

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
SPECIAL MEETING OF THE MTA BOARD TO CONDUCT PUBLIC HEARING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, MAY 17, 2012  
1:46 P.M.

METRO  
ONE GATEWAY PLAZA  
3RD FLOOR BOARDROOM  
LOS ANGELES, CALIFORNIA 90012

PUBLIC HEARING

REPORTER: MARCIA S. MC ENTEE

CSR NO. 13399

1 APPEARANCES :

2

BOARD MEMBERS :

3

ANTONIO VILLARAIGOSA, CHAIR  
MICHAEL ANTONOVICH, 1ST VICE CHAIR  
JOHN FASANA  
JOSE HUIZAR  
RICHARD KATZ  
ARA J. NAJARIAN  
PAM O'CONNOR  
ZEV YAROSLAVSKY  
KIMBERLY YU

8

9

MTA OFFICIALS :

10

ARTHUR T. LEAHY, CHIEF EXECUTIVE OFFICER  
MICHELE JACKSON, BOARD SECRETARY  
CHARLES SAFER, COUNTY COUNSEL  
MICHELE CHAU, BOARD SPECIALIST  
COLLETTE LANGSTON, BOARD SPECIALIST

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1 APPEARANCES:

2

COUNSEL:

3

FOR BEVERLY HILLS:

4

CITY OF BEVERLY HILLS  
BY: LAURENCE S. WIENER, ESQ.  
455 NORTH REXFORD DRIVE  
BEVERLY HILLS, CALIFORNIA 90210  
310-285-1000

7

8

HILL, FARRER & BURRILL LLP  
BY: KEVIN H. BROGAN, ESQ.  
300 SOUTH GRAND AVENUE  
37TH FLOOR  
LOS ANGELES, CALIFORNIA 90071-3109  
213-620-0460

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GILCHRIST & RUTTER PC  
BY: ROBERT I. MC MURRY, ESQ.  
1299 OCEAN AVENUE  
SUITE 900  
SANTA MONICA, CALIFORNIA 90401  
310-393-4000

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15

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FOR LOS ANGELES COUNTY METROPOLITAN  
TRANSPORTATION AUTHORITY:

17

LOS ANGELES COUNTY  
OFFICE OF COUNTY COUNSEL  
BY: MR. CHARLES SAFER, ESQ.  
ONE GATEWAY PLAZA  
LOS ANGELES, CALIFORNIA 90012  
213-922-2523

18

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21

22

BEFORE HEARING OFFICER RICHARD E. DROOYAN, ESQ.

23

MUNGER, TOLLES & OLSON  
335 SOUTH GRAND AVENUE  
35TH FLOOR  
LOS ANGELES, CALIFORNIA 90017  
213-683-9100

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I N D E X

CITY'S WITNESS	EXAMINATION
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E X H I B I T S

(EXHIBITS WERE RETAINED BY HEARING OFFICER.)

CITY DESCRIPTION	ID'D	ADMT'D
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P R O P O S E D E X H I B I T S

(PROPOSED EXHIBITS REQUESTED TO BE INCLUDED IN THE RECORD  
WERE RETAINED BY HEARING OFFICER AND/OR COUNSEL AND WERE  
NOT MARKED.)

METRO  
DESCRIPTION

PAGE      LINE

CERTIFICATE AND ATTACHED CD'S OF VARIOUS  
REPORTS, STUDIES, SUMMARIES, RESPONSES  
2011-2012

9            3

CITY OF BEVERLY HILLS  
DESCRIPTION

PAGE      LINE

"HAZARD ASSESSMENT STUDY WESTSIDE SUBWAY  
EXTENSION" ARTICLE, 2/7/12, AND  
"RESPONSE TO METRO'S COMMENTS ON  
EXPONENTS REPORT," 4/25/12

138        14

EXPOSITORY DOCUMENT EXPLAINING CERTAIN  
POTENTIAL ALIGNMENTS AND DIAGRAMS

150        16

RESUME OF DR. MEDHEKAR

150        16

1 LOS ANGELES, CALIFORNIA

MAY 17, 2012

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1:46 P.M.

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CHAIR VILLARAIGOSA: ON BEHALF OF THE MTA BOARD,  
6 I'D LIKE TO WELCOME THE CITY OF BEVERLY HILLS TO THIS  
7 HEARING.

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THIS HEARING IS BEING HELD PURSUANT TO CALIFORNIA  
PUBLIC UTILITY CODE SECTION 30639 AT THE REQUEST OF THE  
CITY OF BEVERLY HILLS. IN RELATION TO THE GROUND RULES,  
THE HEARING IS SCHEDULED BETWEEN 1:30 AND 5:00 P.M.,  
WE WILL ADJOURN THIS HEARING AT 5:00 P.M.

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THE PURPOSE OF THIS HEARING IS NOT TO DETERMINE  
THE BEST LOCATION FOR THE CENTURY CITY STATION OF THE  
WESTSIDE SUBWAY EXTENSION PROJECT. RATHER, THE SOLE  
PURPOSE OF THIS HEARING IS TO GIVE THE CITY OF BEVERLY  
HILLS AND THE METROPOLITAN TRANSIT AUTHORITY AN  
OPPORTUNITY TO PRESENT EVIDENCE IN THE FORM OF TESTIMONY  
AND/OR EXHIBITS REGARDING THE REASONABLENESS OF THE  
PROPOSED CONSTELLATION STATION AND TUNNEL ALIGNMENT UNDER  
BEVERLY HILLS HIGH SCHOOL.

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THE BOARD WILL NOT BE MAKING ANY DECISIONS TODAY  
REGARDING THE LOCATION OF THE CENTURY CITY STATION AND  
TUNNEL ALIGNMENT. A DECISION BY THE BOARD ON THE LOCATION  
OF THE CENTURY CITY STATION AND TUNNELS MAY BE MADE AT THE

1 NEXT BOARD MEETING ON MAY 24TH OR SOMETIME THEREAFTER.  
2 BEFORE MAKING THESE DECISIONS, THE BOARD WILL CONSIDER ALL  
3 RELEVANT INFORMATION INCLUDING THE EVIDENCE PRESENTED  
4 TODAY.

5 I WILL NOW TURN THE HEARING OVER TO  
6 RICHARD DROOYAN, AN ATTORNEY IN THE FIRM OF MUNGER, TOLLES  
7 & OLSON IN LOS ANGELES, WHO WILL CONDUCT THE HEARING.

8 MR. DROOYAN, PLEASE PROCEED.

9 HEARING OFFICER DROOYAN: THANK YOU, MR. MAYOR.

10 GOOD AFTERNOON, LADIES AND GENTLEMEN.

11 CHAIR VILLARAIGOSA: WAIT. YOU'RE GOT TO TURN  
12 THAT ON.

13 HEARING OFFICER DROOYAN: AM I ON? THANK YOU.  
14 CAN YOU HEAR ME?

15 GOOD AFTERNOON.

16 LET ME JUST INTRODUCE MYSELF. MY NAME IS  
17 RICHARD DROOYAN. I'M GOING TO SERVE AS THE HEARING  
18 OFFICER TODAY. MY ROLE IS TO FACILITATE THE HEARING.  
19 I WILL NOT BE MAKING ANY DECISIONS. I WILL NOT BE MAKING  
20 ANY SUBSTANTIVE DECISIONS.

21 IF THERE ARE ANY SUBSTANTIVE DECISIONS THAT NEED  
22 TO BE MADE TODAY -- AND I'M NOT SURE THERE WILL BE --  
23 THOSE WILL BE MADE BY THE BOARD. SO MY ROLE IS REALLY A  
24 FACILITATOR IN THIS PROCEEDING.

25 FIRST OF ALL, LET ME ASK: WHO'S GOING TO BE

1 REPRESENTING CITY OF BEVERLY HILLS IN THIS PROCEEDING?

2 MR. LARRY WIENER: MR. HEARING OFFICER, MY NAME  
3 IS LARRY WIENER. I'M THE CITY ATTORNEY FOR THE CITY OF  
4 BEVERLY HILLS. WE WILL HAVE MYSELF MAKING SOME BRIEF  
5 INTRODUCTORY COMMENTS, AND PRESENTING EVIDENCE WILL BE  
6 MR. KEVIN BROGAN AND MR. ROBERT MC MURRY.

7 HEARING OFFICER DROOYAN: LET ME GET YOUR NAMES  
8 AGAIN. MR. WIENER?

9 MR. WIENER: LARRY WIENER.

10 MR. BROGAN: BROGAN, B-R-O-G-A-N.

11 MR. MC MURRY: MC MURRY, M-C-M-U-R-R-Y.

12 HEARING OFFICER DROOYAN: THANK YOU.

13 AND WHO WILL BE REPRESENTING THE MTA TODAY?

14 MR. SAFER: CHARLES SAFER, ASSISTANT COUNTY  
15 COUNSEL.

16 HEARING OFFICER DROOYAN: MR. WIENER AND  
17 MR. SAFER, LET ME FIRST START BY ASKING HOW YOU WANT TO  
18 PROCEED. SHOULD WE HAVE THE MTA SIMPLY SUBMIT ITS  
19 EVIDENCE AND ITS PROPOSAL AND THEN HAVE THE CITY OF  
20 BEVERLY HILLS PROCEED? THAT SEEMS TO ME TO BE THE LOGICAL  
21 WAY TO DO IT. AND THAT BASICALLY GIVES THE CITY OF  
22 BEVERLY HILLS A MAXIMUM AMOUNT OF TIME TO MAKE ITS  
23 PRESENTATION.

24 MR. WIENER: WE ARE FINE WITH THAT. THANK YOU.

25 HEARING OFFICER DROOYAN: MR. SAFER, DO YOU WANT



1 TO MAKE THE PRESENTATION ON BEHALF OF THE MTA AND EXPLAIN  
2 WHAT EVIDENCE THE MTA IS GOING TO BE SUBMITTING?

3 MR. SAFER: YES. WHAT I WAS GOING TO DO,  
4 MR. DROOYAN, IS I REQUESTED THAT A CERTIFICATE WHICH WILL  
5 BE PASSED OUT TO THE BOARD MEMBERS AND TO COUNSEL FOR  
6 BEVERLY HILLS -- I WOULD LIKE THAT THE CERTIFICATE AND THE  
7 ATTACHED CD BE COLLECTIVELY MARKED AS EXHIBIT 1 FOR  
8 IDENTIFICATION AND OFFER THEM INTO EVIDENCE.

9 THESE CD'S CONTAIN THE EVIDENCE THAT MTA IS  
10 RELYING UPON TO SUPPORT THE REASONABLENESS OF THE LOCATION  
11 OF THE CONSTELLATION STATION AND TUNNELS UNDER BEVERLY  
12 HILLS SCHOOL. THE PROPOSAL IS THE SAME PROPOSAL THAT HAS  
13 BEEN BEFORE THE BOARD PREVIOUSLY.

14 HEARING OFFICER DROOYAN: YOU'VE PROVIDED THIS  
15 EVIDENCE TO THE CITY OF BEVERLY HILLS?

16 MR. SAFER: YEAH. IT'S -- THEY ARE AWARE OF THE  
17 PROPOSALS. IN FACT, THAT'S WHY WE'RE HERE TODAY, BECAUSE  
18 THEY ARE QUESTIONING THE REASONABLENESS OF THAT PROPOSAL.  
19 AND THE CD'S ARE BEING DISTRIBUTED NOW.

20 HEARING OFFICER DROOYAN: BEFORE -- MR. WIENER,  
21 ONE THING, LET ME --

22 I KNOW WE HAVE MANY REQUESTS TO SPEAK AT PUBLIC  
23 COMMENT. MY UNDERSTANDING IS THE PUBLIC COMMENT WILL BE  
24 AFTER THE CONCLUSION OF THE HEARING. IS THAT CORRECT,  
25 MR. SAFER?

1           MR. SAFER: THAT'S CORRECT. THE HEARING IS FOR  
2 PURPOSES OF BEVERLY HILLS TO PUT ON ITS EVIDENCE AND MTA  
3 TO PUT ON ITS EVIDENCE REGARDING THE REASONABLENESS OF THE  
4 PROPOSED LOCATION. AFTER THAT'S -- AFTER BOTH SIDES  
5 CONCLUDE, THE HEARING CAN BE CLOSED, AND THEN THE PUBLIC  
6 CAN MAKE THEIR COMMENTS AS THEY WOULD AT A SPECIAL MEETING  
7 AT THE BOARD UNDER THE BROWN ACT.

8           HEARING OFFICER DROOYAN: OKAY. THANK YOU.

9           MR. WIENER.

10          MR. WIENER: JUST FOR THE RECORD, WE DID JUST NOW  
11 RECEIVE THESE CD'S. WE DON'T KNOW WHAT THE CONTENT IS OF  
12 THE CD'S, AND WE DO NOT HAVE AN ABILITY TO PLAY THE CD'S  
13 HERE AT THE HEARING.

14          HEARING OFFICER DROOYAN: MR. SAFER, DO YOU WANT  
15 TO ELABORATE ON WHAT IS IN THE CD'S AND WHAT INFORMATION  
16 HAS PREVIOUSLY BEEN PROVIDED TO THE CITY OF BEVERLY HILLS?

17          MR. SAFER: MOST OF THE ITEMS -- I WILL READ  
18 THROUGH A LIST OF THE DOCUMENTS THAT ARE ON THE CD'S.  
19 MOST OF THEM HAVE BEEN PUBLIC FOR QUITE AWHILE.

20          WE HAVE THE WESTSIDE SUBWAY EXTENSION FEIS/FEIR  
21 INCLUDING THE APPENDICES. THERE IS THE PRELIMINARY  
22 GEOTECHNICAL ENVIRONMENTAL REPORT OF DECEMBER 2011.  
23 THERE'S THE CENTURY CITY T.O.D. AND WALK ACCESS STUDY FROM  
24 FEBRUARY 2012; THE CENTURY CITY FAULT INVESTIGATION  
25 REPORT, NOVEMBER 2011, INCLUDING THE EXECUTIVE SUMMARY.

1 THERE'S THE CENTURY CITY AREA TUNNELING SAFETY REPORT FROM  
2 NOVEMBER 2011, INCLUDING THE EXECUTIVE SUMMARY FROM  
3 OCTOBER 19TH, 2011.

4 THERE'S ALSO THE BUILDING AND ADJACENT STRUCTURE  
5 PROTECTION REPORT DATED FEBRUARY 15, 2011; THE PRELIMINARY  
6 REVIEW COMMENTS; THE CENTURY CITY AREA FAULT INVESTIGATION  
7 REPORT; WESTSIDE SUBWAY EXTENSION PROJECT CENTURY CITY AND  
8 BEVERLY HILLS, SHANNON & WILSON, MARCH 8TH, 2012; THERE'S  
9 MTA'S RESPONSE TO THE LEIGHTON CONSULTING REPORT. IT'S  
10 DATED MAY 14TH, 2012.

11 THERE'S THE CENTURY CITY AREA TUNNEL SAFETY AND  
12 FAULT INVESTIGATIONS DATED OCTOBER 14TH, 2011. THERE'S  
13 THE RESPONSE TO HAZARDOUS ASSESSMENT STUDY BY EXPONENT  
14 DATED APRIL 4, 2012; THE RESPONSE TO PRELIMINARY REVIEW  
15 COMMENTS OF CENTURY CITY AREA FAULT INVESTIGATION BY  
16 SHANNON WILSON DATED APRIL 17TH, 2012.

17 THERE'S THE REPORT OF INDEPENDENT REVIEW PANEL  
18 DATED OCTOBER 19TH, 2012; VIDEOS OF METRO PLANNING AND  
19 PROGRAMMING COMMITTEE FROM OCTOBER 19TH. AND THERE'S A  
20 RESPONSE TO COMMENTS FROM PRIME SOURCE CONSULTING AND  
21 HILLSBOROUGH REFERRAL AT THE METRO PLANNING AND  
22 PROGRAMMING COMMITTEE CONCERNING THE CENTURY CITY  
23 ALIGNMENTS MADE IN 2012. AND LASTLY, THERE'S THE REPLY TO  
24 THE EXPONENT RESPONSES DATED MAY 15TH, 2012.

25 THESE ARE ALL, YOU KNOW, ONLINE.

1 HEARING OFFICER DROOYAN: MR. WIENER, I  
2 UNDERSTAND YOU HAVEN'T HAD A CHANCE TO LOOK AT THESE, BUT  
3 I GATHER THAT CERTAINLY THE CITY OF BEVERLY HILLS IS  
4 FAMILIAR WITH THE PROPOSAL; IS THAT CORRECT?

5 MR. WIENER: WE ARE FAMILIAR WITH THE PROPOSAL TO  
6 SITE THE STATION ON CONSTELLATION BOULEVARD AND THE  
7 PROPOSED ALIGNMENT.

8 HEARING OFFICER DROOYAN: OKAY. WELL, DO YOU  
9 HAVE ANY FURTHER EVIDENCE YOU WANT TO INTRODUCE,  
10 MR. SAFER?

11 MR. SAFER: NO. THAT'S ALL.

12 HEARING OFFICER DROOYAN: MR. WIENER, I'M GOING  
13 TO TURN IT OVER TO YOU NOW.

14 MR. WIENER: THANK YOU VERY MUCH.

15 GOOD AFTERNOON. AS I MENTIONED, MY NAME IS  
16 LARRY WIENER. I'M THE CITY ATTORNEY FOR THE CITY OF  
17 BEVERLY HILLS.

18 I'VE HEARD IT SAID THAT THE ONLY WAY TO TAKE A  
19 SUBWAY TO CENTURY CITY IS THROUGH BEVERLY HILLS HIGH  
20 SCHOOL. AND WE ARE HERE TODAY TO EXPLAIN THAT IS NOT THE  
21 CASE. YOU DO HAVE CHOICES.

22 YOU MAY NOT HAVE THE INFORMATION NECESSARY RIGHT  
23 NOW TO MAKE FULLY INFORMED CHOICES, BUT YOU DO HAVE A  
24 CHOICE. AND WE ARE HERE TO PROVIDE YOU WITH INFORMATION  
25 THAT WILL ALLOW YOU TO MAKE A CHOICE THAT DOES NOT INVOLVE

1 TUNNELING UNDERNEATH BEVERLY HILLS HIGH SCHOOL.

2 SO WHAT INFORMATION DO YOU NEED? WHAT WILL WE  
3 PRESENT TO YOU TODAY?

4 ONE, YOU NEED TO KNOW MORE ABOUT THE GEOLOGY  
5 UNDER BEVERLY HILLS HIGH SCHOOL AND SANTA MONICA  
6 BOULEVARD. WE WILL PROVIDE YOU WITH THAT INFORMATION.  
7 AFTER LISTENING TO THE INFORMATION TODAY, WE BELIEVE YOU  
8 MAY WANT EVEN MORE INFORMATION.

9 TWO, YOU NEED TO KNOW SOMETHING ABOUT THE  
10 POTENTIAL RISKS TO BEVERLY HILLS HIGH SCHOOL FROM THE  
11 PROPOSED TUNNELING. WE WILL PROVIDE YOU WITH THAT  
12 INFORMATION TODAY.

13 THREE, YOU NEED TO UNDERSTAND THE RELATIVE RISKS  
14 OF THE CHOICES THAT ARE BEFORE YOU. WHAT ARE THE  
15 POTENTIAL CONSEQUENCES OF EACH CHOICE, AND WHAT IS THE  
16 PROBABILITY -- WHAT ARE THE CHANCES THAT THOSE POTENTIAL  
17 CONSEQUENCES MIGHT OCCUR? 1 IN A 100,000,000, 1 IN  
18 10,000,000, 1 IN A 1,000, 1 IN 100, 1 IN 10? YOU DON'T  
19 KNOW THAT INFORMATION.

20 YOU KNOW THAT NONE OF YOUR CHOICES INVOLVE ZERO  
21 RISK. WHAT YOU NEED TO KNOW IS WHAT THE RISK IS OF EACH  
22 CHOICE AND WHAT THE PROBABILITY IS THAT THOSE RISKS MIGHT  
23 OCCUR. AND WE'RE GOING TO TALK ABOUT THAT.

24 FOURTH AND FINALLY, WE BELIEVE YOU NEED TO ASK:  
25 WHAT CHOICE DO WE HAVE TO AVOID THIS DEBATE ABOUT SAFETY

1 AND RISK? WHAT CHOICE DO WE HAVE TO AVOID TUNNELING UNDER  
2 BEVERLY HILLS HIGH SCHOOL AND STILL PLACE A SUBWAY STATION  
3 AT CONSTELLATION BOULEVARD?

4 WE BELIEVE AND WE WILL PROVIDE TO YOU THREE  
5 ALIGNMENTS THAT WE BELIEVE ARE FEASIBLE TO AVOID BEVERLY  
6 HILLS HIGH SCHOOL AND STILL ARRIVE AT A STATION ON  
7 CONSTELLATION BOULEVARD. ARE THERE PROS AND CONS TO EACH  
8 OF THESE ALTERNATIVES? ABSOLUTELY. THERE ARE PROS AND  
9 CONS TO EACH OF THE CHOICES THAT ARE BEFORE YOU TODAY.

10 BUT THERE ARE WAYS TO AVOID BEVERLY HILLS HIGH  
11 SCHOOL AND REACH CONSTELLATION BOULEVARD WITHOUT  
12 TRIGGERING ADDITIONAL SAFETY CONCERNS. WE WILL PRESENT  
13 THOSE OPTIONS TO YOU, AND WE ASK YOU TO SERIOUSLY CONSIDER  
14 THOSE OPTIONS.

15 THE STATE LEGISLATURE MANDATED THIS HEARING TODAY  
16 TO PROVIDE LOCAL COMMUNITIES WITH AN OPPORTUNITY TO  
17 PROVIDE INPUT INTO THE PROCESS OF SITING METRO FACILITIES.  
18 WE TAKE THIS OPPORTUNITY SERIOUSLY, AND WE TAKE IT AT  
19 FACE-VALUE.

20 WE BELIEVE THAT WE HAVE IMPORTANT INFORMATION TO  
21 SHARE WITH YOU THAT SHOULD BEAR ON YOUR DECISION ABOUT  
22 WHERE TO SITE A STATION IN CENTURY CITY AND THE PROPOSED  
23 ALIGNMENT TO GET THERE.

24 WE HOPE THAT YOU WILL CONDUCT THIS HEARING IN THE  
25 SPIRIT THAT IS MANDATED BY THE LAW, AND WE HOPE THAT YOU

1 ACCEPT THE EVIDENCE THAT WE HAVE TO OFFER WITH AN OPEN  
2 MIND.

3 WE THANK YOU FOR THIS OPPORTUNITY. AND I WANT TO  
4 BEGIN BY INTRODUCING KEVIN BROGAN WHO WILL PRESENT  
5 EVIDENCE REGARDING THE EXTENSIVE GEOLOGIC WORK THAT WAS  
6 DONE AT BEVERLY HILLS HIGH SCHOOL AND THAT SHED SOME LIGHT  
7 ON THE QUESTIONS THAT HAVE BEEN RAISED REGARDING THE  
8 BEVERLY -- THE WEST BEVERLY HILLS LINEAMENTS.

9 THANK YOU VERY MUCH.

10 HEARING OFFICER DROOYAN: THANK YOU, MR. WIENER.

11 MR. BROGAN.

12 MR. BROGAN: THANK YOU, MR. HEARING OFFICER,  
13 MEMBERS OF THE BOARD.

14 WE HAVE FIVE WITNESSES WHO WILL TALK ABOUT  
15 GEOTECHNICAL AND OTHER TECHNICAL DATA BEFORE THIS BOARD.  
16 THE FIRST WILL BE PHIL BUCHIARELLI. SECOND WILL BE  
17 ELDON GATH. THIRD WILL BE MILES KENNEY. THE FOURTH WILL  
18 BE DR. SHLEMON BY VIDEOTAPE; HE'S NOT AVAILABLE TODAY.  
19 AND THE FIFTH WILL BE TIM BURESH.

20 WE EXPECT TO ESTABLISH THAT THE UNCERTAINTY  
21 INVOLVING THE GEOTECHNICAL SITUATION OF CENTURY CITY IS  
22 SUCH THAT THIS BOARD SHOULD SUBSTANTIALLY CONSIDER OTHER  
23 ALTERNATIVES TO THE SO-CALLED "LOCALLY PREFERRED  
24 ALTERNATIVE" BECAUSE IT'S A SIGNIFICANT PROJECT INVOLVING  
25 A SIGNIFICANT AMOUNT OF TAX MONEY, AND IT SHOULD BE DONE

1 RIGHT. AND WE THINK THAT'S WHAT THIS EVIDENCE WILL SHOW.

2 SO FIRST OFF, MR. BUCHIARELLI, PLEASE COME  
3 FORWARD.

4 AND WITH -- I'M GOING TO AVOID THE MICROPHONE FOR  
5 A SECOND.

6 HEARING OFFICER DROOYAN: THAT'S FINE. WE CAN  
7 HEAR. WE CAN HEAR.

8 MR. BROGAN: WE HAVE BOOKS WITH RESUMES AND  
9 SUMMARIES OF THE POWER POINTS FOR EACH OF THE BOARD  
10 MEMBERS, WHICH I WILL HAND UP IN BOX FORM.

11 AND WE APPRECIATE THE BOARD RECEIVING THIS. I'M  
12 NOT SURE WHETHER THE HEARING OFFICER EXPECTS THESE ITEMS  
13 TO BE OFFERED IN EVIDENCE AS SUCH AS IN AN ORDINARY TRIAL,  
14 BUT WE'RE SUBMITTING THESE TO BE PART OF THE RECORD FOR  
15 THIS. AND DEPENDING UPON THE RULES THE HEARING OFFICER  
16 SETS, WE'LL ABIDE BY THOSE AND EITHER OFFER THEM OR  
17 WHATEVER.

18 THESE BOOKLETS CONTAIN THE RESUMES OF EACH OF THE  
19 EXPERTS WHO WILL TALK TODAY ALONG WITH A SUMMARY OF THEIR  
20 POWER POINTS FOR LATER REVIEW.

21 HEARING OFFICER DROOYAN: THERE ARE NO TECHNICAL  
22 RULES OF EVIDENCE HERE. AND I THINK THAT THESE SHOULD BE  
23 MADE PART OF THE RECORD. WE'LL ADMIT THEM AS EVIDENCE SO  
24 THAT THE BOARD WILL HAVE THEM AND BE PART OF THE OFFICIAL  
25 RECORD.



1 (CITY'S EXHIBIT WAS IDENTIFIED AND  
2 ADMITTED INTO EVIDENCE.)

3 MR. BROGAN: AND JUST ONE OTHER -- TWO OTHER  
4 ITEMS AS LONG AS WE'RE TALKING ABOUT PROCEDURE. ON THE  
5 LIST THAT MR. SAFER PRESENTED, NUMBER 14 HAS NOT BEEN  
6 RECEIVED BY US. SO I ANTICIPATE WE'LL GET A COPY OF IT,  
7 BUT I'M NOT FAMILIAR WITH THAT DOCUMENT.

8 HEARING OFFICER DROOYAN: WELL, I ASSUME IT IS ON  
9 THE CD, BUT WHAT YOU'RE SAYING: YOU HAVEN'T PREVIOUSLY  
10 SEEN IT. I UNDERSTAND THAT.

11 MR. BROGAN: YES, YOUR HONOR.

12 HEARING OFFICER DROOYAN: OKAY.

13 MR. BROGAN: AND SECOND, SECOND ITEM IS THAT  
14 WE'RE CONFIRMING THAT METRO IS CALLING NO LIVE WITNESSES  
15 AT THIS HEARING.

16 HEARING OFFICER DROOYAN: THAT'S MY  
17 UNDERSTANDING. MR. SAFER?

18 MR. SAFER: THAT'S CORRECT.

19 HEARING OFFICER DROOYAN: IT'S MY UNDERSTANDING  
20 UNDER THE PUBLIC UTILITIES CODE THAT WE NEED TO HAVE THE  
21 WITNESS SWORN IN. DO WE HAVE AN OFFICER WHO CAN  
22 ADMINISTER THE OATH, OR COURT REPORTER?

23 IF YOU WOULD, SIR, SPELL YOUR NAME FOR THE  
24 RECORD, PLEASE.

25 THE WITNESS: BUCHIARELLI.

1                   MR. BROGAN:   EXCUSE ME, MR. HEARING OFFICER.  
2   WOULD YOU APPRECIATE TO HAVE ALL THE HEARING PEOPLE WHO  
3   MIGHT BE SWORN AT LEAST IN OUR TESTIMONY PRESENTED AT THE  
4   SAME TIME FOR ONE SWEARING?

5                   HEARING OFFICER DROOYAN:   LET'S JUST DO IT ONE AT  
6   A TIME.

7                   MR. BROGAN:   YES, SIR.

8                   HEARING OFFICER DROOYAN:   IT'LL BE EASIER FOR THE  
9   BOARD MEMBERS TO FOLLOW WHO IS SPEAKING.

10                  THE WITNESS:   FIRST NAME IS PHILIP, P-H-I-L-I-P;  
11   LAST NAME IS BUCHIARELLI, B-U-C-H-I-A-R-E-L-L-I.

12                  HEARING OFFICER DROOYAN:   AND, COURT REPORTER,  
13   WOULD YOU PLEASE ADMINISTER THE OATH.

14

15                                   PHILIP BUCHIARELLI,  
16   A WITNESS HEREIN, CALLED BY AND ON BEHALF OF THE CITY  
17   HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED  
18   AS FOLLOWS:

19

20                  HEARING OFFICER DROOYAN:   GOOD MORNING -- GOOD  
21   AFTERNOON, MR. BUCHIARELLI.

22                  THE WITNESS:   GOOD AFTERNOON.

23                  HEARING OFFICER DROOYAN:   YOU CAN PROCEED BY WAY  
24   OF A STATEMENT OR BY WAY OF QUESTION AND ANSWER, HOWEVER  
25   YOU WANT TO PROCEED.

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EXAMINATION

MR. BROGAN: I THINK OUR INTENT TO PRESERVE TIME IS TO LET THE WITNESS DESCRIBE BRIEFLY HIS BACKGROUND AND THEN PROCEED WITH HIS INVESTIGATION AND CONCLUSIONS.

HEARING OFFICER DROOYAN: THAT'S FINE. AND I -- I WOULD HOLD THE BACKGROUND TO A MINIMUM SO THAT YOU HAVE AS MUCH TIME AS POSSIBLE TO GET INTO THE SUBSTANCE. I'M GOING TO MAKE A PRESUMPTION THAT WITH THE RESUME THAT THE WITNESS IS GOING TO BE QUALIFIED, BUT THE BOARD CERTAINLY WILL HAVE THAT INFORMATION.

GO AHEAD.

THE WITNESS: THANK YOU VERY MUCH.

MY NAME IS PHILIP BUCHIARELLI. I'M A PRINCIPAL GEOLOGIST WITH LEIGHTON CONSULTING. I'VE BEEN WITH LEIGHTON FOR 25 YEARS. I'M A STATE LICENSED PROFESSIONAL GEOLOGIST AND ALSO A CERTIFIED ENGINEERING GEOLOGIST.

WE COMMISSIONED -- WE WERE ASKED BY THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT TO CONDUCT A FAULT INVESTIGATION OF BEVERLY HILLS HIGH SCHOOL. AS YOU ARE FAMILIAR, THIS PRESENTATION -- THIS SLIDE SHOWS THE FAULTS THAT WERE MAPPED BACK IN OCTOBER 2011 IN THE -- IN THE REPORT PRESENTED BY -- BY PARSONS BRINCKERHOFF, "PB" TO THE METRO BOARD, AT THE TIME.

THIS IS THE FAULT INVESTIGATION OF THE WESTSIDE SUBWAY EXTENSION. IN PARTICULAR, I WANT TO MAKE SURE YOU

1 UNDERSTAND THIS AREA RIGHT HERE IS BEVERLY HILLS HIGH  
2 SCHOOL. THIS IS THE CONSTELLATION PROPOSED SUBWAY LINE.  
3 THIS IS THE CONSTELLATION STATION.

4 THESE RED LINES ARE FAULTS THAT HAVE BEEN MAPPED  
5 BY PB IN THIS AREA. WHEN THIS REPORT WAS PRESENTED, IT  
6 WAS A SIGNIFICANT CONCERN TO BEVERLY HILLS UNIFIED SCHOOL  
7 DISTRICT BECAUSE THESE FAULTS ARE SHOWN AS ACTIVE, AND  
8 THEY ARE SHOWN PRIMARILY UNDERNEATH THE HIGH SCHOOL. SO  
9 THERE WAS A CONCERN OF THE DISTRICT BOTH TO STUDENTS AND  
10 TO THE FACILITIES THAT THERE MAY BE A RISK OF FAULTING AND  
11 ACTIVE FAULTING AT THE HIGH SCHOOL.

12 EVALUATING THIS RISK THEN BECAME OF VITAL  
13 IMPORTANCE. BECAUSE OF THIS RISK, BEVERLY HILLS U.S.D.  
14 COMMISSIONED LEIGHTON TO CONDUCT AN INVESTIGATION OF  
15 FAULTING AT BEVERLY HILLS HIGH SCHOOL. PARTICULARLY,  
16 THEY'VE ASKED US TO REVIEW THE FAULTING ALONG THE WEST  
17 BEVERLY HILLS LINEAMENT.

18 UNLIKE METRO, THESE FAULTS HAVE AN IMPLICATION  
19 BECAUSE THEY HAVE TO BE REVIEWED BY THE CALIFORNIA  
20 GEOLOGIC SURVEY, IN ORDER FOR A SCHOOL TO MAKE ANY  
21 ADDITIONS TO THEIR SCHOOLS, THAT WORK IN IT IS REVIEWED BY  
22 THE CALIFORNIA DIVISION OF STATE ARCHITECT WHO RELIES ON  
23 CALIFORNIA GEOLOGIC SURVEY TO EVALUATE THE ADEQUACY OF THE  
24 GEOLOGIC DATA. OUR REPORT WAS COMPLETED APRIL 22ND, 2004,  
25 AND SUBMITTED TO CGS FOR REVIEW ON APRIL 24, 2012.

1           IN EVALUATING THESE FAULTS, PB EXTENDED A NUMBER  
2   OF TRANSECTS OR A SERIES OF BORINGS THAT THEY DUG IN THE  
3   GROUND AND CONE PENETROMETER TESTS, AND THOSE EXTENDED  
4   BASICALLY RIGHT THROUGH THIS AREA. THIS IS PB'S  
5   TRANSECT 4 PARSON -- PARSONS BRINKERHOFF'S TRANSECT 4.

6           THE SCHOOL IS ROUGHLY IN THIS AREA, AND THESE ARE  
7   NUMEROUS FAULTS WHICH HAVE BEEN MAPPED ALONG THAT TRANSECT  
8   THROUGH THE SCHOOL.

9           I WANT TO, AGAIN, SORT OF TALK JUST REAL QUICKLY  
10   ABOUT WHAT THIS DATA SHOWS. THESE ARE BORINGS. BORINGS  
11   ARE DRILLED IN THE GROUND. THEY BASICALLY -- YOU DRILL UP  
12   HOLLOW-STEM AUGER IN THE BORE -- IN THE GROUND, AND YOU  
13   TAKE UP SOIL SAMPLES OUT OF THE GROUND, AND YOU LOOK AT  
14   THE SOIL SAMPLES.

15           A CPT OR A CONE PENETROMETER TEST, BASICALLY  
16   YOU'RE TAKING A -- A STEEL PROBE AND PUSHING IT INTO THE  
17   GROUND AND BY MEASURING THE FRICTION RESISTANCE AT THE TIP  
18   OF THAT PROBE AND THE SIDE FRICTION ALONG THE EDGE OF THAT  
19   PROBE, YOU'RE GETTING AN ELECTRICAL SIGNAL BACK THAT GIVES  
20   YOU AN IDEA OF WHAT THE SOIL CONDITIONS ARE.

21           SO AS I SAID, LEIGHTON WAS COMMISSIONED BY THE  
22   BEVERLY HILLS U.S. -- U.S.D. TO CONDUCT A FAULT STUDY ON  
23   BEVERLY HILLS HIGH SCHOOL CAMPUS. OUR WORK CONSISTED OF  
24   THE EXCAVATION OF 21 HOLLOW-STEM AUGER BORINGS ACROSS THE  
25   CAMPUS, ACROSS THE WIDTH OF THE CAMPUS, ROUGHLY PARALLEL

1 TO THE MAPS TO THE FAULTS MAPPED BY PB.

2 WE ALSO EXCAVATED 675 FEET OF TRENCH WHERE WE  
3 PHYSICALLY REMOVED THE UPPER 12 TO 15 FOOT OF THE SOIL  
4 ACROSS BEVERLY HILLS HIGH SCHOOL WHERE POSSIBLE AND LOOKED  
5 AT THE SOIL TO LOOK FOR EVIDENCE OF FAULTS.

6 WE ALSO EXCAVATED 12 CPT SOUNDINGS ALONG DURANT  
7 DRIVE. THIS IS A PICTURE OF ONE OF THE DRILL RIGS ON  
8 CAMPUS. BASICALLY, WE'RE STANDING IN MORENO DRIVE LOOKING  
9 AT THE BEVERLY HILLS HIGH SCHOOL CAMPUS IN THE LAWN AREA.

10 THAT'S ACTUALLY CALLED THE "GRADUATION LAWN AREA." THEY  
11 TAKE A GRADUATION PHOTO THERE EVERY YEAR.

12 THIS SHOWS THE DATA POINTS THAT WE COLLECTED  
13 ACROSS THE BEVERLY HILLS CAMPUS. THE BLUE DOTS ARE CORE  
14 BORINGS THAT WE LOCATED. THE RED DOTS ARE CPT POINTS.  
15 AND THEY ARE A LITTLE DIFFICULT TO SEE, BUT THE GREEN  
16 LINES ARE -- ARE FAULT TRENCHES: FAULT TRENCH 1, 2, 3,  
17 AND 4.

18 WITH OUR TRENCHES WE WERE ABLE TO ACHIEVE ABOUT  
19 90 PERCENT CONTINUITY ACROSS THE CAMPUS. IN OTHER WORDS,  
20 BETWEEN FAULT TRENCH 1, THE OVERLAP OF FAULT TRENCH 3  
21 AND 4, FAULT TRENCH 2, WE WERE ABLE TO GO FROM ACTUALLY  
22 THE CITY OF L.A. TO CITY OF BEVERLY HILLS LINE ALL THE WAY  
23 TO MORENO DRIVE WITH VERY FEW GAPS.

24 THOSE GAPS THAT WE DID HAVE IN OUR DATA WERE  
25 COVERED BY THESE BORINGS WHERE WE LOOKED AT THE BORINGS

1 AND CORRELATED THE DATA FROM ONE BORING TO THE NEXT.

2 I WANT TO TALK JUST A LITTLE BIT ABOUT WHAT THAT  
3 BORING DATA IS, WHAT THAT -- WHAT IT MEANS TO CORRELATE  
4 INFORMATION FROM ONE BORING TO ANOTHER.

5 BASICALLY, AFTER YOU COLLECT SAMPLES FROM THE  
6 BORINGS, THEY ARE PUT IN WOODEN BOXES. SO WE COLLECT  
7 CONTINUOUS CORE SAMPLES FROM THE SURFACE ALL THE WAY DOWN  
8 TO DEPTHS ON THE ORDER OF 100, 150. A COUPLE OF OUR  
9 BORINGS WENT DOWN TO, I THINK, APPROACHING 180 FEET.

10 SO WE TAKE THOSE. WE LOOK AT THEM AS THEY ARE  
11 COMING UP. WE LOG THEM, THOSE SAMPLES, AS THEY ARE COMING  
12 UP, AND THEN WE PUT THEM IN WOODEN BOXES. AND -- AND --  
13 SO THAT WE HAVE THEM AVAILABLE TO LOOK AT LATER. THESE  
14 ARE THE WOODEN BOXES LAID OUT IN THE PARKING LOT AT  
15 BEVERLY HILLS HIGH SCHOOL.

16 AND THIS IS WHAT THE CORE SAMPLES LOOK LIKE.  
17 NOW, I'M A GEOLOGIST, SO I'VE BEEN DOING THIS A LONG TIME,  
18 BUT I DON'T THINK IT'S TOO HARD FOR US TO SEE THAT THIS  
19 GRAY UNIT IS A GRAY CLAY. THIS IS NEAR THE BOTTOM OF OUR  
20 BORING. THERE'S A DEPTH OF 120 FEET, 115 FEET. THIS IS  
21 ONE OF OUR BORINGS, CORE BORING 4, THIS IS CORE BORING 3.  
22 SO THESE ARE TWO BORINGS THAT ARE SEPARATED BY ABOUT  
23 A HUNDRED FEET.

24 SO THERE'S A CLAY UNIT, SORT OF A BROWNISH SAND  
25 AND THEN SORT OF AN OFF-WHITE SAND. OVER HERE, HERE'S THE

1 CLAY UNIT; HERE'S THE BROWNISH SAND; THERE'S THE OFF-WHITE  
2 SAND AT THE SAME DEPTH. SO WE'RE SEEING THAT THERE ARE  
3 UNITS HERE AND HERE WHICH ARE CORRELATIVE.

4 GOING UP, THIS IS AT A DEPTH OF 90 TO 105 FEET,  
5 THE SAME BORINGS, THERE'S SORT OF A BROWN LAYER, A LITTLE  
6 GRAY, OFF-WHITE. BASICALLY, THE SAME THING HERE,  
7 OFF-WHITE BROWN LAYER AT A DEPTH OF 75 TO 90 FEET, THE  
8 SAME TWO BORINGS.

9 NOW, HERE WE'RE GETTING A LITTLE BIT DIFFERENT --  
10 DIFFERENT -- A DIFFERENCE IN THE MATERIAL TYPE. THIS IS A  
11 UNIT, AGAIN, THE SAND UNIT THAT WE'RE CALLING THE  
12 "SAN PEDRO FORMATION." HERE WE'RE GETTING INTO A YOUNGER  
13 UNIT. WE'RE CALLING IT "OLDER ALLUVIUM." SO BASICALLY,  
14 THIS IS A SILTIER OR CLAYER MATERIAL BROWN WHERE THESE  
15 OFF-WHITE SANDS ARE PRETTY CLEAR.

16 BUT, NONETHELESS, BETWEEN BORING CB-3 AND CB-4  
17 THEY ARE VERY SIMILAR. AS YOU GO UP, IT GETS A LITTLE  
18 HARDER, BUT BECAUSE WE'VE HAD THAT CORRELATION OF DEPTH,  
19 THIS UNIT MATCHES THIS UNIT. THIS SORT OF -- I'LL CALL IT  
20 ORANGE-BROWN MATCHES THIS ORANGE-BROWN AND SO ON.

