor in modeling ridership demand, the faster the transit trip, the more riders. Therefore, all of the MTA actions, both active decisions and what may be (or may not be) errors of various types, serve to significantly diminish the relative performance of Rapid Bus vs. the Orange Line, the proper comparison of which is the entire purpose of this CEQA exercise. (14.-143.)
- P. MTA appears to have utilized two completely different methods for calculating travel times for the Orange Line and for Rapid Bus routes. For the Orange Line, it did individual, specific, segment-by-segment calculations – using techniques that I have shown to be consistently underestimating travel times. For the Rapid Bus Alternatives, MTA states that it did the calculations by entering what is announced as a 20% travel time improvement factor into the logic of its transportation planning model. However, from what we have seen of the outputs of the Rapid Bus model runs, the actual speed improvements are far smaller. MTA does have the technical capability to calculate Rapid Bus run times using the same technique as it utilized for Rapid Bus (which is exactly what it did when it calculated the run times for the MOS and Lankershim/Oxnard Alternatives in the FEIR, both of which have substantial elements of Rapid Bus operations). Having two completely different run time projection techniques makes it very easy for significant differences to be entered without opportunity for detection – even if the public had access to the details of the transportation model runs, which it has not and would have huge difficulties in making sense of, even if it did. If all run time calculations were performed using the same technique – the one utilized for the Orange Line – then any differences in assumptions would be there for qualified, interested parties to study and for even non-technical reviewers to be able to understand if they were willing to invest the time. (69.-70.)
- Q. MTA contends that, while local bus service does not have a negative impact on other surface traffic flow, Rapid Bus may. How can a transit option that has buses moving faster, making fewer stops, making stops on the “far side” of intersections so that traffic movements such as right turns and right turns on red are not impeded, and, most important, carry passengers that, at least in part, came out of cars, have a negative impact on surface traffic flow? (239.-246.)
- R. Since the FEIR was adopted, MTA has adopted a County-wide Rapid Bus Implementation Plan which includes several North-South lines in the San Fernando Valley. However, the North-South Rapid Bus lines in RB-Network are significantly different from the North-South Rapid Bus lines that MTA has adopted for implementation – and even significant different from the Rapid Bus line that has been operating on Van Nuys for many months. While the inclusion of East-West lines – which MTA had none of in its adopted Rapid Bus implementation plan – does explain some portion of the differences, it most certainly does not explain all of them. Why did MTA go to a great deal of trouble to design what, one assumes, was the best set of

20-28

20-29

20-30

20-31

Comment 20-28

Travel time calculations for the busway portion of the Orange Line is calculated differently than for rapid bus alternatives because of the different street environment in which they operate. The rapid bus routes operate in the street environment with no separation from vehicular traffic. Therefore, it is appropriate to use highway speeds, factored to account for making passenger stops.

The method of using highway speeds (by facility types and area types) and a set of locally calibrated adjustment factors is the standard and only acceptable procedure by FTA to derive the bus speed when buses operate in mixed-traffic environment. In fact, FTA developed the INET computer program to facilitate the implementation of such a critical modeling task. Comparing the base-year scheduled bus run time with the modeled run time has validated the set of locally calibrated adjustment factors.

For an operating environment with an exclusive lane, it is appropriate to use a run time model, which is able to account for specialized conditions such as transit priority and reduced number of crossings. The run time model used for the original BRT run time estimate is based on distances between stations, maximum speeds (considering curves and operating environment), dwell time at stops, and defined intersection delay based on priority/pre-emption assumptions.

LADOT revised this original estimate based on their own method, which the MTA used to provide the upper bound estimate for their analysis.



A particular route's travel time is not the prime factor in modeling ridership. Numerous other factors affect ridership and are utilized by MTA's model. Moreover, travel time on an alternative is less important than the total origin-to-destination travel time for riders, which the MTA model accounts for. For a discussion on how the MTA's model accounts for a rider's origin-to-destination travel time, see the report entitled, "Service and Travel for Casting Methodology Report", prepared by Parson Brinckerhoff Quade & Douglas in August 2000. A copy of this report is available for review in the MTA library.

Comment 20-29

Modeling of the performance of transit is extremely complex and intricate. Please see Response 20-28.

Comment 20-30

The MTA does not contend that Rapid Buses would typically have a negative impact on other surface traffic flow. The only times that this could potentially occur would be if the addition of Rapid Buses to a particular street increased the total volume of traffic to above the capacity of the street. This typically does not occur however, because many Rapid Bus routes have balanced the bus volumes on the individual streets; adding Rapid Buses and reducing Limited or Local service. If such balancing of bus volumes did not occur and a roadway was carrying volumes at or near its capacity, the addition of Rapid Buses could cause some degradation of the overall traffic flow.

Comment 20-31

The RB- Network was generally studied as presented by COST. Staff evaluated the COST alternative as presented with the understanding it was a good faith



effort to address transportation needs in the Valley as perceived by COST. Since the COST alternative was presented to the Board in July 2001 and carried forward in litigation by COST (where it had the benefit of legal counsel and consultation with this commenter) staff concluded that the Metro effort to analyze alternatives should include the COST network. Some minor modifications were made to adjust the routes to conform to the plan's study area and to enhance comparability with other alternatives

The study team had a number of other goals in preparing the document, including: to re-create the decision point when the Board initially considered the project (with the addition of new RB alternatives); to utilize as much as possible the previous data and documentation prepared for the project to allow an "apples-to-apples" comparison of alternatives; to save time so that the Board and the public could reconsider this issue as soon as possible; to limit the expenditure of additional public dollars in evaluating the new alternatives by utilizing the previously prepared information; and, to keep the analysis consistent with the earlier effort so as not to skew the analysis with later plans and policies adopted by the Metro Board based on the previous approval of the SFV BRT.

Staff did not redo the previous modeling work for the No Build, TSM, and BRT alternatives for the reasons expressed above. Had we done so, each of these alternatives and the new RB alternatives would have benefited from the additional north/south RB service later studied by Metro in the SFV N/S study for future adoption. The RB-Network is the only alternative studied that was enhanced by both the TSM network and additional RB north/south service.





- Valley North-South Rapid Bus lines it could and then assume a very different set of such lines in the RB-Network Alternative? Also, since MTA has already adopted a plan for significant North-South Rapid Bus lines, why is the cost of these lines included in the RB-Network Alternative? (The proper way of handling this would have been to include the MTA's adopted North-South Rapid Bus lines, with some routing and cost modifications that may be appropriate to optimize the transportation networks for the various Rapid Bus Alternatives, in *all*, or almost all (probably not the No Build, perhaps not the TSM) of the Alternatives.) (192.)
- S. MTA has projected major traffic congestion worsening by 2020, which it claims would increase Orange Line ridership because more people will use it as traffic conditions worsen, but MTA has ignored a recent population projection by the State Department of Finance Demographic Research Unit which now projects only growth to a level that would produce only 44% of the population MTA utilized for its projections. Given that network throughput tends to decrease at a constantly higher rate as network capacity is approached and exceeded, this 56% reduction in population growth is likely to have a significant higher positive impact on traffic congestion changes. (230-235, 237-238, 269-271, 284.)
 - T. MTA's ridership demand model is stated to assume a 20% Rapid Bus speed increase over local bus service on the same route, but the actual speed calculations done from data from the model runs for the RB-3 Rapid Bus Alternative showed speed increases of only 8%, 5%, and 1% on Victory, Vanowen, and Sherman Way, respectively. This raises a number of questions regarding MTA transportation planning model and modeling process. Interestingly, in MTA's Public Records Act Request production letter, it justified the high cost it charged me for these reports by stating that, "This data is not information that is provided in a report of any kind on any scheduled basis, therefore, special programming was required to generate the data." (428.)
 - U. The model runs for all three Rapid Bus Alternatives included a new limited stop bus line on Victory – in addition to the new Rapid Bus line on Victory – that had substantial added vehicles, revenue vehicle hours, and revenue vehicle miles – but no ridership at all, absolutely zero boardings and passenger miles. This may have improperly failed to count thousands of boardings away from all three Rapid Bus Alternatives, thereby significant negatively impacting their performance. Also, starting a new – and totally unannounced in the DRFEIR – limited line undoubtedly took riders away from both the Victory Rapid Bus lines in the RB-3, RB-5, and RB-network, as well as the pre-existing Victory local, making the Rapid Bus performance look lower than it should. (428.)
 - V. MTA has taken no notice whatsoever of the extreme safety problems on the only Bus Rapid Transit line in the U.S. comparable to the proposed Orange Line, the Miami-Dade Transit South Miami Busway. Like the Orange Line, this Busway, which opened in 1997, was constructed on an unused former rail line, operates at grade through signalized intersections, and was designed for buses to go through intersections without stopping at 35 mph. However, due to the extremely high

20-31

20-32

20-33

20-34

20-35

For a discussion on consideration of subsequently planned north-south Rapid Bus routes, see Response 20-113.

Comment 20-32

The MTA model utilizes socioeconomic forecasts prepared by the Southern California Association of Governments (SCAG), the Metropolitan Planning Organization (MPO) for the six-county region. The growth forecasts adopted by the SCAG Regional Council are the only official forecasts for the region that are recognized by the Federal Transit Authority for use in environmental documents on transit facilities. The use of the SCAG growth forecasts by the MTA is consistent with all of the other County Transportation Commissions, Councils of Governments, Counties and Cities in southern California.

Comment 20-33

It is unclear from this comment how the quoted speed improvement percentages were calculated. However, looking at the more detailed related comments (20-234 – 20-239), it appears that the speed values calculated by the commenter were determined by dividing VMT by VHT. As recognized by the commenter in comment 20-236, "vehicle miles traveled divided by vehicle hours traveled, which is a close, but not precisely correct, measure of vehicle operating speed," so this method of calculating the speed of the Rapid Buses versus local buses is not precise. It is also an apples to oranges comparison, since for the Vanowen corridor, the local service travels all the way to Burbank, whereas the Rapid Bus goes to the North Hollywood Metro Red Line Station. A 20 percent speed increase assumption in the RB Alternatives does not translate to a forecast 20 percent overall speed increase. Many

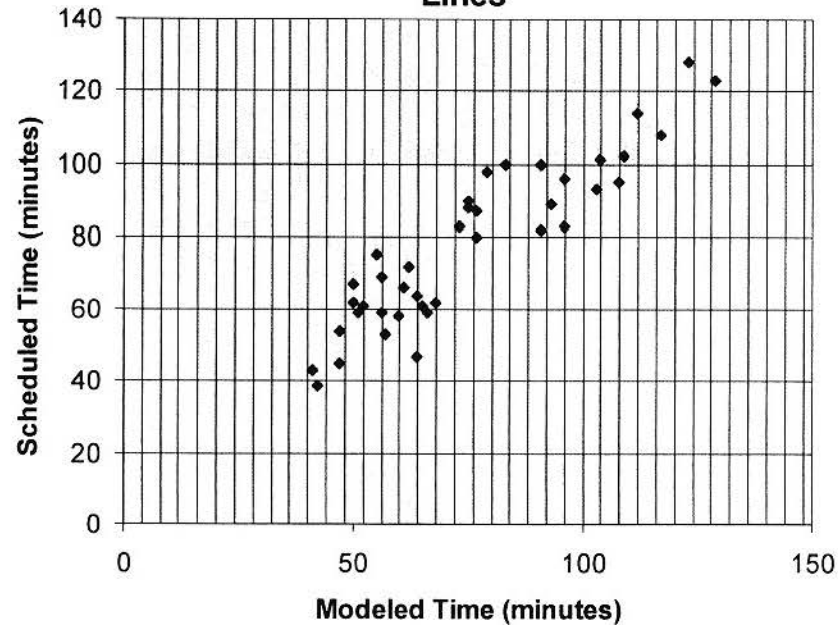


factors in the MTA Model's effect the overall speed of a Rapid Bus Alternative. Moreover, the MTA Model was found to adequately forecast bus route run times in the AM period, midday period. MTA's model tested twenty bus lines: 2, 4, 14, 16, 18, 22, 26/51, 28, 30, 33, 40, 45, 60, 66, 204, 207, 210, 251, 420 and 561:

AM Bus Run Time Validation

MTA Line	EB/SB		WB/NB	
	Model	Actual	Model	Actual
Line 204	50	62	50	67
Line 22	93	89	96	96
Line 28	41	43	42	39
Line 207	51	59	52	61
Line 4	108	95	109	102
Line 30	65	61	61	66
Line 60	104	101	91	100
Line 40	79	98	75	90
Line 18	64	64	56	59
Line 66	64	47	57	53
Line 16	47	45	47	54
Line 26/51	77	87	77	80
Line 45	56	69	60	58
Line 33	96	83	91	82
Line 14	68	62	66	59
Line 420	83	100	103	93
Line 2	117	108	123	128
Line 210	73	83	75	88
Line 251	62	72	55	75
Line 561	129	123	112	114

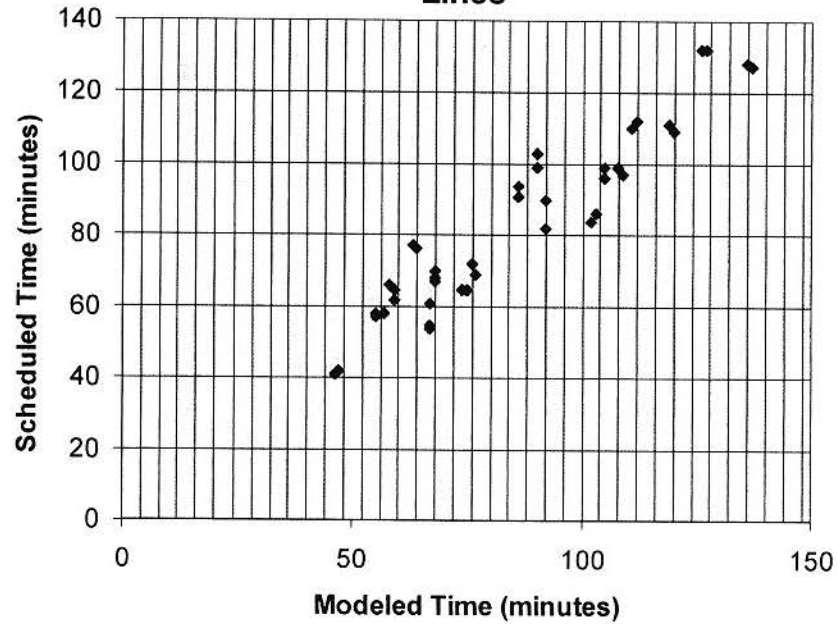
Modeled vs. Scheduled Time for MTA's Top 20 Lines



PM Bus Run Time Model Validation

MTA Line	EB/SB		WB/NB	
	Model	Actual	Model	Actual
Line 204	58	66	57	58
Line 22	109	97	108	99
Line 28	47	42	46	41
Line 207	59	65	59	62
Line 4	120	109	119	111
Line 30	77	69	76	72
Line 60	112	112	111	110
Line 40	90	99	90	103
Line 18	68	68	67	61
Line 66	67	55	67	54
Line 16	55	57	55	58
Line 26/51	92	90	92	82
Line 45	68	70	68	67
Line 33	103	86	102	84
Line 14	75	65	74	65
Line 420	105	96	105	99
Line 2	137	127	136	128
Line 210	86	91	86	94
Line 251	63	77	64	76
Line 561	126	132	127	132

Modeled vs. Scheduled Time for MTA's Top 20 Lines



number of bus-vs.-car/train/pedestrian collisions, injuries, and fatalities, the advance loop system used to trigger the green lights for the Busway buses were turned off in 1999 and all Busway buses come to a complete stop at each intersection, even when they have the "green" signal. Even after implementing most of the Safety Consultant's recommendations designed to allow Busway buses to go through intersections without stopping - at 15 mph - the traffic signal limited priority system has not been turned back on and there is no schedule to do so. Two extensions of the Busway, designed and constructed to meet all of the Safety Consultant's recommendations, which will probably open to revenue service within weeks, will require all Busway buses to stop at each intersection. The Houston light rail line, which shares many of the design features of the Orange Line, has recently, on 7.5 miles of track, broken the old U.S. National "record" for the most light rail collisions in a year (with over a month left to go before it completes its first year) formerly held by the San Francisco Municipal Railroad MUNI METRO light rail system, which has 73 miles of track. Recent safety improvements have brought the collision rate down, but the most important safety improvement is a fifteen-second "all-directions" red light phase before a train can enter intersections - which would appear to have a significant negative impact on traffic flow if it were to be applied along the Orange Line corridor. (134.-297.)

20-35

Comment 20-34

The new limited stop bus line on Victory was actually a part of the original TSM definition included in the February 2002 FEIR. Unfortunately, this route was inadvertently omitted in the FEIR's Table 2-3 summarizing TSM bus service improvements. The limited stop bus line was however included in modeling of the RB Alternatives.

The limited stop bus line on Victory was not removed for the rapid bus alternatives in order to stay true to the intent of ensuring that rapid bus was added on top of (without replacing) TSM improvements. In actual practice, the MTA would evaluate the relative ridership and service levels of local, limited and rapid bus routes operating on a single corridor and would calibrate service levels accordingly.

Comment 20-35

The design of the Orange Line has incorporated additional safety features not present in the Miami system. Please refer to response to comment C9-66 in the Final EIR and Response to Comment No. 13-2 herein. The comparison of the Orange Line to light rail lines in Houston and San Francisco is not an appropriate comparison given the different acceleration and deceleration patterns of trains versus buses and the fact that several of the MUNI METRO light rail transit lines run in mixed flow with automobile traffic, not in dedicated lanes. Ms. Isabel Padron, the Project Manager, for the Miami-Dade busway confirmed that signal priority will be activated in mid 2005. She also noted that none of the Safety Consultant's recommendations have been implemented on busway, but the recommendations were going to be installed on the busway in mid 2005. (Telephone conference on



ATTACHMENT 2
LIST OF EXHIBITS

Exhibit	Title
I	Thomas A. Rubin (TAR) Resume
II	TAR Letter to MTA CEO Roger Snoble suggesting cooperation between COST and MTA in the preparation in new CEQA process, 7/23/04
III	Roger Snoble Letter to TAR, 7/29/04, responding to TAR letter of 7/23/04
IV	TAR Letter to Roger Snoble with detailed technical issues and suggested processes for new CEQA process, 9/16/04
V	Warner Center Orange Line and Rapid Bus Route Alignments Orange Line Alignment from FEIR (February 2002) Rapid Bus Alignment in DRFEIR Superimposed on Orange Line Alignment Superior Rapid Bus Alignment Superimposed on Orange Line Alignment
VI	MTA Press Releases May 14, 2001 – MTA Releases Draft Environmental Report on Proposed San Fernando Valley East-West Busway July 26, 2001 – MTA Board Approves Busway for San Fernando Valley East-West Corridor January 24, 2002 – High Capacity 'CompoBUS' MTA's Next Stop on High Tech Road February 12, 2002 – MTA Issues Final Environmental Report on San Fernando Valley East-West Busway February 28, 2002 – MTA Certifies Final Environmental Report on San Fernando Valley East-West Busway, Final Design to Get Underway July 18, 2002 – MTA Buying High Capacity Buses, Pursuing Other Options to Further Reduce Bus Overcrowding January 17, 2003 – MTA Busway Coming to the Valley – MTA Kicks off Metro Rapid Transitway Project in San Fernando Valley January 23, 2003 – MTA Board Approves Purchase of 70 Additional High-capacity 45-Foot High-tech Buses February 26, 2003 – Bus of the Future is Latest Addition to MTA Bus Fleet February 27, 2003 – MTA Board of Directors Approves Purchase of 200 High-capacity Articulated Compressed Natural Gas Buses April 3, 2003 – MTA Moves Forward with the Purchase of 200 High-capacity Buses and a Major Design/Build Contract for the San Fernando Valley Metro Rapid Transitway

December 2, 2004.) Moreover, the Court of Appeal rejected claims by COST that the Project would create a significant safety impact. Accordingly, the Orange Line's intersections do not cause a significant safety risk.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 11
November 22, 2004

Exhibit	Title
VI	MTA Press Releases (concluded) July 22, 2004 – Metro Board Approves Purchase of 75 New Buses August 6, 2004 – Metro Rolls out First high Capacity State-of-the-Art 45-Foot Bus August 26, 2004 – Metro CEO Orders Work to Resume on Metro Orange Line October 15, 2004 – Metro Raises Technology Bar with Super-Sized <i>Metro Liner</i> , Bus Prototype Unveiled Today in North Hollywood October 22, 2004 – Revised Environmental Report for Metro Orange Line Corridor Released; Study Examines Rapid Bus Alternative
VII	FEIR, Run Time Estimates for Bus Rapid Transit Alternatives Figure A-1: Run Time Estimate for Bus Rapid Transit (BRT) – 28.8 Minute, Lower Bound Figure A-2: Run Time Estimate for Bus Rapid Transit Minimum Operating Segment Figure A-3: 36-Minute Run Time Estimate of the BRT Alternative Figure A-4: 40-Minute Run Time Estimate, the Upper Bound (UB) of the BRT Alternative (Base on 36-Minute Run Time Estimate, Figure A-3)
VIII	Run Time Calculations for <i>Metro Liner</i> Bus To Be Utilized on Orange Line Cortezen Avenue to Laurel Canyon Blvd Tampa Avenue to Wilbur Avenue White Oak to Balboa
IX	Time/Speed/Distance Schedule for <i>Metro Liner</i> Bus
X	American Public Transportation Association Standard Bus Procurement Guidelines – Low Floor CNG (excerpt)
XI	MTA Board Actions and Related Reports (dates are those of the report itself, which is usually the date of the Board Committee meeting prior to the full Board meeting; the number in parenthesis is the "Agenda" number for the Board meeting) February 21, 2002 (31) – Approve Implementation of the Metro Rapid Expansion Program September 18, 2002 (10) – Approve Implementation of the Metro Rapid Five-Year Implementation Plan



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 12
November 22, 2004

Exhibit	Title
XI	MTA Board Actions and Related Reports (concluded) February 20, 2003 (27) – Award Contract for Vehicles (200 Low Floor CNG Articulated Buses) May 20, 2004 (2) – Authorize Expenditures in the FY05 Budget for Bus Service Expansion to Support Consent Decree Compliance July 15, 2004 (27) – Increase the Life of Project Budget for the (Orange Line) busway from \$8,100,000 to \$10,637,860 July 15, 2004 (28) – Execute Contract Modifications in the Amount of \$1,030,239 for Community Landscape Enhancements July 15, 2004 (29) – Issue Change Orders in an Amount Not-To- Exceed \$2,000,000 For Design and Construction to Upgrade the Busway Pavement Structural Section October 21, 2004 (Item 20) – Execute Recovery Plan for Orange Line Recovery Plan
XII	MTA Metro Rapid Plans and Map (from MTA web site) Update Overview Metro Rapid Services Effective June 2004 Metro Rapid Phased Implementation
XIII	Citizens Organized for Smart Transportation – San Fernando Valley Public Transportation Analysis – East/West Burbank-Chandler Busway
XIV	COST “White Papers” on San Fernando Valley Transit Improvements
XV	Administrative Record Excerpts from COST v MTA
XVI	MTA, Long Range Transportation Plan for Los Angeles County – Executive Summary, April 26, 2001 (excerpts)
XVII	Route Operating Statistics by Alternative from MTA Transportation Model MTA Cover Letter to Public Records Act Request Production No Build Alternative Transportation Systems Management Alternative Orange Line (Full Bus Rapid Transit) Minimum Operating Segment BRT RB-3 RB-5 RB-Network



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 13
November 22, 2004

Exhibit	Title
XVIII	Thomas A. Rubin Public Records Act Requests for DRFEIR Materials
XIX	State of California - Department of Finance - Demographic Research Unit - "New State Projections Show 20 Million More Californians by 2020; Hispanics to be State's Majority Ethnic Group by 2040," May 19, 2004
XX	MTA - Pre- and Post-Rapid Bus Conversion - Number of Vehicles Assigned, AM Peak Period
XXI	MTA, <i>Final Report - Los Angeles Metro Rapid Demonstration Project</i> , July 2001
XXII	City of Los Angeles "Street Smart" Program
XXIII	MTA, Selected Limited Stop Bus Route Schedules
XXIV	MTA, Metro Orange Line August 2004 Monthly Project Status Report, September 23, 2004
XXV	Comparison of Capital and Operating and Maintenance Costs of Alternatives
XXVI	<i>Miami Herald</i> Articles re South Miami Busway
XXVII	DMJM-Harris and R. Aleman & Associates, Inc., <i>South Miami-Dade Busway Safety Study for Metro-Dade Transit</i> , August 13, 2001
XXVIII	Wham-Bam-Ram Tram Ram Counter
XXIX	Lucas Wall, "Rail ridership figures called 'impressive,'" <i>Houston Chronicle</i> , April 6, 2004
XXX	Marginal Hourly Cost of Bus Service
XXXI	MTA, Mid-City/Westside Transit Corridor Study Draft EIS/EIR, April 6, 2001 (Excerpts)



ATTACHMENT 3
DETAILED COMMENTS

1. Comments will generally follow the order of the appearance of material in the DRFEIR, in "front to back" order, referenced by page number. However, there are certain matters that I comment upon that are not discussed in the DRFEIR; these may be found at the end of this section. Paragraphs in this Attachment are numbers sequentially for each of reference.

2. Page 1-2, Environmental Setting – This section states that the timing of the DRFEIR for "existing physical conditions" will be "the time when the Notice of Preparation was published—May 2000." It is proper to set certain of the "existing physical conditions" as of that date – for example, we are unaware of any significant changes in the location of the Los Angeles River during this period that would impact the DRFEIR. However, there are many obvious changes in important factual matters since May 2000, many of which have long been known – such as planned changes, such as the opening of the Pasadena Gold Line. There are many other very significant events that have occurred since then that impact other matters vital to this CEQA process, and these matter cannot be ignored because MTA chooses to attempt to "lock in place" the world as of May 2000. Such changes are discussed in detail in the following comments.

3. What does MTA consider as "existing physical conditions" that it does not have to consider changes to? Specifically, does MTA not intend to consider the impacts of major policy initiatives, including those of MTA itself, in this DRFEIR?

4. Page 1-2, Public Comment – This section states, "... MTA hereby requests that reviewers limit their comments to this Draft Revised FEIR because MTA already circulated the Final EIR and received comments on it." Since the clear intent of the Second Appellate Order is to compel MTA to perform an evaluation of Rapid Bus Alternative(s), obviously including a comparison to the MTA-favored Orange Line Alternative, it is impossible to properly evaluate the Rapid Bus Alternatives without commenting on the Orange Line Alternative and, as discussed in the proceeding comment, incorporating significant new matters that were not known when the original CEQA process was completed, or which MTA improperly hid from public scrutiny.

5. How does MTA expect to respond to comparisons between the Rapid Bus Alternatives in the DRFEIR and the Orange Line and other Alternatives from the FEIR where there is clear evidence that the Orange Line performance has been significantly impacted by matters not comprehended in the FEIR, such as significant events that were not known and could not be known when the FEIR was adopted?

6. Page RS-6, RS-1.4 Three Rapid Bus Alternatives – "Rapid Bus decreases end-to-end travel time by limiting stops and implementing signal priority at intersections." While these two

20-36

20-37

20-38

20-39

20-40

Comment 20-36

See Response to Comment Nos. 14-12 and 14-13 for a discussion on MTA's reasoning on determining the environmental setting.

Comment 20-37

See Response to Comment Nos. 14-12 and 14-13 for a discussion on MTA's reasoning on determining the environmental setting. Further, MTA prepared a Revised FEIR, which only revises portions of the FEIR to consider the additional RB Alternatives. The Court of Appeal found that the FEIR was otherwise adequate. (Revised FEIR, p. I-1.) Moreover, the Court of Appeal only required MTA to consider the alternative of multiple Rapid Bus routes as an alternative. To do this, the RB Alternatives had to be compared to the already completed analysis on the Project. Moreover, changing the environmental setting to the year 2004 would require MTA to essentially throw out the FEIR and start from scratch, which was not required by the Court of Appeal.

Comment 20-38

See Response 4-13 and 20-37 for a discussion on MTA's reasoning for limiting comments to the environmental issues raised in the Revised FEIR.



Comment 20-39

The Court of Appeal required that MTA consider multiple Rapid Bus routes as an alternative to the Project. Otherwise, the Court of Appeal did not find anything wrong with the FEIR's analysis of the Orange Line. Moreover, the State Clearing House had no objection to MTA limiting comments to the Revised FEIR. Accordingly, MTA was not required to reanalyze the Orange Line or consider any further comments upon it. In addition, the comment does not specify any specific events that were not known such that they can be specifically responded to in this response.

The commenter asserts the MTA hid matters from public scrutiny in the Final EIR. However, the Court of Appeal rejected COST's repeated assertions that MTA improperly hid information from public scrutiny.

Comment 20-40

In terms of analysis, the benefits described for Rapid Bus generally translate to improved travel times. The MTA's assumption of a 20% improvement in travel time is based on travel time improvements that occurred with the introduction of rapid bus on Ventura Boulevard, which provides a reasonable indicator of expected travel time improvement. It is unclear which purported "Significant Events that were not known and could not be known when the FEIR was adopted" that the commenter claims to exist. MTA cannot further respond with further detail to this comment.

The Revised Final EIR in Chapter 8-6 provides the performance measures for the Project so that a reviewer could make comments on the Project's performance in relation to the RB Alternatives.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 15
November 22, 2004

identified features are certainly among the most important factors in reducing Rapid Bus operating times compared to local bus service, they are not the only factors. Others include, but are not limited to, use of "far side" bus stops, bus stops that are unique to Rapid Bus and not shared with other bus lines, coordination of traffic signal progressions on Rapid Bus streets to benefit Rapid Bus vehicles and passengers other than through the changing of traffic signal timing at specific intersections on a real-time basis due to the approach of individual transit vehicles, the use of low-floor and/or level boarding vehicles/stops to speed boarding, and other factors discussed by MTA in its "Final Report -- Los Angeles Metro Rapid Demonstration Program," July 2001 (53 AR 12742-12806). Of course, some of the most important travel time saving features of Rapid Bus are its low capital and operating costs and ease of implementation, compared to fixed guideway alternatives such as "full" Bus Rapid Transit like the Orange Line proposal and rail transit, which makes it very feasible to place Rapid Bus lines close by far more travel origin and destination points than would ever be possible with these vastly more expensive alternative transit modes, and to do so very quickly. Another major benefit of Rapid Bus is that, in almost case, it does not require any CEQA or NEPA work, such as Environmental Impact Reports or Environmental Impact Statements, which both saves millions of dollars in staff and consultant work, and months and even years in actual project delivery.

7. Has MTA taken into account the benefits of Rapid Bus that it has not specifically named above, and where can evidence of these be found in the DRFEIR?

8. Page RS-8, Figure RS-1 -- Map of the RB-3 Alternative Including Routes and Stops -- This is a truly terrible Rapid Bus network route design for several reasons.

9. First, it has three parallel Rapid Bus lines with very little physical separation -- the streets for the two "outside" lines, on Sherman Way and Victory, are approximately one mile apart. Three lines within a mile is simply too much of a "dense pack" for this service area and transit market. The "middle" line, on Vanowen, has a trip origin catchment area of only a quarter mile on each side because, for potential passengers that live farther away from Vanowen than this, the walk North to Sherman Way or South to Victory is shorter (although the unlinked and linked trip destinations may bear on this choice). The lack of utility of this Rapid Bus spacing methodology can clearly be seen studying the daily transit boardings trips that MTA shows for the three lines in Table 8-6.5: Ridership, page 8-6-9:

Sherman Way	10,900
Vanowen	5,200
Victory	13,300
Total	29,400

20-40

Comment 20-41

Please see Response 20-40. The Court of Appeal commanded MTA to consider the alternative of multi Rapid Bus routes to the Project. Accordingly, the RB Alternatives must be subjected to CEQA review to adequately compare them with the Project.

20-41

Comment 20-42

The RB Alternatives utilize the benefits of the Rapid Bus program. See pages 8-2-14 through 8-2-32 for a detailed discussion on the RB Alternatives use of these benefits. Please see Response 20-40.

20-42

Comment 20-43

See Response to Comment No. 4-2 for a discussion on MTA's reasoning for selecting the RB-3 Alternative to study in the Revised FEIR.

20-43

20-44

Comment 20-44

See response to Comment 4-2 for a discussion on MTA's reasoning for selecting the Vanowen route as part of the RB-3 Alternative. For a detailed discussion on how MTA's model considers walk distance for a rider to public transit, see the report entitled, "Service and Travel Forecasting Methodology Report," prepared by Parsons, Brinckerhoff, Quade & Douglas in August 2002. A copy of this report is available for review at the MTA library. In addition, how walk time is further considered by the model is described in the report entitled, "Mode Choice Model Development Report," prepared by Parsons, Brinckerhoff, Quade & Douglas dated September 2, 2002. A copy of this report is available for review in the MTA library.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 16
November 22, 2004

10. The Vanowen Rapid Bus line, with approximately one-third of the capital and operating cost of the three lines taken in total, generates only slightly more than one-sixth of the ridership – its cost-effectiveness is well under one-half of either of the other two lines.

20-45

11. Obviously, it is very easy to significantly improve the “RB-3” alternative simply by elimination of Rapid Bus service on Vanowen. Not only will the costs be reduced, but it is very likely that a major portion of the Vanowen Rapid Bus riders simply utilize the Sherman Way and/or Victory Rapid Bus service. In addition, it will almost certainly be easier for the City of Los Angeles Department of Transportation to provide superior traffic signal preference, and far less impact on other surface traffic in this corridor, for two parallel Rapid Bus lines separated by a mile than for three parallel Rapid Bus lines separated by half-a-mile. Not only will the capital and operating costs be reduced by approximately one-third, and the total RB-3 Alternative ridership reduced very little, but the farebox revenue will also be reduced very little – imposing less burden on the taxpayers – and the traffic flow for both Rapid Buses and all other surface traffic will be superior.

20-46

12. Why didn't MTA revise the RB-3 route structure, particularly by dropping out the obviously underperforming Vanowen line, and rerun the analysis? Another obvious change would be to add another East-West line further North. Why didn't MTA do either of these?

20-47

13. Second, there is no reason to limit these lines to operating no further East than Lankershim. As a general rule, the longer the bus route, the more ridership on lines, and there are what appears to be several significant trip generators further East along these arterial streets. Not only would the extra bus route length, in and of itself, expose longer Rapid Bus lines to far more potential riders, but the possibility of being able to make longer trips on a single transit vehicle has a multiplying effect on ridership. As I stated in my letter to Roger Snoble of September 16, 2004, we believe that extension of the Victory Line further East to the Burbank Central Business District (CBD)/Media District and/or the Burbank Metrolink station offers great possibilities for attracting large numbers of additional riders.

20-48

14. Did MTA examine extensions of the Victory Rapid Bus route further East, either all service or some part of it, such as every other bus run? Did MTA study such extensions to the two destinations above, or any others, and, if so, what were they? If MTA did study such extensions, what were the results and why did MTA not pursue them? Does MTA have any ridership projections for such extensions?

20-49

15. There is less potential to extend the Sherman Way line directly further East because Sherman Way ends when it encounters Bob Hope (Burbank) Airport at Vineland, approximately one mile East of Lankershim. However, there are reasons, and ways, to continue the Sherman Way Rapid Bus Line further East. One obvious one is to follow the existing Sherman Way routing North of the Airport, then South to Burbank, Universal City and through the Caluacanga Pass on surface streets to North Hollywood, or some portion thereof. Another method is an Eastbound routing

20-50

Comment 20-45

The suggestion of deleting the Vanowen route in the RB-3 Alternative is not considerable different from the RB-3 Alternative already studied in the revised FEIR. Moreover, the commenter does not provide facts that support that all the riders attributed to the Vanowen route would shift over to the remaining and farther away routes of the RB-3 Alternative. Accordingly, the cost effectiveness of this suggested variation of the RB-3 Alternative with two routes would still not be as cost effective as the single-route Orange Line.

Comment 20-46

The commenter suggests deleting the Vanowen route from the RB-3 Alternative and claims that it is likely that riders of the Vanowen route would simply walk further to the other routes. Removing the Vanowen route would not increase the ridership of the RB-3 Alternative. The Vanowen route contributes 5,200 daily transit boardings to the RB-3 Alternative. Moreover, MTA's model takes into account many more factors in determining ridership, which would not forecast ridership to remain the same. A detailed discussion how MTA's model functions is contained in the “Service and Travel Forecasting Methodology Report,” prepared by Parson Brinckerhoff Quade & Douglas in August 2002. A copy of this report is available for review upon request. The commenter suggests that removing the Vanowen route will allow DOT to increase priority. The ridership of the RB-3 Alternative was determined using full priority as a 20% speed improvement. (FEIR, § 8-3.3.1.3, p. 8-3-15.) Thus, the modeling results did not reflect a lower speed improvement and removing the Vanowen route would not change the speed improvement assumption in MTA's model. The suggested change to the RB-3



Alternative is a minor permutation. See Response to Comment No. 6-3 for a discussion on slight variations to the RB Alternatives. See Response to Comment No. 20-6 for a discussion on the reasons why finding the optimum mix of Rapid Bus routes is infeasible. Moreover, the three RB Alternatives are a good approximation of what multiple Rapid Bus routes can achieve in the Valley. See Response to Comment No. 4-2 for MTA's reasoning for selecting the RB Alternatives.

Eliminating the Vanowen Rapid Bus route in the RB-3 Alternative would likely result in operating cost savings and potentially some drop in total ridership as persons on Vanowen would need to walk one-half mile north to Sherman Way or one-half mile south to Victory Boulevard. It is unclear that it would improve the cost-per-new transit rider comparison to the BRT alternative.

Comment 20-47

The commenter questions why MTA did not analyze his suggested variant in Comment No. 20-46. See Response to Comment No. 20-46.

Comment 20-48

MTA does not agree with this conjecture based on the most recent ridership data, which shows passenger loads on the corridor line segments east to downtown Burbank of significantly under one-half of that from Lankershim west along the key corridors (notably Victory and Vanowen which is mentioned in the letter). As well, the heavy rail Metro Red Line at North Hollywood was noted as a major destination for Victory and Vanowen Metro Rapid travelers that would have been missed with an extension east or a deviation to do both (travel to the North Hollywood station and



continue east to Burbank) would have made the Metro Rapid travel times uncompetitive with the straight-through local service on these corridors for these riders.

Comment 20-49

MTA examined the entire Valley in determining the RB Alternatives. However, MTA did not perform a model run on the suggested variations to the Victory route. For a discussion on MTA's reasoning for selecting the RB Alternatives to study in the Revised FEIR, see response to Comment 4-2. See response to comment no. 6-3 for discussion on consideration of suggested variances that are not considerably different from the RB Alternatives.



Comment 20-50

The commenter suggests extending the Sherman Way route of the RB-3 Alternative eastward. The commenter suggests following an existing route, presumably Line 163. Weekday Average Boardings for the segment of Line 163 as suggested by the commenter are as follows, which gives boarding based on direction of travel:

Line 163, Eastbound, Southbound from Burbank to Hollywood, 1996	
Stops	Weekday Average Boardings
Sunland & San Fern	52
San Fern & Strathern	2
San Fern & Arminta	2
San Fern & Arvilla	9
San Fern & 7511 S Frn	1
Hllywd Way & San Fern	13
Hllywd Way & Pac Gt 119	1
Hllywd Way & Winona	6
Bbk Apt Rd & Lockhd Gt4	1
Hollywd & Thornton	59
Hllywd & Way Valhalla	4
Hllywd Way & Pacific	5
Hllywd Way & Victory	47
Hllywd Way & Jeffries	6
Hllywd Way & Burbank	41
Hllywd Way & Chandler	2
Hllywd Way & Magnolia	32
Hllywd Way & Clark	7
Hllywd Way & Verdugo	41
Hllywd Way & Oak	11



Hllywd Way & Alameda	9
Hllywd Way & Riverside	39
Olive & Maple	28
Olive & Franklin	18
Barham & Lakeside	18
Barham & Coyote	6
Barham & Lk Hllywd	3
Cahuenga & Barham	6
Cahuenga & Oakcrest	19
Cahuenga & Wdrow Wils	0
Cahuenga & 2775 Cahue	4
Cahuenga & 101 Fwy	0
Odin & Fairfield	2
Cahuenga & Iris	2
Cahuenga & Cerritos	1
Cahuenga & Franklin	7
Yucca & Cahuenga	0
Yucca & Vine	0
Hollywood & Vine	5
Hollywood & Ivar	3
Hollywood & Cahuenga	7
Hollywood & Wilcox	4
Hollywood & Whitley	2
Hollywood & Las Palmas	0
Highland & Hollywood	0
Hawthorn & Highland	0



Line 163, Northbound, Westbound From Hollywood To Burbank, 1996	
Stops	Weekday Average Boardings
Hawthorn & Highland	0
Hollywood & Orange	59
Hollywood & Highland	119
Hollywood & Las Palmas	14
Hollywood & Whitley	12
Hollywood & Wilcox	21
Hollywood & Cahuenga	34
Hollywood & Ivar	36
Vine & Hollywood	241
Yucca & Ivar	10
Yucca & Cahuenga	9
Cahuenga & Franklin	17
Cahuenga & Cerritos	5
Cahuenga & Iris	5
Cahuenga & J A Ford	1
Cahuenga & 2700 Cahue	2
Cahuenga & Lakeridge	1
Cahuenga & Oakcrest	9
Cahuenga & Barham	7
Barham & Lakehlywd	3
Barham & Coyote	14
Barham & Lakeside	6
Olive & Franklin	2
Olive & Maple	1
Hllywd Way & Riverside	31
Hllywd Way & Alameda	30
Hllywd Way & Oak	11
Hllywd Way & Verdugo	14



Hllywd Way & Clark	8
Hllywd Way & Magnolia	24
Hllywd Way & Chandler	2
Hllywd Way & Burbank	21
Hllywd Way & Jeffries	2
Hllywd Way & Victory	16
Hllywd Way & Pacific	12
Hllywd Way & Valhalla	4
Hllywd Way & Thornton	20
Hllywd Way & Winona	3
Hllywd Way & 2944 Lock	1
San Fern & Hllywd Way	5
San Fern & Opp. 7511	0
San Fern & Arvilla	18
San Fern & Armita	0
San Fern & Strathern	4
Vineland & Cantara Lo	24
Sum:	



Line 163, Eastbound Southbound from Burbank to Hollywood, 2004

Stops	Weekday Average Boardings
Vineland & Sherman	29
Vineland & Valerio	23
Vineland & Saticoy	39
Vineland & Stagg	13
Vineland & Strathern Vinstl	25
Vineland & Cantara Vincao – Eol	2



BRANFORD & Street Break DI – EOL	0
Sunland & San Fernando	47
San Fernando & Clybourn	1
San Fernando & Strathern	0
San Fernando & Arvilla	0
San Fernando & Arvilla	5
San Fernando & Lockheed	2
Minor Street & San Fernando	6
Hollywood & Tulare	2
Hollywood & Minor Street	5
Hollywood & Thornton Hilltho	52
Hollywood & Valhalla	28
Hollywood & Pacific	4
Hollywood & Victory	29
Hollywood & Jeffries	8
Hollywood & Burbank	23
Hollywood & Chandler	7
Hollywood & Magnolia Hillmag	36
Hollywood & Clark	16
Hollywood & Verdugo	30
Hollywood & Oak	11
Hollywood & Alameda	12
Hollywood & Riverside	55



Olive & Warner	15
Olive & Minor Street	33
Barham & Lakeside Plaza	12
Barham & Coyote Canyon	18
Barham & Lake Hollywood	13
Cahuenga & Barbara Cahbar	12
Cahuenga & Oakcrest	3
Cahuenga & Cahuenga	6
Cahuenga & Minor Street-1	8
Cahuenga & Off-Ramp	1
Odin & Fairfield	1
Cahuenga & Iris	4
Cahuenga & On-Ramp	0
Cahuenga & Franklin	0
Yucca & Cahuenga	6
Yucca & Vine	0
Argyle & Hollywood Holarg	7
Hollywood & Ivar	15
Hollywood & Cahuenga	4
Hollywood & Wilcox	8
Hollywood & Whitley	2
Hollywood & Las Palmas	1
Hawthorn & Highland Hawhig – Eol	0
Sum:	575



Line 163, Westbound, Northbound from Hollywood to Burbank, 2004	
Stops	Weekday Average Boardings
Hawthorn & Highland Hawhig	59
Hollywood & Highland	94
Hollywood & Las Palmas	17
Hollywood & Whitley	23
Hollywood & Wilcox	17
Hollywood & Cahuenga	19
Hollywood & Ivar	14
Hollywood & Argyle Holarg	282
Yucca & Ivar	4
Yucca & Cahuenga	14
Cahuenga & Franklin	16
Cahuenga & Off-Ramp	5
Cahuenga & Iris	4
Cahuenga & Pilgrimage	2
Cahuenga & Off-Ramp	1
Cahuenga & Lakeridge	0
Cahuenga & Benda	7
Cahuenga & Buddy Holly Cahbar	2
Barham & Lake Hollywood	6



Barham & Coyote Canyon	4
Barham & Lakeside Plaza	2
Olive & Minor Street	5
Olive & Warner	3
Hollywood & Riverside	31
Hollywood & Alameda	13
Hollywood & Oak	17
Hollywood & Verdugo	21
Hollywood & Clark	3
Hollywood & Magnolia Hllmag	19
Hollywood & Chandler	6
Hollywood & Burbank	16
Hollywood & Jeffries	8
Hollywood & Victory	21
Hollywood & Pacific	3
Hollywood & Valhalla	7
Hollywood & Minor Street Hllt	16
Hollywood & Minor Street	4
Hollywood & Tulare	1
San Fernando & Minor Street	8
San Fernando & Lockheed	0
San Fernando & Arvilla	12
San Fernando & Strathern	0
San Fernando & Strathern	1



Sunland & San Fernando	119
Branford & Street Break Div. 15	5
Sum:	931

This ridership data from 1996 and 2004 on the eastern portion of Line 163 is low and would not provide sufficient ridership to warrant extending the Sherman Way Rapid Bus route in the RB-3 Alternative. Moreover, part of the extension is outside the study area. The suggested extensions to the Sherman Way route are not considerably different from the RB-3 Alternative. See Response to Comment 6-3 for a discussion on variations that are not considerably different from those analyzed in the Revised FEIR.

Extending the Sherman Way Rapid Bus Route in the RB-3 Alternative to the Burbank Airport Metrolink station would add a significant amount of additional out-of-way travel circling the Burbank Airport via Vineland, San Fernando Road, Hollywood Way to get to the terminus station. It would make more sense to extend the Vanowen Rapid Bus route straight east on Vanowen to Empire Street to reach the Burbank Airport Metrolink Station. It is not clear however, that either of these alternatives would be more cost-effective than the BRT Alternative.



that, instead of continuing South on Lankershim to the North Hollywood Red Line Station at Chandler, instead turns left (East) on Victory to Burbank. Another possibility is to swing Sherman Way Rapid Buses South to Van Owen and service Bob Hope Airport and the surrounding major employment centers and/or Southeast on San Fernando Boulevard to the potential Burbank termini discussed for the Victory Rapid Bus route above.

16. Did MTA examine extensions of the Sherman Way Rapid Bus route further East, either all service or some part of it, such as every other bus run? Did MTA study such extensions to the two destinations above, or any others, and, if so, what were they? If MTA did study such extensions, what were the results and why did MTA not pursue them? Does MTA have any ridership projections for such extensions?

17. Of course, if the Victory and/or Sherman Way Rapid Bus routes were to be extended East to Burbank *et al*, they would not serve the North Hollywood Red Line station. There is, however, an easy answer to this, that of route deviations on the East ends of one or both of these routes. As discussed in my letter to Roger Sooble of September 16, 2004, one logical option to explore would be to have every other Eastbound Sherman Way and/or Victory Rapid Bus line bus turn right (South) on Lankershim to serve the Red Line station, but the other buses would continue East to Burbank destinations. Going West, after starting North from the Red Line station on Lankershim, buses could alternatively turn West on Sherman Way and Victory, providing one-bus access to far more destinations – any transit rider on either Sherman Way or Victory Rapid Bus routes could have single bus access to either the Red Line station(s) or Burbank, and vice versa for Westbound Rapid Bus riders originating from the Red Line station(s) and Burbank.

18. Did MTA examine this type of route variation for the Victory and/or Sherman Way Rapid Bus routes? Did MTA study such service and, if so, what were they? If MTA did study such extensions, what were the results and why did MTA not pursue them? Does MTA have any ridership projections for such extensions?

19. Another possibility is to extend some of the Sherman Way Rapid Bus line service North to the Metrolink Sun Valley station located at San Fernando Road near Sunland. For the “North County” Metrolink passengers with destinations in the middle and Western San Fernando Valley, this could be a very good connection. Of course, if practical, this could possibly be only worthwhile during periods of higher ridership, and Metrolink offers primarily peak period weekday service.

20. Did MTA examine extensions of the Sherman Way Rapid Bus route as stated above, either all service or some part of it, such as every other bus run? Did MTA study such extensions, or any others, and, if so, what were they? If MTA did study such extensions, what were the results and why did MTA not pursue them? Does MTA have any ridership projections for such extensions?

20-50

20-51

20-52

20-53

20-54

20-55

Comment 20-51

MTA examined the entire San Fernando Valley in determining the RB Alternatives. However, MTA did not perform model runs on the extensions to the Sherman Way route of the RB-3 Alternative that the commenter suggested in Comment No. 50. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

Comment 20-52

The commenter suggests another variation of the RB-3 Alternative to alternate service on both the Sherman Way and Victory routes to the North Hollywood Metro Red Line station. These suggestions are not considerably different from the RB Alternatives that MTA studied in the Revised FEIR. They are merely extensions of two routes to the east with an operational variation in routing buses on the extensions or to the North Hollywood station. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

Comment 20-53

MTA examined the entire San Fernando Valley in determining the RB Alternatives. However, MTA did not perform model runs on the extensions to the Sherman Way or Victory routes of the RB-3 Alternative or the operational variation to route every other bus to the North Hollywood Station that the commenter suggested in Comment No. 52. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.



Comment 20-54

The commenter suggests extending the Sherman Way route of the RB-3 Alternative to the Metrolink Sun Valley Station. This suggestion is not considerably different from the RB Alternatives that MTA studied in the Revised FEIR. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

Comment 20-55

MTA examined the entire San Fernando Valley in determining the RB Alternatives. However, MTA did not perform a model run on the extension to the Sherman Way route of the RB-3 Alternative that the commenter suggested in Comment No. 54. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 18
November 22, 2004

21. Third, for Rapid Bus service on Lankershim, consider extending the service further South to the Universal City Red Line station (a distance of approximately 2 1/3 miles), with stops at, most likely, two of the following cross streets (from North to South): Magnolia, Camarillo, and Moorpark. For riders with trips beginning or ending between the North Hollywood and Universal City Red Line stations, the faster operating speed of Rapid Bus over local bus and, more important, not having to transfer between buses or between buses and the Red Line, would be a significant advantage.

20-56

22. Did MTA examine extensions of one or both of these Rapid Bus routes further South, either all service or some part of it, such as every other bus run? Did MTA study such extensions to Universal City, or any other destination along this corridor, and, if so, what were they? If MTA did study such extensions, what were the results and why did MTA not pursue them? Does MTA have any ridership projections for such extensions?

20-57

20-58

23. The Victory and Sherman Way Rapid Bus routes, as laid out by MTA in the RB-3 Alternative, are not long, time-wise, and appear to be no where close to the high end of the one-way trip time distribution for MTA bus trips - Table 8-6.6: Year 2020 Transit Travel Times on Valley Arterials (in minutes), page 8-6-10, shows a 41.7 to 45.6 minute travel time from Warner Center to North Hollywood (which, as is explained below, we believe is significantly overstated). Many MTA bus lines, including Route 750 - Ventura Boulevard Rapid Bus, have significantly longer one-way run times, so extending these lines should not be a significant operating problem in this regard.

20-59

24. Note that, in the above, I offer a multitude of options for how Rapid Bus service on Victory and Sherman Way could be significantly improved, but I do not make explicit recommendations as to which of these should be implemented - nor do I claim that this is an exhaustive list of all potentially viable options. The reason why I do not make specific, "do this and only this" recommendations is that I, and other interested parties with some degree of knowledge of transit in the Valley, let alone members of the general public, do not have the detail information regarding, among other things, ridership by line and "origin-destination" that MTA does, nor do we have access to a transportation modeling package to test different options to test and fine tune them. Our lack of access to such detail data and tools is exactly why my letter of September 16 set forth a cooperative process to develop a system, a network, of Rapid Bus lines in the Valley, in combination with other transit improvements. This attempt to institute a cooperative approach to these opportunities has been a very long-standing foundation of COST's approach - one that, to date, has been entirely unsuccessful, with the MTA public involvement process for this DRFEIR something we had not thought possible, a step back from the previous status quo.

20-60

25. This is no different than the type of co-operative planning that COST, and many other organizations and individuals, have been urging MTA to follow for many years. By totally eliminating any form of public input or exposure what-so-ever - except for the statutory/regulatory requirement to allow comments on the DRFEIR - MTA has made it

20-61

Comment 20-56

The commenter suggests extending one of the routes of the RB-3 Alternative to Moorpark Street. This suggestion is not considerably different from the RB Alternatives that MTA studied in the Revised FEIR. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

Comment 20-57

MTA examined the entire San Fernando Valley in determining the RB Alternatives. However, MTA did not perform a model run on the suggested variation to a route of the RB-3 Alternative that the commenter suggested in Comment No. 56. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

The logic of extending three Rapid Bus routes down Lankershim Boulevard to Moorpark Street is not clear, since there is no major destination at Lankershim/Moorpark that would justify this level of service, which would be running on the street directly above the Metro Red Line subway.

Comment 20-58

MTA did not model ridership projections for the suggested variation to the RB-3 Alternative made in Comment No. 25-56. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.



Comment 20-59

MTA chose the three RB Alternatives as a good approximation of what multiple Rapid Bus routes can do in the Valley. For a discussion on MTA's reasoning for selecting the RB Alternatives, see response to comment 4-2. Extensions of Victory and the Sherman Way routes on the RB 3 Alternatives are mere variations of the RB 3 Alternatives and are not considerably different than the RB 3 Alternatives. See response to comment no. 6-3 for discussion on consideration of suggested variances that are not considerably different from the RB Alternatives.

Comment 20-60

See Response to Comment No. 4-2 for MTA's reasoning for selecting the three RB Alternatives that were analyzed in the Revised FEIR. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

Comment 20-61

See Response to Comment No. 14-10 regarding consultation with the public.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 19
November 22, 2004

extremely difficult – arguably, totally impossible – for any ideas that did not originate at MTA to find their way into the Rapid Bus Alternatives in this CEQA process. Even though MTA’s normal process for public involvement and input is not well regarded by most members of the public, the process utilized for this particular document is extremely poor by even that standard.

26. Given MTA’s well-documented lack of enthusiasm for Rapid Bus in the San Fernando Valley – and the many very obvious shortcomings of the Rapid Bus Alternatives it is presenting – the public has every right to be concerned that the three Rapid Bus Alternatives in the DRFEIR are “straw men” – designed by MTA to fail in order to make MTA’s preferred Orange Line Alternative look superior.

27. What the taxpaying and transit-riding public deserve, and what CEQA requires, is a good Rapid Bus Alternative, or Alternatives, to be structured and evaluated, not a poor excuse for Rapid Bus lines and networks – sicrife Rapid Bus alternatives that were established by an agency that was opposed from the start to even considering Rapid Bus, and presented in a manner that was completely sheltered from all public participation and view until it was too late to have any possible influence on the details of the Alternatives.

28. What institutions (governmental, private sector, civic organizations, interest groups, professional and trade associations, whatever) did MTA meet with to discuss the development of the Rapid Bus Alternatives and routes? When did these meeting occur and with who? What were the results of these meetings? Did MTA make any changes to its plans as a result of those meetings, and, if so, what were they?

29. Fourth, this Rapid Bus “network,” as well as the RB-5 Alternative, is deficient because it does not have additional East-West Rapid Bus lines located further North in the Valley. While the RB-Network Alternatives does have such lines (Roscoe and Devonshire), that Alternative eliminates the Sherman Way Rapid Bus line, which appears to have – from both logic and the data in the DRFEIR – most likely, the second highest potential of any Valley Rapid Bus line, after service on Victory. (See Daily Transit Boarding data in Table 4-6.5, page 4-6-9).

30. What was the process to develop the Rapid Bus Alternative route structures? Did MTA simply take three proposals – proposals that were all, very obviously, intended as proposals in need of careful professional analysis, development, and fine-tuning – and decide those were the lines that would be modeled? Was there any process at all, by MTA, its consultants, or in consultation with any other party or parties, to improve on the initial concepts for Rapid Bus lines and networks?

31. Fifth, the route alignment for at least two of these lines – Vanowen and most particularly Victory – at the Warner Center end of the line is so illogical and deficient that only two explanations come to mind.

20-61

20-62

20-63

20-64

20-65

20-66

20-67

Comment 20-62

See Response to Comment No. 4-2 for MTA’s reasoning for selecting the three RB Alternatives that were analyzed in the Revised FEIR and found to be a good estimate of what multiple Rapid Bus routes can accomplish in the Valley.

Comment 20-63

See Response to Comment No. 4-2 for MTA’s reasoning for selecting the three RB Alternatives that were analyzed in the Revised FEIR and found to be a good estimate of what multiple Rapid Bus routes can accomplish in the Valley.

Comment 20-64

See Response to Comment No. 14-5 for those consulted on developing the RB Alternatives.

Comment 20-65

See Response to Comment No. 6-1 regarding the suggestion to add northern Rapid Bus routes to the RB-3 Alternative and the RB-5 Alternative.

The RB Network was the network originally proposed by COST. It included a balanced network of Rapid Buses spaced approximately two-three miles apart across the San Fernando Valley. The addition of a Rapid Bus on Sherman Way would place three east-west routes with approximately one mile of each other. The addition of Rapid Buses on Sherman Way to the RB Network alternative would likely add some new transit riders, but it would also increase transit-operating costs. It is unclear that it would improve the cost-per-new transit rider.



Comment 20-66

See Response to Comment No. 4-2 for MTA's reasoning for selecting the three RB Alternatives that were analyzed in the Revised FEIR and found to be a good estimate of what multiple Rapid Bus routes can accomplish in the Valley.

Comment 20-67

The commenter's dissatisfaction is noted for the record.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 20
November 22, 2004

32. One is technical incompetence on a truly spectacular scale

33. The other is worse.

34. Let us understand here that speed is of the essence in transit route design, particularly for Rapid Bus routes which, as their name clearly indicates, are designed for speed as their main mission. In this situation, speed refers to several elements, but the key particular here is low, or at least reduced, on-vehicle passenger trip time. Among the ways reduce on-vehicle travel time, one that is often most important is faster travel speeds for transit vehicles, which is the basic idea underlying Rapid Bus.

35. However, there is another: Don't waste time going nowhere for no purpose - which is exactly what MTA has not done to the Victory and Van Owen Rapid Bus lines in their Warner Center area alignments.

36. Let us begin by examining how MTA has approached one of the absolute key metrics, travel time, in comparing the Orange Line and the Rapid Bus Alternatives. Turning to Table 8-6.6: Year 2020 Transit Travel Times on Valley Arterials (in minutes), page 8-6-10, we see that the test for travel between the two end points on the Orange Line is measured from Warner Center to North Hollywood. As we shall see, this choice of direction of travel for this comparison turns out to be of great importance to the result and the determination of "winners" and "losers."

37. Travel time, and differences in travel time between transit alternatives, can be very important in transportation modeling. As a general rule, the faster the travel on a specific option, the more attractive it is to potential riders and the higher the ridership. Significant differences in travel time between options can produce significant differences in ridership in such model runs. As travel time has been extremely important in the Warner Center-North Hollywood travel corridor - as evidenced by MTA's attempt in the DEIS/DEIR to both significantly understate the Orange Line end-to-end travel time to the laughable 28.8 minutes "lower bound" and to overstate the Rapid Bus travel time by using the Rapid Bus travel time between Universal City and Warner Center, a mile-plus longer trip on a significantly more congested route (Ventura Blvd) with far more traffic signals - and then to mislabel the 50 minute travel time - which significantly exceeds MTA's own public schedule information - as being between North Hollywood and Warner Center. If I had not discovered these very major "errors" and commented on them in great detail in my, and my co-commenter's, comment letter on the DEIS/DEIR, these misstatements may have become the foundation for a significantly sub-optimal decision on this important study. (Of course, this last comment is based on the assumption that data and its analysis have any importance in the MTA decision-making process, a proposition that I would not be able to render an expert opinion on as correct.)

38. Why did MTA mislabel the Rapid Bus route to be compared to the Orange Line in the DEIS/DEIR, falsely showing that the Rapid Bus line, along with the Orange Line, would go from

20-68

20-69

20-70

20-71

20-72

Comment 20-68

The comment suggests that speed is a key factor to Rapid Bus success. Travel time does not invoke a linear response in a rider's decision to choose public transit. See Response 24-3 for a discussion on how MTA's model forecasts a rider's choice to take public transit.

Comment 20-69

See Response to Comment No. 4-2 for MTA's reasoning for selecting the three RB Alternatives that were analyzed in the Revised FEIR and found to be a good estimate of what multiple Rapid Bus routes can accomplish in the Valley.

Comment 20-70

Please see Response 20-71.

Comment 20-71

The comment is acknowledged for the record.

Comment 20-72

Travel times as listed in Table 8-6.6 are based on the future year planning horizon of 2020, not the present year, so using existing schedules would not apply. The listed travel times are based on what was represented in the MTA's transportation demand model for the year 2020.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 11
November 22, 2004

Warner Center to North Hollywood, while the Rapid Bus line was really going to Universal City, a longer route on a slower street? While does MTA not use its own scheduled travel times (obtained from MTA's web site trip planner, as MTA does not publish a "traditional" timepoint schedule for Rapid Bus lines) between Warner Center and Universal City as the run times for this route? If MTA's scheduled run times for the Ventura Rapid Bus line are not accurate, why haven't they been changed? If these schedules are not accurate, but MTA is continuing to publish them, then what other published MTA information is similarly unreliable?

20-72

39. The following discussion will be easiest to follow by reference to three maps that I have provided in Exhibit V, "Warner Center Orange Line and Rapid Bus Route Alignments." Let us first turn to the first map in Exhibit V, marked, "Orange Line Alignment from FEIR (February 2002). I took this map directly from the FEIR - Figure 2-26: Warner Center Transit Hub Design Concept, page 2-64 (8 AR 01593) - and "scanned" it to be order to reproduce and to build on it, making no changes in this particular variation other than adding the title.

20-73

40. Note the travel path of Westbound Orange Line buses as they approach the end of the Exclusive Busway from the East (right) at the upper right of this map. The Busway, as it is being built, actually curves from Westbound to Southbound at its very end, leaving the buses pointing South at the top of the "T" intersection where Northbound Variel terminates when it reaches Victory. The buses exiting the Busway proper cross Victory and proceed two blocks South on Variel, turn right (West) for two blocks to Owensmouth, then right (North) approximately one-half block to the Warner Center Transit Hub at the Western end of the route, where the passengers disembark and the bus lays over waiting to begin the return trip.

41. Beginning the Eastbound trip to North Hollywood, the Orange Line buses go North approximately one-half block, then right (East) on Erwin for two blocks, then left (North) for one block, then across Victory to enter the Busway proper. Using MicrosoftTM Streets & RoadsTM software, I measured this distance as 1.01 miles, and confirmed this distance as reasonable with my car odometer.

42. Note that this alignment has the buses going completely around the two blocks contained by Variel on the East, Oxnard on the South, Owensmouth on the West, and Erwin on the North. This type of "around the block" alignment, or some variation of it, is found in most bus routes. When "around the block" route alignment is utilized in this manner, one direction of travel on the route is almost always longer than the other, at least at each end. For the Orange Line buses, because the Westbound buses are routed South to Oxnard, there is an "extra" two half-blocks of travel for the Westbound trip over the Eastbound trip, which, with the very large blocks in Warner Center, amounts to approximately .26 miles (the distance between Oxnard and Erwin), measured and confirmed by the means discussed above.

43. Now let us examine the routing of the Victory Boulevard Rapid Buses to get from Warner Center to the corner of Victory and Variel for their Eastbound trips to North Hollywood - which,

Comment 20-73

The commenter has spent a good deal of time describing the routes of the BRT and the Victory Rapid Bus, bus misstates the fact that the travel time comparisons in the Revised FEIR (Table 8-6.6) are for the eastbound direction on each alternative. The travel times reported are for the average of both directions, eastbound and westbound, which minimizes any differences by direction due to one direction being slightly shorter than the other direction. The Victory Rapid Bus was taken all the way west to Topanga Canyon because that was the way it was shown on the COST proposed Enhanced TSM Network. It should also be noted that the travel demand model does not differentiate between right turns and left turns at intersections, so a bus route with more left turns is not penalized over one with only right turns in the model.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 22
November 22, 2004

by happy coincidence, is located almost exactly at the Westbound entrance to the Orange Line busway. Because both the Orange Line and Victory Rapid Bus routes go through this intersection, the measurement of travel distance and time from the Warner Center Transit Hub to here is a very valid comparison.

44. Note that, for this "street-running" section of the trip from Warner Center to North Hollywood, there is no exclusive busway for the Orange Line, so this is, for the most part, a plain, my-bus-route-vs.-your-bus-route-running-on-the-street route alignment comparison.

45. Turning now to page 8-2.2 Alternatives Considered in the Revised FEIR, "Victory Boulevard," page 8-2-4, we have the Rapid Bus route alignment⁴. The relevant portion begins with the second "bullet":

- Turn West on Victory Boulevard;
- Turn south on Owensmouth Avenue; and
- Layover at the Warner Center Transit Hub.
- From the Warner Center Transit Hub layover stop the Rapid Bus would turn west on Oxnard Street,
- Turn north on Topanga Canyon Boulevard;
- Turn east on Erwin Street;
- Turn north on Owensmouth Avenue;
- Turn east on Victory Boulevard, ..."

46. This routing can be more easily understood by reference to the second map in Exhibit V, "Rapid Bus Alignment in DRFEIR Superimposed on Orange Line Alignment."

47. In comparing the Eastbound travel from Warner Center segments of the Orange Line and Victory Rapid Bus alignments, we note some very significant differences:

⁴ There are at least two considerations other than the "non-dictated" route alignments (such as, all Orange Line buses must enter and exit the Busway at Victory/Variel and all Orange Line and Victory Rapid Bus buses must begin and end trips at the Warner Center Transit Hub) that do have a bearing on the comparative travel times: (a) the comparative speeds and rates of acceleration and braking of the 60-foot articulated CNG buses that will be utilized on the Orange Line vs. the 40-45-foot buses used on Rapid Bus lines, and (b) the difference between the Orange Line buses having to enter the busway by heading North from the intersection of Variel and Victory vs. the Rapid Buses heading West on Victory. While these do impact the time comparisons for this street-running section of the trip, the differences generated are relatively minor compared to the route alignments dictated by MTA for the Orange Line and the Victory Rapid Bus line.

⁵ The Victory Rapid Bus routes for the RB-3 and the RB-Network Alternatives are identical, but for the RB-5 Alternative, the Victory Rapid Bus route does not turn right on Erwin, but continues North on Topanga Canyon to Victory, where it turns right.