21 THIS IS AT A DEPTH OF 45 TO 60 FEET. AND SO WE  
22 JUST CONTINUE ON. AND THEN WHAT WE'VE DONE NOW IS WE'VE  
23 CORRELATED THESE TWO BORINGS. AND SO NOW WE'LL LOOK AT  
24 THESE TWO BORINGS AND THEN THOSE TWO BORINGS AND THEN  
25 THOSE TWO BORINGS, AND WE'LL CORRELATE THESE ACROSS THE



1 CAMPUS. THE END RESULT IS --

2 LET ME STEP BACK HERE REAL QUICK. SORRY. THEY  
3 ARE NOT ALWAYS THIS CLEAR. SOMETIMES THEY ARE A LITTLE  
4 HARDER. THESE ARE ACTUALLY TWO BORINGS, BUT IT'S ACTUALLY  
5 STILL PRETTY CLEAR. THESE ARE TWO BORINGS. THIS IS OUR  
6 BORING CB 13. THIS IS A PB BORING. THESE ARE BOTH ON  
7 DURANT. THIS IS THEIR BORING T-4, B-10.

8 SO HERE WE HAVE THIS SORT OF DARK GRAY CLAY WITH  
9 A LITTLE SAND ABOVE. I SHOULD ALSO POINT OUT THAT THIS IS  
10 145 FEET, 150 FEET. THESE ARE ALL DEPTHS BELOW THE  
11 SURFACE. AND THIS BORING, BECAUSE IT WAS DONE BY PB,  
12 A LITTLE DIFFERENT METHOD, THEY'VE SHOWN THESE AS GETTING  
13 DEEPER TO THE LEFT; WHERE IN OURS, WE GO DEEPER TO THE  
14 RIGHT.

15 BUT, NONETHELESS, THERE'S THIS CLAY UNIT WITH A  
16 GRAY SAND BELOW WITH AN OFF-WHITE SAND BELOW THAT.  
17 HERE'S OUR CLAY UNIT WITH THE GRAY SAND BELOW AND THE  
18 OFF-WHITE SAND BELOW THAT.

19 THIS ELEVATION IS 150, SO WE'RE ABOUT A FOOT  
20 ABOVE THAT. THAT'S AN ELEVATION ABOUT 149. THIS IS 160.  
21 THAT'S 155. THAT'S AN ELEVATION OF ABOUT 156. SO WE'RE  
22 SEEING ABOUT SEVEN-FOOT OF DIFFERENCE BETWEEN THESE TWO  
23 BORINGS. OUR BORING CB-13, WAS ACTUALLY THE SURFACE  
24 ELEVATION WAS A COUPLE FEET HIGHER. SO THE REAL  
25 DIFFERENCE HERE IS ABOUT FIVE FEET BETWEEN T-4, B-10

1 AND OUR CB-13. AND THAT'S WHAT WE SHOWED.

2 SO THIS IS A CORRELATION OF THESE BORINGS WHEN  
3 YOU GO FROM BORING TO BORING THIS IS T-4, B-10, THEIRS,  
4 OURS CB-13. THIS IS OUR 15, 16, 17, AND 18. YOU CAN SEE  
5 THERE IS SORT OF A PRETTY GOOD TREND, NOT VERY STEEP  
6 ACROSS THE BOTTOM OF THOSE BORINGS. AND AS YOU GO UP,  
7 WE'RE SEEING THE SAME CORRELATIONS AS WE GO ACROSS THE  
8 TRANSECT.

9 AS I SAID, THE OTHER THING WE DID WAS EXCAVATE  
10 ABOUT 675 FEET OF TRENCH ACROSS THE CAMPUS. AGAIN, THIS  
11 IS -- WE'RE IN THE LAWN AREA. MORENO DRIVE IS BEHIND US.  
12 WE'RE LOOKING UP TO THE MAIN BUILDINGS AND THE GRASSY  
13 AREA. THIS IS EAST OF THE MAIN PART OF THE CAMPUS.

14 WHEN YOU EXCAVATE TRENCHES, YOU GET A REALLY  
15 GREAT EXPOSURE OF ALL THE SOIL NEAR THE SURFACE, ALL THE  
16 NEAR-SURFACE SOIL. AND THAT'S THE SOIL WE'RE MOST  
17 CONCERNED ABOUT BECAUSE THAT'S THE SOIL THAT IS THE  
18 YOUNGEST AND WOULD SHOW EVIDENCE OF RECENT ACTIVE  
19 FAULTING.

20 THESE TRENCHES WERE BENCHED. AS I SAID, THESE  
21 ARE 12 TO 15 FEET DEEP. THESE ARE ABOUT FIVE FEET, AND  
22 WE'VE BENCHED THEM SO THAT THEY ARE SAFE FOR US TO GO IN  
23 AND SO ALSO WE CAN SEE A VERTICAL SURFACE THAT'S EASY FOR  
24 US TO LOG.

25 BACK HERE WE DIDN'T HAVE QUITE AS MUCH ROOM, IT

1 AS NARROWER. SO IN THIS CASE THESE TRENCHES WERE  
2 SHORED. THE TRENCHES, AS I SAID, PROVIDE EXCELLENT  
3 EXPOSURE.

4 THIS IS A LOG OF ONE OF THE TRENCHES. THIS IS  
5 OUR TRENCH FT-3. WHAT WE DO IS WE CLEAN OFF THE SIDES OF  
6 THE TRENCH; WE LOOK AT THE SOIL; AND WE TRY TO MAP  
7 CONTINUOUS UNITS FROM ONE END TO THE OTHER.

8 IN THIS CASE WE ACTUALLY FOUND A FAULT. THIS IS  
9 A FAULT WITHIN FAULT TRENCH 3. BUT ONE OF THE THINGS THAT  
10 WE ALSO DID THAT WAS NOT DONE BY PB IS THAT WE WERE --  
11 BECAUSE OF OUR DATA, WE WERE ABLE TO AGE THE SOILS. WE  
12 AGED THE SOILS IN A NUMBER OF DIFFERENT WAYS. ONE OF THE  
13 WAYS WE DETERMINED THE AGE OF THE SOIL -- OF THE UNITS IS  
14 BY HAVING A --

15 SOILS, YOU KNOW, TOPSOIL METEORIZE AND TAKE A  
16 CERTAIN AMOUNT OF TIME TO DEVELOP. AND WE HAVE HIRED --  
17 WE HAD HIRED ACTUALLY TWO -- THREE DIFFERENT EXPERTS TO  
18 HELP US AGE THE SOILS.

19 WHAT THEY DETERMINED IS THAT THIS SURFACE BOTH IN  
20 FT-3, FT-2, AND IN FT-1, THIS SURFACE WAS 70- TO 100,000  
21 YEARS OF AGE.

22 THESE FAULTS COME UP TO A GRAVEL LAYER, A GRAVEL  
23 CHANNEL HERE, BUT THEY DO NOT GO INTO THAT GRAVEL CHANNEL.  
24 THEY DO NOT BREAK THAT GRAVEL CHANNEL. THE SURFACE IS 70  
25 TO 100,000 YEARS OLD. THAT GRAVEL CHANNEL IS OLDER, AT

1 LEAST 100,000 YEARS OLD.

2 BY CALIFORNIA LAW A FAULT IS ACTIVE IF IT'S  
3 11,000 YEARS OLD OR YOUNGER IF IT'S BROKEN THE SURFACE IN  
4 THE LAST 11,000 YEARS. THIS FAULT IS A 100,000 YEARS OR  
5 OLDER, SO IT'S NOT ACTIVE.

6 THIS IS ANOTHER ONE OF OUR FAULT TRENCHES. THIS  
7 IS FAULT TRENCH FT-2. WE HAD A PHOTO OF THIS ONE EARLIER.  
8 ONE OF THE -- THE BASIS FOR THE ORIGINAL MAPPING OF THE  
9 WEST BEVERLY HILLS LINEAMENT WAS SOME WORK DONE BY  
10 DR. DOLAN IN 1992 WHERE HE RECOGNIZED ELEVATED OLDER  
11 ALLUVIAL SOILS TO THE WEST AND BENEDICT CANYON YOUNG  
12 ALLUVIAL SOILS TO THE EAST. AND HE ACTUALLY NOTED THAT  
13 BASICALLY THIS SLOPE AND THIS LEVEL AREA SUGGESTED THAT  
14 THERE -- THAT SLOPE MAY BE FAULT CONTROLLED.

15 SO THAT WAS IMPORTANT TO US TO EXCAVATE A TRENCH  
16 ACROSS THAT EXPOSURE. WHAT WE FOUND IS THAT THIS SLOPE  
17 ACTUALLY CONTINUES IN THE SUBSURFACE. THESE LAYERS OF  
18 ALLUVIUM RUN ACROSS, BUT THEY WERE ERODED AWAY. THIS  
19 SLOPE WAS CREATED. AND THEN AS CLIMATE CHANGE OCCURRED  
20 AND GLACIAL PERIODS OCCURRED, SEA LEVELS CHANGED. THIS  
21 AREA WAS BACKFILLED WITH ALLUVIUM.

22 SO THERE IS NO FAULTING HERE. THIS IS JUST A  
23 PALEO SLOPE. IT'S A NATURAL -- WE WOULD CALL IT A  
24 "BUTTRESS UNCONFORMITY" BASICALLY. BUT IT'S NOT FAULTED.  
25 THERE'S NO EVIDENCE OF FAULTING HERE.

1           THIS IS A PICTURE A LITTLE BIT DOCTORED UP TO  
2 MAKE IT CLEARER, BUT THIS IS A PICTURE.  HERE IS THE --  
3 AND WHEN I SAID "DOCTORED," I SIMPLY MEAN I'VE HIGHLIGHTED  
4 THE COLORS OF THE OLD ALLUVIUM VERSUS THE YOUNG ALLUVIUM.  
5 SO HERE THESE HORIZONTAL LAYERS OF OLDER ALLUVIUM.  HERE'S  
6 THE YOUNG ALLUVIUM, AND THIS IS BASICALLY JUST SITTING ON  
7 -- ON TOP OF THAT.  BUT THERE'S NO FAULT THERE.

8           ONE OF THE OTHER THINGS THAT WE FOUND IN FAULT  
9 TRENCH 2 THAT WAS OF CONCERN TO US AND WE INVESTIGATED  
10 WERE THESE, WE CALL THEM, "SOIL FRACTURES."  THEY DON'T  
11 HAVE SIGNIFICANT OFFSET.  IN SOME CASES THEY OFFSET THESE  
12 UNITS AN INCH OR TWO, BUT WE WEREN'T QUITE SURE WHAT THEY  
13 WERE.

14           NOTICE, IN SOME CASES THEY DON'T EXTEND TO THE  
15 BOTTOM OF THE TRENCH.  SO WE DIDN'T BELIEVE THEY WERE  
16 FAULTS, BUT WE WEREN'T QUITE SURE.  HERE'S A COUPLE  
17 PICTURES OF THEM.  THEY'RE A LITTLE HARD TO SEE, BUT THESE  
18 RED RIBBONS MARK THE LOCATION OF THESE FRACTURES.  THERE'S  
19 A LITTLE BIT CLOSER PICTURE.  YOU CAN SORT OF SEE THERE,  
20 HAVE A SLIGHTLY, I GUESS, YOU KNOW, GRAYISH COLOR AS  
21 OPPOSED TO THE BROWNISH SURROUNDINGS.

22           AND HERE'S ANOTHER.  AND THIS ONE WE'VE ACTUALLY  
23 SHOWN, BUT IT'S GOT A LITTLE BIT OF OFFSET.  IN OTHER  
24 WORDS, THIS SAND BED SHOULD GO LIKE THIS, BUT THIS SIDE  
25 HAS BEEN RAISED RELATIVE TO THIS.  WE THOUGHT IT WAS KIND

1 OF INTERESTING THAT IT WAS EAST SIDE UP BECAUSE IT DIDN'T  
2 SEEM TO MAKE SENSE. THE -- THE SLOPE ACTUALLY IS WESTSIDE  
3 UP, SO THESE FEATURES WERE EAST SIDE UP, WHICH IS OPPOSITE  
4 OF WHAT THE SLOPE IS THERE AT BEVERLY HILLS HIGH SCHOOL.

5 WELL, WE DID A NUMBER OF THINGS TO INVESTIGATE  
6 THIS. FIRST, ONE OF THE THINGS WE DID -- FIRST OF ALL,  
7 THEY ARE NOT -- THEY'RE IRREGULAR, NOT LINEAR. MOST OF  
8 THEM DIE OUT AT DEPTH. THERE'S NO SHEARING WITHIN HERE.  
9 IF WE THOUGHT THEY WERE FAULTS, FAULTS MOVE SIDE TO SIDE;  
10 THEY CREATE FRICTION; THEY USUALLY DEVELOP CLAY AND  
11 SHEARING. WE DIDN'T SEE THAT.

12 WE ACTUALLY HAD A PROFESSOR FROM UCR COME OUT TO  
13 THE CAMPUS, TAKE SAMPLES OF THIS MATERIAL, TAKE IT BACK TO  
14 HIS LAB, AND LOOK UNDER A MICROSCOPE. AND HE SAID NO.  
15 THIS -- THE MATERIAL THAT'S IN THERE IS DEPOSITIONAL.  
16 IT'S NOT FAULT CONTROLLED. IT'S NOT SHEARED.

17 AND HE ESTIMATED THAT EVEN IF THEY CONCEIVABLY  
18 WOULD BE SOMEHOW A FAULT-RELATED FEATURE, THE MATERIAL  
19 THAT'S DEPOSITED IN THERE IS 10- TO 20-, PERHAPS OVER  
20 30,000 YEARS OF AGE; AGAIN, NOT ACTIVE FEATURES.

21 WE ANTICIPATED WHERE WE SAW THESE, WE SAW THESE  
22 PRIMARILY ON SLOPES. WE BELIEVE THEY ARE PROBABLY RELATED  
23 TO SLOPE MOVEMENT OR SLOPE CREEP AS A RESULT OF SEISMIC  
24 SHAKING.

25 SO WHEN WE TAKE OUR -- THIS IS A -- QUITE A LONG

1 FIGURE. THIS IS -- YOU KNOW, I HESITATE TO BRING IT OUT.  
2 BUT IT'S QUITE LONG. BUT THIS IS FT-1, THIS IS FT-2.  
3 THIS IS MORENO DRIVE. THIS EXTENDS OFF CAMPUS. SO  
4 THERE'S OUR FAULT TRENCHES. THERE IS THE RESULT OF OUR  
5 CORE BORINGS, SHOWING THESE CONTINUOUS UNITS ACROSS THE  
6 CAMPUS.

7           WHEN YOU TAKE THOSE ALTOGETHER CONTINUOUS AND  
8 GENERALLY DIPPING TO THE EAST -- WHEN YOU TAKE THESE ALL  
9 TOGETHER, THERE'S JUST REALLY NO PLACE HERE TO SHOW THE  
10 FAULTS THAT HAVE BEEN MAPPED ACROSS THE CAMPUS. THAT  
11 WAS, YOU KNOW, A LITTLE BIT OF A SURPRISE TO US, TO BE  
12 HONEST.

13           THE WEST BEVERLY HILLS LINEAMENT HAS BEEN TALKED  
14 ABOUT FOR A COUPLE DECADES ALTHOUGH UP UNTIL RECENTLY,  
15 IT'S ALWAYS BEEN INFERRED. AND THEN WHEN THE DATA CAME  
16 OUT IN NOVEMBER -- IN DECEMBER THAT IT WAS REALLY A FAULT,  
17 WE SOMEWHAT EXPECTED TO FIND A FAULT THROUGH HERE, BUT WE  
18 DID NOT.

19           BECAUSE WE DID NOT, WE WENT BACK TO TRANSECT 4.  
20 THIS TRANSECT WAS DONE IN THE MIDDLE OF THE CAMPUS.  
21 TRANSECT F-4 WAS DONE ALONG DURANT DRIVE AT THE NORTH END  
22 OF THE CAMPUS. BECAUSE WE DIDN'T FIND A FAULT IN MID  
23 CAMPUS, WE WENT BACK TO DURANT DRIVE TO TRY AND SEE IF  
24 THERE WAS SOMETHING WE WERE MISSING.

25           THIS IS, AGAIN, PB'S TRANSECT 4. ONE OF THE

1 THINGS THAT WE DID NOTICE IS THAT AS WE LOOKED ON THE  
2 GROUND WHEN PB CONDUCTED THEIR INVESTIGATION, THEY SPRAY  
3 PAINTED ON THE PAVEMENT THE NUMBERS OF THEIR CPT POINTS.  
4 SO THEY PAINTED ON THE PAVEMENT CPT-1, CPT-2, CPT-3,  
5 ET CETERA.

6 WHEN WE COMPARED THOSE PAINTINGS ON THE PAVEMENT  
7 WITH THE MAP THEY PREPARED, THESE NUMBERS WERE REVERSED.  
8 SO THIS WAS CPT-7. THIS WAS CPT-6. THIS WAS CPT-5. WE  
9 DON'T KNOW WHETHER THAT'S REALLY -- WHETHER THEY CORRECTED  
10 THAT AS THEY WENT IN. WE CERTAINLY DIDN'T KNOW AT THAT  
11 POINT.

12 BUT IT -- BECAUSE WE DIDN'T FIND FAULTS  
13 MID-TRANSECT AND BECAUSE THIS DATA WE WERE UNSURE ABOUT,  
14 WE REPEATED TRANSECT T-4 AS IT -- OR T-4 AS IT PERTAINS TO  
15 THE PORTION THAT WE WERE CONCERNED ABOUT WHICH WAS  
16 IMMEDIATELY IN FRONT OF BEVERLY HILLS HIGH SCHOOL.

17 SO ACTUALLY, WE'VE SEEN THE SESSION BEFORE. I  
18 JUST DIDN'T BRING IT TO THE POINT THAT THIS WAS ALONG  
19 DURANT DRIVE. AND SO HERE'S OUR DATA POINTS. AND REALLY  
20 WE FOUND NO EVIDENCE THAT THERE -- FOR FAULTS HERE.

21 I WILL POINT OUT THAT MOST OF PB'S FAULTS ARE  
22 RELATED TO THE CPT DATA. AS I SAID, CPT, YOU ACTUALLY  
23 DON'T GET TO LOOK AT THE DIRT. ALL YOU SEE IS THE HOLE IN  
24 THE GROUND AND ELECTRONIC SIGNATURE OF WHAT THEY SEE ABOVE  
25 IT.



1           THERE'S ONE OTHER ITEM -- ONE OTHER ITEM THAT WE  
2 NOTED WITH THE CPT DATA THAT WAS A POTENTIAL CONCERN TO  
3 US. ONE OF THE CPT'S -- AND I'M SORRY. I CAN'T REMEMBER  
4 WHICH ONE. BUT ONE OF THE CPT'S WAS LOGGED AS BEING  
5 50 FOOT DEEP, BUT ON THE CROSS SECTION WAS ACTUALLY SHOWN  
6 AS BEING 75 FEET DEEP. SO SOMEHOW OR OTHER THAT GOT  
7 EXTENDED. I DON'T KNOW WHAT -- WHAT IMPACT THAT MAY HAVE  
8 HAD ON THEIR DATA INTERPRETATION.

9           SO HERE ARE OUR CONCLUSIONS. AGAIN, I SAID THAT  
10 THE WEST BEVERLY HILLS LINEAMENT WAS ORIGINALLY MAPPED AS  
11 A DIFFERENCE IN ELEVATION AS A SLOPE BETWEEN THE WESTSIDE,  
12 ELEVATED ALLUVIUM ON THE WESTSIDE AND THE LOWER YOUNGER  
13 ALLUVIUM MATERIAL ON THE WEST. WELL, WE DUG ACROSS THAT  
14 LINEAMENT, AND WE FOUND NO EVIDENCE THAT IT WAS A FAULT.  
15 THEREFORE, WE FIND THAT TO BE AN EROSIONAL FEATURE.

16           WE FIND DIRECT GEOLOGIC EVIDENCE THERE'S BEEN NO  
17 FAULTING ASSOCIATED WITH THE WEST BEVERLY HILLS LINEAMENT  
18 OF BEVERLY HILLS FOR AT LEAST 100,000 YEARS AND PERHAPS  
19 MORE THAN 500,000 YEARS.

20           WE HAVE REFUTED THE FAULTS MAPPED BY PB AS PART  
21 OF THE WEST BEVERLY HILLS LINEAMENT, AND WE'VE FOUND NO  
22 EVIDENCE FOR THOSE FAULTS ON THE CAMPUS. BASED ON OUR  
23 STUDY, NO FAULT-RELATED STRUCTURAL SETBACKS HAVE BEEN  
24 ASSOCIATED WITH THE WEST BEVERLY HILLS LINEAMENT ARE  
25 REQUIRED FOR BEVERLY HILLS HIGH SCHOOL.

1 WE'VE COMPLETED OUR REPORT, AND THAT HAS BEEN  
2 SUBMITTED TO THE -- AND THOSE FINDINGS AND CONCLUSIONS  
3 HAVE BEEN SUBMITTED TO THE CALIFORNIA GEOLOGIC SURVEY.

4 NOW, MONDAY PARSONS, PB'S, SUBMITTED -- PREPARED  
5 A RESPONSE REPORT TO OUR APRIL 22ND REPORT. THIS IS A MAP  
6 FROM -- EXCUSE ME. THIS IS A MAP FROM THAT REPORT. I'M  
7 SORRY. SOME OF THESE ARE SORT OF NORTH-FACING. SOME OF  
8 THESE ARE EAST-FACING. I'LL JUST SAY, AGAIN, THAT THIS IS  
9 THE BEVERLY HILLS HIGH SCHOOL CAMPUS. THIS IS BASICALLY  
10 THE CITY DOWN TO YOUR RIGHT HERE. HERE'S DURANT DRIVE,  
11 SANTA MONICA BOULEVARD. THIS IS THE PROPOSED  
12 CONSTELLATION STATION.

13 AS A RESULT OF OUR STUDY, PB HAS RE-ANALYZED  
14 THEIR DATA, AND THEY HAVE MOVED SOME OF THE FAULTS FROM  
15 WHERE THEY WERE PREVIOUSLY LOCATED. NOW, THIS IS A LITTLE  
16 BIT OF A PROBLEM FOR US BECAUSE WHEN WE CONDUCTED THAT  
17 STUDY, WE THOUGHT THAT THE MAP -- THE FAULTS ON THE MAP  
18 WERE BASED ON AN EXTENSIVE AMOUNT OF WORK, AS WAS  
19 TESTIFIED TO, THAT THIS WAS AN EXTENSIVE, EXHAUSTIVE  
20 INVESTIGATION WHERE THEY WERE TRYING TO LOCATE AS  
21 ACCURATELY AS POSSIBLE THESE FAULTS.

22 SO THIS ORANGE LINE WAS A FAULT THAT'S NOW BEEN  
23 MOVED TO HERE. THIS ORANGE LINE STOPPED, AND NOW IT'S  
24 BEEN EXTENDED. THIS FAULT IS NEW. THIS FAULT USED TO GO  
25 THROUGH HERE, BUT NOW IT STOPPED. AND IT STOPS BECAUSE WE

1 DIDN'T SEE IT IN FAULT TRENCH 2. THIS FAULT WAS MOVED  
2 BECAUSE WE DIDN'T SEE IT IN FAULT TRENCH 1. THIS FAULT  
3 AMAZINGLY CONTINUES JUST AT THE EDGE OF OUR FAULT TRENCH  
4 DATA.

5 ONE OTHER THING THAT I SHOULD POINT OUT -- IT'S  
6 A LITTLE BIT HARD TO SEE, BUT THIS IS LABELED "FAULT  
7 TRENCH 4." THIS IS LABELED "FAULT TRENCH 3." THIS IS --  
8 THEY'RE LABELING THE BACKGROUND -- I HOPE YOU CAN SEE IT  
9 -- AS 4. THIS IS 2. THEY'VE ACTUALLY MISLABELED OUR  
10 FAULT TRENCHES. THIS IS FT-1, FT-2, FT-3, FT-4. AGAIN, I  
11 DON'T KNOW IF THAT JUXTAPOSITION PLAYED ANY ROLE IN THEIR  
12 REVIEW, BUT IT CERTAINLY IS A QUESTION.

13 THE CONSTELLATION TRANSECT IS A CROSS SECTION  
14 THAT'S DRAWN ROUGHLY THROUGH THIS AREA. WHEN YOU PLOT  
15 THESE NEW LOCATIONS OF FAULTS, THIS IS -- THIS IS THE SAME  
16 GENERAL AREA, SO THE RED LINES ARE WHERE THEY WERE  
17 PREVIOUSLY MAPPED, AND THE GREEN LINES ARE WHERE THEY ARE  
18 NOW MAPPED.

19 THIS IS ALL BASED ON NO NEW DATA ON THEIR PART.  
20 ACTUALLY, NO NEW DATA ON OUR PART. UP OVER HERE, OUR DATA  
21 IS OVER HERE. IT CAUSES US CONCERN BECAUSE THEY HAVE  
22 SIMPLY MOVED THE FAULTS TO NEW LOCATIONS BASED ON -- WELL,  
23 WE'RE NOT QUITE SURE WHAT. IF THE DATA IS SUBJECT TO THAT  
24 AMOUNT OF INTERPRETATION, WE JUST QUESTION HOW CONFIDENT  
25 YOU CAN BE IN THE FAULTS THAT -- AS THEY ARE LOCATED.

1           MR. YAROSLAVSKY: CAN I JUST ASK: HOW MUCH IS  
2 THE DIFFERENCE FROM THE ONE TO THE OTHER? HOW MANY FEET?

3           THE WITNESS: I'M GOING TO ESTIMATE SOMETHING ON  
4 THE ORDER OF 20 TO 30 FEET. THAT'S AN ESTIMATE. I CAN'T  
5 REALLY MEASURE FOR YOU.

6           MR. YAROSLAVSKY: FOR EACH ONE?

7           THE WITNESS: WELL, YOU KNOW, THESE TWO -- YES, I  
8 WOULD ESTIMATE THAT.

9           YOU KNOW, I CAN GO BACK TO THIS. THIS IS  
10 PROBABLY EASIER FOR ME TO GAUGE. THIS TRENCH WAS PROBABLY  
11 A HUNDRED FEET LONG OR SO. SO THIS END OF IT, ABOUT  
12 20 FEET.

13           BEAR WITH ME. THIS IS A LITTLE BIT HARD OF --  
14 DIFFICULT OF A FIGURE TO EXPLAIN.

15           THIS -- YOU REMEMBER IN OUR BORING DISCUSSION, WE  
16 TALKED A LITTLE BIT ABOUT A SAND UNIT AND A SILTY CLAY  
17 UNIT ATOP THE SAN -- AT THE SAN PEDRO FORMATION.

18           THIS IS A FIGURE FROM PB'S MAY 14TH RESPONSE REPORT,  
19 AND WE'LL TALK ABOUT THIS QUITE A BIT TODAY. FIRST OF  
20 ALL, I WANT YOU TO KNOW THAT THE RED DOTS ARE DATA POINTS  
21 THAT WE HAVE ACCESS TO. WHAT -- WHAT PB HAS DONE IS TRIED  
22 TO SHOW A CONTOUR MAP, IF YOU UNDERSTAND WHAT A CONTOUR  
23 MAP IS. IT IS A TOPOGRAPHY MAP OF THE SURFACE WHERE YOU  
24 WOULD GENERALLY FIND SAND BELOW AND A CLAY MATERIAL ABOVE.  
25 THIS IS THE SURFACE OF THE SAN PEDRO FORMATION.

1           THE DIFFERENT COLORS REPRESENT DIFFERENT  
2 ELEVATIONS. SO IF YOU AND I WERE STANDING HERE AND WE  
3 WALKED TO THE NORTH -- AGAIN, THIS IS THE CAMPUS RIGHT  
4 HERE -- AND WE WALKED TO THE NORTH, WE WOULD BE GENERALLY  
5 WALKING DOWN A SLOPE. OKAY? SAME THING HERE. WE WOULD  
6 BE GENERALLY WALKING DOWN A SLOPE TO THE NORTH.

7           WELL, BASED ON DATA -- I'M NOT SURE WHAT DATA --  
8 THEY HAVE SHOWN A SIGNIFICANT FAULT RIGHT THROUGH HERE.  
9 IN THE TEXT OF THE REPORT, THEY ARE SHOWING EVIDENCE FOR  
10 300 TO 350 FEET OF RIGHT LATERAL STRIKE SLIP MOVEMENT.

11 RIGHT LATERAL STRIKE SLIP MOVEMENT MEANS THAT IF YOU AND I  
12 WERE LOOKING AT EACH OTHER AND THAT FAULT MOVED, YOU WOULD  
13 GO THAT WAY, AND I'D STILL BE HERE OR I WOULD GO THAT WAY.

14           350 FEET OF RIGHT LATERAL STRIKE SLIP MOVEMENT  
15 MEANS THAT THE MAYOR WOULD BE 350 FEET DOWN THAT WAY, AND  
16 I WOULD BE HERE. SO THAT'S WHAT THEY ARE DEPICTING HERE.  
17 THEY ARE ALSO DEPICTING A NORTHWARD DIPPING SURFACE, SO  
18 THAT AS THAT MOVES RIGHT, IF YOU STEP ACROSS THE FAULT,  
19 YOU HAVE TO GET DEEPER. RIGHT?

20           SO IF I WERE HERE AND I WAS SUPPOSED TO BE HERE,  
21 AS THIS FAULT MOVES THIS WAY, I WOULD BECOME DEEPER AND  
22 DEEPER AS THIS CONTINUES TO MOVE BECAUSE THAT'S A DIPPING  
23 SURFACE. SO NOW IF I STEP OVER, I HAVE TO GO QUITE A WAYS  
24 DOWN TO FIND THAT SURFACE.

25           ANOTHER POINT I WANT TO POINT OUT -- SO THIS IS

1     SHOWING THERE'S A MAJOR FAULT ACROSS THIS FEATURE.    ONE OF  
2     THE INTERESTING THINGS ABOUT THIS FEATURE IS THAT NONE OF  
3     THE OTHER FAULTS OVER HERE SHOW ANY OFFSET OF THAT  
4     SURFACE.    THERE'S NO OFFSET OF THAT SURFACE ON THIS FAULT.  
5     THERE'S NO OFFSET OF THIS SURFACE ON THIS FAULT.    THERE'S  
6     NO OFFSET OF THAT SURFACE EVEN ALONG DURANT DRIVE.    NO  
7     OFFSET.

8                 THIS IS A MILLION-YEAR-OLD SURFACE.    SO THERE'S  
9     NO OFFSET ON THIS SURFACE IN A MILLION YEARS.    AND THIS IS  
10    PREPARED BY PB DATED MAY 14TH.

11                NOW I WANT TO GO BACK AND JUST TALK AGAIN FOR A  
12    MINUTE.    THIS IS OUR T-4, B-10 ON ONE SIDE OF THE FAULT.  
13    THIS IS OUR CB-13 ON THE OTHER SIDE OF THE FAULT.  
14    REMEMBER WHEN WE HAD THIS CONVERSATION EARLIER, THIS IS AN  
15    ELEVATION OF 149.    THIS IS AN ELEVATION OF 156.

16                IF THIS IS FIGURE IS CORRECT, THERE SHOULD BE  
17    20 TO 50 FOOT OF SEPARATION ACROSS THOSE TWO FAULTS,  
18    ACROSS THIS FAULT BETWEEN THOSE TWO BORINGS.    THERE'S NOT.  
19    INSTEAD THERE'S FIVE OR SIX FEET OF SEPARATION WHICH IS  
20    EXACTLY WHAT WE'VE MAPPED WITH A GENTLY SLOPING SURFACE TO  
21    THE EAST.

22                THAT AMOUNT OF SEPARATION MATCHES THE SAME  
23    SEPARATION WE'VE SEEN IN EACH OF THESE BORINGS.    THE RED  
24    LINES ARE THE -- AGAIN, THE BORINGS THAT HAVE BEEN MAPPED  
25    IN THE MOST RECENT MAY 14TH PB REPORT.

1                   SO WE JUST DON'T SEE ANY EVIDENCE FOR THOSE  
2 FAULTS AT BEVERLY HILLS HIGH SCHOOL.

3                   MR. BROGAN: YOU MEAN THE RED LINES WERE THE  
4 FAULTS.

5                   THE WITNESS: I'M SORRY.

6                   MR. BROGAN: THE PB FAULTS.

7                   THE WITNESS: THE RED LINES WERE THE PB FAULTS IN  
8 THE MOST RECENT MAY 14TH REPORT.

9                   THERE'S ONE MORE COMMENT I WANT TO MAKE, AND THEN  
10 I'LL CONCLUDE. THIS IS IN THE -- IN THE MAY 14TH REPORT  
11 THERE'S TWO STATEMENTS, ONE OF THEM ON PAGE 13 -- ON  
12 PAGE 3 AND ONE OF THEM ON PAGE 4.

13                   ON PAGE 3 THE REPORT MAKES THE FOLLOWING  
14 STATEMENT. "METRO AGAIN NOTES THAT TRENCHING IS NOT THE  
15 SINGLE MOST DEFINITIVE TOOL TO DETERMINE THE ACTIVITY OR  
16 INACTIVITY OF FAULTS. ONE MUST INTEGRATE ALL LINES OF  
17 EVIDENCE: GEOMORPHIC, SEISMICITY, GEOPHYSICAL, BORING  
18 CPT, ET CETERA, TO JUDGE FAULT ACTIVITY."

19                   YOU KNOW, I'LL SAY AGAIN THAT WE WERE ABLE TO  
20 TRENCH 90 PERCENT OF THE CAMPUS. IN THE AREAS WHERE WE  
21 WEREN'T ABLE TO TRENCH, WE DUG NUMEROUS BORINGS TO  
22 CORRELATE UNITS ACROSS THAT UNIT.

23                   PB WAS UNABLE TO DIG ANY FAULT TRENCHES. ALL OF  
24 THEIR DATA IS BASED ON CPT'S -- MAJORITY OF CPT'S AS WELL  
25 AS CORE DATA. SO THEY ARE TELLING US THAT TRENCHING IS

1 NOT THE MOST DEFINITIVE TOOL TO DETERMINE ACTIVITY.

2 THIS IS IN THE MIDDLE OF PAGE 3.

3 IN THE MIDDLE OF PAGE 4 THEY MAKE THIS STATEMENT,  
4 "IN THE ABSENCE OF CONTINUOUS TRENCH EXPOSURE SHOWING  
5 UNBROKEN DEPOSITS OR SOILS OF UNKNOWN AGE, IT IS NOT  
6 POSSIBLE TO PROVE THAT ANY PARTICULAR FAULT STRAND THAT PB  
7 IDENTIFIED WITHIN THE WEST BEVERLY HILLS LINEAMENT IS  
8 ACTIVE OR INACTIVE. SUCH DATA CAN ONLY BE GLEANED FROM  
9 TRENCHES THAT PROVIDE CONTINUOUS EXPOSURE OF THE ENTIRE  
10 WIDTH OF THE POTENTIAL FAULT ZONE."

11 PB DIDN'T DO ANY TRENCHES. ON PAGE 3 THEY TELL  
12 US TRENCHING IS NOT DEFINITIVE. ON PAGE 4, THEY ARE  
13 IGNORING OR TELLING US SOME OF OUR DATA IS NOT ACCURATE  
14 BECAUSE WE WEREN'T ABLE TO TRENCH THE ENTIRE SITE. THAT  
15 MAKES IT REALLY HARD FOR ANYONE TO QUESTION THEIR DATA.  
16 IF TRENCHING IS DEFINITIVE, GREAT. IF IT'S NOT  
17 DEFINITIVE, GREAT. BUT THEY ARE BASICALLY SAYING BOTH  
18 WAYS IN THIS RESPONSE REPORT.

19 THIS CONCLUDES MY PRESENTATION.

20 MR. BROGAN: THANK YOU, MR. BUCHIARELLI.

21 WE'LL CALL AS OUR NEXT WITNESS MR. ELDON GATH.

22 MR. GATH, PLEASE COME FORWARD AND BE SWORN.

23 HEARING OFFICER DROOYAN: WOULD YOU SPELL YOUR  
24 NAME FOR THE RECORD, PLEASE.

25 THE WITNESS: YES, SIR. ELDON -- EXCUSE ME --



1 ELDON, E-L-D-O-N; GATH, G-A-T-H.

2 HEARING OFFICER DROOYAN: MADAM COURT REPORTER,  
3 WOULD YOU SWEAR THE WITNESS, PLEASE.

4

5 ELDON GATH,  
6 A WITNESS HEREIN, CALLED BY AND ON BEHALF OF THE CITY  
7 HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED  
8 AS FOLLOWS:

9

10 EXAMINATION

11 BY MR. BROGAN:

12 Q MR. GATH, WOULD YOU BASICALLY STATE YOUR  
13 BACKGROUND IN ABOUT 15 SECONDS.

14 A HI. MY NAME IS ELDON GATH. I'M THE PRESIDENT OF  
15 A CONSULTING COMPANY CALLED "EARTH CONSULTANTS  
16 INTERNATIONAL."

17 I'M A PAST PRESIDENT OF THE ASSOCIATION OF  
18 ENGINEERING GEOLOGISTS, A CERTIFIED ENGINEERING GEOLOGIST  
19 IN THE STATE OF CALIFORNIA, AND I'M CURRENTLY ON THE  
20 TECHNICAL ADVISORY COMMITTEE FOR THE BOARD OF PROFESSIONAL  
21 ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS.

22 Q THANK YOU.

23 WOULD YOU PLEASE PROCEED WITH YOUR WORK AND  
24 CONCLUSIONS.

25 A WELL, PHIL HAS GIVEN YOU THE -- THE BACKGROUND ON

1 THE INVESTIGATION THAT I WAS BROUGHT IN TO ASSIST THEM  
2 WITH. AND -- AND I HOPE YOU UNDERSTAND HE DID A VERY NICE  
3 JOB. AND LEIGHTON CONSULTING ALSO DID A VERY NICE A JOB.

4 AND IT IS JUST INCREDIBLE THAT WE NOW HAVE THIS  
5 METRO OR THIS PARSONS'S REVIEW REPORT BACK ON IT. AND I  
6 WANT YOU TO UNDERSTAND THAT THIS WORK THAT THEY DID IS  
7 JUST EXTREMELY CONCLUSIVE TO -- TO ME AND TO EVERYONE WHO  
8 HAS LOOKED AT IT WITH AN HONEST -- HONEST EYE.

9 Q THEY MEANING LEIGHTON OR PB?

10 A THEY BEING LEIGHTON. THANK YOU.

11 OKAY. SO WHY THIS IS MORE CONCLUSIVE? WELL,  
12 LEIGHTON COMPLETELY REDID TRANSECT 4 AFTER QUESTIONS  
13 EMERGED ABOUT THE DATA VALIDITY. I UNDERSTAND THAT'S NOW  
14 BEEN RECTIFIED AT AMEC -- ON AMEC SIDE.

15 BUT AT THE TIME WE DIDN'T KNOW THAT, AND AT THE  
16 TIME WE NEEDED TO UNDERSTAND WHY TRANSECT 4 COULD BE  
17 INTERPRETED SO AGGRESSIVELY WITH SO MANY FAULTS WHEN WE  
18 WERE JUST NOT SEEING ANYTHING TO INDICATE THAT IN THE  
19 SEDIMENTS THAT WERE EXPOSED IN THE TRENCHES IN THE  
20 BORINGS.

21 IN ADDITION TO REDOING THE TRANSECT, THEY  
22 SUPPLEMENTED IT WITH ADDITIONAL CPT'S AND ADDITIONAL  
23 BORINGS, AND THEIR BORINGS WENT CONSIDERABLY DEEPER THAN  
24 AMEC BORINGS DID BECAUSE THEY WERE TRACKING THAT -- THAT  
25 UNIT CALLED "THE SAN PEDRO FORMATION" WHICH WAS VERY

1       DISTINCTIVE AND EASILY CORRELATED FROM BORING TO BORING.

2               FURTHERMORE, THAT UNIT IS PERHAPS AS OLD AS A  
3       MILLION YEARS OLD.  AND SO IF THAT UNIT IS NOT AFFECTED BY  
4       FAULTING, IT PRETTY MUCH PUTS TO BED ANY OTHER CONCERN.

5               IN ADDITION, AS PHIL SAID, THEY TRENCHED ALMOST  
6       THE ENTIRE WIDTH OF THE SCHOOL, VERY IMPRESSIVE  
7       EXCAVATIONS AND VERY EXCELLENT EXPOSURES THAT CLEARLY  
8       SHOWED THAT THERE WERE NO ACTIVE FAULTS THROUGH THE  
9       SCHOOL.

10              IN ADDITION, WE OPENED THE TRENCH SIDE UP TO A  
11       CALIFORNIA GEOLOGICAL SURVEY.  THEY SPENT ALMOST A WEEK  
12       OUT THERE.  U.S. GEOLOGICAL SURVEY WAS THERE AND VISITED  
13       IT.

14              IN ADDITION, UNLIKE WHAT THE RECENT PARSONS'S  
15       REPORT SAYS, WE DID OPEN IT UP TO AMEC LEAD GEOLOGIST ON  
16       THIS PROJECT, AND SHE REVIEWED THE TRENCH AS WELL.

17              IN ADDITION TO THAT AND UNLIKE THE -- THE  
18       PREVIOUS WORK, WE DEVELOPED THIS VERY ROBUST AND  
19       MULTIDISCIPLINARY ASSESSMENT OF THE AGE CONTROL ON THE  
20       SEDIMENTS THAT WERE PRESENT AT THE SITE.

21              IN PB'S REPORT -- THIS IS THEIR GEOLOGY  
22       SECTION -- IT'S PRETTY SIMPLE.  AND THE HIGHLIGHTED -- THE  
23       AGE OF THE YELLOW IS THE HOLOCENE.  THAT EFFECTIVELY  
24       DEFINES THE AGE OF AN ACTIVE FAULT.  IF IT DOESN'T BREAK  
25       THOSE SEDIMENTS, IT DOESN'T -- IT DOESN'T AFFECT ANYTHING

1 IN TERMS OF THE HAZARD.

2 AND THEN THE OTHER UNITS DOWN BELOW GET OLDER AND  
3 OLDER. IN THIS SECTION WE NOW KNOW THAT THE OLDER  
4 ALLUVIAL DEPOSITS ARE BETWEEN 200- TO 500,000 YEARS OLD.  
5 WE DON'T REALLY BELIEVE THESE ESTUARINE DEPOSITS. WE  
6 THINK THEY ARE ACTUALLY JUST FLOOD PLAIN DEPOSITS. BUT  
7 THAT'S A TRIVIAL ISSUE.

8 AND THEN DOWN THERE AT THE BOTTOM, THE TARGET,  
9 THAT WAS THE SAN PEDRO FORMATION. IT COULD BE AS OLD A  
10 MILLION YEARS. IT MAY ONLY BE 750,000, BUT AT THAT POINT  
11 YOU'RE STARTING TO SPLIT HAIRS THAT ARE KIND OF  
12 IRRELEVANT.

13 AT THE SCHOOL THE AGE OF SEDIMENTS TO GET DOWN  
14 BELOW WHICH TO DEFINE WHETHER A FAULT POSES A HAZARD OR  
15 NOT IS THAT YELLOW LINE THERE. IT'S ONLY ABOUT SIX FEET  
16 DOWN. EVERYTHING BELOW THAT IF IT'S NOT FAULTED, THERE IS  
17 NO FAULT HAZARD. AND THAT WAS CONSISTENT THROUGH THIS  
18 WHOLE SYSTEM.

19 NOW, PB'S TRANSECT DOESN'T EVEN HAVE THOSE  
20 DEPOSITS ON TOP. THEY HAVE ALL OF THESE VERY OLD  
21 SEDIMENTS, HUNDREDS TO 200- TO 3-, 400,000 YEARS OLD  
22 PROBABLY, AND YET THEY DRAW THE FAULTS ALL THE WAY TO THE  
23 SURFACE AND CONSIDER THEM TO BE ACTIVE. THERE'S NOT EVEN  
24 A SHADOW OF A DOUBT IN THAT STATEMENT, AND THAT'S --  
25 THAT'S VERY UNFORTUNATE.

1           THERE IS NO CONFIRMATION OF THAT, THAT THEY ARE,  
2   IN FACT, AN ACTIVE FAULT.  IN FACT, THERE'S NO  
3   CONFIRMATION OF EVEN A FAULT THERE.  THESE ARE JUST  
4   INTERPRETATIONS OF POTENTIAL OFFSETS IN A SIGNATURE THAT  
5   IS DRIVEN DOMINANTLY BY THOSE CPT PROBES.

6           SO WHY CALL THEM ACTIVE WITH NO CONFIRMATION?  
7   WELL, THE REASON IS, IS THAT THEY WERE ASSUMED TO BE  
8   ACTIVE BECAUSE OF A MODEL PARADIGM CONNECTING THESE WITH  
9   THE NEWPORT INGLEWOOD FAULT SEVERAL MILES TO THE SOUTH.

10           SO IN METRO'S TRANSECT 7, THEY -- THEY HAVE  
11   ACTUALLY A FAIRLY DECENT AMOUNT OF BORINGS, AND THEY DON'T  
12   DRAW ANY FAULTS THERE.  THEY DRAW THEM WHERE THE CPT'S  
13   COME IN.  AND, AGAIN, WHEN YOU DO A CPT, I MEAN, AS PHIL  
14   POINTED OUT, THIS IS ALL THE GEOLOGY YOU SEE.  YOU SEE  
15   ASPHALT BECAUSE YOU'RE PUSHING THROUGH.  THAT'S IT.

16           AND YOUR SIGNATURE COMES FROM A LITTLE THREE-INCH  
17   OR FOUR-INCH HOLE HERE THAT'S PUSHED THROUGH THE ASPHALT  
18   RESULTING IN AN ELECTRONIC FINGERPRINT OF THE SOILS.

19           NOW, THERE'S A LOT OF -- A LOT OF THINGS THAT CAN  
20   MAKE THAT CHANGE, AND INTERNALLY THERE'S A LOT OF  
21   VARIATIONS WITHIN CPT'S.  IT IS AN EXCELLENT TOOL, BUT IT  
22   IS NOT THE ONLY TOOL THAT YOU WOULD BASE A DECISION LIKE  
23   THIS UPON.

24           WHEN YOU DRILL, YOU AT LEAST GET A THREE OR  
25   FOUR-INCH DIAMETER CORE THAT YOU CAN BUT IN A BOX, AND YOU

1 CAN TOUCH AND LOOK AT AND SAY, "WOW, THAT'S THE SAME AS  
2 OVER HERE."

3 IN THIS CASE THIS IS ONE OF LEIGHTON'S BORINGS  
4 THAT THEY BACKFILLED WITH BENTONITE, SO YOU CAN KIND OF  
5 SEE THAT EVEN COMPARED TO A TRENCH, AND EVEN THOUGH THIS  
6 IS TWICE AS BIG AS A CPT, IT'S STILL INSIGNIFICANT IN  
7 TERMS OF WHAT YOU CAN SEE WHEN YOU ACTUALLY DIG A TRENCH.  
8 WELL, THAT'S THE POINT. WHEN YOU DIG A TRENCH, YOU CAN  
9 SEE EVERYTHING.

10 AND IT JUST LAYS IT OUT FOR YOU, AND YOU JUST GO  
11 FROM LAYER TO LAYER TO LAYER, LIKE A CAKE, AND YOU JUST  
12 WALK UP THE HILL. AND THE REALLY CRITICAL ISSUE IS AND  
13 EVERYBODY ELSE CAN SEE IT TOO -- THE TIME TO ARGUE ABOUT  
14 GEOLOGY IS NOT WHEN YOU MAKE A CARTOON AND PUT IT IN A  
15 REPORT. THE TIME TO ARGUE ABOUT IT IS WHEN YOU'RE  
16 STANDING OUT IN THE FIELD LOOKING AT THE DATA, LOOKING AT  
17 THE EXPOSURES, AND COMING UP WITH A CONSENSUS AS TO WHAT  
18 THINGS MEAN AND HOW IMPORTANT THEY ARE.

19 WELL, PHIL TOOK YOU THROUGH THE PHYSICAL -- THE  
20 ISSUES OF THE BORINGS, AND I JUST WANT TO SAY THAT WE DID  
21 THIS. WE LAID THEM OUT IN THE PARKING LOT DAYS ON END.  
22 WE HAD -- WE HAD CALIFORNIA GEOLOGICAL SURVEY PEOPLE OUT  
23 HERE. WE HAD CITY GEOLOGISTS. WE EVEN HAD AMEC  
24 GEOLOGISTS OUT HERE AND -- AND PARSONS CONSULTANTS AS  
25 WELL.

1           SO AFTER SEVERAL DAYS OF GOING FROM BORING TO  
2 BORING TO BORING AND CORRELATING EVERYTHING, THERE WAS  
3 PRETTY MUCH CONSENSUS, AND I DIDN'T HEAR ANY DIFFERENT  
4 THAT THESE, THE LEIGHTON TRANSECTS, WERE PRETTY GOOD.

5           AND THERE'S ONE LINGERING QUESTION, AND THAT WAS  
6 THAT ONE THAT PHIL ALLUDED TO BETWEEN THEIR BORING -- AMEC  
7 BORING 10 AND LEIGHTON'S BORING 13. AND SO WE ACTUALLY  
8 BROUGHT EVERYTHING BACK TO THE PARKING LOT. AND AMEC  
9 BROUGHT THEIR BORINGS OVER, AND WE LAID THEM OUT. AND YOU  
10 SAW THE PHOTO THERE THAT -- THAT SAN PEDRO CONTACT IS  
11 EXACTLY WHERE IT WAS INTERPRETED BY LEIGHTON. AND THERE  
12 IS NO NEED TO PUT A FAULT THROUGH THERE, ESPECIALLY A  
13 FAULT THAT IS SUPPOSED TO HAVE 400 FEET OF OFFSET.

14           WELL, AT THE END OF THE DAY WHEN WE GOT THAT --  
15 THAT REPORT BACK FROM METRO, IT WAS JUST FRUSTRATING.  
16 I MEAN, IT WAS LIKE, "WHY BOTHER?" I MEAN, LITERALLY.  
17 DESPITE SITTING THERE LOOKING AT DIRT FOR THREE DAYS WITH  
18 EVERYBODY PRESENT, HOURS OF DISCUSSION, AND THEN GENERAL  
19 AGREEMENT IN THE FIELD THAT THERE WERE NO ACTIVE FAULTS  
20 THAT ONE COULD INTERPRET THROUGH THE SCHOOL, THE PARSONS'S  
21 REPORT NOW SAYS THAT WE HAVE CONFIRMED THEIR FAULTS. NOW  
22 THEY HAD TO MOVE THEM A LITTLE BIT. AND -- AND THAT'S --  
23 YOU KNOW, PHIL'S TALKED ABOUT THAT.

24           IT FEELS LIKE THIS, QUITE FRANKLY, AND IT'S NOT  
25 SCIENCE. IT FEELS LIKE IT'S PARADIGM DRIVEN AND OPINION

1 DRIVEN AND MAYBE A BIT OF ARROGANCE THROWN IT THAT THEY  
2 COULDN'T HAVE POSSIBLY INTERPRETED THIS INCORRECTLY.

3 WELL, THEY USED CONE PENETROMETERS FOR THE  
4 DOMINANT PART OF THEIR INTERPRETATION. AND AS I SAY,  
5 THEIR ONLY ONE TOOL, AND WITHIN THEMSELVES, THEY HAVE  
6 INTERNAL VARIATION WHICH IS NOT NECESSARILY VISIBLE TO YOU  
7 AS AN INTERPRETER BECAUSE ALL YOU'VE GOT TO WORK WITH IS A  
8 LITTLE ELECTRONIC SIGNATURE.

9 SO CPT IS ONLY IMAGE OF SUBSURFACE. I MEAN --  
10 AND YOU DON'T EVEN KNOW WHAT THEY ARE NECESSARILY SENSING  
11 BECAUSE IT'S A -- IT'S A COMPUTER ALGORITHM THAT TELLS YOU  
12 WHETHER IT'S SAND OR -- OR CLAY OR NOT. BUT IN THIS CASE,  
13 THIS IS ONE OF THE NEW FAULTS THAT SHOWED UP. IT SHOWS UP  
14 HERE BETWEEN THESE TWO CPT'S. AND I WILL BE DARNED IF I  
15 CAN UNDERSTAND WHY. SO VERY SUBJECTIVE INTERPRETATIONS.

16 AS I ALLUDED TO, THEY ALSO HAVE INHERENT  
17 VARIABILITY AMONGST THEMSELVES. IN OTHER WORDS, THESE TWO  
18 CPT'S ARE ONLY EIGHT FEET APART, AND THEY ARE SIMILAR, BUT  
19 THEY ARE NOT IDENTICAL. AND IN ADDITION, WHAT WE LOOK AT  
20 IS AS THE AMEC CPT'S GO DEEPER AND DEEPER AND DEEPER, THE  
21 CORRELATIVE UNIT BECOMES DEEPER AND DEEPER AND DEEPER.

22 AND ONE OF THE THINGS WE WERE VERY CAREFUL ABOUT  
23 IN DOING LEIGHTON'S CPT'S IS TO MEASURE THE VERTICALITY OF  
24 THE PROBE BECAUSE IT'S VERY COMMON FOR THESE PUSH PROBES  
25 TO KICK OUT SIDEWAYS, ESPECIALLY IN THIS TYPE OF



1 SEDIMENTS. AND AS THEY KICK OUT FURTHER AND FURTHER AND  
2 FURTHER OUT HERE, THAT DEPTH CAN BE VARIABLE AS IT'S  
3 GETTING STRETCHED BECAUSE IT'S GETTING LONGER BUT NOT ANY  
4 DEEPER. WELL, AN INTERPRETER WOULDN'T KNOW THAT.

5 AND NEXT PROBE RIGHT NEXT TO IT MIGHT GO  
6 PERFECTLY STRAIGHT, AND YOU WOULDN'T KNOW THAT EITHER  
7 UNLESS YOU WERE MEASURING THE VERTICALITY OF THE PROBES.  
8 AND I THINK BASED ON THIS CORRELATION THAT THE AMEC CPT'S  
9 WERE PROBABLY DEVIATING FROM VERTICAL, AND THIS LEADS TO  
10 THE OPPORTUNITY TO INTERPRET FAULTS BETWEEN CPT'S WHERE  
11 ONE WENT STRAIGHT AND ONE DIDN'T.

12 BUT EVEN SO, THEY ARE NOT IDENTICAL AND THEY  
13 SHOULD NEVER BE INTERPRETED TO BE IDENTICAL. HERE, FOR  
14 EXAMPLE, IS A SET OF CPT'S. THE -- THE LIGHT GREEN ONES  
15 ARE AMEC, AND THE DARK GREEN ONES ARE LEIGHTON'S. THESE  
16 ARE ABOUT TEN FEET APART; THESE ARE ABOUT 20 FEET APART.

17 AND YOU CAN SEE THIS IS NOT THE SAME AS THIS, AND  
18 THIS IS CERTAINLY NOT THE SAME AS THIS. AND THIS ISN'T  
19 THE SAME AS THIS, AND THIS ISN'T THE SAME AS THIS. WELL,  
20 AMEC PUT A FAULT HERE. AND I'M THINKING, WELL, WHY NOT  
21 PUT IT OVER HERE TO WHERE IT REALLY CHANGED. AND WELL,  
22 YOU COULDN'T PUT IT HERE BECAUSE THEN IT WOULDN'T SNEAK  
23 THROUGH ONE OF THE GAPS IN THE TRENCHES.

24 AND I'M BOTHERED BY THAT TYPE OF SCIENCE, SO I  
25 HOPE YOU ARE AS WELL. SO HERE'S THEIR NEW FAULT MAP THAT

1 PHIL SHOWED YOU. AND SOME OF THESE HAVE MOVED, AND SOME  
2 OF THEM HAVE NOT. BUT THEY HAVE ALL WIGGLED AROUND HERE,  
3 OVER HERE, WHEN THEY HAVE TO FIT THROUGH THE TRENCHES.  
4 AND NO FAULTS HAVE BEEN REMOVED. THEY'VE JUST BEEN  
5 CHANGED A LITTLE BIT. AND THEY ARE JUST QUITE LITERALLY  
6 DRAWN PERFECTLY TO MISS THESE TRENCHES. IT'S -- IT'S  
7 PUZZLING.

8 SO AS I SAID, PB STILL PLACES AN ACTIVE FAULT  
9 BETWEEN THESE TWO BORINGS. AND I'M SAYING "WHY?" THESE  
10 ARE TWO OF THE MOST IDENTICAL BORINGS YOU'RE EVER GOING TO  
11 SEE, AND YET THEY HAVE A FAULT THROUGH THE MIDDLE OF  
12 THESE. AND THIS IS WHAT PHIL SHOWED YOU. THESE BORINGS  
13 ARE JUST -- YOU CAN JUST WALK THEM RIGHT UP THERE, AND --  
14 AND YOU CAN CONTINUE.

15 BUT THEIR TRANSECT HAS -- HAS JUST NAILED IT. I  
16 MEAN, NOT THE -- NOT ONLY DID THEY REPLICATE AMEC TRANSECT  
17 4, BUT THEY DID A WHOLE NEW ONE, AND THEY EXPOSED ALMOST  
18 90 PERCENT OF IT IN TRENCHES, AND YET IT SEEMS LIKE IT WAS  
19 COMPLETELY IGNORED IN THE NEW REVIEW IN THE RESPONSE.

20 A LOT OF EFFORT WAS PLACED IN THE NEW RESPONSE  
21 ABOUT THE FAULTS THAT WE DID FIND. WELL, THEY ARE  
22 IMPRESSIVE. IT'S A ZONE OF FAULTING, A FOOT OR TWO WIDE.  
23 THAT TOTAL OFFSET THAT YOU CAN MEASURE HERE IS FOUR  
24 INCHES. SO DRAMATIC. THIS IS NOT ANYTHING THEY WOULD  
25 HAVE EVER BEEN ABLE TO SEE IN THAT SCALE IN THEIR CPT

1 INTERPRETATIONS.

2 AND FURTHERMORE, IT'S CAPPED UP AT THE TOP BY A  
3 DEPOSIT THAT IS A SCREEN DEPOSIT THAT CUT RIGHT ACROSS THE  
4 TOP OF THE GROUND, AND SO THESE EARTHQUAKES, WHATEVER  
5 HAPPENED TO MAKE THIS HAPPEN, OCCURRED BEFORE THIS DEPOSIT  
6 WAS PLACED DOWN. AND THIS DEPOSIT IS SITTING BENEATH A  
7 COUPLE HUNDRED THOUSAND YEARS OF SOIL DEVELOPMENT. SO  
8 WE'RE LOOKING AT A FOUR-INCH DISPLACEMENT SEVERAL HUNDRED  
9 THOUSAND YEARS AGO. IT'S HARD TO FEEL VERY THREATENED BY  
10 THAT.

11 OTHER COMMENTS WERE THAT THE WEST BEVERLY HILLS  
12 LINEAMENT HAS BEEN MAPPED BY THE STATE AND MAPPED BY THE  
13 U.S. GEOLOGICAL SURVEY. AND THIS IS SOMEWHAT TRUE. I  
14 MEAN, THEY DOT THE WHOLE THING THROUGH HERE, BUT THEY MAP  
15 IT WAY OUT IN HERE, NOT THROUGH BEVERLY HILLS HIGH SCHOOL.  
16 AND NOW HERE'S THE NEW PLACE THAT THE METRO REVIEW  
17 RESPONSE PUTS THE FAULT. SO IT'S A MOVING TARGET, AS PHIL  
18 POINTED OUT.

19 AND HERE'S THEIR TOPO MAP THAT THEY'VE MADE ON  
20 THAT SAN PEDRO FORMATION, USING A LOT OF DATA THAT WE  
21 DON'T HAVE ACCESS TO AND TAKING OUR DATA OVER HERE FROM  
22 THE LEIGHTON TRANSECT "B" -- "A" AND ALL OF THE BORINGS  
23 AND COMPLETELY CHANGING IT.

24 AS --AS I HOPE YOU ARE PERSUADED, THE DATA  
25 INDICATES VERY CLEARLY A NICE GENTLE SLOPE TO THE EAST.

1 AND INSTEAD THEY'VE TURNED IT INTO A FAIRLY STEEP SLOPE TO  
2 THE NORTH SO THAT THEY CAN GET OVER HERE AND OFFSET IT  
3 AGAINST THIS THING, WHICH IS BASED ON TWO OR THREE DATA  
4 POINTS THAT WE CAN'T REVIEW, AND PUT THAT FAULT RIGHT  
5 THROUGH THE MIDDLE OF THOSE TWO BORINGS WHICH DO NOT ALLOW  
6 FOR SUCH A FAULT THROUGH THE MIDDLE OF THEM.

7 WELL, YOU CAN REINTERPRET DOTS. THIS IS JUST A  
8 CONNECT-THE-DOTS PUZZLE. AND -- AND WHEN YOU DO AND YOU  
9 ADD IN OUR NEW DATA, OUR DATA HERE FROM THE TRANSECT, AND  
10 GET THIS NICE GENTLE EAST DIP, YOU CAN TAKE THIS BULLS-EYE  
11 PATTERN WHICH IS A CALLED AN "ANTICLINE" OR A "FOLD," AND  
12 YOU CAN JUST CONNECT IT. AND ALL OF OUR SEDIMENTS ARE  
13 SHOWING HERE IS THIS IS THE EAST LIMB OF THIS FOLD.

14 HERE'S A LITTLE CARTOON FROM -- WHICH MAYBE I  
15 DON'T KNOW IF THIS HELPS OR NOT -- BUT THIS IS WHAT WE'RE  
16 SEEING, JUST A NICE GENTLE EAST DIP. BUT HERE'S THE HINGE  
17 OF THE FOLD, RIGHT HERE. RIGHT HERE.

18 AND WHEN YOU PLOT THIS, HERE IS WHAT WE SEE  
19 THROUGH THE SCHOOL. THERE'S A NICE GENTLE EAST DIPPING  
20 SURFACE ON A MILLION-YEAR-OLD SURFACE. BUT RIGHT HERE  
21 THROUGH CONSTELLATION IS THE HINGE OF THE FOLD. WELL, IF  
22 THIS IS AN ACTIVELY GROWING STRUCTURE LIKE IT'S BEEN  
23 SEEMINGLY IMPLIED, THEN THIS IS OF SOME CONCERN I WOULD  
24 HOPE FOR YOU FOR THE DESIGN OF THE CONSTELLATION STATION  
25 BECAUSE STATIONS DON'T BEND; BUT THEY DON'T FOLD ANY

1 BETTER OR DON'T FAULT. I DON'T THINK I SAID THAT RIGHT,  
2 BUT.

3 BUT HERE'S WHY ALL OF THESE FAULTS SHOW UP  
4 THROUGH BEVERLY HILLS ON THIS TRANSECT, BECAUSE INSTEAD OF  
5 ALLOWING THE SEDIMENTS TO DIP TO THE EAST LIKE THEY DO,  
6 THEY WERE ALL MADE HORIZONTAL. AND THEY'RE MADE  
7 HORIZONTAL BECAUSE OF THIS DATA POINT AND THIS DATA POINT,  
8 AND THIS DATA POINT OVER HERE BECAUSE THEY DON'T KNOW  
9 WHICH WAY THEY ARE DIPPING, SO THEY JUST DREW HORIZONTAL  
10 LINES.

11 AND THEN, OF COURSE, YOU CAN PUT FAULTS IN THEM  
12 BECAUSE YOU'VE GOT TO STEP THESE THINGS DOWN. OVER HERE  
13 IT'S PERMISSIBLE FOR THIS TO BE A SLOPE UNTIL YOU GET TO  
14 THIS FAULT, AND THEN SUDDENLY IT'S GOT TO BE A FAULT. AND  
15 THIS IS VERY DISINGENUOUS. AND THIS IS NOT -- THIS BLACK  
16 LINE IS ACCURATE. THESE -- THESE ORANGE LINES ARE NOT.  
17 AND I THINK YOU NEED TO PAY ATTENTION TO THIS.

18 AND THAT'S THE END OF MY TALK. THANK YOU.

19 HEARING OFFICER DROOYAN: THANK YOU, MR. GATH.

20 MR. BROGAN, YOUR NEXT WITNESS.

21 MR. BROGAN: THANK YOU, YOUR HONOR.

22 OUR NEXT WITNESS, WE'RE GOING TO CALL

23 MILES KENNEY.

24 LET'S CALL DR. SHLEMON BY VIDEO.

25 HEARING OFFICER DROOYAN: THAT'S FINE.

1 MR. BROGAN: THANK YOU.

2 HEARING OFFICER DROOYAN: WE HAVE THAT SET UP?

3 MR. BROGAN: IT'S ALL SET. I HOPE.

4 HEARING OFFICER DROOYAN: I'LL ADMIT THIS AS

5 BASICALLY AN EXHIBIT. I THINK TECHNICALLY HE PROBABLY

6 SHOULD HAVE BEEN SWORN IF GIVING TESTIMONY, BUT I THINK

7 GIVEN THE TIME LIMITS AND THE NEED TO MOVE THIS PROCEEDING

8 FORWARD, I THINK WE SHOULD ADMIT IT AS AN EXHIBIT.

9 MR. BROGAN: I APPRECIATE THAT, AND WE'LL MAKE A

10 COPY FOR YOUR HONOR AND FOR THE RECORD. WE HAVE A COPY.

11 MAY WE BEGIN WITH THE -- GO AHEAD AND PLAY IT.

12 HEARING OFFICER DROOYAN: WE'RE MISSING THE

13 SOUND. HOLD IT.

14 MR. BROGAN: IS THERE ANYTHING YOU CAN DO FOR THE

15 -- THE VOLUME'S TURNED UP HERE. VOLUME'S UP HERE.

16 HEARING OFFICER DROOYAN: ALL RIGHT. LET'S TRY

17 IT AGAIN.

18 MR. BROGAN: NO. SOMETHING'S -- VOLUME LEVEL IS

19 TURNED UP.

20 HEARING OFFICER DROOYAN: AT THE WORST, WE'LL

21 ADMIT IT AS AN EXHIBIT.

22 MR. BROGAN: WELL, WE CAN ADJUST. I DON'T KNOW

23 HOW LONG IT WILL TAKE FOR THE AUDIO PERSON TO GET HERE,

24 BUT WE CAN SWAP WITNESSES AROUND.

25 HEARING OFFICER DROOYAN: THAT'S FINE.

1 MR. YAROSLAVSKY: YEAH, WHY DON'T YOU DO THAT,

2 MR. DROOYAN --

3 HEARING OFFICER DROOYAN: THAT'S FINE.

4 MR. YAROSLAVSKY: -- AND LET SEE IF THEY CAN FIX  
5 THAT IN THE MEANTIME.

6 HEARING OFFICER DROOYAN: I THINK THAT'S  
7 ABSOLUTELY RIGHT.

8 MR. BROGAN: ALL RIGHT. WE'LL CALL AS OUR NEXT  
9 WITNESS MR. MILES KENNEY. MR. KENNEY, PLEASE COME FORWARD  
10 AND BE SWORN. I'M SORRY. DR. KENNEY. PLEASE COME  
11 FORWARD AND BE SWORN.

12 HEARING OFFICER DROOYAN: PLEASE STATE YOUR FULL  
13 NAME FOR THE RECORD AND SPELL IT, PLEASE.

14 THE WITNESS: MILES, M-I-L-E-S; KENNEY,  
15 K-E-N-N-E-Y.

16 HEARING OFFICER DROOYAN: DR. KENNEY, WOULD YOU  
17 BE SWORN BY OUR COURT REPORTER, PLEASE.

18

19 MILES KENNEY,

20 A WITNESS HEREIN, CALLED BY AND ON BEHALF OF THE CITY

21 HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED

22 AS FOLLOWS:

23

24 EXAMINATION

25 \\\

1 BY MR. BROGAN:

2 Q MR. KENNEY, WOULD YOU BRIEFLY DESCRIBE YOUR  
3 PROFESSIONAL BACKGROUND IN 15 SECONDS OR LESS.

4 A YES. I'M A PROFESSIONAL GEOLOGIST IN THE STATE  
5 OF CALIFORNIA. I HAVE A PH.D. IN GEOLOGY. MY  
6 SPECIALITIES ARE GEOMORPHOLOGY, SEISMIC HAZARDS, FAULT  
7 SURFACE RUPTURES, STRUCTURAL GEOLOGY, AND TECTONICS. AND  
8 I HAVE ABOUT, UNBELIEVABLY -- I CAN'T BELIEVE IT --  
9 22 YEARS OF EXPERIENCE.

10 HEARING OFFICER DROOYAN: SPEAK INTO THE  
11 MICROPHONE, AND MAYBE JUST SLOW UP A LITTLE BIT FOR OUR  
12 COURT REPORTER.

13 THE WITNESS: OKAY. AND ABOUT 22 YEARS  
14 EXPERIENCE IN THE FIELD, PRIMARILY WORK IN SOUTHERN  
15 CALIFORNIA.

16 OKAY. I APPRECIATE THIS OPPORTUNITY TO PRESENT  
17 THIS DATA. I'VE BEEN WORKING ON THIS PROJECT FOR BEVERLY  
18 HILLS HIGH SCHOOL SINCE FEBRUARY 2011. I'VE HAD THE  
19 OPPORTUNITY TO REVIEW ALL OF THE SUBSURFACE REPORTS AS  
20 THEY WERE ISSUED.

21 AT THE BEGINNING OF MY WORK IN FEBRUARY OF LAST  
22 YEAR, I PERFORMED A GEOMORPHOLOGY STUDY. PRIOR TO HAVING  
23 ANY SUBSURFACE STATUS SO ESSENTIALLY THE MACTEC OF 2010  
24 REPORT WAS THE FIRST SUBSURFACE STUDY DONE IN THE AREA.  
25 AND THEN THE PARSONS'S REPORT DONE IN 2011 WAS THE SECOND



1 EVER SUBSURFACE-FAULT-INVESTIGATION-TYPE SUBSURFACE STUDY  
2 DONE IN THE AREA.

3 SO I'M GOING TO -- THIS IS -- TITLE OF MY TALK IS  
4 "PRELIMINARY GEOMORPHIC STRATIGRAPHIC AND STRUCTURAL  
5 EVALUATION OF THE CENTURY CITY AREA." THE ROLE THAT I  
6 DECIDED TO TAKE IN THIS PROJECT OTHER THAN STUDYING THE  
7 GEOMORPHOLOGY, WHICH PARSONS AGREES IS A VERY IMPORTANT  
8 ASPECT OF FAULT EVALUATION, WAS ALSO JUST TO REEVALUATE  
9 THE PARSONS'S DATA, SORT OF SEE HOW THEY EVALUATED THE  
10 FAULTS; ALSO TO LOOK AT THE LOCAL KINEMATICS AS WELL AND  
11 SEE IF WE COULD EXPLAIN THE WEST BEVERLY HILLS LINEAMENT.

12 IT IS A REAL LINEAMENT. IT DOES EXIST. IT JUST  
13 DOESN'T MEAN THAT IT HAS TO BE DUE TO FAULTING IN THE NEAR  
14 SURFACE.

15 INTERIM CONCLUSIONS -- I'LL JUST JUMP RIGHT TO --  
16 AFTER QUITE A BIT OF WORK, I COULD BOIL IT DOWN TO THIS  
17 ESSENTIALLY: A REASONABLE REEVALUATION OF THE EXISTING  
18 DATA THAT INCLUDES THE LEIGHTON FAULT TRENCHING. I WAS IN  
19 THERE. I WAS IN THE TRENCH. I WAS IN A COUPLE OF THOSE  
20 PHOTOS. I HAD THE OPPORTUNITY TO SEE THE CORES COMING OUT  
21 OF THE GROUND AS WELL AND ALL OF THE FAULT TRENCHES.

22 SO A REASONABLE REEVALUATION OF ALL THE EXISTING  
23 DATA SUGGESTS THAT FAULTS ASSOCIATED WITH THE WEST BEVERLY  
24 HILLS LINEAMENT, NEWPORT/INGLEWOOD FAULT ZONE DO NOT  
25 EXIST. SO I'LL GO ON THE RECORD AS SAYING THAT'S MY

1 PROFESSIONAL OPINION BASED ON THE DATA.

2 AT LEAST ONE FAULT IDENTIFIED BY PARSONS WITHIN  
3 THE -- AND THAT'S PARSONS-BRINCKERHOFF I'M REFERRING TO,  
4 IN THEIR 2011 REPORT. SO AT LEAST ONE OF THE FAULTS THAT  
5 PARSONS IDENTIFIES WITHIN THE WEST BEVERLY HILLS LINEAMENT  
6 FAULT ZONE IS LIKELY REAL.

7 SO I DID IDENTIFY A FAULT IN MY REEVALUATION OF  
8 THEIR DATA. BUT IT'S CONSIDERED PART OF WHAT I WOULD  
9 CONSIDER PART OF THE SANTA MONICA BOULEVARD FAULT ZONE.

10 NOW, THAT'S A NAME I'VE CAME UP WITH TO NAME THE FAULT  
11 ZONE THAT I AGREE EXISTS ALONG SANTA MONICA BOULEVARD.

12 THERE'S A REASON I'M NOT CALLING IT THE  
13 SANTA MONICA FAULT ZONE, AND I'LL DESCRIBE THAT LATER.  
14 BUT I BASICALLY THINK THAT THE FAULTS ALONG SANTA MONICA  
15 BOULEVARD ACTUALLY ARE SECONDARY FAULTS AND NOT THE  
16 PRIMARY BASAL REVERSE FAULT TO THE SANTA MONICA FAULT  
17 ZONE.

18 SO -- SO WE WILL TALK ABOUT THIS OTHER FAULT THAT  
19 I BELIEVE IS SORT OF NESTLED WITHIN THE WEST BEVERLY HILLS  
20 LINEAMENT FAULT ZONES, BUT IT ACTUALLY STRIKES ABOUT  
21 90 DEGREES, BECAUSE THE PARSONS'S DATA, THEY HAD NO STRIKE  
22 DATA WITH ANY OF THEIR FAULT CROSS-SECTION DATA. SO THEY  
23 WENT DOWN. THEY'D FIND SOME FAULTS, BUT YOU REALLY WITH  
24 THE DATA THAT THEY HAD HAD NO IDEA WHICH WAY THAT THESE  
25 THINGS WOULD ACTUALLY TREND.

1 THE SANTA MONICA BOULEVARD FAULTS LIKELY DO  
2 EXIST, SO I CONFIRM THAT. IN FACT, I THINK PARSONS DID A  
3 GOOD JOB. THE OFFSET ACROSS SOME OF THESE FAULTS IS QUITE  
4 SIGNIFICANT, AND THE DATA THAT THEY HAD BETWEEN THEIR  
5 BORINGS AND CPT'S WERE FAIRLY CLEAR.

6 HOWEVER, AS WAS INDICATED EARLIER, QUITE A BIT OF  
7 AGE DATA WAS COLLECTED IN THE LEIGHTON REPORT. AND I WAS  
8 -- I HAD THE OPPORTUNITY TO COLLECT SOME DATA AS WELL ON  
9 THE TERRA GEOMORPHIC SURFACES OUT THERE TO START PUTTING  
10 TOGETHER THE GEOLOGIC HISTORY. AND SO FOR THE FIRST TIME  
11 TODAY YOU WILL SEE A GEOLOGIC MAP OF THE ACTUAL STUDY AREA  
12 WHICH IS DIFFICULT FOR ME TO BELIEVE THAT A GEOLOGIC MAP  
13 WITH RELATIVE AGES FOR THE SURFACE SEDIMENTS HAD NEVER  
14 BEEN CONSTRUCTED.

15 NEXT, THE SANTA MONICA BOULEVARD FAULT ZONE  
16 LIKELY DOES EXIST, BUT THEY MAY BE DOMINANTLY STRIKE SLIP  
17 NORMAL. SO THESE OBLIQUE FAULTS THAT ARE STRIKE SLIP, AND  
18 THAT'S IN CONTRADICTION TO WHAT'S BEEN PUBLISHED FOR THE  
19 MAIN SANTA MONICA FAULT ZONE, AND THAT IS REVERSE LEFT  
20 LATERAL. I'LL SHOW EVIDENCE FOR THAT.

21 THEN, ALSO, THE SANTA MONICA BOULEVARD FAULT  
22 ZONES ARE SECONDARY UPPER PLATE FAULTS TO THE SANTA MONICA  
23 FAULT ZONE PROPER. OKAY. SO THAT IS INFERRING THAT WE  
24 DON'T KNOW WHERE THE BASAL FAULT IS TO THE SANTA MONICA  
25 FAULT ZONE. THAT IS THE FAULT THAT DIPS ABOUT 20 TO

1 30 DEGREES, VERY WELL DOCUMENTED DOWN AT THE V.A. HOSPITAL  
2 BY A NUMBER OF SUBSEQUENT STUDIES.

3 AND I'LL ALSO SHOW YOU EVIDENCE THAT THERE IS  
4 A POSSIBILITY, A REASONABLE INTERPRETATION OF THE EXISTING  
5 DATA TO SUGGEST THAT THIS FAULT ALONG SANTA MONICA  
6 BOULEVARD ARE INACTIVE, AND THAT IS BASED ON THE  
7 TRANSECTS, REEVALUATION OF THE TRANSECTS, AND ALSO  
8 GEOMORPHOLOGY, IN TERMS OF WHAT I'M CONTRIBUTING.

9 AND SO IN REVIEW OF THE EXISTING DATA, THESE ARE  
10 THE THINGS THAT I DID: PUBLISHED SCIENTIFIC REPORTS AND  
11 MAPS; I DID THAT FOR A NUMBER OF MONTHS. I ALSO DID A  
12 GEOMORPHIC STUDY. I ALSO HAD THE SUBSURFACE WORK BY  
13 MACTEC, THE 2010 REPORT. IT ENDS UP TURNING OUT TO BE,  
14 I THINK, VERY IMPORTANT.

15 I THINK MACTEC IS A SUBSIDY COMPANY OR ORIGINALLY  
16 WAS TURNED INTO PARSONS, I BELIEVE. THE LEIGHTON FAULT  
17 INVESTIGATION, EARTH CONSULTANTS INTERNATIONAL, AND SOIL  
18 TECTONICS AND KENNEY GEOSCIENCE. THE EARTH CONSULTANTS  
19 INTERNATIONAL AND SOIL TECTONICS ARE THE EXPERTS THAT --  
20 WELL, IT WAS ELDON OVERSEEING EVERYTHING WITH HIS VAST  
21 EXPERIENCE, BUT AS WELL THEY PERFORMED SOIL AGE DATING,  
22 AND THAT IS SOIL TECTONICS AS WELL PROVIDES SOIL AGE DATES  
23 FOR NEAR SURFACE SOILS.

24 AND THEN THERE'S ME. I AM THE PRESIDENT OF  
25 KENNEY GEOSCIENCE. SO FIRST THING THAT I LIKE TO DO TO

1 UNDERSTAND THE GEOLOGY OF THE AREA IS TO REALLY UNDERSTAND  
2 THE LOCAL STRATIGRAPHY. ELDON SHOWED THAT STRATIGRAPHIC  
3 COLUMN THAT WAS USED BY PARSONS 2011. IT'S INCREDIBLY  
4 SIMPLE. I'M GOING TO SHOW YOU ONE THAT I LIKE TO PUT  
5 TOGETHER THAT'S A LITTLE MORE COMPLICATED, TOO MUCH TO  
6 DIGEST HERE.

7 BUT IN ORDER TO REALLY UNDERSTAND FAULTING, WE  
8 NEED TO KNOW: WHAT THE STRATIGRAPHY IS; HOW IT WAS  
9 DEPOSITED; ARE THERE CHANNELS; ARE THERE CLAY LAYERS; WAS  
10 IT ORIGINALLY FLAT, OR THEY'RE UNDULATORY EROSION  
11 SURFACES, WERE THERE BEAUTIFUL SOILS FORMED THAT COULD  
12 HAVE BEEN ERODED, THAT SORT OF THING. SO YOU NEED TO KNOW  
13 THESE THINGS IN ORDER TO UNDERSTAND FAULTING, ESPECIALLY  
14 WHEN YOU'RE JUST CORRELATING BORING TO BORING.

15 SO THIS IS THE STRATIGRAPHIC COLUMN THAT I'VE PUT  
16 TOGETHER AFTER REVIEWING ALL OF THE -- AND REPROCESSING  
17 ALL OF THE PARSONS'S TRANSECTS BORING LOGS. I LITERALLY  
18 TOOK THEM AND CUT THEM AND SPLICED THEM TOGETHER. I  
19 REALIZE THIS IS A LITTLE DIFFICULT TO SEE, BUT THIS IS  
20 A VERY IMPORTANT SURFACE.

21 I DON'T KNOW IF YOU RECALL THE LEIGHTON FAULT  
22 TRENCH DATA THAT HAD THE BEAUTIFUL CHANNEL WALL COMING  
23 DOWN IN FT-2. THAT BASAL SHEAR SURFACE IS BASICALLY --  
24 EROSION SURFACE IS ESSENTIALLY THIS ONE. IT'S ABOUT 45 TO  
25 55 FEET DEEP.

1 I'VE BEEN ABLE TO CORRELATE THAT EROSION SURFACE  
2 OVER TO TRANSECT 4, TRANSECT 2, ALL THE WAY UP TO -- ALONG  
3 TRANSECT 7 OVER TO TRANSECT 1, VERY PROMINENT EROSION  
4 SURFACE, THE BOTTOM OF IT IS ABOUT 150,000 YEARS OLD. IT  
5 WAS FORMED DURING A GLACIAL MAXIMUM WHEN SEA LEVEL HAD  
6 DROPPED DOWN TO ABOUT 250, 300 FEET BELOW WHAT IT IS  
7 TODAY, CAUSING A DEEP EROSION INTO THE HILLS.

8 I'LL ALSO BE SHOWING YOU AN ANCIENT CHANNEL THAT  
9 FLOWED RIGHT THROUGH CENTURY CITY. AND THEN THERE'S THESE  
10 UNDERLYING SEDIMENTS THAT I JUST PACKED INTO A COUPLE, BUT  
11 I WANTED TO NOTICE -- WANT YOU TO NOTE ONE THING. THIS  
12 EROSION ABOUT 150,000 YEARS OLD, PRETTY WELL DATED BY SOIL  
13 TECTONICS. THE UNIT RIGHT BELOW IT, FOR EXAMPLE, IN T-4  
14 IS RIGHT -- CB-13 ON TRANSECT 4 WHICH IS VERY CLOSE TO

15 PARSONS T-10, THESE SEDIMENTS ARE 500,000 YEARS OLD. SO  
16 YOU JUST GO DOWN ABOUT 40, 50 FEET, AND YOU'RE ALREADY AT  
17 A HALF-MILLION-YEAR-OLD SEDIMENTS.

18 OKAY. HERE IS THE, IF YOU RECALL, THE BENEDICT  
19 CANYON WASH. THESE ARE THE UPPER UNITS. THE BENEDICT  
20 CANYON WASH IS ABOUT 40,000 YEARS OLD AT THE TOP,  
21 150- AT THE BOTTOM. THIS REPRESENTS AN ANCIENT CHANNEL,  
22 150,000 YEARS AGO.

23 I'M GOING TO SPEND A LITTLE TIME ON THIS FIGURE.  
24 THE CHANNEL FLOWED RIGHT THROUGH THE CHEVIOT HILLS. SO  
25 I'M REFERRING TO THIS WHOLE AREA, IS THE CHEVIOT HILLS.

1 THERE'S THE WEST BEVERLY HILLS LINEAMENT. IT IS CLEARLY A  
2 LINEAMENT. AND THIS ANCIENT CHANNEL FLOWED THROUGH HERE.

3 AND I BELIEVE ACTUALLY ONE OF THE REASONS THAT  
4 THE CHANNEL FLOWED THROUGH HERE WAS BECAUSE OF THE  
5 FAULTING ALONG, I BELIEVE, SECONDARY FAULT, THE SANTA  
6 MONICA BOULEVARD FAULT ZONE WHICH SPLAYED OUT IN THIS  
7 AREA. MOST OF THESE FAULTS HAVE NORMAL OFFSET WHICH  
8 PRODUCES EXTENSION OF, YOU KNOW, THE VALLEY TO GO DOWN.  
9 AND I BELIEVE THAT THAT CUT APART THESE SURFACES HERE,  
10 DROPPED THIS AREA DOWN, THE CHANNEL WAS CAPTURED AND  
11 FLOWED OUT INTO THIS SURFACE.

12 THIS IS A REASONABLE GEOMORPHIC SURFACE IN TERMS  
13 OF EROSION FOR ABOUT 40,000 YEARS. THESE OTHER SEDIMENTS  
14 UP HERE ARE WHAT I CALL MY "CHEVIOT HILLS DEPOSITS." AND  
15 THEY ARE 180- TO 200,000 YEARS OLD ON THE SURFACE. AND  
16 THIS IS A REASONABLE AMOUNT OF EROSION. IN FACT, THIS IS  
17 VERY CONSISTENT, THIS GEOMORPHOLOGY HERE, FOR THOSE IN  
18 TERMS OF THE LEVEL OF EROSION COMPARED TO THE MOJAVE  
19 DESERT.