20-73



20-73

- A. While the Orange Line Eastbound trip begins with the bus pointed North, thereby shifting the .26 mile "round the block" extra route length to the Westbound trip, for the Victory Rapid Bus alignment, the Eastbound trip begins with the bus pointed South. While one direction of almost all bus routes with such "around the block" ends will almost always be longer at at least one end of the route, what is significant here is that MTA has arranged that the extra distance is added to the Orange Line on the Westbound trip - which is not used for time comparisons - while the extra distance is added to the Victory Rapid bus on the Eastbound trip - which is utilized for time comparison⁸.
- B. The Orange Line alignment has the Warner Center "round the block" element on the East side of the terminus, while the Victory Rapid Bus has it on the West side of the terminus. This lengthens the Victory Rapid Bus route by two blocks - two long blocks, or approximately another .44 mile (net of one other, minor adjustment).
- C. In setting up bus route alignments, it is almost always desirable to minimize the number of turns, where possible. Note that the Orange Line alignment from the Warner Center Transit Hub to the entrance of the Orange Line Busway proper has the absolute minimum number of turns on the street, two, one right turn and one left turn¹⁰ (plus the relatively tight right turn from the Northbound entrance to the Busway to Eastbound on the Busway). The Victory Rapid Bus alignment, however, requires a total of five turns to get from the Warner Center Transit Hub to Eastbound on Victory, four right and one left. Turning a bus is a time-consuming process, requiring slowing, waiting for a safe interval to commence the turn, making the turn, and then

⁸ For many bus routes, there are "around the block" issues at each end and, therefore, depending on how the route alignments in each direction are done, the two directions of travel could wind up approximately equivalent or one direction of travel could be double-penalized over the other. The way that the "round-the-block" is handled at the East, North Hollywood, end of the Orange Line Busway almost entirely eliminates the "around the block" routing (FEIR, Figures 5-6a: Preferred North Hollywood Terminal Alternatives - Full BRT Alternative 2c, page 5-19), therefore, having the Warner Center "around the block" extra distance assigned to the Victory Rapid Bus Eastbound direction of travel, but not to the Orange Line Eastbound direction of travel, is a definite disadvantage to the Victory Rapid Bus route travel time, compared to that of the Orange Line, without any offsetting factors or mitigation.

This particular calculation is a slight oversimplification. Shifting the "around-the-block" movement to the West, vice the East, adds slightly more distance than the value indicated above, but Victory between Owensmouth and Conaga runs slightly North of East, thereby "cutting the corner" and reducing the overall travel distance by a small amount. The total Victory Rapid Bus route distance is 1.71 miles, compared to 1.01 miles for the Orange Line travel distance, a difference of .70 miles - .26 miles for the "round-the-block" movement on the Eastbound, vice Westbound, leg, leaves .44 miles, which I have attributed in full to this second effect for the instant purpose.

¹⁰ There is one other not-illogical alignment for the Orange Line buses leaving Warner Center, North on Owensmouth to Victory, right (East) on Victory for two blocks, then left (North) into the West end of the Busway at Variel. While this is also one left and right turn on the street, it is less desirable than the alignment that MTA has chosen because it requires a left turn onto the Orange Line busway proper to be made from Victory Boulevard, a heavily-travelled street, rather than a left from Erwin onto Variel, at a much less heavily traveled intersection, which allows the Orange Line buses to proceed directly North on Variel to the busway entrance. MTA's routing from Warner Center to the Busway entrance does appear to be the superior option.



20-73

accelerating. I will add that making a "right turn on Red" is a bus is far more difficult than the same maneuver in an automobile and, as a practical matter, can be almost impossible at many heavily-traveled intersections, particularly during peak travel periods. These additional turns impose further time penalties on Rapid Bus, compared to the Orange Line buses.¹¹

D. Finally, the Orange Line alignment goes through four signalized intersections (Erwin/Ovenmouth, Erwin/Conogh, Erwin/Variad and Variad/Victory), while the Victory Rapid Bus alignment goes through seven (Ovenmouth/Ozard, Ozard/AMC Place¹², Ozard/Topsage, Topsage/Erwin, Erwin/Victory, Victory/Conogh, and Victory/Variad). There is no possible Orange Line routing from the Warner Center Transit Hub to the Orange Line Busway entrance that requires just less than four signalized intersections, but there are several alignments that would reduce the Victory Rapid Bus alignment's count of signalized intersections.

49. Using the methodologies discussed above, I measured this distance as 1.71 miles - .70 miles longer than the Eastbound route of the Orange Line buses.

¹¹ Interestingly, for the RB-5 version of Victory Rapid Bus (page 8-5), the routing has two left turns, one less right and one less left. The RB-5 alignment continues North on Topsage for a block further than the RB-3 alignment and turns directly onto Victory, a very obvious improvement that will both save time and expose buses to one fewer left turn, which can be a more dangerous, as well as time-consuming, maneuver.

¹² However, when we review the east-bound travel times that MTA has produced for these two different alignments, we find that the RB-5 travel times are consistently longer than the RB-3 travel times. Table 8-6 shows the historical 11.7-15.6 minute times from Warner Center to North Hollywood for the RB-3 alignment with the two fewer turns at the RB-3 and RB-5 Network alignments with the full first turn.

Identical travel times for these two different routings are illogical on its face. One suspects that a calculation was done for one of these two different routings and used the both -- or the person, department, or firm that produced Table 8-6 did not realize that there were two different alignments, which is understandable, because there does not appear to be any reason for them to be two different alignments.

(MTA informed the California Supreme Court, in its *Petition for Review After a Decision by the Court of Appeal*, August 26, 2004, that "it is estimated that it will take some months to complete the study required by the Court of Appeal. We will take the day after the date of the second Appellate Decision, July 19, 2004, as the starting point for the study. The study will be completed by the end of the month of August 2004. MTA is currently in the process of completing the study and would expect to be approximately April 19, 2005 - or 205 days after the date that MTA gave its six month projection to the California Supreme Court. MTA is now scheduling taking action to approve the RFEER on December 13, 2004, or 109 days after the day the Supreme Court times disposal time by well over half, we might observe that the type of obvious internal inconsistency in the routing above is the type of thing that can occur when an agency is more concerned with speed than with quality - and this is hardly the only example of such errors, omissions, and inconsistencies in this DFEIR.)

Either the end-to-end travel times reported for the RB-5 Victory route is overstated or the times reported for the RB-3 and the RB-5 Network Victory routes are understated.

¹³ AMC Place is located on Ozard between Ovenmouth and Topsage. It is perhaps better described as more of a parking lot entrance than a street, but there are traffic signals there and they do operate.

Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 25
November 22, 2004

20-73

50. There is, of course, a very simple and easy way to make this a fair, head-to-head, apples-to-apples comparison - come up with a Victory Rapid Bus alignment that is designed to minimize the run time on the Eastbound trip, using the same techniques that were utilized - very effectively - to minimize the Orange Line Eastbound trip time. Let us refer to the third map in Exhibit V, "Superior Rapid Bus Alignment Superimposed on Orange Line Alignment."

51. Under this design philosophy, the Eastbound trip alignment is simplicity itself, North one-and-one-half blocks to Victory and right (East) on Victory¹³. One single right turn, four signalized intersections (the minimum possible and the same as the Orange Line alignment) and actually a shorter distance - .96 miles on this alignment, approximately .05 mile, or approximately 264 feet, shorter than the Orange Line alignment. Largely because the turns are minimized, buses on this alignment are likely to have greater successes in gaining "greens" at intersections because, as a general rule, traffic lights are often set up to be timed to be in sequence with the other traffic signals along the same alignment.

52. (Although the Westbound end of the trip to Warner Center is not shown on this map, the Victory Rapid Bus alignment would be set up, like the Orange Line alignment, to have the longer "round-the-block" alignment for the Westbound trip [in this case, most likely, West on Victory to Cosoga, left [South] two blocks to Oxnard, right [West] one block to Owensmouth, and then right [North] one-half block to the Warner Center Transit Hub terminus.]

53. Had MTA utilized this alignment for Victory Rapid Bus in the three Rapid Bus Alternatives, then we would have had a fair and meaningful comparison - and a very significant time savings for the Eastbound Rapid Buses.

54. To be fair, there are many reasons why a particular bus route alignment is chosen over other options. However, if there are such reasons in this particular, I fail to note them. For example, if there was a Rapid Bus stop for the Victory Rapid Bus route on Topanga Canyon, then the Westbound jog, adding the two extra long blocks of travel, could have had a purpose. (The RB-3 Sherman Way route alignment does have a stop at the intersection of Topanga Canyon and Sherman Way and is a stop at this location, as shown on Figure RS-1 - Map of the RB-3 Alternative Including Routes and Stops, page RS-8.) However, there is no such stop shown for the Victory Rapid Bus route on any of the route maps for the three Rapid Bus alternatives shown on pages RS-8-10 (Nor is there a Rapid Bus stop on Topanga for the Vanowen Rapid Bus route). Nor does there appear to be any reason for such a bus stop, as MTA is routing most Topanga bus traffic into the Warner Center Transit Hub, where passengers can board the Victory Rapid Bus

¹³ The improved Vanowen Rapid Bus line routing approaching and leaving the Warner Center Transit Hub - assuming that there was some reason to operate it, which appears extremely questionable - would be similar to that proposed for the Victory Rapid Bus line, namely, starting from Westbound on Vanowen, turn left (South) on Cosoga, then right (West) on Oxnard, then right (North) on Owensmouth into the Transit Hub. The Eastbound trip would be due North on Owensmouth, then right (East) on Vanowen.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 26
November 22, 2004

line. (Of course, there is no Orange Line stop on Topanga, so there is no reason to include such a Rapid Bus stop for comparative purposes).

55. Sometimes, routes are aligned to avoid dangerous bus movements. In many cases, this involves either eliminating a left turn or performing a left turn at a less dangerous intersection. This cannot be the cause of MTA's Victory Rapid Bus routing in and out of Warner Center, however, as an examination of the maps will quickly show.

56. There are times when different routing will allow buses to take advantage of better traffic signal progressions. Again, there is no evidence what-so-ever that this could possibly be an explanation for the MTA's Victory Rapid Bus routing. Since MTA's routing adds considerable length to the Victory route, that disadvantage would appear to be impossible for superior traffic signaling to overcome, so we can safely ignore this as a rationale, as well.

57. Why did MTA choose such a disadvantageous routing for the Victory Rapid Bus line leaving Warner Center for its Eastbound trip? Why did MTA include the length-adding, time-adding "around the block" movement in the Westbound Orange Line trip - which is *not* the time-measured direction of travel in the DRFEIR - but included the "around the block" movement in the Eastbound direction of travel - which *is* the time-measured direction of travel in the DRFEIR? Why did MTA arrange the "around the block" movement for the Victory Rapid Bus alignment on the West side of the Warner Center - which adds almost a half a mile of travel for Victory Rapid Buses for no apparent reason - but on the East side of Warner Center for the Orange Line, where it should obviously be for both? Why did MTA not utilize the very obvious, "due North on Owensmouth, right on Victory" routing for the Victory (and Vanowen) Rapid Bus line leaving Warner Center Eastbound? How much time does MTA believe could be saved on the Eastbound Victory Rapid Bus line from Warner Center by use of the alignment I have proposed over the alignment in the DRFEIR?

58. Obviously, there is a considerable time disadvantage imposed on the Victory Rapid Buses, compared to Orange Line buses, through MTA's most interesting routing. Let us now see what the impacts due to travel time.

59. Turning to Table 8-6.6: Year 2020 Transit Travel Times on Valley Arterials (in minutes), page 8-6-10, for "BRT Right-of-Way," "Warner Center - North Hollywood," we have 28.8-40 minutes.

60. The 28.8 minute "Lower-Bound" time is left over from the "original" DEIS/DEIR and has been completely and thoroughly discredited. In my (and Richard K. Stone's) comment letter of July 3, 2001 on MTA's first attempt to produce a valid EIR for this project (FEIR Volume 2, pp. 7-323/42, 12 AR 02542-561, 56 AR 13410/38), I provided extensive commentary on why this 28.8 minute travel time was impossible. In my conclusion, I pointed out that, to obtain this travel time, the Orange Line buses would have to have end-to-end operating speeds of 29 mph

20-73

20-74

20-75

Comment 20-74

The travel time as reflected in the MTA's transportation demand model and what is reported in Table 8-6.6 in the DRFEIR do not incorporate detailed routings at each end of the rapid bus routes.

Comment 20-75

The 28.8 minute run time calculated for the busway route is based on specific assumptions regarding distance between stations, maximum speeds given curvature and station spacing, and potential intersection delay. As stated earlier, because full transit pre-emption was the desired goal, no intersection delay between stations was counted. At stations, the LRT was assumed to have the capability of advancing or extending the traffic signal "green time" by up to 10 seconds.

While the MTA maintains that full transit pre-emption is the desired goal, as a practical matter it has also included analysis of LADOT's 40 minute run time calculation since any transit pre-emption or transit priority must be done in coordination with LADOT. The ability to achieve the 28.8 minute run time is physically possible; it is a matter of operating policy which potentially adds significant delays to this travel time. While the LADOT does not believe full transit pre-emption is achievable, future conditions may allow a re-visiting of the amount of priority/pre-emption that can be granted. Leaving in the analysis based on 28.8 minutes ensures the environmental impacts associated with the project's optimal speed are identified and addressed.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 17
November 22, 2004

and the Red Line trains had 30 mph operating speeds from North Hollywood to Union Station, and then asked – and answered:

"Here is the main question: How can this BRT alignment, which has a slower top speed than the Red Line, has four sections, totaling almost 30% of the total length, that have significant speed restrictions, has slower acceleration (approximately 2.0 mph/second vs. 3.0 for initial acceleration), and has several signalized intersections along the alignment, possibly achieve an average all-in operating speed almost as fast as the Red Line's?"

There is a simple answer – it can't. It is simply impossible. Not even close."

61. In its response to this comment (FEIR Volume 2, pages 7-332/3), MTA, while ignoring the impact of some my detailed comments¹⁴, and even while continuing to maintain the laughable fiction, "This (28.8 minute) runtime is considered to be the lower bound of reasonable runtimes for environmental clearance purposes, and the BRT could potentially operating with this runtime," MTA did add the 40-minute "upper bound" end-to-end run time in the FEIR. (While I would like to claim credit for forcing this concession, it is clear that it was the actions of the City of Los Angeles Department of Transportation in forcing MTA to understand that its traffic signal priority assumptions in the 28.8 minute run time model were fatally flawed, that led to the 40-minute "upper bound" run time.)

62. Why does MTA continue to pretend that the 28.8 minute end-to-end Orange Line travel time, making all station stops as this route was discussed in the FEIR, could actually somehow happen?

63. MTA appears determined to maintain that this is some possibility that the 28.8 minute end-to-end run time is not impossible, at least for purposes of CEQA. However, in the "real world," not even MTA believes it is current possible, as can be easily determined from the following excerpts from MTA press releases, showing the progression of Orange Line travel time estimates from the original DEIS/DEIR to the FEIR to the present day (these may be found in Exhibit VI, "MTA Press Releases"):

- A. "MTA Releases Draft Environmental Report on Proposed San Fernando Valley East-West Busway," May 14, 2001 – "The travel time between North Hollywood and the

¹⁴ For example, when I pointed out that there were speed restrictions on the Orange Line Busway – such as 35 mph on Chandler (which MTA had agreed to in an attempt to overcome one of the local residents' objections to BRT on the Chandler alignment), which MTA admits in its response was ignored in the 28.8 minute runtime estimate. Referencing the source of the 28.8 minute run time projections – Manuel Padron & Associates, Figure A-1: Run Time Estimate for Bus Rapid Transit (BRT) – 28.8 Minute, Lower Bound, 15 AR 03265 – we see "Max Speed" of 50 and 55 on the Orange Line Guideway on Chandler East and West of Laurel Canyon, respectively. (Exhibit VII)

20-75



- B. "MTA Board Approves Busway for San Fernando Valley East-West Corridor"¹³, July 26, 2001 - "The dedicated right-of-way will produce a travel time between North Hollywood and the planned Warner Center Transit Hub of approximately 30 minutes, including stops."
- C. "MTA Issues Final Environmental Report on San Fernando Valley East-West Busway," February 12, 2002 - "When the busway opens, a commuter will be able to make the trip from the future Warner Center Transit Hub to North Hollywood in approximately 35 to 40 minutes, including stops," said MTA Board Chair John Fasano."
- D. "MTA Certifies Final Environmental Report on San Fernando Valley East-West Busway; Final Design to Get Underway," February 28, 2002 - "A trip from the Warner Center Transit Hub to North Hollywood will take approximately 35 to 40 minutes, including stops. ..."
- E. "MTA Busway Coming to the Valley - MTA Kicks off Metro Rapid Transitway Project in San Fernando Valley," January 17, 2003 - Trips made between Warner Center and the North Hollywood Metro Red Line will now take about 35-40 minutes using Metro Rapid Buses. ..."
- F. "Metro Raises Technology Bar with Super-Sized Metro Line; Bus Prototype Unveiled Today in North Hollywood," October 15, 2004 - "The Metro Orange Line will whisk passengers in approximately 40 minutes from Warner Center in the West San Fernando Valley to the line's future North Hollywood Station. ..."

20-75

64. Note the progression of end-to-end travel times - from "approximately 30 minutes" when the DEIS/DEIR was released and when the Locally Preferred Alternative was approved to "approximately 35 to 40 minutes" when the FEIR was approved to, most recently, "approximately 40 minutes" - the last *without* even the mention of the 35 minutes.

65. Why does MTA continue to discuss the clearly impossible 28.8 minute travel time in the DRFEIR, but show a far more realistic 35 to 40 minutes in its press releases? Why was the latest time estimate in the October 15 a straight 40 minutes, with no mention of 35 minutes? What changed that caused the people who do MTA's press releases to drop the 35 minutes?

66. I will, one last time, quote myself and my-co-commenter from my comment letter on the DEIS/DEIR - "In our opinion, buses on this BRT alignment will be doing very well if they achieve North Hollywood to Warner Center average operating speeds of the Blue Line - 24 mph.

¹³ The action taken was the Board's adoption of what we now know as the Orange Line as the Locally Preferred Alternative, not the approval of the FEIR and the project, which was the subject of the February 28, 2002 press release following.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 29
November 22, 2004

What will this more realistic speed assumption do to the end-to-end travel time? 13.9 miles at 24 mph will take approximately 34.7 minutes – we'll round this to 35 ..."

67. For this purpose, I will be very kind to MTA and use its own, oft-released, "35-40 minutes" as the Warner Center to North Hollywood travel time, not even using MTA's own, most recent, flat "approximately 40 minutes." (I will, however, below give detailed technical reasons why 35 minutes is unlikely).

68. Turning back to Table 8-6.6: Year 2020 Transit Travel Times on Valley Arterials (in minutes), for the three Victory Rapid Bus run times (one each for the RB-3, RB-5, and RB-Network Alternatives), we see a "Victory Blvd/Lankershim Blvd" "Warner Center-North Hollywood" travel time of 41.7-45.6 minutes.

69. What methodology was utilized to develop the 41.7-45.6 minute time range? Is this the same methodology that was utilized to develop the 28.8-minute Orange Line time? The 40-minute time? The 35-minute time? If different methodologies were utilized, why? How can we be sure that different methodologies will produce comparable, reliable, and accurate end-to-end and other run times?

70. MTA appears to have utilized two completely different methods for calculating travel times for the Orange Line and for Rapid Bus routes. For the Orange Line, it did individual, specific, segment-by-segment calculations – using techniques that I have shown to be consistently underestimating travel times. For the Rapid Bus Alternatives, MTA states that it did the calculations by entering what is announced as a 20% travel time improvement factor into the logic of its transportation planning model. However, from what we have seen of the outputs of the Rapid Bus model runs, the actual speed improvements are far smaller. MTA does have the technical capability to calculate Rapid Bus run times using the same technique as it utilized for Rapid Bus (which is exactly what it did when it calculated the run times for the MOS and Lankershim/Oxnard Alternatives in the FEIR, both of which have substantial elements of Rapid Bus operations). Having two completely different run time projection techniques makes it very easy for significant differences to be entered without opportunity for detection – even if the public had access to the details of the transportation model runs, which it has not and would have huge difficulties in making sense of, even if it did. If all run time calculations were performed using the same technique – the one utilized for the Orange Line – then any differences in assumptions would be there for qualified, interested parties to study and for even non-technical reviewers to be able to understand if they were willing to invest the time. If the Rapid Bus run times are the product of the MTA transportation planning model, aren't the various parameters and assumptions input into this model for purposes of particular model run largely developed by MTA staff? Isn't this a case of, what the MTA staff gets out of the model run being largely determined by what it puts into the model logic and tells the model to do?

20-75

20-76

20-77

Comment 20-76

As already discussed, the lower-bound BRT run time was based on a run time model which accounts for station spacing, curvature, maximum speeds, potential intersection delay, and dwell time at stations in order to estimate a run time. The upper-bound BRT run time was provided by LADOT.

Lower-bound EIR Rapid Bus run times listed in Table 8-6.6 are based on the MTA's transportation demand model, which automatically accounts for run time of a route as a function of future traffic speeds. These are the travel times that are used as a basis for estimating ridership. The addition of upper-bound rapid bus run times are to acknowledge that there may not be the ability to grant the expected transit priority on so many arterials. The upper bound rapid bus run times represent what might be expected if there is about half the assumed transit priority. Once again, this range is provided as an acknowledgement that the amount of transit priority is variable. Transit priority is watered down as more parallel streets request it, since it becomes more difficult to maintain cross-traffic flows.

Comment 20-77

Calculating run times using different methodologies was necessary because of the different operating environments of rapid buses operating in mixed traffic, versus buses in an exclusive busway. Computing the run time for RB alternatives as if the RB lines were operating on exclusive right-of-ways, as suggested by the Commenter, would violate the common modeling practice and would not be acceptable to FTA. See also response to 20-28 and 20-29.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 30
November 22, 2004

71. Comparing this Victory Rapid Bus end-to-end travel time to the comparable figure for the Orange Line, we find that MTA is showing that the Orange Line is between 5.6 minutes (high-end to high-end) and 6.7 minutes (low-end to low-end) faster (45.6 - 40 minutes = 5.6 minutes; 41.7 - 35 minutes = 6.7 minutes).

20-78

72. I have shown above that MTA's curious alignment of the Victory Rapid Bus route leaving Warner Center has added considerable distance - .70 miles - over the Orange Line route, and subjected it to traffic delays from multiple added signalized intersections and turns. The question now becomes, how much of the 5.6-6.7 minute difference is due to this strange routing - and would be eliminated by an obviously superior, and totally possible and practical, alternative routing, namely the "due North on Owensmouth, right turn on Victory" one I have discussed above?

73. This has to be approached in several steps, for reasons that will become clear as I proceed through the following.

73. First, how long did MTA assume that it would take for the Victory Rapid Bus buses to get from the Warner Center Transit Hub to the Victory/Variel intersection?

20-79

74. I was unable to obtain this information from MTA, despite putting in a Public Records Act request for it within a few days of receiving a copy of the DRFEIR and determining the need for this - evidently, MTA simply did not do this calculation for the Rapid Bus Alternatives using the same methodology as it did for the Orange Line BRT Alternatives. From what I have been provided, it appears that this was simply never calculated or tested. However, I will ask the question here, does MTA have this information? If so, how was it calculated or tested and what are the values? Given that MTA utilized the same type of procedure to time both the "full" Orange Line Alternative and the "MOS" Alternative, which has considerable "street running" (see Figures "A-1" and "A-3" for the "full" Orange Line and Figure "A-2" for the "MOS" Alternatives), why did MTA use a different - and potentially non-comparable or less comparable - methodology to time the Rapid Bus travel times?

20-80

75. Therefore, I took my own car out to Warner Center and ran my own tests to approximate what the bus travel time would be.

76. I performed three runs on the DRFEIR Victory Rapid Bus alignment from the Warner Center Transit Hub to the Victory/Variel Intersection on the evening of Monday, November 15, beginning at approximately 9:45 p.m. and extending for over one hour. This is, most definitely, a non-peak rush hour period and traffic was far lighter than would be expected during peak periods, thereby making timed travel periods likely significantly shorter than they would be during the most active times of ridership. In my tests, I made reasonable efforts to approximate the speed and conditions of a bus on these streets, which is one reason why I choose to not do

To confirm whether the MTA reflected the 20% speed improvement for rapid bus (compared to local bus), a method using the ratio of VMT to VHT as provided by line in the transportation demand model is not dependable. The better method is to confirm the produced transit travel times directly from the model, which was done in preparing Table 8-8.6 (lower bound rapid bus travel times).

To report the defined travel times in Table 8-8.6, it was necessary to manually extract and add together times from separate "links" in each of the defined paths. In the process of reviewing travel times to confirm that rapid bus did in fact incorporate an automatically calculated 20% speed improvement over local bus, it was found that there were errors in some of the calculations used in this table. Therefore, Table 8-8.6 has been revised. The corrected information does, in fact, confirm that the rapid bus speeds are generally improved by 20% over local bus speeds.

It should be noted that based on the revised Table 8-8.6, the east-west travel times on local and rapid bus routes appear unusually optimistic compared to the BRT run time. This is another case where the rapid bus alternatives were given favorable assumptions in the transportation demand model.

Comment 20-78

The MTA model did not use the specific routings for the ends of the rapid bus alignments.

Comment 20-79

See Response to Comment No. 14-2 regarding MTA's compliance with Mr. Rubin's Public Records Act Request. The MTA's model calculated the travel time



of the Victory route from Warner Center Station Transit Hub to Victory/Variel intersection as part of intermediate calculations of the overall travel time of the RB Alternatives.

Run time calculations for the Rapid Bus alternatives were solely based on the MTA transportation demand model and were never estimated using the run time model used to generate the busway run times. See response to comment 20-77.



these tests during rush hour (driving a car "like a bus" during rush hour on busy streets is not something I would recommend.)

77. As I describe below, these test runs for the DRFEIR Victory Rapid Bus alignment was one of three different alignments I timed. For all three of these, I attempted to be as fair and consistent as possible, including:

- A. Attempting to accelerate from stops, turn corners, and brake at rates and speeds similar to that of transit buses, and using the same techniques for such for all three routes, ignoring any differences caused by differing characteristics of the different vehicles used on different alignments.
- B. Making right turns on red lights – a far more difficult movement in a bus, particularly during periods of high traffic flow, such as during peak hours – only when there was a large amount of clearance from on-coming traffic. As a practical matter, for real-life bus operations during peak hours, right turns on red by buses at intersections such as from Oxnard to Topanga would be extremely problematic.
- C. I did not exceed the posted speed limits.
- D. The Warner Center Transit Mall is set up with the bus layover zones on the "near side" of the signalized intersection at Owensmouth and Promenade Mall (located approximately half way between Oxnard in the South and Erwin in the North) – that is, the buses will stop to discharge and load passengers before they go through this intersection. Therefore, I started all of my timed trips at the "limit line" (the line preceding the signalized intersection past which vehicles should not proceed until the signal turns "green" in their direction or are otherwise authorized) preceding the intersection, leaving and starting the timer when the light on Owensmouth turned "green."
- E. At the other end of the trip, I stopped the timer when my vehicle passed the "limit line" at the intersection of Victory and Variel. If I had to stop for a "red" light at this intersection, the timing continuing until the light turned "green" and I reached the "limit line."

78. My three test runs for this 1.71 mile distance were 3:02, 4:37, and 4:49 minutes:seconds, an average of 4:49 minutes:seconds, or 4.82 minutes – or an average speed of travel of slightly over 21 mph. This is actually a rather high speed for a bus on this alignment, considering the number of turns and signalized intersections, and it is very doubtful to me if it could be maintained by a bus during peak, or even mid-day, periods.

79. Does MTA agree that these values are fairly produced and valid? Does MTA agree that doing these tests during the evening period when traffic was light, compared to rush hours and mid-day periods, produced travel time results that were likely significantly shorter than if these tests were performed during heavier traffic times?

20-80

Comment 20-80

These comments all present information about run times based on driving each of the rapid bus routes, documenting times and distances, and comparing to MTA times and distances.

The MTA used 2020 as its planning horizon for its ridership forecasts, so travel times should also be based on 2020 rather than current-year travel times. As discussed in response to comment 20-20, future bus speeds are automatically calculated as a function of future highway speeds, based on factors that reflect observed data.

As explained in the response to comments 20-28 and 20-29, a separate run-time model is used when there is a separate operating environment to mixed traffic. Rapid bus run times is appropriately calculated as a function of highway speeds.

For a discussion on MTA's model forecast accuracy on modeling run times for buses, see response to Comment 20-33. For the discussion on how the RB Alternatives were encoded into MTA model, see Response to Comment 20-78. In addition, the data presented in the Revised FEIR on the run times of the RB Alternatives are forecasted run times at the year 2020. Thus, comparing the commenter's "test runs" for a portion of the Victory Rapid Bus route does not offer a valid comparison.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 32
November 22, 2004

80. Now, how long did MTA calculate it would take Orange Line Buses to get from the Warner Center Transit Hub to the beginning of the Busway proper? Turning to the various run time estimates that MTA has produced for inclusion in the Administrative Record (see Exhibit VII), we find that the first two are not usable for this purpose. The run time estimates – Manual Padron & Associates, Figure A-1: Run Time for Bus Rapid Transit (BRT) – 28.8 Minute, Lower Bound, FEIR Technical Appendix: Transit and Transportation, 15 AR 03265 and Figure A-2: Run Time Estimate for Bus Rapid Transit Minimum Operating Segment, 15 AR 03266 – are for travel from North Hollywood to Warner Center, using the longer, “round the block” Westbound route alignment – the wrong route for our current purposes.

81. The third, however – McCormick Rank International, Figure A-3: 36-Minute Run Time Estimate of the BRT Alternative, 15 AR 03267 – is for travel between Warner Center and North Hollywood, the direction we are looking for.

82. For travel between “Warner Center” and “Busway Start” we have a “Total Time Seconds” of 103 – or one minute and 43 seconds.

83. Therefore, between my 4:47 minute estimate of the time required Victory Rapid Bus buses to travel from the Warner Center Transit Hub to the intersection for Victory and Varrel over the insipid MTA alignment and the 1:43 minute projection that MTA uses for Orange Line buses to make essentially the same trip, we have a difference of 3:06 minutes:seconds, or 3.1 minutes.

84. Some readers are likely now asking, “How can this difference be so large, the Victory Rapid Bus taking almost three times as long as the Orange Line buses? Even the extra .70 mile that MTA imposed on the Victory Rapid Bus route for no valid purpose doesn’t appear to explain a difference this big.”

85. The readers who might ask this are correct in questioning it. Referring back to Figure A-3, the 36-Minute BRT Run Time Estimate, note the “Length Feet” between Warner Center and Busway Start of 3,200 feet, or approximately .61 mile. The actual distance, per my measurements, is 1.01 miles, or .40 miles more. The 3,200 foot figure is an error – or worse. Obviously, it takes more time to travel 1.01 miles than it takes to travel .61 miles.

86. Does MTA agree that the distance from the Warner Center Transit Hub to the Busway entrance in Figure A-3 is incorrect? Does MTA agree that the time to travel this distance is understated because of this error?

87. Also note the “Signal Delay Seconds” between these points of 18 seconds – .3 minute. For an Orange Line bus to go through four signalized intersections, including crossing two major streets signalized against its direction of travel (Conoga and Victory) with only 18 seconds of signal delay is simply not going to happen. On my test trips along this route, I generally hit “red

Comment 20-81

Please see Response 20-80.

Comment 20-82

Please see Response 20-80.

20-81

20-82



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 33
November 22, 2004

lights," and often long ones at that, at at least two of the last three intersections, Erwin/Conoga, Erwin/Variel, and Variel/Victory.

88. Does MTA agree that 18 seconds of signal delay time to get through the four signalized intersections along this alignment is significantly understated? Has MTA done its own "real world" tests? Does MTA expect that the City of Los Angeles Department of Transportation would grant it any type of traffic signal priority for this "street running" portion of the Orange Line route, similar to the early tripping of "greens" or delays of "reds" that MTA has proposed for the Orange Line Busway proper? If so, what are the details of such traffic priorities at each intersection, including those "street running" intersections for the Westbound trip to Warner Center by Orange Line buses?

89. I ran my own tests on the FEIR Orange Line alignment Eastbound from Warner Center, and recorded times of 4:02, 3:09, and 3:30 minutes:seconds, an average of 3:34 minutes:seconds, or 3.57 minutes - or 1:49 minutes second, 1.8 minutes, longer than the "A-3" timing.

90. Now, let us start with the time difference for travel between Warner Center and North Hollywood that MTA presents in the DRFEIR - 5.6 to 6.7 minutes, as calculated above - and subtract out the 3.1 minutes disadvantage that MTA has manufactured, and we have a remaining difference of 2.5 to 3.6 minutes.

91. Now, going back to the third map in my Appendix V - Superior Rapid Bus Alignment Superimposed on Orange Line Alignment - I submit that, with the very doable alternative Rapid Bus routing I lay out here, Rapid Bus will be *faster* from the Warner Center Transit Hub to the Victory/Variel intersection. With only one right turn and one change of direction for Rapid Bus, vs. two right and a left turn for Orange Line buses and three changes of direction (counting the right turn from Northbound Variel entering the Busway proper to Eastbound), and, from my observations, a likelihood of significantly longer traffic signal delays, how much difference are we left with?

92. Again, I did my own test runs, which produced 2:47, 3:06, and 2:37 minutes:seconds, and average of 2:50 minutes, seconds, or 2.8 minutes.

93. Does MTA agree that this test was valid and produced reasonable results?

94. The "Superior" Victory Rapid Bus alignment is actually 44 seconds, or .7 minutes, *faster* than the FEIR Orange Line alignment, not the 3:06 minutes:seconds *slower* that would appear to be indicated.

95. Let's subtract this .7 minutes from the 2.5 to 3.6 minutes above, and now we are down to 1.8 to 2.9 minutes difference, and that is with travel time measurements done during a period when

20-82



Comment 20-83

Please see Response 20-80.

Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 34
November 22, 2004

bus travel speeds are far higher than will be encountered during when the vast majority of transit trips will be taken.

20-82

96. Does MTA agree that the above change in the differences between Orange Line and Victory Rapid Bus line end-to-end travel times, due to these various adjustments as discussed above, are valid? Does MTA agree that, if the time trials had been done during rush hour and/or mid-day periods, than the likely result would be that the end-to-end travel times between these two Alternatives would be even closer?

97. MTA has purchased special vehicles to operate on the Orange Line, 60-foot, articulated, Compressed Natural Gas-powered vehicles - See Exhibit VI, "Metro Raised Technology Bar with Super-Sized Metro Liner, Bus Prototype Unveiled Today in North Hollywood," October 13, 2004, "Of the 200 Metro Liners, 22 will be deployed on the Metro Orange Line, a 14-mile exclusive Transitway due to open in 2005."

20-83

98. 60-foot articulated buses, 50% longer than the current American standard 40-foot buses, have advantages for certain transit uses, most notably the approximately 50% larger passenger carrying capacity. However, there are also disadvantages.

99. In this particular, one important disadvantage is that articulated buses are generally slower to accelerate than 40-foot buses, all else more-or-less equal. In fact, as it turns out, the Metro Liner buses have acceleration performance characteristics that are significantly less than the bus operating characteristics assumed by MTA in its calculations of Orange Line running times.

100. Let us again refer to Figure A-3: 36-Minute Run Time Estimate of the BRT Alternatives (15 AR 03267) in Exhibit VII.

101. First, let us examine the travel time between Tampa Avenue and Wilbur Avenue. Reading across A-3, on the line that is, vertically, between these two "Station/Intersection" in the right column, we see that:

- A. The distance between the end points is 2,700 feet
- B. There is a Signal Delay of 12 seconds at Tampa - which means that the bus will begin this segment from a stop
- C. There is no Signal Delay at Wilbur - meaning that the bus will not be stopping at Wilbur for a traffic signal
- D. The Maximum Speed over this segment will be 55 mph
- E. There is a 20 second Dwell Time at Tampa - which means that the bus will begin this segment from a station stop - and no Dwell Time at Wilbur, which means



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 31
November 22, 2004

- there is no station on this end of the segment – meaning that the bus will not be stopping at Wilbur for a station
- F. The Total Time Seconds¹⁶ to cover this distance is 52 seconds (actually, 51.87)
- G. The (average) Speed is 35.49 mph

102. Does MTA agree that the above presentation is a factually correct representation of the data from "A-3?"

103. Now, let us turn to Exhibit VIII, specifically my calculations for the Tampa to Wilbur segment of the Orange Line, and the time-speed-distance schedule for the Orange Line buses. These calculations were made on the basis of data taken from the bid documents, specifically Tab 3, "Vehicle Performance," of North American Bus Industries, the winning vendor in this competition for the *Metro Liner* 60-foot buses that MTA is planning on using on the Orange Line. These may be found in Exhibit IX, specifically the table beginning in the middle of page 5 and extending to page 6, "ALLISON TRANSMISSION DJV – Vehicle Full Throttle Acceleration – Start with Brakes Locked – Clutch Fan Engaged." This is what is commonly known as a "Time-Speed-Distance" Table, showing how many seconds, and how many feet of travel, it takes this particular bus to reach a specified speed with a "Gross Load" of passengers on level ground from a dead stop. This is the table to utilize to determine how long it will take a bus to travel a specified distance from a dead stop.

10.4 Does MTA agree that it is proper to utilize this table for these types of analysis? If not, what should be altered?

105. We know that the distance to be traveled is 2,700 feet and that the Orange Line buses will be starting from a stop on this segment, so, going to the "dist ft" (distance in feet) column, we go down it until we reach 2,700 feet. We find that it will take this bus 53.16 seconds to 2,507 feet and 56.15 seconds to cover 2,716 feet. Using simple interpolation, we find that it will take this bus, under full acceleration, approximately 55.92 seconds to reach the end of this 2,700 segment – which is 4.05 seconds more than is calculated in the MTA run time model¹⁷. (Actually, it will take a bit longer than this. MTA has stipulated a maximum speed of 45 mph through the Orange Line intersections, and, under the above calculation methodology, the *Metro Liner* buses would be doing just under 48 mph when they reached Wilbur at the end of the segment, so they will have to either stop accelerating when they reach 45 mph or slow down from a slightly higher speed to go through the intersection. For this particular segment, this difference in time is minor and will be ignored.)

¹⁶ "Total Time Seconds" includes Signal Delay Time and Dwell Times at stations at the ends, but not the beginnings, of the segments.

¹⁷ Figure A-3 rounds all time to the nearest second. I have recalculated the seconds to hundredths in a schedule that may be found in Exhibit VIII.

Comment 20-84

Please see Response 20-80.

Comment 20-85

Please see Response 20-80.

20-83

20-84

20-85



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 37
November 22, 2004

- A. The distance between the end points is 6,150 feet
- B. There is a Signal Delay at White Oak -- which means that the bus will be stopped at a traffic signal to begin this segment
- C. There is a Signal Delay at Balboa -- meaning that the bus will be stopping at a traffic signal to end this segment
- D. The Maximum Speed over this segment will be 55 mph¹⁹
- E. There is Dwell Time at White Oak, but not at Balboa, which means a station stop at both the beginning, but not the end, of the segment
- F. The Total Time Seconds to cover this distance is 120 seconds (actually, 119.94)
- G. The (average) Speed is 34.94 mph

112. Does MTA agree that the above presentation is a factually correct representation of the data from "A-3?"

113. As my calculation in Exhibit VII shows, in this segment, the very low rate of acceleration means that the Metro Liner requires 4,926 of the total 6,150 feet of this segment to reach 55 mph. This, and the use of the 3.6845 mph/second rate of braking from the Corteen to Laurel Canyon segment, translates into an actual segment travel time over 23 seconds longer than MTA has assumed.

114. Does MTA agree with my calculation? If not, what are its objections and what alternative conclusion would it draw? If MTA offers up different data and/or values, then why was not this material produced by MTA in response to my Public Records Act request on this subject? (See Exhibit XVIII.)

115. There is one additional factor that may cause further travel time overages compared for actual Orange Line operations over MTA's calculated travel times. At those locations where there are both dwell times and signal delays at the same location -- Reseda, Balboa, Sepulveda, Woodman, and Valley College -- the buses will actually stop *twice*, the first time upon reaching the traffic signal, the second time when they reach the station [almost all Orange Line stations, and all but Sepulveda in the Eastbound direction, are "far side" stations, meaning that they are on the "far side" of a traffic signal for an approaching bus]. It takes more "vehicle in motion" time to stop at a traffic signal, then start from a stop, go a short distance, and then stop at a station, than to simply go through the intersection at speed without stopping and then only stop at the station. I am unable to determine how the MTA "A-3" and other run time calculations handle this situation, if at all and, therefore, have made no adjustments for it. However, from what data I have and have been able to analyze, I do not believe that there is an explicit adjustment for this

¹⁹ Unlike the "28.8 minute" run time calculation for the "lower range," which assumed a 55 mph maximum speed on Chandler, the calculation of the 36-minute run time by MTA did reflect the agreed-upon 55 mph lower maximum speed on Chandler.

Comment 20-89

Please see Response 20-80.

Comment 20-90

Please see Response 20-80.

20-88

20-89

20-90

The bus signal priority provided by the City of Los Angeles is that (a) provision of priority for far-side stations is more beneficial for both transit and traffic flow due to the typical very short "green-hold" time (the City's loop detection allows for very precise timing to avoid unnecessary impact on cross-traffic with typical green hold times of just over one second); and (b) allocation of priority time to the single Orange Line will be much easier than allocation of signal priority to many more Metro Rapid lines (both in terms of numbers of lines and intersections, and the competing needs of these lines and intersections with attendant impacts on central signal control processing of continuous interventions). The deployment of BRT with far-side station locations preferred is consistent with industry best practices.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 34
November 22, 2004

factor in "A-3" or the other run time projections and I was unable to determine where any implicit adjust for this factor could be performed in these Figures.

116. In the "A-3" and other Orange Line end-to-end travel time projections, is there any adjustment for such "double stop" situations, as described above? If so, how was this done and what are the calculations? How much time does MTA believe adjustment for these "double stop" segments would add to the Orange Line end-to-end travel times?

117. I have, above, recalculated the travel times for three of the 35 different segments of the Orange Line listed on Figure A-3 and found that the travel time is understated for two of them by a total of approximately 27 seconds, an average of approximately nine seconds for each of the three. It is doubtful that the average added travel time for all 35 segments would be nine seconds (a total of 315 seconds, or five-and-one-quarter minutes), but if the average was even two seconds – a very low figure – then over one minute would be added to the end-to-end travel time.

118. If it was four seconds, then over two minutes would be added.

119. Does MTA agree that the slower rate of acceleration of the *Metro Liner* buses will add end-to-end running time to the Orange Line? Has it made any determination of how much would be added to the end-to-end travel time due to this factor? If so, what is that value?

120. Turning now to Exhibit VII, let us do a comparison of Figures A-1: Run Time Estimate for Bus Rapid Transit (BRT) – 28.8 Minute, Lower Bound and A-2: Run Time for Bus Rapid Transit Minimum Operating Segment.

121. I will hypothesize that MTA favored the "full" BRT, as "timed" in Figure A-1, over the Minimum Operating Segment, as "times" in Figure A-2. Let us see how the timing of these two Alternatives received somewhat different treatment as support for this hypothesis.

122. First, as explained above, in A-1, MTA assumed that the Chandler Boulevard operations on both sides of Laurel Canyon would be at 50 and 55 mph, instead of the 35 mph that it had agreed to in the DEIS/DEIR. The reason for this particular error may be one of timing – note the date near the bottom right of Figure A-1, "24-May-00," almost one full year before the release of the DEIS/DEIR. It appears that the decision to slow down the Orange Line buses on Chandler was made after Figure A-1 was prepared, and someone forgot – or otherwise neglected – to revise it.

123. Does MTA agree that the specification of maximum operating speeds on Chandler in excess of the posted speed limit of 35 was incorrect to use in Figure A-1? If the correct top speed was utilized, how much time would have been added?

Comment 20-91

Please see Response 20-80. Before MTA accepts the articulated bus, the bus OEM is required to certify that the bus it built meets the vehicle performance specified in the contract.

Comment 20-92

Please see Response 20-80.

20-90

20-91

20-92



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 39
November 22, 2004

124. Second, let us go to the other end of the line and check out the largely street running segment from DeSoto/Variel to Warner Center and do some comparison of values between A-1, for the "full" BRT Orange Line, and A-2, for the minimum operating segment (MOS) BRT.

125. Note that the total distance is the same in both - 1.26 miles - and the "bus-in-motion" running times for the three elements are the same - .51, .24, and 1.77 minutes - but the "delay time" (due to traffic signals) is different, a total of 45 seconds for the "full" BRT in Figure A-1, but a total of 63 seconds, or 18 seconds more, for the Figure A-2 "MOS" Alternative.

126. How can two evidently identical buses, running the same route, somehow have such different experiences with traffic signals? Even more interesting, the differences do not involve where the "A-1" buses turn off of the Busway, but the "A-2" buses make a left off of Victory, at the beginning of this segment - where there could be a logical reason for some differences in timing - but at the very end of the segment where they have both been traveling on surface streets for a significant distance. What is MTA's explanation for these differences in running times in what appears to be identical operating environments and conditions?

127. This 18 second difference is not, in and of itself, a major factor, but it does illustrate a very strong and consistent pattern that is found throughout the FEIR and DRFEIR - wherever there is an error, a misstatement, or a difference of any type, it always favors the MTA preferred Orange Line Alternative.

128. These differences do not directly impact the running time comparisons between the Orange Line and Victory Rapid Bus - other than to illustrate a pattern of behavior - but there is something on "A-2" that does impact it. In the "MAX. Speed" column, note the "35" (mph) maximum speeds for the segments from Balboa/Victory to DeSoto/Victory, when the "A-2" MOS buses are operating in street-running traffic on Victory Boulevard, a distance of 5.14 miles.

129. The actual speed limit on this segment of Victory Boulevard is 40 mph.

130. And this is exactly the same route that the Victory Rapid Buses will be traveling - except that the Victory Rapid Bus route extends further East on Victory, to Haskell, an additional 1.50 miles, before the 40 mph speed limit goes back to 35 mph, for a total of approximately 6.64 miles where the speed limit for the Victory Rapid Buses is higher than MTA has utilized. The 40 mph speed limit actually extends to Covoga in the West, another long block, but we'll ignore that for our current purposes.

131. I do not have the detailed algorithms required to determine exactly how much time this "less than speed limit" speed restriction added to the Rapid Bus trip times for this segment, so I will use a simple approach. To travel 6.64 miles at a constant speed of 35 mph, it takes 11.38 minutes; at 40 mph, it takes 9.96 minutes, a difference of 1.42 minutes. Because the buses will be braking and accelerating for stops and for traffic signals, they will not be traveling at a

Comment 20-93

Please see Response 20-80.

Comment 20-94

Please see Response 20-80.

20-93

20-94



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 46
November 22, 2004

constant 40 mph, so let's toss out the .42 minutes (25 seconds) and just say the difference is one minute, even.

132. My aunt and uncle lived almost in the middle of this section of Victory and I have traveled this stretch of road uncounted times over the past three decades. I can say with a very degree of confidence that, the vast majority of the time, the only problem that a vehicle in motion doing 40 mph would have on Victory is the danger of being rear-ended by a vehicle driving considerably faster.

133. Does MTA agree that the speed limit on Victory Boulevard between Hasbani in the East and Comoga in the West is 40 mph and that it was improperly stated as 35 mph in the "A-2" run time calculation? How much did this error improperly add to the run time? Was this lower speed limit assumption improperly included in the run time projections for Victory Rapid Bus? Were the run time calculations for other Rapid Bus lines in the three Alternatives also improperly impacted by incorrect speed limits? If so, which lines and what were the impacts?

134. There is a very significant possibility that the Orange Line will be far slower than MTA is projecting, far slower than even the 40 minute "upper bound." The reason is the strong possibility that a high rate of bus-vs.-auto/truck/pedestrian/cyclist collisions, injuries, and fatalities will lead to Busway buses being significantly slowed, or even required to come to a full stop, at each grade crossing, rather than proceeding through at speeds up to 45 mph. This topic is discussed in greater detail in my comments at page 8.4.13-1, Section 8-4.13 Safety and Security, below, but the short version is that there is only one busway like this in the United States, in Miami-Dade, Florida, and its extreme safety problems led to all busway buses coming to a complete stop at all grade crossings, and it has been this way for the last five years. Since the only comparable Busway in the U.S. has had this extremely negative experience, leading to a complete elimination of all "fast through intersection" operations that were planned for it, MTA has no basis for saying that it cannot happen here and that such safety factors, directly impacting operating speeds, can be ignored.

135. Finally, there is one last potential problem from these segment travel time calculations. When MTA was establishing Line 720, the Wilshire-Whittier Rapid Bus line, the City of Los Angeles Department of Transportation made changes to the traffic signaling patterns over its segment of this line. One of these changes was the now well-known "limited priority" granted to Rapid Buses, where "green" signals for the bus may be triggered early or green signals extended to allow the buses to "make" the light. However, LA-DOT also made changes to the traffic signal progression pattern on Wilshire that did not involve the transponders on the buses and "advance loop" detection devices to trigger these individual changes in signal timing. In the simplest terms, LA-DOT changed the interval between signals at successive signalized intersections, based on the "normal" travel time of Rapid Buses, to give the buses a better chance at getting "green" signals without the use of special limited priority measures and equipment.

20-94

20-95

20-96

Comment 20-95

It is not expected that there will a high rate of accidents due to the operation of the BRT Line, and thus there is no need to slow down or stop the buses at each grade crossing. The buses will, for most of the route, be traveling parallel to an adjacent east-west street, and will be approaching the cross streets at the same time as adjacent traffic. This cross-Valley travel will be controlled by synchronized traffic signaling, enhancing the safe operation of the busway and all intersecting streets. (In addition, see Responses 20-80, 20-189 and 20-195)

Comment 20-96

Please see Response 20-80.

The City of Los Angeles did update the signal progression along to minimize unnecessary interventions by the control system to provide Metro Rapid priority. The changes did not fundamentally change Metro Rapid operating speeds, but rather simplified the signal processing for the City, given the very frequent Line 720 service along Wilshire Boulevard.



136. I believe that LA-DOT is, or will be, performing this same type of traffic signal progression change along the Orange Line. In such an operation, the timing changes must be calculated on the basis of rates of acceleration and deceleration for buses that are actually going to be used on the Orange Line – if the changes are based on buses that are faster than the buses that will actually be operated on the Orange Line, there could be a considerable disconnect – the new signal progression pattern for the Orange Line could be triggering “green” lights for Orange Line buses that aren’t there yet.

20-96

137. Is MTA working with LA-DOT to incorporate such changes into the Orange Line operating plan? If so, is MTA asking LA-DOT to make changes to traffic signal progressions on the basis of the bus acceleration rates in the “A-1,” “A-2,” “A-3,” or “A-4” schedules, or on the basis of the acceleration schedules of the Metro Liner buses?

138. Also, MTA recently received the first version of these buses, as evidenced by the aforementioned press release. Did MTA perform run tests on this bus? If it did run such tests, did the actual performance of the bus match the performance projections in the bid documents? If not, what actions will be done to either attempt to bring the buses into compliance or change the travel time assumptions for the Orange Line buses?

20-97

139. One last comment regarding MTA’s end-to-end run time projections for the Orange Line: In the series of press releases above, we can see how the “official” MTA run time given to the press and the general public increased from “approximately 30 minutes” when the DEIS/DEIR came out and when the Orange Line was selected as the Locally Preferred Project to “approximately 35-40 minutes” when the FEIR was released and adopted. However, the latest version of the Orange Line end-to-end run time is “approximately 40 minutes” – without the “35 minute” lower end of the range – and, interestingly enough, this straight 40 minute projection comes in a press release announcing the unveiling of the Metro Liner.

20-98

140. Was the “dropping” of the 35 minute run time done because of the realization that the Metro Liner buses would be slower than the performance of buses that were utilized to make the original run times, and/or for other reasons? What were the specifics of the change(s), including the when and why?

141. It is important to understand the impact of MTA’s actions to make the Victory Rapid Bus line appear slower through the various means detailed above – it significantly reduces ridership in comparison with the Orange Line. Speed is an important factor in attracting riders, and MTA’s tactics mean that MTA’s model runs will project fewer riders on the Victory Rapid Bus line, relative to the Orange Line, for reasons that are not valid – do not exist – in the real world.

20-99

142. This is particularly significant in the matter of passengers, and potential passengers, for the Victory Rapid Bus line that would be boarding at Warner Center. By the sub-optimal routing from the Warner Center Transit Hub to Victory/Variel, MTA has, in effect, added several

Comment 20-97

MTA did not perform run tests on the *Metro Liner* bus on San Fernando Valley East-West Transit Corridor because construction of the corridor was not yet complete. Generally the bus OEM works on the torque and power curves of a power plant to attain the required vehicle performance.

Comment 20-98

As project progresses, details of its operation are negotiated and refined. As stated earlier, policies for transit priority/pre-emption may be modified in the future which can, in fact, move the travel time of the project closer to the way it was originally envisioned.

Comment 20-99

The methodology to calculate rapid bus travel times was strictly based on its relationship to highway speeds. There is no sinister attempt to make rapid bus travel times any slower. The model did not include any time-consuming turnarounds at the ends of the route, so if anything assumed more favorable conditions than what may turn out to be in actual operations.

In terms of the comments on model sensitivity with respect to travel time, fleet size and ridership, the MTA model was documented and accepted by FTA during the course of Eastside LRT Full Funding Grant Agreement process. The sensitivities of the model are directly related to (1) the coefficients of travel time components assumed in the model, as well as (2) the modal shares in the travel market. The former had been scrutinized and considered within accepted range by the FTA. The latter were based on the observed data from regional travel survey and on-board transit surveys.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 41
November 22, 2004

minutes to the Rapid Bus travel time from Warner Center to the Victory (and Vanowen) Rapid Bus stops. This unjustified addition of run time works directly to move some potential passengers between these points to select another option – under the logic of transportation models such as that utilized by MTA – thereby unfairly and improperly reducing the Victory (and Vanowen) Rapid Bus ridership.

143. Under the logic and methodology of the MTA transportation planning model, how much does this unjustified increase in travel time for the Victory Rapid Bus line reduce its ridership? How much do slower run times increase the number of buses, and the capital costs, for Rapid Bus? How much do they increase the operating costs by requiring more buses, and more vehicle operators, and more maintenance? How much does the faster than realistic Orange Line travel times increase its ridership? I note that the Orange Line daily boardings are reduced from 24,700 with the discredited 28.8 minute travel time to 18,700 for the 40 minute travel time (DRFEIR, Table 8-6.5: Ridership, page 8-6-9. How much would further slowdowns, past 40 minutes, impact ridership?

144. Before leaving the topic of Metro Liner buses, there is one other matter to consider. On the "Vehicle Performance" section, I direct your attention to page 1, the third line of the detailed specifications, "24000 lbs weight on drive wheels (38.1%)." 20-99

145. This appears to be the weight of Metro Line with a "Gross Vehicle Load," the usual standard for such testing of vehicles. "Gross Load" means, according to the American Public Transportation Association Standard Bus Procurement Guidelines²⁰ means the weight of the bus, all tanks full, a driver on board, all passenger seats occupied, and one standee passenger for each 1.5 square foot of standing room, with an average weight per human being of 150 pounds. [See Exhibit X, American Public Transportation Association Standard Bus Procurement Guidelines – Low Floor CNG [excerpts], specifically Section 5.1.2, "Definitions," items (5) Curb Weight, (6) Seated Load, (7) Gross Load, and (9) Gross Vehicle Weight, page 6.]

146. I ask that MTA either confirm that above is the methodology that was utilized to produce the 24,000 pound load on the drive wheels, and the 63,050 pounds "gross vehicle weight" on the previous line in this schedule, or describe the methodology that was utilized to produce these statistics.

²⁰ The American Public Transportation Association (APTA) is the primary trade association and lobbying group for the United States public transit industry. It publishes a series of Standard Bus Procurement Guidelines for different types of buses. The definitions discussed above are taken from the "Low Floor CNG" (compressed natural gas, the fuel for the Metro Liner buses) guidelines, intended for 15/40 foot heavy-duty CNG-powered buses. There is no current APTA guideline for 60-foot articulated vehicles. The "Definitions" section of the various APTA Standard Bus Procurement Guidelines are, for the most part, identical between the various other Bus Procurement Guidelines for items that are not unique to the various types of buses, constituting the *de facto* U.S. transit industry standard.

20-99

20-100

Comment 20-100

We could not find "Vehicle Performance" section in the DRFEIR referenced in Rubin's comments regarding "24000 lbs weight on drive wheels (38.1%)." As a result, we are unable to confirm if the "Gross Vehicle Load" defined in *American Public Transportation Association's Standard Bus Procurement Guidelines* was utilized to produce 24,000 pound load on the drive wheels and 63,050 pounds "gross vehicle weight."

MTA acknowledges California Vehicle Code Section 35554. Before the bus acceptance by MTA, the bus OEM has to certify that the vehicle's axle loading meets federal, state, and local codes and regulations.



147. I now refer to California Vehicle Code Section 35554, which states, "Notwithstanding Section 35550, the gross weight on any one axle of a bus shall not exceed 20,500 pounds." (Section 35550 has no bearing on the point I am making.)

148. Therefore, it would appear that, for a *Metro Limer* to be legally driven on the streets and roads of California, it would have to shed a minimum of 3,500 pounds (24,000 pounds - 20,500 pounds) on the drive wheel axle. Since the only way that this load can be reduced is to reduce the number of passengers carried, at 150 pounds per passenger, that would mean a reduction of 24 passengers (rounded up, as it is not possible to eliminate a "partial" passenger). The passenger load must be reduced by this amount over the drive (middle) axle area *only*.

149. Are the MTA operating plans for this bus based on compliance with this statutory requirement?

150. From the data available, we do not know if the front and rear axles will be in compliance. Reducing the 63,050 pounds total gross weight by the 24,000 pounds on the drive axle leaves 39,050 pounds to be split between the front and rear axles, an average of 19,525 pounds, or 975 pounds under the 20,500 pound limit. However, in buses, the load on the front axle is almost always far less than the load on the other axles - as the two single tires on the front axle, as opposed to the four tires in "dual" mounts on the other axles, clearly evidences. Therefore, it should not be surprising if the rear axle, in the gross load test, is also over the statutory limit - which would require more reductions in the allowable number of passengers to be "legal."

151. Has MTA conducted an axle load test for all three axles to make the determination of what the maximum passenger load for each axle, and for the bus as a whole, are? If so, what are the results?

152. There is, of course, a special condition that applies to MTA and the Orange Line - the Orange Line Busway proper is designed to be an exclusive busway owned and operated by MTA. As such, it is, arguably, *not* a public road and the Vehicle Code weight restrictions might not apply - to buses operating on the Busway.

153. However, the Orange Line crosses almost three dozen different streets along its exclusive busway path and runs on the streets in Warner Center for approximately one mile or 1.3 miles, depending on direction of travel. In these places, operating on city streets, the Vehicle Code weight restrictions *would* appear to apply²¹.

²¹ Of course, the 178 *Metro Limer* buses that will not be utilized on the Orange Line (MTA press release) will operate on the public streets and roads and will, I assume, be under the VC 35554 requirements, but this is an apparent potential violation of statute that will be left for another place on another day.

20-100

20-101

20-102

Comment 20-101

MTA does not conduct an axle load test. It is the bus OEM's responsibility to conduct an axle load test among other tests in order to certify that the vehicle meets federal, state, and local codes and regulations.

Comment 20-102

While acknowledging California Vehicle Code Section 35554, MTA takes no legal position on this vehicle code. Vehicle certification to federal, state, and local codes and regulations is the bus OEM's responsibility.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 44
November 22, 2004

154. Has MTA taken a legal position as to the application of VC §35554 to the Orange Line route and its various parts? If so, what is this position?

20-102

155. Assuming that MTA will not be able to operate *Metro Liner* buses on the Orange Line with their "full" passenger load, this would appear to imply that more frequent service may be required to handle the anticipated loads with fewer passengers on each bus. This, in turn, would increase both the capital and operating costs of the Orange Line and would decrease its "scores" compared to the Rapid Bus alternatives.

20-103

156. Has MTA performed such an analysis? Has it made a determination how it would avoid violation of VC §35554? Has it determined how many additional buses, bus runs, and expense would be required to be in compliance with this statute? What were the results of this analysis, if conducted?

157. There appears to be some evidence that MTA has been aware of this problem for many months. At its July 22, 2004 meeting, the MTA Board adopted item 29, "Authorize the Chief Executive Officer to Issue Change Orders to Contract No. C06075 with Shimmick Construction Co., Inc./Obayashi Corporation, J.V. (SOJV) for the Design and Construction to Upgrade the Busway Pavement Structural Section for the Metro Orange Line Project for an Amount Not to Exceed \$2,000,000, Increasing the Total Contract Value from \$157,607,839 to \$159,607,839." (See Exhibit XI.)

20-104

158. The primary purpose of axle weight limits is to prevent excess wear and tear on roadways. It appears that MTA, in the above action, may have provided significant evidence that the *Metro Liner* buses will have significant problems in this regard.

159. Referring to Exhibit XXIV, Metro Orange Line August 2004 Monthly Project Status Report, page 3, "Concern No. 3 Traffic Index of the busway pavement design," we see, "MTA technical staff determined that the pavement thickness proposed by the C0675 contractor for Asphalt Concrete (AC) paved segments of the busway is not sufficient to ensure a twenty (20) year design service life under axle loads anticipated from the articulated buses proposed for use on the facility?"

160. What was the axle load referred to above? What data was utilized in the determination of the necessity to upgrade the busway pavement? What passenger loads, and vehicle weight and axle loads for all three axles, were assumed?

20-105

20-106

20-107

20-108

161. Page RS-9, Figure RS-2 - Map of the RB-5 Alternative Including Routes and Stops - Many of my concerns regarding this Alternative parallel those for the RB-3 Alternative, particularly those concerning the route alignment for the Victory Rapid Bus and the comparative end-to-end run time with the Orange Line. I will not duplicate these comments here, but they most certainly do apply.

Comment 20-103

The bus OEM is obligated to certify vehicle conformance to federal, state, and local codes and regulations. We do not anticipate changes in the service frequency. Hence there would be no increase in the capital and operating costs of the Orange Line when compared to the Rapid Bus alternatives.

Comment 20-104

As mentioned in the Board item # 29 (adopted at the July 2004 Board meeting), the City of Los Angeles expressed their concern that SOJV did not consider the projected weight of the 60 foot articulated buses in the calculation of TI using the Caltrans method. Accordingly, MTA and preliminary engineering consultant, STV Inc, re-evaluated the TI value. Based on re-evaluation, it was concluded that the methodology used in calculating the TI value of 9.5 was incorrect, and that the TI of 11.0 is the appropriate design parameter to use for the busway. Caltrans methodology uses Equivalent Single Axle Loads (ESAL's) generated by Truck Traffic, which consist of average axle loads (measured at weigh station) of various combination of three axles vehicles, ranging from empty pick-up truck with trailer to fully loaded truck. However, for the pavement design of the busway (no truck traffic), MTA undertook additional measures to ensure that the Caltrans 20-year ESAL's projection were properly adjusted to address a bus only exclusive facility. The City of Los Angeles Pavement Evaluation Design Unit, and Caltrans Headquarters Division of Design Office of State Pavement Design, were consulted on this issue and also concurred with the revised TI calculation method.



Comment 20-105

The manufactures estimated gross vehicle weight rating of the proposed 60-foot articulated bus at the time when TI was re-evaluated is as follows:

Front axle – 14,780 lbs

Middle axle – 21,080 lbs

Rear axle – 27,120 lbs

Comment 20-106

What data was utilized in the determination of the necessity to upgrade the busway pavement?

Traffic Index (TI) and R-value. The 60-ft articulated bus has 3 axles – each with different loads, the combined loads of the 3 axles are used to calculated an ESAL, which is then used to determine the total 20-year ESAL's, which is then used to determine a Traffic Index used to design the pavement. The R-value is determined by soil analysis.

Comment 20-107

What passenger loads and vehicle weight and axle loads for all three axles were assumed?

The estimated passenger loads and vehicle weight at the time when TI was re-evaluated is as follows:
Peak hours - 100% seated plus 12 standing (53,861 lbs)

12,933 lbs front axle

15,593 lbs middle axle

25,335 lbs rear axle

Non-peak hours - 50% seated (47,465 lbs)

11,190 lbs front axle

14,895 lbs middle axle

21,445 lbs rear axle



162. In my comments regarding the RB-3 Alternative, I was critical of the Sherman Way Rapid Bus alignment because it failed to take advantage of line extension opportunities to serve the Burbank CBD/Media Center, the Burbank Metrolink station, and/or the Universal City Red Line Station. These comments also apply to the RB-5 Alternative.

162. While I critiqued MTA's RB-3 Sherman Way Rapid Bus route alignment as lacking imagination, the RB-5 Sherman Way Rapid Bus route alignment is just plain bad.

163. Between these two Alternatives, there is one significant difference between the Sherman Way Rapid Bus alignments at their Eastern ends. Coming from the West, the RB-3 Sherman Oaks alignment turns right (South) at Lankershim, terminating at the North Hollywood Red Line station. The RB-5 Sherman Way alignment continues East past Lankershim, terminating at Vineland.

164. Why is this a bad route design? Let us turn to Table 8-6.5: Ridership, page 8-6-9. For the RB-3 Sherman Way line, we see Daily Transit Boardings of 10,900. For the RB-5 Sherman Way line, we see 6,800, 4,100 fewer, a reduction of 38%. This is clearly a less preferable routing and it should have been rejected and replaced, by the RB-3 routing if MTA was unwilling to investigate any of the other options I have presented above.

165. While MTA has been very careful not to provide any data on revenue vehicle miles, revenue vehicle hours, or peak bus requirements by line in the DRFEIR, a simple look at the RB-3 and RB-5 route maps on pages RS-8 and RS-9, respectively, clearly shows that the RB-3 Sherman Way alignment is only slightly longer than the RB-5 Sherman Way alignment, meaning that the savings in capital and operating costs from the shorter RB-5 alignment would be very minor, at best.

166. Since the RB-3 Alternative Sherman Way Rapid Bus alignment is clearly superior to the RB-5 Sherman Way route alignment in terms of ridership generated and related factors, such as cost-effectiveness, why did MTA not modify the RB-5 Sherman Way Rapid Bus alignment to be at least as good as the RB-3 routing?

167. Sticking with Table 8-6.5: Ridership, here we have strong evidence here that my critique of the RB-3 Alternative for including the Vanowen Rapid Bus line is proven. I had observed that, if the Vanowen Rapid Bus line did not exist, then most of its 5,200 riders would likely choose to walk a bit further North or South and ride the Victory or Sherman Way Rapid Bus lines instead. With no changes to alignment, or anything else I can determine from the FEIR, the Victory Rapid Bus ridership in RB-5 rose to 16,100, 2,800 higher than the same line in the RB-3 Alternative. The first notion would be all 2,800 came from the RB-3 Vanowen riders. The second notion would be that most of them did, but there were some RB-3 Sherman Way riders

Comment 20-108

Calculation of run time is addressed in various responses to comments (for example, see responses to comments 20-20, 20-28, and 20-76).