20 SO HERE IS THE CENTURY CITY AREA, AND THESE ARE  
21 THE VARIOUS TRANSECTS ASSOCIATED WITH IT, THE PARSONS'S  
22 REPORT. AND I SHOW YOU THE AGE DATES HERE: 40,000 YEARS  
23 OLD FOR THIS SURFACE AND ABOUT 80- TO 150,000 THERE.

24 OKAY. HERE'S THE VERY FIRST GEOLOGIC MAP MADE OF  
25 SORT OF THE PARSONS'S AREA, IF YOU WILL. THIS IS THE

1 TRANSECT 2, TRANSECT 1-A -- NO -- YEAH, TRANSECT 1-A --  
2 TRANSECT 1-A -- THAT'S -- WHAT IS THAT -- 3. I'M LOSING  
3 IT HERE.

4 THIS IS TRANSECT 7, TRANSECT 4, THE CONSTELLATION  
5 TRANSECT HERE. SO THIS IS BEVERLY HILLS HIGH SCHOOL, AND  
6 THIS IS ESSENTIALLY WHERE THOSE FAULT TRENCHES WERE DUG BY  
7 LEIGHTON. THIS IS -- THESE -- ALL THESE WHITE SURFACES  
8 EXPOSE THE CHEVIOT HILL DEPOSITS WHICH ARE VERY OLD,  
9 80,000 TO 200,000 YEARS OLD AT THE SURFACE. AND HERE THE  
10 BENEDICT CANYON WASH, THIS ANCIENT WASH, THE UPPER SURFACE  
11 IS ABOUT 40,000. THIS IS ABSOLUTELY CRITICAL.

12 PARSONS SAID GEOMORPHOLOGY IS AN IMPORTANT WAY TO  
13 ANALYZE FAULTING. AND SO BASICALLY, THIS IS A BEAUTIFUL  
14 SURFACE IN THIS AREA. AND I WOULD IMAGINE IF FAULTING HAS  
15 OCCURRED IN THE LAST 40,000 YEARS, WE'D SEE EVIDENCE OF  
16 IT.

17 THIS IS ALSO PART OF MY CONCLUSIONS, IS THAT THIS  
18 IS WHAT I CALL "FAULT F," WHICH I DO BELIEVE GOES OVER TO  
19 A REASONABLE INTERPRETATION OVER TO TRANSECT 7. AND THERE  
20 MIGHT EVEN BE A LITTLE ONE HERE. SO IN OTHER WORDS, THERE  
21 MIGHT BE A ZONE OF FAULTING ACROSS THIS AREA.

22 SO DO THE WEST BEVERLY HILLS LINEAMENTS FAULTS  
23 EXIST? I'M GOING TO GO THROUGH A LITTLE HISTORY OF HOW  
24 I DID THIS STUDY --

25 MR. YAROSLAVSKY: CAN I JUST ASK YOU TO GO BACK



1 TO THE PREVIOUS SLIDE?

2 THE WITNESS: YEAH, NO PROBLEM.

3 MR. YAROSLAVSKY: THIS "F" LINE, WHERE IS THAT --

4 THE WITNESS: OKAY.

5 MR. YAROSLAVSKY: -- TODAY, STREET-WISE, IS IT  
6 SANTA MONICA BOULEVARD? WHERE IS IT?

7 THE WITNESS. OKAY. LET ME SPEND A SECOND ON  
8 THAT AND ADJUST MY MIC HERE.

9 OKAY. THIS IS SANTA MONICA BOULEVARD. SO I  
10 HAVEN'T CHANGED THE PARSONS'S MAP AT ALL. I BELIEVE IT'S  
11 PARSONS'S 2011 PLATE 3. SO THIS IS NORTH UP THIS WAY.  
12 THIS IS SANTA MONICA BOULEVARD. AND THIS IS MORENO DRIVE  
13 COMING DOWN HERE, AND THERE'S BEVERLY HILLS HIGH SCHOOL.  
14 WHAT WOULD THIS BE? THE AVENUE OF THE STARS, RIGHT  
15 THROUGH HERE TRANSECT 1, 8. I THINK IT IS.

16 MR. YAROSLAVSKY: WHERE'S CONSTELLATION?

17 THE WITNESS: CONSTELLATION'S RIGHT HERE. AND  
18 HERE'S THE PROPOSED CONSTELLATION AVENUE.

19 MR. YAROSLAVSKY: OKAY. THANK YOU.

20 THE WITNESS: AND I'M GLAD YOU STOPPED ME. THIS  
21 IS IMPORTANT FIGURE FOR A NUMBER OF REASONS. I JUST HAVE  
22 A LOT TO GET THROUGH.

23 BUT THIS IS WHERE I'M PROPOSING A FAULT GOES  
24 THROUGH. NOW, I BELIEVE THAT THE FAULT IS INACTIVE, BASED  
25 ON MY CROSS SECTIONS. THAT WOULD NEED TO BE CONFIRMED,

1 BUT THE INITIAL DATA HAS SUGGESTED IT IS INACTIVE.

2 BUT ONE OF THE THINGS I WANT TO POINT OUT IS IF  
3 FAULT INVESTIGATIONS ARE DONE IN THE FUTURE THAT IF YOU DO  
4 IT ON THESE MUCH, MUCH OLDER SEDIMENTS, YOU MIGHT NOT HAVE  
5 THE APPROPRIATE AGE SEDIMENTS TO DETERMINE WHERE FAULTING  
6 IS ACTIVE OR INACTIVE.

7 OKAY. DO WEST BEVERLY HILLS LINEAMENTS FAULTS  
8 REALLY EXIST? WELL, ONE OF THE THINGS I DID -- AND THIS  
9 WAS PRIOR TO THE LEIGHTON FAULT INVESTIGATION. AS SOON AS  
10 THE PARSONS'S REPORT CAME OUT, IT WAS HANDED TO ME, AND  
11 I STARTED PROCESSING THE DATA. AND WHAT I SIMPLY DID IS  
12 I LOOKED AT ALL OF THESE BORINGS.

13 NOW, MANY OF THESE BORINGS WERE BORROWED FROM  
14 MUCH, MUCH OLDER -- IN FACT, THEY DON'T HAVE THE SAME  
15 LEVEL OF DATA ON THIS TRANSECT AS THEY DO ON THE OTHERS.  
16 SOME OF THESE BORING LOGS ARE FROM THE 1960'S AND SO ON.  
17 BUT STILL I FELT THAT IT WAS MEANINGFUL.

18 SO WHAT I DID IS I LOOKED AT THE COMPOSITION AND  
19 THE LAYERING. THAT'S ALL -- IT WAS REALLY SIMPLE. I  
20 DIDN'T CARE IF IT WAS SAN PEDRO OR WHAT THE UNIT WAS  
21 CALLED. I JUST SAID, "IS THERE LIKE SOME CONSISTENCY WITH  
22 THE GRAVEL LAYER OVER HERE?" LIKE THESE DOTS I SHOW. IS  
23 THERE A CLAY LAYER SOMEWHERE IN HERE THAT'S OVERLYING  
24 SAND? THIS IS A NICE DISTINCTIVE UNIT AS WELL.

25 AND THEN IT'S -- AND THEN WHEN I STARTED PLOTTING

1 THIS UP, I NOTICED THAT PARSONS HAD PUT IN A SERIES OF  
2 FAULTS HERE, BASICALLY THE WEST BEVERLY HILLS --WEST  
3 BEVERLY HILLS LINEAMENT FAULT ZONE. AND WHAT THEY HAD  
4 DONE IS, THE SCALE OF THIS, THE VERTICAL SCALE IS TEN  
5 TIMES THE HORIZONTAL SCALE.

6 WHAT THAT TENDS TO DO IS TO IF YOU -- WELL, I'LL  
7 SHOW YOU ON THE NEXT SLIDE. THAT FOLD BASICALLY LOOKS  
8 LIKE THAT IF YOU MAKE THE SCALE LOOK ONE TO ONE. SO  
9 HORIZONTAL EQUALS VERTICAL. SO YES, THERE'S A FOLD THERE,  
10 BUT IT'S NOT QUITE AS DRAMATIC AS YOU MIGHT THINK BY  
11 LOOKING AT IT WHEN IT'S EXAGGERATED.

12 SO IF YOU'RE LOOKING AT THIS AND LOOKING AT A  
13 LAYER OF GRAVEL HERE AND A LAYER OF GRAVEL THERE WITH THE  
14 EXAGGERATION OF 10 TO 1, THIS IS GOING TO BE TEN TIMES  
15 HIGHER THAN THAT THAN IT IS IN REALITY. AND YOU MIGHT  
16 REALLY -- YOUR EYE AS A HUMAN BEING MIGHT PROCESS IT AND  
17 WANT TO PUT A FAULT HERE.

18 WHAT I NOTICED IS THAT I TOOK MY RULER AFTER I  
19 PLOTTED THIS ALL UP, AND I PUT MY RULER, AND I HAD  
20 ESSENTIALLY A STRAIGHT LINE. THAT'S WHEN I REALIZED THAT  
21 FOLDING AND TILTING, SOMETHING THAT WASN'T REALLY, I DON'T  
22 BELIEVE, ADMINISTERED APPROPRIATELY OR CONSIDERED IN THE  
23 PARSONS'S EVALUATION -- IT TURNS OUT TO BE EXTREMELY  
24 IMPORTANT.

25 SO ESSENTIALLY, AT THAT POINT I REALIZED WE HAVE

1 A VERY REASONABLE INTERPRETATION TILTING TO REEVALUATE THE  
2 PARSONS'S LOGS, AND ESSENTIALLY THERE'S NO NEED FOR ANY  
3 FAULTING WHATSOEVER.

4 AND HERE, AGAIN, THIS IS ONE TO ONE, AND HERE'S  
5 THE ANTICLINE. YOU CAN SEE THAT THIS ANTIFORMAL STRUCTURE  
6 HERE -- AND I BELIEVE IT'S SORT OF MONOCLINAL OVER HERE,  
7 AND THERE MIGHT BE ANOTHER BEND TO THE NORTH ON THIS.  
8 THERE ARE LITTLE COMPLEXITIES. BUT IT MIGHT BE ACTIVE.  
9 YOU CAN SEE HOW IT'S FOLLOWING THE NATURAL TOPOGRAPHY  
10 QUITE NICELY. AND THIS IS POSSIBLY EVIDENCE OF LOCAL  
11 ACTIVE TECTONICS TAKING PLACE IN THE AREA, BUT THAT WOULD  
12 NEED TO BE MORE FULLY EVALUATED.

13 I'LL JUST DO THIS ONE QUICKLY. YOU'VE SEEN  
14 TRANSECT 4 A MILLION TIMES, BUT I DID THE SAME THING, JUST  
15 LOOKED AT THE GEOLOGY, LOOKED FOR GRAVEL OVER CLAY LAYERS,  
16 -- LIKE THIS ONE'S VERY, VERY DISTINCTIVE -- AND ONCE I  
17 ASSUMED THERE WAS A TILT TO THE -- IF I MADE THAT  
18 ASSUMPTION THAT THE UNITS WERE TILTED, YOU JUST GET A  
19 BEAUTIFUL, BEAUTIFUL CROSS SECTION LIKE THIS. THIS IS TO  
20 THE EAST.

21 THIS IS BASICALLY THE WEST BEVERLY HILLS  
22 LINEAMENT. IT'S MY PROFESSIONAL OPINION THAT PART OF THE  
23 REASON THE LINEAMENT IS THERE IS BECAUSE OF THIS FOLDING.

24 IF YOU BASICALLY LIFT THIS AREA UP, AND THIS AREA  
25 GOES DOWN RELATIVELY -- BENEDICT CANYON IS IN HERE ERODING

1     AWAY AND MAYBE MIGRATING THIS DIRECTION -- YOU WILL  
2     EVENTUALLY END UP WITH HILLS OVER HERE, CHEVIOT HILLS, AND  
3     THE HOLLYWOOD BASIN OVER HERE.  AND IT'S -- IT'S REALLY  
4     THE STORY GOES ALONG -- GOES VERY WELL.  SO ESSENTIALLY,  
5     WHAT I'M SAYING IS I BELIEVE FOLDING AND UPLIFT HAS CAUSED  
6     THE WEST BEVERLY HILLS LINEAMENT.

7             THE WAY THAT I WENT THROUGH THE PARSONS'S DATA,  
8     I DECIDED TO LOOK AT WHAT IS REFERRED TO AS "FINDING  
9     UPWARD SEQUENCES."  NOW, THESE ARE BELIEVED TO BE  
10    ASSOCIATED WITH CLIMATIC EVENTS.

11            SO AT THE TAIL END OF A GLACIAL PERIOD, ALL THE  
12    PLANTS DIE ON THE HILLSIDES, AND THE ROOTS HAVE BROKEN UP  
13    ALL OF THE ROCKS, BUT THE STORMS ARE STILL POWERFUL.  WE  
14    VERY COMMONLY WILL GET A MASS FLUX OF VERY POWERFUL FLOW  
15    EVENTS THAT BRING DOWN A LOT OF GRAVELS, CAUSE EROSION AT  
16    THE BOTTOM, AND THEN AS THE CLIMATE SLOWLY CHANGES,  
17    EVERYTHING SLOWS DOWN, AND WE GET FINER AND FINER GRAIN  
18    SEDIMENTS.  AND THEN IT KIND OF SHUTS DOWN, AND WE GET A  
19    SERIES OF CLAYS AT THE TOP.  AND THESE ARE DOCUMENTED ALL  
20    OVER THE MOJAVE DESERT AND AROUND THE WORLD, ACTUALLY.

21            AND WE'LL ALSO GET SOILS AT THE TOP OF THESE, AN  
22    "A" HORIZON, "B" HORIZON, "K" HORIZON WITH CARBONATE AND  
23    OXIDES, MANGANESE AND SO ON.  NOW, THIS IS REALLY  
24    IMPORTANT BECAUSE THESE CLAY LAYERS ARE VERY COMMONLY FOR  
25    -- I WOULD SAY MOST OF THE MARKER BEDS, NOT ALL OF THEM,

1 BUT IN TERMS OF CLAY ONES, THESE ARE THE MARKER BEDS USED  
2 BY PARSONS.

3 AND AS YOU'LL SEE, IF YOU EVALUATE WITH FINDING  
4 UPWARD SEQUENCES -- IN OTHER WORDS, IF WHEN PARSONS LOOKED  
5 AT A MARKER BED THAT WAS MADE OF -- HAD A -- WITH CLAY  
6 WITH A LOT OF SOIL IN IT, IF IT DISAPPEARED, I NOTICED  
7 THAT THEY OFTEN THOUGHT THAT WAS A FAULT. BUT WHAT I  
8 DISCOVERED WAS, IT WAS OFTEN -- OR ANOTHER INTERPRETATION  
9 IS THAT THAT SOIL THAT WOULD COME ACROSS WAS JUST SIMPLY  
10 ERODED AWAY BY AN EROSION SURFACE UP HERE. AND I WILL  
11 SHOW YOU THAT IN A MOMENT.

12 SO IT JUST PROVIDES A WHOLE NEW WAY TO LOOK AT  
13 THEIR DATA. AND I'VE EVALUATED ALL THEIR TRANSECTS EXCEPT  
14 FOR T-3, I BELIEVE.

15 SO HERE'S TRANSECT 4. I KNOW THIS IS WAY TOO  
16 MUCH TO LOOK AT, BUT ANYTHING THAT HAD A SOIL PARAMETER  
17 LIKE THE MANGANESE OXIDE, CARBONATE, BT HORIZON, I SHADED  
18 IN PURPLE.

19 AND TO ME AS A GEOLOGIST WHO'S DONE A LOT OF  
20 FAULT TRENCHING -- AND MAYBE YOU CAN REMEMBER SOME OF THE  
21 PICTURES OF THE FAULT TRENCH. BUT THIS IS LIKE A BIG  
22 FAULT TRENCH. THIS LOOKS MORE NATURAL TO ME IN TERMS OF  
23 EROSION SURFACES AND FINDING UPWARD SEQUENCE RIGHT HERE  
24 AND THEN THE CLAY AT THE TOP.

25 AND THAT'S -- I KNOW YOU CAN'T SEE IT FROM WHERE

1 -- FROM THE BACK, BUT THAT'S ESSENTIALLY WHAT'S HERE. AND  
2 HERE IS THE WEST BEVERLY HILLS LINEAMENT FAULT ZONE BY  
3 PARSONS.

4 AND YOU'LL NOTICE THAT THIS -- THIS IS A REALLY  
5 GOOD EXAMPLE. THIS SOIL HORIZON DISAPPEARS HERE AND  
6 DISAPPEARS HERE. AND THE WAY I EXPLAIN THAT IS RIGHT  
7 ABOVE IT IS THIS BEAUTIFUL EROSION SURFACE THAT HAS SIMPLY  
8 ERODED IT OUT. OKAY. AND THAT'S THE REASON THAT YOU  
9 WOULD NOT HAVE A CORRELATION WITH THIS BORING AND MAYBE  
10 THESE TWO ADJACENT TO IT.

11 YOU CAN ALSO SEE THE FOLD AS WELL COMES THROUGH  
12 DOWN HERE. AND THEN WHAT THIS IS OVER HERE, YOU'LL NOTICE  
13 IT'S A LITTLE DIFFERENT. I WENT AHEAD AND CONTINUED  
14 TRANSECT 4. I REALIZE IT'S A FAR STRETCH, BUT I JUST DID  
15 IT JUST TO SORT OF SEE WHERE IT WOULD GO. ALL THE WAY UP  
16 TO TRANSECT 1-A, UP IN THIS AREA.

17 BUT THE POINT IS ON THE FINDING UPWARD SEQUENCES,  
18 IS THAT AS YOU GO UP THE SECTION, IT PROVIDES LOTS OF  
19 DIFFERENT LAYERS THAT I FEEL YOU CAN CORRELATE ACROSS.  
20 AND ALL YOU NEED IS A COUPLE OF THESE BECAUSE, REMEMBER,  
21 RIGHT ABOUT HERE IS ALREADY 500,000 YEARS OLD, IN THE TOP  
22 OF THE CHEVIOT HILLS. AND THE BENEDICT CANYON, THIS IS  
23 PROBABLY 40- TO 50,000-YEAR-OLD SEDIMENTS RIGHT HERE. YOU  
24 GET INTO OLD SEDIMENTS VERY QUICK.

25 SO ALL YOU NEED IS A COUPLE OF MARKERS TO GO

1 ACROSS HERE. CONTINUOUSLY HAVE CONFIDENCE IN THAT. AND  
2 YOU COULD SAY THAT THERE IS NO FAULTING THERE PROBABLY.

3 SO HERE'S A CLOSE-UP ACTUALLY OF THE WEST BEVERLY  
4 HILLS LINEAMENTS FAULT ZONE ON TRANSECT 4. THESE ARE THE  
5 SOILS THAT ARE ABOUT -- THIS IS ACTUALLY, IN FACT, WHERE  
6 IT WAS DATED CB-13, I THINK, AT ABOUT 40,000 YEARS OLD.  
7 SO LITERALLY AT THE BOTTOM OF THE FIELD, THAT SURFACE,  
8 THAT'S THE SURFACE I'LL BE TALKING ABOUT. THE TOP OF THE  
9 BENEDICT CANYON WASH IS 45- -- I'M SORRY -- 40,000 YEARS  
10 OLD. OKAY. AND I DON'T SEE ANY EVIDENCE OF FAULTING  
11 HERE.

12 HERE'S A TRANSECT 2-E JUST TO THE NORTH ALONG  
13 SANTA MONICA BOULEVARD. THIS IS TO THE SOUTHWEST ALONG  
14 SANTA MONICA BOULEVARD JUST TO THE EAST. I HAVE ONLY  
15 FOCUSED IN ON PART OF IT WHERE THE WEST BEVERLY HILLS  
16 LINEAMENT FAULTS WERE MAPPED BY PARSONS. AGAIN, THIS IS  
17 ABOUT 40,000-YEAR-OLD SEDIMENTS HERE; 150,000 YEARS OLD  
18 HERE; AND THIS IS A VERY NATURAL LOOKING CROSS SECTION TO  
19 ME TERMS OF THE NATURAL PROCESSES.

20 ALL THESE GREEN LINES ARE EROSION SURFACES, AND  
21 THESE ARE THE TOPS OF THE FINDING UPWARD SEQUENCES. SO  
22 THIS IS HUNDREDS OF THOUSANDS OF YEARS OLD. AND I CAN  
23 CARRY IT RIGHT THROUGH WITHOUT ANY FAULTING.

24 I THINK ONE OF THE REASONS THAT -- AND, AGAIN,  
25 THIS IS AN ALTERNATIVE INTERPRETATION. ONE OF THE REASONS



1 THAT LEIGHTON -- OR NOT LEIGHTON -- BUT PARSONS PUTS  
2 FAULTS THROUGH HERE IS THE LOSS POSSIBLY OF THESE UNITS  
3 OVER HERE. THESE ARE QUITE DRAMATIC, THESE TWO UNITS.  
4 THEY ARE CARBONATE LAYERS. THEY ARE PRETTY DISTINCTIVE.  
5 YOU CAN CARRY THEM ACROSS MOST OF THE STUDY AREA.

6 BUT I BELIEVE HERE, WHAT THEY DIDN'T NOTICE IS  
7 THAT RIGHT ABOVE THEM HERE IS A VERY WELL-DEVELOPED  
8 EROSION SURFACE. SO INSTEAD OF FAULTING, AN ALTERNATIVE  
9 INTERPRETATION IS THAT THIS EROSION SURFACE JUST ERODED  
10 THOSE UNITS OUT.

11 SO AGAIN, THIS IS -- LET'S SEE. ONE OF THE  
12 POSSIBLY TWO FAULTS, HOWEVER -- OH. YEAH. SO THEN NOW  
13 WE'RE GOING TO TALK ABOUT THIS FAULT "F." OKAY.

14 SO WE WERE JUST LOOKING AT TRANSECTS ORIENTED  
15 THIS WAY, CONSTELLATION T-4, T-7. I SEE NO FAULTS.  
16 HOWEVER, WHEN I LOOKED AT T-7, WHICH IS PERPENDICULAR TO  
17 THAT AND RUNS PERPENDICULAR TO THE SANTA MONICA BOULEVARD  
18 FAULT ZONE, I SEE SOMETHING DIFFERENT. HERE IS MY  
19 BENEDICT CANYON BASAL SURFACE HERE, 150,000 YEARS OLD.  
20 THIS IS THE SAME EROSION SURFACE LEIGHTON IDENTIFIED DOWN  
21 TO THE SOUTH AT THE HIGH SCHOOL.

22 THIS BASICALLY -- THIS EROSION SURFACE GOES  
23 AROUND THE HILL THAT BEVERLY HILLS IS BUILT ON. BUT  
24 HERE'S THE FAULT. AND BASICALLY THESE OLDER 500-,  
25 600,000 YEAR OLD SAN PEDRO FORMATION JUST SIMPLY DOES NOT

1 LINE OVER HERE. IT REQUIRES WAY TOO STEEP A DIP. I FELT  
2 WAS UNREASONABLE. THE DIP OF THE FOLD, AS WE SAW, WAS  
3 ONLY THREE TO MAYBE FIVE DEGREES, MIGHT EVEN BE A LITTLE  
4 FAULT HERE.

5 I KEPT HAVING -- YOU KNOW, BASICALLY WHEN I WAS  
6 DRAWING THIS, MY EYE WOULD SORT OF OPEN UP WHEN SOMETHING  
7 WAS OFF ONLY BY TWO OR THREE FEET. I MEAN, IT WAS REALLY  
8 EYE-POPPING, EYE-DRAINING, I GUESS, TO PUT THIS TOGETHER.  
9 SO I THOUGHT THERE WAS A FAULT MAYBE HERE, AND THIS FAULT.  
10 BUT YOU CAN SEE THAT THIS IS FAULT F. AND I WILL SHOW YOU  
11 THE FAULT F OVER ON TRANSECT 1-A. BUT IT'S NOT OFFSETTING  
12 THESE UNITS. SO THIS IS ABOUT 150,000 YEARS OLD. IT  
13 MIGHT OFFSET THAT. I'M NOT SURE.

14 BUT BY THE TIME YOU GET UP TO THIS SURFACE,  
15 YOU'RE AT 40,000. AND I BELIEVE THE FAULT AT LEAST IN  
16 THIS AREA IS PROBABLY INACTIVE.

17 HERE IS TRANSECT 1-8. SO WHAT WE JUST DID, IS WE  
18 WENT FROM TRANSECT 7 OVER HERE ALL THE WAY DOWN TO  
19 TRANSECT 8. WE'RE GOING TO LOOK AT FAULT F IN THIS AREA  
20 AND IT'S RIGHT HERE. NOTICE THAT IT DIPS TOWARD THE  
21 NORTHWEST, LIKE IT DID HERE. SO HERE THIS IS TO THE  
22 NORTHWEST. THE FAULT PROBABLY DIPS THAT DIRECTION, AND  
23 SEDIMENTS ARE DOWN ON THIS SIDE. AND WHEN WE COME HERE,  
24 WE SEE THE SAME TYPE OF FAULT DIPPING THAT WAY. AND THIS  
25 IS ESSENTIALLY EXACTLY WHERE PARSONS MAPPED IT.

1           SO THE FAULT IS ONE OF THE MOST MAJOR FAULTS IN  
2   TERMS OF APPARENT DISPLACEMENT WITHIN THE SANTA MONICA  
3   BOULEVARD FAULT ZONE.  AND IT STRIKES RIGHT THROUGH HERE.  
4   SO I'M SAYING THIS SIDE GOES UP, AND THIS SIDE GOES DOWN.  
5   AND THEN THERE'S OTHER FAULTS AS WELL.

6           SO I'M BASICALLY AGREEING THAT THOSE FAULTS ARE  
7   HERE.  HOWEVER, I'D LIKE TO POINT OUT THAT LOOKING --  
8   THERE'S A REASONABLE INTERPRETATION OF THIS.  YOU HAVE  
9   THIS EROSION SURFACE HERE.  OKAY.  AND IT'S FAIRLY  
10  CONTINUOUS RIGHT OVER THESE FAULTS.  THESE SEDIMENTS, I  
11  DON'T KNOW THEIR EXACT AGE.  I'M EXTRAPOLATING THE AGE  
12  DATA A LITTLE WAYS, BUT THEY'RE PROBABLY A MINIMUM OF  
13  40,000 YEARS OLD RIGHT HERE.  SO I FEEL FAIRLY CONFIDENT  
14  THAT THESE WOULD BE 40- TO 50-, 60,000-YEAR-OLD SEDIMENTS  
15  RIGHT HERE, AND THAT THEY MAY NOT BE OFFSET.

16           THIS, BY THE WAY, I BELIEVE IF THE SANTA MONICA  
17  STATION IS CONSIDERED SERIOUSLY, THAT THIS WOULD BE THE  
18  AREA YOU WOULD WANT TO DO THE FAULT STUDY.  YOU HAVE THE  
19  BENEDICT CANYON WASH SEDIMENTS EXPOSED, THEY ARE OF A GOOD  
20  AGE, REALLY WELL STRATIFIED.

21           I WOULD NOT RECOMMEND DOING A STUDY HERE BECAUSE  
22  YOU HAVE VERY OLD SEDIMENTS.  THE FAULTS COULD BE  
23  INACTIVE, AND LITERALLY THE LANDSCAPE COULD HAVE ERODED  
24  DOWN INTO THE FAULTS.  SO YOU WOULD GET THERE, AND YOU  
25  WOULD SEE FAULTS POSSIBLY ON THE SURFACE, BUT YOU WOULD

1 HAVE NO WAY TO DATE THEM.

2 SO THIS IS WHAT I'D RECOMMEND IF ANY FUTURE  
3 STUDIES TAKE PLACE THERE.

4 NOW SOME ADDITIONAL EVIDENCE FOR FAULT F ON  
5 TRANSECT 7, AND THAT IS PROVIDED BY MACTEC. ONCE I  
6 PLOTTED FAULT F, I REALIZED I HAD SEEN IT BEFORE. AND  
7 THIS IS THE REASON I'M TALKING ABOUT THE MACTEC REPORT. I  
8 KNOW IT GETS SORT OF LOST IN THE SHUFFLE POSSIBLY, BUT  
9 THIS IS A FIGURE FROM MACTEC 2010. THIS FIGURE IS ALSO  
10 USED IN PARSONS 2011. AND YOU CAN SEE THIS FAULT.

11 NOW, THIS IS THE PARSONS'S FAULT MAP AREA. THIS  
12 IS WHERE WE'VE BEEN SORT OF FOCUSING TODAY. YOU CAN SEE  
13 THE MACTEC STUDY WENT ALL THE WAY DOWN TO THE MORMON  
14 TEMPLE HERE. AND THIS IS THE CHEVIOT HILLS.

15 SO WE -- SO THIS IS BASICALLY WHERE THEY FOUND  
16 THE FAULT. THEY DID GEOPHYSICAL SEISMIC LINES, TWO OF  
17 THEM WITH SOME BORINGS. THEY ALSO FOUND A GROUNDWATER  
18 BARRIER TO DEFINE THE LOCATION OF THIS FAULT.

19 AND SO NOW WE'RE GOING TO TAKE A LOOK AT THAT BOX  
20 HERE SORT OF IN THE STUDY AREA AND OVERLAY MACTEC'S DATA.  
21 AND THEN THIS IS MACTEC'S REPORT MAP RIGHT TO ABOUT HERE.  
22 AND THEN I WENT AHEAD AND EXTRAPOLATED BECAUSE I FOUND IT  
23 EXACTLY THERE. SO I FOUND THIS VERY INTRIGUING THAT IT'S  
24 JUST VERY, VERY CONSISTENT THAT THEY ACTUALLY HAVE DATA  
25 CONFIRMING THE EXISTENCE POTENTIALLY. I JUST -- IT'S

1 UNBELIEVABLE THAT THIS LINES UP THIS PERFECTLY. AND  
2 USUALLY IN GEOLOGY THAT DOESN'T HAPPEN UNLESS IT'S  
3 PROBABLY HAPPENING.

4 AND JUST TO LET YOU KNOW, I DO AGREE THAT THERE  
5 ARE FAULTS RUNNING THROUGH HERE IN THE SANTA MONICA  
6 BOULEVARD FAULT ZONE, AND THEY PROBABLY DO TURN UP TOWARD  
7 THIS DIRECTION. SO THIS IS PROBABLY, AS YOU'LL SEE LATER,  
8 A PULL APART BASIN AT THE EASTERN END OF THE SANTA MONICA  
9 BOULEVARD FAULT ZONE. THE FAULTS PROBABLY SPLAY OUT TO  
10 THIS AREA TO PRODUCE THE ANCIENT CHANNEL TO ALLOW THE  
11 CHANNEL TO GO THROUGH IT.

12 MR. YAROSLAVSKY: CAN I --

13 THE WITNESS: HOWEVER, I BELIEVE THERE'S A GOOD  
14 CHANCE THE FAULTS ARE INACTIVE.

15 MR. YAROSLAVSKY: CAN I ASK YOU JUST AGAIN --

16 THE WITNESS: YES.

17 MR. YAROSLAVSKY: -- TO POINT OUT WHERE WE ARE?  
18 WHERE IS SANTA MONICA BOULEVARD ON THIS?

19 THE WITNESS: OH, I'M SORRY. YES, HERE'S  
20 SANTA MONICA BOULEVARD.

21 MR. YAROSLAVSKY: OKAY. SO THIS IS PURPLE EDGED,  
22 PURPLE --

23 THE WITNESS: THAT'S NOT MINE. THAT'S PARSONS'S.

24 MR. YAROSLAVSKY: AND WHAT DO THEY CLAIM THAT IS?

25 THE WITNESS: PARSONS CLAIMS THAT -- I KEEP

1 LOSING MY MOUSE -- THIS IS THE WEST BEVERLY HILLS  
2 LINEAMENT FAULT ZONE.

3 MR. YAROSLAVSKY: YES, I UNDERSTAND. BUT WHAT IS  
4 THE RED, MAGENTA, WHATEVER IT'S CALLED, PURPLE --

5 THE WITNESS: OH, THE PURPLE. THE PURPLE IS  
6 BASICALLY ME PUBLICLY SAYING I AGREE WITH MACTEC THAT THIS  
7 IS POTENTIALLY A FAULT HERE. SO THAT'S THE ONLY  
8 DIFFERENCE. I'M SAYING THAT THEY PLOTTED A FAULT HERE,  
9 AND I'M IN AGREEMENT THAT THERE'S LIKELY A WELL-DEVELOPED  
10 FAULT THERE.

11 MR. YAROSLAVSKY: HOW FAR SOUTH OF SANTA MONICA  
12 BOULEVARD IS THAT FAULT?

13 THE WITNESS: I DON'T KNOW THE SCALE EXACTLY.  
14 ACTUALLY, I DON'T KNOW WHAT --

15 MR. YAROSLAVSKY: LESS THAN A COUPLE OF HUNDRED  
16 FEET?

17 THE WITNESS: YEAH, IT'S PROBABLY SOMETHING LIKE  
18 THAT. YEAH.

19 MR. YAROSLAVSKY: AND THEN THE RED, RED LINE  
20 HERE, IT'S RED SQUARES.

21 THE WITNESS: YEAH. THIS ONE IS WHAT PARSONS  
22 MAPPED IN 2011. SO AFTER THE MACTEC REPORT, ONCE THEY  
23 FINISHED THEIR STUDY IN 2011, THEY PLOTTED THE FAULT RIGHT  
24 HERE.

25 MR. YAROSLAVSKY: OKAY. AND THE EASTERN PART OF

1 THAT LINE IS WHERE?

2 THE WITNESS: THIS ONE?

3 MR. YAROSLAVSKY: THE EASTERN END, YEAH. RIGHT  
4 THERE. THAT'S CORRECT.

5 THE WITNESS: THAT'S IT. THEY STOPPED IT RIGHT  
6 THERE.

7 MR. YAROSLAVSKY: AND WHERE IS THAT? IS THAT  
8 CENTURY PARK EAST, AVENUE OF THE STARS? WHERE?

9 THE WITNESS: THIS IS --

10 MR. YAROSLAVSKY: THIS IS AVENUE OF THE STARS.

11 THE WITNESS: YEAH. IT'S PRETTY CLOSE. I THINK  
12 THIS IS -- HERE'S CENTURY PARK -- YEAH, IT'S PRETTY CLOSE  
13 TO THAT ACTUALLY. I THINK THIS IS JUST TO THE LEFT OF  
14 CENTURY PARK WHERE IT COMES THROUGH.

15 MR. YAROSLAVSKY: AND THE PURPLE ONE, AGAIN, YOU  
16 AGREE THAT -- THAT'S YOUR MAPPING OR OUR MAPPING? THE  
17 PURPLE HASH THING.

18 THE WITNESS: THIS ONE?

19 MR. YAROSLAVSKY: YES.

20 THE WITNESS: THAT IS MACTEC'S REPORT. THIS IS  
21 WHERE MACTEC PLOTTED THE FAULT RIGHT UP TO HERE, AND THIS  
22 IS WHERE I FOUND IT IN MY EVALUATION OF THE PARSONS'S  
23 DATA. SO I BELIEVE THAT PARSONS --

24 MR. YAROSLAVSKY: SO YOU THINK IT GOES  
25 CONSIDERABLY FARTHER EAST THAN THE CITY LIMITS OF BEVERLY

1 HILLS AND L.A.?

2 THE WITNESS: NO, I DIDN'T -- ACTUALLY, THIS GOT  
3 IN THE WAY. I HAD STOPPED IT ROUGHLY HERE. I REALLY  
4 DON'T KNOW HOW --

5 MR. YAROSLAVSKY: WHERE IS THAT?

6 THE WITNESS: I REALLY DON'T KNOW HOW FAR EAST IT  
7 GOES. I REALLY DON'T HAVE ANY DATA TO CONTROL IT.

8 MR. YAROSLAVSKY: WELL, IF THE GREEN LINE OVER  
9 HERE IS AVENUE OF THE STARS, WHERE'S THE HIGH SCHOOL ON  
10 THIS MAP?

11 THE WITNESS: THE HIGH SCHOOL IS RIGHT IN HERE.

12 MR. YAROSLAVSKY: SO IT'S EAST OF -- EAST OF THE  
13 SANTA MONICA BOULEVARD/WILSHIRE INTERCHANGE --  
14 INTERSECTION; CORRECT?

15 THE WITNESS: WILSHIRE'S UP HERE. INTERSECTION  
16 OF WILSHIRE --

17 MR. YAROSLAVSKY: I KNOW BUT --

18 THE WITNESS: -- AND SANTA MONICA IS UP HERE.

19 MR. YAROSLAVSKY: YEAH, YOU'RE RIGHT. I'M SORRY.

20 THE WITNESS: THAT'S ALL RIGHT.

21 MR. YAROSLAVSKY: THE EASTERN -- THE -- I GUESS  
22 IT'S THE EASTERN PART OF THE END OF THIS PURPLE LINE,  
23 FAULT, IS EAST OF THE HIGH SCHOOL; CORRECT?

24 THE WITNESS: THAT'S CORRECT.

25 MR. YAROSLAVSKY: THANK YOU.



1 THE WITNESS: OKAY. AND THERE'S -- THERE'S GOOD  
2 EVIDENCE, THOUGH, THAT THIS FAULT IS INACTIVE, BASED --  
3 AND I'LL SHOW YOU SOME MORE EVIDENCE ALONG THOSE LINES.

4 MR. BURESH: BOARD MEMBER YAROSLAVSKY, IF I CAN  
5 HELP CLARIFY. TIM BURESH.

6 THAT LINE BASICALLY IS RUNNING THROUGH THE FIRST  
7 LINE OF DEVELOPMENTS JUST SOUTH OF SANTA MONICA.

8 MR. YAROSLAVSKY: HE CLARIFIED IT FOR ME.  
9 THANK YOU, MR. BURESH.

10 THE WITNESS: SO HERE WE GO.

11 AND THIS JUST SORT OF CLARIFYING AND LOOKING AT  
12 THE GEOLOGIC MAP, I'VE PUT TOGETHER WHERE PARSONS PUT  
13 THEIR FAULT THAT I CALL "F," AND THEY CALL IT "HOLOCENE  
14 ACTIVITY INDETERMINATE" WHICH IS MIND BOGGLING TO ME  
15 BECAUSE THEY DIDN'T HAVE ANY DETERMINATE HOLOCENE ACTIVITY  
16 ON ANY FAULT, BUT.

17 BUT IT SOMEWHAT LINES UP WITH THAT LITTLE FAULT  
18 THAT I WAS SPECULATING MIGHT BE THERE. BUT IT'S VERY  
19 DIFFICULT FOR ME TO IMAGINE THAT THIS FAULT'S ACTIVE.  
20 THERE ARE SO MANY MARKER BEDS THAT I MAPPED OF GOING OVER  
21 THE TOP IT. AND I THINK THERE'S A GOOD PROBABILITY THIS  
22 FAULT IS INACTIVE AS WELL.

23 OKAY. THE INTERIM SUMMARY. THE WEST BEVERLY  
24 HILLS LINEAMENT FAULTS LIKELY DO NOT EXIST. OUR ANALYSIS  
25 INDICATES THAT AT LEAST ONE FAULT MAPPED WITHIN THE WEST

1 BEVERLY HILLS LINEAMENT FAULT ZONE BY PARSONS IS LIKELY  
2 REAL BUT STRIKES NORTHEAST/SOUTHWEST AND IS PART OF THE  
3 SANTA MONICA BOULEVARD FAULT ZONE. THAT'S FAULT F.

4 NOW, I WANT TO GET INTO MY GEOMORPHIC ANALYSIS.  
5 I LOOKED AT PRESERVING SURFACES --

6 HEARING OFFICER DROOYAN: DR. KENNEY, HOW MUCH  
7 LONGER DO YOU THINK YOU'RE GOING TO BE? BECAUSE I WANT  
8 TO --

9 THE WITNESS: OH, OKAY. I'LL GO THROUGH IT  
10 QUICKLY.

11 HEARING OFFICER DROOYAN: ALL RIGHT. BECAUSE I  
12 DO WANT TO TAKE A BREAK, CERTAINLY FOR OUR COURT  
13 REPORTER.

14 THE WITNESS: OH, WOULD YOU LIKE TO DO THAT NOW?

15 HEARING OFFICER DROOYAN: HOW LONG ARE YOU GOING  
16 TO BE?

17 THE WITNESS: PROBABLY ANOTHER AT LEAST 15  
18 MINUTES.

19 HEARING OFFICER DROOYAN: ALL RIGHT. WHY DON'T  
20 WE TAKE A SHORT BREAK NOW --

21 THE WITNESS: AND I'LL BE ANOTHER 10 MINUTES.

22 HEARING OFFICER DROOYAN: LET'S LET OUR COURT  
23 REPORTER TAKE A BREAK.

24 THE WITNESS: OKAY.

25 HEARING OFFICER DROOYAN: WE'LL TAKE A 10 MINUTE

1 BREAK. COME BACK AT 3:35.

2 (A BRIEF RECESS WAS TAKEN.)

3 HEARING OFFICER DROOYAN: OKAY. LET'S GET  
4 STARTED AGAIN.

5 DR. KENNEY.

6 MR. KENNEY: YES.

7 HEARING OFFICER DROOYAN: WILL YOU RESUME YOUR  
8 PRESENTATION. THANK YOU.

9 MR. KENNEY: CERTAINLY.

10 SO LAST YEAR I PERFORMED A GEOMORPHIC ANALYSIS  
11 AND PRESERVED -- AND I LOOKED AT PRESERVED TERRA SURFACES  
12 ACROSS THE CHEVIOT HILLS AREA WHICH IS BASICALLY AN  
13 UPLIFTED, ABANDONED, AND INCISED INTO A SORT OF FANNED  
14 SURFACE, IF YOU WILL.

15 I DID A DRAINAGE ANALYSIS WHICH IS VERY COMMON  
16 FOR FAULT STUDIES. BASICALLY, DRAINAGES CAN GET DEFLECTED  
17 AND DEFORMED AND OFFSET BY FAULTING. DID A LINEAMENT  
18 ANALYSIS ALONG SANTA MONICA BOULEVARD AND PRESERVED TERRA  
19 SURFACES OVERLYING FAULTS. SO WE'LL GO THROUGH THESE ONE  
20 AT A TIME.

21 THIS IS RATHER COMPLICATED, I ADMIT. BUT I  
22 UTILIZED A BEAUTIFUL TOPOGRAPHICAL MAP, THE SAME ONE THAT  
23 DOLAN USED IN 1992 FOR HIS STUDY OF THE SANTA MONICA FAULT  
24 ZONE. THIS ESSENTIALLY IS THE SANTA MONICA BOULEVARD  
25 WHERE HE PLACED HIS SCARPS BACK IN 1992.

1           THESE GREEN SURFACES ARE THE TERRA SURFACES.  
2   AND SO THESE GREEN SURFACES ARE NOW SEPARATED BY  
3   DRAINAGES, BUT AT ONE TIME THEY WERE CONTINUOUS, JUST LIKE  
4   THIS SURFACE WAS. SO ENVISION TAKING THIS BEAUTIFUL  
5   FANNED SURFACE, UPLIFTING IT, AND IT GETS INCISED INTO.  
6   AND SO NOW WE'RE LEFT WITH THESE REMNANT SURFACES.

7           THESE SURFACES, WE DATED HERE AND ALSO OVER HERE  
8   AND CORRELATED THEM AND FOUND THAT THESE GREEN SURFACES  
9   WERE, IN FACT, THE SAME AGE ACROSS THE SANTA MONICA  
10  BOULEVARD.

11           SO DOLAN IN 1992 AND SEEK (PHONETIC) PROPOSED  
12  THAT THIS IS A REVERSE FAULT, THAT THIS IS THE PRIMARY  
13  STRAND OF THE SANTA MONICA FAULT ZONE. AND IF THAT WAS  
14  THE CASE, THIS AREA ON THE -- TOWARD THE NORTHWEST SHOULD  
15  BE HIGHER THAN THE SEDIMENTS OVER HERE IN ORDER TO PRODUCE  
16  THE SCARP THAT HE SAYS IS SEVEN TO NINE METERS HIGH.

17           SO WE'RE GOING TO TAKE A LOOK AT CROSS SECTION 1  
18  -- "A" DOWN TO "A PRIME" RIGHT ACROSS HERE. AND  
19  SOMEBODY'S PHONE'S GOING, I THINK. THERE WE GO.  
20  "HI, MOM."

21           SO HERE IS THAT GREEN SURFACE COMING DOWN HERE.  
22  YOU CAN SEE THE DRAINAGE IS CUTTING INTO THE OLD FANNED  
23  SURFACE. THESE -- THIS SURFACE CORRELATES. WE DATED IT  
24  RIGHT HERE ON WILSHIRE BOULEVARD AT 80- TO -- AROUND 80-  
25  TO 100,000 YEARS OLD. THIS IS WHAT I BELIEVE IS AN AREA

1 THAT IS DOWN-FAULTED BY FAULTING ALONG SANTA MONICA  
2 BOULEVARD. AND HERE'S THE SURFACE WE CORRELATED THIS ONE  
3 TO, THE 300-T AT THE SAME AGE.

4 SO THIS IS THE AREA THE DOLAN MAP IS THE ACTUAL  
5 SCARP TO THE SANTA MONICA BOULEVARD -- OR THE SANTA MONICA  
6 FAULT ZONE, SAYING THAT THIS SIDE WENT UP. AND IT'S  
7 REASONABLE IF YOU LOOK AT IT AT FIRST GLANCE BECAUSE  
8 SANTA MONICA IS HERE. THERE IS A LINEAMENT, AND THERE IS  
9 THIS SLOPE; HOWEVER, WHEN YOU REALLY PUT THIS CROSS  
10 SECTION TOGETHER AND YOU KNOW THE AGES OF THESE SURFACES,  
11 YOU CAN SEE THAT IT JUST GOES STRAIGHT ACROSS.

12 SO THIS INDICATES A COUPLE OF THINGS. IT  
13 INDICATES THAT THERE HASN'T BEEN A LOT OF OFFSET IN THIS  
14 WHOLE FAULT ZONE TO BEGIN. AND ALSO CLEARLY SHOWS THAT IS  
15 PROBABLY NOT A REVERSE STRIKE SLIP FAULT; THAT IT'S  
16 PROBABLY SOMETHING ELSE, BUT CERTAINLY NOT REVERSE.

17 SO THAT INDICATES THAT THIS IS PROBABLY -- THE  
18 SANTA MONICA BOULEVARD FAULT ZONE IS PROBABLY NOT THE  
19 PRIMARY BASAL SHEAR FAULT OF THE SANTA MONICA FAULT ZONE,  
20 BUT ACTUALLY UPPER PLATE SECONDARY FAULTS.

21 HERE IS -- LET'S TAKE A LOOK AT CROSS SECTION B  
22 TO "B PRIME" DOWN THROUGH HERE, SO A LITTLE FURTHER DOWN  
23 SANTA MONICA BOULEVARD. THIS IS THE MORMON TEMPLE. THE  
24 STUDY AREA IS UP IN HERE. SO THIS CROSS SECTION IS  
25 A LITTLE BIT OUT OF THE PARSONS'S 2011 STUDY AREA.

1           AND THIS CROSS SECTION IS QUITE STARTLING.  
2       HERE'S THAT 300-T SURFACE, IF YOU WILL, CORRELATED  
3       ACROSS HERE, AT LITTLE LOWER ELEVATIONS.   HERE IS THE  
4       SANTA MONICA BOULEVARD FAULT ZONE WHICH WAS MAPPED AS THE  
5       SANTA MONICA FAULT ZONE PROPER BY DOLAN.   AND YOU CAN SEE  
6       IF THIS WAS A REVERSE FAULT, THIS SURFACE SHOULD BE UP  
7       HERE TO MAKE THAT SEVEN- TO NINE-METER SCARP THAT HE  
8       PUBLISHED.   AND WE, IN FACT, SEE THE EXACT OPPOSITE.

9           SO THIS SIDE HAS GONE DOWN RELATIVE TO THIS SIDE.  
10       SO I DON'T BELIEVE THAT THIS IS THE ACTUAL PRIMARY SANTA  
11       MONICA BOULEVARD FAULT ZONE.   IT'S A SECONDARY FAULT ZONE.  
12       AND THAT LENDS A LITTLE MORE CREDENCE TO THE FAULT ZONE  
13       POTENTIALLY BEING INACTIVE.

14           MR. YAROSLAVSKY:   WHERE IS THE PRIMARY FAULT  
15       ZONE?

16           THE WITNESS:   WE DON'T KNOW.

17           MR.   YAROSLAVSKY:   BUT YOU DO KNOW THERE IS ONE;  
18       RIGHT?

19           THE WITNESS:   I'M SPECULATING THAT THERE IS ONE  
20       BECAUSE ONLY A MILE AND A HALF TO THE WEST WHERE DOLAN AND  
21       CATCHINGS AND OTHER PEOPLE HAVE DONE SOME SEISMIC LINES,  
22       THEY HAVE IDENTIFIED THE SANTA MONICA FAULT ZONE THERE.  
23       THEY'RE DIPPING IN ABOUT 20 TO 30 DEGREES TO THE NORTH.  
24       IT'S HARD TO IMAGINE THAT YOU ONLY COME OVER HERE A COUPLE  
25       OF MILES AND THE FAULT IS DIPPING ABOUT 75 TO 80 DEGREES.

1                   SO WHAT I'M SPECULATING, THEY -- DOLAN TRENCHED  
2                   DOWN THERE AT THE V.A. HOSPITAL, NEVER FOUND THE ACTUAL  
3                   FAULT. IT'S DIFFICULT -- IT MIGHT BE SOMEWHAT BLIND  
4                   TOWARD THE SURFACE, AND IT WOULD BE RELATIVELY DIFFICULT  
5                   MAYBE TO TRENCH IT. SO WHAT I'M SPECULATING IS THAT THIS  
6                   FAULT ZONE MIGHT BE BLIND WITHIN THE CHEVIOT HILLS. THUS  
7                   THE POTENTIAL THAT ALL OF THESE SEDIMENTS HERE WOULD BE  
8                   HANGING-WALL SEDIMENTS, AND THERE'S THE POTENTIAL FOR SOME  
9                   FAULTING HERE. BUT REALLY IT'S UNKNOWN AT THIS TIME.

10                   MR. YAROSLAVSKY: SO YOU DON'T KNOW WHERE THE  
11                   PRIMARY FAULT IS?

12                   THE WITNESS: THAT'S CORRECT.

13                   MR. YAROSLAVSKY: IT COULD BE UNDER SANTA MONICA  
14                   BOULEVARD?

15                   THE WITNESS: THIS IS TRUE. OH, NO, I DON'T  
16                   THINK SO. I THINK THERE'S A LOT OF DATA -- I THINK  
17                   THERE'S A LOT OF DATA TO SUGGEST THERE'S NOT. THAT'S -- I  
18                   HAVE SOME MORE INFORMATION HERE I MIGHT NOT GET TO  
19                   TODAY.

20                   MR. YAROSLAVSKY: IF IT'S NOT THERE, WHERE WOULD  
21                   IT BE HYPOTHETICALLY?

22                   THE WITNESS: IT WOULD BE TO THE SOUTH. IT WOULD  
23                   BE JUST LIKE THIS CROSS SECTION HERE, WHERE HERE IS  
24                   SANTA MONICA BOULEVARD; AND THIS IS TO THE NORTH, THIS IS  
25                   TO THE SOUTH. SO IT WOULD BE TO THE SOUTH UNDER THE

1 CHEVIOT HILLS. OKAY. SO CONSTELLATION AVENUE WOULD BE  
2 LIKE HERE. OKAY. THAT'S THE SURFACE IT'S ON. AND THEN  
3 THE SANTA MONICA STATION IS SORT OF PROPOSED OVER HERE.  
4 SO THAT SHOULD HELP YOU OUT --

5 MR. YAROSLAVSKY: SO THIS RED LINE, THIS DASHED  
6 RED LINE, IS IN CHEVIOT HILLS?

7 THE WITNESS: THIS IS THE CHEVIOT HILLS. THIS IS  
8 THE HILLCREST COUNTRY CLUB TO THE SOUTH JUST A FEW MILES.

9 MR. YAROSLAVSKY: YEAH. SO -- SO THE -- SO  
10 YOU'RE SAYING -- IT'S YOUR TESTIMONY THAT THERE IS NO  
11 FAULT -- ACTIVE FAULT UNDER SANTA MONICA BOULEVARD?

12 THE WITNESS: NO. I'M SAYING THAT --

13 MR. YAROSLAVSKY: IS THAT TRUE --

14 THE WITNESS: THERE'S A STRONG -- BASED ON THE  
15 DATA THAT I HAVE NOW, IT'S NOT CONCLUSIVE, BUT THE DATA  
16 THAT I HAVE NOW, THERE'S VERY STRONG EVIDENCE THAT THE  
17 POSSIBILITY -- STRONG POSSIBILITY THAT THE FAULT ZONE  
18 ALONG SANTA MONICA BOULEVARD IS INACTIVE, BASED ON  
19 GEOMORPHOLOGY AND EVALUATION OF THE CROSS SECTIONS AND THE  
20 AGE DATA THAT WE HAVE OF THE SURFACE SEDIMENTS.

21 MR. YAROSLAVSKY: BUT IT'S NOT CONCLUSIVE AND  
22 BASED ON THE DATA YOU HAVE NOW? OUR EXPERTS --

23 THE WITNESS: THAT'S RIGHT. IT WOULD --

24 MR. YAROSLAVSKY: -- OUR EXPERTS ARE --

25 THE WITNESS: -- IT WOULD REQUIRE -- IT WOULD



1 REQUIRE A FAULT INVESTIGATION THAT I WOULD RECOMMEND WOULD  
2 BE SOMEWHERE WHERE THE BENEDICT CANYON WASH SEDIMENTS ARE  
3 EXPOSED, PARTICULARLY THE ANCIENT ONES.

4 MR. YAROSLAVSKY: THANK YOU.

5 MR. FASANA: JUST A FOLLOWUP ON THAT. WOULD SOME  
6 TYPE OF A TRENCHING PROTOCOL ON THE SANTA MONICA BOX HELP  
7 SHED SOME MORE LIGHT IN TERMS OF WERE -- OR WHETHER AT  
8 LEAST IT WAS LOCATED NEAR THE --

9 THE WITNESS: ABSOLUTELY, IT WOULD.

10 MR. FASANA: -- EL MONTE STATION?

11 THE WITNESS: YES. IF YOU WERE TO GO TO THE  
12 SANTA MONICA BOX AND PERFORM A MORE DETAILED FAULT  
13 INVESTIGATION, PARTICULARLY IF SOMEHOW -- I DON'T KNOW HOW  
14 YOU WOULD DO IT LOGISTICALLY, BUT IF YOU COULD DO FAULT  
15 TRENCHING THERE ACROSS THAT AREA, I FEEL FAIRLY CONFIDENT  
16 THAT YOU -- THAT YOU WOULDN'T HAVE TO GO EXCESSIVELY DEEP.

17 THE THING THAT'S IN YOUR FAVOR IS THAT, I BELIEVE  
18 THAT THERE'S VERY OLD SEDIMENTS THAT ARE EXPOSED ON THE  
19 SURFACE. SO ALL YOU'D HAVE TO FIND IS THREE OR FOUR  
20 LAYERS HORIZONTAL ACROSS THERE, AND IT MIGHT BE A DONE  
21 DEAL. BUT IT WOULD REQUIRE THAT TO PROVIDE SUFFICIENT  
22 EVIDENCE, FOR EXAMPLE, FOR THE CGS.

23 BUT, AGAIN, I HAVE SOME PRETTY GOOD EVIDENCE  
24 SUGGESTING THAT IT'S INACTIVE IN THE CROSS SECTIONS IN THE  
25 GEOMORPHOLOGY. SO FAULTS ALONG SANTA MONICA BOULEVARD

1 HAVE NOT EXHIBITED SIGNIFICANT REVERSE FAULTING. IT'S THE  
2 FINDINGS OF THOSE TWO CROSS SECTIONS.

3 I ALSO DID A DRAINAGE ANALYSIS. SO HERE'S THE  
4 CHEVIOT HILLS. HERE'S THAT BLIND FAULT THAT I'M  
5 POSTULATING COMES THROUGH HERE. AND HERE'S THE SANTA  
6 MONICA BOULEVARD FAULT ZONE. LOOK HOW LINEAR IT IS. THAT  
7 SUGGESTS IT STRIKES THE FAULTING. HERE ARE ALL THE  
8 DRAINAGES COMING THROUGH. LET'S GO AHEAD AND TAKE A LOOK  
9 IF THERE'S A CHANGE IN THE PATTERN OF THESE DRAINAGES  
10 CROSSING THE SANTA MONICA BOULEVARD.

11 SO HERE IS THE SAME AREA. WE ARE JUST LOOKING AT  
12 THE DRAINAGES, AND I ASKED THE QUESTION: CAN YOU SEE THE  
13 FAULT? AND I DON'T REALLY SEE IT. BUT LET'S ACTUALLY  
14 JUST PUT SANTA MONICA BOULEVARD ON HERE.

15 AND IF WE LOOK AT THESE ONE BY ONE, DISTRICT --  
16 KEEP IN MIND DOLAN PROPOSED -- AND IT'S COMMON FOR  
17 EAST/WEST TRENDING THRUST FAULTS TO HAVE A LEFT LATERAL  
18 COMPONENT. SO HE DIDN'T COME UP WITH THAT, BUT -- LIKE  
19 THE CUCAMONGA. BUT HERE IT'S PRESUMED TO BE A LEFT  
20 LATERAL REVERSE FAULT WHERE THIS SIDE GOES UP, AND THESE  
21 ROCKS GO THIS WAY.

22 SO WE -- TYPICALLY WITH A DRAINAGE ANALYSIS, WHAT  
23 YOU WOULD SEE IF THAT WAS THE CASE IS THE DRAINAGES  
24 TURNING LIKE THIS. OLDER DRAINAGES WOULD TURN MORE, AND  
25 YOUNGER DRAINAGES WOULD TURN LESS BECAUSE THEY SAW

1 DIFFERENT NUMBERS OF EARTHQUAKES. SO HERE YOU CAN SEE --  
2 AND KEEP IN MIND THESE SEDIMENTS ARE VERY OLD. OKAY?  
3 40,000 -- ACTUALLY, THESE ARE 80- TO 200,000 YEARS OLD AT  
4 THE SURFACE. SO THESE DRAINAGES HAVE BEEN HERE FOR A LONG  
5 TIME, HUNDREDS OF THOUSAND OF YEARS.

6 THIS DRAINAGE COMES UP HERE, STRAIGHT ACROSS,  
7 STRAIGHT ACROSS, STRAIGHT ACROSS, STRAIGHT ACROSS. THIS  
8 ONE DOES KIND OF MERGE THERE. THIS ONE DOES. THIS ONE  
9 HAS A RIGHT LATERAL DEFLECTION. THIS ONE HAS A RIGHT  
10 LATERAL DEFLECTION. THIS DRAINAGE KIND OF FLOWS ALONG  
11 HERE. THIS IS THE ESCARPMENT OF --

12 THIS IS THE FAULTS MAP BY PARSONS TO KIND OF GIVE  
13 YOU AN IDEA OF WHERE YOU ARE, BEVERLY HILLS HIGH SCHOOL.  
14 THIS DRAINAGE GOES STRAIGHT ACROSS. AND THIS DRAINAGE,  
15 THAT'S THE MODERN BENEDICT CANYON, GOES STRAIGHT ACROSS.

16 SO WHAT I SEE HERE IS, BASICALLY, I DO NOT SEE  
17 SIGNIFICANT OR REPEATED RIGHT LATERAL OFFSET. I DON'T SEE  
18 REPEATED LEFT LATERAL OFFSET. I SEE ALMOST NO PATTERN  
19 WHATSOEVER OTHER THAN WHAT THIS REALLY LOOKS LIKE TO ME IS  
20 AN OLD FAULT ZONE THAT IS ERODING OUT. AND IT'S  
21 ESSENTIALLY ALONG A FAULT ZONE, THE ROCKS GET STRIATED AND  
22 BROKEN UP. THEY ERODE AT A FASTER RATE THAN THE  
23 SURROUNDING ROCK. IT'S MORE INHERENT.

24 SO WHAT I'M SEEING HERE GEOMORPHICALLY IS AN  
25 OLDER FAULT ZONE THAT'S PRIMARILY A STRIKE SLIP IN THE

1 PAST, BUT IT HASN'T MOVED IN A LONG TIME. SEE, THE  
2 STRAIGHT NATURE OF IT INDICATES STRIKE SLIP; HOWEVER,  
3 WE DON'T SEE ANY STRIKE SLIP OFFSET OF THE DRAINAGES.  
4 SO WHAT THAT SUGGESTS TO ME IS THAT IT HAD ITS DAY. IT  
5 WAS ACTIVE IN THE PAST, AND NOW IT'S JUST SIMPLY GETTING  
6 ERODED INTO, AND THE LINEAMENT ITSELF THAT WE SEE IS A  
7 GEOMORPHIC LINEAMENT OF THE FAULT ZONE ERODING OUT, BUT  
8 NOT ASSOCIATED WITH ACTIVE FAULTING.

9 SO THE RESULTS OF THE DRAINAGE ANALYSIS IS A  
10 TRIBUTARY SYSTEM DOES NOT APPEAR SYSTEMATICALLY OFFSET BY  
11 EITHER RIGHT OR LEFT LATERAL DISPLACEMENT. IT INFERS THAT  
12 THE SANTA MONICA BOULEVARD LINEAMENT APPEARS DOMINATED BY  
13 EROSION AND DEPOSITION THAT'S POSSIBLY NOT ACTIVE.

14 AND SO I KNOW I'VE ALREADY MENTIONED THIS BEFORE,  
15 BUT IT'S WORTH JUST LOOKING AT THE SANTA MONICA LINEAMENT  
16 AND JUST SORT OF SAYING OPENLY: YES, IT IS A LINEAMENT;  
17 IT IS GEOMORPHIC; THERE IS A CHANGE IN THE SLOPE THROUGH  
18 HERE. BUT I DON'T BELIEVE IT'S A REVERSE CHANGE IN SLOPE,  
19 AND I DON'T BELIEVE THAT IT'S ASSOCIATED WITH ACTIVE  
20 FAULTING AT THIS TIME.

21 AND THE STRAIGHT NATURE OF IT SUGGESTS TO ME VERY  
22 STRONGLY THAT IT IS -- WAS ORIGINALLY ASSOCIATED WITH  
23 PRIMARILY STRIKE SLIP FAULTING WITH SOME EXTENSION TAKING  
24 PLACE UP HERE IN ORDER TO FORM THIS DEPRESSION THAT THE  
25 ANCIENT BENEDICT CANYON WENT THROUGH.

1           NOW, I PURPOSELY DIDN'T PUT ANYTHING ON THIS  
2     FIGURE. THIS IS THE BEAUTIFUL CONTOUR MAPS OF HOOPS,  
3     1930. THESE ARE FIVE-FOOT CONTOURS. THIS IS ABOUT --  
4     THIS IS 275 CONTOUR. THIS IS BEVERLY HILLS HIGH SCHOOL,  
5     RIGHT THERE. SANTA MONICA STATION IS PROPOSED RIGHT ABOUT  
6     IN HERE. CONSTELLATION IS DOWN IN HERE SOMEWHERE, I  
7     THINK. AND THAT FAULT F COMES THROUGH LIKE THIS OVER  
8     THERE AND THEN SORT OF UP TO THIS AREA.

9           NOW, THIS IS THE SURFACE, BASED ON THE DATA WE  
10    HAVE TODAY, THAT'S ABOUT 40,000 YEARS OLD. AND THIS  
11    SURFACE RIGHT OVER HERE IS 100,000 YEARS OLD. AND THIS  
12    GEOMORPHOLOGY IS VERY SUBTLE.

13           IN OTHER WORDS, AN ACTIVE FAULT RUPTURES -- IS  
14    CONSIDERED A FAULT THAT RUPTURES EVERY 11,000 YEARS. THE  
15    REASON FOR THAT IS THAT IT'S ASSUMED THAT IF A FAULT IS  
16    ACTIVE BUT HAS A RECURRENCE INTERVAL OF LESS THAN 10,000  
17    YEARS -- SO IN OTHER WORDS, IF THIS SURFACE IS 40,000  
18    YEARS OLD, IT'S SEEN AT LEAST A MINIMUM OF FOUR  
19    EARTHQUAKES -- AND THAT'S ASSUMING A VERY LONG RECURRENCE  
20    INTERVAL.

21           I DON'T SEE ANY SCARPS IN HERE. AND THESE ARE  
22    VERY DENSE SOILS. THESE ARE RUPTURED THROUGH HERE  
23    REPEATEDLY FOUR TIMES, I WOULD IMAGINE WE WOULD SEE SOME  
24    TYPE OF A SCARP HERE, SOME TYPE OF AN ALIGNMENT OF THE  
25    DRAINAGE, AND I JUST DON'T SEE THAT. WHERE FAULT F IS

1       HERE, FOR EXAMPLE, THIS LOOKS LIKE AN OLD SURFACE IS  
2       SIMPLY ERODING AWAY.

3               RESULTS OF THE LINEAMENT ANALYSIS, STRAIGHT TREND  
4       OF THE SANTA MONICA BOULEVARD LINEAMENT SUGGESTS STRIKE  
5       SLIP DISPLACEMENT AS OPPOSED TO DIP SLIP BUT NOT -- BUT  
6       THERE'S NO OFFSET DRAINAGES. SO THIS SUGGESTS INACTIVITY  
7       TO ME. NO WELL-DEFINED SCARPS ASSOCIATED WITH THE  
8       SANTA MONICA BOULEVARD FAULT ZONE OR PROPOSED WEST  
9       BEVERLY HILLS LINEAMENT FAULT ZONES ON THE 40,000-YEAR-OLD  
10      SURFACE, AND THAT SUGGESTS INACTIVITY AS WELL TO ME.

11              OKAY. AND THEN THIS IS MY LAST SLIDE FOR TODAY.  
12      AGAIN, I JUST WANTED TO COME BACK TO THIS SLIDE BECAUSE IT  
13      TIES INTO THE INACTIVITY ARGUMENT. THAT THERE'S THIS  
14      EROSION SURFACE WHICH IS PROBABLY AT LEAST 50,000 YEARS  
15      OLD, IF NOT MORE. I'M DOING A MINIMUM THERE. AND HERE'S  
16      ONE OF THE FAULTS AND ANOTHER AND ANOTHER.

17              AND YOU CAN SEE THAT THIS EROSION SURFACE GOES  
18      RIGHT ACROSS THIS. THIS IS ALONG THE MAIN PART OF THE  
19      FAULT ZONE RIGHT THROUGH HERE, ACROSS FAULT F AND FAULT E,  
20      RIGHT HERE. THESE ARE THE TWO DOMINANT FAULTS IN THE  
21      AREA.

22              FAULT E COMES UP TO THE SHALLOWEST, AND IT LOOKS  
23      LIKE THERE'S A STRONG POSSIBILITY IT'S INACTIVE AS WELL.  
24      SO, AGAIN, THIS WOULD BE A GOOD PLACE TO DO A FAULT STUDY  
25      TO -- IF YOU WERE --

1           TO ANSWER YOUR QUESTION, IF YOU WERE TO DO A  
2 FAULT STUDY HERE, MOST PEOPLE AGREE THAT THE FAULT COMES  
3 IN FROM THIS DIRECTION. SO IF THE FAULTS ARE IDENTIFIED  
4 HERE FOUND TO BE INACTIVE, I BELIEVE MOST GEOLOGISTS THAT  
5 WORK IN MY PROFESSION WOULD FEEL RELATIVELY CONFIDENT THAT  
6 THIS WOULD BE A SAFE AREA TO PUT THE STATION. BUT,  
7 OF COURSE, WE WOULD HAVE TO ELIMINATE THIS ARGUMENT OF THE  
8 WEST BEVERLY HILLS COMING IN OVER HERE, WHICH I'M IN  
9 AGREEMENT ON EXISTS.

10           AND THEN -- AND THAT'S IT. THANK YOU VERY MUCH.  
11 THERE'S EXTRA EVIDENCE THERE FOR IT BEING A SECONDARY  
12 FAULT. OKAY.

13           HEARING OFFICER DROOYAN: THANK YOU.

14           THE WITNESS: THANK YOU.

15           HEARING OFFICER DROOYAN: DO YOU HAVE A QUESTION?

16           MS. O'CONNOR. WELL, SO YOUR -- YOUR FIRST SLIDE,  
17 THE INTERIM CONCLUSION SLIDE, AND THEN SOME OF THE LAST  
18 ONES WERE NOT PART OF THE PRINTED MATERIAL?

19           THE WITNESS: IT SHOULD BE IN THERE.

20           MS. O'CONNOR: OKAY. THEY ARE NOT IN MINE.

21           THE WITNESS: OH, IT'S AT THE END. WHICH --  
22 WHAT'S NOT IN THERE? I'M SORRY.

23           MS. O'CONNOR: YOUR INTERIM SLIDE WHERE YOU SAID  
24 INTERM CONCLUSION SLIDE AT THE BEGINNING. YOU HAVE THAT?  
25 YOU HAVE A SLIDE THAT SAYS MANY QUESTIONS, BUT YOU DON'T

1 HAVE -- AT LEAST MY COPY DOESN'T HAVE --

2 THE WITNESS: OH.

3 MS. O'CONNOR: -- AND THEN YOUR LAST SLIDE THAT

4 YOU JUST SHOWED DOESN'T SEEM TO BE IN MINE. MINE ENDS IN

5 LIKE GEOMORPHIC DRAINAGE ANALYSIS, AND THEN IT GOES TO --

6 THE WITNESS: YEAH, YOU MIGHT HAVE --

7 MR. BROGAN: THE PAGES ARE OUT OF ORDER.

8 MS. O'CONNOR: I JUST PAGED THROUGH THE WHOLE

9 THING, BUT ANYWAY. OKAY.

10 THE WITNESS: YEAH, YOU MIGHT HAVE A SLIGHTLY

11 DIFFERENT VERSION --

12 MS. O'CONNOR: OKAY. BECAUSE I WAS TRACKING --

13 THE WITNESS: -- OF THE PRESENTATION.

14 MS. O'CONNOR: THANK YOU.

15 THE WITNESS: SLIGHTLY DIFFERENT.

16 HEARING OFFICER DROOYAN: OKAY.

17 MR. BROGAN: THANK YOU, MR. KENNEY. WE NOW HAVE

18 -- DR. KENNEY.

19 WE KNOW HAVE THE VIDEO OF DR. SHLEMON.

20 OKAY. WE'VE GOT SOUND.

21 HEARING OFFICER DROOYAN: AND WOULD YOU AND STATE

22 AND SPELL HIS NAME FOR THE RECORD.

23 I.T. TECHNICAN: HE'LL ACTUALLY STATE AND SPELL

24 IT AT THE TOP OF THE VIDEO.

25 HEARING OFFICER DROOYAN: AND LET ME JUST SAY,



1       TECHNICALLY UNDER THE PUBLIC UTILITIES CODE, THIS HAS TO  
2       BE UNDER AN OATH OR AFFIRMATION.  AND WHAT WE'LL DO IS  
3       WE'LL ADMIT THIS AS AN EXHIBIT.  AND THEN, MR. WIENER,  
4       WILL YOU SUBMIT TO THE BOARD JUST A DECLARATION THAT YOU  
5       WOULD USE IN A COURT WITH AN AFFIDAVIT?

6               MR. WIENER:  WE WILL DO THAT.

7               (CITY'S EXHIBIT WAS IDENTIFIED AND  
8               ADMITTED INTO EVIDENCE.)

9               HEARING OFFICER DROOYAN:  GO AHEAD.  HE'S NOT  
10       LIVE.  HE'S GOING TO TESTIFY --

11

12                       (START OF VIDEO.)

13                               EXAMINATION

14       BY THE NARRATOR:

15               Q       DR. SHLEMON, GOOD AFTERNOON, SIR.

16                       CAN YOU PLEASE INTRODUCE YOURSELF AND SPELL YOUR  
17       LAST NAME?

18               A       YES, INDEED.  MY NAME IS ROY; LAST NAME, SHLEMON,  
19       S-H-L-E-M-O-N.

20               Q       AND, DR. SHLEMON, CAN YOU PLEASE IDENTIFY FOR US  
21       AND LIST FOR US YOUR EDUCATIONAL BACKGROUND?

22               A       YES.  MANY SCHOOLS.  MOST OF MY DEGREES -- IN  
23       FACT, ALL OF THEM ARE IN GEOLOGY.  THE UNION CARD, THE  
24       PH.D. WAS AT BERKELEY, UNIVERSITY OF CALIFORNIA AT  
25       BERKELEY.  AND I'VE TAUGHT AT ANY NUMBER OF UNIVERSITIES

1 SINCE THAT TIME.

2 Q AND IT'S MY UNDERSTANDING, DOCTOR, THAT YOU'VE  
3 TAUGHT AT AND GIVEN LECTURES AT THE UNIVERSITY OF  
4 CALIFORNIA AT DAVIS, STANFORD UNIVERSITY, LOUISIANA STATE  
5 UNIVERSITY, UCLA, CAL STATE LOS ANGELES, UC IRVINE, AND  
6 SAN DIEGO STATE UNIVERSITY; IS THAT CORRECT?

7 A THAT'S CORRECT, AMONG OTHERS. I MIGHT POINT OUT  
8 THAT THE DAVIS, UNIVERSITY OF CALIFORNIA AT DAVIS, WAS A  
9 FULL TIME -- MY FIRST ACADEMIC POSITION, THEN LATER TO LSU  
10 AT BATON ROUGE. AND THE OTHERS WERE ESSENTIALLY  
11 CONSULTING PROFESSORSHIPS AND INVITED LECTURESHIPS.

12 Q AND HOW LONG HAVE YOU BEEN A CONSULTING  
13 GEOLOGIST?

14 A PROBABLY FOR THE LAST APPROXIMATELY 40 YEARS,  
15 FULL-TIME CONSULTING.

16 Q AND WHAT ARE YOUR AREAS OF SPECIALTY?

17 A WELL, THE TECHNICAL SPECIALTIES ARE CALLED  
18 KINESIOLOGY, GEOMORPHOLOGY, SOIL STRATIGRAPHY,  
19 ET CETERA, BUT THE MAIN FOCUS AND THE MAIN APPLICATION IS  
20 TO DATE FAULTS TO DETERMINE IF A FAULT ACCORDING TO  
21 CALIFORNIA CRITERIA IS EITHER ACTIVE OR IT IS NOT ACTIVE.  
22 SO IT'S A SEISMIC ISSUE THAT I DEAL WITH MAINLY.

23 Q AND, DOCTOR, HAVE YOU PREPARED A REPORT DATED  
24 NOVEMBER 6, 2011, FOR SHANNON & WILSON ON BEHALF OF THE  
25 CITY OF BEVERLY HILLS?

1           A     YES, I DID.  THAT'S CORRECT.

2           Q     AND, SIR, WHAT YOUR WAS YOUR PURPOSE IN PREPARING  
3  THAT REPORT?

4           A     THAT NOVEMBER REPORT OF 2011 FOCUSED MAINLY ONLY  
5  A REVIEW OF THE AMEC REPORT, THE ORIGINAL REPORT FOR THE  
6  WESTSIDE SUBWAY EXTENSION, AND VERY SPECIFICALLY FOCUSING  
7  ON THE INFERRED FAULTS THAT WERE IDENTIFIED THAT WOULD  
8  IMPACT THE PROPOSED ALTERNATE STATIONS BUT ALSO OTHER  
9  PLACES IN BEVERLY HILLS.

10          Q     AND, DOCTOR, IN YOUR PROFESSIONAL SCIENTIFIC  
11  OPINION, HAS THERE BEEN ENOUGH GEOLOGICAL WORK DONE IN  
12  YOUR VIEW TO SUPPORT THE CONSTELLATION SITE AS A SUBWAY  
13  STATION?

14          A     THE CONSTELLATION STATION, AS ANY OTHER  
15  ALTERNATIVE SITE, NEEDS TO BE PRUDENT; NEEDS ADEQUATE  
16  INVESTIGATION, VERY SPECIFICALLY, SITE-SPECIFIC  
17  INVESTIGATION.  SO WHETHER THAT'S DONE AT THE  
18  CONSTELLATION OR AT ANY OTHER ALTERNATIVE, IT IS A  
19  REQUIREMENT TO MEET THE STANDARD OF PRACTICE AS WELL AS TO  
20  ENSURE PUBLIC HEALTH AND SAFETY.

21          Q     AND TO YOUR KNOWLEDGE, HAS ANY SITE-SPECIFIC  
22  EVALUATION OF THE CONSTELLATION -- THE PROPOSED  
23  CONSTELLATION STATION OCCURRED?

24          A     TO MY KNOWLEDGE, NOT YET.  THE CONSTELLATION  
25  STATION HAS BEEN SELECTED AS AN ALTERNATIVE, BUT UNLESS

1 AMEC OR SOME OTHER CONSULTING GROUP HAS BEEN INVOLVED  
2 RECENTLY, WHICH I DON'T THINK THAT IS THE CASE, THAT LEVEL  
3 OF INVESTIGATION IS REQUIRED DEFINITELY.

4 Q OKAY. NOW, DOCTOR, YOU REFERRED TO SITE-SPECIFIC  
5 WORK. IN YOUR OPINION, WHAT SITE-SPECIFIC WORK NEEDS TO  
6 BE PERFORMED AT THE CONSTELLATION STATION BEFORE IT COULD  
7 BE PROPERLY EVALUATED AND APPROVED AS A SUBWAY STATION  
8 SITE?

9 A THE GEOLOGICAL WORK PLUS THE ENGINEERING,  
10 OF COURSE, SHOULD MEET ALL STANDARDS OF PRACTICE. THAT IS  
11 PROFESSIONAL STANDARDS OF PRACTICE TO ENSURE THE PUBLIC  
12 HEALTH AND SAFETY.

13 VERY SPECIALLY, THAT MEANS PROBABLY WITH HIGHER  
14 PROBABILITY THAT TRENCHING IS DONE, OPENING UP EXCAVATIONS  
15 IN WHICH THE GEOLOGISTS, PLURAL, CAN LOG, CAN DOCUMENT,  
16 CAN PHOTO-DOCUMENT ALL EXPOSURES TO DETERMINE TWO THINGS:  
17 ONE, IS THERE A FAULT PRESENT OR MANY FAULTS; AND THEN,  
18 SECONDLY, HOW OLD IS THE FAULT? THAT IS: WHAT WAS THE  
19 TIME OF LAST GROUND RUPTURE, NEAR-SURFACE GROUND RUPTURE?

20 THAT BY DEFINITION FITS INTO THE CALIFORNIA LAW,  
21 THE REQUIREMENT THAT ONE WILL NOT BUILD A HABITABLE  
22 STRUCTURE -- AND A TERMINAL OR A STATION IS A HABITABLE  
23 STRUCTURE -- AND ONE WILL NOT BUILD SUCH A STATION ON AN  
24 ACTIVE FAULT. SO THOSE ARE THE TWO COMPONENTS OF THE MAIN  
25 COMPONENTS OF A GEOLOGICAL INVESTIGATION.

1 Q HAS TRENCHING BEEN PERFORMED AT THE PROPOSED  
2 CONSTELLATION SITE?

3 A TO MY KNOWLEDGE, NOT YET.

4 Q DOCTOR, DO YOU SEE ANY ANALYSIS IN THE AMEC  
5 REPORT THAT SUGGEST THAT THERE COULD BE A FAULT RUNNING  
6 THROUGH THE CONSTELLATION SITE?

7 A YES, THERE IS. THE AMEC REPORT REFERRED TO A  
8 POSSIBLE SPLAY OF THE NEWPORT/INGLEWOOD OR SOME OTHER  
9 FAULT SYSTEM. AND A REASONABLE PROJECTION FROM THEIR DATA  
10 -- AND THEY SHOW IT ON THEIR MAPS IN THEIR ORIGINAL REPORT  
11 -- PROJECTS RIGHT TOWARD THE PROPOSED CONSTELLATION  
12 STATION. AGAIN, ANOTHER REASON THAT A SITE-SPECIFIC  
13 INVESTIGATION MUST BE PERFORMED.

14 Q DOCTOR, WHAT IS THE RISK OF MOVING FORWARD WITH  
15 THE CONSTELLATION SITE WITHOUT HAVING THE RISKS ASSESSMENT  
16 INVESTIGATIVE WORK DONE THAT YOU BELIEVE IS NECESSARY IN  
17 ORDER TO PROPERLY EVALUATE THAT SITE?

18 A WELL, THE RISK IS INHERENT IN A POSSIBLE FAULT  
19 AND A POSSIBLE ACTIVE FAULT GOING THROUGH THE STATION.  
20 SO TO NOT DO THE APPROPRIATE STANDARD OF PRACTICE WORK IS  
21 NOT PRUDENT AND DOES NOT MEET THE STANDARDS OF PRACTICE  
22 AND CERTAINLY WOULD NOT MEET THE REQUIREMENTS OF THE  
23 ALQUIST-PRIOLO ACT, WHICH DEFINES AN ACTIVE FAULT IN THE  
24 STATE OF CALIFORNIA.

25 Q DOCTOR, DO YOU BELIEVE THAT TRENCHING AT THE

1 VACANT SITE AT THE CORNER OF CONSTELLATION AND AVENUE OF  
2 THE STARS WOULD BE BENEFICIAL TO ANALYZE THE PROPOSED  
3 CONSTELLATION SITE?

4 A WELL, INDEED. ANY EXISTING EXPOSURE SHOULD BE  
5 VERY USEFUL. IT MAY NOT BE SUFFICIENT. THERE -- THEY MAY  
6 BE REQUIRED TO DO ADDITIONAL INVESTIGATIONS, BUT I HAVEN'T  
7 SEEN THAT PARTICULAR SITE, BUT IF THERE IS AN EXCAVATION  
8 THERE, CERTAINLY A COMPETENT GEOLOGIST SHOULD EXAMINE IT  
9 TO DETERMINE TWO THINGS: ONE, ARE THERE FAULTS OR NO  
10 FAULTS? IS IT EXPOSED IN THE CUTS? AND THEN, SECONDLY,  
11 IF THERE ARE FAULTS, ARE THEY ACTIVE OR NOT?

12 AND, OF COURSE, ONE WILL DETERMINE THE AGE OF  
13 THOSE SEDIMENTS, AND THEY NEED TO BE DEMONSTRABLY GREATER  
14 THAN THE 11,500 YEARS OLD WHICH IS THE STATE DEFINITION  
15 FOR AN ACTIVE FAULT. THAT IS IF SEDIMENTS YOUNGER THAN  
16 THAT NUMBER HAVE BEEN DISPLACED BY FAULTING, THEN IT'S  
17 CONSIDERED AN ACTIVE FAULT IN CALIFORNIA.

18 SO YES, I WOULD CERTAINLY TAKE ADVANTAGE OF ANY  
19 EXISTING CUTS. CERTAINLY, IT WOULD SAVE TIME, MONEY, AND  
20 SUPPLEMENT ALL THE OTHER GEOLOGICAL INVESTIGATIONS THAT  
21 ARE LIKELY REQUIRED TO PRODUCE A REALISTIC EVALUATION OR  
22 RISK, IF YOU WILL, OF THE VIABILITY OF THE CONSTELLATION  
23 STATION.

24 Q DOCTOR, IT'S MY UNDERSTANDING THAT THERE WAS A  
25 REPORT POSTED ON THE MTA WEB SITE DATED MAY 14TH, 2012,

1 IN RESPONSE TO THE LEIGHTON CONSULTANT'S REPORT. HAVE YOU  
2 HAD AN OPPORTUNITY TO REVIEW THAT POSTING?

3 A VERY BRIEFLY. IT JUST CAME OUT, AND I JUST  
4 LOOKED AT IT VERY BRIEFLY. BUT I HAD THE OPPORTUNITY TO  
5 -- TO GET THE GIST OF THE SENSE OF THEIR CONCLUSIONS.

6 Q AND IN YOUR PROFESSIONAL OPINION, WAS THERE  
7 ANYTHING IN THAT POSTING ON THE MTA WEB SITE OF MAY 14,  
8 2012, THAT LEADS YOU TO BELIEVE THAT THE CONSTELLATION  
9 STATION HAS BEEN PROPERLY EVALUATED FOR LOCATION AS A  
10 SUBWAY STATION?

11 A I SAW NOTHING ABOUT THE CONSTELLATION STATION IN  
12 PARTICULAR. MOST OF THE FOCUS IN THAT MOST RECENT REPORT  
13 THAT, AS YOU'VE DESCRIBED, POSTED ON THE WEB SITE FOCUSES  
14 ON THE SANTA MONICA STATION, AND STILL INFERS, IF NOT  
15 ALLEGES, THAT THERE ARE ACTIVE FAULTS OR HIGH PROBABILITY  
16 OF ACTIVE FAULTS THROUGH THE PROPOSED SANTA MONICA  
17 STATION, BUT THERE'S NO REAL DISCUSSION WHATSOEVER. IN  
18 FACT, I'M NOT EVEN SURE THE WORD "CONSTELLATION STATION"  
19 EVEN APPEARS -- IT MIGHT -- IN THE REPORT.