20-109

Comment 20-109

The suggested variations to extend the Sherman Way route in the RB-5 Alternative are not considerably different from the analyzed RB-5 Alternative. See Response to Comment Nos. 20-50 through 20-55 for a discussion on how the suggested variations to extend the Sherman Way route are not considerably different from the RB-3 Alternative. See Response to Comment No. 6-3 for a discussion on suggested variants that are not considerably different from the RB Alternatives.

20-110

20-111

20-112

RB-3 and RB-5 were configured to best test the alternatives proposed to the Court. RB-3 followed the proposal to provide three east-west lines serving the North Hollywood Metro Red Line station. The COST proposal recognizes that the major destination in this area of the San Fernando Valley is the Red Line and service from all three corridors was modeled to provide fast and attractive service to the North Hollywood station per the proposal. Other alignment extensions would have provided minimal additional ridership access while increasing the travel time to this key destination and additional operating cost. RB-5 called for a full network of north-south and east-west services spaced across the Valley. Existing transit services in the areas east of Lankershim/Vineland to downtown Burbank and south of Sherman Way/San Fernando Road to the Burbank Media District (have had significantly lower patronage than the other core areas of the Valley. In the interest of developing competitive alternatives, RB-3 and RB-5 were modeled to provide



the best balance of ridership and costs. Note that MTA's adopted Metro Rapid expansion plan does not include services in these areas from the Valley.

Comment 20-110

See Response to Comment No. 4-2 for a discussion on why Sherman Way route as part of the RB-5 Alternative is reasonable route.

RB-5 does not include a Sherman Way Metro Rapid line; however, RB-Network alternative does include a Sherman Way line and assume that the writer is referring to this alternative. The "just plain bad" Sherman Way alignment closely followed the COST proposal recommended to the Court. As noted in comments to 20-109, the service east of Vineland and south of Bob Hope Airport have historically been low performers for transit and nothing in the review indicated that extending the Sherman Way line to the Burbank Metrolink Station, Burbank Media District, and Universal City would have improved the cost effectiveness of this line and alternative.

Regarding inclusion of the Vanowen Metro Rapid in RB-3, this was also done to provide the Court and the MTA Board with the results of this alternative proposed by COST. As the writer notes, the other alternatives tested provide various results for different iterations of these scenarios. MTA did not think that RB-Network was an optimal alternative, but wanted to test it for the Court. The key elements in RB-Network (notably Victory and Sherman Way) were also tested in alternative RB-3 and Victory in RB-5 as well.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 44
November 22, 2004

that shifted to the RB-5 Victory Rapid Bus line in order to access the North Hollywood Red Line station and other destinations.

168. If we assume that some of the RB-3 Vanowen Rapid Bus riders did utilize the RB-5 Sherman Way Rapid Bus line - which is just about a dead lock certainty - then the reduction in Sherman Way Rapid Bus ridership from the RB-3 to the RB-5 Alternative is even more striking.

169. While what MTA did to the Sherman Way Rapid Bus alignment in RB-5 is bad, the other three RB-5 Rapid Bus lines - Oxnard, Burbank, and Chandler - can only produce one comment: whatever was MTA thinking? The ridership for these three lines combined is 6,400 - less than even the neutered RB-5 Sherman Way Rapid Bus line.

170. I am forced to admit that, at one point in my consideration of Rapid Bus lines in the San Fernando Valley, I did examine a Rapid Bus alignment that would more or less follow the Orange Line alignment on surface streets. However, after a bit of research, I decided that this was unlikely to be a good routing because there were simply not a lot of riders or destinations along most of the route, particularly riders and destinations that would not be better served by service on Victory. The RB-5 Alternative ridership validates my good judgment in abandoning this failed idea, but does not explain why MTA would consider such lines if its objectives was to provide good transit service.

171. These three Southernmost RB-5 routes are all truly insipid. Two, Oxnard and Chandler, are so short as to be in basic conflict with one of the central underlying realities of Rapid Bus - in order to save sufficient time through faster bus operating speed to be meaningful, the passenger's trip length has to be of some length, and, generally, this means that Rapid Bus routes have to be of a certain minimum length. The Chandler Rapid Bus route is 4.3 miles and the Oxnard Rapid Bus route six miles (page 8-2-7). There is simply no way to save any significant amount of time on a 4.3 mile route, or six mile route, through Rapid Bus techniques. And, as MTA well knows from its attempts to operate bus service on Chandler to show that the Orange Line will not disrupt the community, there are really not all that many people along Chandler that have any interest in taking an East-West bus.

172. The Burbank route is, well, I can't say better than the first two, I will say "less worse." It is a bit longer, at 10.8 miles, but it still really doesn't serve any trip generator that is not now served fairly well by other routes. Particularly on the West side of I-405, it is not all that far from Ventura Boulevard, where the 750 Rapid Bus route offers superior access to points of interest.

173. In the RB-3 Alternative, I strongly criticized MTA for cramming three Rapid Bus lines into a mile-wide corridor, North-South. At least all three of the RB-3 Rapid Bus streets had strong "local" bus ridership, with at least two of them (Victory and Vanowen) having over 10,000 working weekday riders (FEIR, page 1-10). But, in the RB-5 routing, MTA has crammed four

20-112

Comment 20-111

See Response 16-3 for a discussion on the same variation suggested by the commenter here.

Please see Response 20-100 for additional information.

Comment 20-112

Staff concluded that the RB-3 and RB-5 alternatives offered by commenters were reasonable and worthy of additional analyses. With the analysis based on 2020 projections of population, land use, and travel patterns, streets that may not currently warrant service may do so in the future, and are therefore worthy of study and analysis.

Regarding Chander Boulevard, it is four lane road (separated by a median) that directly parallels the BRT right-of-way and provides direct access to/from the North Hollywood Red Line Station to Van Nuys Boulevard. Rapid Bus service on Chandler would provide the most direct route to the Red Line station for travelers heading up from the south and transferring at Chandler. Chandler Boulevard also has numerous institutional uses, schools, offices, retirement homes, multi-family housing, and various intersecting bus services. In the year 2020, the NoHo arts district is expected to not only be a major transportation hub, but also an important business, residential, and arts district, serving as both a trip origin and destination.

Oxnard Boulevard was studied as an on-street alternative to the BRT during the DEIR. It provides access to a park-and-ride lot adjacent to the 170 freeway, multi-family housing, Laurel Plaza, Grant High School, Valley College, the Van Nuys government and shopping districts, office and



commercial uses on Sepulveda Boulevard, and various intersecting bus services.

Burbank Boulevard provides access to multi-family housing, commercial uses, Valley College, the Van Nuys business district, the Sepulveda Recreation Area, and numerous commercial and medical uses in the Tarzana area.

Clustering Rapid Bus service in the RB-3 and RB-5 alternatives was worthy of study in that people's propensity to use transit increases the closer the service is to their origin and destination. These alternatives offered very competitive scenarios to the BRT by providing a number of lines in an east/west direction that served to limit walking distances and the need for transfers.

Please see Response 20-100 for additional information.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 47
November 22, 2004

Rapid Bus lines (Victory, Oxnard, Burbank, and Chandler) into one-and-one-quarter miles, three (Oxnard, Burbank, and Chandler) into three-quarters mile, and two (Burbank and Chandler) into a quarter-mile - and, with the exception of Victory, none of these is a particularly good transit street, and Chandler is particular is a very bad transit street (which makes running the Orange Line down it somewhat questionable, to say the least, at least in terms of ridership along this section of the alignment).

174. I can only ask the question, did MTA deliberately set out to design some of the worst possible Rapid Bus routes? Consider that a rhetorical question, but, whether it did or not, it succeeded. But, what was the reasoning and the justification for consideration of Rapid Bus on these routes? After the extremely poor results when ridership was modeled, why did MTA not attempt to improve the Alternative to the point where the performance was better?

175. Page RS-10, Figure RS-3 - Map of the RB-Network Alternative Including Routes and Stops - Interestingly, this option has three East-West Rapid Bus lines (Victory, Roscoe, and Devonshire), three that are almost exclusively North-South (Topanga Canyon, Reseda, and Sepulveda), two more that are primarily North-South with "diagonals" at their Northern ends (Van Nuys and Laurel Canyon), and one more that is an almost "pure" diagonal (San Fernando Road). Evidently, MTA has included all the costs, capital and operating, of all of these lines in the costs of the RB-Network Alternative.

176. I now refer the reader to Exhibit XII, MTA Metro Rapid Plans, which is taken directly from the Metro Rapid (Rapid Bus) segment of the MTA web site. Referring to the "Metro Rapid Phased Implementation" map, it appears that MTA already has plans for implementing Rapid Bus on many of the same routes, or close to the same routes (primarily North-South), as are included in the RB-Network Alternative. (Note that the decision to implement these lines was made by the MTA Board at its September 2002 meeting; see Exhibit XI - September 18, 2002 (10) - Approve Implementation of the Metro Rapid Five-Year Implementation Plan. This was several months after the MTA Board had adopted the FEIR in February 2002.)

177. Let's examine the four North South Rapid Bus lines in the MTA's published Metro Rapid Plan and compare them to their six comparable lines in the RB-Network Alternative. Working from West to East, we have:

- A. RB-Network has a North-South Rapid Bus route on Topanga Canyon; there is no comparable line in the Metro Rapid Plan. This is somewhat similar to a Rapid Bus extension that COST has previously proposed (see my September 16, 2004 letter to Roger Snoble), but has some significant differences. COST proposed consideration of Rapid Bus service on Topanga Canyon as an extension of the Ventura (750) Rapid Bus line, in a manner similar to how the "local" Ventura bus line (150) is extended part of the way North on Topanga Canyon, but not all the way to North side of the Valley.

Comment 20-113

The commenter correctly notes that the decision to implement certain north-south Rapid Bus lines in the Valley was after the FEIR was originally certified. The FEIR did not consider the effects of these now-approved lines on the Project or its alternatives. The Revised FEIR used the same baseline, updating only if data was unavailable, in order to get the closest underlying circumstances for comparing the RB Alternatives to the Project. If MTA were to consider the effect of these new Rapid Bus lines, MTA would have to reanalyze the Project, requiring a rewrite of the entire EIR. The Court of Appeals did not require MTA to reanalyze the entire Project, but only to consider the additional alternative of multiple Rapid Bus routes.

Comment 20-114

The commenter attempts to compare the subsequently approved N-S Rapid Bus lines with those on the RB Network. See Response to Comment No. 20-113 for the discussion on why subsequently approved N-S Rapid Bus lines were not considered in the Revised FEIR. See Response to Comment No. 4-2 for a discussion on MTA's reasoning for choosing the configuration of the RB-Network. MTA analyzed the RB Network proposed by COST and found that, with a few minor tweaks, it would provide a reasonable network of multiple Rapid Bus routes for analysis. MTA did not extend these routes to mirror those approved now because they extend beyond the Project area. In addition, the same east-west multiple-route benefit would not be achieved by merely incorporating these existing north-south Rapid Bus lines because existing transfer points are inefficient and take excessive time thereby detracting from their use for interconnecting public transit to the east-west routes of the RB Network.

20-112

20-113

20-114



- B. Both RB-Network and the Metro Rapid Plan have a Rapid Bus line on Reseda, but there are very significant differences between the two routes. The RB-Network line is a simple North-South line operating between Ventura in the South and Devonshire in the North. The Metro Rapid line - scheduled for implementation between December of 2005 and June of 2006 - has two variants. The simpler one appears to service Plummer²² in the North. Heading North, the more complex one turns East on what appears to be Nordhoff, then (with a dogleg in-between) North on Sepulveda, and eventually to San Fernando Road and approximately Hubbard.
- C. Both RB-Network and the Metro Rapid Plan have a Rapid Bus line on Sepulveda, but the Metro Rapid Plan line (scheduled to begin operations between December 2004 and June 2005) extends significantly further North than the RB-Network line. The RB-Network Rapid Bus Line terminates at Chatsworth. The Metro Rapid Plan operates on the same route as the Metro Rapid Plan Reseda line to San Fernando Road and approximately Hubbard.
- D. Most curiously, there is an existing Rapid Bus line now operating on Van Nuys (Line 761), running from Van Nuys and Foothill Boulevard in the North to Van Nuys and Ventura, then West to I-405 and over the hills to Wilshire and Sepulveda in Westwood. The Rapid Bus line proposed in RB-Network stops at Van Nuys and Ventura. The only way that I can interpret what MTA is proposing on Van Nuys in the RB-Network plan is that it proposes to significantly shorten the existing line 761, a very important route providing service from the San Fernando Valley to Westwood and the other Westside destinations. Is this really what MTA is proposing?
- E. RB-Network has a line on Laurel Canyon; the Metro Rapid Plan does not. The RB-Network line runs from Van Nuys and Laurel Canyon in the North to Laurel Canyon and Ventura in the South.
- F. The Metro Rapid Plan has a line on Lankershim; the RB-Network does not. The Metro Rapid Plan line (scheduled for operation between December 2006 and June 2007) begins at San Fernando Road and Hubbard in the North and ends at the North Hollywood Red Line station.
- G. Both RB-Network and the Metro Rapid Plan have lines on San Fernando Road (in addition to the Metro Rapid Plan's Lankershim line, which has at least as much of its length on San Fernando Road as it has on Lankershim). The two lines are very different. The RB-Network line operates from San Fernando Road and approximately Hubbard in the Northwest to Burbank Airport Metrolink station. The Metro Rapid Plan line operates from the Burbank Metrolink station in the Northwest to the Glendale CBD and returns to San Fernando Road to eventually reach the Los Angeles CBD.

²² The "Metro Rapid Phased Implementation" map is very short on street names and other geographic description data. Street names for these routes in my narrative above are my best approximation and may not be correct in every detail.

20-114

The inclusion of Topanga Canyon as an extension of the Metro Rapid was deemed inappropriate. First, the key demand point will continue to be Warner Center for the Ventura Metro Rapid. MTA has previously considered extending the Ventura Metro Rapid north to Sherman Way, but has had concern that this would make focusing service on Warner Center difficult and detract from ridership. As well, MTA was concerned that ridership north of Warner Center would not meet expectations and that operation of both short trips and long trips would be needed; something that violates the basic "simple route" Metro Rapid tenant. On very heavy lines like 720-Wilshire/Whittier and 754-Vermont MTA has had to institute short lines for cost effectiveness, but doing so on a line with less frequency like 750-Ventura would add unnecessary complexity and degrade service. Consequently, MTA modeled the Topanga Canyon route separately.

The COST version of the Reseda line was included in RB-5. MTA modeled what we believed to be the most cost-effective alternative for Reseda that was consistent with the COST proposal. The existing local service between the modeled end-of-the-line on Reseda and the MTA Plan version at Sylmar-San Fernando Metrolink has had significantly lower ridership than the core alignment along Reseda.

The current 761-Van Nuys Metro Rapid does continue south to West Los Angeles. However, current ridership has been less than expected and line adjustments are being discussed at MTA. Thus the COST recommended alignment were modeled in the interest of cost-effectiveness.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 49
November 22, 2004

178. On both a network and a route-by-route basis, based on the above, why has MTA suggested a set of Rapid Bus lines for the RB-Network Alternative that is significantly different from Rapid Bus lines that it itself has designed in its Metro Rapid Plan – and, in one case, Van Nuys, significantly different from a Rapid Bus line that MTA has actually been operating for many months?

20-114

179. These comparisons come back to another question, which is, "how did MTA come up with the bus lines in the RB-Network? The answer appears to be, from COST.

20-115

180. Exhibit XIII – San Fernando Valley Public Transportation Analysis – East/West Burbank-Chandler Busway – was developed by COST and was presented to MTA at various public hearings during the public comment period on the DEIS/DEIR in 2001. The second to last page of this document – "C.O.S.T.'s ALTERNATIVE – Rapid Bus Network" – is a map that is very close to, but certainly not identical with, the RB-Network Rapid Bus route structure.

20-116

181. Now, it was certainly good of MTA to "respect" COST enough to model this network, but we wish that it had instead respected our repeated attempts to meet with MTA to determine exactly which network, or networks, of Rapid Bus lines in the Valley that should be modeled, as clearly evidenced in my two letters – and detailed technical discussion of exactly this issue – to Roger Snoble of July 23 and September 16 of this year, Exhibits II and IV, particularly Sections II.-V., pp. 4-21 of the attachment in Exhibit IV.

20-117

182. In addition, note Exhibit XIV, fifteen one-page advocacy White Papers on various Orange Line and related topics, originally prepared by me for COST in November, 2002 – and which I have personally acted to bring to MTA's attention²³. Papers IX., "A Network of Rapid Bus Lines, Together with Other Improvement to Valley Bus Services, Would Provide Far More Benefits to Valley Transit Riders than the SFV BRT," and X., "MTA Has Refused to Even Consider Rapid Bus and Other Low Cost, Low Impact, Widespread Improvements to Valley Transit as Alternatives to the Proposed SFV BRT," clearly show that COST has been advocating that the study of a Rapid Bus Network as an alternative to the BRT must begin with analysis of which streets are best suited for Rapid Bus treatment, as well as other, low-cost, high-benefit improvements to transit service in the Valley.

183. The Exhibit XIII map – which is very obviously the genesis for the RB-Network Rapid Bus lines – was the product of a group of concerned and interested citizens who got together to see if they could come up with an option that might be superior to what we now know as the Orange Line. Unfortunately, none of the members at that time had any particular detailed training, experience, background, or expertise in transit or transportation planning, design, or operations (I

²³ By, among other means, including them as exhibits to an expert report I rendered in *re Labor/Community Strategy Center v. MTA* – and which MTA specifically took notice of in its response.

The COST proposal was modeled to provide network connections between Ventura and Van Nuys.

MTA set out to test a set of alternatives that had been proposed to the Court. MTA recognizes that in some instances the COST alternatives vary from the MTA plan. MTA tested the COST alternatives because the MTA Metro Rapid Plan had not been developed and adopted at the time that the Final EIR was considered by the Board.

Comment 20-115

The commenter is correct that MTA considered COST's suggested network that provided the genesis for the RB Network Alternative. See Response to Comment No. 4-2 for a discussion on MTA's reasoning for choosing the specific configuration of the RB Network.

Comment 20-116

MTA acknowledges the commenter approval of respecting COST's proposed Rapid Bus network. For a discussion concerning MTA's consideration of Mr. Rubin's prior letters see Response to Comment No. 20-7 through 20-11, and Response 20-118.

Comment 20-117

The commenter's criticism of MTA using COST's proposed Rapid Bus network as the basis for the RB Network is noted for the record. As an initial assessment, MTA modified COST's proposed network to make it more intuitively functional. Once the stops were identified, MTA modeled the RB Network and the results are presented in the Revised FEIR. See Response to Comment No. 4-2 for a discussion on MTA's reasoning for selecting the three RB Alternatives to analyze in the Revised FEIR. See Response to Comment



No. 20-6 for a discussion on the infeasibility of determining the optimum assemblage of multiple Rapid Bus routes for the alternative.

Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 56
November 22, 2004

was not associated with COST at that time), nor did any of them have access to the detailed ridership, origin-destination, transportation models, or any other data or tools that MTA has and which transit professionals use to plan, design, and evaluate routes and route proposals. As a first concept proposal, it illustrates the proposal very clearly and makes a number of suggestions for routes to be considered for inclusion, including several very good Rapid Bus lines, but it was never prepared to be a detailed implementation plan.

184. This route structure from COST was clearly an illustration of a "concept," not a final product. It was an idea that COST members thought had promise, but required skilled technicians to fine-tune and implement - and skilled technicians who were not trying to achieve a pre-ordained result by making Rapid Bus alternatives look bad.

185. Now, interestingly, MTA did not simply take COST's original map and present it as the RB-Network, it made several changes to it. Some of these appear to be improvement, others require some explanation, but could be improvements; and others are not fully understood. These include:

- A. The COST Supulveda Rapid Bus line terminated at Burbank in the South; the RB-Network Rapid Bus line goes all the way to Ventura, which is almost certainly an improvement.
- B. The COST Topanga line and Devonshire line connect at the corner of Topanga and Devonshire, the RB-Network lines connect at the Chatsworth Metrolink station, most likely an improvement, but more data on why this was done would be useful.
- C. At the Southern end of the Topanga line, COST intended it to be a continuation of the Ventura (750) Rapid Bus line; RB-Network has it terminating at the Warner Center Transit Hub, where connections may be made to the Ventura Rapid Bus line. While I can see MTA's reasoning, I can also see the benefit of one-vehicle travel for what appears to be a significant number of people who make this connection daily, and these concepts are not necessarily mutually exclusive.
- D. RB-Network terminates the San Fernando Road Rapid Bus Line at the Burbank Airport Metrolink Station; the COST line continued further on San Fernando Road, literally "off the map." While I can see Metrolink stations as being not illogical termini, there is actually very little Metrolink ridership outside of the morning and evening rush hours, so routing buses here may be more of "we have a site for a transit facility, let's use it," rather than a trip generator service decision, for most of the day. Given the ridership on and near San Fernando Road to points South and East, including Glendale CBD destinations and all the way to the Los Angeles CBD, this RB-Network routing change from the COST map is still up in the air, pending more published facts and analysis.

186. The point, however, is this: MTA made several changes to the Rapid Bus network that COST proposed. Why didn't it consider more changes, utilizing the methodology we proposed?

20-117



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 51
November 22, 2004

Why didn't it meet with COST – or anyone outside of MTA staff and consultants – to discuss the best Rapid Bus network for the San Fernando Valley? The limiting factor was certainly not the unwillingness of COST to meet, nor that of other transit organizations and interested individuals in Los Angeles.

187. The transportation planning and modeling process, when done correctly, is a very iterative one; thesis, antithesis, synthesis, repeat, repeat, repeat. It is very common to do several, even dozens, of model runs to develop and fine-tune transit guideway, network, and service plans. The Orange Line was the product of decades of planning. Why couldn't MTA make the effort to produce good Rapid Bus Alternatives, and other changes to Valley transit services, to evaluate, rather than just putting forth first concept networks as the Alternatives to be evaluated?

188. It is extremely simple to cite examples of how this process *should* have worked. As has been mentioned above, we have quite literally written the book on this for MTA in my letters to Roger Saoble – and MTA has chosen to ignore it. From comparison of the ridership produced by the individual Rapid Bus RB-3 and RB-5 Alternatives, it is very obvious that:

- A. The Vanowen Rapid Bus line is simply not a good one. In RB-3, it had far less ridership than either of the other two lines at approximately the same operating and capital cost as the other two lines. When it was eliminated, in RB-5, Victory ridership increased significantly indicating, almost certainly, that a large segment of the RB-3 Vanowen Rapid Bus riders simply walked a few blocks further, or rode an originating bus a few blocks further, to reach Victory and take that Rapid Bus line.
- B. The RB-5 Sherman Way routing, terminating at Vineland, rather than at the North Hollywood Red Line station in the RB-3 Alternative, is clearly inferior, with a loss of three-eighths of the RB-3 ridership – actually, probably far more, because some of the RB-3 Vanowen riders undoubtedly shifted to the RB-5 Sherman Way line since there was no RB-5 Vanowen Rapid Bus.

189. This process is basic planning 101 – put together a plan, test it, try variations, do comparisons, see what works and what doesn't, incorporate the winners and lose the losers, and then try some other variations. From the details of the TSM Alternative service, and how even more local service was added to the Orange Line Alternative to serve Orange Line stations (FEIR, Figure 2-8: Bus Routing Plan, page 2-30, and Section 2-2.3.3 Bus Routing Plan, page 2-31, ¶2), details of Orange Line park-and-ride lots, and other factors, I conclude that a person or persons with an understanding of transit planning and modeling spent a fair amount of time trying ideas, evaluating, fine-tuning, many, many meetings with other transportation technicians, internal to MTA and external, public meetings, meetings with elected officials, etc., coming up with ways to make Orange Line ridership as high as it could be before encountering obvious loss of cost-effectiveness.

Comment 20-118

See Response to Comment No. 14-10 for a discussion on consultation for developing the RB Alternatives.

20-118

Comment 20-119

The commenter intimates that transit planning conducts modeling to optimize transit systems. As discussed in Response to Comment No. 20-6, it is infeasible to determine the optimal transit system. Rather, transit professions utilize their own training and experience to select the appropriate transit system. Transit system development is not purely computational. MTA is not aware of any transit agency conducting numerous modeling iterations to determine the optimal transit system.

20-119

20-120

Comment 20-120

See Response to Comment No. 20-119.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 82
November 22, 2004

190. I see no evidence of any such remotely comparable process in what was done to come up with the three Rapid Bus Alternatives – indeed, these are, collectively, perhaps best utilized as the stem of a question on an introduction to transit planning exam. “What changes would you suggest to improve this transit system route structure – and the process that developed it?”

191. What is MTA afraid of? Why is it so reluctant to actually plan, model, and report the results for a decent set of Rapid Bus lines, coupled with other simple, easy, inexpensive – but productive and cost-effective – improvements to Valley transit service?

192. The comparison of the RB-Network Rapid Bus lines and MTA’s Metro Rapid Phased Implementation plan, and associated conditions, leads to a series of questions:

- A. If MTA already has an approved plan, scheduled and funded, to implement a number of Rapid Bus (or Metro Rapid, which are simply two different terms that MTA uses for the same type of service) lines in the San Fernando Valley, then why are the costs of these Rapid Bus lines included in the costs of the Rapid Bus Alternatives in this DRFEIR? These services are something that MTA has already decided to implement; why are they treated as if the RB-Network, or a close equivalent, is something new and unique to the Second Appellate-required study of Rapid Bus Network Alternatives and must be costed as such? MTA did not, in the FEIR, include the cost of construction of the Pasadena Gold Line in the various Alternatives evaluated, why are the costs of these North-South routes included in the RB-Network Alternative?
- B. If MTA already has an approved plan to implement a number of Rapid Bus lines in the San Fernando Valley, then why aren’t these lines part of the underlying route structure for all the Alternatives included in this, and the original, EIR (this includes the No Build, TSM, “full” BRT Orange Line, BRT MOS, and the various Rapid Bus Alternatives, particularly the RB-3 and RB-5 Alternatives that have no North-South Rapid Bus service elements)?
- C. If MTA has gone to a great deal of trouble to plan and design a series of North-South Rapid Bus lines that it is currently implementing all over the main populated area of Los Angeles County, including in the San Fernando Valley, then why are there significant differences from the Rapid Bus lines that MTA has already approved and the North-South Rapid Bus lines that are included in the RB-Network Alternative? While certain differences may be logically explained by the inclusion of East-West Rapid Bus lines in the RB-Network Alternative, but not the MTA Metro Rapid plan, this does not appear to explain what are by far the greater part of the differences in the “North-South” Rapid Bus routes in these two different plans. We assume that MTA spent a lot of time and trouble developing the network in its Metro Rapid Phase Implementation Plan [see Exhibit XI, September 18, 2002 (10) – Approve Implementation of the Metro Rapid Five-Year Implementation Plan]. It is, therefore, not unreasonable to assume that four “North-South” lines in this Plan are the lines that MTA believes are the best Rapid Bus options in the Valley. Now, we may differ

20-120

20-121

20-122

20-123

20-124

20-125

20-126

20-127

Comment 20-121

See Response to Comment No. 4-2 for a discussion on MTA’s reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

Please refer to Response 20-112.

Comment 20-122

It was also important to go back to the time when the study was originally completed for an equal comparison. Consequently, there had not been a study for Valley North-South Rapid Bus lines, and, therefore the costs of the north-south lines were included.

Comment 20-123

Please see Response 20-31.

Comment 20-124

Please see Response 20-122.

Comment 20-125

The San Fernando Valley North-South Transit Corridor Study did not begin until after the completion of the FEIR for the San Fernando Valley East-West Transit Corridor. Therefore, for equal comparisons, the north-south lines could not be a part of the underlying route structure in the original EIR.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 13
November 22, 2004

with MTA's opinion in some particulars, and it is not unreasonable to believe that a "network" of stand-alone "North-South" routes might not be totally identical to the "North-South" routes included in a network of "North-South" and additional "East-West" routes, but what can possibly explain the MTA decision to totally ignore the major portion of the research it had done and decisions it had made regarding the best "North-South" Rapid Bus lines in the San Fernando Valley?

193. The DRFEIR, in the first page of the Revised Executive Summary, states, "The particular multiple Rapid Bus routes analyzed in this Revised FEIR were identified based on information contained in the Court of Appeal's decision, which specifically mentioned comment letters that identified a three-route and a five-route alternative. In addition, the decision also mentioned a network alternative that was put forth by COST. Based on this information contained in the decision, the three multiple-route Rapid Bus alternatives (RB Alternatives) considered and analyzed in the Revised FEIR are as follows:

- Three East-West Rapid Bus Route Alternatives (RB-3)
- Five East-West Rapid Bus Alternatives (RB-5)
- Rapid Bus Network Alternative (RB-Network)"

194. Let us see what the actual language of the Second Appellate decision is -- and how what is actually in the decision differs from MTA has set forth above. The following list includes every reference to a network or system or collection of Rapid Bus routes in the Opinion.

195. Let us start at the end, with the Disposition, page 32: "The writ shall direct MTA, on any further proceedings on the EIR, to address the alternative of multiple Rapid Bus routes." There is no mention here of any three- or five-route East-West alternative, nor the Rapid Bus Network Alternative. This is the controlling reference and it is totally free of any specifics as to the details of routes or networks to be addressed.

196. The following selections are all from "Discussion," Section IV.B, Alternatives - Rapid Bus:

- A. Page 28, "Moreover, there was no support for the inference (by MTA) the 50 minute runtime on Ventura Boulevard would be the same for other potential Rapid Bus routes, the cited runtime estimate for Rapid Bus was for a route one mile longer than the runtime estimate for the busway route, and the response failed to take into account the fact that with multiple east-west routes, the total origin-to-destination travel time would be reduced for a majority of riders as compared to the busway because most riders would be closer to a Rapid Bus route than to the busway." Here, the key phrase is "multiple east-west routes," but there is no number of Rapid Bus routes, or

20-127

20-128

20-129

Comment 20-126

See Response to Comment Nos. 20-113 and 20-114 for a discussion on considering subsequently approved north-south Rapid Bus lines.

Comment 20-127

See Response to Comment Nos. 20-113 and 20-114 for a discussion on considering subsequently approved north-south Rapid Bus lines.

Comment 20-128

MTA acknowledges the commenter's cite of the Revised FEIR indicating that the RB Alternatives are based upon the three comments suggesting different variations of the alternative of multiple Rapid Bus routes. See Response to Comment No. 4-2 for a discussion on MTA's reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

Comment 20-129

MTA has not claimed, and does not claim, that the Court of Appeal has specifically demanded that MTA consider the three comments as alternative of multiple Rapid Bus routes. The Revised FEIR explained that the Court of Appeal's decision mentioned them. The Court of Appeal's decision noted that various comments proposed a series of three or five east-west routes. (Court of Appeal Decision, fn. 8, p. 25, 26.) COST's proposed network has three east-west routes as well. MTA evaluated those comments to determine whether they made sense. MTA determined that the general lay out was reasonable and proceeded to flesh out the details of these routes, which became the three RB Alternatives. See Response to Comment No. 4-2 for a discussion on MTA's further reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 64
November 22, 2004

- any reference to the network proposed by COST. Clearly, there is nothing here that can be remotely claimed to specific instructions by Second Appellate.
- B. Page 28, "TSM was not designed to provide the fastest bus service possible whereas in its own report on Rapid Bus, MTA stated Rapid Bus had provided a substantial travel time advantage over traditional bus service, e.g., operating speeds on Ventura Boulevard had increased by 23 percent. The other alternatives (MOS and Lankershim/Oxnard) were each a single route not comparable to a network of routes. In addition, even though there had been prior efforts to address the Valley's mass transit needs, none of them had considered expansion of Rapid Bus." In the second sentence, there is reference to a "network of (Rapid Bus) routes," but no identification of the COST proposals as "the" network, nor any mention of the number of routes. There is nothing in this citation that requires anything remotely close to specific Rapid Bus routes, networks, or alternatives.
 - C. Page 26, "However, to commenters supporting the TMS²⁴ alternative and suggesting adding Rapid Buses and mentioning three or five possible routes, the response was to note the opposition. The response did not address the suggestion of multiple Rapid Bus routes." Here, we do have mention of "three or five possible (Rapid Bus) routes," but this is in the identification of a factual matter, that MTA had not responded to comments regarding three or five Rapid Bus routes. In the second sentence, which is clearly a conclusion of the court, there is mention of "multiple Rapid Bus routes," but no specific number, nor is there any mention of a network of Rapid Bus routes or of the COST Rapid Bus network proposal. The conclusion of the court finds fault with MTA for not addressing the suggestion of multiple Rapid Bus routes, but in no way directs specific routes or networks to be considered.
 - D. Page 25 (footnote 8), "Various comments proposed a series of three or five east-west routes north of Ventura Boulevard, which would complement a series of north-south routes MTA was proposing in the Valley." Here is a specific mention of a three- and five- line systems, but this hardly an order for a specific alternative or alternative to be studied, merely a statement of fact, that these ideas had been proposed by various parties. If MTA chooses to take this as an order to study three- and five-line East-West Rapid Bus systems - which, evidently, it has - then how can MTA fail to include the "series of north-south routes MTA was proposing in the Valley" in its Rapid Bus network, which are mentioned in the same way in the same sentence?

197. Finally, we have, in "IV. COST's Concerns," page 7, "Rapid Bus, which began in 2000, presently includes only one line in the San Fernando Valley, along Ventura Boulevard at its southernmost edge. An alternative to the busway would be to expand the Rapid Bus network by initiating multiple east-west lines on major arterials north of Ventura Boulevard spreading across the Valley." First, as its inclusion in "COST's Concerns" clearly indicates, this is *not* anything

²⁴ TAR Should be "TSM"

Comment 20-130

The commenter presents the comments already made to the FEIR regarding suggestions of multiple Rapid Bus routes. See Response to Comment No. 20-129 for a discussion on MTA's consideration of the Court of Appeal's decision in developing the RB Alternatives.

20-129

20-130



remotely approaching an Order from Second Appellate, it is a statement of COST's positions – and, of course, there is nothing remotely approaching specifics on routes or networks to be studied.

198. The underlying source for what became the three-, five-, and network-Rapid Bus Alternatives is, evidently, found in the "Petitioner's Opening Memorandum of Points and Authorities in Support of Petition for Writ of Mandate," submitted by COST with a filing date of April 2, 2002, to the Superior Court, specifically, from page 24:

"As proposed by community members, the Rapid Bus network could be expanded to include a network of new east-west routes north of Ventura Boulevard. (11 AR 02340; see also 54 AR 13030, 11 AR 02432; see also 54 AR 13054-5, 11 AR 02435; see also 54 AR 13054, 11 AR 02437, 57 13668J.) This would complement – or improve upon – a series of north-south routes in the Valley that MTA had been planning for years. (42 AR 09761-2.)

"Because the Rapid Buses would operate on the existing street grid, they would avoid new impacts while better serving the dispersed population of the Valley than a single transit guideway. (12 AR 02546, see also 56 13415.) This would advance the primary objective of the busway project, which is to improve public transit in Valley. (8 AR 01523.)"

199. Let us examine each of the above AR citations in turn (Exhibit XVI) to see what they contain that is relevant. (For the "see also" citations, the actual "comment" contents were intended to be the same as the first in each pair – MTA had reduced each comment letter to half a page, putting the responses on the same sheet of 8½x11 paper, making the comments difficult to read; the "see also" was the full-sized comment letters.)

- A. 11 AR 02340 – This comment, by David R. Garfinkle, representing the Tarzana Property Owner's Association, states, "The TSM, supplemented with additional Rapid Bus Corridors along Sepulveda Boulevard or Van Nuys Boulevard and a selected east-west street in the northern portion of the valley, would provide an effective feeder network to the Rapid Transit Corridor and increase public transportation coverage throughout the valley." This comment does mention three Rapid Bus on three streets, but two of them (Sepulveda and Van Nuys) are North-South and the third is an unspecified East-West street. There are Rapid Bus lines on Sepulveda and Van Nuys in the RB-Network Alternative, but that is not a particularly strong correlation.
- B. 11 AR 02432 – This e-mail by Mariana Salazar states, in relevant part, "Until we have garnered the funds to continue the Metro Red Line Subway System into the Valley²⁵, we should place our funds into the TSM Alternative which would

²⁵ TAR: By which she evidently meant the previously planned and well-publicized, but later cancelled, East-West extension of the Red Line, as, at the time of the preparation of this e-mail (July 5, 2003), the Red Line had been operating to North Hollywood in the Valley for approximately one year.

20-130



20-130

increase current bus line efficiencies by the addition of buses and implementation of Rapid Buses (including rapid bus technologies) along major East - West Valley streets such as Victory Blvd., Vanowen Blvd., Sherman Way, etc." Here we find mention of all three of the RB-3 Rapid Bus lines. However, Ms. Salazar's use of, "such as" and "etc." makes it clear that these are suggestions for streets for consideration for Rapid Bus, not to be considered the entire list, and that there is evidently some degree of uncertainty in her mind regarding the three specific streets she names. This is hardly a definition of a CEQA Alternative, particularly since there are no Eastern or Western limits on any of these proposed potential Rapid Bus routes.

- C. 11 AR 02435 - This comment, by the West Valley Concerned Citizens Group, states in relevant part, "2) A better use of taxpayers money would be to pursue the TSM alternative. It would be a far better idea to install Metro Rapid lines (if not underground Metro Rail) along existing Valley boulevards such as Victory, Oxnard, Chandler, Burbank and Sherman Way." These are, of course, the five streets with Rapid Bus Service in the RB-5 Alternatives. However, here again, we have the use of, "such as," again clearly indicating that this is not intended as a definitive list of Rapid Bus routes, but candidates for consideration, and not a complete list of such candidates. Also, there are no Eastern or Western limits proposed for Rapid Bus service on these streets.
- D. 11 AR 02437 - This comment, by Burton Roseman of COST, states in relevant part, "Phase 2 Rapid Bus will add 4 more routes to the Valley, Sepulveda Blvd., Van Nuys Blvd, San Fernando Blvd and Roscoe Blvd²⁶. C.O.S.T. proposes just adding Victory Blvd instead of BRT. Thus, immediately we could have 3 Rapid Bus routes (33-45 minutes) beginning at Warner Center (Ventura, Victory and Roscoe Blvds) going east to the Red Line. We could have 3 routes beginning in San Fernando/Pacoima (San Fernando Blvd, Van Nuys and Sepulveda) connecting them to the Red Line (San Fernando to Lankershim) to the city/county offices (Van Nuys) and to the entire cities' job opportunities. All 3 of our Community Colleges (Pierce, Valley and especially the most in need, Mission College in Pacoima) would get Rapid Bus service to the Red Line. The Victory line could switch to Burbank Blvd in the East Valley²⁷ for Valley college access." This comment is fairly explicit on specific routes, far more so, actually, than any other comment - but is evidently not the basis for any of the three specific Rapid Bus Alternatives, although all of the lines mentioned are in one or more of the Rapid Alternatives.

²⁶ This is a reference to the MTA Long-Range Transportation Plan, April 26, 2001, specifically pp. 12-13 of the Executive Summary, included as Exhibit XVI. The Valley Rapid Bus service plan was later significantly altered, including elimination of the Roscoe Rapid Bus Line.

²⁷ This reference is in error, it should be "West Valley."



- E. 12 AR 02546 – This is the comment of mine and my co-commenter, Richard Stone. The cited page has no specific Rapid Bus suggestions, but states, “The great advantage of Rapid Bus over the Burbank-Chandler BRT, or any other single alignment transit guideway, is that far more existing and potential riders could utilize a network of Rapid Bus lines than could utilize a single BRT alignment. ... A far superior approach would be a network of Rapid Bus lines that would be useful to far more riders, coupled with other transit and transportation improvements.” Here, there was no discussion what-so-ever of any specific Rapid Bus lines to be implemented, but for a network of Rapid Bus lines to be considered. Implicit in the quite deliberate failure to specify specific Rapid Bus routes was the assumption that a valid transportation planning process would identify the best routes.
- F. 8 AR 01523 – This citation was to the MTA’s Major Investment Study for the San Fernando Valley East-West Transportation Corridor, May 1996, and specifically to the “Enhanced Bus/Transportation Systems Management” Alternative, an early version of what became the TSM Alternative in the FEIR. There are no Rapid Bus lines mentioned in this citation.

200. What can we conclude from inspection of these citations? That there is no reasonable basis in MTA’s claim that it developed the three Rapid Bus Alternatives by following the requirements of the Second Appellate decision. There is no Order requiring any specific Rapid Bus lines or networks of Rapid Bus lines to be studied as the Rapid Bus Alternatives, there is not even an order of the number of Alternatives that must be studied. The Second Appellate decision merely observes that various commenters have presented various Rapid Bus concepts in order to conclude that MTA had not responded to the comments, not to require specific routes or networks to be studied.

201. Does MTA really expect anyone to believe – after decades and tens of millions of dollars of planning and studies that finally produced the Orange Line Alternative – that the RB-3 Alternative Rapid Bus routes were derived from a single sentence in an e-mail that named three streets for consideration – in terms that included “such as” and “etc.?”

202. Or that the RB-5 Alternative Rapid Bus routes came from a single sentence in a letter from a “Concerned Citizens Group” – again, specifically using the term, “such as?”

203. The RB-Network Alternative *does* derive from the COST Rapid Bus Network concept. However, how does MTA explain why it did not actually adopt the Rapid Bus lines in the concept map, making several changes to them? Why was MTA willing to make some of its own changes (including some that are either clearly improvements or are possibly improvements), but is not willing to make more extensive analysis of what could be done to improve, even to optimize, this network?

20-130

Comment 20-131

See Response to Comment No. 4-2 for a discussion on MTA’s reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

Comment 20-132

See Response to Comment No. 4-2 for a discussion on MTA’s reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

Comment 20-133

See Response to Comment No. 4-2 for a discussion on MTA’s reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

20-131

20-132

20-133



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 58
November 22, 2004

204. Any reasonable transit professional, not already committed to a specific course of action, reviewing the first two of these sources would quickly realize that these were comments with very valid points, and that the authors understood, from their common sense, that there were alternatives other than the Orange Line that should have been studied – by experts – before making a decision to spend a third of billion dollars on the Orange Line. But, it would also be clear to transit professionals that the authors did not have the technical knowledge or experience, let alone the required detail data and the means to analyze it, to do the detail design of a route structure for their proposed alternatives – and that this was understood by the authors and clearly indicated by their use of “such as” and “etc.” in their lists of streets to be considered for more detailed analysis.

205. As for the COST Rapid Bus Network, here there was extremely explicit communications from the original proposer, communicated in great detail through multiple channels, that the first step in the Rapid Bus Alternative process was to identify the Rapid Bus lines to be included, and laying out a very specific methodology for doing so – which MTA chose to ignore.

206. Why? Because MTA had absolutely no interest in developing a strong Rapid Bus Alternative or Alternatives that could compete with its favored – yes, pre-ordained – Orange Line?

207. Why did MTA make no effort to produce a good, or even a decent, Rapid Bus network or networks to be studied as Alternatives?

208. Page RS-16, Table RS-2: Summary of Operational Impacts, Land Use and Development (Section 4-1 and Section 8-4.1), Potential Environmental Impacts – Operation – (For all three Rapid Bus Alternatives):

- “Would be inconsistent with the following plans by precluding the construction of a high-capacity transit system in the Valley and/or a transit system/stations in the MTA ROW:
- SCAG Regional Comprehensive Plan and Guide
 - SCAG 2001 Regional Transportation Plan
 - City of Los Angeles General Plan Transportation Element
 - Van Nuys-North Sherman Oaks Community Plan
 - Encino-Tarzana Community Plan
 - Canoga Park-Wimmetka-Woodland Hills-West Hills Community Plan
 - Warner Center Specific Plan”

209. First, as far as “precluding the construction of a high-capacity transit system in the Valley,” let us refer to Table 8-6-5: Ridership, page 8-6-9, where we find that the “Daily Transit

Comment 20-134

See Response to Comment No. 4-2 for a discussion on MTA’s reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

20-134

Comment 20-135

MTA disagrees with the commenter’s allegation that MTA did not endeavor to produce good or decent Rapid Bus alternatives. Rather, MTA found that the three RB Alternatives were reasonable assemblages of multiple Rapid Bus routes to reach the population of the Valley. See Response to Comment No. 4-2 for a discussion on MTA’s further reasoning for selecting the RB Alternatives to analyze in the Revised FEIR.

20-135

20-136

Comment 20-136

The commenter’s analysis of daily transit boardings for the Full BRT and RB-Victory in Table 8-6.5 is inaccurate. Table 8-6.5: Ridership reports “daily transit boardings” and “new daily transit trips”. A footnote explains that the daily transit boarding columns for the Rapid Bus Alternatives and the Full BRT are not directly comparable. The footnote states, “Boardings for Rapid Bus routes included in entirety. Boardings for BRT based on fixed guideway stations only. These boardings cannot be directly compared to boardings as reported for the BRT alternatives, which only report those boardings occurring in the fixed guideway portions of the route (that is, board and disembark at stations constructed as part of the San Fernando Valley East-West Transit Corridor project). Also, boardings do not distinguish between whether transit riders are merely shifting off other bus routes, or whether new riders are attracted to transit.”



The text on page 8-6-8 elaborates on this and further states that the “new daily transit trips” in column 3 is the appropriate measure to compare since this measure deals with linked (end-to-end) trips. Table 8-6.5 and text on page 8-6-8 show that the “biggest increase in transit ridership (13,000 to 15,000 daily new transit trips) results from implementing the Full BRT Alternative, which integrated service improvements assumed in the TSM Alternative.” In comparison, the Rapid Bus alternatives vary from 9,200 to 10,300 new daily transit trips, only a modest increase over the TSM’s new daily transit trips over No Build (9,000).

In addition to higher ridership, the BRT has certain features that the Rapid Bus does not have, which makes BRT a high capacity transit system. These include stations rather than stops, exclusive bus lanes, higher capacity buses, multiple door boarding and alighting, fare prepayment and feeder network. The scale, operation, and amenities provided at proposed stations for the BRT Alternative are similar to those provided at rail stations. Stations are located along dedicated ROWs and include amenities such as park-and-ride lots, transit vehicles with multiple doors for passenger loading, bicycle parking, and designated kiss-and-ride drop off locations. In comparison, Rapid Bus stops do not include any of these amenities. The difference between stations and stops is explained on page 8-4.1-1 of the Revised FEIR, which states “the scale and amenities provided at RB stops are similar to that of local bus stops.” Features that are common to both BRT and Rapid Bus include simple route layout, frequent headways, less frequent stops, level boarding and alighting, color coded buses and stops and signal prioritization (Please see [Table 2-4: Busway Features Planned for the San Fernando Valley of the FEIR](#), and



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 59
November 22, 2004

Boardings" for the "Full BRT - Upper-Bound Estimate"²⁴ to be 18,700²⁵ - which happens to be exactly identical to what is shown for the Victory Rapid Bus line in the RB-Network Alternative. If a Rapid Bus line is projected to produce ridership that is identical (actually, higher when the "local" bus ridership on Victory is added in) to that projected, in a similar manner, for the Orange Line, then how can Rapid Bus be "precluding" the construction of a high-capacity transit system?

210. As to being "inconsistent with the following plans," this is, perhaps, the ultimate self-fulfilling prophecy - if you put something in the plan and then don't do it, you are not following the plan - even if it turned out that you could accomplish the same intended result at far less cost. If transportation drives development - which appears to be the underlying assumption that these plan elements are based on - then, fine, putting a high-capacity transit system in a slightly different corridor should drive development there, to pretty much the same local and regional result, shouldn't it? And, I assume the taxpayers will find a better use for the hundreds of millions of dollars that would be saved by not building an unnecessary busway - or, at least, their governments might find another use for these dollars.

211. How cannot a transit system that carries the same number or more people as the Orange Line not be rated the same way on this point?

212. It is notable that this is the only "Significant" impact for the Rapid Bus Alternatives in a 31-page (RS-12 to RS-42) table of impacts covering every topic that CEQA requires.

²⁴ Ignoring the Daily Transit Boardings for the thoroughly discredited "Lower-Bound," 28 8-minute end-to-end run-time projection.

If MTA had done a ridership projection for a 35-minute end-to-end run time - which, while somewhat questionable, is at least not laughable on its face - it would have undoubtedly been between the ridership projections for the "Lower-Bound" 28.8 minute run time and the "Upper-Bound" 40-minute run time. If I had to guess, I would say the ridership projection for a 35-minute run time would be closer to the Upper Bound projection than the Lower bound projection because 35 minutes is closer to 40 minutes than it is to 28.8 minutes. However, since MTA has not provided such a projection, it is impossible to make any comparison to it.

²⁵ Interestingly, from the review of the details of the MTA transportation model run for the RB-Network Rapid Bus line, it appears that the ridership is actually higher than 18,700 - namely, 21,900.

I served a Public Records Act request upon MTA for this information, which is presented in Exhibit XVII for the various Alternatives. Turning to page 4 of the RB-network results, for line "782-WRNR CTR-NRTH HLLYWD" (the leading digit "7" indicates a Rapid Bus line, and the full route name appears to be "Warner Center-North Hollywood Red Line Station," so this appears to be the Victory Rapid Bus line) with "ledgs" (Boardings) of 18,670. The next line shows "164-VCTR/BLM-BRBNK/MTRL" (164 is the Victory Boulevard "local" line and the full route name appears to be "Valley Circle/Gilmore-Barbank Metrorail Station," which are the terminal points of line 164-Victory Boulevard local) with 3,279 riders. The simple sum of the two Victory lines' ridership would appear to be 21,949 and, following what appears to be the convention on Table 8-6 5 of rounding all ridership to the nearest 100's, it would be reported as 21,900, an addition of 3,200 over what is reported in that Table.

As is discussed in more detail at § 428, there appears to be a number of inconsistencies between the data that MTA provided to me from reports that were specifically requested to contain the data reported in the DRFEIR.

20-136

20-137

20-138

20-139

Table 8.2-1: Metro Rapid Features of the Revised FEIR). Therefore, the Revised FEIR is correct in stating that the BRT is a high-capacity transit system while Rapid Bus is not.

Comment 20-137

The Land Use Sections of the FEIR and the Revised FEIR analyzed consistency of the Project and alternatives with applicable planning and zoning documents. If the Project would not be consistent with adopted plans and policies, a significant impact under CEQA would occur. Page RS-16, Table RS-32 of the Revised FEIR entitled, "Summary of Operational Impacts" states, "Amending these numerous plans would severely alter their objectives without any substitute objective that would curtail wide spread growth." The analysis identified seven plans (not prepared by the MTA), which actually set forth direction for development to be concentrated around transit systems along transit corridors. As mentioned in response to Comment 20-136, a Rapid Bus route does not provide the same level of service as the Orange Line (BRT). Pages 8-4.1-40 through 8-4.1-55 describe the relevant plans and documents and pages 8-4.1-68 through 8-4.1-77 describe the consistency of each plan with the Rapid Bus Alternatives in the Revised EIR.

Moreover, as further shown hereafter, the RB Alternatives do not provide the focal point of concentrated growth envisioned by the plans. In 1986, the City of Los Angeles adopted its "Concept Los Angeles," which called for the development of high-intensity centers linked together by rapid transit. (Concept Los Angeles, The Concept of the Los Angeles General Plan, City of Los Angeles, April 1974, p. 5.) This concept is now embodied in the Los Angeles



General Plan, adopted in 1996, which provides for transit-oriented districts around transit stations, with “transit stations [to] function as a primary focal point of the City’s development.” (FEIR, p. 4-34.) This planning concept is now referred to as “Smart Growth.” The concept is implemented by increasing the allowable development density generally within one-quarter mile of transit stations. (General Plan Framework An Element of the Los Angeles General Plan (LA General Plan), p. 3-35.) Furthermore, the policy set forth in the transportation element of the General Plan is to develop transit alignments and station locations that maximize transit service in activity centers. Development is in turn further encouraged in these targeted growth areas by allowing more intense development. (FEIR, p. 4-35.)

These transit-oriented districts accomplish two important goals. First and foremost is the objective to meet the urgent housing needs of the City’s growing population (LA General Plan, p. 1 of the Executive Summary, p. 4-2). These needs will be achieved “by encouraging future housing development near transit corridors and stations.” (LA General Plan, p. 4-2.)

Second, the transit-oriented districts will accommodate the growth while preserving existing single family, low-density neighborhoods. (LA General Plan, pp. 1 and 3 of Executive Summary.) The City concluded that a plan that accommodated growth across all neighborhoods would lead to congestion, air pollution, and the degradation of residential neighborhoods. (LA General Plan, p. 3-3.)

The RB Alternatives introduce numerous transit routes through the Valley that would not concentrate



development along limited corridors in the Valley. The RB Alternatives do not have transit stations, but merely bus stops that do not attract significant development. On the other hand, the Orange Line's stations provide an excellent opportunity to concentrate growth with the amenities of station areas and parking lots along a single route.

Comment 20-138

Please see response to comment 20-136.

Comment 20-139

It is correct that land use would be the only significant impact identified in the Revised FEIR for the Rapid Bus alternatives due to inconsistency with existing plans. The Full BRT Alternative also would have one significant impact. The Full BRT would have significant noise impact during construction. As stated on page RS-46 of the Revised FEIR, "although both the BRT alternative and the three Rapid Bus alternatives are relatively similar in that they result in only one unmitigated significant impact; the construction significant noise impact associated with the BRT Alternative would end at construction completion while the significant land use impact associated with the three Rapid Bus alternatives would be ongoing through the life of the land use plans."



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 66
November 22, 2004

213. The above comments also apply to Page RS-46, last paragraph.

214. Page RS-38, Table RS-2: Summary of Operational Impacts, Fiscal and Economic Conditions (Section 5-6 and Section 8-5.6) – Under “BRT” (Orange Line), we have, “Approximately 21,400-22,350 FTE” jobs generated,” which is rated, “Beneficial,” while for the three Rapid Bus Alternatives, we have, “A very small number of new construction jobs would be generated by the minor construction requirements,” which is rated “Not Significant.”

215. Let’s get this straight – spending hundreds of millions of dollars of taxpayer money is rated a good thing because it creates jobs, while not spending hundreds of millions of taxpayer dollars is not rated as a good thing?

216. This has nothing to do with the project having any purpose or value or not, this is simply about spending money to create jobs. Under this scoring methodology, hiring people to dig a hole in the ground, and then to fill in the hole, would have a higher score than not hiring anyone for this pointless exercise.

217. Why is the evaluation process structured to show that spending tax dollars, in and of itself, with no requirement for any purpose or need, is superior to not spending tax dollars?

218. I submit that the “scores” for this item reversed, that the Rapid Bus Alternatives be rated superior to the Orange Line Alternative because they do not require large expenditures.

219. By the way, at the current time, there is such a large over demand for construction workers in the Greater Los Angeles County area that construction prices are being significantly driven upwards and many projects are finding it hard to find qualified construction trade employees – in fact, we understand that MTA had significant problems finding subcontractors to restart construction on the Orange Line for exactly this reason.

220. Page RS-47, RS-4 COMMENTS AND COORDINATION – “An extensive public and agency outreach effort has been conducted from the initiation of environmental studies through completion of Preliminary Engineering, in order to identify and involve various stakeholders in the project. More than 200 meetings have been held and nearly 11,000 contacts are identified on the public outreach database.”

221. We must strongly protest the above and the rest of this section. There has been absolutely no process what-so-ever to gain public input into the DRFEIR – in fact, as detailed in my comments in my cover letter, MTA has refused to meet with COST on this matter, despite repeated communications asking for such meetings through numerous methodologies. During

²⁰ Full-Time Equivalent, which, in this context, generally means one full-time job for one year

20-140

20-141

20-142

20-143

20-144

20-145

Comment 20-140

Please see response to comment 20-139 above.

Comment 20-141

The commenter’s concern is acknowledged for the record. Section 8-5.6 (*Fiscal and Economic Conditions*) of the Revised FEIR notes that “the minor construction activities could create a small number of job opportunities and result in a small beneficial impact to area employment.” The BRT Alternative and the three Rapid Bus Alternatives would result in beneficial impact in regard to job creation. No adverse impacts would result with these alternatives.

Comment 20-142

The commenter’s concern is acknowledged for the record. Section 5-6 of the FEIR and Section 8-5.6 of the Revised FEIR evaluated the environmental impacts associated with the Fiscal and Economic Conditions resulting from the BRT Alternative and the three Rapid Bus alternatives.

Section 6 of the FEIR and Section 8-6 of the Revised FEIR compare the financial effectiveness of the various alternatives.

Comment 20-143

The commenter miscites Table RS-2 at page 38 of the Revised FEIR as Summary of Operational Impacts for the Fiscal and Economic Conditions. This portion of the table is a “Summary of Construction Impacts.” As such, the FEIR appropriately considered the effect of construction of the RB Alternatives on fiscal and economic conditions. As the commenter points out in earlier comments, the greater the construction the



greater number of temporary construction jobs. On page 8-5-2, the Revised FEIR clearly explains that there would be very little construction for a RB Alternative and as a result, not many construction jobs would be created. The “score” of “Not Significant” for the RB Alternatives is consistent with the Revised FEIR analysis. Moreover, the high number of jobs created by the construction of the BRT warrants the “score” of beneficial. Changing the Revised FEIR to reflect the commenter’s suggestion would not make the RB Alternatives environmentally superior to the Orange Line. The RB Alternatives still create a significant impact on land use by inconsistency with land use planning policies of the City of Los Angeles, where the Orange Line does not. (Rev. FEIR, p. RS-16.)

Comment 20-144

There were no changes in the sub-contractors after project was restarted. When SOJV was notified to demobilize due to the court order, SOJV kept Sub-contractor’s supervisory level workers and laid off other workers. SOJV were able to re-hire approximately 50% of the original work force. SOJV replaced approximately 30% to 45% of the approximately 50% workers that were laid off.

Comment 20-145

The first paragraph of Section RS-4, “Comments and Coordination” is clearly dedicated to the public outreach that was associated with the FEIR. This paragraph explains that the extensive public and agency outreach began at the “initiation of environmental studies through competition of Preliminary Engineering...” It goes on to note that this outreach was memorialized in the FEIR. The second paragraph of this Section is devoted entirely to the Revised FEIR. Accordingly, MTA did not



the outreach and comment process that produced the FEIR, MTA simply refused to engage in any meaningful discussion regarding Rapid Bus, so the Rapid Bus portion of the outreach process for this original FEIR consisted of various parties asking MTA to consider Rapid Bus as an Alternative and MTA refusing to do so. Since then, the outreach process has been to totally ignore all requests to have input. The response to my first letter was to refuse to meet and there was no response to my second letter at all.

222. Why has MTA refused to have any outreach at all on Rapid Bus as part of the DRFEIR process, not even providing a meaningful response to requests to meet or to technical points?

223. Page RS-48 - "In the recent past, an increasing number of San Fernando Valley organizations and individuals have argued that the Valley taxpayers 'are not getting a fair share' of the transit projects. Stakeholders believe that they have little to show for their portion of sales taxes, which were supposed to be used for building a rapid transit system in the San Fernando Valley. They feel that while the MTA has been studying concepts for the Valley, other areas of the county have already obtained subway and/or other rapid transit systems or are closer to getting improved transit. In addition to recently completed Metro Red Line service to North Hollywood, implementation of the of the San Fernando Valley East-West Transit Corridor project will be a substantial improvement to transit service in the Valley and a major step forward to satisfying the stated shortcoming."

224. The above is, of course, discussing the revenues from the two one-half cent general sales taxes implemented after the voters approved Los Angeles County Propositions A of 1980 (Los Angeles County Transportation Commission Ordinance 16) and C of 1990 (LACTC Ordinance 49). There is a very easy way to address this question - what are the Proposition A and C tax receipts from each sub-area of the County, and expenditures from those funds, since these sales taxes were imposed? In doing this analysis, the "Local Return" funds (nominally 25% of Proposition A and 20% of Proposition C collections) should be disregarded, as these funds are allocated to each city (or County Supervisor for unincorporated areas of the County) and MTA has virtually no control over such expenditures, other than a responsibility to ensure that the individual city or Supervisor does not expend such funds for improper purposes.

225. Actually, if one takes a look at what the Valley has received from expenditures of Proposition A and C funds, the list is very impressive, including (while there is at least some Proposition A or C funding in each of the following, there are also other funding sources utilized):

SIGNIFICANT CAPITAL PROJECTS:

- The Red Line to North Hollywood

20-145

20-146

mischaracterize its public outreach efforts. See Response to Comment Nos. 14-10 and 20-11 through 20-11 for discussions on consultation concerning the Revised FEIR.

Comment 20-146

Metro does not perform or receive any type of geographical breakdown for the Proposition A and C sales tax receipts. The annual budget for Fiscal Year 2005 for Metro does identify certain statistics by Service Sectors of the County of Los Angeles as reflected on pages III-4 and 5. The actual expenditures authorized in the budget are shown in what is a "Combined Statement of Revenue, Expenses and Changes in Retained Earnings" and is reflected on page IV-4 for the Enterprise Fund, which depicts the adopted operating budget of Metro bus and light rail as a whole.

The State of California Board of Equalization collects the local sales tax funds referred to as A and C on behalf of Metro and the collected funds are disbursed to Metro on a regularly scheduled basis. Metro does not segregate the funds into sub-areas of the County of Los Angeles but rather manages and reports the funds on a countywide basis. Likewise, disbursing the funds is completed in accordance with the adopted budget and directives of the Metro Board of Directors as duly and statutorily constituted on a countywide basis, except for the funds directed to local cities or the county on a population basis and the sales tax propositions themselves. All reporting and accounting for Metro financial activities are done to conform to governmental accounting, auditing and financial reporting laws referred to as "Generally Acceptable Accounting Practices."



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 61
November 22, 2004

- HOV Lane/Busways constructed and/or planned in the Valley proper and/or leading directly to and from the Valley on the I-5, I-405, CA14, CA101, CA118, CA134, and CA170 – in fact, every freeway in the Valley (with the important exception of CA101)
- Two Metrolink lines through the Valley from the Los Angeles CBD to Ventura County and North County
- Renewal, replacement, and expansion of the MTA bus fleet and those of other operators serving the Valley, including LA-DOT DASH and Commuter Express, Antelope Valley Transit Authority, and Santa Clarita Transit
- Capital renewal, replacement, and upgrade and expansion of bus transit operating facilities
- Demand-response/Americans with Disabilities Act transit vehicles

TRANSIT OPERATIONS:

- MTA Bus and Red Line service
- Metrolink service
- Bus services of LA-DOT DASH and Commuter Express, Antelope Valley Transit Authority, and Santa Clarita Transit
- Demand-response/Americans with Disabilities Act transit services
- Freeway Service Patrol²¹

TRANSPORTATION PLANS – All that one has to do is to read FEIR pp. 2-2 through 2-14 and count the transit guideway projects *alone* for the Valley and there can be no question that Valley has received a major share of the MTA planning activities.

226. There is no doubt that, on a per capita basis, some areas of the County have “done better” than the Valley, most notably the CBD – which has, arguable, received the largest share of such funding sources of any County subarea, while it has relatively few residents in the central core. Against virtually all other subareas of the County, I might speculate that the Valley has done very well, certainly considerably better than many subareas. However, considering that the big winner, the LA CBD, has received primarily expenditures to bring County residents who live in other areas *to* the CBD, it is hard to argue that residents of the Valley do not receive a benefit from them. Indeed, it appears that Valley residents are close to the majority, if not an actual majority, of Red Line riders, the single most expensive investment that MTA and its predecessor organizations have ever made, and counting expenditures to build the segment “over the hills” on the South side as having no value to Valley residents would appear rather illogical. I might add that Valley residents are also among the prime beneficiaries of the “flat” fare on MTA rail lines,

²¹ While there is considerable question if FSP is “transit,” there is no doubt that is paid for with Proposition C funds.

20-146



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 43
November 22, 2004

which allows them to travel all the way downtown to the end of the Red Line for the same cost as riding two blocks down the street on a MTA bus, a most considerable benefit.

227. I doubt if anyone would dispute that a major reason why the Valley has not seen more large-scale capital investments is that the Valley has been very divided as to which investments should be pursued, and how. This is understandable because the unique Valley transportation situation – “everyone going everywhere” – without a core CBD makes high-capacity, expensive transit guideway projects far less valuable in the Valley than elsewhere in the County, even if one believes that they are of value elsewhere in the County.

228. It is certainly true that the East-West Valley Subway (Red Line) was promised, but never built. For this, we should all be truly grateful, as it would have been an extremely expensive project – well into the billions of dollars – with very little ridership or purpose other than the pure expenditure of public sector dollars for its own sake. This leads into a key point that the DRFEIR discussion appears to totally ignore – it is not a good thing to spend tax dollars in an attempt to “equalize” spending if there is no purpose for such expenditures. Spending money to spend money is a bad policy, particularly with taxpayer dollars.

229. Page RS-48, third paragraph – “Section 130265 has been determined to not be applicable to the currently proposed busway project.” It might be more precise to say that MTA legal counsel (County Counsel) has rendered such an opinion. There is, to the best of my knowledge, no definite legal order on this issue and the opinion of County Counsel is not universally shared.

230. Page 8-1-1, 8-1.1.1.2 Growth and Development Trends – “Los Angeles County is the most populous county in California. The County is estimated to currently have about 9.8 million residents, and is anticipated to have approximately 12.3 million residents in 2020—representing 27 percent growth over 20 years.”

231. Please refer to Exhibit XIX, State of California – Department of Finance – Demographic Research Unit – “New State Projections Show 20 Million More Californians by 2020; Hispanics to be State’s Majority Ethnic Group by 2040,” May 19, 2004, which was obtained from the DMU web site at:

<http://www.dof.ca.gov/HTML/DEMOGRAP/whatsnew.htm>

232. DRU is the unit of State government that performs official population projections and research.

233. In this document, please reference Table 1, “Total Population,” where the following population projection may be found for Los Angeles County: 2020 – 10,885,092.

20-146

Comment 20-147

The commenter’s dissent with MTA’s determination that Section 130265 is not applicable to the Orange Line is acknowledged. The commenter makes the same comment at Comment No. 31-39. See Response to Comment No. 31-39 for further discussion on the reasoning why Section 130265 is not applicable. MTA is not aware of any court order pertaining to this Section that is directed at MTA.

20-147

Comment 20-148

The Purpose and Need in the Revised FEIR is repeated from the FEIR for context. The alternatives considered in the Revised FEIR were evaluated with the same population base as the FEIR. This section was prepared using population projections from Southern California Association of Governments’ (SCAG) 1998 Regional Transportation Plan. The Notice of Preparation (NOP) was released in May 2000. At the time of its release, the population projections used were the best available data from SCAG whose projections are the only regionally accepted projections to use.

20-148



234. From the starting point in the above citation of 9.8 million, this is growth of approximately 1.1 million people, rather than 2.5 million - or approximately 44% of what MTA states.

235. While it is my understanding that the Southern California Association of Governments, the Metropolitan Planning Organization for the MTA region, has not yet conformed to this estimate, there appears to be extremely widespread acceptance of the underlying reasons for this very significant downward adjustment in population projections in the demographic community, as evidenced in the two newspaper articles (Daryl Kelly, "California Cuts Its Population Projection - The State is reconsidering the demands for new schools and other services primarily because of an unexpectedly large decline in the Latino Birthrate," *Los Angeles Times*, October 4, 2004 and Beth Barrett, "Population forecast falls - Drop in Latina fertility rates signal shift," *Los Angeles Daily News*, October 4, 2004, also in Exhibit XIX) and it appears simply a matter of time before this revised projection, or one very close to it, is adopted formally.

236. Page 8-1-12, 8-1.1.3.2 Goals and Objectives & Major Transit Projects Under Development - This is very obviously out-of-date, as it shows the Rapid Bus Program as a two-line demonstration program - rather than the current nine line implemented, total of 24 lines adopted, the Pasadena Gold Line as under construction (it opened in July 2003), and the Eastside Transit Corridor DEIR as recently released - construction is now underway. This section requires updating to reflect the current situation, particularly the extreme success of the Rapid Bus program to date which has led to it becoming a major component of the entire MTA transit service improvement plan.

237. Page 8-1-14, Table 8-1-6: Existing and Projected Travel in the San Fernando Valley, Page 8-1-15, Table 8-1-7: AM Peak-Hour Demand vs. Capacity, 1998 and 2020, and Page 8-1-16, Figure 8-1-3: Comparison of Traffic Demand and Capacity, 1998 and 2020 - These Tables and Figure are obviously based on the older population projections that have since been significantly revised downward, as discussed on the comment on page 8-1-1 above. With population growth for the County of approximately 44% of what was originally projected, the 2020 data shown on these tables requires substantial revision. Undoubtedly, every measure will require substantial downward revision.

238. With the population growth so much less than had been originally projected, the negative impacts of such growth on travel will be very much less significant. This change in population projection is far too large to ignore, assuming that there is a desire to produce meaningful data for analysis in this DREIR.

239. Page 8-3-14/15, 8-3.3.1.1 Transit Vehicle Conflicts with Mixed-flow Traffic - "Typical bus operations do not cause significant traffic impacts. However, Rapid Bus operations are not the same as typical bus operations in that Rapid Buses are added to streets that already contain local and limited levels of typical bus operations, which further increases the buses on the street, which causes some slowing of existing traffic."

20-148

Comment 20-149

As stated previously in response to comment 20-148, the Purpose and Need in the Revised FEIR is repeated from the FEIR for context. In order to make a fair comparison, the analysis was prepared using year 2000 data when the NOP was released. The state of completion of the major transit projects under development in 2000 listed would not have any effect on the relative evaluation of the Rapid Bus alternatives, either between themselves or with the Full BRT alternative, in the Revised FEIR.

20-149

Comment 20-150

Please see Response 20-148.

Comment 20-151

20-150

With one exception, the Wilshire corridor, all Metro Rapid corridors are planned with no net increase in buses operated. As stated in the February 2002 Metro Rapid Board Report, Metro Rapid lines will be planned and designed to be operating cost neutral. The impacts of Metro Rapid on existing vehicular traffic, therefore, is insignificant in most cases and, as Tom points out, an improvement in other cases.

20-151

The commenter notes that Rapid Buses have fewer stops per mile than local buses and shuttles, typically have far side stops which do not hinder right turns as much as near side stops, and that some drivers have learned to take advantage of the transit signal priority afforded to Rapid Buses by keeping pace with the buses. These comments are all acknowledged for the record as examples of the positive effects of the MTA Metro Rapid Bus Program.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 66
November 22, 2004

240. First, the greatest impact of buses upon other traffic on surface streets is stops to discharge passengers. Since Rapid Bus is designed to have far fewer stops than local service – typically, approximately one stop every mile for Rapid Bus service vs. four to six stops per mile for local bus service and up to every block for shuttle bus service, such as DASH – its negative impacts on surface traffic from stops for passenger boarding/deboarding tend to be less than local and shuttle bus service.

241. Also all Rapid Bus stops are “far side” stops, meaning that they are placed on the far side of traffic signals. Such placement of stops tends to be less disruptive of other surface traffic than near-side stops. For example, when a bus is stopped at a near-side stop, it can be difficult or impossible for other vehicles to make right turns on red. If the traffic signal is “green” when a bus is stopped for a near side stop, the curb lane is blocked to right turns – which does not happen when a bus is stopped at a far side stop – as well as to thru traffic.

242. Many local drivers on Rapid Bus streets such as Wilshire have actually learned to use Rapid Buses to help them get through signalized intersections. These drivers know that there is a good chance that, if they follow or keep pace with a Rapid Bus, they will receive a series of “green” lights.

243. Rapid Bus traffic signal improvements can include changes to the signal progressions, and LA-DOT, working with MTA, has actually done this on Wilshire Boulevard (for Rapid Bus line 720) and Washington (for the Long Beach-Los Angeles Blue Line). Sean Skehan, Senior Transportation Engineer, Advanced Transportation Management Systems, LA-DOT, informed me that the Wilshire signal progression changes for Rapid Bus actually produced a small increase in flow for other vehicles.

244. In almost all of its Rapid Bus implementations to date, MTA has not simply added Rapid Bus service to the existing local bus service, it has shifted the mix by reducing the number of buses assigned to local and limited stop. When a slower, local or limited stop bus is replaced by a faster, Rapid Bus, this is an improvement in traffic flow for other vehicles on the street. (See Exhibit 20, “MTA – Pre- and Post-Rapid Bus Conversion – Number of Vehicles Assigned, AM Peak Period.”)

245. However, the most obvious impact of adding Rapid Bus service is that, the more people that are attracted to Rapid Bus due to its improved service, the fewer people who are going to be in private automobiles – including, very commonly on the same street at the same time. This is *not* to claim that every Rapid Bus user formerly drove alone on the same route at the same time, but there is most certainly a single-occupancy-automobile-to-Rapid-Bus factor at work when Rapid Bus is properly implemented with attracting new riders and saving travel time for existing riders as the primary objectives (as opposed to cost reduction, which has, unfortunately, appears to be

Comment 20-152

True, signal progression improvements made along Wilshire and Washington Boulevards have produced a small improvement in overall traffic flow for regular traffic as well.

20-151

The comment by Sean Skehan of LADOT regarding the positive effects of the Metro Rapid Bus Program on overall traffic flow is acknowledged for the record.

Comment 20-153

This observation is acknowledged for the record.

Comment 20-154

The analysis included in the FEIR and the Revised FEIR does reflect the fact that traffic volumes on many streets are lower in the future with the BRT and Rapid Bus Alternatives due to the mode shift of some travelers from auto ridership to bus ridership. These differences are reflected in Table 8-3-6 where background traffic volumes are generally shown to grow less by 2020 with the transit alternatives in place than under the No Build scenario. Please also see Response to Comment No. 20-30. In response to commenter’s questions, MTA does not believe that general traffic flow has been measurably affected by its implementation of Rapid Bus routes to date.

20-152

20-153

20-154



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 66
November 22, 2004

the primary objective of how MTA has been implementing Rapid Bus service in the most recent lines).

246. MTA's statement above appears to be saying that implementing Rapid Bus can cause traffic conditions to worsen. What evidence does MTA have of such events from the nine Rapid Bus lines that it has implemented to date? (Note: While we are aware that the "dedicated bus lane" project on Wilshire near the San Diego [I-405] Freeway has produced measurable problems in other surface traffic flow, this is *not* a Rapid Bus project, even though Rapid Bus route 720 buses do use the exclusive lane. However, by definition, a project with an exclusive bus lane is Bus Rapid Transit, like the Orange Line.) Does MTA have any evidence of implementing Rapid Bus and seeing improvements in traffic flow, such as those I have included above?

247. Page 8-3-15, 8-3.3.1.3 Transit Priority Treatment at Signalized Intersections - "Based on data collected on MTA's Wilshire Boulevard and Ventura Boulevard Rapid Bus demonstration projects, it was determined that those Rapid Buses were operating at improved speeds 20 percent faster than the standard buses on those routes as a result of transit signal priority and fewer stop locations. The travel demand forecasting model used to predict ridership on the three Rapid Bus alternatives used the 20 percent speed improvement for all Rapid Bus routes in the model assignments, but in reality this 20 percent improvement is likely only to be achieved on Victory Boulevard. For other east-west Rapid Bus routes something less than the 20 percent bus speed improvement is more likely. Most of the east-west Rapid Bus routes are more likely to achieve speed improvements of 10-15% over standard bus routes."

248. First, the operating speed improvement on other Rapid Bus lines appears to be larger than the 20% MTA claims above. In *Final Report - Los Angeles Metro Rapid Demonstration Project*, July 2001 (Exhibit XII, 53 AR 12742-806), page iii, "Objective 1: Reduce Passenger Travel Times," it states:

"Since the initial date of service, Metro Rapid Operation has achieved the following improvements in operating speeds:

- Wilshire/Whittier Corridor - operating speeds increased by 29%
- Ventura Corridor - operating speeds increased by 23%"

249. Second, since the publication of that report (approximately one year after the commencement of service on first two Rapid Bus lines), there have been further improvements to speed. At a meeting of the MTA Citizens Advisory Board on May 26, 2004, Rex Gephart, the "father" of Rapid Bus at MTA, spoke on Rapid Bus and stated that the Line 720 Rapid Bus service on Wilshire was then operating 29% faster than the former *limited stop* service on Wilshire, which was itself significantly faster than the local service. (This statistic did *not* include the speed increase from the exclusive bus lane on Wilshire near I-405, described above.)

Comment 20-155

Two issues. First, as opposed to what Tom states, limited stop service is not "significantly faster than the local service". For example, the limited and local stop services on the Vermont and Soto corridors prior to the implementation of Metro Rapid service were scheduled with nearly identical travel times. Second, the range of travel time improvements for the nine existing Metro Rapid corridors is currently between 17% (Van Nuys) and 29% (Wilshire).

20-154

20-155



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 67
November 22, 2004

250. Third, the City of Los Angeles has announced plans for its "Street Smart" program to speed up traffic (See Exhibit XXII). As the press release from Mayor James K. Hahn's office, October 4, 2004, states, in the second bullet, "Retiming of traffic signals to eliminate bottlenecks and improve progression." The list of the 35 Street Smart roads includes the following San Fernando Valley East-West arterials that we recommend be considered for Rapid Bus service: Roscoe Boulevard and Victory Boulevard.

251. Also, in Exhibit XXII, please note the Sharon Bernstein, *Los Angeles Times* story of October 5, 2004 on this program – the headline says it all: "Los Angeles: Hahn Unveils Plan to Speed Traffic Flow: Stoplights on 35 L.A. streets will be reset in a move he predicts will save drivers 8.4 million hours a year. *Victory Boulevard is to be first. (Italics added)*"

252. Does MTA agree that the impact of the traffic signal progression improvement program will improve bus speeds in the Valley? Does MTA agree that, although this program will improve all street-running bus speeds, this program will provide a greater benefit to Rapid Bus lines than local bus lines? Does MTA agree that the impact of this program on Victory Boulevard, the first Street Smart street to be implemented, will provide significant speed improvement benefits to Victory Boulevard Rapid Bus service and that, while there may be some benefit for Orange Line buses for that relatively short portion of the Orange Line that operates alongside Victory, the Street Smart speed improvements for Rapid Bus on Victory will exceed those for the Orange Line? Has MTA performed, or know of, calculations of the amount of improvement in bus travel time that could be expected from this program, particularly on specific streets, and, if it does, what are they?

253. Fourth, the estimate above appears to overestimate the importance of the limited traffic signal priority in saving time for Rapid Bus lines. While it is certainly a valuable tool and does help reduce run times, in the real world of operating buses on the street, it is actually not really used all that much – certainly nothing remotely approaching every traffic signal.

254. To gain a rough idea of how much bus operating speeds can be improved without traffic signal priority, I performed an analysis of MTA limited stop bus service times vs. comparable local bus service times. As a general rule, limited stop bus service has one stop approximately every half mile and Rapid Bus service has one stop approximately every mile. Also, while the one-stop-approximately-every-mile rule for Rapid Bus is fairly consistently applied, it is common for limited stop bus service in the CBD to stop at all bus stops on their "parent" bus lines. Limited stop service does not generally utilize "far side" bus stops as frequently as does Rapid Bus service. Of course, Rapid Bus has limited traffic signal preference, while limited stop service does not. All of these factors mean that, all else equal, Rapid Bus service will be significantly faster on any particular bus route alignment than limited stop service.

255. Does MTA agree with these above conclusions regarding the comparative speed advantages and results of Rapid Bus vs. limited stop service?

Comment 20-156

Please see Response 20-25.

Comment 20-157

Please see Response 20-25.

Comment 20-158

Please see Response 20-25.

Comment 20-159

Limited stop bus service has an average stop spacing of approximately 0.3 miles, systemwide. Metro Rapid has an average stop spacing of approximately 0.7 miles. Therefore, all else equal, Metro Rapid service will be faster than limited stop service.

20-155

20-156

20-157

20-158

20-159



Comment 20-160

Please see Response 20-25.

Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 44
November 22, 2004

256. Exhibit XCIII contains MTA Bus Schedule information for limited stop bus lines that share routes with regular local service. My sample design was simplicity itself: I went to the MTA "Bus and Rail Timetables - Metro Bus Lines 302-394" (in the MTA bus route numbering system, all limited lines begin with "3") and printed the schedules for the first five limited lines on the list that shared a route with a regular local line (which meant excluding Line 305, which does not). I then found the limited run that began closest to 7:30 a.m. in the morning weekday peak, found the comparable local bus trips before and after the limited run (where possible) between comparable time points as distant as possible, and computed the times for both the limited and the average of two local runs, producing the following schedule:

Line	Minutes		Savings	% Speedup ¹¹
	Limited Run Time	Local Run Times		
2/302	57	67	10	18%
4/304	49	(54+55)/2 = 54.5	4.5	11%
212/312	51	62	11	22%
115/315	44	57	13	30%
16/316	14	(27+26)/2 = 26.5	12.5	89%

257. As we can see from the above table, it does not appear all that difficult, judging from MTA's own published schedules, to produce scheduled time savings of 10-15% - the "more likely speed improvement" MTA projects - by limited stop techniques alone, even if there were traffic signal priority benefits available at all. If we take the above five examples - which were picked by an arbitrary selection method without any attempt what-so-ever to create an unfair sample - and even exclude the rather remarkable result of the 16/316 comparison, the simple average percentage speed increase for the other four examples is slightly over 20%.

258. Therefore, even if the limited traffic signal priority feature of Rapid Bus was of less utilization in Valley East-West bus lines than on other MTA Rapid Bus routes, a 20% speed increase of Rapid Bus over local bus services - or more - does not really appear to be at all out of the question.

259. Does MTA agree with the above analysis and its conclusion? If not, why not? If any part of MTA's response contains language to the effect that MTA's schedules cannot be utilized for such comparisons, there are two follow-up questions: (a) If MTA schedules cannot be utilized to

¹¹ The metric in the DRFEIR section above is "improved speeds." To calculate this metric from run times between comparable points in percentage terms, divide the longer local run time by the shorter limited run time and subtract 1. For example, if a local bus takes 60 minutes between a common set of time points as a limited bus that takes 50 minutes, the calculation is (60/50) = 1.20 - 1 = .20 = 20%. Therefore, the limited stop bus must have an average rate of speed 20% faster than that of the local bus to cover the same distance in the specified times.

20-160



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 49
November 22, 2004

determine when transit vehicles will appear at specified timepoints, then exactly what purpose are such schedules intended to fulfill?, and (b) Please provide a list of all other MTA documents that cannot be relied upon, specifically including those portions of the DRFEIR and documents utilized in its preparation.

260. Is the MTA extreme pessimism over Rapid Bus operating speed improvements driven by real concerns or by a reluctance to see something so (relatively) simple and inexpensive to implement – which is, to a very large extent, an invention of MTA’s – succeed if it makes the favored Orange Line Alternative look less desirable?

261. Page 8-3-16, Table 8-3-5: BRT and Rapid Bus Alternatives Auto Mode of Access Description – This table shows that between 2,897 (Upper Bound) and 3,297 (Lower Bound) people will access the BRT every working weekday through the Park & Ride lots. As this appears to be the count of people, not trips (note that the “Park & Ride” counts are relatively close to the “Total Lot Capacity,” so, unless we assume that MTA is building significant excess parking capacity for no reason, this appears to be counting travelers, which will be somewhat more than cars, because some cars will bring multiple riders to the Park & Ride lots), it is probably fair to almost double this count for the number of trips that will be taken by the Park & Ride users, producing a count of trips that are taken by Park & Ride lot users of approximately 5,000 to 6,500.

262. It is interesting to note that the Park & Ride Auto Split for all three Rapid Bus Alternatives is zero, indicating that there will be no Park & Ride access to Rapid Bus in the Valley because, one assumes, there will be no Park & Ride lots usable by Rapid Bus passengers. This is a system-design result, meaning that the reason that the existence of Park & Ride lots for Orange Line passengers has a lot to do with 5,000 or more trips a day, but there will be no Park & Ride passengers on Rapid Bus because MTA has decided it will not provide any Park & Ride lots for Rapid Bus passengers.

263. This is remarkable for many reasons, the chief among them being that there are Park & Ride lots planned – under construction – for the Orange Line that are located directly on potential Rapid Bus lines and would be almost as usable for Rapid Bus passengers as for Orange Line passengers. Referring to the FEIR, Table 2-6: Station Attributes (Full BRT Alternative), we have the following Park & Ride lot facilities, from West to East:

- A. At Pierce College Station (Mason Avenue/Winnemka Avenue), there is a 100-389 space Park & Ride lot. The parking lot will be located between the Busway to the North and Victory Boulevard to the South. There is a Victory Rapid Bus line in all three Rapid Bus Alternatives and the Victory Rapid Bus line runs right by this location and there is a Rapid Bus stop shown at Victory and Winnemka. Why could this Orange Line Park & Ride lot not be used as a Rapid Bus Park & Ride lot?

Comment 20-161

This comment does not address a specific environment impact of the potential alternatives, but it is acknowledged for the record.

20-160

Comment 20-162

The RB Alternatives were developed in accordance with the policy by which Rapid Bus routes have been implemented by the MTA elsewhere in Los Angeles County. They have not been implemented with park-and-ride lots. In the Revised FEIR, there was also an attempt to compare the alternatives as they would have been compared in the FEIR. At that time, park-and-ride lots were not under construction and were not considered an element of the Metro Rapid Bus program which was intended to implement fast, high quality bus service with low-floor buses, signal priority at intersections, streamlined on-street boarding and alighting of passengers, and improved bus stop spacing. Moreover, the RB Alternatives would not utilize a BRT park-and-ride lot if the BRT is not built in favor of a RB Alternative. The cost of constructing park-and-ride lots was not included in the cost of constructing or maintaining any of the RB Alternatives. Thus, it would be inappropriate to include the benefit of BRT facility with any RB Alternative.

20-161

20-162



- B. At Reseda Boulevard, there is a 534 space Park & Ride lot. In RB-Network, there is a Reseda Rapid Bus line. There is no stop indicated at the location of this Park & Ride lot, but adding a stop at this location does not appear to be very difficult. Why could this Orange Line Park & Ride lot not be used as a Rapid Bus Park & Ride lot?
- C. At Balboa, there is a 285 space Park & Ride lot shown. The Victory Rapid Bus line found in all three Rapid Bus Alternatives runs by this location and there is a stop indicated here. Why could this Orange Line Park & Ride lot not be used as a Rapid Bus Park & Ride lot?
- D. At Sepulveda, there is a 1,210 space Park & Ride lot shown. In RB-Network, there is a Sepulveda Rapid Bus line. There is no stop indicated at the location of this Park & Ride lot, but adding a stop at this location does not appear to be very difficult. Why could this Orange Line Park & Ride lot not be used as a Rapid Bus Park & Ride lot?
- E. At Van Nuys, there is a 981 space Park & Ride lot shown. In RB-Network, there is a Van Nuys Rapid Bus - in fact, there is a Van Nuys Rapid Bus line operating right now, although not on the same route as the RB-network Van Nuys Rapid Bus line. There is no stop indicated at the location of this Park & Ride lot, but adding a stop at this location does not appear to be very difficult. Why could this Orange Line Park & Ride lot not be used as a Rapid Bus Park & Ride lot?
- F. At the North Hollywood Red Line station, there is an existing 915 space Park & Ride lot. All three RB-3 Rapid Bus lines serve this station, four of the five RB-5 Rapid Bus lines (all but Sherman Way) serve this station, and the RB-Network Victory Rapid Bus line serves this station. Here, it is not a question of, why can't this Park & Ride lot be used as a Rapid Bus Park & Ride lot, it is a question of how it could possibly be prevented? Yet, Table 8-3-5 discussed above shows no - zero - Park & Ride Auto Access for all three Rapid Bus Alternatives, which simply makes no sense. Did MTA make a conscious decision to develop model rules that would not "allow" Rapid Bus passengers to Park & Ride at this location, or is there some other explanation for this extremely illogical result?

20-163

20-164

20-165

20-166

20-167

20-168

264. Finally, I refer you to Exhibit XXIV, the Metro Orange Line August 2004 Monthly Project Status Report, specifically "Management Issues," page 2, "Concern No. 2 Park-and-Ride site at Metro Orange Line's western terminus in Warner Center," which states:

265. "The western terminus at the Warner Center Transit Hub does not currently include parking for Orange Line Project patrons. In February 2004, the MTA Board approved proceeding with negotiations to purchase the Boeing site identified, as the MTA Board preferred option for a park-and-ride site. MTA staff continues to develop a "construction only" procurement package for the park-and-ride scope of work, which includes extending the busway to the new station at the park-and-ride location. As requested by LADOT, LABOE and Councilman Zine's office, the MTA has tentatively agreed to include the widening of Conoga Avenue as part of the Project provided that the City pays the cost of construction. Subject to City Council approval, the widening, which is included in the latest zoning plan, may be funded as part of the Warner

Comment 20-163

Please refer to response to comment 20-162.

Comment 20-164

Please refer to response to comment 20-162.

Comment 20-165

Please refer to response to comment 20-162.

Comment 20-166

Please refer to response to comment 20-162.

Comment 20-167

Please refer to response to comment 20-162. It is correct to note that many of the Rapid Bus routes in the alternatives serve the North Hollywood Red Line station, where a park-and-ride lot is included in the travel demand model. In theory, the model could have assigned some park-and-ride access to the Rapid Bus routes, which serve that location, but it was already at capacity based on the park-and-ride demand for the Red Line itself.

Comment 20-168

Please refer to response to comment 20-162. It is correct to note that many of the Rapid Bus routes in the alternatives serve the North Hollywood Red Line station, where a park-and-ride lot is included in the travel demand model. In theory, the model could have assigned some park-and-ride access to the Rapid Bus routes, which serve that location, but it was already at capacity based on the park-and-ride demand for the Red Line itself.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 71
November 22, 2004

Center Specific Fund. Staff continues to prepare an Addendum/Modified Initial Study for the development of a satellite surface parking-and-ride lot on MTA-owned property just north of the Boeing property to augment parking to be provided at the Boeing site. MTA staff will request adoption by the MTA Board of the satellite EIR in the near future³⁹.

266. There is no detail as to the number of spaces in this lot, but it is located close to Victory and Conoga. Each of the three Rapid Bus Alternatives includes a Victory Rapid Bus line that will pass directly by this location. There is no stop indicated at the location of this Park & Ride lot, but adding a stop at this location does not appear to be very difficult.

267. Why could this Orange Line Park & Ride lot not be used as a Rapid Bus Park & Ride lot?

268. If some – or all – of these “Orange Line” Park & Ride lots were utilized as Rapid Bus (and local bus) Park & Ride lots, what would the impact on Rapid Bus ridership be? If a Rapid Bus Alternative were to be selected over the Orange Line Alternative for implementation, then what would MTA intend to use these Park & Ride lots – which, for the most part, are on land that MTA already owns and, in many cases, are well into construction?

269. Pages 8-3-17/9, Section 8-3.3.2.1 Intersection Traffic Impacts – Traffic Forecast Methodology and Table 8-3-6: Growth Percentage for Base Traffic Volumes – On the Table, we see a range of base traffic volumes for the various alternatives from 24.0% to 35.0%, and there is a discussion of the implications for traffic congestions and speeds.

270. It appears that the main driver of these projected increases is the expected growth in population. As discussed above at page 8-1-1, the 2.5 million Los Angeles County population increase over the base population utilized in the FEIR has been reduced to a 1.1 million increase in the May 2004 State of California Department of Finance Demographic Research Unit projection. The values in this Table should be reduced to be consistent with the best available population projections.

271. Does MTA intend to revise this Table and this analysis to conform to the most recent and relevant information regarding expected population trends? If not, why not?

272. Page 8-4-1-1, 8-4.1.1.2 Existing Land Use Patterns – “The scale and amenities provided at RB (Rapid Bus) stops are similar to that of local bus stops. For comparison, the scale, operation, and amenities provided at proposed stations for the BRT alternative are similar to those provided at rail stations. Stations are located along dedicated ROWs and include amenities

³⁹ Although the environmental clearance has not taken place, reference to the “Project Cost Status” on page 9 shows, for “Proposed Park-and-Ride Facility,” an “Original Budget” of \$16.5 million, an “Current Budget” of \$16.5 million, a “Previous Forecast” of \$20.8 million, a “Current Forecast” of \$20.8 million, a “Forecast Variance” of \$(-4.3) million, “Commitments” of \$9.0 million, and “Expenditures” of \$ 8 million.

20-168

Comment 20-169

If park-and-ride lots were included at some of the stations on the RB alternatives, this could result in some additional ridership on those lines, but the magnitude is hard to predict. Park-and-ride access links to bus stops have not typically been included in the MTA model and where they have been coded (e.g., at park-and-ride lots served by express buses) the level of park-and-ride access to bus services has typically been minimal. If the MTA Board were to select a Rapid Bus alternative in lieu of the Orange Line, the Board would be asked to determine the preferred disposition of the park-and-ride lots referenced.

20-169

Comment 20-170

Please refer to response to comment 20-31.

20-170

Comment 20-171

MTA understood that the Rapid Bus alternatives requested were to be low cost and have amenities similar to the current Rapid Bus route constructed on Ventura Boulevard. As park-and-ride lots are not normally constructed with Rapid Bus, these were not included.

20-171

Providing only limited amenities in the RB alternatives maintained a low capital cost and improved the cost effectiveness of these alternatives. MTA could include as a part of RB alternatives more amenities such as bicycle parking and street trees (although sidewalk width at stations is constrained in many locations). However, increasing amenities at Rapid Bus stop locations would increase the capital cost and negate an important positive feature of Rapid Bus.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 71
November 22, 2004

such as: park-and-ride lots, transit vehicles with multiple doors for passenger loading, bicycle parking, and designated kiss-and-ride drop off locations. In comparison, RB stops do not include any of these amenities."

273. As to the last - "RB stops do not include any of these amenities" - this is, at least to some extent, a MTA design decision. I have previously commented - page 8-3-16 - that several of the proposed Orange Line Park & Ride lots could very easily, and effectively, be utilized for Rapid Bus lines, this being almost entirely a matter of MTA making a decision to take that action - in fact, MTA has already done a great deal of work to construct many of these Park & Ride lots, which would appear to have very little purpose if the decision was made to go with Rapid Bus. Kiss-and-ride is often not difficult to provide for, particularly at Park & Ride lots, and, in at least certain Rapid Bus locations, some of the other amenities, such as bicycle parking, may be possible (certainly bicycle parking would be simple at Park & Ride lots).

274. Why cannot at least some Rapid Bus stations have some of the amenities that are above allocated solely to "full" BRT? Has MTA considered such improvements?

275. Page 8-4.1-42 et seq., Los Angeles General Plan Framework (All Alternatives) - This section discusses the Framework and, in particular, how the development of transit corridors, "Targeted growth areas," etc. ties together transportation and land use planning.

276. These urban planning concepts and elements - which appear to fit into what is often referred to as "smart growth" and/or "new urbanism" - are currently some of the most hotly debated topic in the field. While I will not attempt to resolve the associated issues in this comment letter, I will point out that Portland, the city and urbanized area that has been the national "leader" in implementation of such things, has virtually the absolute worst trend record among metropolitan areas of its size in traffic congestion trend, as measured by the Texas Transportation Institute in their regular periodic reports. It also has close to the least affordable housing in the nation.

277. In the military, there is a very-well know old saying, "No plan survives first contact with the enemy." In urban planning, there is a variation on this, "No city plan survives first contact with a developer or a neighborhood group."

278. Such plans are subject to change and such change is generally frequent and continual. Even assuming that the general underlying elements of the Framework are retained, change of specific corridors is certainly a possibility. If other transit modes and options provide superior transportation, then such change is not only possible, but beneficial. If it is transportation that drives development, and vice versa, then the best possible transportation solutions should be provided for in such plans, not plans developed that force suboptimal transportation choices.

20-171

Some park-and-ride lots on the Full BRT Alternative could be utilized by some of the RB alternatives. However, the alternatives were not defined with this parking as it currently is not MTA's policy to include major acquisition of land (for park-and-ride lots), and construction improvements associated with these alternatives.

Comment 20-172

It is noted that the commenter does not agree with the land use concepts in the City's *Framework* and the planning process behind it. This plan was not prepared by MTA. The *Framework* is a part of the City's General Plan and had extensive community input. The transportation section was later updated by the City's Transportation Element, which included additional public input. As mentioned on page RS-16, Table RS-2: Summary of Operation Impacts, "Amending these numerous plans would severely alter their objectives without any substitute objective that will curtail widespread growth."

20-172

In reference to the contention that the Orange Line could be replaced with another corridor or transit option, MTA believes that the type of high-capacity transit service provided by the BRT best meets the goals of the *Framework*.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 73
November 22, 2004

279. I expect MTA, of course, to argue that the Orange Line is the best possible transportation solution in this corridor. For all the reasons I discuss in this comment letter, I respectfully disagree with that conclusion.

280. Page 8-41-45, Transportation Element Policies – This section includes two “bullet” points from the *Transportation Elements*:

- “Establish a high-capacity transit priority corridor prior to 2010 in the San Fernando Valley between North Hollywood and Warner Center.” – As I point out in my comments on page RS-16, the ridership on Victory Boulevard, including both Rapid Bus and local service, exceeds the ridership projection for the Orange Line Upper Bound (even after all the various things detailed in this comment letter that MTA has done to make the Orange Line unfairly look better and the Victory Rapid Bus service perform inferiorly, MTA’s own Transportation Planning Model runs show Victory victorious). Therefore, by definition, if the Orange Line Upper Bound is a “high-capacity transit priority corridor,” and if Rapid Bus service on Victory receives traffic signal priority, then Victory with such bus service must be a “high-capacity transit priority corridor.”
- “Establish the Burbank/Chandler corridor as a priority corridor for Alternative Rail Technology or a busway utilizing publicly owned railway right-of-way.” – Contained in a plan of a public body, such a statement can only have one of two implications: (a) Approval of such a project is dependent upon a fair and impartial planning and evaluation that shows that such a transportation plan element is the best, or at least a good, alternative, which is a rebuttable contention – which we are now engaged in, or (b) Such a project will be approved without regard to its affectivity, productivity, cost-effectiveness, public input, and other factors, which is improper and deplorable public decision making practice and should not be allowed.

281. In short, if there is a plan, and then there is a concept that proves to provide superior results than could be achieved by retaining consistency with the plan, the proper action would appear to be to consider changes to the plan.

282. These same comments apply to sections following, including Table 8-4.1-4: Consistency of the Rapid Bus Alternatives with SCAG Regional Comprehensive Plan and Guide and Table 8-4.1-5: City of Los Angeles Community and Specific Plan Policy Impact Analysis.

283. Does MTA concur with the points I have made above? If not, why not?

284. Page 8-43-12, Table 8-4.3-2: Population and Employment Projections (1990-2020) – As has been discussed in multiple comments above, this data appears to be based on the same old, too-high projections and MTA should conform to the most recent best projections.

20-172

20-173

20-174

Comment 20-173

Please see response to comments 20-136 and 20-137 regarding ridership of Full BRT and Rapid Bus alternatives.

The planning process with which the City of Los Angeles developed its recommendations for transportation improvements included extensive public input. MTA does not direct the City’s plans but participates in their preparation as an outside agency. MTA concurs that transportation and land use planning must be considered together if the serious mobility and growth issues facing the city are to be addressed. The *Framework* and the

The City’s Transportation Element recognizes these important connections.

Comment 20-174

The information in this table was used to maintain a consistent approach in the Revised FEIR to that used in the Final EIR. Utilizing 2000 Census data would not allow for reliably consistent conclusions between the documents.



285. Page 8-4.8-2, Tables 8-4.8-1: Annual Direct Energy Consumption – Year 2020, Table 8-4.8-2: Changes in VMT of Each Alternative Compared to No Build Alternative – The comments here also apply to the four tables on the following two pages.

286. There appears to be some inconsistencies between data on these tables and information provided elsewhere in the DRFEIR and there are some other data that requires explanation.

287. First, to make sure that I have a proper understanding of these tables, a few questions. There are four vehicle classes shown in these tables, "Passenger Vehicle," "CNG Bus," "Light or Heavy Rail," and "Commuter Rail." Am I correctly stating the following?

- In 2020, all MTA buses will be CNG (compressed natural gas)-powered?
- There are no differences in the types of vehicles and other characteristics important to these tables between Alternatives – for example, the energy usage profile of the passenger vehicles in the "No Build" Alternative is identical to that for the "Full BRT" Alternative?

288. In Table 8-4.8-1, the "CNG Bus" energy usage for "Full BRT" is higher than that of the "No Build," which is as expected. The energy usage for each of the three Rapid Bus Alternatives is higher than that of the No Build, but lower than that of the "Full BRT," and is closer to that of the "Full BRT" than that of the "No Build." This would generally be understood to mean that the buses in the three Rapid Bus Alternatives were traveling fewer miles than the buses in the "Full BRT" Alternative. The data presented in Table 8-4.8.2: Change in VMT³⁴ of Each Alternatives Compared to No Build Alternative) appears to be consistent with the data in the previous table, with the "Full BRT" showing .94% more CNG VMT than the "No Build," while the three Rapid Buses Alternatives come in at .66%, .67%, and .74% more VMT than the "No Build."

289. I now refer you to page 8-6-6, Table 8-6.3: Incremental Annual Operating and Maintenance Costs (2001 dollars, in millions). Note here that, generally speaking, the added operating costs for the three Rapid Bus Alternatives are somewhat higher than that of BRT, which implies that the Rapid Bus Alternatives have, generally, more CNG Bus VMT than the BRT Alternative.

290. Since the operating cost increases for the three Rapid Bus Alternatives are presented as ranges of costs, vs. the same identical point projections for both the BRT Upper and Lower Bound, it is useful to be more specific. The Costs Over No Build for these are:

RB-3:	\$21.2-23.1
RB-5:	\$22.2-24.2

³⁴ Vehicle Miles Traveled

Comment 20-175

It is correct to state that in 2020, all MTA buses will be CNG-powered be powered by CNG or other appropriate, available, environmentally-sound technology, and that there are no differences in the types of vehicles and other characteristics important to the tables between alternatives. It is also correct to assume that energy consumption factors for passenger vehicles are not affected by the transit alternatives under consideration.

20-175

Comment 20-176

It is correct to state that CNG buses for the three RB alternatives would result in less VMT than the Full BRT. The statement regarding the change in CNG bus VMT for each alternative compared to the "No Build" is correct and is presented in Table 8-4.8-2.

20-176

Comment 20-177

Operating and maintenance (O&M) costs are determined through a number of inputs, not just revenue vehicle miles traveled (VMT). Inputs are described in Table 6-2 of the February 2002 FEIR. VMT used in the O&M cost model was generated independently from what is reported in Table 8-4.8-1. The VMT inputs for the rapid bus alternatives were provided to the commenter as a summary of backup statistics for the O&M cost model. The annual VMT input for BRT was 97.45 million and 97.48 million for the lower and upper bound BRT respectively, which is lower than the rapid bus alternatives.

20-177



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 75
November 22, 2004

RB-Network: \$30.6-34.4
BRT Lower Bound: \$22.5
BRT Upper Bound: \$22.5

291. The RB-3 range sits on top of the BRT point projection, with the BRT projection closer to the "high" end. The RB-5 range also sits on top of the BRT point projection, but the BRT projection is closer to the "low" end of the range. The RB-Network range is higher than the BRT point projection.

292. How can the Rapid Bus Alternatives operating costs be generally higher than those of the BRT, but the Full BRT operate more VMT of bus service?

293. In Table 8-6.3, the operating cost increment for the BRT Upper and Lower Bounds are identical, at \$22.5 million Cost Over No Build, but in Table 8-4.8-1, there are different values for CNG Bus energy consumption. How can the operating cost for BRT Upper and Lower Bound be identical, which implies an identical CNG Bus VMT, but the energy usage be different? There is only a point projection for CNG Bus in table 8-4.8.2, which is inconsistent with the range of energy consumption in Table 8-4.8.1. Is there an explanation for this difference, or is it an error of some type?

294. If these internally inconsistent representations are due to inconsistencies in the methodologies utilized to produce one or both of these sets of tables, or error of some type, please disclose the problem(s) and correct them.

295. Table 8-6.3 shows a range of cost increments for the three BRT, but there are point projections for energy use in Table 8-4.8.1 and VMT in Table 8-4.8.2. Please correct this inconsistency and provide the full and correct data. Tables 8-4.8-1 and 8-4.8-2 both show that "Light or Heavy Rail" and "Commuter Rail" energy usage and VMT varying significantly between Alternatives with a number of evident inconsistencies. In general, one would assume that energy usage is closely correlated to VMT, but this does not appear to be the case from the data presented. For example, Table 8-4.8-1 shows that Commuter Rail energy usage for Full BRT going up .48%, while Table 8-4.8-2, we see VMT going up 1.2%, over twice as much. Please explain why the rates of change in energy usage and VMT in these two tables vary so widely.

296. Finally, regarding Table 8-4.8-2, what are the actual CNG Bus 2020 VMT data for the various Alternatives?

297. Page 8-4.13-1, 8-4.13 SAFETY AND SECURITY - The following summarizes the conditions, results, and situation at the Miami-Dade Transit South Miami Busway. This Busway was the first such Busway in the U.S. and, at the time of the FEIR, was the only busway of this

Comment 20-178

When estimating regional energy consumption, the MTA transportation demand model supplies the regional VMT totals. When estimating MTA's O&M costs, VMT is one of numerous inputs for MTA's O&M cost model. In estimating MTA O&M costs, MTA's total VMT is provided through the transportation demand model. MTA's VMT was higher for the upper-bound BRT alternative as compared to the lower-bound BRT alternative; other measures used in the calculation of MTA's O&M cost also had changes which overall resulted in minor differences in the calculated MTA O&M cost for the lower-bound and upper-bound BRT alternatives. For LADOT's O&M costs, vehicle hours are used rather than vehicle miles. Note that while there is no net difference in the total O&M costs for the BRT lower and upper bound estimates, there are slight differences in the calculated MTA O&M cost and LADOT O&M cost.

20-177

20-178

20-179

20-180

20-181

20-182

20-183

20-184

Comment 20-179

See response to Comment 20-182.

Comment 20-180

See response to Comment 20-182.



Comment 20-181

Please see Response 20-178.

Comment 20-182

Table 8-4.8-2 would be revised to indicate the correct change in VMT per year for the Full BRT when compared to the No Build. The revised table is shown on the following page.

Comment 20-183

The CNG bus 2020 VMT data for the various alternatives are presented in Table 8-4.8-1. As shown, No Build would result in approximately 235,507,550 CNG bus VMT, the Full BRT would result in CNG bus VMT that range from 237,730,082 to 237,789,841, RB-3 would result in approximately 237,066,410 CNG bus VMT, RB-5 would result in approximately 237,089,539 CNG bus VMT, and RB-Network would result in approximately 237,258,276 bus VMT.

Comment 20-184

The design of the Orange Line has incorporated additional safety features not present in the Miami system. Please refer to response to comment C9-66 in the Draft Final EIS/EIR. There are 34 crossings along the Orange Line alternative and at 11 of the stations are located adjacent to the crossings. Therefore at 11 of the 34 crossings, buses will be accelerating from a stop at a station platform or will be decelerating to stop at a station, and will therefore be traveling at well below the 45 MPH speed referenced in the description of the Miami system.



Table 4.8-2: Change in VMT of Each Alternative Compared to No Build Alternative

Vehicle Class	Change in VMT/Year							
	Full BRT vs. No Build		RB-3 vs. No Build		RB-5 vs. No Build		RB-Network vs. No Build	
	Change in VMT/Year	Percent Change	Change in VMT/Year	Percent Change	Change in VMT/Year	Percent Change	Change in VMT/Year	Percent Change
Passenger Vehicle	-34,221,628 to -25,560,321	-0.02%	-22,628,310	-0.02%	-20,507,700	-0.01%	-23,075,691	-0.02%
CNG Bus	2,222,532 to 2,382,291	0.94% to 0.97%	1,558,859	0.66%	1,581,989	0.67%	1,750,726	0.74%
Light or Heavy Rail	142,172	1.32%	70,079	0.70%	13,725	0.14%	17,390	0.17%
Commuter Rail	58,512	0.48%	-13,697	-0.28%	-15,981	-0.33%	2,444	-0.05%

VMT = vehicle miles traveled.

Source: Terry A. Hayes Associates, 2000; see FTA New Start Worksheets.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 76
November 22, 2004

type operational in the U.S. More important, it is the *only* such facility that is remotely close to the proposed Orange Line BRT, with the following shared features:

- A. Busway located on a former rail right-of-way
- B. Numerous at-grade crossings where there is the danger of Busway buses and street traffic vehicles colliding
- C. Busway buses proceeding through grade crossings at 45 mph

298. The short version of the extensive factual presentation and analysis below is, the MTA claims that the MDT South Miami Busway, and its limited traffic signal priority system, demonstrates that the Orange Line, with a similar limited signal priority system, designed and operated with Busway buses going through grade crossings at 45 mph (the same speed planned for MTA buses at most Orange Line grade crossings) will be a very safe transportation guideway. However, Miami-Dade Transit, which operates the South Miami Busway, turned off its limited signal priority system – for the second time – in 1999 and it has not been turned on since and there are no plans to turn it back on. Since 1999, every South Miami Busway approaches each intersection at no more than 15 mph, comes to a complete stop, even if it has a “green signal,” checks traffic in all directions, and then proceeds through the intersection at no more than 15 mph. Although MDT had hired safety consultants to advise them on how to get the limited signal priority back operational, and MDT has implemented almost all of their recommendations on the original Busway, and though the recommended safety improvements were designed for a maximum Busway bus speed of 15 mph through the intersections, not the original 45 mph, the limited signal priority system is still off. Finally, in two new extensions of the South Miami Busway that will likely open for revenue service within weeks, even though every one of the safety consultants recommendations was incorporated into its design and construction, these extensions will open with the Busway buses stopping at each and every grade crossing. There is absolutely no schedule for every operating the South Miami Busway through grade crossings without stopping for every one.

299. Therefore, MTA says that the South Miami Busway experiences with limited traffic signal priority allowing buses to speed through intersections without stopping at 45 mph proves that the Orange Line will be a safe guideway transit system doing exactly the same thing.

300. But the people who operate the South Miami Busway shut down the limited traffic signal priority system as an extreme safety hazard in 1999, have never turned it back on, and have no current plans to ever do so.

301. And the Orange Line has many very significant safety concerns that are far over and above anything that has ever been seen in Miami.

DATA SOURCES

20-184



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 77
November 22, 2004

301. The information utilized to prepare the following portions of this paper was obtained over a period of approximately two-and-one-half years from five sources: (1) The Miami-Dade Transit (MDT) web site, <http://www.co.miami-dade.fl.us/transit>; (2) Bob Pezarsall, Manager of Service Planning, MDT (305/637-3809); (3) DMJM-Harris and R. Aleman & Associates, Inc., *South Miami-Dade Busway Safety Study* (Final Report), August 13, 2001 (cited as "DMJM" hereinafter); (4) The MDT Office of Safety and Security, specifically Lyle Mannion, MDT Safety Department, particularly a detailed spreadsheet log of collisions prepared by him, and Steve Charyt, System Safety Supervisor (305/375-4240); and (5) The *Miami Herald*, the primarily English-language daily newspaper in Miami-Dade County.

GENERAL DESCRIPTION OF THE SOUTH MIAMI-DADE BUSWAY

302. Miami-Dade Transit is the transit planning, construction, and operating agency for Miami-Dade County, Florida. MDT is a County Agency.

303. The South Miami-Dade Busway is located in the Southern part of the greater Miami metropolitan area, beginning approximately ten miles South and West of the Miami CBD. The Northern terminus of the Busway is located at Dadeland South Metrorail station, the Southern terminus of the heavy rail system that MDT built and operates. From Dadeland South, Metrorail runs East-Northeast to the Miami CBD, then generally Northwest to Hialeah. The South Miami-Dade Busway integrates with Metrorail, and Metromover, the Miami CBD automated guideway "peoplemover," to provide guideway transit to and from the CBD, and beyond, from the Southern portion of the County along the Atlantic Ocean.

304. The current 8.2 mile Busway, which opened for passenger service February 2, 1997, will be the first phase of a planned 30+-mile Busway. Its capital cost (not including vehicles) was \$21 million. The next two extensions, totaling 11.48 miles, will run from the current Busway Southern Terminus near 112nd Avenue to Florida City and are both scheduled to begin revenue service early in calendar year 2005. It is being built in two segments, the 5.0 mile North Segment and the 6.48 mile South Segment, at a projected total cost of \$85.5 million for right-of-way acquisition and construction. The third phase, planned to be approximately 11 miles long, is currently being prepared for solicitation of construction bids.

305. The existing Busway was constructed largely in a former railroad right-of-way of the Florida East Coast Railway, as will be much of the extension. The first segment alignment is mostly parallel and next to U.S. 1 (South Dixie Highway), the major arterial along this corridor, although one portion of the alignment is physically separated from U.S.1 by some hundreds of feet. U.S. 1 is a heavily traveled, six-lane arterial, which operates with posted speed limits of 40 to 45 mph with many signalized intersections, but with relatively few "minor" streets crossing it. 306. Prior to the construction of the Busway's first segment, MDT operated bus service on U.S. 1 itself, but most of the service formerly operated on U.S. 1 has now been shifted to the Busway.

20-184



20-184

Comments On DRFEIN, San Fernando Valley East-West Transit Corridor Page 78
November 21, 2004

307. The Busway is essentially a dedicated two-lane roadway with "off-line" stations which allows buses to bypass other buses stopped to pick up and discharge passengers. There are fifteen stations in each direction on the Busway proper, not including the Deddland South Metrolink bus stop and bus stops made by Busway route buses after they depart the Busway proper.

308. The Busway first segment was constructed by and is maintained by the Florida Department of Transportation (FDOT). Besides articulated (60-foot) buses, regular-sized (40-foot) buses, and mini-buses, all operated by MDT, the Busway is also utilized by police, fire, and emergency medical vehicles.

BUSWAY BUS ROUTES

309. MDT operates eight bus lines on the first segment of the Busway (not including bus lines that cross, but do not actually travel along, the Busway). Many of these bus lines do not utilize the full Busway, branching off at various midway points to serve communities along the Busway alignment.

310. The current maximum service level is 21 buses per hour, peak hour, peak direction.

311. MDT generally utilizes 60- and 40-foot buses during the peak morning and afternoon periods, switching to smaller mini-buses during mid-day and evening periods on some routes.

OPERATING TIMES AND SPEEDS

312. The "Busway Local" route (which stops at all Busway stops and, therefore, is comparable in operating methodology with the Orange Line) is scheduled for 29 minutes travel time from Deddland South to the Custer Ridge Terminal. Adding approximately one mile from the South end of the Busway to Custer Ridge Terminal (approximately the same distance as from the end of the Orange Line Busway proper to the Warner Center Transit Hub in the shorter direction of travel) to the 8.2 miles of the Busway proper produces a travel distance of approximately 9.2 miles, which produces a travel speed, including station and traffic stops, of approximately 19 mph. However, under the current operating conditions, as described below, the scheduled run time of 29 minutes is not being met, which will require adding run time. This, in turn, may require adding one or more buses to be able to maintain schedules.

³¹ As BRT and other operating speed improvements are implemented, the faster operating speeds allow specific strategies such as five or ten minutes between buses at peak - to be operated with fewer buses and a "Bunching and Spacing" strategy, in the form of round trips out of each bus and bus operator, is one of the great advantages of BRT and Rapid Bus.
However, in any situation where the actual operating time turns out to be longer than what was anticipated, extra vehicles and vehicle operators may be required to meet service schedules.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 79
November 22, 2004

313. At the present time, it is questionable if there is an actual bus travel time savings for Busway buses over the prior operation on U.S. 1 – in fact, by some measures, it now appears that the scheduled “Busway” buses are slower than the buses that used to operate on U.S. 1. The higher number of passengers has led to more daily bus runs than existed prior to the Busway, thus reducing headways between bus runs, and wait times, and thus producing a “total” travel time savings for passengers in this regard, even if the bus travel speed have not significantly improved over pre-Busway days.

20-184

RIDERSHIP

314. The Busway is credited with significant increases in ridership in this corridor, an increase of approximately 71% on weekdays and 130% on weekends over pre-Busway levels, through last year. The weekday ridership change was from approximately 7,000 daily boardings to 12,000. However, after the buses were required to stop at all grade crossings (see below), the loss of travel speed evidently led a loss of the “full speed” ridership of approximately 5%.

TRAFFIC SIGNALS AND PROBLEMS

315. The original concept of Busway operations was buses operating at relatively high speeds on the dedicated Busway without having to slow or stop at most at-grade crossings, allowing buses to proceed through the intersections at the maximum guideway operating speed of 45 mph. The system, as installed for the first Busway segment, utilized “advance loop” detection of buses on the guideway to trigger “green” lights for approaching buses. The Busway buses were not given any traffic signal preemption, priority, or preference, but because the Busway largely parallels U.S. 1, and the traffic signal progression along U.S. 1 is highly structured to favor U.S. 1 traffic, as opposed to crossing traffic, Busway buses were receiving “green” signals at grade crossings a high portion of the time. When Busway intersection traffic signals were not triggered for Busway buses, they “rested in red” for the Busway. If a Busway bus approached a grade crossing intersection during a “red” phase for U.S. 1, the bus would NOT receive a “green,” but would be stopped at the signal to wait for the normal signal cycle to work to a “green” for it.

316. There are nineteen grade crossings on the Busway proper, each at a signalized intersection, with pedestrian crosswalks. Of these nineteen intersections, eleven (SW 104th Street, SW 112th Street, SW 124th Street, SW 128th Street, SW 132th Street, SW 136th Street, SW 144th Street, SW 152th Street, SW 160th Street, Caribbean Boulevard, and SW 112th Avenue) are immediately adjacent to U.S.1 and the signals for the Busway and U.S. 1 are controlled as a single intersection. Six intersections (SW 168th Street, Bayon Street, Hibiscus Street, SW 184th Street, SW 186th Street, and Martin Road) are fairly close to, but physically separated from U.S. 1 by sufficient distance that the signals on the Busway and U.S. 1 are operated separately (these will be referred to as “isolated” intersections). The other two intersections (SW 98th Street and



20-184

Dairman Boulevard) are special cases and the coordination of signaling for the Buwayay and U.S. 1 is not a consideration.

317. Many of the problems are directly related to the relative closeness of the Buwayay to U.S. 1. The traffic signals for the six "isolated" intersections that gave motorists red lights so that Buwayay buses could proceed through intersections at speed were not originally synchronized with the traffic signals a short distance away regulating the U.S. 1 intersection. Many drivers evidently either did not notice the Buwayay signal, ignored the Buwayay signal giving them a red light and assumed that the U.S. 1 signal displaying green was operative for them, deliberately ran the Buwayay red signal, and/or evidently made other driving and/or judgment errors.

318. For the Buwayay intersections located adjacent to U.S. 1, some auto and truck drivers ignored "no turn on red" signs on the traffic signals and entered the disallowed area. In addition to incidents involving Buwayay buses and other allowed Buwayay vehicles, the Buwayay signals, and lack of coordination with other traffic signals or confusion over requirements, are also blamed for an increase in auto-vs.-auto collisions along the Buwayay. A particular problem has been the combination of "right-turn-on-red" movements off of U.S. 1 across the Buwayay and the diagonal layout of the Buwayay relative to the crossing arterial. In many cases, drivers made right turns on red lights at relatively high speeds, not noticing or ignoring the signage and signaling, directly into the paths of Buwayay buses. Other right turning drivers noted the requirement to stop very late, either proceeding into a leading vehicle that had stopped, or braking at a very high rate, leading to the following vehicle "not-ending" them.

319. As a result of safety concerns, many changes have been imposed on Buwayay operations. All advanced loop roadway sensors that triggered traffic signals to give buses priority have been turned off since approximately November 1999. This is the second "signals off" period, the first occurring from July 1997, shortly after the Buwayay was first opened and safety problems beginning shortly thereafter, to February 1999 (with some of the intersections "turned on" earlier). Therefore, since the Buwayay first segment opened in February 1997, the traffic signal priority system has only been fully operational for a total of approximately fifteen months.

320. The statistics for the period up to the advanced loop sensors being turned off in November 1999 are (source: Lyle Manning Excel spreadsheet):

Advanced Loop Activation Statistics

1. Accidents per day from February 1997 - June 1997 (advance loop on)	0.08333	accidents per day
2. Accidents per day from July 1997 - February 1999 (advance loop off)	0.02756	accidents per day
3. Accidents per day from March 1999 - December 1999 (advance loop on)	0.06824	accidents per day
4. Accidents per day from December 1999 - November 8, 2000 (advance loop off)	0.02564	accidents per day



20-184

321. At the present time, Busway bus drivers are instructed to slow to no more than 15 mph approaching the intersections, then stop at the crossing, even when the bus has a "Green" signal, and proceed through the intersection at no more than 15 mph. Since many of the Busway bus stations are located away from the arterial street grade crossings, this instruction requires buses to slow from 45 mph to a stop, and then accelerate back up to 45 mph.

322. There have also been many changes in traffic signal operation, including coordination of Busway signals with those on U.S. 1, limiting the visibility distance of signals in an attempt to stop driver confusion as to which signal was active for them, signal timing modification, and special warning signs. Special public awareness campaigns and bus operator and emergency vehicle operator training sessions have also been implemented.

323. These changes in Busway bus operating conditions and traffic signals have evidently been successful in greatly reducing safety incidents. However, they have also significantly slowed Busway travel speeds. MDT staff has spent several years working with P-DOT to more-or-less restore the Busway traffic signal preference scheme originally implemented, in a safer manner (as detailed in the DMJM Report), but at a crossing speed for Buses of 15 mph, vice the original 45 mph. Most, but not all, of the detailed changes to "re-energize" the traffic light preference system for the first Busway segment have been approved and implemented.

324. The two segments of the second phase were designed with all the of the "15 mph" safety plans in the DMJM Report, but it is currently programmed to begin service in the same manner as bus operations on the first Busway segment, each bus always stopping at each grade crossing.

325. Confusion regarding Busway operations and traffic signals was also being blamed as a cause for increased congestion on cross-streets, although a countervailing view is that there have been rapid increases in population and roadway traffic in this corridor in recent years. The Busway signals were regarded by many drivers as delaying travel across or on to U.S. 1, which may have led to frustration-driven behavior that compounded safety problems. The deactivation of the Busway bus traffic signal preference and the other signaling changes appears to have reduced both the safety and the congestion complaint problems. Avoiding congestion complaints will be a consideration in reestablishment of Busway bus traffic signal preference in the future.

SAFETY

326. DMJM reports, "A total of 67 crashes involving buses were recorded at the busway intersections during the period February 1997 through November 2000. Forty-nine (73%) of these crashes involved injuries and two crashes resulted in fatalities."

327. Mr. Mannion's spreadsheet shows 68 collisions between February 1997 and November 2000, producing 198 injuries to bus passengers and occupants of other vehicles (151 of which



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 81
November 22, 2004

were transported to hospitals, the others either treated at the scene or not treated by emergency medical personnel), plus 17 bus operator injuries.

328. The *Miami Herald* (Luisa Yanez, "Busway Safety Measures Ordered Driver Training, Study Promised," November 2, 2000) reported 182 persons injured in 65 collisions on the busway in the 45 months from February 1997 through September 2000, including two fatalities. The *Herald* (Tyler Bridges, *County Settles Busway Claims - Officer's Family to Get \$2.3 Million*, November 11, 2000) also reports over \$2.4 million paid by the Miami-Dade to settle eight lawsuits filed by people injured in Busway accidents.

(329. Note: Settlement, or trial, of such safety incidents can take up to several years, which makes it unlikely that the reported cost included all death/personal injury and property damage claims, especially since the number of settlements is only a fraction of the number of personal injury safety incidents noted. However, as discussed in the second *Herald* article, there was \$2.35 million settlement of the claim for the death of a Metro-Dade Police Officer who perished in the collision of his police patrol vehicle with a MDT bus. This large, expedited claim settlement obviously is the vast majority of the claim settlements paid through the date of the article.

330. Almost all transit safety and risk management professionals believe that many bus passengers and others claiming injuries in such incidents are making claims for non-existent injuries and/or exaggerating the extent of injuries for purposes of public liability/property damage claims and similar improper purposes. While this belief may have significant factual backing in many specific instances, transit agencies historically have found it more practical, and far less risky, to settle many claims with some question of validity.)

331. The collision and injury rates appear to have been reduced significantly over time as MDT and F-DOT have implemented changes in signaling and other Busway/road operating conditions and in vehicle operating methodologies. They decreased very significantly - by two-thirds or more - in the periods following the "turn off" of the Busway bus traffic signal systems, as evidenced by the spreadsheet table above.

332. The following timeline utilizes *Miami Herald* articles to show safety incident rates and significant changes to Busway operations over time (these articles may be found in Exhibit XXVI):

- A. 12 collisions through the first four months of operation (Alfonso Chardy, *Complaint Spells Trouble for Busway*, June 9, 1997)
- B. 13 collisions and 55 slight personal injuries; Busway buses to stop at intersections along Southern leg of Busway, temporary disconnection of some sensors that trip bus green light signals, modification and synchronization of traffic signals, and more

20-184



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 13
November 22, 2004

visible signage to inform motorists of the Busway (Alfonso, Chady, *Busway Changes May Reduce Accidents*, June 12, 1997; *Busway Priority Faces Temporary Red Light*, June 14, 1997)

Non-Busway collision rate on adjacent South Dixie Highway and surrounding residential streets increases after Busway opens:

Time Period	Days	Collisions	Collisions/Day
2/1-4/1/96	61	96	1.57
9/1-11/28/96	89	46	.51
11/29/96-2/2/97	66	71	1.08
Total Pre-Busway	216	213	.99
Post-Busway			
2/3-4/9/97	66	121	1.82

The Busway is also blamed for more congestion on U.S. 1 by a Florida Highway Patrol Spokesman, leading to "more stopping and going and more rear-end collisions and reckless driving."

The local F-DOT Department Chief, however, stated that the crashes were due to a general increase in traffic.

The *Herald* story was occasioned by "... several South Dade County commuters who complained of more accidents since the busway opened." (Alfonso Chady, *Crashes Escalate Near the Busway - Route is Now More Congested*, September 22, 1997)

- C. Police Officer killed in Busway bus-vs.-patrol car collision (Arnold Markowitz, *Police Officer, 27, Dies After South Dade Car-Bus Crash*, December 9, 1999)
- D. Semi-Trailer Truck-vs.-bus-vs.-auto collision injures 18 (Draeger Martinez, *3-Vehicle Crash Injures 18 People*, February 29, 2000)
- E. Two Metro-Dade Police cars collide on Busway while responding to emergency call, injuring three officers (Draeger Martinez, *Police Cars Collide, Three Officers Hurt*, May 26, 2000)
- F. Busway bus-vs.-auto collision results in fatality and critical injury; 182 personal injuries in 64 collisions from Busway opening February 1997 through September

20-184



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 14
November 22, 2004

2000 (Ana Aclé and Tyler Bridges, *Man Dies in Crash*, November 1, 2000).
Collision rate by year:

1997 (February-December)	16
1998	12
1999	29
2000 (January-September)	1
Total	68

"Transportation engineers tinkered with the traffic signals in 1998 after a series of accidents, and officials insist that it reduced the number of accidents."

G. Changes in Busway procedures (Luisa Yanez, *Busway Safety Measures Ordered Driver Training, Study Promised*, November 2, 2000):

1. Hire outside consultant (DMJM) to analyze causes of all accidents on Busway since opening
2. Instruct bus operators to slow to 15 mph at all intersections (This was in error - at this time, all buses were stopping at all intersections)
3. New training for all bus operators
4. Public awareness campaign

The DMJM report included the following recommendations:

1. (Short term crash countermeasures recommended for all busway intersections) - "Design advanced loop operation for bus approach speed of 15 m.p.h. This proposal would involve implementing changes to the operation of the advanced loops which would require buses to reduce their approach speeds to 15 m.p.h. on the approaches to the intersection. Supplemental signs, markings and driver training are recommended for the effective implementation of this countermeasure. This measure is expected to reduce both the frequency and severity of potential crashes at the intersections."
2. (Long Term Crash Countermeasures) "Long term crash countermeasures are recommended for consideration after installation and evaluation of the short term and medium term measures. Crash countermeasures recommended for long term consideration include the following:
 - a. Installation of flashing signals, similar as used for railroad crossings.
 - b. Installation of automatic gates, similar as used for railroad crossings.
 - c. Installation of flashing signals, similar as used for moveable bridges.

20-184



d. Installation of grade separated intersections.”

20-184

THE INTERCONNECTIVITY OF THE QUEST FOR SPEED AND SAFETY

333. In its Draft Environmental Impact Statement/Draft Environmental Impact Report, San Fernando Valley East-West Transit Corridor, May 2001 (DEIS/DEIR), MTA claimed that the bus travel time from North Hollywood (specifically, the North Hollywood Red Line Station) to Warner Center (specifically, the proposed Transit Center located on Owensmouth Avenue between Erwin Street and Oxnard Street³⁶) would be 28.8 minutes³⁷.

20-185

334. In their comments on the DEIS/DEIR, several interested parties³⁸ made very strong objections to this run time projection on two grounds:

- A. It would be absolutely impossible for MTA to achieve this travel time for a large number of specified reasons
- B. Bus travel along this corridor would be extremely unsafe at the speeds MTA had specified, and under the conditions that MTA had specified, in the DEIS/DEIR.

20-186

335. These two issues – speed and safety – are closely integrated. In order to justify the BRT project, MTA must show that it will attract large numbers of new riders – which, in turn, requires great speed and travel time advantages over any other reasonable transit option. However, the technologies that MTA is proposing to gain this speed appear to lead to questionable public safety – and the sole example of the use of these technologies in North America, the project that MTA itself cited to show the safety of these technologies – has turned them off due to its high rate of collisions, injuries, and fatalities.

20-187

336. Without the use of these technologies – actually, even with most of them – the travel time saving of BRT is minimal, or non-existent, as discussed in detail in this comment letter, thereby questioning the utility of this project. However, even without their use, even with a significantly slower BRT, there are still very major concerns about safety on the BRT.

20-188

337. In the FEIS, MTA has admitted that the 28.8 minute travel time promulgated in the DEIS/DEIR is questionable, and it presented the bus run time in the form of a “Lower Bound” of

³⁶ DEIS/DEIR, Volume 1, Figure S-7: Warner Center Transit Hub Potential Circulation (On-Street), page S-19.
³⁷ DEIS/DEIR, Table S-4: Comparison of Alternatives, page S-44.
³⁸ See FEIR, Volume 2, particularly Rabbi Aron B. Tendler, pp. 7-128/170; Jan Chantre-Brown, Esq. on behalf of the Concerned Citizens Transit Coalition (CCTC), pp. 7-177/192, and Thomas A. Rubin/Richard K. Stow, pp. 7-313/342.

Comment 20-185

This comment references earlier comments on the Final EIR and is acknowledged for the record.

Comment 20-186

Please refer to Response 20-35.

Comment 20-187

The additional transit riders attracted to the BRT with the upper bound (40.0 minute) travel time, which assumes a much lower level of transit priority and speed than the lower bound (28.8 minute) travel time with full signal priority, exceed the new transit riders for the Rapid Bus Alternatives, as shown in Table 8.6.5. Also please refer to Response to Comment No. 20-35.

Comment 20-188

Please see Response 20-98.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 16
November 22, 2004

20-188

the former 28.8 minutes and an "Upper Bound" of 40 minutes³⁹. In the FEIR, in response to specific comments, MTA now claims, "The BRT Alternative has a range of travel times to cross the Valley from 28.8 minutes to 40 minutes⁴⁰." However, even MTA, in its own press release⁴¹, states,

"A trip from the Warner Center Transit Hub to North Hollywood will take approximately 35 to 40 minutes, compared to on-street bus service which today takes 55 minutes for the same trip, and which will lengthen over time as congestion increases⁴²."

338. In the Request for Proposal for the buses that will actually operate on the SFV BRT, we have the same running time:

"With an end-to-end run time of approximately 35 to 40 minutes, operating at speeds of 35 mph in the Chandler Boulevard median, and 55 MPH maximum speeds, the project will include a fleet of new bus rapid transit vehicles⁴³."

339. Even in FEIR, where, for some reason, MTA still wishes to cling to the idea that a 28.8 minute travel time is somehow still possible, MTA admits that 28.8 minutes between Warner Center and North Hollywood via BRT is now the "Lower Limit" of a range. However, as MTA's own press release, and MTA's own RFP to *buy the buses that will operate the BRT service show*, even 35 minutes is questionable and 28.8 minutes never even comes up.

³⁹ FEIR, Volume 1, Table S-4a, *Refinements to the Locally Preferred Alternative (BRT and the Weekend Service Option)*, page S-49.

⁴⁰ FEIR, Volume 2, Comment F16-2, page 7-126.

⁴¹ MTA Certifies Final Environmental Report on San Fernando Valley East-West BRT, Final Design to Get Underway, February 28, 2002. (http://www.mta.net/press/2002/02_FEBR02/02A_023.htm)

⁴² As will be seen below, citing this travel time for street-running buses between from Warner Center to North Hollywood is a disingenuous attempt by MTA to make the alternative to a full BRT on Burbank-Chandler appear non-competitive.

⁴³ MTA, "CHANGES IN SPECIFICATIONS AND / OR PLANS, ADDENDUM 1, RFP OPJ3200645," issued July 9, 2002, Section SP-31, "SAN FERNANDO VALLEY EAST-WEST BUS RAPID TRANSIT PROJECT," page 9.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 87
November 22, 2004

THE MIAMI-DADE TRANSIT BUSWAY – MTA’S MODEL FOR A “SAFE” BRT

340. While MTA has admitted that the actual travel time will be significantly higher – despite its obvious attempt to keep the now-discredited 28.8 minute travel time on the table – it has *not* made any significant changes many of the important bus travel speed and operating conditions that led to many of the safety concerns. With the exception of a few extremely brief comments – required by the CEQA process – elsewhere in the FEIR⁴⁴, MTA’s entire response to the detailed safety concerns submitted by several knowledgeable commenters is:

“A busway project operating in Miami, Florida is similar to the proposed San Fernando Valley East-West Transit Corridor BRT and is offered as an example of safety performance. The Miami project has been in operation since February 1997. The busway, which traverses 3 miles, has 19 intersections, and runs parallel to US-1, is operated by Miami-Dade Transit. The Miami Project has intersections with coordinated signal control (such as would be the case with the BRT) and intersections without coordinated signal control. The accident rate at the intersections with coordinated signal control was approximately 1 accident per every 20 million entering vehicles.