20 THERE ARE SOME GRAPHICS IN THE REPORT THAT  
21 CONTOUR SOME OF THE OLDER SEDIMENTS AND SUGGEST THAT THERE  
22 MAY BE OTHER GEOLOGICAL STRUCTURES THAT PROJECT TOWARDS  
23 THE CONSTELLATION SITE, BUT, AGAIN, NO SPECIFIC WORK HAS  
24 BEEN DONE TO EVALUATE FROM A FAULT STANDPOINT THE  
25 CONSTELLATION STATION.

1 Q AND TO SUMMARIZE YOUR OPINIONS, DOCTOR, IS IT  
2 YOUR OPINION THAT PUBLIC HEALTH AND SAFETY AND CALIFORNIA  
3 LAW REQUIRE THAT BEFORE THE PROPOSED CONSTELLATION STATION  
4 CAN BE DETERMINED TO BE THE LOCATION OF THE SUBWAY STATION  
5 IN CENTURY CITY, THAT SITE-SPECIFIC INVESTIGATION MUST BE  
6 PERFORMED?

7 A ABSOLUTELY. THE STATION, CONSTELLATION STATION,  
8 WHEREVER IT MAY BE LOCATED IN THE CENTURY CITY AREA, IS A  
9 HABITABLE STRUCTURE. AND AS A HABITABLE STRUCTURE, IT  
10 REQUIRES STANDARD-OF-PRACTICE INVESTIGATIONS TO CONFORM,  
11 AS YOU'VE JUST POINTED OUT, WITH THE REQUIREMENTS OF THE  
12 CALIFORNIA ALQUIST-PRIOLO ACT TO MAKE SURE THERE ARE NO  
13 ACTIVE FAULTS THERE. AND THIRDLY, COMMON SENSE PREVAILS  
14 THAT ONE SHOULD ALWAYS ENSURE AS MUCH AS POSSIBLE PUBLIC  
15 HEALTH AND SAFETY.

16 SO SITE-SPECIFIC INVESTIGATIONS ARE DEFINITELY  
17 REQUIRED FOR ANY PROPOSED CONSTELLATION STATION.

18 (CONCLUSION OF VIDEO.)

19

20 HEARING OFFICER DROOYAN: THANK YOU.

21 MR. BROGAN: MR. HEARING OFFICER, MY NEXT  
22 WITNESS, WE'LL CALL MR. TIM BURESH. MR. BURESH IS  
23 PRESENTLY BEFORE THE PANEL.

24 HEARING OFFICER DROOYAN: OKAY. IF YOU WOULD  
25 STATE YOUR NAME AND SPELL IT, AND THEN WE'LL HAVE THE



1 COURT REPORTER SWEAR YOU IN.

2 THE WITNESS: TIM BURESH, B-U-R-E-S-H.

3 HEARING OFFICER DROOYAN: MADAM COURT REPORTER,  
4 SWEAR THE WITNESS.

5

6 TIM BURESH,

7 A WITNESS HEREIN, CALLED BY AND ON BEHALF OF THE CITY  
8 HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED  
9 AS FOLLOWS:

10

11 EXAMINATION

12 THE WITNESS: I'VE BEEN INFORMED THAT I NEED TO  
13 CUT MY TIME IN HALF, WHICH IS KIND OF TYPICAL. I -- I'VE  
14 NEVER HAD AS MUCH TIME AS I'D FOR 20 YEARS IN FRONT OF  
15 THIS BOARD. SO THAT'S NOT A SURPRISE.

16 YOU KNOW, SOMETIMES WE GET REALLY MESSED UP ON  
17 THIS. MY BACKGROUND IS -- I'M PROBABLY ONE OF THE FEW  
18 ENGINEERS WHO'S HAD A STRONG BACKGROUND IN BOTH EDUCATION  
19 AND IN TRANSIT WORK. I LIKE TO BUILD SCHOOLS. I LIKE TO  
20 BUILD SUBWAYS. I WOULD LIKE TO BUILD THIS SUBWAY, AND I  
21 WOULD LIKE TO SEE THE NEXT GENERATION OF SCHOOLS GET BUILT  
22 IN BEVERLY HILLS.

23 NOW, I'M SENSITIVE TO HAVING SIGNED OFF ON MORE  
24 THAN A FEW ENVIRONMENTAL DOCUMENTS. I'M SENSITIVE TO THE  
25 FACT THAT THEY'RE NEVER PERFECT. AND I'M NOT HERE TO

1 NIT-PICK ON THAT STUFF. I'M ALSO SENSITIVE TO THE FACT  
2 THAT IT'S VERY DIFFICULT FOR BOARDS TO SOMETIMES SIFT  
3 THROUGH THE TREES AND FIND THE FOREST IN HERE. AND MAYBE  
4 THERE'S A TENDENCY SOMETIMES TO JUST RELY ON STAFF OVERLY  
5 MUCH.

6 BUT SOMETIMES STAFF GETS IT WRONG FOR LOTS OF  
7 LOGICAL AND GOOD AND SOLID REASONS. BUT SOMETIMES IT  
8 NEEDS TO GET CLARIFIED. NOW AT THIS STAGE IN THE PROCESS,  
9 IN MY MIND, YOU'VE GOT A BALANCING DECISION. FOR ALL  
10 TRANSIT SYSTEMS, WE'RE LOOKING AT BALANCING RIDERSHIP  
11 VERSUS COST. WE'LL SPEND MONEY TO GET MORE RIDERS. IS IT  
12 WORTH IT? IS IT GOOD INVESTMENT?

13 THE SAME TIME, ARE THERE ANY TECHNICAL  
14 OBJECTIONS? SEISMIC BEING FRONT, FIRST, AND FOREMOST  
15 HERE, BUT THERE MAY BE OTHERS. AND IS THERE ANY  
16 UNNECESSARY OR AVOIDABLE IMPACT ON THIRD PARTIES THAT --  
17 THAT WE CAN'T WORK AROUND OR MITIGATE?

18 NOW, FOR ME IT ALWAYS STARTS WITH RIDERSHIP.  
19 THE, METRO TRAFFIC DEMAND MODEL IS FINE. IT'S A GOOD  
20 MACRO-LEVEL DEMAND MODEL. IT SAYS THAT WE NEED A STATION  
21 SOMEWHERE IN THE CENTURY CITY AREA. WE AGREE WITH THAT.  
22 IT SAYS THERE'LL BE ABOUT 6,000 RIDERS. WE AGREE WITH  
23 THAT. THE MODEL IS FINE FOR THAT.

24 AND WE ABSOLUTELY AGREE THAT THERE NEEDS TO BE  
25 SOME KIND OF LEVEL OF SERVICE IN THAT AREA. NOBODY IS

1 PROPOSING ELIMINATING A CENTURY CITY STATION. IT'S JUST  
2 A QUESTION OF WHETHER IT'S ON SANTA MONICA OR ON  
3 CONSTELLATION.

4 NOW, THE PROBLEM IS WHEN YOU TRY TO TAKE A  
5 MACRO-LEVEL MODEL AND APPLY IT TO THE MICRO LEVEL. AND  
6 WITHOUT GETTING TOO COMPLICATED ON HERE, THE MACRO-LEVEL  
7 MODELS ARE ALL BASED ON TRAFFIC, ON T.A.Z.'S. YOU TAKE  
8 ALL YOUR DATA, YOU AGGREGATE IT, YOU AVERAGE IT, AND THEN  
9 IT'S VERY HARD TO UN-BLEND THAT AND COME BACK TO SOMETHING  
10 SITE SPECIFIC ON HERE.

11 NOW, IF YOU LOOK AT THE ACTUAL DETAILS OF THE  
12 STUDIES -- AND YES, I HAVE READ ALMOST EVERY PAGE OF THIS  
13 DOCUMENT -- IT STANDS FOR THE PROPOSITION THAT THE CENTER  
14 OF THE CENTER IS IN FRONT OF BJ'S RESTAURANT IN THE MALL.  
15 I'VE WALKED AROUND THERE A LOT, AND I'M PRETTY DARN SURE  
16 IT'S NOT IN FRONT OF BJ'S RESTAURANT, THAT IT'S ACTUALLY  
17 SOMEWHERE ELSE.

18 WHEN YOU LOOK AT HOW YOU TRY AND APPLY THAT MODEL  
19 TO EVALUATE BETWEEN TWO DIFFERENT STATION LOCATIONS WITHIN  
20 THE T.A.Z., IT REALLY BREAKS DOWN. IT'S JUST SIMPLY TOO  
21 CRUDE FOR IT. AND IT'S BECAUSE IT DOESN'T RECOGNIZE  
22 WHAT'S REALLY GOING ON THERE.

23 YOU SEE THE CIRCLES THAT COME OUT OF YOUR  
24 REPORTS, AND THAT'S BASICALLY ABOUT ALL IT'S DOING, IS  
25 AGGREGATE DATA. AND EVEN WHEN YOU -- YOU COMPOUND IT WITH

1 THE WALK ACCESS STUDY, THE WALK ACCESS STUDY JUST STANDS  
2 FOR THE PROPOSITION IT TAKES A LONG TIME TO WALK FROM  
3 CENTURY PARK EAST OVER TO BJ'S TAVERN. WELL, WE AGREE  
4 WITH IT, ALTHOUGH MY -- MY SOPHOMORE DAUGHTER IN HIGH  
5 HEELS DOES IT ABOUT HALF THE TIME THAT -- THAT MOUDEN HAD  
6 IN HER STUDY ON THERE.

7 SO IT'S -- I APPRECIATE THE EFFORT OF TRYING TO  
8 DO IT, BUT THAT'S JUST NOT HOW YOU DO IT. FIRST AND  
9 FOREMOST, NONE OF THOSE METHODS ACKNOWLEDGE WHAT'S UNIQUE  
10 ABOUT CENTURY CITY. THIS IS A CITY OF WALLS AND BARRIERS.  
11 IT'S NOT LIKE ANYWHERE ELSE IN L.A.

12 IT'S NOT LIKE IN MOST PLACES IN MOST METROPOLITAN  
13 CITIES. EVERYBODY SEES THE GOLF COURSE IN THE NORTH, AND  
14 YOU SAY THAT'S A BARRIER, AND IT IS. BUT AT LEAST ON THE  
15 GOLF COURSE, YOU CAN GET OUT AT EITHER THE NORTHWEST OR  
16 THE NORTHEAST SIDES INTO BEVERLY HILLS AND WESTWOOD.

17 OLYMPIC BOULEVARD IS A MUCH BIGGER BARRIER. IT  
18 EFFECTIVELY CUTS EVERYTHING OFF TO THE SOUTH. YOU'RE NOT  
19 GOING TO SEE ANY RIDERS REALLY COME FROM SOUTH OF OLYMPIC  
20 BOULEVARD IN HERE. YOU'LL SEE VERY FEW THAT WILL SNEAK IN  
21 ON OLYMPIC BOULEVARD FROM THE EAST AND THE WEST SIDES.

22 YOU'VE ALSO GOT SOME VERY PECULIAR DEMOGRAPHICS  
23 THAT COME INTO THIS. THE AVERAGE RESIDENT AGE IN CENTURY  
24 CITY IS 60 YEARS OLD. WE HAVE A PRIMARILY RETIRED  
25 POPULATION. WE HAVE ASSISTED LIVING CENTERS ON THAT.

1 WE HAVE PEOPLE WHO ARE NOT DAILY COMMUTERS WHO OWN CARS  
2 AND WHO ARE WEALTHY, IN SHORT, PEOPLE WHO YOU KNOW DON'T  
3 RIDE SUBWAYS VERY OFTEN. AND THEY ARE KIND OF COUNTED  
4 INTO THIS POOL JUST BECAUSE OF THE AGGREGATE NATURE OF THE  
5 T.A.Z. STUDIES.

6 AT THE SAME TIME YOU'VE GOT A HIGH SCHOOL OF 2200  
7 PEOPLE WHO HAVE KIDS WHO DON'T HAVE DRIVER'S LICENSES WHO  
8 DON'T HAVE CARS WHO COMMUTE EVERY DAY WHO ALREADY RIDE THE  
9 BUSES AND USE TRANSIT AND WHOSE PARENTS WOULD LOVE TO HAVE  
10 THEM RIDE THE SUBWAY TO SCHOOL INSTEAD OF DRIVING THEM  
11 EVERY DAY. THEY'RE NOT IN YOUR MODELS. THEY'RE EXCLUDED.

12 IT ALL HAS TO DO WITH HOW IT'S STRUCTURED AND  
13 BECAUSE YOU'RE USING AGGREGATE LEVEL DATA AS OPPOSED TO  
14 SITTING DOWN AND REALLY DOING IT PROPERLY WHICH IS COMING  
15 INTO SOME PARED DATA METHODOLOGY.

16 NOW, ALSO THE STUDIES ARE WAY, WAY TOO CENTERED  
17 ON THE WHOLE 600-FOOT WALKING DISTANCE ON HERE. AND, OF  
18 COURSE, RIDERSHIP VARIES WITH WALKABILITY. THE CLOSER A  
19 STATION IS TO YOU, THE MORE CONVENIENT IT IS TO USE, THE  
20 MORE LIKELY YOU ARE TO USE IT. THAT'S COMMON SENSE.

21 BUT THERE'S NO ARBITRARY AND AUTOMATIC DISTANCES  
22 IN THERE, AND IT VARIES STRONGLY BY COMMUNITY AND BY  
23 POPULATION, BY HABITS OF THE WALKERS ON HERE.

24 IF THAT WALK ACCESS STUDY WAS SO SOLID AND THIS  
25 METHODOLOGY WAS SO GOOD, THEN YOUR STAFF SHOULD HAVE USED

1 IT EVERYWHERE ELSE IN HERE. AND YOU CAN SEE VERY QUICKLY  
2 THAT IF YOU APPLIED IT AT WESTWOOD UCLA IT WOULD STAND FOR  
3 THE PROPOSITION THAT THAT STATION AIN'T GOING TO GET NO  
4 STUDENTS, AIN'T GOING TO GET NOBODY FROM WESTWOOD VILLAGE  
5 OR THE FEDERAL CENTER OR FROM THE UCLA MEDICAL CENTER  
6 BECAUSE THEY ARE WAY OUTSIDE THAT ALL IMPORTANT 600-FOOT  
7 RADIUS, WHICH I DON'T BELIEVE IT.

8 SIMILARLY, IF YOU WENT OVER TO THE MUSEUM  
9 DISTRICT, THAT 600-FOOT DISTANCE STANDS FOR THE  
10 PROPOSITION THAT NOBODY WALKS FROM MOCA TO THE TAR PITS.  
11 AND WE SEE MILLIONS OF PEOPLE DOING THAT EVERY YEAR.

12 AND, FRANKLY, THE DATA IN CENTURY CITY ALONE  
13 STANDS UP FOR IT. IT SAYS THAT PEOPLE WILL WALK FOUR  
14 TIMES AS FAR FOR LUNCH AS THEY WILL TO RIDE A SUBWAY. AND  
15 IT JUST DOESN'T STAND UP TO GOOD COMMON SENSE, AND IT'S  
16 NOT GOOD PLANNING.

17 GOOD PLANNING REQUIRES THAT YOU SIT DOWN AND DO A  
18 PAIRED DEMAND MODEL WHERE YOU GO TO ALL OF THE INDIVIDUAL  
19 PROPERTIES, RIDERSHIP CHARACTERISTICS, USE YOUR GPS LOADED  
20 SYSTEM, YOU HAVE ACTUAL WALK PATHS THAT ARE IMPEDENCE  
21 LOADED.

22 SO IN OTHER WORDS, IT DOESN'T -- I CAN'T WALK  
23 LIKE THE CROW FLIES. WHAT MATTERS IS HOW FAR I HAVE TO  
24 ACTUALLY WALK. IS MY -- THE ENTRANCE TO MY BUILDING ON  
25 THE RIGHT OR THE WRONG SIDE OF THE BLOCK? ARE THERE

1 STAIRS IN BETWEEN? HOW MANY TRAFFIC LIGHTS DO I HAVE TO  
2 WAIT FOR? THOSE ARE ALL FACTORS THAT WEIGH IN VERY  
3 HEAVILY IN TERMS OF THE ACTUAL RIDERSHIP.

4 NOW, GOOD STATION DESIGN MODELING SAYS THAT YOU  
5 WOULD TAKE THE ENTIRE AREA AROUND HERE AND LOAD IN YOUR  
6 VARIOUS IMPEDENCE FACTORS, AND THEN YOU'D BEGIN RUNNING  
7 ITERATIONS. AND YOU'D BEGIN PLAYING WITH MULTIPLE  
8 ENTRANCES UNTIL YOU FIND THE OPTIMUM LOCATION.

9 AND I THINK EVERYBODY'S GOING TO AGREE VERY  
10 QUICKLY THAT THE CENTER OF THIS CENTURY CITY RIDERSHIP  
11 AREA, WHICH INCLUDES A LOT OF RIDERS FROM WESTWOOD AND  
12 FROM BEVERLY HILLS, NOT JUST CENTURY CITY PER SE, IS  
13 SOMEWHERE IN THE BLOCK BOUNDED BY CONSTELLATION, SANTA  
14 MONICA, AVENUE OF THE STARS, AND CENTURY PARK EAST. AND  
15 THAT CENTROID WILL VARY DEPENDING UPON WHERE YOU PUT YOU  
16 THE STATION.

17 IF YOU SHIFT IT TO SANTA MONICA, IT GOES A LITTLE  
18 TO THE NORTH BECAUSE YOU'RE GETTING MORE WESTWOOD RIDERS.  
19 IF YOU GO TO CONSTELLATION, IT SHIFTS A LITTLE BIT MORE TO  
20 THE SOUTH BECAUSE YOU'RE NOT GETTING THOSE NORTHERN  
21 RIDERS.

22 WHEN YOU GO THROUGH AND DO THAT ANALYSIS ON  
23 THERE, THOUGH, WHAT YOU'RE GOING TO FIND IS IN THE SHORT  
24 TERM FOR ALL STATISTICAL PURPOSES, YOU HAVE ABOUT EVEN  
25 RIDERSHIP BETWEEN THE TWO STATIONS. SLIGHTLY DIFFERENT

1 GROUPS OF RIDERS, BUT THE RIDERSHIP IS ESSENTIALLY EQUAL.

2 IN THE LONG TERM, SAY 25 YEARS, THAT DOESN'T HOLD  
3 UP. THE RIDERSHIP SHIFTS SIGNIFICANTLY TOWARD  
4 SANTA MONICA. THE REASON FOR THAT IS SIMPLY THE AGE OF  
5 THE BUILDINGS. IF YOU GO UP ON SANTA MONICA -- AND JUST  
6 LOOK AT YOUR STAGING DRAWINGS TO GET A VERY GOOD EXAMPLE  
7 OF THAT -- YOU FIND THAT YOU HAVE OLDER BUILDINGS, SMALLER  
8 BUILDINGS THAT ARE RIPE FOR URBAN RENEWAL AND REPLACEMENT  
9 WITH MUCH HIGHER DENSITIES.

10 IF YOU GO TOWARDS CONSTELLATION, YOU'RE NOT GOING  
11 TO SEE THAT HAPPEN. THE BUILDINGS ARE NEWER, AND THEY'LL  
12 ESSENTIALLY BE REPLACED MORE IN KIND. A GOOD EXAMPLE IS  
13 THE WESTFIELD DEVELOPMENT WHICH IS ESSENTIALLY REPLICATING  
14 THE TOTAL SQUARE FOOTAGE AND RIDERSHIP AND TRIP DEMANDS  
15 THAT ARE THERE TODAY. THERE'S NO NET REAL INCREASE. THAT  
16 WILL NOT BE TRUE UP AT THE NORTHERN END, ESPECIALLY IN  
17 WESTWOOD AND ESPECIALLY IN THE ADJACENT AREAS OF BEVERLY  
18 HILLS.

19 SO RIDERSHIP, THERE ISN'T A HUGE DIFFERENCE  
20 BETWEEN THE TWO. AND THEN THE REAL QUESTION IS: IF THERE  
21 IS A DIFFERENCE -- AND BEAR IN MIND, LET'S SAY IF WE HAVE  
22 1,000 RIDERS MORE AT ONE STATION OVER THE OTHER, HALF OF  
23 THOSE RIDERS ARE COMING OFF THE BUS. SO HOW MUCH ARE WE  
24 WILLING TO PAY TO GET 500 MORE RIDERS?

25 AND THAT BRINGS US UP TO THE COST ISSUE. NOW, AS



1 OF TODAY -- YOU HAVE A DETAILED SERIES OF COSTS DOCUMENTS  
2 THAT ARE PREPARED. TO DO A PROPER ESTIMATE, YOU START OUT  
3 FIRST WITH THE COST DATABASE, HISTORICAL DATABASE THAT  
4 SHOULD BE SET UP. YOU HAVE A STANDARD COST ELEMENT  
5 DATABASE. THERE'S THEN A BASIS AND ASSUMPTIONS DOCUMENTS.  
6 THERE'S DETAILED SPREADSHEETS AND TAKEOFFS PREPARED, AND  
7 THEN IT GETS TURNED INTO A FINAL STANDARD ESTIMATE FORMAT  
8 SHEET.

9 I'VE REQUESTED THAT, BUT I HAVEN'T RECEIVED ANY  
10 OF IT. STAFF SAYS THAT EVERYTHING WE NEED IS IN THE  
11 DOCUMENTS. WELL, THIS IS WHAT IT IS IN THE DOCUMENTS.  
12 I MEAN, I'VE GOT AT LEAST 20 DIFFERENT PRICES THAT  
13 SUPPOSEDLY COMPARE THE DIFFERENT COSTS BETWEEN THE TWO  
14 STATIONS, AND I CAN PRETTY MUCH TELL YOU THAT NONE OF THEM  
15 ARE RIGHT. WELL, THEY ARE -- ACTUALLY THE TRUTH IS  
16 SOMEWHERE IN BETWEEN THAT RANGE.

17 NOW, THAT MAKES IT VERY HARD AND VERY CONFUSING  
18 FOR YOU. HOWEVER, THERE ARE SOME FACTS WE CAN USE TO  
19 IDENTIFY SOME OF THOSE COST DIFFERENCES. THE SIMPLE FACT  
20 IS THAT CONSTELLATION HAS A LONGER ALIGNMENT, AND THAT'S  
21 GOING TO COST MORE, MAYBE A QUARTER OF A MILE LONGER.  
22 AND THAT DOESN'T SOUND LIKE A LOT, BUT THAT QUARTER MILE  
23 IN THE D.E.I.S. WAS GOING TO COST 65 MILLION MORE.

24 NOW TODAY AS BEST I CAN TELL FROM THE PARTIAL  
25 ESTIMATE THAT WAS PROVIDED FOR SEGMENT 1, EVEN THOUGH

1 WE'RE GOING TO HAVE VERY HIGH GAS CONDITIONS, MUCH MORE  
2 DIFFICULT TUNNELING CONDITIONS, MUCH MORE EXPLORATORY  
3 DRILLING, MUCH MORE CONVOLUTED SITE REPARATION AND  
4 PREPARATION CONDITIONS IN THERE, OUR TUNNELING COSTS ARE  
5 ACTUALLY GOING DOWN, I'M NOT SURE I BUY THAT.

6 BUT THAT STILL SAYS THAT EQUIVALENT TUNNELING IN  
7 THIS AREA HAS GOT TO BE AT LEAST \$45 TO \$65 MILLION MORE  
8 FOR CONSTELLATION THEN SANTA MONICA.

9 NOW YOU LOOK AT THE STATION. AND STAFF NARROWED  
10 DOWN THE DEBATE UNNECESSARILY. YOU EITHER -- ON SANTA  
11 MONICA THERE WERE TWO STATION LOCATIONS. ONE CENTERED ON  
12 AVENUE OF THE STARS, ONE CENTERED ON CENTURY PARK EAST.  
13 WELL, I DON'T LIKE EITHER OF THOSE.

14 THE PROPER LOCATION REALLY SHOULD BE BETWEEN  
15 AVENUE OF THE STARS AND CENTURY PARK EAST, AND YOU TAKE  
16 ADVANTAGE OF THE MEDIAN THAT'S OUT THERE. THERE'S A LOT  
17 OF GREAT BENEFITS THAT COME FROM THAT. IT SHOULD BE A  
18 DUAL-ENTRANCE STATION, IF NOT A TRIPLE-ENTRANCE STATION.

19 THE BIAS TOWARD A SINGLE ENTRANCE STATION, I FIND  
20 HARD TO JUSTIFY. JUST ON RIDERSHIP ALONE GOING TO  
21 MULTIPLE ENTRANCES ACROSS A SYSTEM, YOU'D PROBABLY  
22 GENERATE A 10 PERCENT BUMP IN RIDERSHIP WHICH WOULD BE  
23 HUGE. AND IT'S RELATIVELY MINOR COST IF YOU DO THOSE  
24 MULTIPLE ENTRANCES DURING THE INITIAL CONSTRUCTION. HECK,  
25 YOU'RE PROBABLY GOING TO HAVE TO BUILD SOME OF THEM JUST

1 FOR TEMPORARY CONSTRUCTION STAGING AND ACCESS ANYWAY. WHY  
2 NOT MAKE THEM PERMANENT. IT'S CHEAP, AND IT HAS A BIG  
3 BENEFIT TO YOU. THAT'S NOT BEING CONSIDERED.

4 NOW, CONSTELLATION IS REALLY LANDLOCKED BY ITS  
5 GEOMETRY. YOU CAN'T REALLY SHIFT IT AROUND A WHOLE LOT,  
6 BUT IT'S A MESSY SITE BECAUSE THE ROAD IN THERE IS  
7 ACTUALLY NOT FLAT. IT'S THE -- IT'S THE PEAK OF A HILL  
8 RIGHT AT AVENUE OF THE STARS. SO YOU'VE GOT TO BRIDGE IT  
9 UP. YOU'VE GOT TO COVER IT WITH DECKING, AND THEN YOU  
10 BASICALLY HAVE GOT TO BUILD THE STATION INSIDE THAT. AND  
11 THAT'S LIKE BUILDING A SHIP INSIDE A BOTTLE.

12 THE OPPOSITE IS TRUE UP ON SANTA MONICA. YOU  
13 LOSE A BUS LANE, BUT IT'S NOT THAT BUSY IN THERE. AND YOU  
14 HAVE THE POSSIBILITY OF BEING ABLE TO BUILD THAT IN AN  
15 OPEN-STAGED CONSTRUCTION. YOU AVOID THE COST OF DECKING.  
16 THE STATION IS MUCH SHALLOWER BECAUSE THERE ARE NO SHALLOW  
17 UTILITIES THAT ARE IN PLACE ANYMORE. AND YOU'RE ABLE TO  
18 BUILD IT FAST. YOU CUT DOWN THE CONSTRUCTION TIME, YOU  
19 CUT DOWN THE CONSTRUCTION COST.

20 YOU PUT THOSE TOGETHER WITH A WHOLE BUNCH OF  
21 OTHER FACTORS ON THAT WHICH COME IN ON THERE, AND LITTLE  
22 THINGS THAT ARE BUILT INTO THE FINAL E.I.S./E.I.R.  
23 DRAWINGS RIGHT NOW THAT ARTIFICIALLY INFLATE THE COST  
24 DIFFERENCE IN -- BETWEEN CONSTELLATION AND SANTA MONICA,  
25 AND YOU CLEAN ALL THAT UP. A SANTA MONICA STATION,

1 ALIGNMENT STATION TOGETHER IS GOING TO COST AT LEAST \$100  
2 MILLION LESS THAN CONSTELLATION.

3 SO NOW WE'RE TALKING ABOUT A VERY SMALL  
4 DIFFERENCE IN RIDERSHIP FOR A VERY LARGE DIFFERENCE IN  
5 COST. AND AT LEAST TO ME, \$100 MILLION IS STILL REAL  
6 MONEY. AND IT'S SOMETHING YOU COULD DO A LOT OF THINGS  
7 WITH. WITH \$100 MILLION YOU COULD COVER MULTIPLE  
8 ENTRANCES THROUGHOUT THE ENTIRE SYSTEM AND STILL HAVE  
9 MONEY LEFT OVER, JUST AS ONE EXAMPLE.

10 NOW, WE GET INTO THE SEISMIC REPORT, AND I'M SURE  
11 A LOT OF PEOPLE ON THE PERIPHERY OF THIS WONDER WHY ON  
12 EARTH DOES THE SCHOOL EVEN CARE ABOUT THE SEISMIC  
13 CONDITIONS AROUND THE STATIONS IN CENTURY CITY. THE  
14 SIMPLE REALITY IS BECAUSE WHEN YOU READ THE  
15 F.E.I.S./E.I.R, THE DOMINANT REASON, IN SOME PLACES THE  
16 ONLY REASON, FOR RECOMMENDING CONSTELLATION IS BECAUSE OF  
17 THE PRESENCE OF ACTIVE FAULTING AT SANTA MONICA.

18 WELL, OKAY. IF THAT STUDY IS WRONG, THOUGH --  
19 AND AS YOU'VE HEARD, WE HAVE A LOT OF REASONS TO BELIEVE  
20 IT'S WRONG OR AT LEAST INCOMPLETE ON HERE -- THEN YOU  
21 DON'T HAVE TO HAVE THAT RESTRICTION. THEN YOU CAN HAVE AN  
22 OPEN CONSIDERATION OF COST VERSUS RIDERSHIP AND OTHER  
23 FACTORS IN HERE.

24 AND I WANT TO JUST SHARE A FEW THINGS ABOUT WHY  
25 I THINK THAT YOU OUGHT TO PAY SOME STRONG ATTENTION TO THE

1 SCHOOL DISTRICT PROCESS EVEN MORE THAN THE PROCESS THAT  
2 YOU DID INTERNALLY WITH STAFF. ON -- YOU MAY NOT KNOW IT,  
3 BUT I ALSO WORKED MY WAY THROUGH SCHOOL WORKING IN SOILS  
4 LABS AND OUT ON DRILLING RIGS.

5 SO WHEN YOU TALK ABOUT THINGS LIKE HOW YOU KEEP  
6 CONE PENETROMETERS STRAIGHT IN THE GROUND AND HOW  
7 ACCURATELY THOSE RESULTS COME IN, HAVING INITIALED OFF ON  
8 A BUNCH OF THOSE THINGS, THERE IS REAL-WORLD CONDITIONS  
9 THAT HAPPEN OUT THERE. AND PEOPLE NEED TO PAY ATTENTION  
10 TO THAT. I DON'T THINK THAT GOT CONSIDERED IN HERE NEARLY  
11 AS WELL AS IT SHOULD HAVE BEEN.

12 WHEN WE WENT INTO THE SCHOOL DISTRICT ON HERE,  
13 ONCE THE REPORT CAME OUT, IT WAS SHOCKING BECAUSE IT  
14 BASICALLY SAID: HEY, YOU'VE GOT MULTIPLE ACTIVE FAULTS  
15 CRISSCROSSING YOUR ONLY HIGH SCHOOL IN TOWN. THAT SET OFF  
16 ALARM BELLS THAT CAUSED THE SCHOOL DISTRICT TO REACT AS  
17 QUICKLY AS IT COULD ON THERE.

18 WE DID EVERYTHING POSSIBLE TO COME UP WITH A TEAM  
19 THAT COULD BE NEUTRAL AND OBJECTIVE ON IT. AND THERE'S  
20 WHY. AT LEAST ONE BOARD MEMBER IN HERE HAS HAD A STINT AS  
21 A SCHOOL BOARD MEMBER. AND IT'S VERY HARD TO OVERSTATE  
22 THE IMPORTANCE OF CHILD SAFETY IN THE EDUCATION WORLD.  
23 YOU DON'T GAMBLE WITH CHILDREN'S SAFETY, PERIOD, EVER.

24 NOW, I'LL CHEERFULLY DRIVE 80 MILES-AN-HOUR DOWN  
25 THE ROAD DRINKING COFFEE AND TALKING ON MY PHONE. I'LL

1 WALK ON HIGH STEEL. YOU KNOW, I'LL DO ALL KINDS OF CRAZY  
2 THINGS. BUT I WON'T LET MY KID WALK DOWN THE SIDEWALK ON  
3 A BUSY STREET WITHOUT ME HOLDING HIS HAND. YOU DON'T TAKE  
4 RISK WITH YOUR CHILDREN THAT YOU WOULD AS AN ADULT.

5 SO WHEN THE BOARD DIRECTION CAME TO THE -- TO THE  
6 INVESTIGATION TEAM, IT WAS ABSOLUTELY CRYSTAL CLEAR, AND  
7 THIS WAS THE ORDER OF PRIORITY. NUMBER ONE, YOU TELL US  
8 IF OUR KIDS ARE SAFE OR NOT IN THE BUILDINGS THAT ARE NOW  
9 SUPPOSEDLY STANDING ON TOP OF THESE ACTIVE FAULTS. WE  
10 WANT TO KNOW IF WE CAN SLEEP WELL AT NIGHT OR WHETHER  
11 WE'VE GOT TO GET A BUNCH OF PORTABLES AND MOVE THEM OUT.  
12 AND WE DON'T CARE WHAT THE ANSWER IS. WE DON'T WANT THE  
13 CONVENIENT ANSWER. WE WANT THE RIGHT ANSWER THAT WE CAN  
14 SLEEP WELL TONIGHT. AND THAT DEFINED THE OBJECTIVITY WE  
15 WENT FORWARD WITH ON HERE.

16 SECONDARY IS: CAN WE USE OUR SITE? WILL WE BE  
17 ABLE TO BUILD BUILDINGS? AND THIRD WAS: WELL, WHAT DOES  
18 THAT MEAN ABOUT THE REST OF THE MTA STUDY FOR THE SUBWAYS?

19 NOW, THERE'S A REAL PROBLEM AND PRECONCEPTION  
20 THAT'S TRUE OF ALL TYPES OF ENGINEERS AND SCIENTISTS ON  
21 HERE. AND PRECONCEPTIONS CAN ALSO GET BUTTRESSED BY FIRST  
22 IMPRESSIONS. YOU KNOW, ANYBODY WHO FLIES UP AND DOWN THIS  
23 STATE AND LOOKS DOWN AT THE SAN ANDREAS FAULT CAN GO,  
24 "THAT'S A FAULT." IT'S CLEAR. IT'S OBVIOUS. IT'S RIGHT  
25 THERE. IT'S A NICE CLEAN CRACK IN THE GROUND.

1           BUT THAT'S NOT WHAT WE SEE EVERYWHERE ELSE. THE  
2 WEST BEVERLY HILLS LINEAMENT, LOTS OF PEOPLE SAID, "GEE,  
3 THAT'S NICE AND STRAIGHT. IT LOOKS GOOD. THAT MUST BE  
4 A FAULT." AND A WHOLE LOT OF OTHER PEOPLE SAID, "NO WAY.  
5 IT'S NOT." A LOT OF PEOPLE SAID THE SAME THING ALONG  
6 SANTA MONICA BOULEVARD. IS IT OR ISN'T IT?

7           WELL, WE'RE NOW PRETTY SURE THAT THE WEST BEVERLY  
8 HILLS LINEAMENT IS DEFINITELY NOT A SEISMIC FEATURE. I  
9 THINK THE FEATURES THAT YOU'RE SEEING ALONG SANTA MONICA  
10 ARE SEISMIC, BUT PROBABLY NOT ACTIVE AND PROBABLY  
11 SECONDARY WITH A WHOLE LOT OF EVIDENCE TO THAT EFFECT.

12           THE POINT IS IF YOU DO HAVE PRECONCEPTIONS COMING  
13 INTO IT, THOUGH, THEN YOU'RE KIND OF LIKE -- LIKE THE GUY  
14 WHO ONLY HAS ONE TOOL, AND THAT'S A HAMMER. IF THE ONLY  
15 TOOL YOU'VE GOT IS A HAMMER, THEN THE WHOLE WORLD LOOKS  
16 LIKE A NAIL, AND YOU WIND UP FOLLOWING YOUR CONCLUSIONS  
17 ACCORDINGLY.

18           WE WERE VERY CAREFUL TO AVOID THAT. WE HAD SIX  
19 DIFFERENT PEOPLE LOOK AT THE SOILS DATING PROCESS. AND I  
20 CAN PERSONALLY TELL YOU THEY ARE STUBBORN. SOME OF THEM  
21 ARE VERY OLD-FASHIONED, AND THEY DID NOT AGREE. AND IT  
22 TOOK A LONG TIME TO GET CONSENSUS ON THERE. BUT THAT'S A  
23 PROCESS THAT YOU GO THROUGH, AND THEN YOU GET COMFORTABLE  
24 WITH THE RESULTS, AND YOU DO IT IN THE LIGHT OF DAY.

25           IF YOU LOOK AT THESE PICTURES ON HERE -- THEY'RE

1 CGS, RIGHT IN THE MIDDLE OF THIS. AND THAT IS PROBABLY  
2 THE BIGGEST SINGLE DIFFERENCE BETWEEN OUR STUDIES AND ALL  
3 THE WORK DONE BY MTA. EVERYTHING THAT WE'VE DONE HAS BEEN  
4 UNDER THE REGULATORY OVERSIGHT OF CGS. AND THEY'VE BEEN  
5 OUT THERE EVERY STEP OF THE WAY. THEY'VE CHANGED OUR  
6 INVESTIGATION MULTIPLE TIMES. THEY'VE MADE US GO BACK,  
7 RECONSIDER, RETHINK, RE-COMPARE, AND REINVESTIGATE THINGS.

8 THIS HAS NOT BEEN DONE WITH THE BLIND -- IN THE  
9 DARK. IT'S NOT A QUESTION OF MY OPINION OR MY EXPERT'S  
10 OPINION VERSUS YOUR EXPERT'S OPINION BECAUSE WE BOTH HAVE  
11 OPINIONS. BUT AT THE END OF THE DAY, CGS IS GOING TO MAKE  
12 SOME DECISIONS. AND THEY'LL BE MAKING DECISIONS ABOUT  
13 FAULTS ON THE SCHOOL, AND THEY WILL CERTAINLY BE MAKING  
14 DECISIONS ABOUT ALQUIST-PRIOLO.

15 BUT SO WILL A LOT OF OTHER PEOPLE. YOU KNOW,  
16 WHEN WE WENT THROUGH HERE, WHEN -- THE MINUTE THESE FAULTS  
17 COME OUT, THEY WERE IMPACTING ALL KINDS OF PEOPLE. I  
18 THINK THERE'S GOT TO BE A LOT OF PRIVATE PROPERTY  
19 DEVELOPERS OUT THERE RIGHT NOW SCRAMBLING TRYING TO FIGURE  
20 OUT IF THEIR BUILDINGS ARE SAFE, IF THEY'RE GOING TO BE  
21 ABLE TO DEVELOP THEIR PROPERTY. IS THEIR ASSET DECREASED  
22 IN VALUE?

23 AND THEY'RE GOING TO BE COMING UP WITH THEIR DATA  
24 AS WELL. SOMEWHERE WITHIN THE NEXT FEW WEEKS, THE NEXT  
25 COUPLE OF MONTHS, ALL THAT DATA IS GOING TO COME FORWARD,



1 AND IT WILL GET RESOLVED. THERE WILL NOT BE A QUESTION  
2 ABOUT WHAT LEVEL OF ACTIVITY THERE IS SEISMICALLY WITHIN  
3 THE OVERALL AREA. I KNOW I GOT A LITTLE BIT OUT OF ORDER,  
4 IF THAT GETS YOU IN HERE, BUT.

5 YOU KNOW, I JUST WANT TO POINT OUT HERE TOO THAT  
6 WHEN WE GO OUT AND LOOK AT THE CORES, THAT'S PAINSTAKING  
7 WORK. THAT'S PEOPLE ON THEIR KNEES FOR DAY AT A TIME.  
8 YOU CAN'T SHORTCUT THAT. THE AMEC PEOPLE DID. I DON'T  
9 KNOW WHY THEY SKIPPED THAT STEP. IT'S -- I CANNOT EXPLAIN  
10 IT. IT'S A BIG ONE. AND IT LED TO A LOT OF VERY SERIOUS  
11 MISCONCEPTIONS OUT THERE.

12 CPT DATA, YOU'VE ALREADY HEARD HOW THESE THINGS  
13 CAN SO EASILY GET CROOKED ON THERE. AND IT'S JUST TOO  
14 EASY TO CONVOLUTE THAT. AND IF YOU'RE OVER-RELYING ON ANY  
15 ONE METHOD OF DATA, YOU'RE GOING TO BE IN TROUBLE.

16 THE WORLD IS NOT FLAT. IT'S PRETTY MUCH ANYTHING  
17 OTHER THAN FLAT ON THAT. SO WHEN YOU HAVE A  
18 PREDISPOSITION THAT SAYS IT HAS TO BE FLAT OR ANYTHING  
19 OTHER THAN THAT MUST BE A FAULT, YOU'RE INEVITABLY GOING  
20 TO IDENTIFY THINGS THAT ARE FALSE POSITIVES, THAT JUST DO  
21 NOT BEAR OUT. AND THAT'S WHAT YOU SEE IN YOUR REPORT ON  
22 THERE. I THINK IT'S REALLY FLAWED AND INCOMPLETE ON  
23 THERE. THERE IS NO SUFFICIENT REASON AT THIS TIME TO  
24 EXCLUDE SANTA MONICA.

25 NOW, THERE'S ANOTHER THING I WOULD POINT OUT TOO,

1 THAT IN THAT WHOLE DRAWING OF THE MTA, WHERE YOU INDICATE  
2 THE RED FAULTS ON THERE, THE MTA STUDY IDENTIFIED A LOT OF  
3 OTHER FAULTS TOO. THEY ARE RUNNING EAST/WEST. THERE'S AT  
4 LEAST TWO MORE OF THEM COMING ACROSS THE JMB PROPERTY.  
5 THEY JUST THOUGHT THEY WEREN'T ACTIVE, SO THEY DIDN'T PUT  
6 THEM DOWN.

7 BUT THE POINT IS THAT OUR WHOLE THEORY THAT YOU  
8 GOT SECONDARY FAULTING, YOU'RE GOING TO SEE HANGING-WALL  
9 FAULTS THROUGHOUT THE CHEVIOT HILLS, THAT'S ALREADY BORNE  
10 OUT. YOU ALREADY HAVE DATA TO THAT EFFECT. AND, AGAIN,  
11 A LOT OF PEOPLE, A LOT OF INSTITUTIONS ARE GOING TO GO  
12 FORWARD AND COME UP WITH CREDIBLE DECISION MAKING ON THIS  
13 PROCESS THAT'S GOING TO HAPPEN IN THE VERY NEAR TERM.