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

“Additional safety measures have been incorporated into the BRT project design that are not present in the Miami project. Although the busway and parallel traffic will have the same signal phasing, they will each have their own signage, active signs, street painting, and signals to warn cross traffic and right-turn lanes that they are not to enter either intersection. Pre-signals will be installed to keep all cross traffic from entering the busway/parallel traffic intersection. Should a motorist enter into the intersection on a yellow signal, the vehicle will be able to pass through the full intersection before the busway/parallel traffic is phased to green. Right turn lanes will have active “No Right Turn” signs and should motorist ignore that warning they will be stopped by a signal situated on the opposite side of the busway⁴⁵.”

341. COST’s full response to the above requires a great deal of detail. The short response can be made in two parts:

⁴⁴ See FEIR, Volume 2, Comments C5-6, C5-7, C9-29, C9-66, C9-68, and C11-11C 2(a), C-17-13, as illustrative of MTA’s responses to safety concerns of commenters.

⁴⁵ FEIR, Volume 2, Comment C9-66, page 7-157.

20-189

Comment 20-189

The design of the Orange Line has incorporated additional safety features not present in the Miami system. Please refer to response to comment C9-66 in the Final EIR and Response 11-3 herein.



20-189

- A. Yes, there are many great similarities between the Miami-Dade Transit (MDT) Busway project and the proposed SFV BRT. Other than the MDT Busway, there is no other bus transit guideway project in the United States currently in operation that is remotely similar to the SFV BRT. The similarities are even closer than MTA sets forth above, in that many of the SFV BRT safety features in the last paragraph above are in place in the MDT Busway⁶⁶.
- B. There is, however, one extremely significant omission in the MTA comment above – the MDT Busway is not now operating in the manner it was designed for, with traffic signal preemption/priority⁶⁷. The source document for the 28.8 minute run time projection (Manuel Padron & Associates, "Run Time Estimate – San Fernando Valley EIS/EIR – Bus Rapid Transit (BRT), 24-May-2000, Filename: #sfv-brt-wt4) assumes preemption at street crossings where there is not a BRT station and assumes green time advance/extend up to ten second for street crossings where there is a station. The former is "Preemption," as defined above, the later could be either Full or Partial Priority. The Busway buses do not currently have any signal priority or preference of any type – in fact, each Busway bus approaches each of the 19 grade crossings at a maximum speed of 15 mph, comes to a complete stop at the stop line – even if the bus has a Green traffic signal – and then, after the bus operator has checked that the way is clear, proceeds through the intersection at a speed no greater than 15 mph. As a

⁶⁶ D4424-Harris & R. Aleman & Associates, Inc., South Miami-Dade Busway Safety Study, Final Report, August 13, 2001, Volume 2, Figures A-1 through A-19, inclusive.

⁶⁷ This paper will utilize MTA's definition of the technical terms used to describe the types of traffic signal favoritism commonly utilized, as found in FEIR, Volume 1, §2-2.3.5 a. "Transit Priority/Traffic Signals, Control, and Safety – Transit Priority page 2-40

"There are typically three types of interaction (none of which decrease the amount of crossing time allocated for pedestrians) between the signal system and transit system to provide the most efficient operation for both the transit system and vehicular traffic.

- Preemption grants the right-of-way to a mass transit vehicle by interrupting the normal signal cycle sequence. (This strategy is not expected to be used in the East-West BRT project.)
- Full Priority may extend or shorten the traffic signal green indications of the transit phase. The transit phase may be a parallel vehicle phase or an independent phase. Full priority also allows the skipping of a traffic phase if needed to advance the required transit and/or compatible vehicle phase. Typically the phase skipped is a low volume phase during that period of time, which results in improved operations for the transit service with minimal impact to the traffic operation. (This strategy may be considered for low volume smaller street crossings.)
- Partial Priority allows the traffic signal controller to advance the start (early green), or retard the end (extend green) of the transit phase and any compatible vehicle phase. Partial Priority does not skip any vehicle phase to extend or bring up early the transit phase. (This strategy will be used for most of the BRT crossings.)"

The above citation is new to the FEIS, not being included in the DEIS/DEIR. It was required after LA-DOT definitively refused full Preemption for BRT crossing.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 97
November 22, 2004

result, bus travel on the MDT Busway is now slower than bus travel on the adjacent U.S. 1⁴⁸.

342. Why has the MDT Busway traffic signal priority system been "turned off?" Why, after an investment of \$21 million in the Busway⁴⁹ (not including the cost of buses), has MDT terminated all of the speed advantages of one of its showcase transit projects? Why, after being physically available for service for 66 months from its opening in February 1997 through July 2002, has the full Busway only been in full operation for fifteen months and partial operation for another eleven, with the entire bus preference system totally shut down (for the second time) since November 2000⁵⁰?

343. Safety.

344. Or, more properly, the lack thereof.

345. During the times when the MDT Busway bus traffic signal preference systems were in operation, there were 47⁵¹ bus-vs.-auto collisions in 432,771 days (at the intersections believed to be more dangerous, the traffic signal preference systems were shut down more frequently), an average of more than one every ten days when all intersections had traffic signal preference operational. On average, there was one collision per every 1,522 bus end-to-end trips⁵². These collisions produced 161 injuries⁵³ and two fatalities⁵⁴.

346. With a busway length of 8.2 miles⁵⁵ (MTA above describes the Busway as, "8 miles," but the above and MDT personnel describe the busway length, exclusive of non-busway street running portions of busway bus routes, as 8.2 miles.), this is a collision rate of one every 12,480 miles. In the 2000 National Transit Database reporting year, MDT reported a collision rate of one every 60,689 Motor Bus Revenue Vehicle Miles (this statistic includes significant amounts of Busway service and collisions and, therefore, the non-Busway service alone is somewhat higher), almost five times the rate for the Busway alone. MTA reported one collision for every

⁴⁸ My interviews with Bob Parrall, Manager of Service Planning, MDT and Lyle Manning, MDT Safety and Security, collected in *Miami-Dade Transit South Miami-Dade Busway (MDT SMDR)*.

⁴⁹ MDT SMDR.

⁵⁰ February-June, 1997 and March-early December 1999. The "non-isolated" intersection bus traffic signal priority signals were also in operation from early December 1999 through October 2000, when the entire bus traffic signal priority system was shut down for the second time. Source: My analysis of data contained in Excel file, "busway stats.xls," prepared by Lyle Manning/José Guerra, MDT Safety and Security.

⁵¹ My analysis of data contained in "busway stats.xls."

⁵² My analysis of data contained in "busway stats.xls."

⁵³ My analysis of data contained in "busway stats.xls."

⁵⁴ Arnold Markowitz, "Police Officer, 27, Dies After South Dade Car-Bus Crash," *Miami Herald*, December 9, 1999 and Ann Acle and Tyler Bridges, "Men Dies in Crash," *Miami Herald*, November 1, 2000.

⁵⁵ MDT, "South Miami-Dade Busway," http://www.co.miami_dade.fl.us/transit/metrobus/busway.htm.

Comment 20-190

These parenthetical statements are acknowledged for the record.

Comment 20-191

The commenter points out that the MTA bus operators have a better record, in terms of collisions per revenue vehicle mile compared to the national average; one collision per 124,862 motor bus revenue vehicle miles versus the national average of one collision per 79,502 miles, 57% more miles traveled per accident than the national average. This illustrates how comparisons to other transit operators can be misleading. It is not possible to forecast in advance how many collisions could be anticipated on a new facility like the Orange Line. Please refer again to Response 20-35.

20-189

20-190

20-191



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 90
November 22, 2004

124,862 Motor Bus Revenue Vehicle Miles and the national average was one collision for every 79,502 Miles³⁶Data on Revenue Vehicle Miles from NTDB, 2000, Table 28, *Transit Operating Statistics: Service Supplied and Consumed: Details by Transit Agency, Directly Operated and Purchased Transportation Service*, which showed 24,214,800; 85,655,000; and 1,763,669,100 revenue vehicle miles for MDT, MTA, and National Total Motor Bus, respectively. (Note: Revenue Vehicle Miles includes both directly operated and purchased transportation service.)

347. The Busway collisions produced injuries at a very high rate: an average of 3.43 injuries/collision, over four times the .79 reported for MDT bus service as a whole for the year 2000 (again, a statistic that includes some of the Busway collisions). MTA reported a 2.36 ratio for 2000 and the national ratio was .90³⁷. The main reason for this high ratio is that the Busway collisions tended to be more dangerous – the buses tended to be operating at high speeds and most of the collisions were at approximately right angles – and carried more passengers, so more people were exposed to injury when the collisions occurred.

348. But what about the very low accident ratio reported by MTA above for the MDT Busway – “The accident rate at the intersections with coordinated signal control was approximately 1 accident per every 20 million entering vehicles” – how could MTA report such a low accident rate in the FEIR if the collision/injury data presented above is correct?

349. The answer is, MTA has, evidently, chosen to selectively determine which data for which intersections to evaluate and then to evaluate it in a way that produces the results it wanted.

350. The statistic reported by MTA is not totally incorrect, but it is the result of a great deal of manipulation, errors in methodology, and just plain not-particularly relevant statistical design, including:

- A. The data source appears to be taken from the *South Miami-Dade Busway Safety Study* – prepared after the Danny Alvarez, the Metro-Dade Executive Director, fully shut

³⁶ A “revenue vehicle mile” is a mile traveled by a transit vehicle (in this case, a bus) in scheduled transit service to the public. It excludes “deadhead” miles traveled from operating yards to and from beginnings and ends of bus routes, miles driven for training not carrying passengers, and other miles driven not in scheduled transit service.

Data on Total Collisions from U.S. Department of Transportation/Federal Transit Administration, National Transit Database (NTDB) for 2000 reporting year, Table 22, *Transit Safety: Details by Transit Agency, Number of Incidents – Collisions, Non-Collisions and Total Property Damage*, which showed 399, 686, and 23,184 for MDT, MTA, and National Total Motor Bus collisions, respectively.

³⁷ NTDB, 2000, Table 24, *Transit Safety: Details by Transit Agency, Number of Injuries – Collisions and Non-Collisions*. Injuries reported by entity are: MDT total bus service – 315, MTA – 1,616, National Total Motor Bus – 20,800.

20-191

20-192

20-193

Comment 20-192

The data analyzed was for intersections with coordinated traffic signals, as will be the case on the Orange Line. It would not be appropriate to compare the operations of uncoordinated signalized intersections on another facility to the proposed sophisticated coordinated signal system, which will be implemented on the Orange Line. Please see response to comment 11-3.

Comment 20-193

The calculation of the accident rate of one accident per 20 million entering vehicles was developed by Myra L. Frank & Associates, as noted in this comment, in an attempt to provide an accident rate for the at-grade crossings in Miami which were judged to be most comparable to the intersections on the Orange Line in Los Angeles. Please refer to response to comments 20-191 and 20-192. In addition, signal priorities are planned for reactivation on the Miami busway in mid 2005 (per telephone conversation with Isabel Pedron, MDT, on December 2, 2004).



down the Busway traffic signal priorities for the second – and final – time²⁴, specifically, Table 7, “Intersection Crash Statistics (Bus Crashes Only),” Volume 1, page 16. This table shows the crash data for all 19 Busway intersections, but by eliminating the eight intersections that did not have “coordinated signal control,” the intersections with the 1st, 2nd, 3rd, 4th, 5th, 7th, 8th, and 15th “worst” crash rates, which together produced 52 of the total 67 – 77% – Busway bus crashes, were eliminated from the analysis. (The 67 crashes included all from the beginning of the analysis period to the end of the study period, not just those that occurred when the Busway bus traffic signal priority system was fully or partially operative.)

20-193

- B. MTA’s implicitly claimed rationale – that the intersections eliminated were different than those planned for the SFV BRT – is not totally without merit, and is deserving of detailed analysis (which MTA has not performed). However, there would appear to be a requirement to inform the public exactly what was done to produce the statistic shown. While MTA can present arguments why the excluded intersections should be excluded, there are opposing arguments that were not heard – specifically, the design of the excluded intersections *does* have important similarities to many of the SFV BRT intersections. (Most of the excluded MDT intersections were fairly far from any major street running parallel to the Busway. There are two SFV BRT intersections that share this characteristic – Victory near Winnetka and Sepulveda near Oxnard. These types of intersections have different safety concerns than intersections that are close to major parallel streets. To eliminate virtually all consideration of the Miami experience that was inconsistent with MTA’s expectations is a highly questionable statistical technique, to say the least.) Indeed, from the information that was presented by MTA, there was no way that any reader who did not have detailed knowledge of the MDT Busway’s history to even know that such issues might exist.
- C. More important, MTA’s action in eliminating all the intersections except those that did not have very many crashes contains an undisclosed, but very important, implicit assumption – that there are no SFV BRT intersections that have unique factors, not found in MDT Busway intersections that were not excluded, that present serious safety concerns. In fact, as we shall see, there are *many* SFV BRT intersections that present extreme safety concerns, concerns that are not found in any of the MDT Busway intersections – in fact, of the 29 SFV BRT intersections analyzed, only ten were similar to the MDT Busway intersections that MTA did not exclude (Note: Our count of intersections is slightly lower than the MTA count because we counted crossings of multiple streets simultaneously or close to simultaneously as a single intersection).

²⁴ Luisa Yancey, *Busway Safety Measures Ordered – Driver Training, Study Promised*, Miami Herald, November 2, 2000.



20-193

- D. From the review of the source data and the very careful construction of the above comment in the FEIR, it is extremely difficult to draw any conclusion other than the person or persons who prepared it, and/or directed its preparation, had detailed knowledge of the MDT Busway situation and made a very conscious decision to present as they did to make it appear that the design of the SFV BRT would produce a safe system, excluding any information that might lead to questioning of this conclusion. MTA has refused to provide information regarding how this comment came to be prepared in the manner in which it was. What is known is that MTA's consultant responsible for the preparation of the FEIS had the relevant data, and evidently enough detailed analysis of it was performed to produce the statistic that was published, which required a decision to exclude the data for eight of the nineteen intersections. The individual that contacted MDT to obtain this data was Tracy Dudman, Planner, of Myra Franks & Associates, Inc.³⁹. The Myra Franks Project Manager was Gary Peterson and the Principal-in-Charge was Ms. Franks. The primary MTA SFV BRT personnel responsible for the EIR process were Kevin Michel, Project Manager and Carol Inge, Director.⁴⁰ James L. de la Loza is the MTA Executive Officer, Countywide Planning and Development.
- E. The actual calculation performed by the consultant compared crash statistics to vehicles entering intersections for the entire 46-month period that the Busway had been in existence at the time that the calculation was done -- February 1997 through November 2000. However, for a significant portion of this period, all or part of the Busway bus traffic signal priority system was not operating -- and these non-operational periods were, by far, the safest periods for operation of the Busway. If MTA was creating a statistic to show the safety of a Busway operating with bus traffic signal preference similar to that planned for the SFV BRT, then the inclusion of time periods when the bus traffic signal preference system was not operational would appear to be highly improper.
- F. The calculation utilized average daily traffic data for each intersection measured by DMJM multiplied by the number of days in the 46-month Busway active period. However, all of the traffic counts were performed on weekdays⁴¹. In general, for most urban roadways, traffic on Saturdays, Sundays, and holidays is significantly less than that on weekdays⁴². Without far more data than is presented here, a precise calculation of annual traffic is not possible, but this, "all days are weekdays"

³⁹ My telephone conversations with Lyle Manson, MDT Safety and Security, March/April 2002.
⁴⁰ FEIR, Volume 1, Appendix B, List of Preparers, Page B-1.
⁴¹ DMJM, Volume 2, Appendix C.
⁴² Transportation Research Board, *Highway Capacity Manual* (Special Report 209, Third Edition), 1994, Chapter 2, "Traffic Characteristics," "Daily Variations," pp. 2-15/16.



Comments On DRFEIR, See Fernando Valley East-West Transit Corridor Page 9
November 22, 2004

assumption undoubtedly overstates vehicles entering the intersections over the study period and, therefore, produces an accident rate that is understated.

- G. Using the DMJM data, I could not reproduce closely an "accident rate at the intersections with coordinated signal control (of) approximately 1 accident per every 20 million entering vehicles" - but did produce a value of one accident per every 16,325,290 entering vehicles (this degree of detail presented for fans of meaninglessly precise statistics). If, however, one was rounding to the nearest ten million, then 16,325,290 does round to 20 million - but the variation is 18.6% from the point projection and, of course, errors on the side that better supports MTA's contention that the SFV BRT design is safe.

351. While the above quibbles are interesting examples of how not to perform statistical analysis and/or how to manipulate data to present your favored outcome in the most positive manner, the key problem with the "accident rate at the intersections with coordinated signal control was approximately 1 accident per every 20 million entering vehicles" statistic is, simply, that it is not a particularly good indicator for our current purposes. What we are trying to do is to assess the safety of BRT guideways operating as the MDT Busway does and as the SFV BRT is proposed to operate. Vehicles entering an intersection is a useful statistic to be utilized in statistical analysis of collisions involving the vehicles crossing the busway. However, that is not the focus of this analysis - the focus is the analysis of bus collisions. MTA's statistic is not the most useful for this purpose.

352. For the major portion of the vehicles crossing the Busway, there was no bus anywhere near the crossing street at the time the counted vehicles crossed. By this logic, the fewer the buses using the Busway, the safer the crossing would be per vehicle (for times when there were no buses on the Busway, it had a "perfect" safety record for bus-vs.-auto collisions). While this is obviously a true statement, it is approximately equal to saying that alcohol/drug-impaired drivers are not much of a safety hazard because only a small number of other drivers are in collisions involving them. A far more useful statistic would be, what percentage of alcohol/drug-impaired drivers are involved in collisions (and how does this compare to the comparable statistic for non-impaired drivers)?

(353. Interestingly, total vehicles is most useful for analyzing total collisions - but the data presented only presents bus-vs.-vehicle collisions. As we shall see below, there are strong reasons to believe that the MDT Busway has contributed to a significant increase in auto-vs.-auto collisions at Busway intersections, but these types of collisions were not included in the DMJM crash counts, nor in the MTA, "1 per every 20 million entering vehicles" statistic.)

354. The statistic that is far more meaningful than the crash rate per vehicles entering the Busway on the cross streets is the crash rate per bus. To produce this statistic, two data items are required, the number of bus-vs.-other vehicle collisions, which is known, and the number of bus

Comment 20-194

The comment is acknowledged for the record. The crash rate referenced in comment response 20-191 is an appropriate statistic for consideration.

20-193

20-194



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 94
November 22, 2004

trips per intersection⁶³. While these differences are somewhat troubling, overall, they do not appear to be of great consequence – any difference in results caused by these differences in counts is extremely unlikely to be sufficiently large to impact any decisions that may be influenced by this analysis. It was ultimately decided to utilize the author's methodology, primarily because it produced three different counts, one each for working weekdays, Saturdays, and Sundays; while the DMJM report only produced working weekday counts.

355. Let us now look at some comparative statistics⁶⁴:

Crash Rates Per Vehicles Entering Busway Intersections

Crash Rate, Selected Busway Intersections, as Reported by MTA in FEIS: 1 in 20, 000,000	
Crash Rate, Selected Busway Intersections, as Calculated from DMJM Data (Without Rounding):	1 in 16,325,290
Crash Rate, All Busway Intersections, Entire Period:	1 in 5,815,918
Crash Rate, Entire Busway, Bus Priority Traffic: Signaling Operational Periods Only:	1 in 2,853,458

Crash Rates Per Busway Buses Entering Busway Intersections

Crash Rate per Entering Busway Bus, All Intersections, Entire Period:	1 in 75,937
Crash Rate per Entering Busway Bus, All Intersections, All Bus Priority Traffic Signaling Operational Periods:	1 in 62,465
Crash Rate per Entering Busway Bus, All Intersections, Equal Operational Time Period for All Intersections:	1 in 43,837
Crash Rate per One-Way Bus Trip Through All Busway Intersections, All Bus Priority Traffic Signals Operating:	1 in 1,522

(356. Note: With the exception of the very last statistic, all crash rates are for single vehicles entering single intersections, average for all nineteen intersections. The final statistic is for a bus

⁶³ These data were obtained in two ways, from the DMJM report (Table 3, "Estimated Daily Bus Trips – Typical Weekday," Volume 1, page 11) and from recent MDT bus schedules. The author's counts produced weekday values that were slightly higher than those produced by DMJM – 5,097 total daily intersection crossings vs. 4,871, a difference of 4.4%. More seriously, most of the total difference was concentrated at six intersections, where the differences were as high as 21%. It was not possible to determine the reason for these differences, but one possibility is that the author counted buses entering and leaving the busway at an intersection as a bus entering that intersection, DMJM may not have. Also, it is known if there were schedule changes between the times of the DMJM and the author's counts.
⁶⁴ The first statistic is the MTA crash rate of one per 20 million expressed in terms of the crash rate per million entering vehicles. The others are author's calculations based on data from "busway statistics."

20-194

20-195

Comment 20-195

As noted in comment 20-191, MTA has a better collision record than the national average. Comment 20-193 points out that many of the intersections on the Miami busway are dissimilar to those on the Orange Line. Differences in the physical design of the two busways, differences in the traffic signal systems which will control the buses and other vehicles, and differences in the performance of bus operators make it difficult to use data from the Miami busway to forecast anticipated accident experience on the Orange Line. MTA and its consultants, working closely with LADOT, have taken every precaution to design the Orange Line in as safe a manner as members of the traffic engineering and civil engineering professions know how to.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 95
November 22, 2004

making a one-way trip through all nineteen intersections when all Busway bus traffic signal priority systems are active.

357. The difference between the third and second to last statistics – 62,465 and 43,837 – is that the traffic signal priority systems at the more dangerous intersections were on for a shorter period of time – 432 vs. 771 days – and, therefore, the statistic for all operational periods shows a safer result than the one for all signals operating for an equal time period.)

358. Therefore, if we only look at the crash rate for the entire Busway, for the periods where the Busway bus traffic signal priority system was operational – in other words, an operation that is comparable to what would be expected for the operation of a BRT system – we see a crash rate that is almost exactly seven times what MTA has reported.

HIGH-SPEED BRT OPERATIONS THROUGH GRADE CROSSINGS IS SIMILAR TO LIGHT RAIL OPERATIONS THROUGH SIMILAR GRADE CROSSINGS, THEREFORE, BRT SHOULD HAVE LIGHT RAIL-STYLE SAFETY DEVICES

359. Exactly how dangerous is a BRT of the type that MTA has proposed for Burbank-Chandler? Currently, there is only one Busway of this type in the U.S., the MDT example discussed above. However, another valid comparison is to light rail system operating at high speeds with surface grade crossings.

360. However, there are not very many examples of this type of light rail operation, either – in large part, one could assert, because it is considered too dangerous. In fact, there is only one light rail line in the U.S. that operates in this manner – the Long Beach-Los Angeles Blue Line.

361. In Los Angeles County, we now have three light rail lines in operation: The Long Beach-Los Angeles Blue Line, which has been in operation since the Summer of 1991, the Green Line, which has been operating since the Summer of 1995, and Pasadena Gold Line, which has been in operation since the Summer of 2003. The Green Line has been the safest light rail line in the nation, with not a single fatality during this period and almost no injuries of any kind. The Blue Line has been the most unsafe light rail line, measured by fatalities – by an extremely wide margin. During its first ten years of operations, the Blue Line has had 60 fatalities due to collisions, compared to 82 for the other 19 U.S. light rail systems combined. It had almost three times the 21 fatalities suffered by second place San Diego Trolley, Inc., the only other light rail system to have more than ten fatalities⁶⁵.

⁶⁵ NTDB, 1991-2000 reporting years, fatality tables for these years.
⁶⁶ I have not discussed the Pasadena Gold Line in the main text because the comparison between the Blue and Green lines is a perfect example for the point I want to make. The Gold Line has been in full operation for only slightly over one year and, therefore, has limited operational experience and data
(Continued)

20-195

20-196

Comment 20-196

Comparisons of light rail vehicle performance and bus performance can be misleading because buses are lighter weight vehicles which can be maneuvered to modify their travel path to avoid a collision and have quicker braking capabilities. The commenter notes that bus speeds will be reduced at crossings near stations, which is approximately one third of the crossings. The Revised Final EIR presents data for the BRT alternative with a 40.0 minute travel time in addition to the 28.8 minute travel time to address the concerns that the buses may not travel as fast as originally anticipated, and the BRT Alternative still results in the largest increase in new transit riders. The Court of Appeal affirmed MTA’s conclusion that the BRT would not create a significant safety impact and agreed with MTA that it is not proper to compare the Orange Line with the Long Beach Blue Line: “MTA was entitled to determine buses were a different kettle of fish from trains.” (Court of Appeal Decision, p. 19.) Please see Response 11-3.



362. What is the difference?

363. The Green Line is the only light rail line in the U.S. that has a totally exclusive guideway. The Green Line has no crossing streets or pedestrian walkways, no opportunity for any car, cyclist, or pedestrian to encounter a Green Line train without being someplace where they have absolutely no business being. The Green Line has never had a fatality, for the most part, because it is extremely difficult for anyone to get in the way of a train.

364. The Blue Line is the only light rail line in the U.S. that operates at high speed through grade crossings in a densely populated area, where vehicles and people and light rail trains can occupy the exact same space on a regular basis – and, when they do so at the same time, the results are generally catastrophic. There are 77 Blue Line grade crossings⁶⁷ – including dozens in the high-speed mid-corridor section where trains pass through at speeds up to 55 mph.

365. The majority of the fatalities – 85% in a December 1999 analysis⁶⁸ – occur in this segment of the Blue Line. In the “street running” segments of Blue Line along Washington Boulevard and Flower Street South of the Los Angeles central business district and in the Long Beach transit mall and its approaches, the highest train speed the same as the posted “rubber tire” vehicle speed limit on the streets where the trains operate, generally 35 mph.

366. Oddly, there does not appear to be an explicit statement of the SFV BRT bus operating speed in Volume I of the FEIR, where it is common to describe the project being studied in great detail. There are statements that imply that the top operating speed of BRT buses will operate at speeds higher than the speed limits for nearby streets, particularly the statement, “It has been assumed that in the Chandler Boulevard median, buses would not operate faster than the posted speed limits on the adjacent north and south roadways. Buses operating on-street would also not exceed posted speed limits.”⁶⁹ (Why would such statements, regarding compliance with speed limits in specific sections of the BRT and bus route alignment, be necessary unless there was an intention to operate at higher than speed limit speeds in other segments?) In Volume II, however, in response to the author’s and others’ comments questioning the 28.8 minute SFV BRT travel time in the DEIS/DEIR, MTA states, “... the assumptions used to develop the 28.8

20-196

⁶⁷ In general, however, it has proven to be far safer than the Blue Line. In any opinion, the reasons for this are that the Gold Line does not have high-speed travel through grade-crossings and that it actually travels very slowly through many of its grade crossings, including those that are most likely to be the most dangerous.

⁶⁸ MTA, National Transit Database report to the U.S. Federal Transit Administration, 1994, Form 402, “Transit Way Mileage.”

⁶⁹ Douglas P. Shuit, “85% of Blue Line Deaths Occur on Fastest Segment,” *Los Angeles Times*, December 23, 1999. At that time, 40 of the 47 Blue Line fatalities had occurred in the high-speed mid-corridor segment of the line.

⁷⁰ FEIS, Volume I, Section 2-2.3, “Bus Rapid Transit (BRT) From North Hollywood to Warner Center, the Locality Preferred Alternative,” page 2-21



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 97
November 22, 2004

run time include a maximum operating speed of 55 mph⁷⁰ ..." and "Buses will slow down to 45 miles per hour at all intersections in other portions of the corridor⁷¹. The 45 mph speed appears to apply only to intersections not located at stations. Also, since most of the BRT stations are far side stations located fairly closely to the cross streets, travel through these intersections at speeds close to 45 mph is not feasible. For example, FEIS, Volume 2, Drawing C-323, shows the curve through the intersection of Fulton Avenue and Burbank Boulevard rated for a maximum speed of 25 mph.

367. (By the way, the above statement is the key to a definitive proof that the 28.8 minute Warner Center to North Hollywood run time is impossible. The worksheet that produces the 28.8 minute runtime shows maximum speeds of 50 and 55 mph, but does not include and mention of limiting speeds to 45 mph through intersections⁷². Also, the worksheet shows maximum speeds of 50 mph between the Eastern start of the BRT section and Laurel Canyon Station and 55 mph between Laurel Canyon Station and Fulton/Burbank Station. However, buses will not be traveling at these speeds along Chandler Boulevard - "It has been assumed that in the Chandler Boulevard median, buses would not operate faster than the posted speed limits on the adjacent north and south roadways⁷³."

368. Since the 28.8 minute run time was based on assumptions that have since been changed, and the changes will reduce run time, then it is clearly impossible for the 28.8 minute run time to be achieved under the assumptions in the FEIR.)

369. Higher speed increases the safety risks considerably. Vehicle's stop time and distance goes up considerably - far more than *pro rata* - as operating speed increases, meaning that there is less chance that the transit vehicle operators can avoid collisions. Of course, the higher the operating speed, the higher the actual collision speed, and higher collision speeds also have a far greater than *pro rata* impact on fatality, injury, and property damage rates.

370. Another important safety consideration in Blue Line safety is that the majority of fatalities in the mid-corridor segment - including the last seventeen fatalities in a row as of the December 1999 analysis - occur at what is known as "far side" stations. A far side station is one that is located on the far side of the cross street; this configuration allows transit vehicles to get through the traffic signals before boarding and deboarding passengers, which generally saves travel time over "near side" stations.

⁷⁰ FEIS, Volume 2, Comment F16-6, page 7-332.

⁷¹ FEIS, Volume 2, Comment F15-1, page 7-321.

⁷² Manuel Padron & Associates, "Run Time Estimate - San Fernando Valley EIS/EIR - Bus Rapid Transit (BRT) -"Bismarck Rdv-brt wk4," 24-May-2000.

⁷³ FEIR, Section 2-2.3 Bus Rapid Transit (BRT) From North Hollywood to Warner Center, the Locally Preferred Alternative, page 2-21.

20-196

20-197

Comment 20-197

The description of "far side" stations is acknowledged for the record, but it should also be noted that buses passing through intersections as they approach the far side station would be slowing to stop at the station. It is correct that the majority of stations on the Orange Line will be far side stations. While it is true that the Orange Line will have the similarity to the Blue Line noted, a preponderance of far side stations, other comparisons to the Blue Line should be discounted for the reasons mentioned in Response 20-196.



371. For the eleven pairs of stations in the BRT section of the route, eighteen of the twenty-two stations are far-side stations⁷⁴.

372. Therefore, the SFV BRT shares two very important characteristics with the Long Beach Blue Line, America's most dangerous light rail line - high operating speeds through cross streets in a dense urban environment and a high percentage of far side stations (the SFV BRT's percentage is far higher than the Blue Line's). These factors also should lead to questions of the safety of the BRT concept, as applied to the Burbank-Chandler corridor. However, there is no recognition of this in the FEIS at all. In the *Summary of Operational Impacts* in the FEIS Executive Summary, we see, under "Potential Environmental Impacts - Operations," "Safety and Security," for BRT:

"Potential for marginal increase in bus accidents; however, net benefits are likely due to improved signalization and exclusive busway⁷⁵."

373. In many ways, however, light rail is intrinsically safer than bus in this type of high-speed operating environment. Light rail trains are, of course, literally on rails. It generally takes an extremely violent collision or other incident to cause a train to derail or overturn, while a bus that is in a high speed collision is far more likely to veer into other roadway vehicles, stationary impediments, and/or pedestrians, and to overturn. Light rail trains also are far more massive than buses, approximately 100 tons for a two-car light rail train with passengers, vs. approximately 20 tons for a 40-foot bus with passengers and 30 tons for a 60-foot bus with passengers. Assuming a two-ton passenger automobile, with a mass ratio, light rail train vs. auto, of approximately 100:2, the usual result is only relatively minor damage to the train and its occupants - although the Blue Line has produced over 70 fatalities overall, not one of these has ever been a passenger on a train or an MTA operator or other employee, and there have been very few serious injuries to Blue Line passengers. With a mass ratio, bus vs. auto, of approximately 30:2 (for 60-foot articulated buses, which MTA is planning on operating on the Orange Line), the auto and its passengers almost always comes off far worse in a collision, but serious injuries and deaths to

⁷⁴ FEIS, Volume 3 - Preliminary Engineering Plan and Profile Drawings. One of the stations at Balboa, Sepulveda, Van Noy, and Woodman are near side stations. The Balboa and Sepulveda far side stations are significantly further from the cross street than the other far side stations.

⁷⁵ FEIS, Volume 1, page 5-39.
Interestingly, this comment replaces the phrase, "grade separation," which appeared in the DEIS/DEIR, with "exclusive busway." Grade separation involves either raising or lowering the transit guideway above or below the crossing roadway and/or pedestrian walk way (or vice versa). This would produce a system that would likely be very safe, as the opportunities for collisions with transit vehicles are close to non-existent. MTA, however, has adamantly refused to consider grade separation for the SFV BRT, primarily, I believe, due the cost, generally estimated at approximately \$10 million - and up - per intersection. Raised transit alignments can also be both extremely visually intrusive and neighborhood dividers, as the Blue Line Firestone overpass would quickly convince anyone who saw it, almost instantly. It is not known how the "grade separation" phrase found its way into the DEIS/DEIR.

Comment 20-198

The differences in the relative weights and mass of autos, buses and light rail trains are acknowledged, but it is not feasible to forecast injuries or fatalities.

20-197

20-198



bus passengers and operators are certainly not unknown. If the SFV BRT buses are as highly utilized as MTA projects them to be, there is great potential for passenger/bus operator injuries and fatalities.

374. Finally, the Blue Line has an extremely important safety advantage over the plan for the SFV BRT: at all of the high speed mid-corridor grade crossings, the Blue Line has *railroad* grade crossing protection – roadside signals that flash lights and ring bells and the crossing arms that physically block vehicles from entering the roadway in front of the train, plus the loud horn signals of the trains as they approach intersections. As bad as the Blue Line’s safety record has been, it is absolutely terrifying to consider what may have occurred if these crossing signals, gates, and audible warning were not in full use from day one.

375. None of these safety devices are part of MTA’s design for the SFV BRT. Should they be? Let us examine two expert opinions on this question:

A. The purpose of the DMJM report on the MDT Busway was to find safe ways to turn the traffic signal priority back on. DMJM offered several sets of staged recommendations, ranging from short-term improvements to allow low speed (15 mph) bus speed through intersections without stopping to resuming the 45 mph design speed. (Although MDT has been attempting to get the Busway “turned back on” for almost five years, permission has not yet been granted and there is no firm date established at this time.) Under “Long Term Crash Countermeasures,” we have, “Long term crash countermeasures are recommended for consideration after installation and evaluation of the short term and medium term measures. Crash countermeasures recommended for long term consideration includes the following:

1. Installation of flashing signals, similar as used for railroad crossings.
2. Installation of automatic gates, similar as used for railroad crossings.⁷⁶

B. Closer to home, at the same time that MTA promulgated the SFV BRT DEIS/DEIR, it was also exposing a DEIS/DEIR for light rail or BRT on the Expo Corridor, which runs from the University of Southern California to Santa Monica, paralleling and generally slightly South of the Santa Monica (I-10) freeway. The following are all excerpts from MTA’s *Mid-City/Westside Transit Corridor Draft EIS/EIR*, Volume 1, April 6, 2001 (see Exhibit XXXI for excerpts), discussing safety precautions that MTA was proposing for a BRT corridor on the former Expo rail line alignment, substantially identical in design and operation to the Burbank-Chandler BRT:

⁷⁶ DMJM, Volume 1, page vi

20-198

20-199

20-200

Comment 20-199

This comment about the safety features provided at at-grade crossings on the Blue Line is acknowledged for the record. See also Response 20-196.

Comment 20-200

Please see response to comment 11-3. The Draft EIR conditionally provided for such gates, but only “if required and agreed to by LADOT [Los Angeles Department of Transportation].” (Draft EIR p. 4-266.) Moreover, the Z-gates were removed in response to criticism in Comment C9-69 to the FEIR. The commenter likened the Z-gates as “Disney-esque” playthings that are attractive to children and would make crossing the streets difficult for the elderly and mothers with strollers. (FEIR p. 7-157 – 7-158,) Agreeing with the commenter, the FEIR responded that the Z-gates have been removed from the Project. (*Id.*) The FEIR also explained that even with the Z-gates removed, the pedestrian platforms, signal timing, and LADOT’s safety standards will adequately protect pedestrians. (FEIR p. 7-142 – 7-147.) The Court of Appeal already considered whether Z-gates were necessary and rejected it. The Court of Appeal affirmed MTA’s conclusion that implementation of LADOT’s safety standards would adequately protect pedestrians. (Court of Appeal Decision, p. 13.) Accordingly, the Final EIR provided the evidence on why the Z-gates would not be installed and that the other safety features still render the impact less than significant.

“The Mid-City/Exposition Draft EIS/EIR (April 2001) included alternatives for Bus Rapid Transit (BRT) and Light Rail Transit (LRT). For purposes of comparison, similar operating characteristics for BRT and LRT were



20-200

1. Page 24: "At vehicular intersections, crossing gates would be utilized where transit speeds are greater than 35 mph. Such gates may not be possible in certain areas due to noise or traffic concerns, and in such cases, transit speeds would be slowed to less than 35 mph."
2. Page 50: "Crossing gates shall be installed at all streets crossing the Exposition ROW where BRT operates at speeds above 35 mph."
3. Page 3.14-4.9: "In addition to the safety impact for the Wilshire BRT alternative discussed previously, the introduction of BRT along the Exposition corridor will have various safety impacts. The alignment type and operational characteristics of the BRT in a semi-exclusive right of way creates a situation similar to light rail transit. The Exposition BRT line utilizes a similar alignment to that of the Exposition LRT and has similar operating parameters. As such, many of the safety treatments utilized for the Exposition LRT alignment can also be utilized for the Exposition BRT alignment. However, some differences do exist. The use of automatic gates at BRT crossings has not been attempted in the United States, and may require special legislation to install the devices."

"Also, in order to detect the bus to allow for full preemption of the traffic signal and to lower the automatic gates, BRT detection must be used. Trains have this detection feature built into the tracks, but buses do not have that option. Inductive loops may be the favorable solution, but they must have a built in redundant system to provide a fail-safe grade crossing. As such, if the loops malfunction, the gates lower, not allowing motorists or pedestrians to enter the crossing. A fail-safe design is necessary when using gates, because the BRT operator is not expecting to stop at the crossing."

"Another factor that must be addressed with the use of gates at grade crossings is the frequency at which the bus arrives at the crossing. It can take from 40-60 seconds for a bus to clear a grade crossing, including the time required to call and lower the gates, pass through the crossing, and raise the gates after the bus has passed. As such, if the headway for the BRT is too small, the cross street traffic could be adversely affected, resulting in a potentially significant impacts (sic). A possible solution for this is to platoon the buses through the grade crossings that are gate controlled, so that the total delay for the cross traffic is minimized."

376. In MTA's Expo Corridor DEIS/DEIR, there are no if's, and's, but's, or other qualifications of any type -- if BRT is to be operated at speeds in excess of 35 mph (the same speed break point that exists in California for light rail), there will be grade crossing gates at all affected intersections.

377. How can grade crossing gates be safety requirements for the Expo Corridor BRT, but not for the substantially identical Burbank-Chandler BRT?

assumed in order to compare the relative performance of BRT and LRT modes in that corridor. California Public Utilities Commission (CPUC) requirements were utilized for LRT, and gates were identified in locations selected segments of the route where speeds exceeded 35 mph. Similar assumptions were also applied to BRT, although CPUC regulations for crossing gates do not apply to BRT projects.

In June 2001, the MTA Board adopted LRT as the mode for the Exposition Transit Corridor and that project has been designed with crossing gates in accordance with PUC regulations. No further work has been undertaken for BRT in the Exposition Transit Corridor and no requirement for crossing gates has been identified."



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 101
November 22, 2004

378. How could MTA conduct two studies of the utilization of the exact same type of Bus Rapid Transit, at the same time, and, in one, conclude that BRT has essentially the same operating characteristics and safety considerations as light rail and therefore requires virtually identical safety methodologies and technologies, while in the other, conclude that none of these safety devices are required for BRT operation?⁷⁷ Interestingly, the three minute (in each direction) BRT headway that causes such great concern for traffic impact along the Expo Corridor has *less* traffic impact than the 2.5 minute BRT headways that are noted at three points on the Burbank-Chandler BRT (SFV BRT FEIS, Volume 1, page 2-77)?

20-201

20-202

BRT Can Have A Negative Safety Impact Other Than Bus-vs-Auto Collisions

379. Confusion regarding MDT Busway operations and traffic signals was also being blamed as a cause for an increased rate of non-bus collisions along the alignment, as well as congestion on cross-streets. The Busway signals were regarded by many drivers as delaying travel across or on to U.S. 1, which may have led to frustration-driven behavior that compounded safety problems. The deactivation of the Busway bus traffic signal preference and the other signaling changes appears to have reduced both the safety and the congestion complain problems. Avoiding congestion complaints will be a consideration in reestablishment of Busway bus traffic signal preference in the future.

20-203

Several SFV BRT Intersections Appear to Have the Potential to Be Far More Dangerous than Any MDT Busway Intersections

20-204

⁷⁷ It is always dangerous to speculate for the reasons that various actions are taken, but, the answer may be found in MTA's pro selected transportation options for these alignments. For Burbank-Chandler, light rail had already been rejected long before the San Fernando Valley East-West environmental process even began - and BRT was clearly the pro-selected choice. For the Expo Corridor, light rail was the designated winning alternative.

Therefore, in the San Fernando Valley, BRT was to be made to look as positive as possible, which meant that expensive safety devices that could interfere with traffic flow were not desirable. However, for the Expo Corridor, such BRT safety devices were desirable because the objective was not to make BRT look good, but to make it look bad - so that light rail would be preferable by comparison.

This is beautifully illustrated in the last paragraph. This discussion of how frequent BRT bus crossings at high speed, coupled with the crossing gates, could negatively impact traffic on crossing streets, could be interpreted as part of the setup to choose light rail as superior. On page 2-72 of the Expo Corridor DEIS/DEIR, we see the Expo BRT described with three minute peak bus headways (in each direction). For LRT in the same corridor, on page 2-44, we see five minute peak operations (in each direction). Therefore, light rail would have far less impact on North-South traffic crossing the Expo guideway than BRT, so light rail is preferable. Given the significantly higher capital cost of light rail over BRT - \$554.9 million for light rail vs. \$290.9 million for BRT for the non-subway options; \$674.4 million for light rail vs. \$439.2 million for BRT for the subway options (Expo DEIS/DEIR, Volume 1, page 3-2) - light rail must be shown to have significant operating advantages over BRT to be justified for selection, and this is an important part of that justification.

Comment 20-201

The characteristics of the individual corridors can affect the design of the transportation technology appropriate for each corridor. The Orange Line right-of-way is typically wider (100 feet) than the Exposition Corridor (50 feet) right-of-way, wide enough to accommodate pedestrian and bicycle paths as well as landscaped buffers. A car turning from a side street into the busway right-of-way at a crossing on the Orange Line would not immediately be in the path of a bus and could stop prior to the actual bus crossing in the middle of the 100-foot right-of-way. Please see Response 20-200.

Comment 20-202

The impact of bus headways on traffic operations of the adjacent streets is influenced not just by the bus headways, but also by the volume of traffic on the adjacent streets/intersections and the design of those streets/intersections. The streets adjacent to the Orange Line tend to be newer in design and part of a grid system located in a lower-density developed area, whereas those adjacent to the Expo Line are older in design and in a more dense urban area with higher baseline traffic conditions.

Comment 20-203

This comment relates to drivers frustration with the Miami busway design and is acknowledged for the record.



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 102
November 22, 2004

380. While many of the MDT Busway intersections have proven to be prone to excessive bus- vs.-auto and other types of collisions and safety problems, the basic geometry of most of Busway intersections is fairly simple. With the exception of the two intersections at the ends of the Busway, which are special cases (and neither of which has had a collision), and one other intersection (that has had only two collisions and one collision injury)⁷⁸, the intersections are generally of two types:

- A. The Busway crosses a general purpose surface street at grade with no other significant streets in the immediate vicinity – six intersections⁷⁹
- B. The Busway crosses a general purpose surface street at grade with a major arterial (U.S. 1/South Dixie Highway) paralleling the Busway a short distance away – ten intersections⁸⁰

(381). The above, of course, is a simplification of the many factors that go into analysis of an intersection for the proper design for traffic flow and safety – for example, this analysis takes no account of the angle of intersection of the busway and the street being crossed, which can have important safety implications in some cases. Analysis of these factors would require a detailed analysis of the safety implications for each intersection along the BRT – which MTA has not performed, perhaps because it has no interest in knowing what the results of such an analysis may be.

382. In virtually every situation, intersections have unique attributes that must be carefully analyzed by experienced, knowledgeable experts prior to design, and even then, there are often unpleasant occurrences when operations begin. [The basic rule is, never underestimate the capacity for drivers to do incredibly stupid things.] However, for the current purpose, which is to compare the complexity of the MDT Busway of the SFV BRT for purposes of determining if the design of the SFV BRT intersections might lead to safety issues not encountered in Miami, this is a useful initial screening exercise. Therefore, the simplifications in this section should be

⁷⁸ Source: DMJM, pp. A-1, A-2, and A-19. The North “end” intersection, Dieren Boulevard is located very close to the Busway bus stop, unlike almost all other intersections and bus stops, so South-bound buses have not accelerated to any substantial speed when they reach the intersection proper, and North-bound buses have not decelerated to stop at the station immediately on the far side of the intersection. ⁷⁹ Streets, the second intersection from the North end of the Busway, does parallel SW 77th Avenue, but the non-bus traffic speeds are generally lower than those involving U.S. 1. The South “end” intersection, SW 112th Avenue, is a modified “T” intersection, which means that buses are unable to reach high speeds through it.

⁷⁹ Source: DMJM, pp. A-1/19. Included in this category are the following stations (from North to South): SW 168th Street, Banyan Street, Hibiscus Street, SW 184th Street, SW 186th Street, and Martin Road.

⁸⁰ Source: DMJM, pp. A-1/19. Included in this category are the following stations: SW 104th Street, SW 112th Street, SW 124th Street, SW 128th Street, SW 132th Street, SW 136th Street, SW 144th Street, SW 152th Street, Caribbean Boulevard, and SW 112th Avenue.

Comment 20-204

The comment describes the two major types of intersections on the Miami busway and is acknowledged for the record. MTA, its consultants, and LADOT carefully assessed the design of each crossing on the Orange Line to align the crossing and the adjacent station platform areas in the manner judged to be safest and easiest to position positive traffic control devices (signals) to control street auto traffic, buses and pedestrians.

20-204

Comment 20-205

This comment describes the types of at-grade crossings on the Orange Line and notes that the crossings on Sepulveda Boulevard and Winnetka Avenue will be operated with coordinated signals on the north-south streets. The comment is acknowledged for the record.

20-205



20-205

- 19. Aetna-Bessemer/Hazeltine (C-317)
- 23. Chandler/Coldwater Canyon (C-326)
- 24. Chandler/Bellaire (C-327)
- 25. Chandler/Whitson (C-328)
- 26. Chandler/Corseon (C-329)
- 27. Chandler/Laurel Canyon (C-331)
- 28. Chandler/Coffax (C-333)
- 29. Chandler/Tujunga (C-342)

V. Diagonal with offset (BRT guideway crosses perpendicular streets close to, but not at, their intersection) (one intersection):

- 20. Oxnard-Buffalo/Woodman (C-319/320)

VI. Diagonal without offset (BRT guideway crosses perpendicular streets through intersection) (one intersection):

- 21. Burbank/Fulton (C-323)

VII. Diagonal with offset to center median (BRT guideway crosses perpendicular street close to, but not at, their intersection and then runs in center of second street) (one intersection):

- 22. Chandler/Ethel (C-325)

(384. Note: Because the above methodology counts certain multi-street intersections as a single intersection for purposes of consideration of the intersection traffic flow and signaling, the total intersection count above does not match that of the FEIS.)

385. In general, the six MDT Busway "type A." intersections (The Busway crosses a general purpose surface street at grade with no other significant streets in the immediate vicinity) are similar to the two SFV BRT "type III." intersections, and the ten MDT Busway "type B." intersections (The Busway crosses a general purpose surface street at grade with a major arterial paralleling the Busway a short distance away) are similar to the ten SFV BRT "type II." intersections.

386. The MDT type A/SFV BRT type III intersections (the Busway/BRT crosses a general purpose surface street at grade with no other significant streets in the immediate vicinity) are the ones that have caused the most problems in Miami; the ones that MTA elected to exclude from the MDT Busway data in its presentation of Busway safety "safety" in the FEIS. The two SFV BRT intersections of this type (crossing Winnetka and Sepulveda) both present special challenges. MTA evidently intends to operate these intersections with coordinated traffic signals



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 145
November 22, 2004

on the North-South street on both sides of the busway – “The proposed BRT is designed to operate at-grade with all intersections signaled in a manner similar to the coordinated signal control intersections in the Miami Project²¹.” However, there is no evidence yet that this approach will be successful – as MTA’s own careful selection of data from the Miami project demonstrates.

387. Some of the aspects of these intersections are particularly troubling. For example, on Sepulveda, there are large buildings that almost totally screen BRT buses from being seen by cars, and vice versa, in all direction, so there is almost no possibility of actual visual sighting of approaching opposing vehicles by any vehicle operator.

388. With one exception, the remaining seventeen SFV BRT intersections have no real counterparts in the MDT BRT, and most of these non-matched intersections present very significant challenges to safe operations. (The exception where there is something of a match is that SFV BRT intersection 1, at Victory/Variel, at the Western end of the high-speed BRT alignment, does match well in some important aspects with the Southernmost MDT Busway intersection at SW 112nd Avenue. Although the actual geometrics of these two intersections are somewhat dissimilar, at both intersections, the buses are at the meeting point of the high-speed exclusive and street-running portions of the bus routes. As there are turning movements in all cases – buses entering and egressing both the Busway and the BRT – the bus speeds will be significantly reduced and the types of concerns that are unique to high-speed Busway/BRT operations will be minimal, and the more common concerns of buses making turning movements at high volume signalized intersections – often a complex situation, but one with far more real world experience available to traffic engineers – will predominate.)

389. The sixteen SFV BRT intersections not accounted for above, those with no match with the MDT Busway intersection, present unusual, and even unique, types of traffic flow and safety problems.

390. Thirteen of these are Type IV – Busway between two streets or in median of a single street. These can be subdivided into two subtypes, those in the middle of Chandler Boulevard, with one-way traffic on both sides of the BRT (seven cases), and the others, which have two-way streets on each side (six cases).

391. Among other things, these types of configuration present major difficulties with left turn movements, both to and from the parallel roads, because all left turns must cross the BRT alignment. For example, for turns from the two-way parallel streets, drivers tend to focus primarily on the oncoming traffic on the street that they are starting from. Generally, when this traffic clears, it is safe to complete the turn. In many cases, this means waiting at a “Green” until

²¹ FEIR, Volume 2, Comment C9-66, page 7-157

20-205

20-206

20-207

20-208

Comment 20-206

The traffic signals on Sepulveda Boulevard will be clearly visible to operators of vehicles on Sepulveda, so they will have a positive indication (yellow then red signal) alerting them to when they need to stop for an approaching bus.

Comment 20-207

This comment notes that safety concerns are minimal at the Victory/Variel intersection and is acknowledged for the record.

Comment 20-208

The traffic signal phases at Orange Line at-grade crossings will be designed to give drivers positive guidance with green and red turn arrows to avoid confusion or the need to wait in the middle of an intersection for the passage of on-coming through traffic. All of the turn movements across the Orange Line will have protected turns, not permissive turns. In addition, nearly every intersection of the Miami busway is at an oblique angle to the cross streets. (Miami Study p. 2.) Yet, most of the BRT’s intersections will be at a 90-degree angle, much like standard street intersections. (Draft EIR Vol. 2, Sheet 25 – 54.) In addition, there are complex intersections on the Miami busway such as S.W. 152 Street. There, the busway crosses the intersection of S.W. 152 Street and S.W. 92 Street at a 45-degree angle. (Miami Study p. 2.) Yet, during the four-year study period, from February 1997 to June 2001, the S.W. 152 Street intersection (Miami Study p. 13.), p. 12, fn. 1.), had the third best safety ratio of all the intersections. (Miami Study p. 14 (safety ratio of 0.018); p. 12 (“Locations with safety ratios greater than or equal to 1.0 are considered high crash locations.”).) Therefore, looking at intersection geometry without



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 196
November 22, 2004

it turns "Yellow" and the last opposing car clears the intersection. Drivers may expect that, once they have cleared the opposing lane(s) of their original street, they are in a "safe" pocket, where they can either proceed directly if the light as changed, or stop at the "Red" in the median and wait for the "Green."

392. This type of movement, however, has killed a lot of people on the Blue Line, particularly where drivers have not strictly observed the traffic signals and ordinances - which is, unfortunately, a very common event, as anyone with experience of any type in traffic safety can testify. In particular, safety problems can arise when a car is waiting to make a turn across the BRT alignment on to a perpendicular street and an on-coming bus causes the Red signal for the perpendicular street to be delayed to allow the bus to pass. In this event, the auto driver making the left turn may not be aware that the bus is coming and may instead pull on to the BRT alignment - directly in front of the on-coming bus, sometimes without allowing the bus operator sufficient time to take avoidance actions. The "safe" action for the auto driver in this situation - wait where (s)he is, in the intersection of the parallel street (s)he started from and the perpendicular street - is very abnormal to virtually all drivers.

393. Another dangerous situation often occurs when driver attempt to make left turns from the street perpendicular to the BRT alignment on to a parallel street. What often happens is that traffic in the opposing direction forces drivers to wait to make a left turn while actually on the BRT alignment. When traffic in the opposing direction is heavy, the left turning drivers have to wait until their light turns Yellow to be able to turn - or, in many cases, wait until the last opposing direction driver passes through on the Yellow and their light actually turns Red. When there are multiple cars preparing to make a left turn, the time delay can often be several seconds. This poses considerable danger of leaving cars on the BRT alignment as Busway buses approach.

394. These types of left turn movements have been the single greatest cause of Blue Line fatalities. However, at all Blue Line high-speed intersections, there are crossing signals and crossing gates to protect drivers from the on-coming trains and from themselves. There are no such safety devices proposed for the SFV BRT.

395. The three remaining intersections all border on the unique. All three intersections involve at least two streets (in addition to the BRT guideway). All three have the BRT guideway crossing the intersecting streets at angles other than right angles. And all three pose extremely challenging safety concerns.

A. Intersection 22 - Chandler/Ethel - from West to East, the BRT alignment first crosses Ethel in a Southeastern direction and then curves into the Chandler median. The approximately 70° diagonal crossing of Ethel will require coordination with traffic signals on both Chandler, South of the crossing, and Albers to the North. Then, as the bus proceeds East, coordination with the signals at Chandler and Coldwater will be required to allow the bus to

considering a number of other factors can be misleading. Further, the Court of Appeal affirmed the DEIR's discussion of traffic safety was adequate. (Court of Appeal Decision, p. 16.) Thus, the Orange Line's intersections do not create a significant safety impact.

20-208

Comment 20-209

Please refer to Response 20-196.

Comment 20-210

This comment describes the unique nature of the Chandler/Ethel at-grade crossing, which has been taken into consideration by the MTA, its consultants and LADOT in the design of signal and signing and striping improvements at this location. Please see Response 20-208.

20-209

20-210



Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 107
November 12, 2004

cross Westbound Chandler to the median, approximately eight to ten seconds after crossing Ethel (assuming a bus speed of approximately 45 mph). MTA also plans a traffic signal on Chandler immediately prior to the BRT alignment crossing, which will require timing coordination with the other signals.

In some ways, the signaling for Westbound Busway buses could be even more important. With the busway egress from the Chandler median to the North side of the street beginning as a gradual curve, a Westbound automobile on Chandler, paralleling the Westbound BRT alignment, could find a bus suddenly threatening it from the left, in a movement very similar to a vehicle from a lane to the left suddenly moving into its lane. For this reason, totally blocking all vehicles from entering Chandler West of Coldwater Canyon while buses are making this curving Westward movement is essential. This will require a change in the common traffic signaling system for streets parallel to the busway, where there will be an attempt to match "Green" cycles for buses and street traffic. In this section of Chandler – the only BRT section where the bus operating speed will be limited to the speed of the parallel street – this coordination will generally produce buses and cars traveling together for several blocks, starting at the Laurel Canyon BRT station – and then the cars being stopped at Coldwater Canyon (or, alternatively, at the traffic signal on Chandler immediately prior to the BRT alignment curving to the North). The obvious danger is cars running Yellow, or even Red, lights and winding up at the wrong place at the wrong time.

Another problem will be preventing Southbound Coldwater Canyon vehicles from making a right-turn-on-red to produce the same results – unfortunately, experience with the Blue Line has shown that drivers and pedestrians have an unfortunate tendency to ignore traffic signals, and even lowered crossing gate arms, when they believe – correctly or not – that there is no traffic approaching or that they can "beat" the approaching transit vehicle. Also, there are 11 residences on the North side of Chandler West of Coldwater Canyon that have driveways on Chandler – the problem here is that drivers here often wait for Westbound Chandler vehicles to be stopped at the Red on Coldwater to be able to leave their driveways and get on to Chandler. While Eastbound BRT buses would also pose problems for Westbound Chandler auto's, these would at least be more likely to be seen by the auto drivers, and the auto's seen by the bus operators, because the vehicles are closing at only a slight angle, of 10° or less – although the closing speed could be 80 mph or greater, which reduces reaction time and makes any collisions that would result far more likely to cause serious injury or death.

B. Intersection 20. – Oxnard-Buffalo/Woodman – is particularly complex. Approaching from the West, the busway curves from its Eastbound alignment that parallels the East-West streets in this portion of the Valley, begins to curve to the South, crosses Woodman at approximately a 20° angle, travels approximately 400 feet, and then crosses Oxnard and the current location of Buffalo, with both stations being East and South of this last crossing.

Comment 20-211

This comment describes the unique nature of the Woodman/Oxnard at-grade crossing, which has been taken into consideration by the MTA, its consultants and LADOT in the design of signal and signing and striping improvements at this location. Please see Response 20-208.

20-210

20-211



Coordinating the traffic signals at the corner of Woodman and Oxnard – and the signals North and East of this corner – will be quite interesting, as for the buses to proceed without stopping, traffic in both directions will have to be stopped at the same time. If this both-ways street signaling is implemented, then there will be significant disruption of street traffic flows. If it isn't, then the Busway buses will have to stop at signals at least once, and potentially twice.

Also, if more than a approximately six to eight cars (or an equivalent length number of trucks, buses and other larger vehicles) are stopped Southbound on Woodman and/or more than approximately 12 to 14 cars (or the equivalent) stopped Westbound on Oxnard, then the BRT alignment could be blocked. MTA proposes that the busway crossing of these streets will be marked for no vehicles to be stopped there at the signals, but driver compliance is far from assured.

Because of the fairly high angle of crossing of Woodman, and the presence of structures that block sight lines, there is very little visibility of buses by auto drivers, and vice versa. For buses crossing Oxnard at a shallow angle, Westbound buses will have little visibility of Westbound auto's, and Eastbound buses will have little visibility of Eastbound auto's, and vice versa. For buses and auto's operating in opposing directions, there will be better visibility – approximately 30° – but the closing speed will be quite high, shortening reaction times and increasing the severity of any collisions.

Another issue will be preventing Northbound vehicles on Woodman from making right turns on to Oxnard when buses are approaching.

Finally, Northbound traffic on Buffalo will intersect Oxnard slightly to the West of the BRT crossing point. Buffalo cars making a right turn onto Oxnard will almost immediately be on the BRT alignment. The angle of intersection, and the placement of the Eastbound BRT station platform, will make it extremely difficult for the drivers of such vehicles to be able to see Westbound BRT buses.

- C. Perhaps the most challenging SFV BRT intersection is Burbank and Fulton. The BRT is proposed to have an approximately 45° simultaneous diagonal crossing of both of these major streets, right through the middle of the intersection.

Obviously, all traffic on both streets must be halted for Busway buses to go through this intersection. Also, North- and Southbound vehicles on Fulton cannot be allowed to make right-turns-on-red. Finally, the major trip generator at this intersection is Valley College, on the Northeastern corner. Students using the Eastbound Busway station will have to cross the Busway to reach the boarding platforms. Students and others running to catch a bus are at risk for being hit by buses, particularly Westbound buses that will be approaching the

20-211

20-212

Comment 20-212

This comment describes the unique nature of the Fulton/Burbank at-grade crossing, which has been taken into consideration by the MTA, its consultants and LADOT in the design of signal and signing and striping improvements at this location. Please see Response 20-208.



crosswalk at approximately 25 mph after slowing from 45 mph on their ways to the Westbound Busway station on the Northwest corner of this intersection.

Finally, City of Los Angeles Fire Station 102 is located at 13200 Burbank Boulevard on the Southeast corner of the intersection, approximately 100 yards from the busway. Emergency fire calls through this intersection - with the Fire Department vehicles equipped with traffic signal preemption equipment - adds another degree of complexity to the design and operation of the signaling system for this intersection.

The safety concerns for this intersection parallel those above, with the additional problem of crossing through two major streets at the same time in the same place.

396. Besides those problems discussed above, there are several other safety concerns that could prove troublesome:

A. Confused drivers who inadvertently enter the BRT alignment. This is most likely to be a problem where the BRT is next to a general use street, or in the middle of two public use streets, or in the Chandler median, where a driver could intend to make a left turn on to the general use street, but wind up, unintentionally, on the BRT.

Unfortunately, some drivers who find themselves in this situation then commit what can turn out to be even more dangerous act, such attempting to back out of the busway on the street that crosses it, attempting a U-turn on the busway, etc.

B. Drivers who improperly and intentionally use the BRT alignment as a shortcut, or to avoid a traffic backup.

C. Drivers that utilize the BRT alignment for racing.

D. Emergency vehicle drivers, particularly police officers, who utilize the BRT alignment to respond to emergency calls or for other reasons (Note: City of Los Angeles and other emergency vehicles will not have the necessary equipment to trigger the BRT's traffic signal preference system. The few City of Los Angeles emergency vehicles that are currently equipped with transit signal preemption devices utilize equipment that is non-compatible with the advance loop equipment that MTA has specified for the BRT. It is not known if MTA plans to equip the County of Los Angeles Sheriff's Department patrol cars that it hires from LASD, or its own non-sworn officer security officers, with these devices.) The use of the MDT Busway by emergency vehicles has led to some very serious collisions.

397. Any reasonable interpretation of the potential for traffic safety problems at the SFV BRT intersections discussed above will produce grave concerns. Despite this, MTA's total discussion

20-212

20-213

20-214

20-215

20-216

20-217

Comment 20-213

Signage will be utilized to alert drivers not to enter the busway. Enforcement may also be required. MTA will coordinate with LAPD and LADOT to fine-tune the signage, traffic signal indications and/or striping at any locations should experience indicate that drivers are not clear that the busway is for buses only. Please see Response 20-208.

Comment 20-214

Enforcement of illegal use of the busway is the responsibility of the LAPD. Please see Response 20-208.

Comment 20-215

Please refer to response to comment 20-214.

Comment 20-216

It is not anticipated that emergency vehicles would use the busway. Should they ever find the necessity to do so, they would operate under standard procedures for such emergency operations and utilize lights and sirens, as appropriate, to alert other vehicular traffic of their presence. Please see Response 20-208.

Comment 20-217

The comment notes that human beings do stupid and illegal things and is acknowledged for the record. MTA, its consultants and LADOT have attempted to anticipate driver and pedestrian behavior and to provide positive guidance via signs, striping and traffic signals to any and all such persons who must cross the busway. Please see Response 20-208.



Comment 20-218

The comment is acknowledged for the record.

Comments On DRFEIR, San Fernando Valley East-West Transit Corridor Page 110
November 22, 2004

of BRT safety is only slightly longer than a single page in the FEIS – Volume 1, Section 4-13.3.1.c, "Accident Prevention, c. Full BRT, Lankershim/Oxnard On-Street Alignment, and Minimum Operable Segment (MOS)," pp. 4-283/285. This yields proposals and conclusions such as:

- A. "... these BRT alignments would be expected to have an impact this is minor adverse under NEPA (not significant under CEQA) on accident potential."
- B. "Special safety features have also been designated to protect vehicular traffic crossing the corridor. Before reaching the intersection, drivers would be warned by "pro-signals" that they are approaching an intersection that crosses the corridor. Traffic lights will be modified to insure adequate stopping distances for cross traffic lanes to maintain acceptable levels of service at intersections. The corridor will be painted to visually designate that the corridor is not a surface street."
- C. "The BRT Alternative would place buses within a dedicated corridor, separated from mixed-flow traffic except at intersections, which would reduce the potential for conflict between normal street traffic and bus operations."
- D. "The intersections will operate as at-grade street crossing (sic), and will not require the installation of gates, bells or whistles associated with rail crossings."
- E. "Busway drivers will have direct control over their vehicles and will be able to brake quickly or move out of the way to avoid incidents."

398. The above comments by MTA show an incredible disregard of one very important aspect of traffic safety that is well known to anyone who has ever spent any time in this field: human beings, particularly human beings who are operating vehicles or walking in urban areas, have an unbelievable capacity to do stupid things. Many of these stupid things are illegal, others just plain dumb, but they lead to situations that put people and property at risk. Any design of a surface transportation system that does not takes this cosmic truth into account is destined for disaster.

399. To the best of my knowledge, with only a very few minor exceptions, MTA has never been at "legal" fault in any way of any of the seventy-plus Blue Line fatalities. The legal fault for every single one can be traced to the driver of the vehicle in which people died, or the pedestrian that was killed, or person doing an extremely strange activity, generally the violation of an ordinance and operating the vehicle in a totally improper manner or, if a pedestrian, being in a place where they should not have been. In all cases, the people that were killed (or the driver of the vehicle that carried the passengers that were killed) were dead wrong.

400. But all of these people are not just dead wrong, they are just plain dead.

20-217

20-218



401. A better design of the Long Beach Blue Line could have prevented the vast majority of these fatalities. Even if MTA was able to reduce the Blue Line fatality rate to only that of the second worst light rail system, well over two-thirds of these fatalities – over forty deaths – could have been prevented.

20-219

402. If the San Fernando Valley Bus Rapid Transit system is constructed and operated as it is currently designed, there is a very significant chance that it will make the Blue Line fatality record look like a goal to strive for. More likely, the high rate of collisions, injuries, and deaths will quickly result in a call for making the system more safe – which is not unlikely to produce a result similar to that of the Miami-Dade Transit Busway, where the speed-producing transit signal preferences for buses are turned off.

20-220

403. What are MTA's responses to the points made above?

20-221

404. I also wish to reference another recently opened guideway transit system that has had safety problems that relate to the Orange Line, the Houston Downtown Light Rail System operated by the Metropolitan Transit Authority of Harris County. See Exhibit XXVIII, the "Wham-Bam-Tram Ram Crouser"¹³ and related materials.

405. The light rail system in question operates for approximately 7.5 miles from the North side of the Houston CBD South to the Astrodome Complex and slightly further. It is almost completely at-grade, with its tracks and stations primarily located in what used to be the center lanes and dividers of Main Street and other streets. It has a high number of at-grade intersections. In these design features, it is very similar to the design of the Orange Line along Chandler and through other areas of the Valley where there are traffic lanes, or two-way streets, on both sides of the Busway. However, the speeds of the Houston Light Rail system are very low, in the 25 to 35 range for almost all its right-of-way.

406. The Houston light rail system has had more train-vs.-auto/truck/pedestrian collisions than any other U.S. light rail system over a comparable period of time, even though, at 7.5 miles, it is far shorter than almost all other systems. In Exhibit XXVIII, page 3, the graphic, "A Streecar Named ... Disaster" now (November 21, 2004) shows 70 collisions. On page 8, the story, "It's A Record! 62!" discussed now the September 15 crash put Houston's total over the previous annual record, held by the San Francisco Municipal Railway, of 61. Muni operates 73.3 directional route miles of light rail, which is approximately 36.7 bi-directional miles (to have a figure consistent with the 7.5 miles for Houston), of which approximately 3.5 miles is subway and not generally subject to collisions.

¹³ While the operator of this web site has an "interesting" perspective and point of view on the subject of the Houston Light Rail System and other events, the fact behind the statements appear to be accurate and complete.

Comment 20-219

The MTA disagrees with the comment. The design of the Metro Blue Line exceeds the safety standards established by the regulatory agencies and industry practices. It is important to note that the duties, rights and obligations of a transit agency and those of a person on the highway, whether they are motorists or pedestrians, at public grade crossings are mutual and reciprocal. While a transit agency is bound to give due reasonable and timely warning of a train's approach, persons who cross a railroad track are equally bound to exercise ordinary care and diligence to ascertain whether a train is approaching. Certainly, there is no doubt as far as the design of crossings is concerned, that the MTA has fulfilled its obligations of providing more than the minimum required warning devices at all the Metro Blue Line grade crossings. It is the responsibility of persons on the road to heed the warning of these devices and the approaching train and thus "protect" themselves from harm. This responsibility is not different than what is placed on every person who crosses at a traffic-signalized intersection. Just as it is very likely that a person ignoring the "WALK/WAIT" signals at a pedestrian crosswalk will be involved in an accident, so too is the likelihood that a person ignoring the warning devices at a railroad crossing will be involved in an accident. If one were to closely examine the reasons for the accidents on the Blue Line, it would be clearly evident that the motorists and pedestrians involved in the accidents have violated the traffic laws by ignoring active warning devices provided for their safety and have shown a blatant disregard for the devices.

Comment 20-220

The commenter speculates with regard to fatalities and the need to eliminate transit signal priority for the buses.



407. I have visited Houston, ridden this light rail system, and spent a fair amount of time doing both on-site and document reviews of it. I believe that its safety problems have very significant implications for the Orange Line. Many of the factors that have caused the high rate of collisions in Houston are present on the Orange Line. The biggest difference is that the Houston speeds are considerably lower than those proposed for the Orange Line, which both makes collision avoidance more difficult and significantly increases the level of damage and injury from collisions.

408. In recent months, the rate of collisions has fallen off, evidently due primarily to change in traffic operations. Of these the most significant appears to be changes in signal timing, most importantly, requiring an "all red" for 15 seconds in all directions before a light rail train is allowed to enter the intersection (see Exhibit XXIX, Lucas Wall, "Rail ridership figures called 'impressive,'" Houston Chronicle, April 6, 2004). While the collision statistics have improved significantly as this and other changes have been implemented at more at-grade intersections, I will speculate that any attempt to implement anything remotely similar along the Orange Line right-of-way would be an extremely difficult activity. How would MTA - and LA-DOT, along with other responsible entities - respond to a high rate of bus-via-auto/truck/pedestrian collisions along the Orange Line Busway? Would bus speeds through intersections slow? Would buses come to a complete stop at each intersection? Would "all-around red lights" be implemented at Orange Line grade crossings? What would MTA do? Does it have any plans for this possibility - a possibility that, based on recent experience with other transit operators with similar projects, there appears to be very significant possibility of occurrence?

409. Page 8-4.16-12, 8-4.16.7 Environmentally Superior Alternative - MTA concluded that the Orange Line would be the environmentally superior alternative, but this is based primarily on the very poor analysis of very poor Rapid Bus Alternatives in the DRFEIR. If MTA had used an outreach program - let alone its own technical research capabilities - to produce input regarding what an optimum, or at least good, Rapid Bus network would look like, and then worked to improve service by reducing running times rather than looking for ways to make lines run slower, and then made other service improvements that were and are well within MTA's ability to control, Rapid Bus ridership would almost certainly be significantly improved and this is primary determinant of what is environmentally superior in MTA's analysis. The other statistics, from energy usage to time savings to development would improve consistent with ridership increases.

410. Page 8-6-5, Table 8-6.1: Summary of Capital Costs (2001 Dollars, in millions) and Table 8-6.2: Capital Cost Comparison (2001 Dollars, in million) and page 8-6-6, Table 8-6.3: Incremental Annual Operating and Maintenance Costs (2001 dollars, in millions) - All of the capital cost figures for all Alternatives appear to be overstated, some very significantly.

411. Let's start with Bus capital costs, which are most, or all the capital costs for the non-Orange Line Alternatives, TSM, RB-3, RB-5, and RB-Network. Please refer to Exhibit XXV and the

20-221

Comment 20-221

Please refer to Responses 20-35 and 20-196.

Comment 20-222

It is not possible to forecast how the operations of the Orange Line operations might be adjusted in the future to react to a situation that the MTA, its consultants and LADOT do not believe will be a likely situation. The MTA and LADOT will monitor and evaluate system operations and make appropriate adjustments to bus operations or signal timing/phasing if determined necessary. Please see Responses 20-208.

20-222

20-223

20-224

20-225

20-226

Comment 20-223

Please refer to Response 20-222.

Comment 20-224

Please refer to Response 20-222.

20-227

Comment 20-225

Please refer to Response 20-222.

Comment 20-226

The commenter claims that an unspecified better performing assemblage of Rapid Bus routes would be environmentally superior to the Project. In other words, the commenter suggests that a Rapid Bus network that generates more ridership than the RB Alternatives or even the BRT would make that network environmentally superior. Increasing ridership has little effect on environmental superiority here because no matter how many riders the optimum Rapid Bus network could



Comments On Draft Revised FEIR, San Fernando Valley East-West Transit Corridor
November 22, 2004

Page 113

spreadsheet I have prepared, "Comparison of Bus Capital Costs of Alternatives." This shows that, in 2001 Dollars, the average costs per vehicle for the various alternatives are:

TSM:	\$ 526,000
Full BRT:	\$1,000,000
RB-3, RB-5, and RB-Network:	\$ 550,000

412. As might be expected, there are differences between the vehicles that will be utilized for each Alternative. For the TSM Alternative, while there is no explicit statement to this effect that I could find in the FEIR or R/DFEIR, it appears that the 38 buses to be added would all be 40-foot CNG buses. This has been the MTA "standard" bus for many years and, at the time that the DEIS/DEIR and FEIR for this project were being prepared for and written in 2000-2002, there were no final plans in place for use of any other vehicles for standard, on-street, local bus service. If this assumption is not correct, I ask that MTA provide the proper information.

413. The Full BRT story is more complicated. As may be seen on page 2-72 of the FEIR, the Upper Bowed bus assumption for this was 61 single articulated and 7 standard buses. Since the Full BRT Alternative was to include the TSM bus buy of 38 standard buses, how this was to work is unclear. I ask MTA to explain how it intended to operate 38 40-foot TSM buses out of orders for 61 single articulated and seven standard 40-foot buses.

414. Also, at the time the FEIR was being prepared, MTA was engaging in a procurement for CNG/Electric or CNG/Hybrid articulated buses to use on the Orange Line, which was cancelled - my understanding of the reason for this was that there was no bus proposed that could meet MTA's performance specifications. Therefore, MTA elected to utilize "straight" CNG single articulated 60-footers. MTA was evidently anticipating paying a substantial premium for the CNG/Electric or CNG/Hybrid buses and, when the substitution of the "straight" CNG buses was made, the unit cost⁴⁴ was significantly lower, \$632,914 vs. \$1 million.

415. This substitution would appear to constitute a significant savings for MTA in its Orange Line budget, but this depends on an MTA decision. In plans such as this, the relevant capital cost is not the opening day cost, but the design year cost, in this case, 2020. Note that MTA has only assigned 22 of the CNG single articulated buses for opening day Orange Line operations, but that the proper calculation of the project capital budget would include the 2020 fleet requirement, which, from the FEIR page 2-72, MTA expects to total 68 buses (including, I assume, but cannot verify, 38 TSM buses).

⁴⁴ The transit industry standard for determining the unit price of new bus purchase orders is the "all in" price, including transportation costs to the buyer, all taxes and other taxes payable, spare parts, training materials, devices, and instruction costs, including travel and subsistence for initial training of maintenance employees, and special maintenance equipment required. I will assume that MTA has followed this standard in coming to its various bus purchases and ask that MTA correct this assumption if it is incorrect.

20-227

20-228

20-229

20-230

garner, the network would still create a significant land use impact. (Revised FEIR, p. 8-4.1-77.) No single Rapid Bus route can achieve the ridership of the Orange Line. If it takes more than one Rapid Bus route to accomplish the same ridership of the BRT, which there is no indication that they can, the multiple route Rapid Buses could not achieve the decrease in energy consumption as compared to the single line of the Orange Line. (FEIR, p. 8-4.16-12 (Greatest in energy consumption).)

Comment 20-227

The cost per bus for TSM in 2001 dollars is \$550,000, which is identical to the cost per bus used for the rapid bus alternatives. The estimated \$526,000 for TSM buses reflects 1999 dollars. All cost-effectiveness comparisons in the February 2002 FEIR expressed in 2001 dollars are based on a unit cost of \$550,000 for a standard bus. In order to provide an apples-to-apples comparison, this unit bus cost was maintained in calculating the capital cost of the rapid bus alternatives.

Comment 20-228

The total fleet size needed to operate the modeled transit network is provided as an output of the transportation demand model. Totals for each alternative were extracted from the model to determine incremental bus needs compared to No Build.

To determine the type of buses needed for service operating on the busway, peak hour volumes were examined for the individual routes that were defined to feed the busway. Articulated buses were assigned when volumes indicated the need for more capacity.



Many of these articulated buses were buses that were counted as standard buses under the TSM alternative, e.g., MTA 364 (a limited bus on Victory Boulevard under TSM, redirected to use the busway) and LADOT 422 (an express bus from Thousand Oaks to Universal City, redirected to use the busway to North Hollywood). Other modifications were made to the TSM alternative as part of the bus feeder plan for BRT, which led to modifications in calculated vehicles.

Comment 20-229

MTA had solicited bids for CNG-electric or CNG-hybrid articulated buses with the goal of procuring vehicles that provided an electric drive or assist, significantly noise reduction, and an aerodynamic BRT styling. However, the new technologies proposed were judged to be immature while a proposal was contingent on successful negotiation with a U.S. partner to manufacture the vehicle and to provide after-market support. After much deliberation, a source selection committee decided that an award at that time would place an unacceptably high risk to MTA and all proposals were to be rejected.

Comment 20-230

The capital cost estimates for vehicles are shown in Tables 6-1 and 6-1a of the FEIR. These vehicle cost estimates were developed based on the 2020 fleet requirements listed in Table 2-9 of the FEIR.



Comments On Draft Revised FEIR, San Fernando Valley East-West Transit Corridor
November 22, 2004

Page 114

416. In situations such as this, the usual costing practice is to assume that the current day prices for readily available items such as buses are the best predictors for the future prices of similar items. This would argue for the use of the current, lower, \$632,914 price. However, if it is MTA's intention to procure CNG/Electric or CNG/Hybrid buses for use on the Orange Line in 2020, then the \$1 million average price per vehicle could still be appropriate.

417. I would appreciate MTA's resolution of the above unresolved (at least, in the record) situation and presentation of its current best projection of Full BRT bus capital costs for our current purposes.

418. Information regarding the types of buses to be utilized for the three Rapid Bus Alternatives may be found on page 8-2-31, "Standard Metro Rapid vehicles (40-foot or 45-foot) would be used on the Rapid Bus routes depending on actual demand."

419. The actual costs of these vehicles can be determined by reference to various MTA press releases:

- A. July 22, 2004, "Metro Board Approves Purchase of 75 New Buses" – "The \$30 million purchase ..." and "The purchase of these 75 40-foot buses ..." – This computes to an average price per bus of \$400,000.
- B. February 26, 2003, "Bus of the Future is Latest Addition to MTA Bus Fleet" – "The 'Compo-bus is a 40 foot, ..." and "Each Compo-Bus costs \$310,000."
- C. January 23, 2003, "MTA Board Approves Purchase of 70 Additional High-capacity 45-Foot High-tech Buses" – Each bus is priced at \$373,156 and ..."

420. As can be easily determined, the prices of all of these buses are well under the \$526,000 and \$550,000 prices in my spreadsheet.

421. Because the calculation is to be done in 2001 dollars, it will be necessary to adjust the above press release prices for the impact of inflation. The prices above are for the time of delivery, but I do not know when this will be for these vehicles, so I will assume that the proper values to utilize for this adjustment of the Annual Consumer Price Index – All Urban Consumers, U.S. City Average, U.S. Department of Labor/Bureau of Labor Statistics, for 2001 Annual and the most recent month, October 2004. These values are 176.6 and 190.9, respectively, so the adjustment factor to be applied to the above prices is .925 (176.6/190.9). This produces the following prices:

- A. July 22, 2004 40-foot bus order: \$370,000
- B. February 26, 2003 40-foot order: \$286,750
- C. January 23, 2003 45-foot order: \$345,169

20-231

Comment 20-231

Given the current state of bus propulsion technology, it is inappropriate to predict MTA's procurement intentions for the year 2020. The agency will use appropriate technology available at that time. However, for EIR budget estimate purposes, it was necessary to utilize the most reasonable cost information available in year 2000.

20-232

Comment 20-232

The capital cost calculations for all of the alternatives use comparable bus cost values for the same types of vehicles. An attempt has been made to use conservative numbers in the cost estimates, so as not to underestimate the costs. The \$550,000 per bus cost for the Rapid Bus Alternatives includes contingency costs that appear as separate line items in the BRT cost estimate contained in Tables 6-1 and 6-1a of the FEIR. A 20% contingency (Line 12H of Table 6-1) is applied to the Vehicle cost (Line 5).



422. If we take the simple average of the two 40-foot bus orders, we get \$328,375. This would appear to be an appropriate price for each of the 38 TSM buses, or at least relatively close to it. It is almost \$200,000 per vehicle lower than the \$526,000 per vehicle in the FEIR.

423. We do not know the mix of 40- and 45-foot vehicles in the various Rapid Bus Alternatives. If we assume a 50:50 split between 40- and 45-footers, and use the above average price for 40-footers, the resulting price would be \$336,772, or over \$200,000 lower than the \$550,000 in the DRFEIR.

424. I will not state that these are the absolute one-and-only correct cost figures that should be utilized for 40- and 45-foot buses in the FEIR and DRFEIR, because I do not have all the information I would require to make the calculation and, even if I did, there is far more than one way to make the calculation. What is clear, however, is that the \$526,000 and \$550,000 average costs per bus used for TSM and Rapid Bus, respectively, are significantly overstated. The \$1 million price utilized for Full BRT buses may be overstated; that is a matter for MTA to specify.

425. What is the real world cost per new bus, for each Alternative that MTA proposes to utilize? Please provide details, explanation, citations for this response. If MTA does not intend to make any changes, please provide the details of the calculation and citations and an explanation of why it does not believe any adjustment is required.

426. I refer now to a spreadsheet I prepared that may be found in Exhibit XXV, "Comparison of TSM and RB-3 Transit Operating Statistics." This schedule was prepared utilizing the data from Exhibit XVII, the MTA transportation planning model for these two Alternatives. The data on the left side of the schedule is taken directly from the Exhibit XXV model runs, the calculated data on the right side represent a number of common performance ratios that are often utilized in transit planning and evaluation.

427. Starting with the Victory line under the TSM Alternative, this "Family" has only one member, the Victory "local." Based on my decades of experience in evaluating transit lines, I would say this is "fair" line, certainly one that would be retained in service, but with slightly lower than average transportation consumption statistics (Boardings/Hour and Average Passenger Load).

428. Now doing a comparison with the Victory RB-3 Alternative, there are a number of odd statistics that immediately jump out:

- A. There is not one, but two different members of this "family" of lines added. Besides the Victory Rapid Bus line (783) that was expected, there is also a new "Victory Limited WCTC," (Which I believe means Warner Center to Transportation Center, most likely meaning the Burbank Metrolink Station - I would like MTA to either verify this or correct it). Since the Victory local line currently has its Western terminus at Valley Circle and Gilmore (VCIR/GILM) and its Eastern terminus at the Burbank Metrolink

20-232

Comment 20-233

As Response 20-227 notes, the cost per bus for the RB alternatives in 2001 dollars is \$550,000. However, the real world may differ from each lot because of options on the number of buses being purchased at one given time.

Comment 20-234

Regarding the Victory Limited line, please see response to comment 20-34. There actually is a Victory Limited in the TSM alternative; its identifying mode and line number in the TSM model output reports is Mode 11, Line 245 and appears a couple of pages after the Victory "local." Total boardings for the Victory Limited in the TSM are 11,463.

20-233

20-234

When the rapid bus on Victory is introduced in the model, riders always choose the rapid bus route over the Victory Limited route since it was coded with identical bus stops and the rapid bus route is faster. It is likely that the miles and hours of operation applied to the Limited route would be transferred to provide additional rapid bus service, since peak hour loads suggest a more frequent headway can be supported.

All alternatives were run on the same model with the same data and same model software.



Station, this appears to be a new route that would operate from the current end of line in the East to Warner Center. I do not have the data to be able to determine why MTA would believe that this would be a good line to add on top of the existing local line, with Rapid Bus service to be added at the same time, so I am forced to reserve judgment on the rationale this line, taken separately.

- B. Oddly, while there are more buses added for this line than for the new Victory Rapid Bus line, and almost as many hours and miles as the pre-existing Victory line operates, there are no boardings, passenger miles, or passenger hours shown for this line at all. There are several hundred MTA bus and rail lines listed, line-by-line, in the RB-3 "Summary by Mode and Line," as well as hundreds more in the RB-5 and RB-Network "Summaries," and the only place we see this "triple zero" ridership reported is for the "364 - Victory Limited WCTC" line on these three "Summaries." Since it would make no sense to operate eleven buses two thousand miles a day without a single rider getting on, does this zero ridership for this line really mean that there is ridership, but that it is not reported on this series of "Summaries?" And does that mean that the ridership for this line is not reported in the ridership in the DRFEIR? Given that the ridership on the basic "164" Victory local line dropped from 8,018 in the TSM Alternative to 3,367 in the RB-3 Alternative - a 58% reduction - one reasonable explanation is that the major share of the reduction in the 164 ridership (besides the former 164 passengers who shifted to the 783 Rapid Bus service) was due to passengers shifting to the this appears to be the faster 364 limited service, particularly those that were traveling East on Victory past Lankershim, with destinations that would include Burbank and the Burbank Metrolink Station¹¹. However, there are passengers with destinations West of Lankershim on Victory (where the 783 Victory Rapid Bus turns South to the North Hollywood Red Line Station) that would take the 364 over either the 163 or the 783. Since limited stop routes generally have more stops than do Rapid Bus stops, commonly stopping at the "semi-arterials" half way between the "major arterials" where the Rapid Bus lines stop, there will be passengers that are clearly better served by the 364 limited than the 783 Rapid. The other major type of shift would be those passengers who simply hop on the first bus that comes along that is going where they are going and pay little attention to it being a local, limited, or Rapid. Therefore, it is very reasonable to argue that what might have happened is that the "logic" of the MTA transportation planning model added the 364 limited service on Victory, that the workings of the model assigned a significant number of passengers to the 364 Victory limited, rather than the 163 Victory local or the 783

20-234

¹¹ This would appear to confirm that my early recommendation to provide alternative Victory Rapid Bus service to the Burbank CBD/Arts Center and/or Burbank Metrolink Station is worthy of further study. One complicating factor, of course, is that the City of Burbank is a separate municipality from the City of Los Angeles and has its own traffic signal control system separate from that managed by LA-DOT, which could cause complications with the types of traffic signal limited priority that MTA utilizes for Rapid Bus lines. However, there are several existing examples of Rapid Bus lines that do not have limited signal priority for portions of their alignment and, as we have seen, there are very significant bus travel time savings possible through the use of limited stop service alone, so even total, permanent disability to have limited traffic signal priority does not appear to be a disqualifying factor for Rapid Bus service.



Comments On Draft Revised FEIR, San Fernando Valley East-West Transit Corridor
November 22, 2004

Page 117

Victory Rapid, but then the ridership on the 364 Victory limited was, for some reason, never included in the "Summary by Mode and Line" and was also never included in the data that went into the DRFEIR that was utilized to compare the performance of the various Alternatives. If this hypothesis is correct, then the comparisons of the Rapid Bus Alternatives would appear to be significantly lowered in an improper and unfair manner. I do not have the data available to research this point and confirm or deny it, but I expect MTA to do so, and to provide a complete report of what happened here, in detail and with full documentation.

C. My concern is due in part to a statement in the fourth paragraph of the cover letter to the products of the Public Records Act Request (Exhibit XVII) that I made for what turned out to be these "Summaries." "This data is not information that is provided in a report of any kind on any scheduled basis, therefore, special programming was required to generate the data." Taking this statement at face value, it appears that it is not unfair to interpret it to mean that the only person who checks the MTA model runs for errors of this type is me. Given all the other usual results in the "Summaries," the type of review and checking that is performed on the MTA models and model runs becomes a very important issue. I ask MTA for a detailed explanation of the quality control and verification procedures for its modeling process, specifically including, but not limited to, individual model runs of this type.

D. Also, from a mere glance at the "Summaries" that were presented for the four "FEIR" Alternatives (No Build, TSM, Full BRT, and MOS) and the three "DRFEIR" Alternatives (RB-3, RB-5, and RB-network), it is obvious that the format is different. There is a time and date at the top of each page of each Summary. For the FEIR TSM, it is "17:28¹⁷ Monday, September 11, 2000," but for the DRFEIR RB-3, it is "23:31¹⁸ Tuesday, August 21, 2004." I assume that these date/times refer to the date of the run, which is a common way to identify different runs of the same model, rather than the date of printing, because, obviously, my PRA Request was not sent to MTA until months and years after these days and times. However, the time differences of almost four full years and certain other characteristics lead me to ask, were these model runs, for the two different "sets" of Alternatives, run by the same modelers, on the same model, with the same data, on the same model software? Treat the foregoing as a series of questions, each to be responded to separately. Who actually ran each model run for the different Alternatives, both the names and the organizations? This is obviously leading up to, are the model runs really comparable for purposes of comparative rating of Alternatives in this CEQA process?

E. Although this is not a matter of extreme import, it would be interesting to understand how MTA came up with the route numbers for the various Rapid Bus lines. The usual

20-234

Comment 20-235

The identifying rapid bus route numbers try to use the last two digits of the local route number, but it is not always possible. The route numbers reflected in the model output reports are at the discretion of the person coding the route, and should not be taken as the intended route numbering in actual practice.

20-235

¹⁶ Interestingly, this information was provided not to provide insight into the MTA transportation modeling process, but as justification for the higher than authorized charges for MTA's production of records to satisfy my Public Records Act request for the detailed, line-by-line operating data for the various FEIR and DRFEIR Alternatives

¹⁷ On computer printouts of this type, this generally would be interpreted as 5:28 p.m. Presumably, 11:21 p.m.



Comment 20-236

See response to comment 20-33.

Comments On Draft Revised FEIR, San Fernando Valley East-West Transit Corridor
November 22, 2004

Page 110

methodology, where possible, is to use a seven as the leading digit of a three-digit number and use the last two digits of the "local" route number, dropping the leading digit of a three-digit route number. The first two Rapid Bus lines were the 720 on Wilshire, where the local 20 line has operated for many years, and the 750 on Ventura, where the 150 is the local line. However, for these three lines alone, 165 Vanowen local has the 782 Vanowen Rapid Bus, the 163 Sherman Way local has the 781 Rapid Bus, and the 164 Victory local has the 783 Rapid Bus. Obviously, if a number has been previously utilized or committed, that is a problem, but that doesn't appear to be the case here. Could MTA explain how the route numbers for the various Rapid Bus lines were generated?

F. With the addition of the Rapid Bus service and, presumably, the 364 limited service, the ratio's for the "original" 164 Victory local become very poor, particularly the boardings/hour, which drops from a respectable 47.7 to a very poor 20.0. This is type of performance, and particularly such a large drop, generally indicates that far more service is being operated on the line than may be indicated. If what is happening here is that the new 364 Victory limited was running on top of the original 164 line for most its alignment, then many of the riders who used to take the 164 local are now using the limited - but there is the question of where, if anywhere, these riders went in the compilations. If MTA is basically doubling the amount of local service on the vast majority of the line, but the local/limited ridership is more or less the same, then it appears that some number of buses, hours and miles of local and/or limited service should be considered for elimination for this family of routes. There are a number of possibilities as to what is going on to produce this rather strange set of statistics, and I will refrain from further speculation as to cause, effect, and correction until I see MTA's explanation and documentation, which I expect to be in great detail.

G. One unexpected statistic is the VMT/VHT ratio - vehicle miles traveled divided by vehicle hours traveled, which is a close, but not precisely correct, measure of vehicle operating speed in revenue service²⁹. Note that the "speed" of the Victory "local" is 14.6 mph, while that of the Rapid Bus is 15.8 - an increase of only approximately 8%. At page 8-3-15, MTA states, "The travel demand forecasting model used to predict ridership on the three Rapid Bus alternatives used the 20 percent speed improvement for all Rapid Bus routes in the model assignments, ..." This is a very serious concern - MTA is saying that it intended to enter 20% speed improvements for all Rapid Bus lines, obviously including this one, but we only see a 8% increase. If MTA is saying that the model is doing one thing, but then we see the results show something very different, this could have a huge impact on the comparisons of the results of the models. A 20% increase

²⁹ I request MTA to precisely define both of these terms as they are utilized for purposes of these model runs, specifically addressing the differences between total miles and hours and revenue vehicle miles and hours, as those terms are defined by the Federal Transit Administration in the National Transit Database reporting instructions, specifically addressing "deadhead" operating between operating yards and route ends and between route ends for interlined service and layover/recovery time between runs. Which, if any, of these are included in VMT and VHT as those terms are utilized here?

20-235

20-236



factor, simply applied to the 14.6 VMT/VHT ratio, which I am using as a surrogate for average operating speed, would produce approximately 17.5 mph, not 15.8 mph. Note that we actually have far worse situations for the other two Rapid Bus lines in this Alternative. For the Vanowen line, the increase is from 15.7 to 16.5, only 5%, and for the Sherman Way line, the increase is from 16.7 to 16.9, 1%. Something is very wrong here and these inconsistencies require a complete and thorough investigation and explanation, with detailed documentation. I expect to see a lot of detail in the MTA response to this comment – at this point, anything else would simply not be credible.

H. The VMT/VHT statistic for the 364 limited stop service is also very odd – 12.4, 15% slower than the 14.6 for the “local” 164 Victory line. Since the purpose of operating limited service is to increase operating speed, this is most unexpected result. Again, a full explanation of what is going on here is required – there are simply far too many very strange results being reported by this model run that have to be understood.

429. Turning now to Vanowen service:

A. In every case I know of, when Rapid Bus service is offered for the first time on top of an existing local bus line, there are significant numbers of former local bus users who shift to use the Rapid Bus service because it is going where they want to go and is faster, the same price, and otherwise is an improvement in their transportation. Here, we have Rapid Bus service being added to an existing pretty good local bus line – and the local bus boardings increase.

B. As I have previously commented, the utilization of the Vanowen Rapid Bus service is so bad that it should not even be operated – 24.9 boardings per hour, a very low statistic, and average passenger load of 5.8, even worse. Another surprise is the average trip length for Rapid Bus, of 3.8 miles, which is shorter than the average trip length for local bus. An even bigger surprise is the average trip length for added trips, 2.8 miles¹⁰ – the average new passenger drawn to the line due to Rapid Bus service is going under three stops? While my original comment on the lack of viability of the Rapid Bus line on Vanowen stands, something very strange is going on here and the other strange events I have noticed leads me to believe that a good place to start the examination would be in the workings of the MTA transportation planning model. When this many indicators are going in directions completely different from what would be expected, there must be a very complete and detailed examination of the model that produced these results.

430. Moving on to Sherman Way, once Rapid Bus is added, the Medical Center to Vineland and Strathern “short line” usage drops off by over two-thirds, producing terribly low consumption values. This is an obvious candidate for consideration of elimination.

¹⁰ Calculated as: Post-Rapid Bus Vanowen “family” passenger miles of 102,932 – Pre-Rapid Bus of 86,724 = 16,208 Post-Rapid Bus boardings of 24,553 – Pre-Rapid Bus of 18,823 = 5,730 16,208/5,730 = 2.8 miles

20-236

Comment 20-237

While there was a modest increase in boardings for the Vanowen local bus line for the RB-3 alternative, this is not an anomaly that is serious enough to overturn the validity of the MTA transportation demand model.

Comment 20-238

Please see Response 20-237.

Comment 20-239

Refinement of service would call for adjusting levels between local and rapid bus routes. The concept was to build on top of TSM improvements without replacing any service.

20-237

20-238

20-239



431. While I recognize that all models, particularly transportation planning models, are never intended to recreate reality, the very strange results produced in so many of the above particulars generate a series of rather important questions about the accuracy, reliability, and utility of the MTA transportation planning model. I have been following the use of this model, and the results produced, for many years, and I remain extremely concerned that it, and the people who operate it, are just not producing results that mean anything, or should be used to help make important decisions. My experience in trying to make sense of the results of the most recent model run results I have seen only serves to increase my concerns.

20-240

432. If we assume that the results of the RB-3 model run are accurate – which I am not prepared to do at the current time – then I believe that both the number of vehicles and hours required to operate the RB-3 transit service are overstated. Tripling the Victory line peak vehicles from 10 to 30, and an even larger, 217% increase in VHT and 312% increase in VMT, appears excessive, even for a 108% ridership increase. The entire Vanowen Rapid Bus Line should almost certainly be either significantly restructured or eliminated, and the Sherman Way Medical Center-Vineyard/Strathern variant may no longer have much reason to exist. Elimination or reduction of these poorly performing services would save significant costs of both capital assets and operating with very little loss of ridership.

20-241

433. I am unable to determine how MTA calculated the operating costs of the three Rapid Bus and other Alternatives. I ask several questions and then provide my own response to one of them: How does MTA calculate operating costs, is it by assuming a rate per revenue vehicle hour? If so, is the same hourly rate utilized consistently for all Alternatives? If not, why not, and what different rates are utilized? If the MTA transportation planning model is producing VHT for total, rather than revenue, hours, then how is the conversion and costing performed? When there is a range of operating costs, and a range of ridership, how does MTA select which values within the two ranges (and within the capital cost range) will be utilized as the quantities to be costed? Based on past experience with MTA costing of bus service, I believe that MTA may be utilizing “fully-allocated costs,” which appear to currently approximate \$100 per revenue vehicle hour. However, when MTA actually goes to its Board for approval of major service additions, it tends to use “marginal” costing, which recognizes: (a) some costs, such as the CEO’s compensation, are unlikely to change if additional service is operated, and (b) MTA has labor contracts and other provisions that provide far lower costs for added service than for the average cost of existing service, such as hiring new bus operators at far lower costs than the large number of bus operators that are at the top of the wage progression and move the average cost upward.

20-242

20-243

20-244

20-245

20-246

20-247

434. I refer to Exhibit XI, specifically the Board Report of May 20, 2004, “Authorize Expenditures in the FY05 Budget for Bus Service Expansion to Support Consent Decree Compliance.” Recommendation 1, states, “incorporate the addition of 208,250 revenue service hours at a total cost of \$11.3 million ...” Dividing the number of hours into the cost produces a cost per revenue vehicle service hour of \$54.26 (\$11,300,000/208,250).

20-248

Comment 20-240

The MTA model has been presented to the SCAG Regional Modeling Task Force on May 23, 2001. It was also presented to the Chief of Modeling at the FTA Headquarters on July 21, 2003. Accepting MTA model was the prerequisite for FTA in awarding a \$500-million Full Funding Grant Agreement on Eastside LRT project to MTA. On April 16, 2004, a group of nationally renowned modeling experts appointed by USDOT (i.e., the Peer Review Panel) came to Los Angeles to evaluate SCAG model. During the review session, the Panel recommended SCAG to apply the MTA’s modeling practice on mode choice and station choice for its new model development project. This recommendation was documented in the “TMIP Peer Reviews” web-site maintained by FHWA.

Comment 20-241

The fleet requirements are generated by the MTA travel demand forecasting model and are a function of the route length, transit vehicle travel time and frequency of service coded into the model. It may be the case that the RB-3 Alternative could be adjusted to eliminate some of the more poorly performing segments of the alternative, but it is unclear that this would make it more cost-effective than the BRT Alternative and if segments are deleted from this alternative it is likely to result in even fewer new transit trips attributable to the RB-3 Alternative, which already has fewer new transit trips than the BRT Alternative.

Comment 20-242

The operating costs for all of the alternatives have been developed using the MTA’s O&M cost model, which is described in detail in Section 6-2.2 of the FEIR. As noted therein, “The model meets FTA guidelines for



estimating operating costs.” It does not use a simple rate per revenue vehicle hour, but rather calculates the total MTA systemwide cost for each alternative based on the values of each element in Table 6-2.

Comment 20-243

The MTA O&M cost model is used for all alternatives. Because it is a resource cost build-up model, it does not employ the use of constant hourly rates, though hourly rates generally lead to small variances between alternatives.

Comment 20-244

As stated in response to comment 20-243, the hourly rate varies because of the use of a resource cost build-up model. The resulting hourly rates for the rapid bus alternatives have been provided to the commenter through the Public Records Act. Calculated cost per bus hour for each alternative is as follows (2001 dollars):

- No Build: \$101.63
- TSM: \$100.86
- BRT: \$100.35 - \$100.78
- RB-3: \$99.66 - \$100.03
- RB-5: \$99.44 - \$99.84
- RB-Network: \$98.33 - \$99.11

Comment 20-245

Vehicle hours traveled (VHT) is one of numerous inputs for MTA’s O&M cost model. In estimating MTA’s O&M costs, MTA’s total VHT is provided through the transportation model. It is factored for use as an input in the MTA O&M cost model (according to the relationship of 1998 modeled VHT to actual 1998 VHT). For LADOT O&M costs, the incremental VHT is multiplied by a unit cost per revenue vehicle hour as



reported in the 1998 National Transit Database and escalated to 2001 dollars.

Comment 20-246

If there is a range of ridership, then the MTA O&M cost model is run separately based on differences in lower-bound versus upper-bound statistics. Capital costs also are calculated separately according to differences in lower-bound and upper-bound vehicle requirements.

Comment 20-247

The MTA O&M cost model is a resource cost build-up model that is typically used for MTA planning studies and financial analysis in environmental documents. FTA guidelines state a preference for use of a resource cost build-up model. See response to comment 31-22.

Comment 20-248

The commenter suggests use of a marginal cost per revenue vehicle service hour. See response to comment 20-247 and 31-22, which discusses the standard use of the MTA O&M cost model for financial analysis in environmental documents.



Comments On Draft Revised FEIR, San Fernando Valley East-West Transit Corridor
November 22, 2004

Page 121

435. Also in Exhibit XI, I refer to the Board Report of September 18, 2002, "Approve Implementation of the Metro Rapid Five-Year Implementation Plan." This document is the source for the data that I utilized to prepare Exhibit XXX, "Marginal Hourly Cost of Bus Service." Note, in the "Added Service" column, the third row from the bottom, the value of \$62.75 per hour as the cost to add an hour of MTA Rapid Bus service. I believe that the cost per hour of adding bus service for all the Alternatives will be within, or at least close to, the range that these two documents establish.

436. If there are serious problems with the model – and there appears to be indications that this may be the case – then every metric in this document – ridership, travel time savings, cost per new rider, air quality, travel delay, etc. – may be corrupted.

437. Finally, I must protest about the extreme short time period that I had to attempt to perform a comprehensive analysis of the contents of this DRFEIR, particularly the workings of the all-important MTA transportation planning model. This project is, more than anything else, a public transit project. The specific capital improvements are predominantly for public transit, the operating cost increases are predominantly for public transit, and the metrics for measuring the success of public transit projects begin with ridership. Yes, there are most certainly other important metrics for projects of this type, including traffic congestion and air quality, but these metrics are driven, to a very large extent, by how well transit project Alternatives will do in attracting riders. With a decision involving hundreds of millions of public sector dollars on the line, neither the MTA decision-makers nor the public can be satisfied with being told that there is a "black box" that puts out the values for the metrics. There must be an understanding of the workings of that "black box," it must be available for inspection, and there must be a consensus that the results it is producing are meaningful and that they are not based on changes to logic, data input, or errors that can shift the rankings.

438. I was extremely disappointed to receive the DRFEIR and find absolutely no detail of transit ridership by line, nor any information regarding revenue vehicle hours or miles, or peak vehicles, by line. MTA had never posted the DRFEIR Appendices on its web site, but had listed the Appendices, and I had hoped that "Transportation Study," Appendix 8-C, would have this type of data. When I finally did receive the printed DRFEIR and Appendix, I found hundreds of pages of detail of the vehicles through almost every major intersection in the Valley under each Alternative – but not one word about transit usage.

439. How can MTA explain why, in this study, this transit study, it feels compelled to provide detail down to the percentage grade for each intersection, but not any information at all about transit ridership by route?

440. As soon as I was able to understand what was, and what wasn't, in the DRFEIR and Appendices, I prepared and submitted Public Records Act requests for this data. I did not receive the detail information on transit service provided and consumed by route until late in the day on November 17th, the Wednesday before the Monday when comments are due. Instead of

Comment 20-249

See Response 20-248.

Comment 20-250

The model has been presented to qualified modeling professionals in the local area as well as nationwide. The model is considered adequate. Please also see Response to Comment: 20-240 for more details on how the MTA model has been accepted by peers in the nation.

Comment 20-251

The commenter again makes the same protest on the duration of the comment period. (Comment No. 20-12.) See Response to Comment Nos. 14-2 and 20-12 for discussions on the adequacy of the comment period for the Revised FEIR. As to the workings of MTA's model, please see Comment No. 20-255.

Comment 20-252

Model output reports generally are voluminous and not in a format that is usable for the public, but are readily provided under the Public Records Act.

Comment 20-253

Please see Response 20-252.

Comment 20-254

The commenter again makes the same protest concerning his Public Records Act request. (Comment

20-249

20-250

20-251

20-252

20-253

20-254



Comments On Draft Revised FEIR, San Fernando Valley East-West Transit Corridor
November 22, 2004

Page 122

the computer files I had asked for, I was given only hard copy print-outs – and they are very poorly structured and organized and even have different formats.

20-254

441. I have devoted many long hours to the painstaking harvesting of data from these reports and the comparative analysis between Alternatives. As I have indicated above, I have found many very significant discrepancies that are of such significance that there is actually question if the model runs are so inconsistent and unreliable that they cannot be regarded as valid for purposes of making decisions between the Alternatives presented in the FEIR and DRFEIR. Yes, I have quite literally only scratched the surface to investigate what I have found. I simply did not have the time to do all the work that needs to be done, given the very small number of days I had to do the work and the extremely slow process of manual extraction of data from the reports I was provided.

20-255

442. Therefore, even though the comment period is over, be aware that I am continuing to analyze the data and reports I was provided and there is a high likelihood that I will be submitting additional comments. This matter is simply too important to ignore.

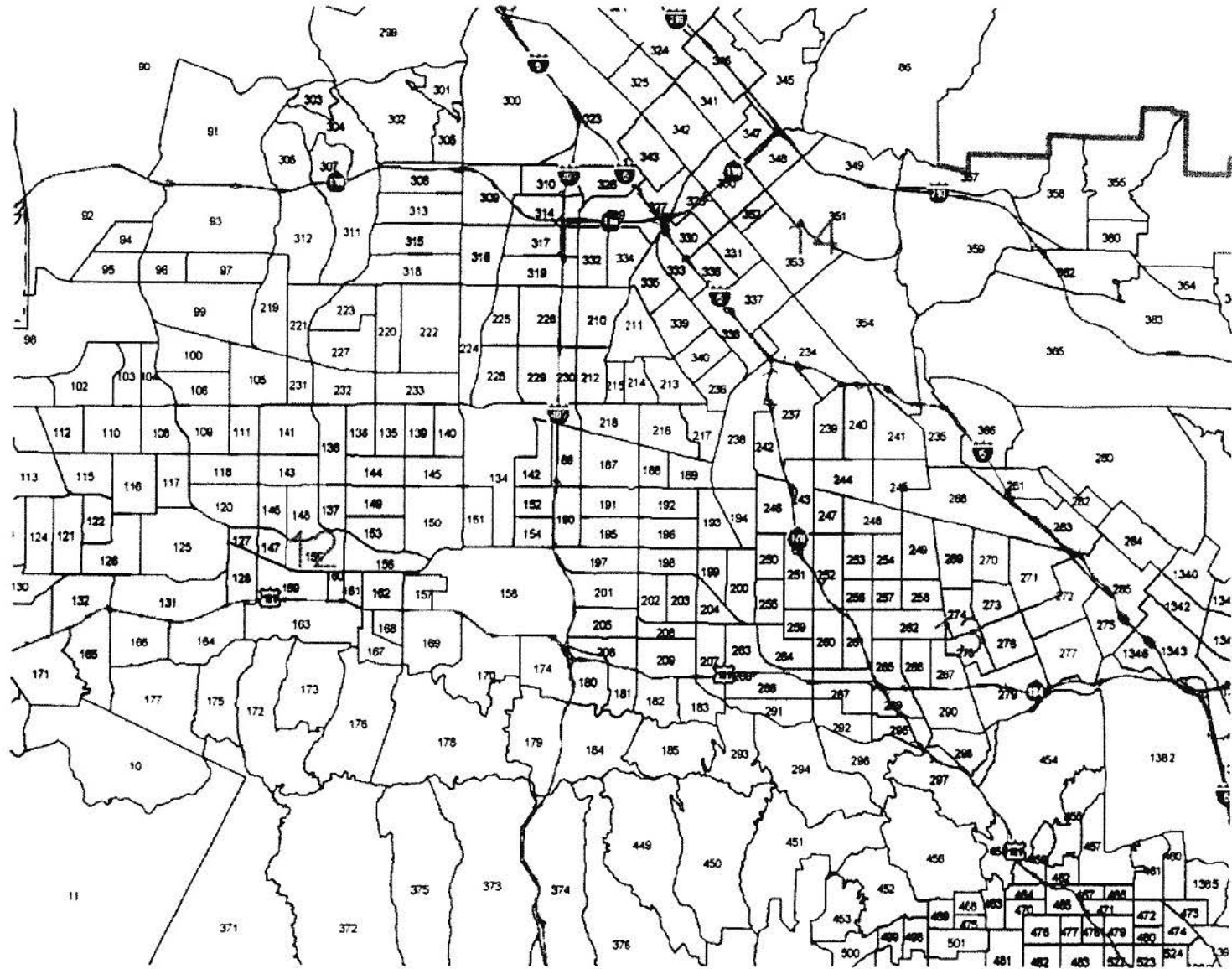
20-256

No. 2-12.) See Response to Comment Nos. 14-2 and 20-12 for discussions on the MTA’s compliance with Mr. Rubin’s Public Records Act request.

Comment 20-255

The commenter suggests that MTA’s model is not valid. MTA’s model is a sophisticated and complex transportation demand model that utilizes hundreds of thousands of input data and performs over nine million calculations during a modeling run. MTA’s model knows the spatial distribution of the population of the Valley by population data within zones. Figure “(see figure emailed on Sunday)” shows the model zones in the Valley. Each zone is programmed with 12 different dimensions on the population. The entire street network and existing transit network of the Valley are encoded in the model. A person’s decision to choose to take transit is a highly complex evaluation. It considers the time and cost characteristics of various types of transportation available. For example, auto versus bus versus light rail versus commuter rail. Further, the model considers demographic and socioeconomic characteristics of the person making the choice. For a more detailed discussion on how the MTA’s model determines a person’s decision to take transit, see “Mode Choice Model Development Report,” prepared by Parsons Brinckerhoff Quade & Douglas, Inc., and dated September 2002. A copy of this report is available for review in the MTA library. This same report contains a validation of the model’s accuracy. The validation data for the Mode Choice module is set forth in Tables 9 and 10 of the report. Further additional model validation was conducted in 2001. See Response to Comment No. 20-33 for a discussion on the model validation of bus run times.





Comment 20-256

MTA is not obligated to respond to comments received outside the comment period.



Comment Letter 21

MTA SFV/NC PLANNING Fax: 213-922-6358 Nov 23 2004 14:25 P. 12

November 22, 2004

This letter is concerning the Draft Revised Final Environmental Impact Report Volume 4 - Chapter 8- San Fernando Valley East-West Transit Corridor of October, 2004.

To: Roger L. Martin

I feel it is necessary for me, as an outspoken critic of this busway, to put in writing my grave concerns about the safety of this proposed busway and the seemingly cavalier disregard for the safety of the public riding this busline and for the people close to the busline whose safety will also be at risk.

After doing some research it has come to my attention that there have been several accidents along the corridor, some very serious with serious injuries, at intersections across the busway corridor. Here is my first question to you? How on earth are there not going to be hundreds of accidents on this busway when the busses are actually running on it if there have been several already with no busses running on it?

I also want to point out to you that I was unable to locate a copy of the FEIR at the North Hollywood Public Library or the Panorama City Library, both of which service large areas that are highly impacted by this mess. I went to these libraries several days after the October 22 due date, specifically on October 27 and 28th and they were not there.

I then went online to access the information from your website and none of the appendices was accessible. Why is that?

Finally, why would you choose to study Rapid Buses on Chandler and Oxnard? Can you show me any statistics that make these candidates for Rapid Bus? Just because someone mentioned these streets in a comment letter and the Court cites such comments in its decision doesn't make them good Rapid Bus Routes; Where is the data for Rapid Bus Routes? Some have already been planned, I know. I want the information that you already have on Rapid Bus. Hey, I want the information that you already have on LOCAL BUS ROUTES. Where is that data to be found?

I expect a response to the above questions.

Marilyn Hencken

Marilyn Hencken
Resident of Hillview Park, located in Valley Glen

21-1

21-2

21-3

21-4

Response to Comment Letter 21
Comment 21-1

Please refer to Response 13-2.

Comment 21-2

Copies of the Draft Revised FEIR were sent out by courier to all the public libraries in the San Fernando Valley on October 22, 2004. A letter accompanied the document explaining what the document is and that it should be made available to the public. The Project Manager did not receive any calls from the public, or any public library in the San Fernando Valley indicating that the documents were not available.

Comment 21-3

The appendices were provided in hard copy form at all libraries in the San Fernando Valley. They were not placed on Metro's website because they were not available in electronic format.

Comment 21-4

See Response to Comment No. 4-2 for a discussion on MTA's reasoning for selecting the three RB Alternatives. See Response to Comment No. 6-2 for a discussion on MTA's reasoning for including the Chandler and Oxnard routes in the RB-5 Alternative. The data on each of the Rapid Bus routes are included throughout the Revised FEIR. The data for the Ventura Boulevard Rapid Bus is included in the report entitled, "Final Report Los Angeles Metro Rapid Demonstration Program," dated July 2001. A copy of this document is available at the MTA library for review. Data on local bus routes in the Valley are also available at the MTA library.



Comment Letter 22

WAYNE K. TANDA
GENERAL MANAGER

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

DEPARTMENT OF
TRANSPORTATION
201 N. FLORENCE STREET, SUITE 606
LOS ANGELES, CA 90012
1-213-473-3100
FAX 1-213-473-1116

November 23, 2004

Mr. Roger L. Martin, Project Manager
San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza, Mail Stop 99-22-9
Los Angeles, CA 90012-2952

DRAFT REVISED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SAN FERNANDO VALLEY EAST-WEST TRANSIT CORRIDOR

The Department of Transportation (LADOT) has received the Draft Revised Final Environmental Impact Report for the San Fernando Valley East-West Transit Corridor which analyzes three new Metro Rapid Bus Alternatives. We have carefully reviewed the analysis of the transportation impacts for each Alternative and find it to be adequate. We concur with the findings that traffic impacts at affected intersections would be either insignificant or manageable through bus route planning.

22-1

While LADOT strongly supports the Metro Rapid Bus program and is developing transit priority systems for its new routes, we have concerns about the effectiveness of deploying transit priority for the proposed Metro Rapid Bus Alternatives in this document. Several of the routes are in close proximity to one another, particularly the parallel routes in the RB-3 and RB-5 Alternatives. This proximity could impair LADOT's ability to fully deploy transit priority for these routes, decreasing travel time savings for the proposed Metro Rapid services.

22-2

We continue to support transit improvements for the San Fernando Valley and look forward to continuing our work with Metro on the East-West Transit Corridor project.

22-3

Susan L. Bok
Supervising Transportation Planner

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

Response to Comment Letter 22

Comment 22-1

LADOT's concurrence in the findings of the Revised FEIR transportation impact analysis is acknowledged for the record.

Comment 22-2

LADOT's comment confirms the findings of the Revised FEIR that it may not be possible to provide the same level of transit signal priority to multiple Rapid Bus Routes as to the Ventura Rapid Bus.

Comment 22-3

The comment is acknowledged for the record.



Comment Letter 23

-----Original Message-----

From: Thomas A Rubin [mailto:tarubin@earthlink.net]
Sent: Tuesday, November 23, 2004 4:58 PM
To: martinr@metro.net
Subject: San Fernando Valley East-West Transit Corridor Draft Revised Environmental Impact Report, Comment on

Roger L. Martin
Project Manager, San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza
Mail Stop: 99-22-9
Los Angeles, California 90012-2952

Via e-mail

Dear Mr. Martin:

In addition to my comment letter on the San Fernando Valley East-West Transit Corridor Draft Revised Environmental Impact Report I hand-delivered yesterday afternoon, I have one additional comment I am now transmitting.

In Section 8-2.2 ALTERNATIVES CONSIDERED IN THE REVISED FEIR, the following information appears in the description of each and every Rapid Bus line in each of the three Rapid Bus Alternatives:

"The hours of operation are from 5:00 AM to 10:00 PM, Monday through Sunday. The headway for this route is 10 minutes during the peak hours, and 12 minutes during the off-peak hours."

23-1

Response to Comment Letter 23

Comment 23-1

MTA has set a current guideline of 10-minute peak period service and 12-minute off-peak service as desirable for Metro Rapid Bus. The individual MTA Sectors adjust actual service levels to meet a variety of factors, including financial and resource availability. Absent major budget limitations, MTA would like to introduce the various Metro Rapid lines with higher levels of service to give each market an opportunity to fully develop. At the same time, MTA expects that continued ridership growth over time would warrant operation of at least the guideline level of service by 2020 on nearly every line.

For the purposes of considering the various proposed alternatives in Section 8-2.2, it was expected that full Metro Rapid service levels would be warranted by 2020 given the ongoing changes in San Fernando Valley demographics and densities. As well, a critical element in developing the alternatives was the recognition that ridership is generated at both a route level and for the overall network. The proposed service frequencies allow for reliable and timely transfers at service intersecting points, thus keeping average transfer wait times to reasonably attractive levels. Also, with both Metro Rapid and local bus service operating on the same corridors (standard MTA practice), the Metro Rapid Bus must operate at competitive frequencies to the local bus service to make it attractive when out-of-vehicle time is considered. Thus, keeping the proposed Metro Rapid lines at reasonably frequent levels specified in the MTA service guidelines allowed each



First, what does "off-peak hours" mean? For "working weekdays," does it include early morning (between 5:00 AM and the beginning of the morning peak), mid-day (between the morning and evening peaks) service and evening (after the evening peak ends to 10:00 P.M.) service? Does it include service on Saturdays? On Sundays and Holidays? If "off-peak" does NOT mean all of the above (other than peak hours), then what are the headways for the days and times of service not included as "off-peak?"

As a general rule, I agree that Rapid Bus service at no more than approximately ten minute headways during peak periods is appropriate, although there could certainly be some exceptions where somewhat longer headways may be desirable. However, I note that MTA has many current Rapid Bus lines that have mid-day, evening, and Saturday and Sunday headways that are significantly longer than 12 minutes. Non-peak Rapid Bus service should be more closely tied to demand - there is no reason to be running service if the demand is not present.

For many of the Rapid Bus lines proposed in the three Rapid Bus Alternatives, the high level of Rapid Bus service proposed may be wasteful and not justified. Also, there is often very good reason to change the headways during the various periods I list above, such as starting early evening service with headways like 10-12 minutes, but longer headways closer to 10:00 PM.

Also, for individual routes, the 5:00 AM to 10:00 start and end times may require adjustment. For some routes, there may be little, or even no, reason to operate on Sundays and perhaps Saturdays, but this, like all scheduling decisions, should be driven by the data and by the application of proper transit management solutions.

23-1

alternative to fully realize its ridership potential while minimizing operating and capital costs.

The following service frequencies provide a representative plan of RB operations:

Weekdays:	5am-6am	15-min
	6am-9am	10-min
	9am-2pm	12-min
	2pm-7pm	10-min
	7pm-11-pm	15-min
Weekends:	6am-8am	15-min
	8am-6pm	12-min
	6pm-10pm	15-min

Comment Letter 24

Mr. Roger L. Martin
Project Manager
SF Valley/No. County Area team
MTA
One Gateway Plaza
LA, CA 90012

I am a concerned resident of Victory Park Neighborhood were your Van Nuys bus station is being built. I am also an active member of the Victory Park Neighborhood association. I would like to address a few of the issues that have been discussed in the revised copy of your EIR. I would first like to state that I am not in agreement with the station being built and feel that is a waste of tax payer dollars. The building of this station has been a thorn in my/our side since construction began. The truck and building noise, dust and air pollution, outsiders it has attracted, time consuming traffic and damage to my property. But enough of my personal feelings, I would like some clarification and understanding of this difficult to read EIR.

My and biggest concern is how difficult it is to get a copy of your EIR? I was informed that I could go to the library to view a copy or have a copy sent via email. Although I did not request a copy, other members did without success as I was with the library. I due understand that this is a very important document and most likely limited in

Response to Comment Letter 24

Comment 24-1

The comment is acknowledged for the record.

Comment 24-2

Copies of the Draft Revised FEIR were made available at every public library in the San Fernando Valley, Metro's library in downtown Los Angeles; and available for viewing in PDF format at Metro's website at www.metro.net/projects_plans. Additionally, 30-day Notice of Availability ads were run in the Los Angeles Times (Valley Edition), Daily News, and in Spanish in La Opinion. Anyone that requested a copy by phone, e-mail or letter of the Draft Revised FEIR was sent a copy.

24-1

24-2



supply, but just as it is important to the project it is important to the people that is going affect.

Since you were suppose to evaluate a true bus grid as an alternative, why did you choose the routes you chose? Could there have been other routes used to provide better data and what was the logic behind those streets used? What data was used to determine ridership for each route and was household income as well as public transit dependent figures used when you chose these routes?

Is the TSM included in those alternatives in terms of cost? Also, were the new riders coming to TSM because of the upgrades factored into the ridership model when calculating ridership for the Rapid Bus Alternatives? Were the TSM routes and ridership included in the grid of busses like you did with the Orange line? If the answer is yes, can you please provide this date with a detailed analysis to prove that apples are being compared to apples?

Concerning ridership was there consideration of every major East/West and North /South streets in the valley to determine the potential ridership for each? If not, why not? Why didn't the Appendices include ridership data? How am I supposed to understand and trust the facts and figures for ridership when there is no supporting data?

24-2

24-3

24-4

24-5

Comment 24-3

The commenter asks how MTA chose the three RB Alternatives. The characteristics of the Valley's streets and the forecasted performance of the RB Alternatives represents a good estimate of what can be accomplished by multiple Rapid Buses in the Valley. See Response to Comment No. 4-2 for discussion on MTA's reasoning in selecting the three RB Alternatives. There may be other assemblages of Rapid Bus routes that could generate greater ridership than any of the three RB Alternatives. However, MTA is aware of none and optimizing the alternative of multiple Rapid Bus routes is infeasible. See Response to Comment No. 20-6 for a discussion on why optimizing Rapid Bus routes is an infeasible effort. The data used to determine ridership are the location of discrete zones (see the Figure at the end of the Response to Comment No. 20-255); nine dimensions of socioeconomic data (single dwelling units, multiple dwelling units, group quarters, retail employment, total employment, population, median household income, workers, and licensed drivers); the streets layout, the characteristics of the streets (type of street, length, number of lanes, free-flow speed, and direction of travel, HOV lanes, area type); the transit network layout, and the characteristics of the transit network. This information constitutes thousands of entries that are encoded into MTA's transportation demand model. Numerous rules are applied to this data to determine ridership. The model computes trillions of calculations that typically take 24 hours of computing time on sophisticated, powerful computers to generate the model's output. See the report entitled, "Service and Travel Forecasting Methodology Report," dated August 2002, prepared by Parsons Brinckerhoff Quade & Douglas, Inc. for a detailed discussion on how MTA's model determines ridership. A copy of this report is available for review at the MTA library. See the report entitled, "Mode Choice Model Development Report," dated September 2002 and prepared by Parsons Brinckerhoff Quade & Douglas, Inc. for a detailed discussion on how MTA's model calculate a person's decision to take transit. A copy of this report is available for review at the MTA library.



The idea that a network of 9 Rapid Bus routes only generates 200 more new riders than 3 routes is rather hard to conceive. How is that possible? One would think that there are a lot more new passengers that would prefer to get on a bus closer to them than have to travel south to the BRT line. It seems to me that a greater number of routes which offer more convenience to travelers and that have stops closer to their homes would, by definition, encourage more new riders. What do you base your conclusions on?

24-6

Comment 24-4

Please see Response 18-2.

I believe your revised EIR lacks pertinent information and appear to be a little skewed. It seems more time needs to be dedicated and further research applied before final decisions should be made. It is imperative that our concerns as a community are heard and addressed in your decisions making process.

24-7

Comment 24-5

See response to Comment 4-2 or a discussion on MTA's reasoning for selecting the RB Alternatives to study in the Revised FEIR. See response to Comment 6-3 for a discussion on the infeasibility of modeling ridership for every major street in the Valley. Even if MTA was able to model ridership for each street separately, adding up the ridership of various routes would be inaccurate. MTA's model considers the interplay of all routes of a public transit system in determining ridership, which would generate results not equal to the mere addition of separate model runs. See the report entitled, "Service and Travel Forecasting Methodology Report," prepared by Parson Brinckerhoff Quade & Douglas in August 2002 for a discussion on how MTA's model determines ridership. A copy of this report is available for review at the MTA library.

Respectfully

Comment 24-6

Please see Response 11-2.

Eric G. Branche

Comment 24-7

The commenter suggests the Revised FEIR lacks pertinent information. The Draft Revised FEIR presented information and data sufficient to provide the public with an opportunity to conduct a meaningful review and comment on the project. In addition, responses such as 4.2 can give an idea of the amount of research conducted for the study.

Comment Letter 25

MTA SFV/WC PLANNING Fax: 213-922-6358 Nov 23 2004 14:27 P. 22

Subject: Draft of the Revised Final Environmental Impact Report for the San Fernando Valley East-West Transit Corridor dated October, 2004

Attn: Roger Martin

Sirs,

As a resident of the San Fernando Valley for over 30 years, I am aghast that you have no regard whatsoever for the public safety nor have you exercised judgment concerning the ridiculousness of this busway. It is so obvious that it is simply a tool of avaricious politicians and other "usual suspects" many of whom work for the MTA. This busway will have few riders and will simply end up being a \$500,000,000 (you have never brought anything in even remotely close to budget) monument to egregious greed and hidden agendas. We have hospitals closing, not nearly enough police, overcrowded freeways and have to attempt to use bond measures (which are nothing more than borrowing against future revenues) to finance things that are far more important to the public than this bomb. It is malfeasance at the very least.

In reviewing your ridiculous document littered with flawed data, one thing really stood out to me: The Figure 8-1.4 showing "existing Daily Travel Patterns to and From the San Fernando Valley" discusses Regional Statistical Areas. As far as I can determine from the graphic, it appears that there are only two RSA's in the Valley - No. 12 (West Valley) and No. 13 (East Valley). This is essentially the whole Valley, yet you state that approximately 7 percent of all trips originating or terminating in points outside the Valley occur along the corridor defined by the existing Red Line and the proposed East-West Transit Corridor. How did you isolate the corridor from the whole of the Valley? It looks to me as if those trips could just as well occur along the 118 Freeway corridor as well, for example. What was the "methodology" involved in those calculations?

The outcries from the public are going to be massive when, at the end of the day, there are traffic snarls everywhere, bodies strewn about and no assistance whatsoever to the "poor" and "transit dependent" as they were described in your own document, who will not even be able to get to the busway in a logical fashion. It takes real talent to screw something up as badly as you have screwed this up.

Nancy Bennett
Nancy Bennett
Woodland Hills

25-1

25-2

25-3

Response to Comment Letter 25

Comment 25-1

The commenter's concern for safety is acknowledged for the record. The commenter is directed to Section 14-13 (*Safety and Security*) of the Revised FEIR, which concluded that the BRT Alternative would not result in significant safety impacts under CEQA. Nevertheless, measures to increase safety and security were adopted as part of the FEIR.

The commenter's concern for cost overruns is acknowledged for the record.

According to Table 6-5 (*Ridership*) of the Revised FEIR, 18,700 passengers are projected to use the BRT Alternative daily.

Comment 25-2

Figure 8-1-4 "Existing Daily Travel Patterns To and From the San Fernando Valley" shows travel relationships between 5 Regional Statistical Areas (RSA) where the East and West portion of the San Fernando Area represent 2 out of the 5. These travel relationships are more likely connected by the use of the 405 Freeway, Interstate 5, and the 101 Freeway, as opposed to the 118 Freeway, which runs through only a small portion of RSA 12 and not the other 4 RSAs.

The methodology used to calculate the travel statistics represented in the graphic were prepared with the LACMTA Travel Demand Model, 1998.



Comment 25-3

The commenter's concern is acknowledged for the record. The commenter is directed to Section 6-3.7 (*Significant Trade-Offs* of the FEIR, which states that the BRT Alternative "...has the opportunity to provide the greatest benefits in travel time savings, and leads to the greatest amount of added transit riders."



Comment Letter 26

CARL OLSON
P.O. Box 6102
Woodland Hills, California 91365
818-223-8080

NOV 16 2004
RECEIVED
MTRAC

November 9, 2004

Mr. Roger L. Martin
Project Manager
San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza, MS 99-22-9
Los Angeles, California 90012-2952

Re: Comments on Revised FEIR on Metro Orange Line

Dear Mr. Martin:

Please consider the following comments on the Revised FEIR for the Metro Orange Line.

1. There was a failure to consider an alternative for the Rapid Buses to travel on the 101 freeway. On the westbound route they could enter the freeway at Tujunga and exit at Topanga Canyon, and for the eastbound route they could enter the freeway at Topanga Canyon and exit at Tujunga. This is a logical parallel route to the Metro Orange Line. It is not impeded by any traffic lights.

26-1

2. There was a failure to consider the effect of the Metro Orange Line on the traffic on the 101 freeway. The effects on many east-west surface streets were projected.

26-2

3. There was a failure to consider an alternative which would permit the public to use the Orange Line expressway as an alternative to other streets. Under the current project, it appears that the Orange Line expressway would be occupied by buses less than 1% of the time during the day and 0% of the time at night. The waste of this public asset for 99% of the time is not the best use of \$330 million of public funds.

26-3

The projections of carrying 5000 to 15,000 passengers daily on the Metro Orange Lines buses is a minimum transit service to the public. If the public were able to utilize the Orange Line expressway, the lanes could easily handle 1000 cars per hour at 45 miles per hour. Traffic could be alleviated on several east-west parallel streets and the 101 freeway.

Vehicles of the general public would very easily integrate into the bus traffic flow for the Orange Line expressway. The

Response to Comment Letter 26

Comment 26-1

There do exist LADOT Commuter Express lines 422 and 423, which run along the 101 freeway. Without dedicated HOV lanes on the 101 Freeway it does not appear worthwhile to add additional express bus or Rapid Bus service on the freeway. The Rapid Bus program is designed to provide limited stop service (approximately one-mile spacing) and take advantage of transit signal priority, neither of which is practical on the freeway.

Comment 26-2

The 101 Freeway is included as part of the highway network in the MTA travel demand forecasting model, as are all major arterials in the highway network. The statistics that were reported for Vehicle Miles of Travel (VMT) and Vehicle Hours of Travel (VHT) in the Draft and Revised Final EIRS included aggregated data for the entire highway network, including trips on the 101 Freeway. The specific volumes on the freeway were not reported because the changes in freeway volumes associated with the transit alternatives were relatively small positive effects (reduced volumes) and the purpose of an environmental impact report is to disclose impacts that may require mitigation. Positive benefits of projects are often not the focus of environmental documents.



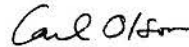
only difference would be that only the Orange Line buses would have the ability to delay the traffic lights at intersections. There would be no problem with vehicles of the general public which may be proceeding in front of the Orange Line buses, inasmuch as they would also proceed through intersections along with the delayed green lights that the Orange Line buses will activate. For those vehicles behind the Orange Line buses, there is obviously no conflict.

4. There was a failure to consider an alternative of the use of the \$330 million for the Metro Orange Line (or whatever remains of the funds) to add capacity onto the parallel 101 freeway, such as by adding a non-HOV lane in each direction between the 170 freeway and Topanga Canyon.

Freeway lanes easily carry 1500 vehicles per hour. In less than three hours, they carry more persons than the Metro Orange Line would carry in an entire day, and the operating expenses would be negligible in comparison with the Metro Orange Line. The additional freeway lanes could also be used for regular express bus routes. The investment of public funds should produce the maximum amount of person-miles per day per dollar.

Your careful analysis of these alternatives is earnestly requested prior to further expenditure of public funds on the current Metro Orange Line project.

Sincerely,



Carl Olson

26-3

Comment 26-3

Allowing other vehicles to use the busway, along with buses, would remove the advantage afforded to the buses in terms of travel in dedicated lanes. This would be inconsistent with the goals of the proposed project.

26-4

Comment 26-4

The addition of additional travel lanes on the 101 Freeway is the subject of a separate study that has been conducted by the Southern California Association of Governments.

26-5

Comment 26-5

The comment is acknowledged for the record.



Comment Letter 27

NOV 17 2011

SCANNED
11/17/2011

Mr. Roger Martin
Project Manager San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza
Mail Stop: 99-22-9
Los Angeles, CA 90012-2952

Dear Mr. Martin,

I am a resident in the San Fernando Valley and I would like to comment on the Revised FEIR.

I believe that clearly the Full BRT option is superior to the three Rapid Bus options that are presented.