14 OUR REPORT -- OUR INITIAL REPORT HAS BEEN IN THE  
15 CGS ALREADY A FEW WEEKS. NORMALLY THEY TAKE FOUR TO SIX  
16 WEEKS. OUR SECOND REPORT IS IN NEXT WEEK. WE'RE GOING TO  
17 HAVE THOSE ANSWERS. AND FOR SOMETHING THAT WE'RE NOT  
18 GOING TO BUILD FOR ANOTHER FOUR OR FIVE OR SIX YEARS, IT  
19 DOES NOT SEEM VERY PRUDENT TO BE RUSHING FORWARD MAKING A  
20 DECISION THAT ARTIFICIALLY EXCLUDES A \$100 MILLION LESS  
21 EXPENSIVE STATION OPTION BASED ON FAULTY DATA AND  
22 INCOMPLETE DATA BECAUSE, FRANKLY, TODAY YOU DON'T KNOW IF  
23 CONSTELLATION IS SAFE.

24 YOU LOOK VERY CLOSELY AT SANTA MONICA. YOU  
25 HAVEN'T LOOKED ANYWHERE NEAR AS CLOSELY AT CONSTELLATION.

1           THERE IS AN IMPACT ON THE SCHOOL. OVER A YEAR  
2   AGO THE SCHOOL SENT IN A MASTER PLANNING DOCUMENT THAT  
3   SAID: OKAY. WHAT DO WE THINK WE'RE GOING TO NEED OVER  
4   THE NEXT HUNDRED YEARS? NOW, I GUARANTEE NOBODY HAS A  
5   MASTER PLAN FOR 100 YEARS SITTING ON THEIR SHELF. SO WE  
6   PULLED TOGETHER AS MUCH DATA AS WE COULD.

7           THIS IS THE ONLY HIGH SCHOOL SITE IN BEVERLY  
8   HILLS. IT SERVED WELL FOR A CENTURY. IT HAS THE CAPACITY  
9   TO MEET THE NEEDS OF THE DISTRICT FOR ANOTHER CENTURY AS  
10  LONG AS YOU MAINTAIN THE BUILD-ABILITY OF IT. IT'S GOING  
11  TO BE CRITICAL THAT EVERY BUILDING ON THERE SOONER OR  
12  LATER GETS REPLACED. AND THEY WILL GET BIGGER BECAUSE  
13  IT'S GOING TO GROW ON IT.

14           UNFORTUNATELY, THE F.I.E.S/E.I.R. SIMPLY IGNORES  
15  THE MASTER PLANNING REQUIREMENTS OF THE DISTRICT  
16  ALTOGETHER.

17           NOW, FOR A LOT OF REASONS THE BUILDING IS GOING  
18  TO HAVE TO GET BIGGER, AND IT'S GOING HAVE TO GO DOWN.  
19  AND WE'RE NOT TALKING ABOUT INADEQUATE SEPARATION BETWEEN  
20  TUNNELS AND BUILDINGS. WE'RE TALKING ABOUT NO SEPARATION.  
21  WE'RE TALKING ABOUT HARD ENCROACHMENT AND ABOUT NOT BEING  
22  ABLE TO BUILD OUT TO THE DEPTH THAT WE THINK WE'RE GOING  
23  TO HAVE TO BUILD OUT IN THERE.

24           NOW, IF SOMEBODY WAS STANDING OUT ON THE HILL --

25           MR. YAROSLAVSKY: CAN YOU BE MORE SPECIFIC ON

1 THAT? I HEARD YOU QUOTED ON THE RADIO THIS MORNING.  
2 IN FACT, IT WASN'T A QUOTE. IT WAS YOUR VOICE SAYING THE  
3 PROPOSED TUNNEL WAS NOT GOING UNDER THE SCHOOL. IT WAS  
4 GOING THROUGH THE SCHOOL.

5 THE WITNESS: YES.

6 MR. YAROSLAVSKY: CAN YOU EXPLAIN WHAT YOU MEANT  
7 BY THAT?

8 THE WITNESS: I'LL GO RIGHT BACK INTO HERE.  
9 BASICALLY, IF YOU LOOK AT -- NOW, THIS IS AT THE ORIGINAL  
10 PLANNING DOCUMENT, RESPONSE TO THE D.E.I.S. SO IT SHOWS  
11 THE TUNNEL PROFILE HERE ON THE RIGHT SIDE. LET'S SEE.

12 MR. YAROSLAVSKY: WELL, I MEAN, YOU DON'T HAVE TO  
13 SHOW ME A CHART. YOU CAN JUST SPEAK --

14 THE WITNESS: BASICALLY, WHAT YOU'RE GOING TO SAY  
15 IS THAT YOU'RE GOING TO HAVE TO BUILD DOWN TO ELEVATION  
16 200, THREE STORIES BELOW GRADE. THE CAMPUS IS GOING TO  
17 INCLUDE THE ADMINISTRATIVE BLOCK AS WELL AS THE MAIN  
18 CAMPUS --

19 MR. YAROSLAVSKY: OKAY. I'M SORRY. WHAT WOULD  
20 BE THREE STORIES BELOW GRADE? THE SCHOOL?

21 THE WITNESS: ELEVATION 200.

22 MR. YAROSLAVSKY: I DON'T KNOW WHAT THAT MEANS.  
23 WHAT WILL BE THREE STORIES --

24 THE WITNESS: 200 FEET.

25 MR. YAROSLAVSKY: -- BELOW GRADE? THE SCHOOL

1 BUILDING, PARKING GARAGE? WHAT?

2 THE WITNESS: A LITTLE BIT OF EVERYTHING IN  
3 THERE.

4 MR. YAROSLAVSKY: OKAY. ANYTHING GOING TO BE  
5 THREE STORIES BELOW GRADE?

6 THE WITNESS: POSSIBLY. UP ON THE HILL, YES.  
7 DEFINITELY.

8 MR. YAROSLAVSKY: AND HOW DEEP IS THREE STORIES  
9 BELOW GRADE?

10 THE WITNESS: THREE STORIES BELOW -- LET'S BE  
11 CAREFUL --

12 MR. YAROSLAVSKY: HOW MANY FEET IS IT? HOW MANY  
13 FEET IS IT?

14 THE WITNESS: -- I WANT YOU TO BE CAREFUL HERE  
15 BECAUSE I SAID THERE'S A REASON WHY THE BUILDING SPACE WAS  
16 CARVED OUT TO ELEVATION 200. ELEVATION 200 SAYS THAT  
17 YOU'RE GOING TO HAVE TO BUILD A VERY BIG BUILDING BACK  
18 INTO THE SLOPE. YOU'LL HAVE TO STAIR STEP IT UP SO THAT  
19 YOU AVOID BOTH GOING TOO HIGH BECAUSE YOU HAVE A  
20 THREE-STORY MAXIMUM UNDER THE --

21 MR. ANTONOVICH: SLOW DOWN WHEN YOU'RE TALKING

22 THE WITNESS: OKAY.

23 FOR A NUMBER OF REASONS YOU CAN'T BUILD SCHOOL  
24 BUILDINGS VERY HIGH. THE EXISTING CODE MAKES IT  
25 ESSENTIALLY IMPRACTICAL TO BUILD IT MORE THAN THREE

1 STORIES HIGH.

2 MR. YAROSLAVSKY: MR. BURESH, I DON'T MEAN TO  
3 INTERRUPT YOU, BUT TIME IS SHORT, AND IT'S MY QUESTION.  
4 I JUST WANT YOU TO ANSWER MY QUESTION. I DON'T NEED  
5 ANYTHING ELSE.

6 YOU SAID THIS MORNING ON KABC RADIO AT ABOUT 9:05  
7 THAT THE PROPOSED TUNNEL, THE PROPOSED SUBWAY, UNDER THE  
8 HIGH SCHOOL PROPERTY DOESN'T GO UNDER THE BUILDINGS. IT  
9 GOES THROUGH THE BUILDINGS OR THROUGH THE SCHOOL.

10 YOU KNOW HOW DEEP THE TUNNEL IS, DON'T YOU?

11 THE WITNESS: I SURE DO. TAKE A LOOK AT THE RED  
12 LINE ON --

13 MR. YAROSLAVSKY: EIGHTY FEET --

14 THE WITNESS: -- THERE. AND YOU CAN SEE THE --

15 MR. YAROSLAVSKY: -- 80 FEET --

16 THE WITNESS: -- COMING RIGHT ACROSS THE BLUE LINE  
17 WHICH IS WHERE --

18 MR. YAROSLAVSKY: SIXTY FEET BELOW GRADE AT THE  
19 CROWN UNDER THE HILL AND -- AND TEN FEET LESS THAN THAT IN  
20 THE FLAT PART OF THE SCHOOL; CORRECT?

21 THE WITNESS: OH, NO. YOU'RE WAY SHALLOWER THAN  
22 THAT. YOU'RE -- YOU'RE LESS THAN 45 FEET DOWN AT THE  
23 BOTTOMS ON THERE. AND BEFORE YOU --

24 MR. YAROSLAVSKY: I'M TEMPTED TO SAY YOU ARE  
25 UNDER OATH. BUT ANYWAY, LOOK, THERE IS NO WAY IN THE

1 WORLD THAT THE SCHOOL DISTRICT IS GOING TO BUILD A  
2 SIX-STORY BUILDING UNDERGROUND, IS THERE, MR. BURESH?

3 THE WITNESS: YOU KNOW WHAT? IF I'D SAT OUT  
4 THERE A HUNDRED YEARS AGO AND SAID, "SON, WE'RE GOING TO  
5 BUILD 30- AND 40-STORY BUILDINGS NEXT DOOR WHERE THOSE  
6 BARNS ARE IN CENTURY CITY," PEOPLE WOULD HAVE THOUGHT THEY  
7 WERE CRAZY, AND HAVE SAID, "THERE'S NO WAY YOU'RE EVER  
8 GOING TO GO BUILD THAT."

9 MR. YAROSLAVSKY: SO YOU THINK IT IS LIKELY THAT  
10 THEY WILL BUILD A SIX-STORY UNDERGROUND BUNKER FOR THE  
11 SCHOOL?

12 THE WITNESS: NO, BUT I THINK --

13 MR. YAROSLAVSKY: KIDS WILL STUDY --

14 THE WITNESS: -- IT'S ENTIRELY POSSIBLE THAT  
15 THEY'RE GOING TO BUILD A STAIR STEP BUILDING THAT GOES  
16 INTO THE SIDE WITH UNDERGROUND PARKING IN THE BACK AND  
17 WITH BUILDINGS THAT ARE OPEN IN THE FRONT.

18 MR. YAROSLAVSKY: SIX-STORY UNDERGROUND PARKING?

19 THE WITNESS: IT'S ENTIRELY POSSIBLE.

20 MR. YAROSLAVSKY: OF COURSE, IT'S POSSIBLE. IS  
21 IT PROBABLE?

22 THE WITNESS: WHEN THE CAMPUS HAS A --

23 MR. YAROSLAVSKY: THERE ISN'T A PLAN --

24 MR. BURESH, THERE ISN'T A PLAN THAT THE SCHOOL DISTRICT  
25 HAS PROVIDED TO US, TO YOU, OR TO ANYBODY ELSE THAT SHOWS

1 ANYTHING DEEPER THAN TWO OR THREE STORIES OF PARKING.

2 THE WITNESS: YOU GOT THAT PLAN.

3 MR. YAROSLAVSKY: PARDON?

4 THE WITNESS: YOU GOT THAT PLAN. THOSE DOCUMENTS  
5 WERE PROVIDED TO YOU A YEAR AGO. AND RATHER THAN RESPOND  
6 TO THEM OR CLARIFY OR --

7 MR. YAROSLAVSKY: WHAT DOES THAT SHOW --

8 THE WITNESS: -- OR CHALLENGE THEM, YOU SIMPLY  
9 HAVE IGNORED THEM.

10 MR. YAROSLAVSKY: WHAT DOES THAT SHOW?

11 THE WITNESS: WE SHOWED YOU AND DESCRIBED THE  
12 DEMOGRAPHIC PRESSURES THAT WERE GOING TO HAPPEN IN THE  
13 DISTRICT, THE TOTAL VOLUME OF BUILDINGS THAT WOULD NEED TO  
14 BE BUILT IN ORDER TO ACCOMMODATE A DOUBLING OF THE SCHOOL  
15 POPULATION ON THE SITE.

16 MR. YAROSLAVSKY: DOES IT SHOW A SIX-STORY  
17 UNDERGROUND STRUCTURE?

18 THE WITNESS: IT SHOWS A BUILDING SPACE THAT WILL  
19 HAVE TO GO DOWN TO ELEVATION 200 ACROSS THE MIDDLE PART OF  
20 THE CAMPUS. THE PRIME PART OF THE CAMPUS IS IMPORTANT --  
21 THAT WOULD BE THE YELLOW SQUARE ON HERE -- FOR THE SIMPLE  
22 REASON THAT THE SOUTHERN THIRD OF THE CAMPUS IS THE  
23 FLATTEST AREA FOR ATHLETICS. IT'S ALSO THE MOST HEAVILY  
24 CONTAMINATED PART OF THE SITE.

25 THE NORTHERN PART OF THE SITE IS THE SKINNIEST



1 PART OF THE SITE, AND IT'S ALSO COVERED WITH EXISTING  
2 BUILDINGS. THE PRIME BUILDING AREA IS THE YELLOW AREA,  
3 AND THAT HAPPENS TO BE OVERLAYING EXACTLY BY THE TUNNEL  
4 ALIGNMENT CROSSING THE CAMPUS.

5 AND LIKE IT OR NOT -- AND I DON'T LIKE IT --  
6 NOBODY WANTS TO BUILD UNDERGROUND. BUT IF YOU HAVE TO PUT  
7 A GREAT BIG CONCENTRATED BUILDING IN ONE AREA AND YOU  
8 CAN'T GO UP, THAT LEAVES YOU VERY FEW OPTIONS.

9 MR. YAROSLAVSKY: SO YOU STAND BY YOUR STATEMENT  
10 THAT YOU BELIEVE OUR PROPOSED TUNNEL RUNS THROUGH THE  
11 BUILDINGS OF THE SCHOOL?

12 THE WITNESS: I BELIEVE IT RUNS THROUGH THE  
13 FUTURE PRESERVED SPACE AREA THAT WILL BE NECESSARY TO  
14 ACCOMMODATE THE GROWTH ON THE CAMPUS. AND THAT GROWTH IS  
15 PREMISED UPON A DOUBLING POPULATION IN THERE. POPULATION  
16 IS NOTORIOUSLY HARD TO PREDICT. DOUBLING IS JUST BASED ON  
17 VERY CONSERVATIVE DEMOGRAPHICS.

18 MR. YAROSLAVSKY: THANKS. YOU'VE ANSWERED MY  
19 QUESTION --

20 THE WITNESS: NOTHING MORE.

21 MR. YAROSLAVSKY: THANK YOU.

22 HEARING OFFICER DROOYAN: MR. BURESH, ANYTHING  
23 FURTHER?

24 THE WITNESS: WELL, I WOULD ALSO POINT OUT TOO,  
25 THOUGH, WE TALK ABOUT HOW FAR PEOPLE NEED TO GO

1 UNDERGROUND. YOU KNOW YOU CHANGED THE DESIGN  
2 SUBSTANTIALLY WHERE IT'S GONE ON WITH FUTURE DEVELOPERS.

3 THE WESTWOOD HOTEL THAT APPEARED AT THE  
4 WESTWOOD/UCLA STATION, YOU DROPPED A TUNNEL SOME 50 FEET  
5 DOWN TO ACCOMMODATE THAT. THE TUNNEL GOT DROPPED. IT HAS  
6 AT LEAST 45 FEET OF SEPARATION OF THE WESTFIELD MALL ALSO.

7 YOU ONLY DROPPED IT ABOUT FIVE FEET COMING OUT OF  
8 THE HIGH SCHOOL. THERE HAS BEEN NO EFFORT TO ACCOMMODATE  
9 THE NEEDS EXPRESSED BY THE HIGH SCHOOL. AND I DO STAND BY  
10 THAT TESTIMONY.

11 AND THERE HAS BEEN NO EFFORT TO MEET ON THAT.

12 AND YOUR STAFF HAS BEEN MADE AWARE OF THAT WITH THE  
13 PLANNING DOCUMENTS SENT IN, WHEN YOUR TUNNEL ADVISORY  
14 PANEL CAME OUT, AND I PERSONALLY WALKED THEM ON THE SITE  
15 AND SHOWED THEM WHERE AND WHY WE WOULD HAVE TO GO THAT  
16 DEEP AT MORENO. THEY WERE AWARE OF THAT.

17 AND THERE IS NOT SUFFICIENT DEPTH EITHER AT THE  
18 SHALLOW END OF THE CAMPUS OR AT THE DEEP END OF THE CAMPUS  
19 FOR THAT. THE TUNNEL IS TOO SHALLOW.

20 THERE'S A LOT OF EXTRANEIOUS ENGINEERING ISSUES,  
21 AND I WON'T EVEN GET INTO THEM ON THAT. BUT, YOU KNOW,  
22 SUFFICE TO SAY YOU HAVE EXACT -- AND I DO STAND CORRECTED  
23 ON THIS. THERE IS ONE FIELD ACT COMPLIANT SCHOOL THAT  
24 DOES HAVE A TUNNEL UNDER IT IN THE STATE OF CALIFORNIA,  
25 A PUBLIC SCHOOL.

1            BUT THE TUNNEL IS A GOOD 200 FEET UNDER THE  
2 SCHOOL.  AND IF YOU WANT TO BUILD YOUR TUNNEL 200 FEET  
3 UNDER THE SCHOOL, I DON'T THINK ANYBODY WOULD REALLY  
4 OBJECT TO THAT.

5            BUT THAT'S NOT THE CONDITION ANYWHERE ELSE IN  
6 HERE.  YOU KNOW, THE HIGH SCHOOL NEEDS ARE REAL, AND THEY  
7 SHOULD BE ACCOMMODATED.  YOU CAN'T JUST IGNORE THEM.  YOU  
8 MAY NOT LIKE THEM.  YOU CAN DEBATE THEM.  YOU CAN  
9 DISAGREE.  WE CAN EXPLORE ALTERNATIVES, BUT THEY CAN'T  
10 JUST BE IGNORED.  THERE WILL BE IRREPARABLE HARM IF YOU  
11 PROCEED WITH THE DESIGN AS IT'S NOW SHOWN ON THERE.

12            THOSE ARE MY CONCLUSIONS.  THE TRUTH WILL COME  
13 OUT ON SANTA MONICA.  YOU'RE SPENDING \$100 MILLION DOLLARS  
14 FOR NO REAL INCREASE IN RIDERSHIP, AND YOU'RE GOING TO  
15 HURT THE CAMPUS.

16            HEARING OFFICER DROOYAN:  THANK YOU.

17            MR. WIENER:  THANK YOU FOR YOUR TIME.  OUR NEXT  
18 -- MR. MC MURRY WILL PRESENT OUR NEXT WITNESS WHICH WILL  
19 BE FROM EXPONENT'S FAILURE ASSOCIATES.

20            HEARING OFFICER DROOYAN:  OKAY.  MR. BURESH.  
21 MR. BURESH, MR. KATZ HAS ONE MORE QUESTION FOR YOU, IF  
22 YOU'RE HERE.

23            THE WITNESS:  YES, SIR.

24            MR. KATZ:  SORRY -- SORRY, MR. BURESH -- UNTIL IT  
25 CLEARS IN FRONT OF YOU.  SORRY TO CALL YOU BACK UP.

1 I WAS LISTENING CAREFULLY WHEN YOU SAID THAT  
2 ABOUT -- YOUR COMMENT ABOUT PUTTING THE SAFETY OF CHILDREN  
3 FIRST. OBVIOUSLY, THAT'S SOMETHING WE ALL TAKE VERY  
4 SERIOUSLY. I WAS HOPING -- I WAS HOPING YOU COULD CLARIFY  
5 FOR ME, THOUGH, WHY IT WAS THAT YOU RECOMMENDED HIGH SPEED  
6 RAIL BUILD A TUNNEL UNDER MIRAMAR COLLEGE. I'M JUST  
7 CURIOUS. I DIDN'T --

8 THE WITNESS: WELL, ACTUALLY, I DIDN'T GET TO  
9 STAY THERE LONG ENOUGH TO EVEN CHANGE THAT ONE.

10 MR. KATZ: I'M READING A LETTER THAT YOU SENT TO  
11 THE CHANCELLOR OF MIRAMAR COLLEGE. AND WHERE IT SAYS.  
12 "WHILE THE AUTHORITY MUST CONTINUE TO STUDY ALL  
13 ALTERNATIVES, IT'S CLEAR THAT THE ONLY VERTICAL PROFILE  
14 THAT SHOULD BE CONSIDERED THROUGH MIRAMAR COLLEGE IS A  
15 BORED TUNNEL OPTION DEEP ENOUGH TO CAUSE INSIGNIFICANT  
16 IMPACTS TO THE COLLEGE."

17 THE WITNESS: AND THE LAST PHRASE WAS AGAIN?

18 MR. KATZ: "DEEP ENOUGH TO CAUSE INSIGNIFICANT  
19 IMPACTS TO THE COLLEGE."

20 THE WITNESS: RIGHT. SO THE POINT ABOUT THERE IS  
21 YOU HAD TO CROSS ONE SIDE OF THE FREEWAY TO THE OTHER, GO  
22 UNDER THE CAMPUS, AND WE HAD TO BE ABLE TO FIND A WAY TO  
23 GET UNDERNEATH IT.

24 NOW, AS YOU ALSO KNOW, I LEFT THE AUTHORITY  
25 BEFORE THAT PROCESS COULD BE COMPLETED. THAT WAS STILL IN

1 THE ALTERNATIVES TO BE CONSIDERED. IT ALSO WOULD HAVE  
2 BEEN IN MY RECOMMENDATION HAD I STAYED THERE THAT WE  
3 ACTUALLY REROUTED IT SUBSTANTIALLY TO THE NORTH AND AVOID  
4 THAT ALIGNMENT ALTOGETHER BECAUSE OF EXACTLY THOSE KINDS  
5 OF CONFLICTS THAT WERE PRESENT THROUGHOUT IT.

6 MR. KATZ: WELL, THE CHANCELLOR WROTE BACK AND  
7 SAID THAT HE DIDN'T UNDERSTAND WHY THIS WAS THE PREFERRED  
8 ROUTE. AND I THINK THAT THE LETTER THAT CAME BACK FROM  
9 THE CHANCELLOR TO YOU TALKED ABOUT THIS BEING THE  
10 PREFERRED ROUTE, NOT AN -- IT WAS PART OF THE ALTERNATIVE  
11 STUDY, BUT YOU CAME TO THE CONCLUSION AS AN INTERIM -- YOU  
12 SAID, I BELIEVE, INTERIM STEP INITIALLY A TUNNEL WOULD BE  
13 THE ALTERNATIVE THAT MADE SENSE.

14 THE WITNESS: LET'S BACK UP. THAT APPROACH, THAT  
15 PARTICULAR ALIGNMENT GOING DOWN THERE WOULD FORCE YOU TO  
16 CROSS BY TUNNEL SOMETHING FROM ONE SIDE OF THE FREEWAY TO  
17 GET TO THE OTHER TO EVENTUALLY GET DOWN TO THE COAST IN  
18 SANTA MONICA. THAT CONTAINED PROBLEMS WITH ALL OF THE  
19 ALTERNATIVES --

20 MR. KATZ: I'M SORRY. THE COAST IN SANTA MONICA?

21 THE WITNESS: EXCUSE ME. IN SAN DIEGO.

22 MR. KATZ: ALL RIGHT. I JUST WANT TO MAKE SURE.  
23 IT'S A LONG FREEWAY, BUT NOT THAT LONG.

24 BUT I'M STILL -- IT SOUNDS LIKE A DIFFERENT SIDE  
25 OF THE SAME ARGUMENT. THE CHANCELLOR FOR THE COLLEGE IS

1 SAYING, "WHY ARE YOU GOING UNDER MY COLLEGE?" AND YOU'RE  
2 SAYING TO HIM, "IT'S THE BEST WAY TO GO."

3 I DON'T -- I MEAN, IS IT JUST -- DO YOU STOP  
4 CARING ABOUT THE KIDS AT A CERTAIN AGE? I DON'T THINK SO.

5 NO. HOLD ON. HOLD ON. I'M NOT -- I'M NOT  
6 ASKING TO GET -- AND I KNOW THAT'S NOT HOW YOU THINK, SO  
7 I DON'T GET IT.

8 THE WITNESS: WELL, FRANKLY, AS I JUST SAID, EVEN  
9 WITH THE LAST SLIDE, BEFORE I GOT CUT OFF IN THERE, IF  
10 YOU'RE DEEP ENOUGH, THERE IS NO IMPACT. NOW THAT'S A  
11 CAMPUS THAT'S YOUNG AND DYNAMIC, AND IT'S NOT GOING  
12 UNDERGROUND. IT'S GOT PLENTY OF GROUND, AND THEY'RE  
13 SPREAD OUT ON THERE.

14 MR. KATZ: BUT THEY MIGHT GO UNDERGROUND IN THE  
15 FUTURE. YOU DON'T KNOW THAT, BASED ON WHAT YOU WERE JUST  
16 SAYING ABOUT --

17 THE WITNESS: THAT CAMPUS --

18 MR. KATZ: -- FUTURE.

19 THE WITNESS: -- IS GROWING VERY RAPIDLY. AND  
20 IF THAT WERE THE RESPONSIBILITY, THAT CERTAINLY WOULD  
21 BECOME A PRECLUSION TO THE TUNNEL GOING UNDERNEATH THERE.

22 NOW, WHAT WE'RE ALSO SKIPPING IS THAT NONE OF  
23 THOSE ALTERNATIVES WERE WORKING VERY WELL DOWN THERE.

24 AND ONE OF THE THINGS THAT I INITIATED BEFORE I  
25 LEFT WAS EXPLORING A COMPLETELY DIFFERENT ROUTE THAT WOULD

1 HAVE MADE THAT TRANSITION FROM THE 15 CORRIDOR OUT TO THE  
2 I-5 CORRIDOR MUCH MORE TO THE NORTH WHICH WOULD HAVE  
3 AVOIDED TRANSITIONING UNDERNEATH ALL OF THOSE PROPERTIES  
4 WITH THAT SIMILAR KIND OF CONCLUSION.

5 MR. KATZ: I WOULD APPRECIATE SEEING THAT IF IT'S  
6 AROUND OR BECAUSE I LOOKED FOR ANYTHING ELSE ABOUT THIS,  
7 SO I WENT BACK TO THE CHANCELLOR, SAME RULE AGAIN, TO SEE  
8 IF SOMETHING'S DIFFERENT AND COULDN'T FIND IT.

9 THE WITNESS: NO, THERE'S NOTHING ELSE WITH THE  
10 CHANCELLOR BECAUSE WHAT WE WANTED TO SET UP WAS A WORKING  
11 COMMITTEE TO BE ABLE TO EXPLORE AND UNDERSTAND EXACTLY  
12 WHAT THEIR REQUIREMENTS ARE, WHICH IS EXACTLY WHAT MTA  
13 SHOULD HAVE DONE HERE.

14 MR. KATZ: OKAY. GOT IT. THANK YOU. APPRECIATE  
15 IT.

16 HEARING OFFICER DROOYAN: OKAY. MR. MC MURRY.

17 MR. ROBERT MC MURRY: THANK YOU.

18 MY NAME IS ROBERT MC MURRY, GILCHRIST AND RUTTER.

19 I VENTURE I KNOW REASONABLY WELL HALF THE PEOPLE  
20 ON THE PODIUM, AT LEAST HALF THAT ARE LEFT.

21 I HAVE FIRST OF ALL A PROCEDURAL MATTER. WE HAVE  
22 A LETTER OBJECTING TO A NUMBER OF THE PROCEDURAL ISSUES  
23 CONCERNING THIS HEARING. I DON'T PROPOSE TO TAKE YOUR  
24 TIME TO DEBATE THOSE ISSUES. WE HAVE PASSED OUT COPIES TO  
25 EVERYBODY, AND WE WILL HAVE COPIES FOR THE RECORD OF OUR

1 OBJECTIONS, AND WE'LL JUST LEAVE THEM AT THAT, IF THAT'S  
2 ACCEPTABLE TO EVERYONE.

3 HEARING OFFICER DROOYAN: WE'LL ACCEPT THAT AS  
4 PART OF THE RECORD.

5 MR. MC MURRY: THANK YOU.

6 SECONDLY, DESPITE THE FACT THAT I DATED A COURT  
7 REPORTER FOR FOUR YEARS AND I TAUGHT COURT REPORTING FOR  
8 A YEAR, I STILL HAVE A TENDENCY TO TALK TOO FAST. SO  
9 PLEASE, IF I DO GET AHEAD OF YOU, THROW THE MACHINE AT ME  
10 OR SOMETHING. IT WOULDN'T BE THE FIRST TIME.

11 GIVEN THE LATENESS OF THE HOUR, WE'RE GOING TO  
12 TRY TO SHORTEN THIS TESTIMONY AS BEST WE CAN. I WOULD  
13 GUESS THAT WE'LL PROBABLY RUN 30 MINUTES TO DO THAT, WHICH  
14 WILL PUT US AT TEN MINUTES PAST THE HOUR. I WILL TRY TO  
15 HOLD IT TO THAT. THE LAST COLLOQUY WENT BEYOND WHAT WE  
16 EXPECTED. SO I'LL DO MY BEST TO SHORTEN THE TESTIMONY.

17 HEARING OFFICER DROOYAN: AND THAT'S FINE. WE  
18 STARTED 15 MINUTES LATE, SO I THINK IN FAIRNESS THAT YOU  
19 SHOULD HAVE THE EXTRA TEN MINUTES.

20 MR. MC MURRY: OKAY. WELL, IF YOU HAVE 15, I'LL  
21 TAKE 15.

22 HEARING OFFICER DROOYAN: AND WE DO HAVE -- LET  
23 ME JUST SAY, WE DO HAVE PUBLIC COMMENTS. SO I'M NOT SURE  
24 HOW WE'RE GOING TO HANDLE THAT, SO.

25 LET'S AT LEAST GET THE HEARING CONCLUDED AS



1 QUICKLY AS WE CAN.

2 MR. MC MURRY: WE WILL TRY TO DO SO. THANK YOU.

3 AT THIS POINT WE WOULD LIKE TO OFFER THE  
4 TESTIMONY OF DR. SUBODH MEDHEKAR.

5

6 EXAMINATION

7 BY MR. MC MURRY:

8 Q AND FIRST OF ALL, I WOULD LIKE TO ASK HIM TO  
9 EXPLAIN WHO HE IS EMPLOYED BY?

10 A I'M SUBODH MEDHEKAR. I'M EMPLOYED BY EXPONENT.

11 Q AND HAS EXPONENT PREPARED SEVERAL REPORTS  
12 CONCERNING THIS PARTICULAR ISSUE OF THE LOCATION OF  
13 BEVERLY HILLS HIGH SCHOOL, THE POTENTIAL EFFECTS OF THE  
14 ALIGNMENT, SO ON AND SO FORTH?

15 A YES.

16 MR. MC MURRY: WE HAVE COPIES OF THOSE REPORTS,  
17 IF THEY'VE NOT BEEN ENTERED INTO THE RECORD BEFORE. WE  
18 WILL BE HAPPY TO DO SO.

19 HEARING OFFICER DROOYAN: MR. MEDHEKAR, THIS IS  
20 THE REPORT ON EXPONENT LETTERHEAD. I'M LOOKING FOR A DATE  
21 ON HERE. I SEE THAT IT'S A RESUME, AND I'M NOT SURE WE  
22 HAVE THE REPORT. IS IT IN HERE?

23 MR. MC MURRY: I'M CALLING THE WITNESS'S  
24 ATTENTION TO, NOT TO SOUND LIKE A LAWYER, A REPORT CALLED  
25 "A HAZARD ASSESSMENT STUDY WESTSIDE SUBWAY EXTENSION."

1 HAS A DATE OF FEBRUARY 7, 2012.

2 THE WITNESS: YES.

3 MR. MC MURRY: THAT'S YOUR COMPANY'S REPORT.  
4 AND THERE'S A FURTHER DOCUMENT ENTITLED "RESPONSE TO  
5 METRO'S COMMENTS ON EXPONENT'S REPORT," WHICH IS DATED  
6 APRIL 25TH, 2012. AND I WILL EXPLAIN TO YOU THAT THIS WAS  
7 A RESPONSE DOCUMENT DONE AFTER METRO HAD COMMENTED ON THE  
8 ORIGINAL EXPONENT REPORT.

9 AND YOU WERE ALSO INVOLVED IN PREPARATION OF  
10 THAT?

11 THE WITNESS: YES.

12 MR. MC MURRY: WE WOULD ASK THAT THESE BOTH BE  
13 INCLUDED IN THE RECORD.

14 HEARING OFFICER DROOYAN: THAT'S FINE. I'M JUST  
15 NOT A HUNDRED PERCENT SURE I HAVE THEM. BUT MAYBE WE'LL  
16 GET THEM FROM YOU AT THE CONCLUSION OF THE HEARING, AND  
17 THEY'LL BE INCLUDED AS PART OF THE RECORD.

18 MR. MC MURRY: OKAY. IF YOU COULD PASS THOSE  
19 OVER SO THAT THE CHAIR HAS THEM.

20 THESE ARE REPORTS THAT ARE VERY FAMILIAR TO METRO  
21 AND HAVE BEEN THOROUGHLY DISCUSSED AND EVALUATED.

22 HEARING OFFICER DROOYAN: OKAY.

23 BY MR. MC MURRY:

24 Q FIRST OF ALL, DR. MEDHEKAR, COULD YOU EXPLAIN TO  
25 ME WHAT IS YOUR PROFESSIONAL BACKGROUND AND WHAT IS THE

1 PRIMARY AREA OF FOCUS FOR YOU IN YOUR PROFESSIONAL CAREER?

2 A I'M A CHEMICAL ENGINEER. ALL MY DEGREES, MY  
3 BACHELOR'S, MASTER'S, AND DOCTORATE, ALL ARE IN CHEMICAL  
4 ENGINEERING. I'M ALSO A REGISTERED CHEMICAL ENGINEER.

5 AND MY SPECIALTY WORKING OVER THE LAST 20 YEARS  
6 HAS BEEN IN DOING RISK ASSESSMENTS, RISKS AND LIABILITY  
7 ASSESSMENTS. I'VE WORKED ON PROJECTS RANGING FROM NUCLEAR  
8 POWER PLANTS TO PETROCHEMICAL FACILITIES TO AEROSPACE TO  
9 BIOMEDICAL DEVICES, ALL IN ONE, DOING RISK ASSESSMENTS.

10 Q WHEN YOU SAY RISK ASSESSMENT, MY UNDERSTANDING IS  
11 THERE ARE SEVERAL DIFFERENT TYPES OF RISK ASSESSMENTS.  
12 COULD YOU EXPLAIN TO ME THE DIFFERENT BETWEEN A  
13 QUALITATIVE AND A QUANTITATIVE RISK ASSESSMENT AND HOW  
14 THAT IMPACTS THIS CASE?

15 A YES. THE RISK ASSESSMENTS CAN BE DONE WITH  
16 DIFFERENT GRADATIONS. YOU CAN START OFF WITH SOMETHING  
17 THAT IS SIMPLE, QUALITATIVE RISK ASSESSMENTS. AND THESE  
18 ARE VERY STANDARD IN MOST OF THE INDUSTRIES. YOU CAN DO  
19 HAZOPS, HAZARD OPERATIONS; YOU CAN DO A FAILURE MODES AND  
20 EFFECTS ANALYSIS. YOU CAN DO A PRELIMINARY HAZARDS  
21 ANALYSIS. YOU CAN DO HAZARDS ANALYSIS. ALL THESE ARE  
22 QUALITATIVE OR SEMI-QUANTITATIVE EVALUATIONS.

23 ESSENTIALLY, IT LOOKS AT NEW PROCESSES OR NEW  
24 DESIGNS TO UNDERSTAND WHAT KINDS OF RISKS OR SCENARIOS  
25 COULD MANIFEST DURING THE CONSTRUCTION OR DEVELOPMENT OR

1 OPERATION OF FACILITY. AND YOU LOOK AT THESE SCENARIOS,  
2 AND YOU IDENTIFY WHAT IS THE CONSEQUENCE OF THESE  
3 SCENARIOS, WHAT IS THE LIKELIHOOD OF THE SCENARIO.

4 AND YOU USE EITHER SOME KIND OF SIMPLE RISK  
5 MATRIX TO ASSIGN THE RISK LEVEL TO THESE SCENARIOS. SO  
6 ESSENTIALLY, IT HELPS YOU IN A VERY QUALITATIVE MANNER TO  
7 GO ABOUT ASSIGNING RISK.

8 IF YOU TAKE IT A STEP FURTHER -- AND THIS IS WHAT  
9 IS DONE IN A LITTLE MORE ADVANCED INDUSTRIES OR IF THE  
10 RISK IDENTIFIED BY THE QUALITATIVE EVALUATION IS HIGH  
11 ENOUGH TO JUSTIFY -- YOU PERFORM A QUANTITATIVE RISK  
12 ANALYSIS WHICH IS YOU THEN TAKE THESE HIGH-RISK RANKING  
13 SCENARIOS, AND YOU EVALUATE THE LIKELIHOOD IN A  
14 PROBLEMISTIC FASHION OR YOU FORM A QUANTITATIVE ANALYSIS  
15 USING THOUGHT-TREE OR ELEMENTARY METHODS TO GET TO THE  
16 LIKELIHOOD.

17 FOR EXAMPLE, HOW LIKELY IS IT THAT THIS FAULT  
18 WOULD ACTUALLY RUPTURE OR WHETHER IF IT'S A GAS, HOW  
19 LIKELY WE COULD ENCOUNTER THIS GAS OR ACCUMULATE IN A  
20 LOCATION THAT WOULD BE HAZARDOUS. AND YOU ALSO DO  
21 CONSEQUENCE ANALYSIS WHICH ARE MORE QUANTITATIVE.

22 SO THE CONCEPT REMAINS THE SAME, BOTH IN  
23 QUALITATIVE AND QUANTITATIVE ANALYSIS, EXCEPT THE DEGREE  
24 TO WHICH YOU PERFORM CHANGES FROM QUALITATIVE TO  
25 QUANTITATIVE AND GOING HIGHER.

1 Q DO YOU HAVE A PROFESSIONAL OPINION AS TO WHAT  
2 TYPE OF ANALYSIS WOULD BE APPROPRIATE FOR WHAT'S BEFORE  
3 THIS BOARD?

4 A BASED ON THE -- THE RISK OF HAZARD FACTORS THAT I  
5 SEE AT THESE LOCATIONS: POTENTIAL FOR FAULTING, POTENTIAL  
6 FOR SETTLEMENT, POTENTIAL FOR MAINTAINING AND ENCOUNTERING  
7 AN ACCUMULATION, AND POTENTIAL FOR SUBSIDENCE, I THINK THE  
8 MOST PRUDENT WAY OF DOING THIS IS TO FIRST DO A  
9 QUALITATIVE EVALUATION TO FIND OUT WHICH OF THESE ARE OF  
10 GREATER CONCERN THAN OTHERS AND THEN PERFORM A MORE  
11 DETAILED PROBLEMISTIC QUANTITATIVE ANALYSIS ON THOSE  
12 SCENARIOS FOR THE SITE.

13 Q AND HAS THIS BEEN DONE FOR THIS CASE?

14 A ACTUALLY, FOR THIS CASE, BASED ON THE REPORTS  
15 I'VE SEEN, NO RISK ASSESSMENT HAS DONE. NEITHER A  
16 QUALITATIVE NOR A QUANTITATIVE RISK ASSESSMENT HAS BEEN  
17 PERFORMED AT THIS LOCATION.

18 Q IN YOUR EXPERIENCE IS THIS SOMETHING THAT WOULD  
19 BE TYPICAL OR APPROPRIATE TO BE DONE IN A CASE LIKE THAT?

20 A YES. IT WOULD BE HIGHLY APPROPRIATE THAT ONE  
21 SHOULD PERFORM A RISK ASSESSMENT TO EVALUATE WHAT RISKS  
22 CAN EXIST OR MAYBE THERE WHEN I'VE BEEN TO A STATION DOING  
23 TUNNELING ACTIVITY, TYPICALLY ENGINEERS WHEN THEY DESIGN A  
24 PROCESS, THEY -- THEY ARE TAUGHT HOW TO MAKE A SUCCESS  
25 PLAN. I WILL DO THIS. I WILL MAKE SURE THE CONSTRUCTION

1 STEP OCCURS.

2 IT TAKES MUCH MORE DISCIPLINE, AND A FORMAL RISK  
3 ASSESSMENT IS THE ONLY WAY THAT CAN -- THESE ENGINEERS CAN  
4 BE FORCED TO THINK OF ALL POSSIBLE WAYS THAT YOU CAN GET  
5 TO A FAILURE. IDENTIFY THE SCENARIO, IDENTIFY THE  
6 CONSEQUENCE OF IT, IDENTIFY THE LIKELIHOOD OF IT, AND THEN  
7 DECIDE HOW RISKY THAT WHOLE PROCESS IS.

8 Q HAVE YOU HAD A CHANCE TO REVIEW THE REPORTS BY  
9 THE METRO EXPERTS -- AND I'LL SORT OF COMBINE THEM  
10 TOGETHER -- THAT HAVE DISCUSSED THE RISKS ASSOCIATED WITH  
11 LOCATING A SUBWAY SITE OR STATION SITE AT CONSTELLATION  
12 BOULEVARD?

13 A YES. I HAVE REVIEWED THE REPORT, AND I'VE  
14 REVIEWED THE -- REVIEWED THE COMMENT.

15 WHEN WE FIRST SAID IN OUR REPORT THAT ONE SHOULD  
16 PERFORM QUANTITATIVE RISK ASSESSMENT FOR THIS, THEIR  
17 RESPONSE WAS, WELL, WE DON'T DO RISK ASSESSMENT,  
18 QUANTITATIVE RISK ASSESSMENTS, FOR ANY SUCH ACTIVITIES.  
19 ONLY NUCLEAR POWER PLANTS DO THAT.

20 IN A SUBSEQUENT RESPONSE TO THAT WE CITED A  
21 NUMBER OF DOCUMENTS INCLUDING TUNNELING ASSOCIATION  
22 GUIDELINES AND OTHER DOCUMENTS THAT KIND OF RECOMMEND WHAT  
23 WE ARE SUGGESTING.

24 AND THE SECOND RESPONSE I THINK WE JUST GOT TWO  
25 DAYS AGO WAS: WELL, WE COULD DO IT, BUT YOU WOULDN'T

1 UNDERSTAND IT. IT'S GOING TO BE TOO COMPLICATED. IT'S  
2 NOT GOING TO BE TIME SPENT.

3 I DON'T THINK THAT'S TRUE. I THINK THE RISK  
4 ASSESSMENT REPORT IF IT'S PROPERLY DONE, IT'S VERY  
5 TRANSPARENT. IT TELLS YOU WHERE THE RISKS ARE. IT TELLS  
6 YOU NOT ONLY WHERE THEY ARE. IT TELLS YOU WHAT ARE THE  
7 DOMINANT CONTRIBUTORS TO THIS RISK.