Currently, any Valley resident who wishes to Park and Ride to use the Red Line must arrive by 8:00 am when the North Hollywood and Universal Red Line Stations fill up. One of the most important aspects of the Orange Line is that it will offer thousands of new parking spaces all across the Valley. I live in Sherman Oaks and when the Orange Line is completed I will be able to park in the Van Nuys or Sepulveda station lots rather than drive four miles across the Valley. This project will reduce the number of cars on the streets during rush hour.

The desirability of a fixed guideway cannot be understated. The BRT ROW freely moves across (and under) both the 405 and 170 freeways. Most of the proposed East-West Rapid Bus Routes have lengthy and frustrating congestion back ups at either the 170 or 405 or both. Adding backed up buses to this mess will only make street congestion worse.

Our best Rapid Bus routes are ones that already have high volume transit ridership. Some of the proposed routes (notably Burbank Blvd and Chandler) currently have entire sections not served by any MTA service.

It should be noted that there is already a program in place for connecting north/south Rapid Bus. The completion of the Orange Line also does not preclude any future consideration for additional east/west Valley Rapid Bus routes in addition to the BRT in the future. (When the day arrives that the Red Line is extended north, routes like Victory and Sherman Way could become excellent Rapid Bus feeders.)

In addition to having park and rides, the BRT is also superior in that it is a green belt with thousands of new trees and landscaping across the Valley, and it offers a pedestrian and biking path.

The so-called Citizens Organized for Smart Transit have proved themselves to be both covert and duplicitous. These are obstructionists with no real interest in improving mobility in the San Fernando Valley and do not represent the majority of Valley residents.

Sincerely,

Roger Christensen
14335 Huston St. #205
Sherman Oaks, Calif 91423

27-1

27-2

27-3

27-4

27-5

27-6

27-7

Response to Comment Letter 27

Comment 27-1

The comment is acknowledged for the record.

Comment 27-2

The commenter's observation that the parking facilities along the Orange Line will reduce auto trips by facilitating use of the BRT project is acknowledged for the record.

Comment 27-3

The commenter's observation that the fixed guideway will benefit bus operations by removing buses from the congested roadways is acknowledged for the record.

Comment 27-4

The comment is acknowledged for the record.

Comment 27-5

The comment is acknowledged for the record.

Comment 27-6

This is correct. The BRT project includes extensive landscaping throughout the right-of-way as well as pedestrian and bike paths.

Comment 27-7

The comment is acknowledged for the record.



Comment Letter 28

From: Mark Johns Fax: +1(323)735-2911 To: Roger Martin Fax: +1(323)735-2900 Page 2 of 3 Friday, November 19, 2004 2:02 AM

C-TRIM
Center for Transportation Resource Management
2839 S. Rimpau Blvd.
Los Angeles, CA 90016
(323)-735-2911

AFFORDABLE, EFFECTIVE, SOLUTIONS, TO TRANSPORTATION PROBLEMS

November 19, 2004

Mr. Roger L. Martin
Project Manager, San Fernando Valley/North County Area Team
Metropolitan Transportation Authority
One Gateway Plaza
Mail Stop: 99-22-9
Los Angeles, CA 90012-2952

This letter is in response to a request for comments on the MTA Revised Environmental Document for a proposed "under construction" BRT corridor along the south side of the San Fernando Valley in the City of Los Angeles. MTA has proposed and is building a high frequency extended vehicle busway, similar in impact to light rail, with a potentially high future capacity. We have reviewed the documents and have concerns regarding the analysis included within them. In our review we paid special attention to current and future land use policy in the San Fernando Valley. There are certain points that we feel still need adequate and objective review.

28-1

MTA selected a corridor that particularly impacts sensitive land-uses in ways that cannot be appropriately mitigated. Specifically we are concerned about the bisecting of a decades old, pedestrian oriented religious and educational community along Chandler Boulevard. The BRT facility utilizes an established green-way along this corridor. Further west the BRT facility is aligned on the north side of the Sepulveda Recreation Area. This open space is currently separated from adjoining communities by interstates on the south and east sides. Because of the proposed frequency and speed of the BRT, we believe it will separate communities on the north side from the Sepulveda Basin as well. Finally we are concerned that this project avoided use of federal funding and subsequently avoided section 4f analysis. While we do not know the intent in this case, there is a history of projects which impact open space to avoid 4f analysis in this way.

28-2

We have identified many appropriate and superior east-west corridors in the San Fernando Valley. We are unclear why MTA had not reviewed them in the initial FEIR and selected proper transit services accordingly. MTA's analysis shows an understanding of the relationship between transportation and land-use in theory, but we believe not in practice. Actually, acceptable future land use suggest far higher ridership potential on the other corridors in the Valley as compared to the BRT. We believe the MTA ridership forecasts between BRT and alternatives are not objective as well. The forecast differences do not appear to be statistically significant based on the modeling method used. We believe that the forecasts are unverifiable as well.

28-3

Response to Comment Letter 28

Comment 28-1

The comment is acknowledged for the record.

Comment 28-2

As is detailed in the Final Environmental Impact Report, the project would be consistent with the previous and current use of the corridor for transportation purposes. Sensitive land uses would be buffered from the project by landscaping and soundwalls. Existing legal crossing points (i.e., crosswalks at signalized intersections) would be maintained, and therefore, access across the proposed busway would not be impaired.

As part of the BRT, landscaping would be introduced in the median of Chandler Boulevard to mitigate localized land use impacts. On days of religious observance, special pedestrian crossings would be provided, one at Goodland Avenue and another at Agnes Avenue. Other enhancements for Chandler Boulevard include low, see-through fencing for pedestrian safety, 35 mile-per-hour speed limits, and left turn lanes.

Unlike the freeways that are cited in the comment, the proposed project would not create an imposing physical barrier between the Sepulveda Basin and communities on the north side of the Basin. The BRT would consist of an at-grade profile with signalized pedestrian crossings at all street crossings along the corridor. The project would not pose a substantially greater physical barrier than a two-lane, signalized at-grade roadway. Moreover, in addition to shifting patrons from automobile to public transit, the project would provide numerous pedestrian and bicycle amenities.



A Section 4(f) Evaluation is a federal requirement and is not required under CEQA. Because at the time of the preparation of the FEIR federal funds were under consideration, the FEIR provided a Section 4(f) Evaluation, and in fact there were no impacts on protected Section 4(f) resources by the Full BRT alternative. As stated on page 8-4.15-1, the Revised FEIR is strictly a CEQA document, and therefore, a Section 4(f) Evaluation is not required and was not conducted for the Rapid Bus alternatives.

Comment 28-3

Please see response 4.2.



From: Mark Jolas Fax: +1(373)734-2911 To: Roger Martin Fax: +1(212)3622-5030 Page 3 of 3 Friday, November 19, 2004 2:02 AM

MTA_BRT
November 19, 2004
Page 2 of 2

The BRT adds a fourth standard to regional rapid transit service. Use of an existing standard can be better integrated into other corridors and has better long term cost benefit. MTA implies that BRT is technologically superior. Technologies are available for the other corridors which would make them highly competitive with the BRT in travel time, cost, and convenience and at a better cost/benefit than the BRT corridor.

In conclusion, we believe that the MTA's analysis is not objective and has an unconvincing bias towards the BRT corridor. We believe that this approach does not serve the public well and misdirects resources. Targeting other corridors would address mobility, tax base, growth, and land use issues in the San Fernando Valley more effectively.

Deborah Johnson
C-IRIM
Policy Review and Analysis

28-4

28-5

Comment 28-4

MTA has not introduced a fourth "standard" to regional rapid transit service. The BRT "standard" per national and international definitions includes expedited bus transit services using a variety of techniques that range from arterial Metro Rapid Bus service with signal priority, stations, branding, wayside information, and some exclusive travel lanes up exclusive right-of-way full BRT like the Orange Line. Many BRT services have both exclusive and arterial operation further supporting the integration of these services into one standard.

Comment 28-5

The MTA and its consultants made every effort that the Rapid Bus alternatives in the Revised FEIR were evaluated in an objective manner using the same evaluation criteria as those used for the Full BRT in the FEIR. As is detailed in the Revised FEIR, the analysis was the result of an extensive planning process that concluded that the Full BRT would be the best transportation improvement in the San Fernando Valley. The analysis of the Rapid Bus alternatives did include other corridors as requested by the commenter.



Comment Letter 29

-----Original Message-----

From: BHA in L.A. [mailto:bha_in_la@yahoo.com]

Sent: Friday, November 26, 2004 11:14 AM

To: MTA's "Martin, Roger

Cc: MTA's Michel, KevinJ.; BHA in L.A.

Subject: Comments, EIR SFV East-West Transit Corridor (SCH1995101050)

This file is written in the Windows-1252 character set. If "box" characters like □ appear, then reset your computer's encoding to Windows U.S. On MS-Internet Explorer browsers, the encoding may be reset through the View menu; point your mouse to that item on the menu bar, and select (click) it, then click Encoding, then click Windows U.S.

Comments Upon the Entire Environmental Impact Report for the San Fernando Valley East-West Transit Corridor (SCH1995101050), Including the Draft Revised Final Environmental Impact Report

1.0 Comment (reference: procedures)

I hereby *integrally incorporate* by reference in every "comment" of mine the "discussion" of that comment which follows it.

29-1

Response to Comment Letter 29

Comment 29-1

Copies of the Draft Revised FEIR were made available on October 22, 2004 at every public library in the San Fernando Valley, Metro's Dorothy Peyton Gray library in downtown Los Angeles on the 15th Floor of the Metro Building; and available for viewing in PDF format at Metro's website at www.metro.net/projects_plans.

1.0 Discussion of comment:

Therefore, I contend, MTA must respond to the *totality* of issues presented both in the labeled "comment" and its "discussion". The discrete (not discreet) labeling system's primary purpose is to identify to staff where I deem a comment to exist and its core issue, not in the least to invite staff to indulge in summary dismissal of comments by ignoring the supporting discussion. Each of my comments together with its discussion constitutes a "package deal"; the pair may not be "unbundled". Your responses, in whatever form, *must* include all subsidiary issues.

Wherever I include a "(reference: ...)" element in a comment, that to no degree limits any comment's scope. Its sole purpose is merely to aid staff in understanding my comments and in identifying their relevance.

1.1 Comment (reference: Due-process clause, 14th amendment, U.S. Constitution)

When did the first party other than MTA and its agents *actually, provably* first receive a copy of the draft RFEIR? When did the first party other than public agencies *actually, provably* first receive a copy of the draft RFEIR? If that date is later than October 24th, 2004, then what is the revised circulation period to which the public is entitled?

2. Comment

The status of the subject EIR is somewhat analogous to the status of a court trial which was declared a mistrial. From this analogy alone, the lead agency may not validly argue that new comments offered upon the contents of the old FEIR, the adoption of which was vacated, are invalid. In which respects is the subject EIR's status similar to that of a mistrial, and in which respects is this status different from that of a

29-1

Comment 29-2

The commenter contends that the status of these further proceedings on FEIR are somewhat analogous to a declaration of a mistrial in a trial court and, therefore, MTA improperly limited public comments to the Revised FEIR. As discussed in the Revised FEIR, the CEQA Guidelines authorized MTA to limit public comments to the Revised FEIR. Thus, MTA properly requested that comments be limited to the Revised FEIR. Therefore, because MTA appropriately proceeded under CEQA Guidelines by limiting comment responses to the Revised FEIR, this situation should not be analogized to a mistrial.

29-2

mistrial, does MTA contend? What legal reasoning does MTA adduce to support its contentions here? Does MTA legally rebut, to a standard which can withstand every appellate-court challenge, that comments received upon the subject EIR's entire scope are, instead, invalid, and if so, comprehensively how does it do so?

2. Discussion of comment:

Where a mistrial is declared, no conclusion has been reached, a new trial must be held in order to reach a conclusion, and although a party may rely upon the undisputed testimony presented at the preceding trial, *all* of it must be presented to the triers of law and fact. The triers of law and fact must consider *all* of the presented testimony. No party may omit testimony at the new trial merely because it was presented and undisputed at the previous trial, and the triers of law and fact must consider all of the testimony, old and new alike.

At the new trial, a transcript of the previous proceeding is not always read to a jury instead of examining and cross-examining the witnesses anew. The parties's attorneys, need not necessarily repeat their direct and cross examinations of witnesses verbatim. Indeed, the new testimony might lead to new avenues of cross-examination. Certainly, the transcript of the trial attorney's previous summations would not be read to a jury.

No final conclusion can be reached upon the admissibility of new evidence and argument upon the unrevised content of the FEIR based upon this analogy alone, but both the analogy and the admissibility issue need thorough analysis and discussion.

3. Comment

What are all of the salient points of conclusion of the law-review article authored by Professor Eric Goldman entitled "Legal Adequacy of Environmental

29-2

Comment 29-3

The commenter requests that a 1982 law review article on environmental law be reviewed and synopsised in a comment response. The commenter does not explain why this synopsis would be relevant to the Revised FEIR. A copy of the article is not included with the comment. Since the article is from 1982, it would not contain information relevant to the specific alternatives being compared in the Revised FEIR. In addition, as noted by the commenter, a number of amendments to CEQA and its Guidelines, as well as new case law interpreting them, have occurred in the interim. Accordingly, the request to perform this legal research and analysis is respectfully declined.

29-3



Discussions in Environmental Impact Reports" in Volume 3, Number 1 (Fall 1982) of the *UCLA Journal of Environmental Law & Policy*, notwithstanding whether the lead agency judges CEQA to require this discussion? Do not combine the response to this comment with the response to any other comment.

29-3

3. Discussion of comment:

Note that most (both in number and degree) of Professor Goldman's points remain valid despite the passage of much time, the intervening amendments to CEQA, and the intervening evolution of CEQA case law, such as the opinion in "Goleta II".

4. Comment

What are all of the conclusions which may be drawn from a comprehensive application to the subject project and its full EIR of the arguments and conclusions presented in Professor Goldman's 1982 article, especially his subdivision A., Project Description, but not at all limited to that section? Do not combine the response to this comment with the response to any other comment.

29-4

4. Discussion of comment:

5. Comment

What is the design capacity of the busway in the proposed options (BRT) which incorporate one? Use all criteria reasonably applicable to all project facets and locations.

29-5

5. Discussion of comment:

Both busway-endogenous and busway-exogenous criteria must be included. Thus, the capacity limits imposed by the busway.

Comment 29-4

The commenter refers again to the 1982 law review article and asks what conclusions may be drawn from the application of the arguments and conclusions therein, especially a portion regarding project descriptions. Please see response to Comment No. 29 – 3. Again, since the commenter does not specify with adequate particularity the conclusions or arguments which should be addressed and the relevance to the Revised FEIR, the request to perform this legal research and analysis is respectfully declined.

Comment 29-5

The theoretical design capacity of the busway represents the maximum number of buses that could be operated on a two-lane facility, one lane in each direction. It would normally be stated as an hourly capacity. The busway itself can accommodate many more buses per hour than can the at-grade crossings of arterial streets, so the crossings become the limiting factor in terms of the number of buses per hour that could be operated on the busway.

The theoretical capacity of the at-grade crossings is a function of the total number of articulated buses that could pass through the signalized crossings, which in theory could be one bus through every signal cycle. Most of the signals operate on sixty-second cycles, so this would generally be one bus per minute. The MTA does not plan to operate buses

at one-minute headways, so the design capacity of the busway will not be a constraining factor to bus operations. This bus operations plan is



determined by MTA on the basis of need and resources, in coordination with the Los Angeles Department of Transportation (LADOT), which manages the traffic system in the City.



Comment Letter 30



MTA SFV/NC PLANNING Fax: 213-922-6358

Nov 29 2004 14:55

P. 02

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



November 24, 2004

Roger Martin
L.A. County Metropolitan Transportation Authority
1 Gateway Plaza, Mail Stop 99-22-9
Los Angeles, CA 90012

Subject: San Fernando Valley East-West Transit Corridor
SCH#: 1995101050

Dear Roger Martin:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. The review period closed on November 23, 2004, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Terry Roberts
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 322-3018 www.oprc.ca.gov

Response to Comment Letter 30

Comment 30-1

The comment is acknowledged for the record.



MTA SFV/WC PLANNING Fax:213-922-6358 Nov 29 2004 14:55 P.03

**Document Details Report
State Clearinghouse Data Base**

SCH# 1995161090
Project Title San Fernando Valley East-West Transit Corridor
Lead Agency Los Angeles County

Type BTR Supplemental EIR
Description The San Fernando Valley East-West Transit Corridor Project is a 14-mile landscaped exclusive busway with 13 stations approximately one-mile apart located on Metro right-of-way between North Hollywood Metro Red Line Stations and Warner Center in Woodland Hills. In addition, to the busway project, Metro right-of-way will be improved with a parallel bicycle/pedestrian path.

Lead Agency Contact

Name Roger Martin
Agency L.A. County Metropolitan Transportation Authority
Phone (213) 922-1462 **Fax**
email
Address 1 Gateway Plaza, Mail Stop 09-22-0
City Los Angeles **State** CA **Zip** 90012

Project Location

County Los Angeles
City Los Angeles, City of
Region
Cross Streets various
Parcel No. N/A
Township **Range** **Section** **Base**

Proximity to:

Highways SR 170
Airports Van Nuys
Railways UPRR, Metrolink Valley Line
Waterways none
Schools
Land Use Various

Project Issues Aesthetic/Visual; Air Quality; Archaeologic/Historic; Cumulative Effects; Economic/Job; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Schools/Universities; Social; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality

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

Date Received 10/25/2004 **Start of Review** 10/25/2004 **End of Review** 11/23/2004

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



Comment Letter 31

Response to Comment Letter 31

Comment 31-1

Please see response to comment 20-8.

THOMAS A. RUBIN, CPA, CMA, CMC, CIA, CGFM, CFM
2097 Bywood Drive
Oakland, California 94602-1837
Home Office Telephone/FAX: (810) 631-0624
LAUSD: (213) 833-7463 Mobile: (213) 447-4801
e-mail: trubin@earthlink.net

Roger Snoble
Chief Executive Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, California 90012

September 16, 2004

*Received
Kevin Smith
9-16-04*

Via Hand Delivery

Dear Mr. Snoble:

Thank you for your letter of July 29, 2004, responding to my letter to you of July 23, 2004.

I apologize for not responding earlier, but, as I am sure you are aware, there have been both a large number of events regarding the Orange Line that have required my priority attention and many of these events have impacted the technical issues discussed in the enclosure to this letter. Now that many of these legal issues have either been settled or at least presented to the California Supreme Court, it is appropriate to return to the technical issues that need to be addressed as part of the California Environmental Quality Act (CEQA) process.

As I explained in my earlier letter, I have been designated as the contact between Citizens Organized for Smart Transit (COST) and the Los Angeles County Metropolitan Transportation Authority (MTA) for coordination of our efforts to prepare the new Environmental Impact Report (EIR) for the study of transit alternatives in the San Fernando Valley. This new EIR will replace the earlier analysis and Final EIR that were utilized in an attempt to satisfy the CEQA requirements to allow construction of what is now known as the "Orange Line."

I am, of course, very well aware of the MTA actions in this regard that were announced at the MTA Board meeting of July 22nd and widely reported in the press. That was why my letter of July 23rd was prepared.

31-1

Evidently my early letter failed to make clear two important points:

- The strong desire of COST to work closely with MTA on this CEQA effort throughout the process, beginning with the extremely important initial planning and scoping of this effort.
- Time is of the essence in this process.



Roger Seebie
September 16, 2004
Page 2

In my previous letter, I specifically asked you to designate a contact point for MTA, as COST as designated me as its contact point. Your letter states, "... if you would like to express your views or those of the Citizens Organized for Smart Transit, please feel free to do so by providing those views to this office in writing." Although perhaps you have not explicitly named yourself as the MTA contact point with COST, the above phrase, together with the lack of any other information regarding contact with MTA at this stage of the CEQA process, indicates that this must be your intended action. Therefore, I am providing our preliminary views on this process as an enclosure to this letter.

However, I urge you to delegate this responsibility to another person, either an MTA employee or a consultant, such as the project manager for this CEQA effort. As the CEO of MTA, you have many other duties and I am sure that you will have neither the time nor the detailed technical knowledge of the day-to-day work of this effort to serve as the primary contact person in an effective manner.

Also, the many other requirements on your time make timely response problematic. While I hand carried my first letter to your office on Friday, July 23rd, and followed up with additional attempts to contact you by telephone, e-mail, and facsimile, you did not respond until your letter dated (Thursday) July 29th. As your assistant informed me that you were not in Los Angeles Monday through Friday of that week, this loss of three working days is understandable, but points out how appointing yourself to the position of MTA's contact person with COST can impose significant delays in communications through no deliberate intention.

In fact, the weakness of this method of communications can be further illustrated by the other details of the timing of your response. While your letter is dated (Thursday) July 29th, the envelope mailing it to me has an MTA postage meter date of Monday, August 2. The letter was also faxed to me and has what appears to be the facsimile machine sender information line at the top, "MTA CEO Fax:213-922-7447 Aug 2 2004 9:22 ..." This indicates a further loss of two business days in from when the letter was prepared to when it was posted and facsimiled to me.

Finally, rather than responding to me via e-mail or telephone, to respond to my e-mails and phone messages to you in this matter, you communications were sent only to my home in Oakland, while I spend most of work week days in Los Angeles -- a fact that I believe to be well-known to many at MTA. In total, almost two full weeks were lost between my hand carrying my letter of July 23rd to your office and my receipt of your response.

A less charitable person might consider the above record and speculate if it was MTA's intent to deliberately communicate in a manner far slower than modern communications makes the norm in our day-to-day working lives.

Although my letter specifically mentioned, "I suggest that we attempt to schedule a first meeting to discuss the above topics at your (meaning either you personally or your designated representative, as you may determine appropriate) earliest convenience," your letter has no

31-2

Comment 31-2

The CEO's letter invited Mr. Rubin to provide comments to his office. The correspondence from Mr. Rubin to Metro's CEO were referred to the project team as soon as it was received.

Comment 31-3

Please see Response 31-2.

31-3



Roger Smeble
September 16, 2004
Page 3

information as to when such a meeting will be scheduled. I again emphasize the importance of having this first meeting as soon as possible.

We are pleased that your letter states, "This alternatives analysis will be conducted by a contractor with considerable expertise in environmental reviews who will be assisted by MTA Planning staff and by our retained environmental counsel." Constructing the project team is the vital first step in any project of this type and I'm sure that we are both very hopeful that this contractor can help MTA avoid the errors in the previous CEQA process that led to the Second Appellate Order that the EIR must be redone. Again, the sooner that COST representatives begin to meet with your personnel who will be conducting the new CEQA process, the sooner our expertise and advice in avoiding such errors can be added to yours.

Also, while the above discloses that the team for this project has been formed, you evidently forgot to state the names of the firms and MTA staffers (and their contact points) that will have significant roles in this project (although a recent *Daily News* article appears to indicate that your consultant firm has just recently been selected). So our request is clear, we would like the names of the external consultant, or consultants, and MTA's retained environmental counsel, and the names and contact points (phone number, fax, mailing address, and e-mail address) of the consultants, outside legal counsel, and MTA Planning staff and other employees that will be working on this project. Although we certainly have no objection to MTA providing this information by conventional United States Postal Service first class mail, we would also like this to be communicated to us by speedier means, such as e-mail, telephone, and/or facsimile (and let me provide you with a Los Angeles facsimile number for me in these EIR matters, 323/655-6109). We also request that this information be provided to us as soon as possible.

You will almost undoubtedly find the enclosure, with our views on the new EIR, lengthy and detailed. I propose that the best way for your CEQA team to gain an understanding of our views is via a face-to-face meeting, to be scheduled as soon as possible, where COST can make a presentation and respond to MTA's questions. Ideally, such a meeting will begin with MTA explaining its approach to this new CEQA process, but we are certainly willing to schedule multiple meetings if that is your desire. However, we again stress the extreme importance of commencing this process of conferring on the preparation of this EIR as soon as possible.

I will be available most of this week (September 13th through the 17th) and next at the convenience of MTA and consultant staff.

31-3

31-4

31-5

31-6

Comment 31-4

The comment is acknowledged for the record.

Comment 31-5

The team preparing the document was identified in the Revised FEIR. Please see Appendix 8E. Metro project staff is responsible for managing consultant contracts. Contact with consultants and legal assistance hired by Metro are done through Metro's project manager. Consultants are instructed to direct members of the public to the Metro project manager.

Comment 31-6

Mr. Rubin's points were well articulated and follow-up meetings were not required to understand his comments. As soon as his letter was received, it was distributed to the project team as public input to be considered in completing the project. The team anticipated that the letter would be submitted as a comment letter and gave it serious consideration as we proceeded.



Roger Stebbie
September 16, 2004
Page 4

We at COST are looking forward to working with the MTA team on this important project to produce a FEIR and a project recommendation that we can both be proud of.

Sincerely,

Thomas A. Rubin

Enclosure

- cc: Frank Roberts, MTA Chair (w/enclosure)
- Steven Carnevale, MTA General Counsel (w/enclosure)
- Jeffrey Z. B. Spingler, Domestros, Del Guercio, Springer & Francis (w/enclosure)
- Diana Lipari, Chair, COST (w/enclosure)
- John A. Henning, Jr., COST Legal Counsel (w/enclosure)

Acknowledgement:

Received:

Name/Signed

Date/Time



*Approved by Tim Libbin Letter
 dated 9/16/04
 Revision Number
 7-13-04*
**SAN FERNANDO VALLEY
 EAST-WEST TRANSIT CORRIDOR PROJECT**

**SIGNIFICANT CONSIDERATIONS FOR COMPLETION OF
 CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS**

INTRODUCTION

This paper is intended to comment on the scope of the anticipated Environmental Impact Report ("EIR") to be prepared by MTA as a result of the recent California Second Appellate decision in *COST v. MTA*. It is our hope that by incorporating these comments in advance, MTA will produce an end product that demonstrates a comprehensive, fair, and professional study of the San Fernando Valley's transportation needs and evaluation of the alternatives to meet those in compliance with the requirements of the California Environmental Quality Act (CEQA) and other applicable laws, regulations, and case law.

31-7

While our major points are summarized here, with additional detail provided on selected items, it is our strong belief that the best way for us to communicate our thoughts is through a series of face-to-face meetings between personnel from COST and from MTA and its consultants. This is, of course, in addition to the other major outreach activities that we assume that MTA will be conducting. Through such a process, MTA and its consultants can better understand COST's positions through the presentation and question-and-answer process, before positions become more difficult to alter and while it is still easy to make changes.

As a threshold matter, because the addition to the EIR of a new Rapid Bus (also known as "Metro Rapid Bus" and "Metro Rapid") alternative requires a new comparison of that alternative to the busway project and other alternatives already studied, we request that MTA take notice of certain significant new information and changed circumstances that have developed since the MTA Board adopted the "Orange Line" FEIR in February 2002 cutoff for input into the original EIR. Given how much time has passed and how much has changed, we do not think it is prudent for MTA to assume for purposes of the new EIR that information about the original alternatives, or the baseline environmental conditions, is "frozen in time" over two-and-one-half years ago. To not reflect these changes would be to render an apples-to-oranges comparison.

31-8

OVERALL STANDARD FOR SELECTION OF ALTERNATIVES

Although the new EIR is not being prepared under federal law, we propose that the overall standard for selection of alternatives to be studied, specifically the network of Rapid Bus line that California Second Appellate has ordered MTA to study in any future EIR, be the standard required for Federal Environmental Impact Studies for "new starts," as promulgated by the Federal Transit Administration. When MTA prepared the Draft Environmental Impact Study/Draft Environmental Impact Report (DEIS/DEIR) for what we now know as the Orange Line, it was working under the "old" FTA regulations in this regard, which required a "Transportation Systems Management" (TSM) alternative. TSM is defined as (*id.*, §4.3.1.2, page 36):

31-9

Comment 31-7

The comment is acknowledged for the record. See Response to Comment No. 14-10 for a discussion on "public outreach" (i.e., consultation with the public).

Comment 31-8

Please see Response 14-12.

Comment 31-9

As acknowledged by the commenter, MTA opted not to proceed under federal law in the FEIR. Therefore, FTA "new starts" standards are inapplicable to the FEIR and the Revised FEIR.



"The No Build Alternative plus lower cost transportation improvements (i.e., lower cost than the Build Alternative) which represent the best that can be done to improve mobility in the corridor without the construction of major new transit facilities." (Federal Transit Administration, *Technical Guidance on Section 5309 new Starts Criteria*, July 1999, §4.3.1.2, page 36)

31-9

Comment 31-10

Please see response to comment 31-9.

Since MTA prepared this DEIS/DEIR, new regulations have gone into effect (the "new" regulations actually went into effect prior to the DEIS/DEIR being promulgated, but the "Orange Line" DEIS/DEIR was "grandfathered" into use of the "old" regulations), which replaced the former requirements for both "no build" and a "TSM" alternative with a single alternative that combined the two former ones, the "baseline" alternative. The "baseline" alternative is defined in part, as:

31-10

Comment 31-11

Please see response to comment 31-1.

"In response to comments submitted on this issue and in recognition of the desire to simplify the new starts process, this Rule eliminates the requirement for separate no-build and TSM alternatives, and instead requires that the proposed new start be evaluated against a single 'baseline alternative.' The baseline alternative is best described as transit improvements lower in cost than the proposed new start, which result in a better ratio of measures of transit mobility compared to cost than the No Build alternative; the 'best you can do' without the new start investment." (FTA, 64 Federal Register, 17070-71, Appendix 'A,' VI, Section-by-Section Analysis, E, §611.9: Project Justification Criteria, page 76871.)

Comment 31-12

The commenter's statement is noted for the record.

We wish to focus MTA's attention on two key, almost identical, phrases from the "old" and the "new" requirements, respectively:

"... the best that can be done to improve mobility in the corridor without the construction of major new transit facilities."

"... the 'best you can do' without the new start investment."

We are looking for a Rapid Bus alternative that meets these definitions and is "the best that can be done" without the extensive capital expense of the Orange Line. This will include both a network of East-West and North-South Rapid Bus lines serving the study area -- which the DEIS/DEIR and the FEIR clearly established as the entire San Fernando Valley -- plus other low capital cost transit improvements that are detailed below.

31-11

The evaluations of Rapid Bus alternative(s) that are not "the best that can be done" will not be satisfactory to COST, and would not, we believe, satisfy either the letter or spirit of the Court of Appeal decision.

We wish to make clear that there is one decision criterion, even a descriptive term, that will be totally unacceptable to us because it is demonstrably false. We refer to MTA's often cited contention that, "A Metro Rapid alternative was not included in the original Environmental Impact Report (EIR) because at the time the EIR was being written Metro Rapid was only a

31-12



demonstration project." (MTA Press Release, "Metro CEO Orders Work to Resume on Metro Orange Line," August 26, 2004) At the hearing on A.B. 1798 (that would have exempted the Orange Line from CEQA) before the State Senate Environmental Quality Committee, it was even stated that Rapid Bus was a demonstration project when the Final EIR was adopted.

Let us be extremely clear on two points: First, Rapid Bus was an overwhelming success from, quite literally, the first day it began service in July 2000. It was, without any doubt, the best transit action that MTA has ever done without the involvement of a court of law. Within a very short period of time, Rapid Bus a very significant part of the entire MTA transit planning structure. While there are a large number of documents – including many that were completed prior to the FEIR and are in the Administrative Record – that we can use to prove this statement, we will concentrate on two, the MTA Draft (issued February, 2001) and Final Long Range Transportation Plan (LRTP) (Adopted by MTA Board of Directors, April 26, 2001, <http://www.metro.net/projects/plan/longrange/LRTP.htm>).

On page 2 of the executive summary of the LRTP, included in the single short paragraph summarizing the "Plan Recommendations," we have, "Expansion of the successful Metro Rapid Bus program is a prominent component of the plan." On page 12, as a component of the "Constrained Plan" (which, as explained on page 10, is the "recommended" plan), we see, "Rapid Bus Program: Implementation of 22 additional lines" for \$92.3 million, and the page 13, there is a map, "Existing and Proposed Metro Rapid Routes."

There can be no doubt: In April 2001 – the month prior to the Draft Environmental Impact Statement/Draft Environmental Impact Report being circulated, the MTA Board, the final and ultimate decision-making body of MTA, had adopted "expansion of the successful Metro Rapid Bus program" as "a prominent component of the plan" – and, we might add, as likely the most productive and cost-effective transit expansion component of the plan by a very wide margin. There was virtually no change from the February Draft to the April Final version of the LRTP in regard to Rapid Bus and, given the amount of time it takes MTA to prepare documents of this type, there is absolutely no doubt that the success and the importance of Rapid Bus were extremely well known to all levels of MTA staff months prior to the release of the Draft EIR for what we now know as the "Orange Line."

As to the second point, if MTA wishes to somehow maintain that Rapid Bus was still in a "demonstration" mode at the time that the DEIS/DEIR was released, then the same term would not be sufficient to describe the type of "heavy" Bus Rapid Transit that MTA wished to implement. At the time of the DEIR, there was only one such system in the U.S., the South Miami-Dade Busway. It began service in February 1997, but, due to extremely high collision/injury rates, had the "advance loop" bus detectors used to turn traffic signals for busway buses to "green" – the same technology that MTA proposes for the Orange Line – turned off in June of the same year. After many changes, they were turned back on in March 1999 – and, after more collisions, injuries, and the second busway fatality, were turned back off in December 1999 and were still turned off when the DEIS/DEIR was circulated and when the Final EIR was adopted in February 2002. (Miami-Dade Transit Excel™ spreadsheet provided by MDT safety staff.)

31-12

31-13

31-14

Comment 31-13

What Tom Rubin states in 31-13 is partially correct. The mention of Metro Rapid in the Executive Summary of the Long Range Transportation Plan is, as stated by Mr. Rubin, on the page numbers given. However, he is incorrect in stating that the MTA Board adopted "expansion of the successful Metro Rapid Bus Program" as "a prominent component of the plan" with the approval of the LRTP in April 2001.

The Metro Rapid Program was still a demonstration project in April 2001. What was discussed in the LRTP was the conceptual plan for expanding the Metro Rapid Demonstration Program. The conceptual plan included 22 expansion lines and was based on a limited selection process. The MTA Board of Directors directed that further work needed to be done on expanding the Demonstration Program in May 2001, based on the plan identified in the Long Range Transportation Plan (this is all in Metro Rapid Board Report of February 2002).

This direction called for three principal work efforts:

- Reconfirm the lines identified in the LRTP through more extensive analysis and the consideration of additional MTA and Municipal lines, and prioritize potential Metro Rapid candidate lines into an updated phased implementation plan.
- Implement an initial expansion phase of 6-7 lines.
- Monitor, analyze, and improve Metro Rapid operations, facilities, and customer experience.

The Board Report of February 2002 presented the first element in this work, selection of the Metro Rapid Expansion Program lines (Phase II).



If Rapid Bus was still in "demonstration" mode when the DEIS/DEIR was circulated and the FEIR was adopted, then what term could be utilized to describe the mode that MTA adopted?

31-14

"Failed demonstration," perhaps?

SUMMARY OF SPECIFIC EIR CHANGE/ADDITION REQUIREMENTS

I. General Requirements – While there are certain segments of the February 2002 Final Environmental Impact Report that will need little more than updates and minor changes to produce the new EIR, there are many other sections that will require substantial new work. In Appendix I, we summarize our analysis of change requirements, following the Table of Contents of the 2002 FEIR, Volume I, pp. i-vi. This is intended only as an overview of the most significant changes, not as a comprehensive list of the extensive detail changes that will be required.

31-15

II. Alternatives to Be Considered – We recommend that all of the following alternatives, and perhaps others, be "placed on the table" for discussion, analysis, and decision:

31-16

- a. Adopted Orange Line from old FEIR (updated, and as MTA may choose to modify)
- b. Orange Line MCS-1 (we have no objection if MTA does not wish to include this alternative in the new EIR)
- c. "No Build"
- d. Transportation Systems Management
- e. Rapid Bus network(s)
- f. Rapid Bus network(s) including other transit service enhancements (See. VI. Below)
- g. Orange Line + Rapid Bus network(s)
- h. Orange Line + Rapid Bus network(s) including other transit service enhancements (See. VI. Below)

We do not propose that each and every one of the foregoing potential alternatives require full development in the EIR. For example, "e" ("Rapid Bus network(s)") could include modeling of either a single Rapid Bus network or more than one network. At this point, before there is a more detailed study of the various streets where Rapid Bus may be most productive and the resources available for implementation, it is not possible to be definitive as to what specific network might be best. To give just one possible ultimate outcome, it may be found that implementing the Rapid Bus network in phases over time might be one option that appears strong enough to suggest inclusion as an alternative in the EIR proper – leading to a presentation of the phasing in of the "ultimate" Rapid Bus network in a manner very similar to the "minimum operating segment" alternative for what we now know as the Orange Line in the original EIR.

Comment 31-14

This comment appears to address an issue of semantics rather than environmental impacts. The Orange Line can be described as bus rapid transit in a dedicated busway. It is actually modeled in the MTA travel demand forecasting model as an express bus in a dedicated facility with run times hard coded into the model as opposed to being a function of the highway speed, as are other modes, such as Rapid Bus which travel in mixed flow lanes and are therefore subject to the influence of traffic congestion in those lanes.

Comment 31-15

Please see Responses 14-12 and 20-31.

Comment 31-16

The Commenter's statement is noted for the record. Please see Response 4-2.



III. Evaluation Criteria for Alternatives

- a. Cost/Revenue – Cost is the key measure of resource “input.” Revenue, including capital funding derived from both internal MTA-controlled funding sources and from external grants and other sources, and operating and non-operating revenues, is a significant limiting factor in determining what projects and alternatives can be implemented.

The costing of the various alternatives in the new EIR will be close to a “start-over” process. The work in the old EIR to cost what is now known as the Orange Line and other alternatives will be of use, but even these costs will require considerable new analysis in detail.

The issues that arise fall into five major general categories: (a) increasing the total costs of the Orange Line alternative to show the recent increases in cost, including those caused by the stay of construction and redoing the environmental clearance work, (b) Allocating the total cost of the Orange Line into “sunk” costs – those that have already been incurred plus those that would be incurred if the Orange Line does not emerge from the EIR as the alternative to be implemented – and the remaining costs to complete the Orange Line if it is approved for completion, (c) updating the costs of the other previously-studied alternatives in the old EIR that will be included in the new EIR, (d) determining the costs for the other alternatives in the new EIR, (e) adding certain costs of the Orange Line, and the other alternatives included in the old EIR, that were not comprehended by the costs included in the old EIR.

I. Capital¹

31-17

Comment 31-17

A baseline cost comparison was used to maintain continuity of the original FEIR.

¹ Although there is evidently no longer any thought of utilizing Federal 49 USC 5309 “new starts” funds for the Orange Line – or, we assume, for any other of the other alternatives to be comprehended by the new EIR – and, therefore, there is no legal, regulatory, or contractual requirement to follow the Federal Transit Administration “new starts” evaluation methodology, we recommend that the “new starts” methodology for amortization of capital costs be utilized for the new EIR, as it was in the existing DCS-DEIR and FEIR.

This methodology is the de facto national standard for costing major transit projects and offers the advantages of being able to utilize a methodology that is widely understood in the transit community, well understood and utilized by MTA and its consultants (we assume), and produces metrics that allow simple and valid comparisons to other transit projects.



1. Definition: California Public Utilities Code 130513¹ – “Cost,” as applied to a project or portion thereof financed under this chapter, means all or any part of the cost of construction and acquisition of all real or personal property, rights, rights-of-way, franchises, easements, and interests acquired or used for a project, the cost of demolishing or removing any structures on land so acquired, including the cost of acquiring any land to which the structures may be removed, the cost of all machinery and equipment, vehicles, rolling stock, financing charges, interest prior to, during, and for a period after completion of construction as determined by the commission, provisions for working capital, reserves for principal and interest, and for extensions, enlargements, additions, replacements, renovations, and improvements, the cost of architectural, engineering, financial, and legal services, plans, specifications, estimates, and administrative expenses, and other expenses necessary or incidental to the determination of the feasibility of constructing any project or incidental to the construction, acquisition, or financing of any project.”
2. “Cost Accounting” methodology – there are two basic methodologies here, both of which are relevant to costing of the Orange Line, particularly for indirect costs, but for different purposes.
 - a. The first is “fully allocated costs,” where, for example, part of the cost of the MTA Human Resources department is allocated to the Orange Line based, for example, on the number of Orange Line employees and the total number of MTA employees. For compliance with Generally Accepted Accounting Principles (GAAP), Government GAAP, and PUC 130513, this is the proper methodology.
 - b. The second is “marginal costs,” where, in this situation, the costs allocated to a new activity are, in simple terms, the difference between the costs of transit service with and without a specific change in service. In most cases, the

¹ Los Angeles County Transportation Commission Revenue Bond Act (PUC 130000-53). The provisions of this PUC section are a fairly standard definition of “costs” found in identical, or substantially identical, form in at least two different places in various sections of State Statutes.
 As to applicability of this “LACTC” definition of cost to MTA, see PUC 130051.14. “On and after April 1, 1993, any reference in this part, or in any other provision of law or regulation, to the Southern California Rapid Transit District or to the Los Angeles County Transportation Commission or to the county transportation commission in general shall be deemed to refer to the Los Angeles County Metropolitan Transportation Authority.”
² Although this discussion is framed under “capital” cost, it is equally applicable to operating costs and all revenues.



San Fernando Valley East-West Transit Corridor Project
 Significant Considerations For Completion Of CEQA Requirements

Page 7

31-17

marginal costs of adding transit service are significantly lower than the fully allocated costs⁴.

31-18

3. Items to be included:

- a. There are significant expenses of the Orange Line, under the PUC section above, that are not included as such costs in the existing FEIR. These include, for example, the capitalized interest costs during construction and the costs of Orange Line planning and environmental clearance.
- b. If MTA still plans to implement a Red Line North Hollywood Station portal on the West side of Lankershim, near the proposed Orange Line North Hollywood terminus, then we suggest that the cost - shown as \$11.5 million in the North-South Transit Corridor Study - be shown as a cost of construction of the Orange Line.

If MTA does not plan to open up this entrance, then the extra time for passengers to progress from the Red Line North Hollywood station platform, as well as the time required for bus passengers transferring from buses docking at the bus loading area on the East side of Lankershim to the Orange Line boarding area on the West side of Lankershim, should be considered in the time of travel calculations. This longer travel distance will impact the attractiveness of the various alternatives to transit riders and, therefore, the ridership projections - particularly since, as we are sure that MTA is aware, "walk" time is generally "weighted" at higher than actual value in transportation modeling.

- c. While both the DEIR and the FEIR showed transit ridership data for two decades in the future, and this and other future data was utilized to drive key decision factors calculations, we noted that, while the draft showed the costs of the "out year" bus fleet, the final adopted budget - post-FEIR - for the project only included the costs of the buses required to operate the service on opening day. Also, since the DEIR

⁴ We believe that MTA does have an understanding of how these two basic cost accounting concepts work, but sometimes has difficulty in their application to specific issues. For example, when MTA was presenting the costs of adding bus service hours to Special Master Bites in Labor Community Strategy Center v MTA last year, it showed bus hours covered in what appeared to be "fully-allocated" rates of slightly over \$100 per hour for most years in the six-year period that was analyzed. At the MTA July 2004 Board meeting, when the Board took action to operate the added service that Special Master Bites ordered, the average cost per hour appeared to be a "marginal" cost rate of slightly over \$50 per hour. We will be pleased to assist MTA in the application of the correct costing methodologies to the various factors to be costing in this EIR.

Comment 31-18

MTA has no plans to construct a portal on the west side of Lankershim Boulevard. This is not a part of the Orange Line project, and no funds have been budgeted for it. Travel time calculations for the BRT used as its easterly terminus, the BRT station located on the west side of Lankershim Boulevard, not the North Hollywood Metro Red Line station. In fact, it is not assumed that all patrons will arrive at the North Hollywood BRT station from the Red Line.

Procurement of advanced-technology vehicles was not anticipated in formulating the Project budget for the FEIR. Please see Response 20-229.



31-18

vehicle costs assumed an extremely expensive CNG/Hybrid or CNG/Electric Articulated vehicle – which MTA decided not to procure – and the final adopted budget was based on more conventional vehicles, there was a significant reduction in the vehicle line item costs. Interestingly, the amount of the reduction in the vehicles line item appeared to exactly match the amounts added to other line items, leaving the project total unchanged at \$329.5 million.

If, as was done in the original EIR, the data for ridership, time savings, air quality, et al in the new EIR are based on a year 20 years in the future, then line costs of the Orange Line should also be based on the number of vehicles required to operate the Orange Line service, and other related services, in the same year. Of course, the unit cost of vehicles should be based on MTA's best professional estimation of the costs of the vehicles that would then be in use, which, we expect, will be based in large part on current vehicle costs.

- d. The costs in the last EIR were based on an assumption that substantial funding would be received from the State of California. As we now know, approximately \$98 million of the expected funding is not currently authorized and MTA has elected to "front" this State funding by borrowing against its own future sales tax revenues and the shift of funds from various transportation projects planned in the "out" years. At this time, there appears to be only a possibility that a small portion of the \$98 million in Traffic Congestion Relief Act funding could be received any time in the foreseeable future¹. Since the "repayment" of the funds fronted by MTA is, arguably, a "rob Peter to pay Paul" scheme that assumes that other funds will become available in the future to fund the projects that had their future funding shifted to future reimbursement of MTA Orange Line expenditures, there must ultimately be a recognition that, if the TCRA funds don't ever appear, then ultimately, choosing to "fund" the Orange Line in the way that MTA has elected will eventually mean that funds that could have been used for other Los Angeles County

¹ While there is an allocation of \$11.6 million for the Orange Line in the "Indian Gaming" funds recently negotiated by the Governor, we understand that these funds would not be forthcoming if either Proposition 68 or 70 is passed by the California electorate in November. If this issue is not resolved prior to the FEIR being prepared, then this matter would require proper disclosure in that document, as well as full disclosure in the DEIR if that document is issued prior to the outcome of the November election being known.



transportation projects will not be available for those purposes.

31-18

We suggest that, in the absence of any specific authorization payment of this funding by the California Legislature that the \$98 million be shown as MTA funding. We have no objection to a full discussion of the costs, or even a mention of the possibility of this funding someday being authorized by the State, but, without specific legislation authorizing the actual payment of the \$98 million, or some portion of it, with a day certain, we see no justification for showing a State funding source in the primary cost/revenue tables and discussion.

d. Capital Costs - We propose that the total capital costs for the Orange Line - both "sunk" costs and costs to complete the project - be treated as a single, combined category of costs, rather than broken out into these two categories. This is consistent with the legal principle that MTA may not justify its adoption of the busway alternative on the ground that it is less expensive to complete due to "sunk" costs, given that the sunk costs were a result of noncompliance with CEQA. (*See Laurel Heights Improvement Association v. Board of Regents of the University of California* [1988] 47 Cal.3d 376, 425 ["We shall not countenance any attempt to reject an alternative on the ground that the Laurel Heights site has already been purchased."])

e. Interest - We propose that the interest paid by MTA on debt issued to build the Orange Line, and for other alternatives analyzed in the new EIR, be identified, out to ultimate payoff of all project-related debt.

f. Sound Walls - In the old FEIR, it was assumed that the quieter "new generation" buses that were being procured would have a positive impact on noise levels that could, at least possibly, eliminate the requirement for sound walls for certain points on the alignment. Since these buses are not being procured for the Orange Line, this opens the question if these sound walls will now be required.

31-19

If it is not possible to make this determination at this time - in other words, if MTA intends to build the Orange Line without these sound walls, then test sound levels in full operation to determine if they are required - then we suggest that the costs of the sound walls be identified and shown as a "possible" cost in the new EIR. If, however, it can now be determined that the noise level of the buses that

Comment 31-19

Commenter is correct that the FEIR suggested that quieter buses could reduce or eliminate the need for soundwalls for certain points along the alignment. However, all soundwalls are being constructed at locations designated in the FEIR, and the cost of all soundwalls was included in the FEIR project budget. Meanwhile, MTA has worked diligently to procure a quieter bus, therefore implementing additional mitigation measures in advance of the BRT operation.



MTA has procured for Orange Line we would require sound wells, then these would be *de facto* costs and should be treated as such.

31-19

g. Cost overruns on Orange Line not due to stay of construction -- We believe that the Orange Line may be subject to cost overruns for reasons that are independent of any stay order in *COST v. MTA*. The information in the *Metro Orange Line June 2004 Quarterly Project Status Report* shows that construction is currently approximately five months behind schedule⁶. Schedule delays and cost overruns are very often closely associated in major civil construction projects such as the Orange Line. While a design-build contract does generally include a laying off of part of certain risks on the contractor, one of the major causes of the delays -- differing site conditions, specifically contaminated soil -- is generally a risk that is retained by the owner.

31-20

There are certainly costs imposed by the stay that are not due to any problems of MTA or its contractors. However, Orange Line cost overruns *not* caused by the stay, or by a subsequent injunction, should not be treated as if they were. Similarly, schedule delays due to factors other than any court-ordered stay of construction should not be associated with that stay.

h. "Boeing" Park-and-Ride Lot -- After the adoption of the FEIR by the MTA Board of Directors in February 2002, MTA has evidently determined that a park-and-ride facility at the "Boeing" site be constructed and operated with a shuttle service between the parking lot and the Warner Center Orange Line terminus. For many months, this has been shown in the Monthly and Quarterly Metro Orange

31-21

⁶ "Schedule Narrative," page 10, states, "The C0675 Design/Build Contractor submitted a Current Schedule update this period that reflects an improvement of 3 calendar days to their Substantial Completion Milestone No. 4 (now at 89 days negative float)," which is evidently the source, or related to the source, of statements from MTA personnel that the Orange Line is three months behind schedule. (The C0675 contract is the primary contract for the Orange Line.)

However, "Contract C0675 Physical Percent Complete," page 27, shows "Construction Percent Complete" at 29.6% as of "Jun-04" (which we presume means as of the end of June, 2004). This is the level of construction completion that was originally what was planned for the end of January, 2004, five months prior (January Project Status Report), and the difference between actual and schedule completion appear to have increased every month from January to June, 2004.

While there are multiple ways of describing schedule adherence, and the Status Report does discuss methods to make up lost time, our calculation of five months behind schedule using MTA data is certainly the most common method of calculation of schedule adherence, and we believe that there are very good reasons to believe that there may be significant problems in meeting the scheduled revenue operations date.

Comment 31-20

The comment is acknowledged for the record.

Comment 31-21

The Orange Line project budget contained an allocation of \$16.5 million set aside for construction of additional parking in Warner Center. The construction of a station and park and ride lot on Canoga Avenue in Warner Center has been environmentally cleared by an addendum to the FEIR, certified by the MTA Board in February 2004.



Line Program Status Reports as, "Proposed Park-and-Ride Facility with a total cost of \$16.5 million and, most recently, "Commitments" and "Expenditures" both at \$8.3 million -- which tends to indicate that this is something more than "proposed." In "Concern No. 3" under "Management Issues" in the Status Reports clearly states, "The western terminus at the Warner Center Transit Hub does not currently include parking for Orange Line project patrons. In February 2004, the MTA Board approved proceeding with negotiations to purchase the Blooming site identified, as the MTA preferred option for a park-and-ride site." This clearly indicates that this is an "Orange Line" cost that was not comprehended in the adopted FEIR.

31-21

ii. Operating Cost/Revenue

1. Operating Cost per Bus Revenue Hour -- We strongly suggest using "marginal" costing for all service and for all alternatives. Although MTA may calculate and report data for "fully allocated" costing of services and alternatives, we believe that "marginal" costing is clearly the proper methodology to be utilized in this type of decision-making situation.

31-22

Comment 31-22

The MTA O&M cost model is a resource cost build-up model that is typically used for MTA planning studies. FTA guidelines state a preference for use of a resource cost build-up model (see *Guidance for Transit Financial Plans*, Federal Transit Administration, Office of Planning, Office of Program Management, June 2000, section 2.4.2). The MTA O&M cost model provides a valid tool for understanding cost comparisons between alternatives.

⁷ For a comprehensive comparison of Fully-Allocated vs. Marginal Costing, I refer you to the Declaration of Thomas A. Rubin re Comment Diverse Costs, October 14, 2003, in the Proceedings Before Special Master Donald T. Blum, specifically pages 6-9 of "Notes."

In summary, as applies to MTA bus operating costs, there are two major differences between the MTA fully-allocated-costing methodology for calculating the cost of an hour of bus service and the marginal costing methodology: (1) There are many MTA costs that do not change significantly, if at all, for small-to-medium-sized changes in revenue vehicle hours. For example, if additional buses are operated out of an existing MTA bus operating division, the Division Manager does not normally get a raise in pay and most, if not all, other administrative and supervisory positions will also not change, or not change significantly, in cost. (2) The cost of adding hours of service is less than the average cost of existing service that MTA utilizes to calculate fully-allocated costs. The best example of this is the hourly pay of bus operators. In Attachment 7 to his Declaration, Mr. Rubin shows that the "UTU (United Transportation Union, the bargaining unit for MTA bus operators) Wages and Benefits" per bus service hour was calculated by MTA as \$36.40 for MTA Fiscal Year FY03. This is based on the average wage rate for all MTA bus operators, which includes a large number of bus operators who are at the top of the wage scale, then \$22.34 per hour. However, at that time, MTA had executed a Labor Agreement with UTU that provided for new full-time bus operators beginning (in that time) at \$12.27 per hour, working up to a (then) maximum of \$18.88 per hour after 42 months of MTA employment. MTA also makes significant use of two other provisions of the UTU Labor Agreement that provide for even lower hourly costs for operators, those for "part-time" and "Business Development Operating Facility" operators, which provide for wages (at that time) of \$12.27 to \$15.10 and \$10.93 per hour, respectively, with employee benefit costs far lower than those that MTA provides for full-time operators.

Overall, MTA showed FY03 fully-allocated operating costs of \$102.46 for its Directly Operated Service (the service not operated by contractors), while Mr. Rubin, using conservative assumptions that overstates marginal costs, showed \$61.96 per hour, or 62.4% of the MTA fully-allocated cost. In Appendix 6 of his Declaration, Mr. Rubin showed that MTA presented an average marginal cost per hour for adding Rapid Bus service of \$58.97.



2. Fare revenue - While cost is always a key driver in decisions such as this, the traditional focus has always been the "gross" cost of constructing and operating a transit project or program, rather than on what is actually the key financial constraint, that of available taxpayer funding (and occasionally other non-operating financing sources). To the extent that a transportation alternative is self-financing through revenues generated by the operation of the transit system, the call on taxpayer funding is reduced and the project is more financially viable. Therefore, we request that operating revenue, chiefly farebox revenue, be projected for each alternative to allow the calculation of subsidies as well as costs.
- b. Ridership/New Ridership and Passenger Miles/New Passenger Miles¹ - This is the key "output" or "results" metric. We expect that ridership values will be produced for each alternative that will show both the ridership on the "new" lines or services and the overall system-wide changes in total ridership.
- For the alternatives with multiple individual routes, we recommend that MTA show ridership by route. This is a key tool in fine-tuning the various alternatives prior to final comparative analysis. For example, for a multiple Rapid Bus route alternative originally laid out with four East-West Rapid Bus lines, if three of these had strong ridership and one weak ridership, one obvious change to study would be to drop the least utilized Rapid Bus line from the alternative.
- c. Cost per new rider/passenger-mile - This - along with subsidy per new rider - is the key cost-effectiveness metric².
- d. Subsidy per new rider/passenger mile - While cost and subsidy per new rider are both frequently used as metrics for comparison of alternatives, we favor subsidy per new rider because it focuses attention on the amount of taxpayer-generated funding required. In transit capital/operating investment decisions, it is subsidy, not cost, that is the true limiting factor. All else equal, a transit alternative that requires less taxpayer funding to achieve a specified level of performance, or can produce a higher level of performance for a comparable level of taxpayer investment, should be favored.
- e. Existing transit rider travel time savings - This is an important metric because it focuses on benefits to existing riders, which is overlooked entirely by the cost/subsidy per new rider metrics. As we are sure MTA staff is well aware, the proper format, calculation, and presentation of this metric has been a topic of intense discussion in the industry for decades. The specifics of our proposal in this regard are:

31-23

31-24

31-25

31-26

31-27

¹ As a general rule, for each metric that utilizes ridership, we suggest a similar metric that utilizes passenger miles.
² Technically, we are talking about the "incremental cost per incremental passenger" metric found in the FTA "new starts" methodology, but "cost per new passenger" is the far wider utilized and understood term.

Comment 31-23

We typically do not account for project-specific fare revenue. Capture of fare revenues is not an environmental impact-related issue.

Comment 31-24

Boardings for each rapid bus route have been provided in Table 8-6.5.

Comment 31-25

Cost per new rider (new daily transit trip) is provided in Table 8-6.10. Operating cost per passenger mile is provided in Table 8-6.11.

Comment 31-26

Please see Response 31-23.

Comment 31-27

Travel time savings continues to use the metric employed in the DEIR and FEIR. Please see Response 10-4.



31-27

- i. The current FTA metric for cost-effectiveness – incremental cost divided by transportation system benefit¹⁰ – should be utilized. Although there is no Federal “new start” funding proposed for this project, this metric is the new national standard and its use will provide comparison data to other projects around the US.
- ii. In addition to the new FTA metric, the other key metrics utilized should be total, and average, origin-to-destination time savings for all existing riders and a specified market factor. While it is not clear what the total time for the metric, the average time for the metric is that with the changes in the market factors from the various alternatives, there will undoubtedly be different numbers of existing riders choosing to transit or not remain as transit users. The use of the average will allow valid comparisons. (The set change in existing riders by alternative is itself an interesting statistic which may be utilized to show that “proponent good for the greatest number”-driven decisions sometimes have significant downsides for minorities.)
- iii. The “specified subset” of the existing riders mentioned above is the riders that will actually be directly impacted by each individual alternative. Very likely, for each EIR alternative, there will be a very large number of Valley transit users that will see no change at all in their travel patterns. For each alternative, we believe the public should know the number of existing riders that will see their transit travel changed and the net change in travel time, both in total and in average.
- iv. In all cases where transit passenger travel time is being produced, we recommend two metrics:
 1. Actual “clock” time
 2. Perceived time

It is well understood in transportation modeling that travelers tend to make their travel decisions, to a large extent, not on actual “clock” time, but on perceived time. Time spent not in motion – in transit travel, waiting for the first transit vehicle and waiting for transfers – is weighted far more heavily than time in motion, commonly at least double actual clock time, with 250% being common being a common factor (in other words, if a traveler has to wait ten minutes for a transfer to the second transit vehicle, the traveler may base decisions on which transportation mode to utilize by considering this wait time as twenty-five minutes, or more, depending upon the factors utilized by each modeler in each model run). In such

¹⁰ Other, but not strictly property, called “cost per travel hour saved”
¹¹ The Major Transit Capital Investment Program Final Rule, referred to as the New Starts Final Rule, was published in the Federal Register on December 7, 2000 and became effective on April 6, 2001. The New Starts Final Rule, 65CFR Part 611, Chapter 611.100, regarding FTA will apply to the evaluation and rating of proposed New Starts projects as required by 49 USC 5306(b).

31-27

models, there may be different weightings for the "first" vs. "subsequent" transit trips, or not, as well as different weighting factors for "walk" access times (with a 150% clock time weighting for the type of walk time being common in transportation modeling).

We ask for the presentation of the travel times for both of the above – actual "clock" time and traveler-perceived time – in order to allow decision-makers to actually see how the users of the transit system view the utility of the various alternatives.

We also recommend that the various factors – such as "wait time weightings" – utilized in MTA's transportation models be specified. We also wish to know of any "modal preference" factors utilized in the model run – such as assumptions that riders will have a preference for utilizing a mode such as Bus Rapid Transit over other bus modes specified¹¹. If such modal preference(s) is/are utilized in the MTA modeling process, the analysis should justify it/them, along with the required acceptance of the analysis(es) by the Federal Transit Administration¹².

In making this request, we bear in mind that, while speed of travel is often one of the most important factors in travelers' decisions as to how to complete their trips, this is a far broader factor than the travel speed of transit vehicles – a simple fact of life that many proponents of higher speed transit often either do not realize or choose to overlook because it interferes with gaining acceptance of their proposals. Vehicle travel speed is a factor in travel time decisions, but only one of many, and often not a very important one, particularly when the travel distance on a particular mode – such as the Orange Line – is short, or the access time to the favored higher-speed mode is such that the favored mode is simply not useful to many travelers.

The "other" factors that go into total travel time calculations include access time at both ends of the trip and for any required transfers between transit vehicles and wait times for each transit vehicle (which, as is discussed above, are weighted far higher than actual clock time, as is "walk" time). The network of Rapid Bus lines that we request MTA to

¹¹ To be clear, we are discussing preferences based on the mode itself, not the attributes of the various modes. We are not discussing preferences based on valid differences in attributes, such as a preference for heavy rail over bus because the speed of heavy rail is higher than that of bus for a specific traveler's transit trip. We are talking about riders or potential riders, for example, who might state, "I will ride a subway to get to work, but nothing in the world will get me on a bus" – and thus demonstrate revealed preference comparable to – or not – to the stated preferences.

¹² While the information discussed above appears to be a major data set that would require substantial work to produce, our understanding of the MTA transportation model and modeling process is that everything we have specified is routinely produced in its normal operation. In fact, the models could not be run without producing these data.



evaluate will, without any doubt, be significantly faster than existing local bus service for travel time. We believe that Rapid Bus can actually produce vehicle travel speeds that are competitive with the "full" Bus Rapid Transit mode proposed for the Orange Line, but, even flouting this¹⁴, we believe that a network of good Rapid Bus lines can still be very competitive with the Orange Line for many travelers in the Orange Line corridor and will be demonstrably superior to the Orange Line for travelers outside of the corridor that cannot make any beneficial use of the Orange Line.

31-27

f. Other Metrics – There are many other metrics that MTA may choose to utilize. To the extent that MTA chooses to utilize metrics other than those listed above, we request that you brief us on those metrics and how they will be calculated before they become part of the basis for the analysis in the new draft EIR.

31-28

IV. Rapid Bus Route Alternatives to Be Considered for inclusion in Alternatives II e.g., inclusive. (Line numbers below are those of existing MTA "local" lines and, where applicable, Rapid Bus lines now in operation. Lines numbers beginning with "7" – such as 750 for Ventura Boulevard – are Rapid Bus lines. For those streets where there are multiple local bus lines, only the primary local bus line that which operates the longest on the street is shown.)

31-29

a. Rapid Bus Currently in Operation

1. Line 750/150 – Ventura Boulevard (East-West)
2. Line 761/233 – Van Nuys Boulevard (North-South)

¹⁴ In various papers that MTA has file in the current Orange Line CEQA dispute, it has maintained that Rapid Bus was not studied for East-West lines in the San Fernando Valley because it will not be possible for Rapid Buses to achieve beneficial traffic signal progression at preferences. Our discussions with LA-DOT personnel led us to believe that these are not matters that have been studied – because they have never been investigated. We request that as part of the new EIR process, an honest effort be made to determine what traffic signal progression and preference benefits can be achieved for East-West Rapid Bus lines in the San Fernando Valley. At an absolute minimum, we would expect that a Rapid Bus line between North Hollywood and Warner Center will achieve such benefits comparable to what will be provided in the Orange Line and that the travel time projects for these two alternatives be calculated on the basis of similar assumptions. In this regard, we note that even if there were absolutely no traffic signal progression and/or preference benefits for East-West Rapid Bus in the Valley – a condition that so unlikely that, to be justified would require significant documentation of actual problems taken by MTA staff and consultants, supported by substantial evidence of same – Rapid Bus would still provide significant vehicle speed improvements over existing local bus speeds through limited stop service and the other techniques that have been applied to MTA's existing Rapid Bus lines. In addition, the total travel time of non-Orange Line alternatives can be reduced significantly by higher frequency of service and by new bus routes and route variations, such as we are proposing elsewhere in the paper that reduce walk and wait time for transit vehicles and eliminate transfers.

Comment 31-28

For the new rapid bus alternatives, MTA provided evaluation based on all the metrics presented in the DEIR and FEIR. No new metrics were introduced.

Comment 31-29

MTA did not consider separate north-south and east-west Rapid Bus routes, but rather considered combined routes as suggested by the commenter. The balance of the statements concerning potential routes is noted for the record. Please see response to comment 4-2 concerning selection of RB Alternatives and 6-3 concerning multiple repetitive iterations of study of route variations. In addition, please see response to comment numbers 20-46 – 20-79 regarding route variations.



31-29

b. Rapid Bus Approved for Implementation¹⁵

1. Lines 96/166 – San Fernando Road/Lankershim Boulevard (Northwest-Southeast to North-South, Phase IID, December 2006-June 2007)
2. Line 234 – Sepulveda Boulevard-Brand Boulevard (North-South to Southwest-Northeast), Phase IIB, December 2004-June 2005)¹⁶
3. Line 240 – Resaca Boulevard-Nordhoff Street-Sepulveda Boulevard-Brand Boulevard (North-South to East-West to North-south to Southwest-Northeast, Phase IIC, December 2005-June 2006)

c. Potential Additional East-West Lines (listed from North to South)

1. Line 158 – Devonshire Street
2. Line 168 – Lassen Street
3. Line 166 – Nordhoff Street
4. Line 152 – Roscoe Boulevard
5. Line 163 – Sherman Way
6. Line 165 – Vanowen Street
7. Line 164 – Victory Boulevard

d. Potential Additional North-South Lines (listed from East to West)

1. Line 163 – Hollywood Way
2. Line 152 – Vineland

¹⁵ "Metro Rapid Phase Implementation," <http://www.metro.net/projects/rapidbus/rapidbus.htm>

¹⁶ We are unclear as to the status of the improvements to Valley transit service comprehended by the North-South Transit Corridor project. While the Major Investment Study for this project comprehended a variety of Rapid Bus lines in several phases, the project, as such, appears to have been suspended, at least in part, when the promised State funding vanished. However, we know that MTA is continuing to implement Rapid Bus lines, including service on routes listed in the North-South Transit Corridor documents. Therefore, we will assume that the schedule in the above citation to Rapid Bus implementation will hold, independent of what may or may not be implemented on the North-South Transit Corridor project - and the State funding uncertainty will not be an issue in their implementation. (If we are incorrect in this assumption, please provide the correct information.)

One option would be to assume that, for an alternative where it is assumed that Orange Line is not constructed, that funding that would have gone for the Orange Line will be shifted to pay for major capital improvements to North-South service. However, we do not recommend this approach. We believe that any analysis or series of analyses that treats East-West and North-South transit travel in the Valley separately is fundamentally flawed. We recommend instead a coordinated, simultaneous study of North-South, East-West, and all other transit travel.

For example, due in part to the long (East-West) and narrow (North-South) shape of the Valley, there are many opportunities to couple North-South and East-West Rapid Bus routes into single routes. MTA has approached this concept with the proposals in the EIR to run BRT on the Orange Line with some routes that will leave the Orange Line to operate North-South service. However, the non-Orange Line portion of this service is proposed as conventional bus service, not as Rapid Bus service.

Many of the existing bus routes in the Valley have both North-South and East-West components now, and we believe that similar construction may prove useful in structuring the optimal network of the Rapid Bus routes and other transit service improvements.



31-29

3. Line 166 – Lankershim Boulevard (Note: There is a line approved for operations on Lankershim, but it is shown as having a Southern terminus at the North Hollywood Red Line Station. We suggest studying operating further South on Lankershim to the Universal City Red Line Station.)
 4. Line 230 – Laurel Canyon Boulevard
 5. Line 167 – Coldwater Canyon Avenue
 6. Line 158 – Woodman Avenue
 7. Line 236 – Balboa Boulevard
 8. Line 239 – White Oak Avenue
 9. Line 154 – Tampa Avenue
 10. Line 243 – Winnetka Avenue
 11. Line 243 – De Soto Avenue
 12. Line 243 – Topanga Canyon Boulevard
- c. Potential Additional Northwest-Southeast Line – Line 94 – San Fernando Road (for portions not included in current MTA implementation plan)
- f. Potential Southwest to Northeast Line – Line 180 – Hollywood/Glendale/Pasadena/Ahmeda/North Lake Avenue via Colorado Boulevard (partially in San Fernando Valley)
- g. Initial Suggestions for Rapid Bus Service – We offer the following as potential added Rapid Bus lines, or extensions, that we see as having strong potential for significant ridership increases and time savings for existing San Fernando Valley transit users:
1. Victory – We suggest a Rapid Bus line on Victory running from the Burbank central business district and/or the Burbank Metrolink Station in the East to Warner Center and/or further West, perhaps all the way to Valley Circle Boulevard.
 2. Sherman Way/Lankershim – We suggest a Rapid Bus line beginning at the Universal City Red Line Station, past the North Hollywood Red Line Station, then to Sherman Way.
 3. For the Victory and Sherman Way/Lankershim Rapid Bus lines, we suggest studying route deviations. Specifically, Rapid Buses starting from the Universal City Red Line Station could turn West, alternately, on Victory and Sherman Way, and Rapid Buses starting from the Eastern terminus of the Victory Line could, alternately, continue West on Victory and turn North on Lankershim and then West on Sherman Way. We suggest this option because, for many San Fernando Valley transit users, the transfer wait time, together with having to utilize two different vehicles, is far more of a problem than a longer headway.
 4. Topanga Canyon – We suggest continuing Rapid Bus service on the existing 750-Ventura line up Topanga, perhaps alternating service to Topanga and Warner Center.
 5. We suggest looking at one-bus service between the high transit demand areas in the Northeastern areas of the Valley and the major East-West



transit corridors, such as Sherman Way, Van Owen, and Victory. Options to be studied include (routing from Northeast to West).

31-29

- i. Bradford and/or Osborne to Woodman to Sherman Way, Van Owen, and/or Victory. Since we have proposed Rapid Bus lines on Sherman Way and Victory previously, running a line on the Western segment of the highly traveled Van Owen bus line may be a good idea.
- ii. Van New to Sherman Way, Van Owen, and/or Victory¹⁷.

V. Considerations in Selecting Rapid Bus Routes for Inclusion in EIR Analysis – We propose that MTA use the following considerations in arriving at Rapid Bus routes for inclusion in the EIR analysis:

31-30

- a. All Rapid Bus routes currently in operation or Approved for Implementation (IV, A, and B, above) should be “grandfathered” in all alternatives.
- b. Victory Boulevard should be included in Alternatives II.c, II.f, II.g, and II.h.¹⁸
- c. Routes already planned – We know that MTA has a plan for further expansion of Rapid Bus over the next several years. However, we have major problems with this plan – which was adopted by the MTA Board on the same day that it adopted the SFV BRT – in that we find, oddly, that MTA does not propose one additional East-West Valley arterial for Rapid Bus (which the exception of a short East-West leg for the “Reseda” line). Our problems with the methodology utilized to select Rapid Bus lines are discussed in Appendix II. In summary, we believe that MTA started with a deficient selection methodology and then applied it incorrectly.

¹⁷ We do not have access to the detail of origin-destination pairs that MTA does, so we are forced to suggest bus lines without being able to see the actual current usage and potential future usage. We are proposing a number of existing East-West bus routes for Rapid Bus service, beginning with the three most heavily utilized existing routes, those on Sherman Way, Van Owen, and Victory. We believe that there are likely to be other East-West lines further North where such service may be justified as well.

We are also suggesting running Rapid Bus on other than strict one-street routes. Here, the analysis of routing should certainly take into account the existing and potential travel patterns for bus riders.

¹⁸ At first glance, it may appear odd to suggest studying a Rapid Bus network that includes an East-West line on Victory Boulevard with the Orange Line because there are sections of the Orange Line that are directly adjacent to Victory. However, we do not believe that this proximity, in and of itself, should be cause for eliminating Victory from consideration for Rapid Bus service, for several reasons.

First, the Orange Line is immediately adjacent to Victory only for two sections, totaling a few miles in length. There are far more miles of the Orange Line and Victory which are well beyond the normal quarter mile walking distance assumption commonly utilized in transportation modeling. Second, we see the Victory line extending far to the East of Lancaster, where the Orange Line terminates, most likely to the corner of the Burbank business district and/or to the Burbank Metrolink station. Third, the proper test of what types of transit service should be operated on which route alternatives often has little to do with transit lines “running on top of each other.” If there is a demand for different types of services on the same alignment, then one or more types of service may very well be justified. For example, on both Wilshire Boulevard and Vermont Avenue, MTA currently operates local bus service, Rapid Bus service, and rapid rail (Red Line) service. (In fact, it is very common, in urbanized areas all over the world, to find major bus routes on top of rail lines and for a variety of different types of transit service to be operated in a very narrow transit corridor.) Finally, the capital cost of adding Rapid Bus service to existing routes is very small and the added operating costs may actually be offset by the added fare revenue from new passengers.

Comment 31-30

Please see Response to Comment No. 4-2 concerning the selection of the RB Alternatives. Please see Response to Comment No. 14-16 concerning origin-to-destination time including walk time or time spent in other transit to the bus transit service. The commenter’s statements about the operation of other Rapid Bus lines and the impact of the Consent Decree are noted for the record.



31-30

violating its own stated methodology. Therefore, we believe that the proper process to select Rapid Bus routes in the Valley for inclusion in the new EIR alternatives is to start fresh, without using the previous, flawed analysis for anything save a supply of data, where such data is complete, accurate, and applicable.

- d. Screening Methodology - We propose an initial screening methodology based on existing frequency of service, average passenger load, average trip length, and line length. (For details of why this methodology is proposed, see Appendix II for a discussion of the problems of MTA prior methodology.) After a short list is developed through this step - excluding those lines with obvious low Rapid Bus potential - we then propose bringing in connectivity and potential trip generation increase factors as considerations to lead to a professional judgment selection of the final lines to be included in the Rapid Bus network(s) for modeling and comparison of results.

For the key factor in this analysis, we cite the Second Appellate decision (page 28): "MTA's arguments are insufficient justification for not considering Rapid Bus as they only tend to show that Rapid Bus would be somewhat slower than BRT, they do not take into account the effect multiple east-west routes would have on local origin-to-destination time versus a single busway, and a longer travel time does not render Rapid Bus infeasible or otherwise justify its rejection."

There is absolutely no question about the intent of the above. MTA should consider not just time in motion on Orange Line buses vs. Rapid Buses on a comparable, North Hollywood to Warner Center routing, but also consider travel time from the starting point of the trip to the end point, including walk and other access times, time spent on transit and other vehicles other than those operating on the Orange Line and Rapid Bus routes, transfer wait times, etc. This is the key factor in any proper corridor planning study such as this one and it is the factor that MTA has been ordered by a properly constituted Appellate Court to employ.

- e. Quantity of Service - Besides the number and location of arterials and routes to be given Rapid Bus treatment, the type - or, more precisely, the quantity of Rapid Bus service to be operated and the mix of Rapid Bus and conventional bus service - is also critical to a selection of the appropriate routes for comparison. MTA's first two bus routes - Line 720/Wilshire-Whittier and Line 750/Ventura - were implemented in way that was designed to increase bus ridership, and this was extremely successful, producing ridership increases of 25% to 40%. However, the more recently implemented Rapid Bus lines have been implemented in a different manner, evidently designed to reduce operating expenses.

Rapid Bus has the interesting characteristic of not only offering superior transit service for passengers who are willing to trade fewer stops for faster vehicle travel speeds, but lower operating costs per revenue vehicle mile of service and, in most cases, per passenger and per passenger mile. The reason for this is that, because Rapid Bus buses travel faster than local service buses, there are more round trips per shift for each bus and for each bus operator, thereby lowering both



31-30

the capital and the operating costs per service hour, service mile, and per passenger mile. In addition, because Rapid bus is better suited to better transit, more riders are attracted, which means more fare revenue, which means that taxpayer subsidies get reduced through the dual impact of spreading costs over more passengers and passenger-miles and higher operating revenue from fare passengers.¹⁷

However, to date, it appears that the attraction of Rapid Bus is so high that its greater productivity is insufficient to handle all of the higher ridership. Therefore, there is a requirement to add more buses and operate more hours of service.

In its most recent additions of Rapid Bus to existing lines, MTA appears to be following a practice of adding only a minor amount of net revenue hours of total hours of local service. The service added is generally approximately the same number of hours of local service. This practice may be intended to have the minimal impact on MTA's finances, it also maintains the increase in ridership. It also can have a negative impact on the existing riders who need to continue to use local bus service because there are fewer local bus trips per hour and per day.

The controlling factor in the mix of Rapid and local bus service on specific route alignments is the Consent Decree (CD) that settled the *Laborers' Community Strategy Center v. MTA* Title VI (discrimination in the utilization of Federal funding) lawsuit, specifically the "load factor" requirement. MTA is currently required to operate sufficient buses per each 20 minutes of peak service, and hour of non-peak service, so that the operator, passengers/loads, for each period does not exceed 125%. Therefore, if the number of hours operated is not sufficient to handle the load, MTA is required to add hours of service.

Unfortunately, in order to get sufficient service added to meet the load factor requirement, the number of buses per hour and per day that MTA has had to continually buy has increased to force MTA to comply, which MTA has continually opposed. While the plaintiffs have been generally unsuccessful in eventually obtaining final Orders to add service and make other improvements, MTA's reluctance to add service without being forced to by the courts and Special Master has been most troublesome.

¹⁷ Our rough calculations show that MTA may be "making money" on the operations of Line 720 Wilshire Rapid bus service. By this, we mean the additional fare revenue from the increase in ridership on this line (which is the largest increase in ridership on any line) minus the additional operating costs (which are generally passed) exceeds the marginal cost of the added bus service. With the exception of the Wilshire/Whittier 750/1625 family of lines, where there was a very significant increase in number of buses assigned, the other eight Rapid bus lines showed an average of less than one net bus each.

Despite the plaintiff's successes in the legal aspects of CD load factor compliance, MTA appears to be again testing the limits of how far it can go by its tactics in implementing the new Rapid Bus lines. In determining the hours of Rapid Bus service – and local bus service – that will be operated on the lines selected for Rapid Bus service in the various alternatives to be included in the EIR, we wish to make it clear that the prime directive should be increasing ridership, not attempting to limit MTA expenditures. Obviously, cost-effectiveness of each proposed line is very important, but, as a general rule, Rapid Bus has been by far the most cost-effective transit improvement that MTA has ever initiated.

Of course, there is no purpose in operating service that is not required, and it is impossible to exactly predict ridership in advance. Our problem here is we know that MTA's transportation planning model has a history of significantly under-projecting bus ridership. This issue is discussed in VIII. below.

VI. Other Transit Service Improvements to be Considered in EIR Alternatives – We believe that the concepts listed below, and other low-capital cost transit service improvements, can have a very cost-effective beneficial impact, and strongly recommend their inclusion in MTA's analysis of the full scope of alternatives in the new EIR:

a. Timed Transfer route design – this may be similar to MTA's current "hub-and-spoke/Metro Connections/Mobility Enhancement" program. We propose the "traditional" hub-and-spoke route design concept, where multiple transit routes arrive at a specified layover location at the same time, allowing passengers to quickly transfer between the several routes. Because of many unavoidable scheduling inefficiencies inherent in this type of route design, hub-and-spoke generally has little applicability to routes and service areas where there are short headways on a significant portion of the lines, such as many portions of the MTA service area South of the Hollywood Hills. However, in areas with bus lines with long headways, such as the Valley, this concept has great potential. It is our understanding that MTA, in fact, has implemented or is implementing such routing/scheduling in several locations, generally at sites owned and controlled by MTA or other transportation agencies, such as the Universal City and North Hollywood Red Line stations, Metrolink stations, and the Warner Center Transit Center.

Unfortunately, many of the locations where such centers are placed, or are being planned, are not major trip generators in and of themselves, a desirable attribute for hub-and-spoke locations. Even more unfortunately, there have been major attempts to implement such centers in the past, in the Valley, that have gone nowhere due, in great part, to protests of local residents to their elected officials.

31-30

31-31

Comment 31-31

Please see Response to Comment No.31-42 regarding the alternative of timed transfer route design and additional express bus service on freeways.



We recommend revisiting hub-and-spoke transit at selected Valley locations where the payoffs are obvious and it may not be impossible to take another shot at the political process.

- b. Additional Express Bus service on freeways, particularly where HOV lanes are in place or planned – There are several existing HOV lanes in the Valley, plus others planned, where transit service on the freeways is between minimal and non-existent, including large sections of I-5, CA101, CA118, CA134, CA170, and I-405 – in other words, every single freeway in the Valley.

Evidently, very few people are aware of California Public Utilities Code (PUC) §130350, which states:

"A retail transactions and use tax ordinance applicable in the incorporated and unincorporated territory of the County of Los Angeles may be adopted by the Los Angeles County Transportation Commission in accordance with Part 1.6. (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, provided that a majority of the electors voting on the measure vote to authorize its enactment at a special election called for that purpose by the commission."

PUC §130354 states:

"The revenues received by the Los Angeles County Transportation Commission from the imposition of the transactions and use taxes shall be used for public transit purposes."

The problem that arises is that Proposition C – which LACTC placed on the November 1990 ballot, and was passed by the electorate – includes the allocation of 25% of the Proposition C sales tax collections (net of that allocated for administrative costs) to "transit related highway improvements." These funds have been utilized primarily for HOV lanes – and, under California statutes, HOV is not recognized as transit.

Moreover, LACTC staff was very well aware of this problem. This can be conclusively demonstrated by legal opinions requested and received by LACTC²¹ and the unsuccessful attempt, for over a year, by LACTC to have the County and/or the Cities of Los Angeles County place what eventually became Proposition C on the ballot because there are no such restrictions on the uses of sales tax proceeds for ballot measures sponsored by these types of governmental units. Although LACTC attempted to get around this limitation by adopting its own definition of "transit" in its Ordinance 49 that included HOV lanes (the legal name for what we know as Proposition C), this is not

²¹ See legal opinions of Noteman, Guthrie, Kroe & Elliot on this subject, specifically letter to Rick Richmond, Executive Director, Los Angeles County Transportation Commission, January 25, 1984 (Basis numbers M 339 077-88 in *Letter Community Strategy Center v MTA*).

31-31

31-32

Comment 31-32

The commenter's statement on the use of Proposition C funds is noted for the record. Please see response to comment no. 20-146 concerning Proposition C proceeds. Please see response to Comment 31-42 regarding an alternative of additional express bus service on freeways.



valid under both common sense and a definitive California Appellate decision²² – a local governmental legislative body cannot pass legislation that “overrides” legislation passed by a “senior” legislative body, in this case, the California Legislature.

If necessary, we can provide all the documentation on the above legal problem, but we suggest that MTA first attempt to see if there are any staff from LACTC and/or County Counsel (which was LACTC counsel before it was MTA counsel) who are familiar with the situation.

In light of this issue, there are two very good reasons for MTA to study adding at least one express route to every single mile of every HOV lane in the Valley that has received Proposition C 25% funding in the new EIR:

1. There appears to be a demonstrated transit need for such lines, and
2. If there is at least one express lane operating on each mile of every HOV lane, then MTA is at least not in total violation of the requirement that Proposition C funds can only be utilized for transit purposes and the fact that HOV is not a transit purpose. Of course, MTA could still be subject to a challenge on the basis that the amount of transit utilization of the HOV lanes fails to meet even the least stringent *de minimus* test, but at least MTA would have the opportunity to argue what the standard should be.

c. Reduced fares – As has been demonstrated conclusively by both the 1982-1985 “50¢ fare” program and the more recent Consent Decree fare reductions, perhaps the absolute simplest, easiest, quickest, and most economical and effective way to increase transit ridership is simply to lower the fares. In the former, the reduction in the cash fare from 85¢ to 50¢ was evidently virtually the sole cause of the 40% increase in unlinked passenger trips over the three years of the program, the greatest ridership increase of any mass transit system in the U.S. since World War II, by far. More recently, the reduced pass prices and new types of passes in the CD were key components of turning what had been an 11-year trend of losses of 12+ million riders a year into a six-year trend of adding 13+ million riders a year.

And, of course, MTA has always totally refused to even consider reducing fares as a means of increasing transit use. One response by MTA in the past has been that there is no funding being available, but, as we know, this is not question of the availability of funding for a fare reduction/transit use increase program, but rather, it is one of prioritization of spending of funds that could be utilized for this purpose.

²² City of El Cajon v. Lemerger (1978, 83 Cal App 3d 672)

31-32

31-33

Comment 31-33

The commenter asserts that MTA should have separately considered fare reduction. Comment F8-1D in the FEIR suggested that Project funding be used to implement fare reduction. Response to comment F8-1D stated that this was not feasible:

“All existing transit services are substantially subsidized beyond what is collected at the fare box, which would be the case for any proposed new services whether TSM or the busway. The state funding available for implementation of the BRT project is limited to being used for capital expenses, including vehicles, construction, real estate, and engineering, so these funds would not be available for fare reductions.”

Moreover, fare reduction is similar to No Build and TSM, which were already considered in the FEIR. The same buses and bus routes would be used in the fare reduction alternative as in No Build. Unlike fare reduction and No Build, TSM would enhance bus service. TSM increases ridership by attracting additional riders with substantial enhancements in bus service, primarily decreased headways between buses. (FEIR § 2-2.2.) Under TSM, ridership was expected to increase by 8,892 daily transit riders over No Build. (FEIR p. 3-15.) The commenter similarly asserted that fare reduction would increase ridership.

Since fare reduction is similar to No Build and TSM, it would have similar impacts. No Build would not meet any of the objectives for improving mobility in the Valley. Also, No Build would not achieve land use



goals, including the 2001 SCAG Regional Transportation Plan.

Even TSM did not relieve congestion in the Cahuenga and Sepulveda passes because there would be no direct connection with the Metro Red Line. (Draft EIR Vol. 1, p. 6-2.) The TSM would not minimize travel times because the buses would run on-street in already congested traffic. (*Id.*) The Draft EIR also explained that TSM would not effectively intercept traffic through the Valley since it does not extend through it nor have any additional parking lots. (*Id.*) Based on this evidence, MTA logically adopted a finding that TSM would not minimize travel time or relieve congestion. (See, MTA Findings of Fact and Statement of Overriding Consideration for FEIR.)

In addition, the Final EIR explained that TSM is not consistent with the Transportation Element of the City of Los Angeles General Plan Framework to provide a priority corridor for high capacity transit service. (FEIR, Vol. 2, p. 7-147.) TSM is also consistent with the Southern California Association of Governments' 2001 Regional Transportation Plan ("2001 RTP") that specifies a dedicated busway within MTA's ROW. (FEIR Vol. 1, p. 4-33.) On this analysis, MTA adopted a finding that the TSM is not consistent with the City of Los Angeles General Plan, Warner Center Specific Plan, and 2001 RTP. (See, MTA Findings of Fact and Statement of Overriding Consideration for FEIR.)

Moreover, fare reduction is infeasible. MTA has not raised fares since 1996. (MTA 2001 Long Range Transportation Plan for Los Angeles County, Executive Summary, p. 23.) The cost of MTA's transit operations is already expected to fall well short of revenues,



We suggest that the most important single criterion for decisions of transit agencies is ridership, and that a program that has shown to be so incredibly effective in increasing ridership is well worth detailed study.

d. Fair and Consistent Analysis – A fair and consistent analysis is essential, rather than one which favors the MTA favored alternative.

31-33

In the first EIR for what became known as the Orange Line, MTA failed to do this. The most significant example, of course, was the failure to even include as an alternative the most logical option, that of a network of Rapid Bus lines, which Second Appellate has ordered MTA to correct.

31-34

There are many other examples, however. Turning to the run time projections for the various alternatives, MTA was forced to admit, in the FEIR, that the 28.8 minute end-to-end run time on what is now known as the Orange Line was never possible – as was pointed out, in detail, by members of COST in their comments on the DEIS/DEIR. However, MTA has never “fixed” the equally obvious error in the 50 minute Rapid Bus run time between Warner Center and North Hollywood. While MTA was forced to respond to DEIS/DEIR comments from a COST member that the Rapid Bus time shown was not for the Warner Center to North Hollywood trip, but between Warner Center and Universal City, a run over a mile longer over a more congested, slower street, with far more traffic signals and a lower speed limit, than the most obvious Rapid Bus connection between Warner Center and North Hollywood, it has never posted the projected Rapid Bus run time between the end points on the Orange Line.

31-35

There are a number of errors and inconsistencies in the actual MTA run time calculations. For example, the standard braking rate for such calculations is 3.0 mph/second, but MTA evidently utilizes a higher rate in its calculations for Orange Line run times. This “saves time,” but the faster rate of braking is likely to cause major problems with standees that will be thrown around the interior of the buses.

In the calculation of the run time for the “minimum operating segment” alternative, there appear to be several errors and inconsistencies. For example:

1. The top speed of buses operating in “Rapid Bus” mode on Victory West of the “MOS” bus rapid transit segment is limited to 35 mph in MTA’s travel time calculation, even though this street is actually posted at 40 mph.
2. Time differences for identical operating assumptions are also apparent. For the MOS, the average intersection delay at stations was nine seconds, vs. eight for the “full BRT” alternative. Meanwhile, the run time for a Rapid Bus is eleven seconds longer than for BRT on the street running approach to Warner Center after excluding any differences due to traffic

including state and federal sources. (MTA Draft 2001 Long Range Transportation Plan for Los Angeles County p. 7-7.) In order to manage the shortfall, an increase in fares is being considered, not a reduction. (Id. at p. 7-8 – 7-9.)

Accordingly, fare reduction is not a feasible alternative and is similar to the no project and TSM alternatives studied. Additionally, the Court of Appeal rejected COST’s assertions that fare reduction should be considered as a separate alternative.

Comment 31-34

The commenter’s statement is noted for the record. Although the Court of Appeal required consideration of a multiple route Rapid Bus alternative in further proceedings on the FEIR, the Court of Appeal rejected COSTS many assertions that other analysis in the FEIR did not amount to fair and consistent analysis.

Comment 31-35

Please see Responses 20-22, 20-23, 20-28, 20-29, and 20-76 in regard to calculation of run times.



typical stops, where both Rapid Bus and BRT would be operating in exactly the same way. If there is any difference at all, one would expect Rapid Bus to be faster because the BRT buses would be making a right turn and the Rapid Buses would not.

3. Finally, the 60-foot buses that MTA has purchased for use on the Orange Line have significantly lower rates of acceleration than the rates that were utilized in the MTA's run time models.

In the new EIR, we request that MTA use the correct data for all alternatives, and make apples-to-apples comparisons. If, for example, MTA proposes to utilize 60-foot CNG artic's on the Orange Line, but standard 40-footer's for Rapid Bus service (which we believe may be preferable for a variety of reasons, including promoting shorter headways on the Rapid Bus lines), then the analysis should show the faster acceleration of Rapid Buses in the run time models. If MTA proposes the use of the same 60-footers for Valley Rapid Bus service as it proposes to use on the Orange Line, the analysis should show: (1) the rationale for this, and (2) the same rates of acceleration and braking. If there are any differences in such other time/speed factors, such as dwell time, signal delays, etc., MTA should provide detailed explanations of why such differences are proper in this comparison.

In Appendix III, we provide several examples of how the run time models utilized by MTA in the first EIR were faulty.

VI. Safety - We have previously commented on the poor safety record of at-grade facilities like the Long Beach Blue Line and the busway operated by Miami-Dade Transit. In the years since adoption of the Draft EIR, a new at-grade light rail line has been completed in Houston, Texas. The safety experience of this facility and interrelated experience with run time and other metrics, is relevant here to any comparison of the MTA busway to alternative projects. The Houston Main Street light rail system has a train-vs.-car collision approximately every four days since opening, and operates using the same type of "train-in-the-middle-of-the-street-through-grade-crossings that are incumbent in much of the Orange Line alignment.

This is much more than "merely" a safety issue (although we are not aware of any criterion that should be given more significance than safety). It is also a travel time issue. In Miami, the safety problem forced buses to stop at every crossing, green light or not, and thereby reduced the speed of busway buses to that of the former route on an arterial street/highway (approximately 20 mph). In Houston, the response to the incredibly high rate of train-vs.-auto collisions was to change the traffic signals to require red lights in all directions for a minimum of fifteen seconds prior to a train being allowed to enter the intersection. (It is too early to have enough data to see what the impact of this traffic signaling change is, but the first returns appear to show it reducing the collision rate - perhaps by about half.) We have not yet modeled what such a 15-second rule would do to surface

31-36

Comment 31-36

Please see Response 31-35.

31-37

Comment 31-37

Please see Response 31-35.

31-38

Comment 31-38

Please refer to Response 20-35.



VIII. Other Legal Issues - There are at least three other significant legal issues that constitute new information and/or changed circumstances that should be evaluated in the new EIR:

a. Orange Line Stations at Fulton/Burbank and Coldwater Canyon are in violation of State Statute - During the 1980's and early 1990's, then-State Senator Alan Robbins of North Hollywood was able to introduce and get enacted several provisions to protect the interests of SFV residents in transit matters. One of the provisions he authored, codified as Public Utilities Code §130265, prohibited (what is now) MTA from building any type of transit except a subway along part of the former Southern Pacific "Burbank Branch" and placed other restrictions on rail line construction. The following are the three most relevant subsections:

"(a) In the area between the western curb of Hazeltine Avenue and a line parallel to and 50 feet west of the western edge of the Hollywood freeway, there may not be constructed any exclusive public mass transit rail (*emphasis added to indicate the addition of this word late in the 2001 Legislative session*) guideway, rail rapid transit or light rail system, or other track, other than as a subway system that is covered and below grade.

"(b) In the area described in subdivision (c), no station may be constructed, other than a station where the main entrance is located on property that is currently part of the Los Angeles Valley College campus or on that portion of the existing railroad right-of-way located north of Burbank Boulevard and east of Fulton Avenue.

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

Opponents of surface transit guideways thought that subsection (a) would be their strongest protection. However, MTA was able to get the word, "rail," added, in subsection (a), as shown above, making the controls on surface transit therein contained relevant only to rail transit - and exempting busways. This change was made very quietly in the last days of the Assembly session, with virtually no advance notice, and passed without opposition in the rush to adjournment.

However, MTA failed to have any changes made to subsections (b) or (c). (b) clearly requires any station at the intersection of Burbank/Fulton - regardless of the mode of transit guideway utilized - to be on the Northeast corner, while MTA has designed the two busway station platforms to be on the Northwest and Southeast corners.

31-39

Comment 31-39

The commenter suggests that the siting of the Fulton/Burbank station violates Public Utilities Code Section 130265. Section states, in its entirety:

"In 1990, the Los Angeles County Transportation Commission adopted an approved San Fernando Valley rail rapid transit route and plan as described in the Findings and Mitigation Monitoring Program adopted by the Los Angeles County Transportation Commission on February 28, 1990, as an extension of metro rail or advanced technology transit, other than light rail, that is a deep bore subway through residential areas, unless modified through a subsequent state or federal environmental review process. Therefore, the following apply within the right-of-way of the Burbank Branch line of the Southern Pacific Railroad:

- (a) In the area between the western curb of Hazeltine Avenue and a line parallel to and 50 feet west of the western edge of the Hollywood freeway, there may not be constructed any exclusive public mass transit rail guideway, rail rapid transit or light rail system, or other track, other than as a subway system that is covered and below grade.
- (b) In the area described in subdivision (c), no station may be constructed, other than a station where the main entrance is located on property that is currently part of the Los Angeles Valley College campus or on that portion of the existing railroad right-of-way located north of Burbank Boulevard and east of Fulton Avenue.
- (c) In the area below Tujunga Wash and at least one mile to the east and west of Tujunga Wash, there may not be constructed any exclusive



public mass transit rail guideway, rail rapid transit or light rail system, or other track, other than as a subway using boring technology as a deep bore subway located at least 25 feet below ground, measured from the existing ground level to the top of the tunnel.

- (d) This section is not intended to mandate the selection by the Los Angeles County Transportation Commission of any transit route or the construction of any route configuration or alignment, or to prevent consideration by that commission of any monorail or other advanced technology option on any alternative route, but this section is intended solely to define statutorily the route configuration and alignment limitations adopted locally by the Los Angeles County Transportation Commission on February 28, 1990.”

Mr. Rubin claims that the Orange Line has station stops at both Fulton/Burbank and Coldwater Canyon. It is true that there is a Fulton/Burbank station, but there is no Orange Line station at Coldwater Canyon.

The arrangement of the Fulton/Burbank station does not violate the Robbins Legislation. Although the station platforms for the Fulton/Burbank station are located on the Northwest and Southeast corners of the intersection of Fulton and Burbank Blvd., the Robbins Legislation does not impose a restriction on a busway facility, including a busway station, which this station is. Subsection (b) of the Robbins Legislation relies directly on subsection (c). In subsection (c), it only requires any rail facility to be a “deep bore subway.” It specifically references the rail facilities as a “rail guideway”, a “rail rapid transit”, a “light rail system,” or “other track.”



Thus, Subdivision (b)'s language concerning the placement of a station logically means a rail station and not all types of stations. Rules of statutory construction require that statutes be interpreted in context, by considering the statute as a whole. The Robbins Bill Legislation is unambiguously directed at restricting rail facilities to deep-bore subways. Accordingly, the placement of the Orange Line station at the intersection of Burbank Boulevard and Fulton Ave. does not violate the Robbins Legislation.



Comment 31-40

Refer to Response 20-100 for discussion of bus weight.

In addition, the boundaries set in subsection (c), taken in context with (b), prohibit the placement of the station planned at Coldwater Canyon – both the East- and Westbound boarding areas, located West and East of Coldwater, respectively, are within one mile of the Tujunga Wash.

31-39

Although subsection (a) was changed, MTA is undoubtedly aware that similar changes were not made to subsections (b) and (c), and there is a distinct potential that these laws will be enforced, whether by way of litigation or otherwise, to exclude the aforementioned busway stations.

- b. **Bus Weight** – In the time/speed/distance tables in North American Bus Industries' proposal to MTA²⁴ for the 60-foot CNG artic's that MTA proposes to utilize on the Orange Line, we note that the total vehicle weight for the "service load" test is shown as 63,050 pounds. This calculation is normally done with buses topped off with liquids, a driver on board, all seats occupied, and three standees per square meter of standing space, and an assumption that all humans weight 75 kilograms.

31-40

However, California Vehicle Code Section 35554 states: "Notwithstanding Section 35550, the gross weight on any one axle of a bus shall not exceed 20,500 pounds." Even if the weight of this bus was evenly spread over all three axles – which is virtually never the case, particularly with buses – this bus would still be in violation of VC35554, with an average weight of 21,016 pounds per axle. In the real world, a loaded bus will exceed this statutory axle weight limit by thousands of pounds on the most heavily weighted axle.²⁵ The purpose of this axle weight limit is manifestly to prevent excessive wear and tear on the California roads.²⁶

In sum, it appears that this bus, with a service load, will likely be far over the legal maximums for street use in California.²⁷

²⁴ There was no ability to comment on this issue prior to the finalization of the EIR because the decision to procure these buses was made long after the FEIR was adopted by the MTA Board in February 2002 – see MTA press release, "MTA Moves Forward with the Purchase of 200 High-capacity Buses and a Major Design/Build Contract for the San Fernando Valley Metro Rapid Transitway," April 3, 2003. http://www.metro.net/newsroom/2003/04_April3_2003_PRL.htm

²⁵ Unlike the "load factor" requirements of the Contract Documents that settled Labor Community Strategy Center v MTA, the axle weight requirement is not applied to an average of buses over a period of 20 minutes or an hour, but is applied to each bus each and every minute it is on a public road.

²⁶ MTA is evidently well aware of this factor judging by the staff proposal to the MTA Board on July 22, 2004, Agenda Item number 79 – "Issue Change Orders in an Amount Not-to-Exceed \$2,000,000 For Design and Construction to Upgrade the Busway Payment Structural Section."

²⁷ While MTA will be the owner of the actual Orange Line busway and we are aware of any legal issues with MTA operating overweight vehicles on its own property, these buses will be crossing domains of public road streets on their Orange Line end-to-end trips and will be operating on the streets at the extreme Western end of the line approaching Warner Center.



San Fernando Valley East-West Transit Corridor Project
Significant Considerations For Completion Of CEQA Requirements

Page 30

MTA should perform weight tests with a certified axle scale to determine the maximum load that will allow this bus to be legally operated and adjust the Orange Line operating plan and costs accordingly.

31-40



APPENDIX I
EVALUATION OF REQUIREMENTS FOR CHANGE BY CHAPTER

Chapter/Title	Evaluation of Degree of Changes Required	
Summary	Refer to specific chapters below for required modifications in Summary	
1 Purpose and Need	The Study Area is clearly defined as the entire San Fernando Valley, but the vast majority of the discussion of improvements focuses solely on the Orange Line and North-South feeder service to the Orange Line. There needs to be a discussion of the role of both guideway and non-guideway transit and their relationships to transit needs in the entire Valley.	31-41
2 Alternatives Considered	Again, there needs to be a shift from almost exclusive focus on guideway transit to a discussion of the total transit needs for the entire Valley, not just a narrow slice thereof. Rapid bus is one obvious alternative to be added, but other transit improvement features, including timed-transfer operations, additional express bus service, and fare reductions, as methods to increase transit use, need to be introduced and discussed.	31-42
3 Transportation Setting, Impacts, and Mitigation	The focus needs to better describe transit travel, existing and potential, in the Valley. The obvious greatest potential for increase in transit usage is from current transit users and those Valley residents, workers, and visitors with characteristics most similar to existing transit users. The difficulties of transfers in the Valley due to long headways, and options to improve transit options, need more discussion. Route-by-route ridership for MTA and other transit service operators' routes, along with route length, headway, hours/miles of revenue service, hours of operation, and other information should be provided. Major transfer points should be identified with volume, directions, and time information. The study area is the entire Valley, not just a narrow slice in the Southern portion of the flatland.	31-43
4 Affected Environment and Environmental Consequences	Once again, the focus must shift from a narrow band in the Southern portion of the flatland to the entire Valley. Since we have new alternatives, all individual environmental impacts need to be studied and results reported and compared. For the non-Orange Line-only alternatives, the positive financial impact to MTA (and the property tax base) from the conversion of the former Burbank Branch property to other use and the proceeds from the sale(s) or lease(s) of such land should be disclosed. At a minimum, there should be a discussion of the lease income forgone by MTA when the 109 Burbank Branch leases were terminated (discussion to be placed either here and/or Chapter 6). The study of air quality needs to be tailored to the impact of improved local bus transit in reducing not just automobile trips,	31-44 31-45

Comment 31-41

Existing transportation facilities throughout the entire Valley are discussed at 8-1.1.2. In addition, subsection 8-1.1.4 discusses transportation problems for east-west arterials in the entire Valley. Also, guideway and non-guideway planning efforts are discussed for context purposes in subsection 8-1.2.

Comment 31-42

New information has been added to the section titled Alternatives Considered, Chapter 8-2 concerning multiple-route Rapid Bus alternatives. The Court of Appeal rejected COST's assertion that fare reduction must be considered as a separate alternative. See comment response 31-33. The Court of Appeal in requiring MTA to consider a multiple-route Rapid Bus alternative in further proceedings on the FEIR has determined that this will result in the consideration of a reasonable range of feasible alternatives to the project. Therefore, additional alternatives need not be considered. Other than merely referencing the alternatives of timed-transfer operations, additional express bus and fare reductions, the commenter does not state why these alternatives merit examination. Like fare reduction discussed in comment response 31-33, timed-transfer operations and additional bus transfer service are similar to the No Build, TSM, BRT and multiple-route Rapid Bus alternatives discussed in the Revised FEIR. Therefore, examination of these additional suggested alternatives is not required under CEQA or the Court of Appeal's decision pursuant to which this Revised FEIR is being prepared.

Comment 31-43

The Transportation Setting, Impacts and Mitigation section was expanded to provide additional information



on transportation conditions in the San Fernando Valley. Streets throughout the Valley are described in Section 8-3.1.1.2 and the impact of future growth on Valley travel corridors was added to Section 8-3.2.1. The description of transit service in the Draft EIS/EIR had always covered the entire San Fernando Valley, not “just a narrow slice in the Southern portion of the flatland.”

Comment 31-44

Selling the right-of-way for profit is a hypothetical approach that assumes the right-of-way would not be used for transportation purposes. MTA would still own the right-of-way for some type of transportation project in the future should the Board choose another alternative.

Comment 31-45

The air quality analysis in the Revised FEIR uses the California Air Resources Board (CARB) EMFAC7F emissions factor model to estimate motor vehicle emission factors. EMFAC7F was the most recently approved models when the Final EIR was prepared. The emission factors that were used in the air quality analysis take into account the range of model years that would be operating in the buildout year, including older vehicles that would emit more pollutants than newer vehicles. This mix of vehicles is based on DMV registrations. Thus, the emission factors used in the air quality analysis takes into account older vehicles that emit more pollutants than newer vehicles.



	but automobile trips by the lowest income residents, who drive cars that can be 100 or even 1,000 times "dirtier" than cars driven by higher-income "choice" riders.	31-45
5 Construction Impact	Obviously, the non-Orange Line alternatives will have no impacts from construction of the Orange Line guideway et al, but could have increased impacts in some particulars if an additional bus operating yard needs to be constructed, or if existing bus yards need to be expanded. The relatively minor construction work to add Rapid Bus lines (bus stops, loops in the roadway, etc.) and other improvements, such as timed transfer centers, must be analyzed for these alternatives.	31-46
6 Purpose and Need and Financial Comparison of Alternatives	This chapter will be almost entirely new. There are numerous changes to the costs originally presented in the old EIR due to events that have occurred since the "cut off" time for its publication. Various costs bearing on the Orange Line not comprehended in the old EIR must be included, such as the cost of the Red Line North Hollywood Station portal on the West side of Lankershim, the "Beeing" park-and-ride lot (and its operating costs), and repayment, with interest, of the funds improperly taken from the Proposition 106 Rail Passenger Bond and not utilized for rail purposes. The metrics for comparison of alternatives will also be significantly changed (see discussion at III, above.)	31-47

Comment 31-46

The operation of the three new Rapid Bus alternatives would not require the construction of a new bus maintenance/operation yard in the San Fernando Valley. The minor construction impacts of the three new Rapid Bus alternatives were analyzed in Section 8-5 of the Revised FEIR.

Comment 31-47

Please see Responses 31-17 and 31-18.



APPENDIX II
 PROBLEMS WITH MTA PROCEDURE FOR
 SELECTION OF NEW RAPID BUS LINES

In turning to the current MTA plan for Rapid Bus³⁰ – adopted by the MTA Board on the same day that it adopted the SFV BRT – it is notable that MTA does not propose one additional East-West Valley arterial for Rapid Bus. Since both the East-West arterial streets and the East-West bus routes are generally far longer than the North-South ones, sometimes well over twice as long, this appears unusual, because the longer the trip a passenger is taking, the greater the time savings by using Rapid Bus. Rapid Bus on Rescoe was included in the previous MTA Rapid Bus preliminary plans, but was dropped by the most recent adopted list (except as a component of the “Rescoe” Rapid Bus line between Rescoe and Sepulveda, a distance of approximately four miles).

Why are no Valley East-West arterial streets or bus lines proposed for Rapid Bus?

Going to the details of the MTA staff report on “Metro Rapid Expansion Program,” on pp. 1-2 of “Metro Rapid Expansion Program,” under “2. Selection Process” – “Identify Potential Candidate Lines,” the following process statement of process appears:

“The LRTP (TAR: Long Range Transportation Plan) Metro Rapid conceptual plan evaluated all MTA lines with over 10,000 weekday boardings based on the idea that a critical threshold of ridership would be required to justify and support both Metro Rapid and local service on a given corridor. This resulted in a shortlist of 41 line corridors and was considered sufficient at that time. However, since then there has been a desire on the part of both MTA and Municipal Operators to consider “Muni” line corridors as possible Metro Rapid candidates based on the premise that certain corridors had the necessary characteristics to support Metro Rapid service and provided necessary network linkage.

“Initially, a lower ridership level of 5,000 weekday unlinked passenger boardings was considered the threshold for Metro Rapid consideration, recognizing that most Muni lines were shorter than MTA lines. However, working sessions with MTA Planning and Operations staff suggested using a new threshold based on unlinked weekday passenger boardings per mile of route in order to factor out the effect of the overall route length. The candidate selection was modified to reflect this approach.

“Minimum thresholds for Phase II were established at 500 weekday passenger boardings per mile of route with a minimum route length of 10 miles in order to ensure that the necessary ridership levels and opportunities for significant travel time savings were met. A secondary consideration, for possible inclusion, was given to routes with boardings per route mile of 400 to 500 as noted in Exhibit I. Thirty-six candidate lines were selected for evaluation in the end.”

³⁰ Metro Rapid Expansion Plan, MTA Board Meeting, February 28, 2006, item 31.

31-48

Comment 31-48

See Response 31-49.

31-49

Comment 31-49

Mr. Rubin refers to a particular list of lines and whether or not they met the 10,000 daily boarding threshold, or 500 riders per line mile and 10-mile minimum route length criteria. The list included Lines 94, 150, 156 and Line 561.

In response, all four lines met the 10,000 daily boarding threshold as well as the 500 boardings per route mile and 10 mile route length criteria and, thus, all four lines were included in the Metro Rapid Program. One caveat is that only a portion of Line 156 was included because it duplicated, to some extent, Metro Rapid Lines 761, 704, and 754.

Mr. Rubin also refers to four lines that he feels should have passed the 10,000 boardings per day threshold – Vanowen, Victory, Topanga Canyon, and Van Nuys.

In response, only Van Nuys (which was included as a Metro Rapid corridor) met the 10,000 or more boardings per day threshold. Topanga Canyon had approximately 2,000 daily boardings. Victory and Vanowen, although considered one line, are in fact two separate corridors. Both lines are operated by one set of buses and ride-checked as one line. As individual lines, however, neither met the boarding threshold. Moreover, they did not meet the boardings per mile threshold of 500 after each was evaluated with respect to employment density, population density, and transit dependency. In fact, neither Victory, Vanowen, nor Topanga Canyon had boardings per mile greater than 400. Therefore, none of the above lines were not



included in the Potential candidate line list, Exhibit 1 of the February 2002 Metro Rapid bus Board Report.

This is a curious approach, for several reasons:

31-49

1. Generally speaking, the longer the route, the higher the ridership. One would think that offering the benefits of Rapid Bus to the greatest number of riders would be one consideration in making decisions for deployment of Rapid Bus.
2. Generally speaking, the longer the route, the longer the average passenger trip length. Obviously, the longer the trip length, the greater the benefit from speed improvements of a given percentage. For example, if we assume that a bus now has an average speed of 12 mph, and that Rapid Bus will offer a 25% speed increase (approximating the speeds for current MTA local and Rapid Bus lines), then the Rapid Bus average speed will be 15 mph. For a passenger traveling two miles (approximately half the average MTA bus unlinked trip length), the time of travel is decreased from ten minutes to eight minutes, a savings of two minutes. For a passenger traveling eight miles (approximately double the average MTA bus unlinked trip length), the time of travel is decreased from forty minutes to 32 minutes, a savings of eight minutes. Obviously, the time savings of Rapid Bus is far more important for a passenger taking longer trips than shorter ones.

One would think that an obvious criterion for Rapid Transit route selection should be the actual benefit that individual travelers would receive. For a passenger making a two-mile trip, the extra wait for a Rapid Bus would not likely be worthwhile if a "regular" local came along first, particularly if the "regular" bus has stops near to the transit trip origins and destinations. For someone taking a longer trip, say on Wilshire, waiting an extra two or three minutes for a Rapid Bus would certainly be the right decision - especially if there are real-time, dependable "next bus will arrive in ## minutes" signs.

3. Not considering average trip lengths has two impacts. First, it ignores the point made above, that Rapid Bus time savings is more important to passengers taking longer trips. The second effect is even worse. Lines with longer average trip lengths tend to have fewer boardings. MTA schedules bus trips primarily on the basis of peak loads. If people take longer trips, they stay on the bus longer and, therefore, all else equal, there are fewer boardings on bus lines with longer average trip lengths.

Therefore, for two buses with similar peak loads, the line that has the longer average trip length will almost always have fewer boardings per hour. Therefore, not only does not considering average trip length ignore the greater benefits to passengers who take longer trips, but, in fact, the boardings per hour rule that MTA established actually actively works against routes with passengers who take longer trips being considered for Rapid Bus treatment.

The obvious necessary change is to discard the boardings per mile criterion and to substitute for it a combination of average passenger load (passenger miles/revenue vehicle miles) and average trip length.

4. Almost all of the Rapid Bus lines adopted by MTA are relatively close to straight line routes, some with minor bends. There are almost no lines with right angle bends, where,



San Fernando Valley East-West Transit Corridor Project Page 35
 Significant Considerations For Completion Of CEQA Requirements

31-49

for example, where a bus could start heading North on a North-South Rapid Bus line, then turn East on to an East-West Rapid Bus alignment to deliver people to a major job center, such as downtown, during rush hour, with a reversed pattern in the afternoon rush

In this regard, please refer to Exhibit I, MTA's Rapid Bus candidate listing. Checking it for the SFV bus lines listed above, there are four listed, out of the total of 55:

1. Line 94 - San Fernando Road
2. Line 150 - Conoga Park/Warner Center/Ventura Boulevard/Universal City - The vast majority of this line (all but approximately 3.5 miles) is on Ventura Boulevard, which already has Rapid Bus - Line 750
3. Line 156 - Panorama City/Van Nuys/North Hollywood/Hollywood/LA City College
4. Line 561 - Sylmar/San Fernando Metrolink Station/Van Nuys Boulevard Limited/Getty Center Museum/UCLA/LAX City Bus Center/Aviation Metro Rail Station Express (Lines 156 and 561 both run on Van Nuys, although 156 stops at Roscoe in the North. Once the 561 leaves Van Nuys in the South, it operates primarily on Freeways, where Rapid Bus isn't applicable)

Therefore, there were only two streets that did not already have Rapid Bus evaluated in the Valley, San Fernando Road, near the extreme Northeast of the Valley, and Van Nuys, a North-South route pretty much in the middle of the Valley.

This raises a question: What happened to the all the other lines in the list above? Did not a single one of them reach the former 10,000 daily boardings standard, or the now 500 riders per line mile standard?

This appears doubtful, given analysis in the original EIR for the busway project (FEIR, page 11-10):

"In the east-west direction, the heaviest bus ridership occurs along Vanowen Street, Victory Boulevard, and Ventura Boulevard. North-south, the heaviest ridership occurs along the southern segment of Topanga Canyon Boulevard and Van Nuys Boulevard. Bus ridership along each of these arterials totals more than 10,000 passengers each day. The east-west corridor has a daily bus ridership in the range of 40,000-50,000 passengers."¹¹

Excluding Ventura, which already has Rapid Bus, there are obviously four lines that pass the old 10,000 boardings/day test - Van Owen, Victory, Topanga Canyon, and Van Nuys - from MTA's own FEIR for the Orange Line. Van Nuys did make the MTA "Possible Candidate Lines" list,

¹¹ FEIR, Volume I, 1-12.1 Public Transportation, page 1-10



but the other three should have been considered unless they failed 500 boardings/mile test or the lowered 400 boardings/mile test.

31-49

The segment of Topanga Canyon Boulevard where transit operates is approximately nine miles, and the total line length is approximately thirteen miles¹¹. Therefore, even if one assumes the minimum, 10,000 boardings, that is still approximately 750-800 boardings per route mile (more on Topanga itself), which would appear to place it just under the middle of all of the 55 transit streets on the MTA candidate list. However, this line isn't on the list. It is not certain why.

Perhaps MTA didn't place this line on the list because the portion of the route on Topanga Canyon is only nine miles and thus failed the ten mile test. However, if this was the reason, then certainly Rapid Bus on Ventura Boulevard, which actually runs on Topanga Canyon at its Western end, could be joined up with Rapid Bus on Topanga. The ridership is definitely there, and would allow this heavily utilized transit street to be used for Rapid Bus. Moreover, the Topanga-Ventura Connection is a heavily utilized one for transfers, making this an even more obvious linking. Indeed, MTA route 150, the Ventura Boulevard "local" line, does operate on Topanga Canyon North to Wyandotta Street, North of Sherman Way.

Indeed, it appears as though the rules - including the ten mile rule, if that is what caused Topanga Canyon to be rejected from consideration for Rapid Bus - appear to be somewhat flexible.

Returning to Victory and Van Owen, both appear to be just less than twenty miles in length. This would produce boardings/mile above the 500 cutoff, and well above the 400 cutoff, even if we assume that ridership is the absolute minimum 10,000.

Yet, none of these were even placed on the Exhibit 1 - Potential Candidate Lines list.

For Victory, it may be that it was disqualified because the Burbank-Chandler BRT alignment runs fairly close to it for all of its length and literally right next to it for approximately four to five miles.

There is certainly no such policy stated in the MTA Board report on Rapid Bus. One of the first two Rapid Bus lines, Line 720 on Wilshire/Whittier, runs quite literally "right on top" of the Red Line, or within a block of it, from Western Avenue to downtown Los Angeles. One of the next six streets scheduled for Rapid Bus is Vermont Avenue, where the Red Line runs from Wilshire to Hollywood. Line 60 - Long Beach Avenue - scheduled in the second phase to be implemented, largely parallels the Blue Line for its entire length.

In any event, regardless of why Victory and Van Owen did not even make the preliminary list for evaluation in MTA's procedure two years ago, those reasons do not appear to have any validity

¹¹ There are several different bus lines that operate on all or part of Topanga Canyon and some routings may have changed during the time period of and since this analysis. The current lines that operate on Topanga are MTA Lines 150, 166, 168, 245, 426, and 750; Antelope Valley Line 787; LA-DOT Commuter Express Lines 422 and 573; Santa Clarita Line 791; and Simi Valley Line C.



now - Rapid Bus should be evaluated for these and other SFV arterials as part of this new EIR process¹¹.

31-49

¹¹ In his declaration of August 9, 2004 in opposition to COST's petition for Writ of Superintendence or Other Appropriate Stay Order and Request for Immediate Temporary Stay Order, and Request for Immediate Temporary Stay before Second Appellate Division before, Ron Ophart, MTA Director of Regional Transit Planning and its primary proponent of Rapid Bus, states, at ¶ 7: "Under my direction, MTA has conducted a study to determine the appropriate streets to deploy Rapid Bus throughout the County of Los Angeles ("County"). In February 2002, I generated a report of the study, which is entitled, "Metro Rapid Expansion Program" and was attached to the February 21, 2002 board report that I prepared. A copy of the board report and the Metro Rapid Expansion Program report are collectively attached hereto as Exhibit '1'." (Not enclosed to this document as it is readily available to MTA personnel.)

In his § 5, he states, "As part of the study, MTA developed a testing protocol consisting of two thresholds that each candidate route was analyzed by. The testing protocol consisted of two thresholds that each candidate route was 10 miles long and had at least 500 person boardings per mile. (Exhibit 1, Attachment A, p. 2.) The threshold of routes 10 miles long was chosen because any route less than 10 miles could not achieve any noticeable significant speed improvement to the patron. (See M.) I consulted with PTA, the City of Los Angeles Department of Transportation and several transportation consultants - Salzman Urban Design and Transportation Management and Design. All of us agreed to define a "noticeable significant speed improvement" as a 20% travel time savings. We further agreed that such a time savings would likely attract a significant number of new riders by having faster service and crossing more bus stops with the same operating period as standard bus service. Both of these benefits would justify the expense of Rapid Bus. This prediction was verified by the Rapid Bus demonstration lines on Vermont Blvd. and Wilshire Blvd."

COST members closely followed the progress of the Rapid Bus study described by Mr. Ophart in detail when it was underway. It was, and is, our belief that the reasons cited for determination of lines to be considered and to be operated as Rapid Bus routes were and are accurately stated, as discussed above. What is at issue here, however, how the decision was made to not include several San Fernando Valley bus lines. Specifically, it appears that a key criterion set forth in Mr. Ophart's § 5 is nowhere to be found in the board report nor the Metro Rapid Expansion report ("Report") and that the actual methodology utilized by MTA to select the lines to be considered for implementation as Rapid Bus lines did not follow the protocol in the Report.

In his § 5, Mr. Ophart discusses the "20% travel time savings" and how it was utilized as a selection criterion. While the board report and the Metro Rapid Expansion Program report in his Exhibit "1" discuss and document the selection methodology in great detail, nowhere is there any mention of any "20% travel time savings" or any criterion remotely close to such, on any of their 24 pages, nor is there any indication in any of the many exhibits of the use of such a criterion.

We find it absolutely inconceivable that any competent technical report of this type would totally omit, absolutely totally fail to have the least sliver of evidence, to support such an important element of the selection methodology.

It is also interesting to note that several of the lines recommended in the Metro Rapid Expansion Program have significant sections outside of the City of Los Angeles, which, at the time the report was prepared, was the only political jurisdiction that had implemented the traffic signal preferences that are such an important part of the speed advantages of Rapid Bus as it has been implemented in Los Angeles. Yet, there is no discussion of traffic signal preference, or the difficulty or risk of being able to obtain it, anywhere in this report. This would appear to have very significant potential impact on the travel time saving potential of these lines.

In his § 9, Mr. Ophart states, "The problem with Rapid Bus running on existing streets with other traffic is that Rapid Bus performance suffers as a result of congestion. This observation was noted in the Final Report Metro Rapid Demonstration Program. (33 AR 12750.) Congestion along Devonshire St., Rancho Blvd., Sherman Way, Vanowen St., Victory Blvd., Chard St., Burbank Blvd. and Chard St. Blvd. would prevent Rapid Bus from achieving the 20% travel time savings goal."

This observation is fascinating to long-time Los Angeles residents, who will be pleased to know that congestion that could impede Rapid Bus from achieving 20% travel time savings goals evidently does not exist on Wilshire Blvd. and Vermont Blvd., the first two Rapid Bus lines, nor will it ever exist on South Broadway, Vermont, Pico/Venice, Florence, Soto, Van Nuys, Central, Santa Monica, Hawthorne, Long Beach, Hollywood/Fairfax, Western, Beverly, Vernon/LaCimera, Atlantic, San Fernando, South Sepulveda, West (Continued)



31-49

Also, it appears that there are other Valley bus lines that would pass the 10,000 boardings and/or 500/400 boardings per route mile tests. MTA does not currently release information on boardings by route, primarily because MTA stopped collecting this and other vital data some years ago. For decades, MTA and its predecessor, the Southern California Rapid Transit District, had produced the *Quarterly Line Performance Trends Report*, which had incredibly detailed data, processed in a time line over a decade or more, for every MTA family of lines.

The last *Line Performance Trends Report* was distributed February 25, 1998, and the last data was collected in December 1997, so this does not have current information, and ridership patterns, of course, change over time.

However, in reviewing the data, we find at least two other Valley East-West bus routes that appear to meet one or both of the above tests:

1. Line 152, Fallbrook/Roscoe/Vinaland/Alameda, showed 10,605 boardings when studied on Monday, October 21, 1996. At the time of the ridecheck that produced this boarding count, this line was about 2.5 miles long, which would put the boardings/mile at approximately 425, under the 500, but over the 400, cutoff points. On the heavier utilized portions of the route - which probably means excluding most of Fallbrook and Alameda - the ridership per mile is almost certainly well in excess of the 400 boardings per revenue mile minimum.
2. Line 163, Sherman Way/Hollywood Way/Hollywood, showed 10,198 boardings when studied on Thursday, February 20, 1997. This line is approximately 27 miles, which puts it just under the 400 lower limit. However, on the more heavily utilized portions of the line, particularly along Sherman Way, it almost certainly would be well above the 400 passenger/mile minimum.

Finally, Line 180 - Hollywood/Glendale/Pasadena/Altadena/North Lake Avenue via Colorado Boulevard - which is partially in the Valley, appears to also have the ridership to be considered for Rapid Bus status.

Olympic, Chevy-Chavez, Manchester, Combs/Rowles, Torrance/Long Beach, or Lincoln, the lines recommended for Rapid Bus service in the report (see Table A, "Proposed Metro Rapid Corridor Planing").

In his § 10, he states, "Not considering congestion, to achieve a Rapid Bus goal of 20% travel time savings, traffic signal priority must be at least 50/50. This means that a vehicle approaching the intersection will have a 50% chance of getting a green light when traveling in the east-west direction versus traveling in the north-south direction. . . . I determined the signal priority limit of 50/50 by experience with the existing Metro Rapid Bus Routes in the County."

Again, there is absolutely no mention whatsoever about any "50/50" rule in the "Metro Rapid Expansion Report." The interesting question that this raises is, how did Mr. Gophert determine the 50/50 rule, required to provide the 20% travel time savings, when seven of the lines "relating Rapid Bus Routes in the County" did not exist until after they were implemented as recommended in the "Metro Rapid Expansion Program" report?

There appears to be reason to question exactly when the "20% travel time savings" and the "50/50" rules first appeared - and no reason at all to believe that they existed when the "Metro Rapid Expansion Program" report was prepared and the decision to not consider any San Fernando Valley East-West bus lines for Rapid Bus service was made.



San Fernando Valley East-West Transit Corridor Project
Significant Considerations For Completion Of CEQA Requirements

Page 39

It is unfortunate that we do not have more current ridership data available from MTA. What we do know is that overall bus ridership has increased significantly from 1996 and 1997 to the current day, so it is not at all unreasonable to believe that one or both of these lines, and perhaps others, exceeded the 400 boardings per mile test, at least on the East-West portions of their travel.

To say the least, there appears to be a bit of conflict between the methodology that MTA staff states is utilized in the report to the MTA Board, and the methodology that is actually utilized. Evidently not all the lines that met the test for qualifying for consideration were considered.

31-50

31-51

Comment 31-50

For equal comparison purposes, data that was available during the original study was used.

Comment 31-51

The comment is acknowledged for the record.



Comment Letter 32

Comment 32-1

The comments are acknowledged for the record.

MTA SFV/NC PLANNING Fax: 213-922-6358 Dec. 7 2004 6:11 P. 02

Kenneth Katz
12632 Killen St.
North Hollywood
CA 91607
11/19/04

Roger L. Merris
Project Manager,
San Fernando Valley-North County Area Team
Metropolitan Transport Authority
One Gateway Plaza Mailstop 99-22-9
Los Angeles, CA 90012-2952

RE: COMMENTS ON DRAFT REVISED FINAL E.I.R. for
SAN FERNANDO VALLEY EAST-WEST TRANSIT
CORRIDOR dated Oct 2004 (Volume 4 Chapter 8)

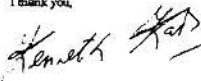
Dear Sir:

I support Rapid Bus Network for the following reasons:

- a) COST SAVINGS: \$72-92 million vs. \$300 million for the Orange Line
- b) Transport more people
- c) There are 43 Schools along the Orange Line-Concern for student safety -
- d) Time: Rapid Bus takes only 1.7 minutes longer than the Orange line
- e) Quality of Life Issues - environmental, air quality, traffic delays on Orange Line

32-1

I thank you,



Kenneth Katz



9-4 ERRATA

The errata section identifies revisions to the text of the Final EIR and the Revised FEIR. Revisions have been prepared based on written letters of comment provided by responsible and reviewing agencies, and/or the community that were submitted to MTA during circulation of the Revised FEIR. The errata notes the page location of the Final EIR or the Revised FEIR where each revision occurs and cross-references the comment submitted by that agency and/or commenter that is addressed in the text of the Final EIR or the Revised FEIR.

Page S-41 of the Final EIR incorrectly stated that air quality impacts during construction of the BRT alignment would not be significant. The analysis in the main body of the Final EIR correctly concluded that there would be a significant adverse air quality impact during construction (see Section 5.8 on page 5-32 of the Final EIR). Therefore, the “Minor Adverse (Not Significant)” wording in the *Residual Impact: NEPA (CEQA)* column is being corrected to say “Significant Impact After Mitigation for PM₁₀.” The Revised FEIR noted this error and correctly stated that there would be a significant adverse air quality impact during construction; therefore, no correction is required in the Revised FEIR regarding this issue.

Table 8-6.6 (*Year 2020 Transit Travel Times on Valley Arterials (in minutes)*) in the Revised FEIR is being revised to correct manual computation errors that were discovered in responding to Comment 20-77. This correction has no affect the model’s forecast of ridership for the RB alternatives. The corrected table is provided on the following page.

The following revisions are being made to the third paragraph on Page 8-6-11 in the Revised FEIR:

For Victory Boulevard/Lankershim Boulevard, the Rapid Bus alternatives are modeled as ~~an 11~~ a 20 percent speed improvement over the TSM Alternative, compared to the potential speed improvement of ~~15 7~~ to ~~39~~ 33 percent for travel times on the BRT Alternative. Travel times on Sherman Way are improved by ~~10~~ about 18 percent for the RB-5 and RB-3 alternatives. Travel times on Roscoe, Reseda and Topanga Canyon are only improved under the RB-Network Alternative.

The next to the last paragraph on Page 8-6-17 of the Revised FEIR is being revised as follows:

The three Rapid Bus alternatives ~~and the BRT Alternative~~ would each result in one long-term significant environmental impact that cannot be mitigated, ~~and the BRT Alternative would result in two temporary and localized significant environmental impacts that cannot be mitigated.~~ The three Rapid Bus alternatives would have a long-term ~~an~~ unmitigated significant land use impact because they are not consistent with certain land use goals and policies (see Section 8-4.1 of this document) while the BRT Alternative would have a temporary and localized ~~temporary~~ significant construction noise and air quality impacts (see Sections 5-8 and 5-9 of the Final EIR). Thus, although both the BRT Alternative and the three



Rapid Bus alternatives are relatively similar in that they result in only one or two unmitigated significant impacts; the construction significant noise and air quality impacts associated with the BRT Alternative would end at construction completion while the significant land use impact associated with the three Rapid Bus alternatives would be ongoing through the life of the land use plans.

Table 8-6.6: Year 2020 Transit Travel Times on Valley Arterials (in minutes)

Corridor	Limits	TSM	BRT	RB- Network	RB-5	RB-3
Travel Time (in minutes)¹						
BRT Right-of-Way	Warner Center – North Hollywood	--	28.8 - 40.0	--	--	--
Victory Blvd/Lankershim Blvd	Warner Center – North Hollywood	<u>43.0</u> 47.1	--	<u>34.4 – 38.7</u> 41.7 – 45.6	<u>34.4 – 38.7</u> 41.7 – 45.6	<u>34.4 – 38.7</u> 41.7 – 45.6
BRT Right-of-Way	De Soto-Laurel Cyn	--	23.9 - 33.6	--	--	--
Victory Blvd	De Soto-Laurel Cyn	<u>32.6</u> 37.6	--	<u>27.1 – 29.8</u> 31.7 – 34.4	<u>27.1 – 29.8</u> 31.7 – 34.4	<u>27.1 – 29.8</u> 31.7 – 34.4
Sherman Way	De Soto-Laurel Cyn	<u>33.4</u> 35.9	--	--	<u>27.5 – 30.4</u> 32.5 – 35.8	<u>27.5 – 30.4</u> 32.5 – 35.8
Roscoe	De Soto-Laurel Cyn	<u>33.9</u> 38.9	--	<u>27.9 – 30.9</u> 33.0 – 36.7	--	--
Reseda	Devonshire-Ventura Blvd	23.5	--	<u>18.7 – 21.1</u> 20.9	--	--
Topanga Cyn	Chatsworth Metro-link Stn - Vanowen	<u>17.9</u> 22.9	--	<u>14.4 – 16.1</u> 21.4 – 22.9	--	--
Average Speed (in miles per hour)						
BRT Right-of-Way	Warner Center – North Hollywood	--	19.6 - 27.2	--	--	--
Victory Blvd/Lankershim Blvd	Warner Center – North Hollywood	<u>17.3</u> 15.8	--	<u>19.2 - 21.6</u> 16.3 – 17.8	<u>19.2 – 21.6</u> 16.3 – 17.8	<u>19.2 – 21.6</u> 16.3 – 17.8
BRT Right-of-Way	De Soto-Laurel Cyn	--	21.0 - 29.6	--	--	--
Victory Blvd	De Soto-Laurel Cyn	<u>20.3</u> 17.6	--	<u>22.1 – 24.4</u> 19.2 – 20.9	<u>22.1 – 24.4</u> 19.2 – 20.9	<u>22.1 – 24.4</u> 19.2 – 20.9
Sherman Way	De Soto-Laurel Cyn	<u>19.9</u> 18.3	--	--	<u>21.9 – 24.3</u> 18.6 – 20.3	<u>21.9 – 24.3</u> 18.6 – 20.3
Roscoe	De Soto-Laurel Cyn	<u>19.9</u> 17.0	--	<u>21.8 – 24.1</u> 18.3 – 20.0	--	--
Reseda	Devonshire-Ventura Blvd	<u>15.4</u>	--	<u>17.6 - 19.9</u> 17.8 – 19.4	--	--
Topanga Cyn	Chatsworth Metro-link Stn - Vanowen	<u>17.1</u> 18.9	--	<u>19.0 – 21.3</u> 18.9 – 20.2	--	--
Percent Improvement over TSM Travel Times						
BRT Right-of-Way	Warner Center – North Hollywood	NA	<u>7 – 33%</u> ² 39%	--	--	--
Victory Blvd/Lankershim Blvd	Warner Center – North Hollywood	NA	--	<u>10 – 20%</u> 3 – 11%	<u>10 – 20%</u> 3 – 11%	<u>10 – 20%</u> 3 – 11%
BRT Right-of-Way	De Soto-Laurel Cyn	NA	<u>0 – 27%</u> ² 11 – 36%	--	--	--



Comments and Coordination

Victory Blvd	De Soto-Laurel Cyn	NA	--	9 - 17% 16%	9 - 17% 16%	9 - 17% 16%
Sherman Way	De Soto-Laurel Cyn	NA	--	--	9 - 18% 40%	9 - 18% 40%
Roscoe	De Soto-Laurel Cyn	NA	--	9 - 18% 6 - 15%	--	--
Reseda	Devonshire-Ventura Blvd	NA	--	10 - 20% 11	--	--
Topanga Cyn	Chatsworth Metro-link Stn - Vanowen	NA	--	10 - 19% 0 - 7%	--	--

¹Arterial travel times based for rapid bus based on range in transit signal priority from generally representing 10% to 20% improvement over standard modeled local bus speeds to 20% improvement. (Transportation demand model uses the approximate 20% speed improvement.)
²Percent improvement over TSM on Victory Boulevard.

Source: MTA transportation model, Meyer, Mohaddes Associates, Inc., Manuel Padron & Associates, 2001, 2004.