8 IN FACT, NOT DOING A RISK ASSESSMENT IS PROBABLY  
9 AS OPAQUE AS YOU CAN BE BECAUSE YOU -- YOU'RE NOT TELLING  
10 ME THAT YOU'VE DONE ONE, OR IF YOU HAVE DONE ONE, YOU'RE  
11 NOT SHOWING IT TO ME.

12 Q SO IN YOUR OPINION, HAS THERE BEEN SUFFICIENT  
13 SCIENTIFIC STUDY DONE IN ORDER TO JUSTIFY LOCATING THE  
14 SITE, SUBWAY SITE, AT THE CONSTELLATION BOULEVARD SITE?

15 A NO. AT A MINIMUM I WOULD REQUEST THAT A -- AS A  
16 PRUDENT TASK THAT ONE SHOULD LOOK AT THE STATION, LOOK AT  
17 THE ACTIVITIES INVOLVED, AND PERFORM A RISK ASSESSMENT  
18 BEFORE YOU CAN MAKE A DECISION WHETHER IT'S SAFE ENOUGH TO  
19 DO THAT OR NOT.

20 Q WHAT SPECIFIC ACTIVITIES WOULD YOU ASK TO BE  
21 INCLUDED IN SUCH AN ANALYSIS?

22 A WHAT I WOULD -- I WOULD INCLUDE A MORE DETAILED  
23 STUDY OF POTENTIAL FAULTING IN THE AREA, LOOK AT WHETHER  
24 OR NOT YOU CAN GET METHANE AND HOW MUCH QUANTITIES OF  
25 METHANE CAN BE ENCOUNTERED WHILE DRILLING.

1 I WOULD TRY TO SEE IF BETTER SERVICE CAN BE DONE  
2 FOR LOCATING AND IDENTIFYING OIL OR GAS WELLS THAT MAY  
3 EXIST OUT THERE. I WOULD TRY TO UNDERSTAND THE POTENTIAL  
4 FOR SETTLING. I WOULD TRY TO SEE WHAT THE IMPACT OF THIS  
5 ACTIVITY WOULD BE FOR THE SUBSURFACE AND SUBSURFACE  
6 INFRASTRUCTURE THAT MAY EXIST IN THE FUTURE.

7 AND I WOULD TRY TO BRING THIS ALL IN A  
8 COMPREHENSIVE RISK STUDY THAT PUTS ALL THIS INFORMATION  
9 AND THEN GIVES YOU AN ANSWER, WHAT IS THE RISK BASED ON  
10 ALL OF THESE FACTORS FOR SOMEBODY TO MAKE A DECISION  
11 WHETHER THE RISK IS ACCEPTABLE, OR IS IT COMPARABLE TO ANY  
12 OTHER LOCATION. WITHOUT DOING THIS, WITHOUT KNOWING WHAT  
13 THE RISK LEVELS ARE, I DON'T KNOW HOW ONE CAN MAKE A  
14 PRUDENT DECISION.

15 Q AND SPECIFICALLY, YOU MENTIONED IN YOUR REPORTS  
16 THE ISSUE AS TO SOIL GAS DATA AND THE GASSY GROUND  
17 CONDITIONS THAT ARE INVOLVED. COULD YOU EXPAND ON THAT  
18 A LITTLE?

19 A WELL, I THINK THIS WILL TAKE A GEOLOGIST TO  
20 EXPLAIN THIS, BUT I UNDERSTAND THAT THE PROPOSED PATHWAY  
21 FOR THE TUNNEL GOES THROUGH AN UNSATURATED ZONE WHERE  
22 THERE IS A POTENTIAL FOR METHANE GAS. AND THAT METHANE  
23 GAS COULD BE ENCOUNTERED DURING THE TUNNELING ACTIVITY,  
24 THAT METHANE GAS COULD EITHER NOW OR IN THE FUTURE --  
25 COULD MIGRATE TO OTHER SUBSURFACE OR INFRASTRUCTURE



1 LOCATIONS AFTER THE TUNNELING HAS BEEN DONE, MUCH LATER  
2 AND COULD ACCUMULATE AND POTENTIALLY CAUSE A THREAT EITHER  
3 NOW OR LATER.

4 Q AND DO YOU BELIEVE THAT THE POSSIBILITY OF  
5 ABANDONED OR UNCONFIRMED OIL WELLS IS A SIGNIFICANT  
6 POSSIBILITY? AND I THINK YOU MENTIONED THIS EARLIER.

7 A YES. I THINK THIS, AGAIN, GOES TO MY COLLEAGUES.  
8 THERE ARE OTHER PEOPLE WHO ALSO WORKED ON THIS WHO HAVE --  
9 WHO HAVE REPORTED THAT THERE ARE MANY CASES, WELL CASES,  
10 OIL WELL CASES, WHERE PREDOMINANT FEATURE OF THAT AREA  
11 THAT ARE NOT KNOWN. AND THE CURRENT STUDY THAT WAS DONE  
12 WAS NOT COMPLETED SOON ENOUGH AND DID NOT HAVE THE RIGHT  
13 TOOLS TO IDENTIFY ALL OF THESE POTENTIAL OIL CASES.

14 IF YOU ENCOUNTER AN OIL CASING DURING THE  
15 ACTIVITY, IT COULD STOP THE ACTIVITY, TUNNELING ACTIVITY,  
16 CAUSING OTHER PROBLEMS THAT COULD MANIFEST. AGAIN, THIS  
17 WOULD BE -- SHOULD ALSO BE A PART OF EITHER BETTER  
18 UNDERSTANDING OF WHERE THESE ARE AND AN UNDERSTANDING OF  
19 WHAT RISK WOULD THEY POSE IF YOU DID ENCOUNTER SUCH CASES.

20 Q AND TO YOUR KNOWLEDGE, HAS THERE BEEN ANY STUDY  
21 OF ABANDONED OIL WELLS ON THE PROPERTIES INVOLVED FROM THE  
22 CONSTELLATION STATION UP THROUGH THE ALIGNMENT AND THE  
23 BEVERLY HILLS PROPERTY?

24 A NOT A THOROUGH REVIEW AS WE WOULD -- YOU WOULD  
25 RECOMMEND.

1 Q IS THERE ANY PHYSICAL CONSTRAINT OR OTHER  
2 INHIBITION THAT WOULD PREVENT METRO FROM DOING SUCH A  
3 STUDY?

4 A NOT THAT I KNOW OF.

5 Q WHAT IS THE RISK THAT WOULD BE POSED BY MOVING  
6 FORWARD WITH THE CONSTELLATION SITE AS HAS BEEN PROPOSED  
7 HERE WITHOUT DOING A FULL RISK ASSESSMENT? WHAT WOULD  
8 HAPPEN?

9 A WELL, WHAT WOULD WORRY ME IS THAT COULD BE RISKS  
10 ASSOCIATED WITH THE PROJECT THAT ARE NOT WELL UNDERSTOOD  
11 OR NOT QUANTIFIED. SO IT IS -- WHAT IF THE RISK WERE  
12 HIGH, AND WHAT IF YOU WERE TO PERFORM THIS PROJECT AND  
13 ENCOUNTER HIGH RISKS THAT HAVE NOT BEEN IDENTIFIED BUT  
14 SHOULD HAVE BEEN IF HAD YOU DONE YOUR COMPLETE DUE  
15 DILIGENCE AND DONE A RISK ASSESSMENT BEFORE YOU BEGAN THE  
16 PROJECT. THAT WOULD BE TERRIBLE.

17 Q SO WOULD IT BE FAIR TO SAY FROM WHAT YOU SAID  
18 THAT THERE IS A SIGNIFICANT RISK THAT YOU COULD ENCOUNTER,  
19 EITHER THINGS THAT COULD CAUSE DELAYS IN THE PROJECT OR  
20 THINGS THAT MIGHT RESULT IN INCREASED COSTS IN THE  
21 PROJECT?

22 A YES.

23 Q AND, AGAIN, YOU COMMENTED ON THIS EARLIER IN YOUR  
24 TESTIMONY, BUT THE MAY 15TH, 2012, REPORT THAT WAS DONE  
25 WITH RESPECT TO THE EXPONENT RISK ANALYSIS, ET CETERA,

1 YOU'VE ALREADY SAID THAT YOU DON'T AGREE WITH THEIR  
2 COMMENT ABOUT THE TRANSPARENCY, ET CETERA, OF A  
3 PROBABILITY RISK ASSESSMENT. DO YOU ALSO HAVE COMMENTS  
4 CONCERNING THE STATEMENT IN THE METRO REPORT WHICH STATES  
5 THAT PROBABILITY ANALYSIS IS NOT, QUOTE, STANDARD PRACTICE  
6 FOR MAJOR CIVIL ENGINEERING PROJECTS EXCEPT FOR HIGH  
7 HAZARD NUCLEAR POWER PLANTS?

8 A NO, I DON'T THINK THAT'S TRUE. TODAY, YOU KNOW,  
9 EVERYBODY ASKS YOU TO DO A RISK ASSESSMENT, AND THEY GET

10 IT ON DIFFERENT LEVELS. Q.R.A., QUANTITATIVE RISK  
11 ASSESSMENTS, ARE ROUTINELY PERFORMED ON MANY PROJECTS.  
12 THEY ARE PERFORMED ON CHEMICAL. IF YOU DO A MODIFICATION  
13 TO -- TO A PROCESS, Q.R.A.'S ARE REQUIRED. THERE'S A  
14 GUIDANCE TUNNELING ASSOCIATION THAT GIVES YOU SIMILAR  
15 GUIDANCE AS WHAT WE HAVE SAID. BUT WHAT I FIND THAT  
16 NOTHING, NOT EVEN A QUALITATIVE ANALYSIS, HAS BEEN DONE  
17 YET ON THIS PROJECT.

18 Q ARE THERE ANY OTHER COMMENTS THAT YOU HAVE  
19 CONCERNING THE INADEQUACY OF THE RISK ANALYSIS OR THE  
20 GENERAL INVESTIGATION THAT HAS BEEN DONE WITH RESPECT TO  
21 THE POSSIBILITY OF THE CONSTELLATION SITE?

22 A WELL, MY -- MY -- MY JOB WAS TO KIND OF LOOK AT  
23 AND UNDERSTAND IF THE RISK ASSESSMENT HAS BEEN DONE  
24 CORRECTLY. AND WHAT I FOUND WAS NO RISK ASSESSMENT HAS  
25 BEEN DONE.

1           SO I WOULD -- I WOULD -- FROM MY PERSPECTIVE,  
2   IT'S VERY IMPORTANT YOU DO A RISK ASSESSMENT. I WOULD  
3   RECOMMEND THAT YOU DO A QUALITATIVE RISK ASSESSMENT.  
4   IDENTIFY THE BIG HITTERS AND USE A MORE REFINED  
5   QUANTITATIVE RISK ASSESSMENT. IDENTIFY THOSE RISKS, AND  
6   THEN MAKE A DECISION WHETHER IT'S SAFE OR NOT SAFE.

7           Q     THANK YOU FOR BEING CONCISE, DR. MEDHEKAR. I'LL  
8   TURN YOU OVER TO ANY QUESTIONS FROM THE BOARD, KEEPING IN  
9   MIND THAT SEVERAL OF THESE PEOPLE ARE VERY GOOD  
10  CROSS-EXAMINERS.

11           MR. MC MURRY: ARE THERE ANY QUESTION YOU'D LIKE  
12  TO --

13           HEARING OFFICER DROOYAN: ANY QUESTIONS?

14           MR. HUIZAR: SO IF NO RISK ASSESSMENT WAS DONE,  
15  ARE YOU SUGGESTING THAT WE CREATE A SEPARATE DOCUMENT AND  
16  CALL IT A RISK ASSESSMENT?

17           THE WITNESS: WELL, A RISK ASSESSMENT INVOLVES --  
18  COMES IN SOME STEPS, WHICH IS LOOKING AT THE PROCESS,  
19  IDENTIFYING DIFFERENT SCENARIOS, IDENTIFYING -- IF YOU'RE  
20  DOING IT CALLING IT A RISK ASSESSMENT, IDENTIFYING  
21  CATEGORIES FOR THOSE SCENARIOS. WHAT ARE THE  
22  CONSEQUENCES? AND MAYBE GIVE A GRADATION OF CONSEQUENCES  
23  OR ASSIGNING LIKELIHOODS TO THE SCENARIOS MAYBE ONCE A  
24  YEAR, ONCE IN TEN YEARS, ONCE IN HUNDRED YEARS. AND THEN  
25  COME IN WITH A RISK MATRIX TO GIVE A RISK LINE.

1           THIS HAS NOT BEEN DONE.  AND SO I WOULD SAY, YES  
2   A SEPARATE RISK ASSESSMENT SHOULD BE PERFORMED.

3           MR. HUIZAR:  COULD IT BE THAT IT'S JUST THE  
4   DOCUMENTS THAT WERE PREPARED?  IT'S JUST A DIFFERENT  
5   METHODOLOGY TO GET TO THE SAME TYPE OF CONCLUSION?

6           THE WITNESS I HAVE NOT SEEN ANY DOCUMENT THAT  
7   EVEN QUANTITATIVELY ADDRESSES THIS FORMAT OF RISK DOING  
8   RISK ASSESSMENT.  IF THERE IS ONE -- AND I HOPE THERE IS  
9   ONE -- THEN I HAVE NOT SEEN IT.

10          MR. HUIZAR:  OR EVEN IN THE DOCUMENTS THAT WE'RE  
11   PREPARING INHERENT IN THAT, THERE IS A RISK ASSESSMENT.  
12   WE MAY NOT CALL IT A RISK ASSESSMENT, BUT THERE IS A RISK  
13   ASSESSMENT.

14          THE WITNESS:  I WOULD NOT CALL IT A RISK  
15   ASSESSMENT.

16          MR. HUIZAR:  OKAY.  THANKS.

17          MR. MC MURRY:  ANY OTHER QUESTIONS?

18          HEARING OFFICER DROOYAN:  ANY OTHER QUESTIONS?

19          THANK YOU VERY MUCH.

20          MR. MC MURRY:  THANK YOU, DR. MEDHEKAR.

21          HEARING OFFICER DROOYAN:  MR. MC MURRY,

22   MR. WIENER, ANYTHING FURTHER FROM THE CITY OF  
23   BEVERLY HILLS?

24          MR. MC MURRY:  YES, YOUR HONOR.  WE DO HAVE --  
25   EXCUSE ME.  FORCE OF HABIT.

1 HEARING OFFICER DROOYAN: THAT'S OKAY. I'VE BEEN  
2 ELEVATED. THANKS.

3 MR. MC MURRY: OKAY. WE COULD DEBATE THE WISDOM  
4 OF THAT COMMENT, BUT.

5 HEARING OFFICER DROOYAN: NOT WISDOM. GO AHEAD.

6 MR. MC MURRY: YES. WE DO HAVE ONE MORE DOCUMENT  
7 WHICH IS -- IT ENDED UP BEING HANDED OUT RIGHT NOW. IT'S  
8 SIMPLY AN EXPOSITORY DOCUMENT THAT EXPLAINS CERTAIN  
9 POTENTIAL ALIGNMENTS AND DIAGRAMS. IT DOESN'T HAVE  
10 EVIDENTIARY VALUE.

11 WE'RE JUST GOING TO USE IT TO MAKE SOME POINT  
12 ABOUT THE POTENTIAL THINGS THAT WERE NOT DISCUSSED AND  
13 EVALUATED IN THE METRO REPORT. SO IT'S NOT EVIDENCE,  
14 PER SE, BUT WE'D LIKE IT INCLUDED IN THE RECORD, OF  
15 COURSE.

16 HEARING OFFICER DROOYAN: WE'LL INCLUDE IT IN THE  
17 RECORD, CERTAINLY.

18 AND ALSO, BEFORE -- WE'RE GOING TO INCLUDE THE  
19 RESUME FROM DR. MEDHEKAR.

20 MR. MC MURRY: YES.

21 HEARING OFFICER DROOYAN: SO THAT WILL BE PART OF  
22 THE RECORD AS WELL.

23 MR. MC MURRY: WE THANK YOU.

24 HEARING OFFICER DROOYAN: GO AHEAD.

25 MR. MC MURRY: FIRST, LET ME EXPLAIN WHAT YOU'RE

1 ABOUT TO SEE. WE HAVE THROUGHOUT THIS HEARING -- AND WE  
2 APPRECIATE YOUR TIME AND ATTENTION TO IT -- ATTEMPTED TO  
3 MAKE THE POINT NOT THAT WE THINK THERE SHOULD BE A  
4 SANTA MONICA STATION OR THAT THERE SHOULD BE A  
5 CONSTELLATION STATION OR ONE IS BETTER THAN THE OTHER OR  
6 SO ON AND SO FORTH.

7 WE'RE NOT EVEN ATTEMPTING TO ARGUE THAT DECISION  
8 WITH YOU AT THIS POINT. WHAT WE ARE SIMPLY SAYING IS IT  
9 IS CLEAR THAT THERE HAS NOT BEEN SUFFICIENT INVESTIGATION  
10 AND NOT ENOUGH FACTS FOR YOU AS A BOARD TO MAKE THAT  
11 CHOICE AT THIS POINT.

12 YOU MAY HAVE THOUGHTS ABOUT IT, ET CETERA, BUT  
13 YOU DON'T HAVE SUFFICIENT DATA. AND WE'VE HAD NUMEROUS  
14 EXPERTS EXPLAIN TO YOU WHY THAT INVESTIGATION HAS BEEN  
15 INCOMPLETE, WHAT SHOULD BE DONE TO ANSWER THOSE QUESTIONS,  
16 AND SO ON AND SO FORTH.

17 WHAT I'M GOING TO TAKE IS A SLIGHTLY DIFFERENT  
18 TACK AT THIS POINT. I'M GOING TO START WITH THE  
19 ASSUMPTION THAT, OKAY. YOU'RE PROPOSING A CONSTELLATION  
20 STATION. YOU SAID THAT IS THE PROPOSAL BEFORE YOU. LET  
21 US ACCEPT THAT FOR A MINUTE THAT YOU WANT A CONSTELLATION  
22 STATION.

23 THAT DOESN'T ANSWER THE INQUIRY, HOWEVER BECAUSE  
24 THERE ARE A NUMBER OF WAYS YOU COULD DO A CONSTELLATION  
25 STATION, AND SOME OF THOSE DO NOT INVOLVE TUNNELING OVER

1 -- UNDER BEVERLY HILLS HIGH SCHOOL.

2 AND THAT'S WHAT WE WOULD LIKE TO MAKE SURE, THAT  
3 ALL THE ALTERNATIVES, EVEN ASSUMING A CONSTELLATION  
4 STATION HAVE BEEN ADEQUATELY EVALUATED. AND, FRANKLY, IN  
5 A THOROUGH REVIEW OF THE RECORD GOING BACK EVEN TO THE  
6 PRE-E.I.R. DAYS, WE CAN FIND NO EVIDENCE THAT THESE  
7 ALTERNATIVES WERE EVER CONSIDERED.

8 LET ME START WITH -- YOU HAVE COPIES OF THESE  
9 DOCUMENTS. LET'S LOOK OVER TO THE FIRST PAGE, IF WE CAN,  
10 AND SEE IF THIS THING WORKS. WHAT WE HAVE HERE IS SIMPLY  
11 THE FORMER ALIGNMENT ALONG SANTA MONICA BOULEVARD AND THE  
12 PROPOSED ALIGNMENT RIGHT NOW.

13 I WILL FIRST MAKE THE COMMENT WHICH I WILL NOT  
14 DEBATE THAT SIMPLY LOOKING AT THESE TWO ALIGNMENT WOULD  
15 SUGGEST THAT POLITICIANS AND ECONOMISTS DREW THE SECOND  
16 ONE, AND ENGINEERS DREW THE FIRST ONE.

17 BUT THIS IS SIMPLY A METHOD OF LOOKING AT THESE,  
18 THE VICINITY.

19 IF YOU'LL TURN NOW TO THE SECOND PAGE, WE HAVE A  
20 MAP HERE OF CENTURY CITY. AND WHAT WE'RE LOOKING AT HERE  
21 AND SUPERVISOR YAROSLAVSKY HAS TAUGHT ME -- HE, BY THE  
22 WAY, WAS INVOLVED IN MY FIRST MAJOR CASE. THAT SHOWS HOW  
23 OLD WE ARE, ZEV, BOTH OF US.

24 MR. YAROSLAVSKY: SPEAK FOR YOURSELF.

25 MR. MC MURRY: I DID.



1           IF YOU LOOK HERE, HERE'S THE CONSTELLATION  
2 STATION. HERE IS CENTURY PARK WEST. HERE IS AVENUE OF  
3 THE STARS. HERE IS CENTURY PARK EAST. HERE IS ROUGHLY  
4 THE SITE OF THE SCHOOL DISTRICT, AND THIS IS, OF COURSE,  
5 SANTA MONICA BOULEVARD, THE INFAMOUS.

6           I WANT TO CALL YOUR ATTENTION, BEFORE WE EVEN  
7 START, TO THE BUILDINGS THAT ARE LOCATED IN CENTURY CITY  
8 BECAUSE THEY ARE CRITICAL TO THIS ANALYSIS. HERE IS WHERE  
9 THE CONSTELLATION STATION IS. DIRECTLY ABOVE THAT, ARE  
10 BUILDINGS 14 AND 13. THESE ARE CALLED THE "WATT TOWERS,"  
11 IF YOU'VE BEEN TO CENTURY CITY. THEY ARE 23 STORIES IN  
12 HEIGHT. THEY PROBABLY HAVE, ALTHOUGH WE CAN'T CONFIRM THE  
13 DATA, FAIRLY DEEP FOUNDATIONS, ET CETERA, AND THEREFORE  
14 WOULD BE DIFFICULT TO TUNNEL UNDERNEATH, SO ON AND SO  
15 FORTH.

16           BUILDINGS 12 AND 16 ARE SIMPLY PARKING  
17 STRUCTURES. THIS ONE IS PRIMARILY FOR THE WATT TOWERS  
18 WHICH INCIDENTALLY DO NOT HAVE SUBTERRANEAN PARKING. AND  
19 THEY HAVE NO MORE THAN 3 STORIES -- 2 1/2 STORIES  
20 ACTUALLY OF SUBTERRANEAN PARKING. AND THEREFORE, IT WOULD  
21 BE RELATIVELY EASY AND EFFECTIVE FOR A NORMAL TUNNEL TO GO  
22 UNDERNEATH THEM.

23           I'D ALSO LOOK LIKE TO SHOW YOU BUILDINGS 9 AND  
24 10. THESE ARE BOTH FAIRLY LOW LEVEL OFFICE STRUCTURES,  
25 ET CETERA, AGAIN, WHICH DO NOT HAVE SUBTERRANEAN ISSUES.

1 BUILDING 4 IS THE PARKING STRUCTURE, AGAIN, ABOUT  
2 2 1/2 STORIES UNDERGROUND WHICH SERVES THIS BUILDING.

3 BUILDING 8 IS ABOUT A 20-PLUS STORY OFFICE  
4 BUILDING. AGAIN, IT HAS UNDERGROUND PARKING WITH THAT  
5 LIMIT.

6 THIS IS 3. THAT IS AN UNDERGROUND PARKING --  
7 THAT IS AN ABOVE-GROUND PARKING STRUCTURE.

8 1 AND 2 ARE THE ABOVE-GROUND PARKING STRUCTURES  
9 FOR THE BEVERLY HILLS HIGH SCHOOL. THEY ARE ACTUALLY PART  
10 OF OUR LAND. BUILDING 6 -- SCHOOL DISTRICT. I'M SORRY.  
11 PART OF THE BEVERLY HILLS HIGH SCHOOL PROPERTY.

12 THIS IS BUILDING 6, WHICH AGAIN IS A LOWER LEVEL  
13 OFFICE BUILDING.

14 AND THIS IS THE NEW 10000 WILSHIRE --  
15 10000 SANTA MONICA CONDOMINIUM SITE WHICH WAS JUST  
16 APPROVED BY THE CITY OF LOS ANGELES, I BELIEVE, LAST  
17 MONTH. NO COMMENT ON THAT FACT THAT A 39-STORY STRUCTURE  
18 WAS APPROVED WITHOUT ANY CONCERN ABOUT AND WITH A  
19 SIGNIFICANT STUDY SHOWING THAT THERE WAS NO DANGER OF  
20 FAULT ACTIVITY ON THAT LOCATION.

21 NOW, LET ME SUGGEST THAT IT IS NOT ONLY POSSIBLE  
22 BUT FEASIBLE, AS BEST WE CAN TELL -- AND SURELY THIS IS  
23 SUBJECT TO FURTHER INVESTIGATION -- TO PUT A STATION SITE  
24 ON CENTURY CITY AND STILL NOT HAVE TO GO THROUGH BEVERLY  
25 HILLS HIGH SCHOOL. WE HAVE THREE ALIGNMENTS THAT WE CAN

1 DRAW THAT WILL WORK OUT.

2 FIRST OF ALL, THIS IS ALIGNMENT OPTION NUMBER 1.  
3 YOU'LL NOTICE THAT THE STATION HAS BEEN MOVED SOMEWHAT TO  
4 THE WEST BUT STILL INTERSECTS WITH AVENUE OF THE STARS,  
5 AND THEN IT CURVES UPWARD -- AND I WILL EMPHASIZE THAT IT  
6 CURVES IN A WAY THAT IS SATISFACTORY FOR METRO  
7 STANDARDS -- MISSES THE WATT TOWERS SO THAT ONE DOES NOT  
8 HAVE TO TUNNEL UNDERNEATH THEM, GOES THROUGH BUILDING 12,  
9 WHICH AS I SAID IS SIMPLY A PARKING STRUCTURE WITH ONLY  
10 2 1/2 STORIES UNDERGROUND. I KNOW BECAUSE I DROVE UP AND  
11 DOWN IT TO MAKE SURE. THE THINGS I DO FOR THE QUEEN.

12 IT MISSES BUILDING D COMPLETELY. IT MISSES  
13 BUILDING 6 COMPLETELY. IT MISSES THE 39-STORY TOWER WHICH  
14 PROBABLY HAS DEEP FOUNDATION. IT MISSES THE HIGH SCHOOL  
15 SITE COMPLETELY. AND IT CURVES OVER AND JOINS ONTO  
16 SANTA MONICA BOULEVARD AT A LOCATION THAT IS EAST OF ALL  
17 OF THE IDENTIFIED SANTA MONICA FAULT ZONE STRUCTURES.

18 IN SHORT, THE ANALYSIS OF ALIGNMENT NUMBER 1  
19 SHOWS YOU THAT IT AVOIDS ALL THE STRUCTURES EXCEPT FOR A  
20 PARKING STRUCTURE. ASIDE FROM BUILDING 12, THE PARKING  
21 STRUCTURE, IT GOES ONLY VACANT LAND, OPEN SPACE,  
22 LANDSCAPING, AND/OR MAJOR ROADWAYS WHICH SURELY WILL  
23 REDUCE THE ACQUISITION COST. IT COMPLIES WITH ALL METRO  
24 REQUIREMENTS FOR TUNNELS -- AND, AGAIN, WE'VE HAD THIS  
25 EXAMINED BY SEVERAL EXPERTS. THIS IS NOT JUST ME

1 TALKING -- INCLUDING THE CURVED RADIUS RESTRICTIONS.

2 IT AVOIDS THE SANTA MONICA FAULT ZONE COMPLETELY.  
3 AND IT ONLY CROSSES THE BEVERLY HILLS LINEAMENT IN A  
4 PERPENDICULAR DIRECTION.

5 AND I HAVE TO STOP HERE FOR A BRIEF EXPLANATION.  
6 I'M NOT GOING TO PUT ON EXPERT TESTIMONY. BUT ANY OF THE  
7 GEOLOGISTS CAN ATTEST TO YOU THAT WHEN YOU'RE LOCATING A  
8 STATION, IT'S CRITICAL TO KNOW WHERE THE FAULT STRUCTURE  
9 IS. WHEN, HOWEVER, YOU'RE LOCATING A TUNNEL, IT IS NOT AS  
10 CRITICAL. AND IN FACT, THE ONLY TIME THAT A TUNNEL POSES  
11 AN INSUPERABLE PROBLEM IS IF THE FAULT STRUCTURE IS  
12 PARALLEL TO THE TUNNEL.

13 IF THE TUNNEL IS GOING TO CROSS THE FAULT  
14 STRUCTURE IN A PERPENDICULAR WAY, THAT IS LIKE A "T,"  
15 IN FACT, YOU CAN DESIGN FOR THAT. AND, IN FACT, IT WOULD  
16 BE VIRTUALLY IMPOSSIBLE TO BUILD ANY SUBWAY IN ANY MAJOR  
17 METROPOLITAN AREA WITHOUT CROSSING FAULTS. YOU SIMPLY  
18 HAVE TO DO IT IN A FASHION LIKE THAT.

19 IF YOU LOOK AT THE DIAGRAMS, YOU WILL SEE THAT  
20 WHEN YOU REACH THE BEVERLY HILLS LINEAMENT AREA, THE  
21 STRUCTURE IS RUNNING VIRTUALLY PERPENDICULAR AND THEREFORE  
22 SHOULD NOT BE AN ISSUE.

23 THAT TAKES US TO OPTION NUMBER 2, WHICH IS, YOU  
24 CAN SEE, TAKES THE STATION SITE SOMEWHAT FURTHER TO THE  
25 WEST AND SPLITS THE STATION SITE INTO TWO. ONE IS THE

1 STATION; THE OTHER IS THE CROSS-OVER PORTION OF THE  
2 STATION WHICH CAN RUN THROUGH THIS VACANT PARCEL OVER  
3 HERE. I DON'T KNOW WHAT THE DEVELOPMENT PLANS ARE FOR  
4 THIS PARCEL.

5 I KNOW THAT I'VE BEEN AROUND FOR 30 YEARS, AND  
6 THEY'VE TALKED ABOUT DEVELOPING IT THAT ENTIRE TIME AND  
7 STILL HAVEN'T. SO I DON'T KNOW WHERE IT'S GOING.

8 YOU COULD PUT THE ENTIRE STATION AND THE  
9 CROSSOVER HERE IF YOU WANTED TO. WE THOUGHT IT BETTER TO  
10 SPLIT THEM. YOU GO AGAIN THROUGH BUILDING 12 AND A SMALL  
11 PORTION OF BUILDING 16 WHICH IS, AS I SAID, ALSO A PARKING  
12 STRUCTURE.

13 YOU ALSO CROSS UNDER BUILDING 6 WHICH AGAIN  
14 APPEARS TO HAVE SUFFICIENT SAFE UNDERGROUND STATUS TO  
15 PROVIDE FOR A TUNNEL, AND THEN IT GOES OVER HERE. THE  
16 ANALYSIS FOR THIS PARTICULAR SITE IS THAT IT ONLY CROSSES  
17 UNDER A COUPLE OF BUILDINGS, 16 AND 12 AND THEN 6.

18 IN SHORT, IT'S EQUIVALENT TO THE OTHER SITE. IT  
19 IS HOWEVER A MUCH STRAIGHTER LINE AND MUCH EASIER FACILITY  
20 TO ADVANCE.

21 THE THIRD ALIGNMENT IS ONE THAT WE CREATED IN AN  
22 ATTEMPT TO KEEP THE STATION FOR CONSTELLATION IN THE SAME  
23 LOCATION. AND AS YOU AS YOU CAN SEE, HERE'S WHERE THE  
24 EXISTING STATION STARTS. HERE'S WHERE THIS DIAGRAM  
25 STARTS.

1                   SO IT'S ESSENTIALLY THE CONSTELLATION STATION  
2           THAT HAS BEEN PROPOSED BY METRO. IT THEN CURVES UP  
3           THROUGH HERE, GOING THROUGH BUILDING 9 WHICH IS --  
4           WE SAID, DOES NOT HAVE A GREAT DEAL OF SUBTERRANEAN  
5           CLEARANCE AND THEN BUILDING 4 WHICH IS THE PARKING  
6           STRUCTURE, BUILDING 8 WHICH SIMILARLY HAS 2 1/2 STORIES.  
7           BUILDING 3 WAS SUCH A PARKING STRUCTURE. AND ALTHOUGH IT  
8           APPEARS TO CLIP THE 10000 SANTA MONICA SITE, IN FACT, IT  
9           CAN BE DESIGNED SUCH THAT IT DOES NOT DO SO.

10                   HEARING OFFICER DROOYAN: LET'S BACK UP TO THAT  
11           LAST SLIDE.

12                   MR. MC MURRY: THIS WAS NOT SUPPOSED TO BE HERE.  
13           THIS IS MY IDEA OF AN EXAMPLE OF GOOD ALIGNMENT. AND RICK  
14           WAS SUPPOSED TO TAKE THAT SLIDE OUT, AND HE DIDN'T.

15                   RICK: SORRY, SIR.

16                   MR. MC MURRY: THAT'S OKAY. IT IS A 1984 WINNER  
17           OF THE POSTER CONTEST AT THE UNIVERSITY OF WASHINGTON  
18           PRIOR TO THE GAME. WE LOST THE HOMECOMING GAME, BUT I GOT  
19           TO MARRY THE GIRL, SO IT WORKED OUT FINE.

20                   NEXT, GO ON TO MORE SERIOUS MATTERS. LET ME TELL  
21           YOU WHAT WE BELIEVE THE BOARD SHOULD DO AT THIS POINT.  
22           RIGHT NOW YOU'RE BEING ASKED TO DECIDE WHERE THE SUBWAY  
23           SHOULD GO. THAT'S A CRITICAL CHOICE THAT AFFECTS  
24           BUSINESS; RESIDENTS; BEVERLY HILLS HIGH SCHOOL STUDENTS  
25           FACULTY, STAFF; ALL OF US, AS YOU CAN SEE FROM THE FACT

1 THAT THERE IS A SIGNIFICANT TURNOUT OF CONCERNED PEOPLE  
2 HERE.

3 AND RIGHT NOW YOU'RE BEING TOLD BY METRO YOU  
4 SHOULD MAKE AN ALIGNMENT DECISION. AND THAT DECISION IS  
5 BEING DRIVEN MOSTLY BY POLITICAL AND ECONOMIC REASONS, NOT  
6 BY ENGINEERING CONCERNS AS SHOWN BY THE FACT THAT MOST OF  
7 THE ENGINEERING STUFF HAS NOT BEEN DONE.

8 RIGHT NOW YOU DON'T HAVE THE DATA NECESSARY TO  
9 MAKE THAT DECISION. YOU'RE, IN EFFECT, GIVEN A CHOICE  
10 BETWEEN TWO ALIGNMENTS, ONE OF THEM, THE SANTA MONICA SITE  
11 WHICH ARGUABLY MAY HAVE SOME PROBLEMS BUT THAT'S NOT CLEAR  
12 VERSUS A SITE THAT'S NEVER BEEN INVESTIGATED AT ALL. AND  
13 SOMEHOW YOU'RE SUPPOSED TO MAKE THE DECISION THAT "WELL,  
14 IF WE'VE NEVER INVESTIGATED AT ALL, THAT'S BETTER THAN A  
15 SITE THAT HAS SOME PROBLEMS, SO LET'S VOTE." DOESN'T MAKE  
16 SENSE.

17 THE SANTA MONICA SITE HAS NOT FULLY BEEN  
18 INVESTIGATED. IT MAY HAVE MITIGATING CIRCUMSTANCES. WE  
19 DON'T KNOW. THE CONSTELLATION SITE COULD TURN OUT TO HAVE  
20 GREATER PROBLEMS THAN THE SANTA MONICA SITE FOR ALL WE  
21 KNOW.

22 IT'S BEEN POINTED OUT BY YOUR GEOLOGISTS THAT,  
23 YOU KNOW, TRENCHING IS THE BEST WAY TO DO THESE THINGS.  
24 THE CONSTELLATION BOULEVARD IS SITTING RIGHT ON TOP OF A  
25 GIGANTIC VACANT LOT WHICH IS A 40-FOOT HOLE IN THE GROUND.

1       THERE'S NEVER BEEN ANY SUGGESTION THAT TRENCHING SHOULD BE  
2       DONE TO ANSWER THESE QUESTIONS.

3                 FOR THAT MATTER, THE SANTA MONICA STATION IS  
4       LOCATED ON SANTA MONICA BOULEVARD WHICH IS IMMEDIATELY  
5       ADJACENT TO THE BEVERLY HILLS COUNTRY CLUB.  AND YOU HAVE  
6       THE POWER OF CONDEMNATION.  IS THERE SOME REASON WHY YOU  
7       CAN'T DO SOME TRENCHING THERE?  WHY ARE THESE QUESTIONS  
8       STILL BEING DEBATED IN A, YOU KNOW, FOUR-HOUR HEARING  
9       WHEN, IN FACT, THESE QUESTIONS COULD BE ANSWERED?

10                AND EVEN IF CONSTELLATION TURNS OUT TO BE YOUR  
11       CHOICE OF SITES -- EVEN IF AND I DON'T ARGUE THAT -- THEN  
12       THERE ARE OTHER TUNNEL OPTIONS WHICH COULD AVOID GOING  
13       UNDER BEVERLY HILLS HIGH SCHOOL.

14                IF THAT'S TRUE -- AND I SAY "IF" BECAUSE I'M NOT  
15       SUGGESTING THAT THE INVESTIGATION'S BEEN DONE YET.  IF  
16       THAT'S TRUE, THEN YOU COULD AVOID -- YOU COULD HAVE A  
17       CONSTELLATION SITE; YOU COULD AVOID BEVERLY HILLS HIGH  
18       SCHOOL AND ALL THE STUFF THAT YOU'RE GOING THROUGH RIGHT  
19       NOW; AND IN FACT, YOU COULD DO SO WITHOUT ANY FURTHER  
20       SINGLE CLEARANCE.  I WON'T ARGUE THAT POINT, BUT THAT'S MY  
21       OPINION, AND IT'S OTHERS AS WELL.

22                AND THE QUESTION IS:  WHY NOT DO THAT?  WHY  
23       WASN'T THAT INVESTIGATED?  WHY DIDN'T WE LOOK AT  
24       ALTERNATIVE SITES?  THESE MAY NOT BE THE ONLY THREE.  
25       THERE MAY BE ENGINEERS WHO COULD CAME UP WITH BETTER ONES.



1 THE POINT IS NOBODY EVER CAME UP WITH THEM.

2 AND WE BELIEVE THAT THOSE QUESTIONS SHOULD BE  
3 ANSWERED BEFORE YOU HAVE TO MAKE A DECISION, AND NOW IS  
4 NOT THE TIME TO MAKE THAT DECISION. OTHERWISE YOU'RE  
5 GOING TO SHORTCHANGE US. YOU'RE GOING TO SUBJECT METRO TO  
6 GREATER DELAYS DUE TO LITIGATION, AND EVEN WORSE  
7 CONSEQUENCE IS IF YOU LOSE THE LITIGATION.

8 ALL TOLD, IT'S A BETTER DECISION, IT SEEMS TO US,  
9 TO CHOOSE ONE OF THE ALTERNATIVES. AND IF YOU WANT TO  
10 GAMBLE ON IT AND GO FORWARD IN THE NEXT WEEK OR TWO, BE MY  
11 GUEST, BUT IT'S NOT A GOOD BET RIGHT NOW. SO DON'T DO IT.

12 THAT CONCLUDES OUR PRESENTATION UNLESS ANYBODY  
13 HAS ANY QUESTIONS.

14 HEARING OFFICER DROOYAN: MR. WIENER.

15 MR. WIENER: I WILL WRAP UP IN THE NEXT MINUTE  
16 AND A HALF --

17 HEARING OFFICER DROOYAN: OKAY.

18 MR. WIENER: -- BY 5:15.

19 WE THANK YOU FOR YOUR TIME AND ATTENTION TODAY.  
20 WE REALIZE IT WAS A LENGTHY HEARING. WE BELIEVE IT WAS AN  
21 IMPORTANT PRESENTATION TO PRESENT.

22 WHAT DID WE HEAR? WE HEARD THAT IT APPEARS THE  
23 WEST BEVERLY HILLS LINEAMENT IS NOT A FAULT. IT APPEARS  
24 THAT THERE IS STRONG EVIDENCE THAT THE SANTA MONICA  
25 BOULEVARD LINEAMENT, AS DR. KENNEY REFERRED TO IT, IS NOT

1 AN ACTIVE FAULT.

2 WE HEARD FROM DR. MEDHEKAR THAT THERE HAS BEEN NO  
3 RISK ANALYSIS. THERE ARE RISKS TO BEVERLY HILLS HIGH  
4 SCHOOL FROM TUNNELING UNDERNEATH BEVERLY HILLS HIGH  
5 SCHOOL, BUT THERE HAS BEEN NO RISK ANALYSIS, NOT A  
6 QUANTITATIVE RISK ANALYSIS, NOT EVEN A QUALITATIVE RISK  
7 ANALYSIS THAT COMPARES THE RISKS OF GOING UNDER  
8 SANTA MONICA BOULEVARD OR HAVING A STATION AT SANTA MONICA  
9 BOULEVARD VERSUS TUNNELING UNDER BEVERLY HILLS HIGH  
10 SCHOOL.

11 AND WE PROBABLY DON'T HAVE THE SCIENCE YET TO  
12 REALLY DO A PROPER RISK ANALYSIS BECAUSE WE HAVEN'T DONE  
13 THE INVESTIGATION, THE SEISMIC INVESTIGATION, THAT COULD  
14 BE UNDER SANTA MONICA BOULEVARD AND AT THE CONSTELLATION  
15 STATION.

16 SO WHERE DOES THAT LEAVE US? AS I SAID AT THE  
17 BEGINNING, I BELIEVE WE STILL HAVE CHOICES. I BELIEVE  
18 THAT IT IS UNREASONABLE TO CHOOSE A CONSTELLATION  
19 BOULEVARD STATION AND AN ALIGNMENT UNDER BEVERLY HILLS  
20 HIGH SCHOOL WHILE YOU STILL HAVE INFORMATION THAT YOU NEED  
21 TO MAKE AN INFORMED DECISION.

22 AND THAT IS WHAT NEEDS TO BE DONE. WE NEED TO --  
23 IF YOU -- IF THE INFORMATION THAT HAS BEEN PRESENTED TO  
24 YOU TODAY IS NOT SATISFACTORY, WE SHOULD BE LOOKING FOR  
25 DEFINITIVE INFORMATION REGARDING WHETHER OR NOT THERE IS

1 AN ACTIVE FAULT UNDER SANTA MONICA BOULEVARD AND WHETHER  
2 OR NOT ONE OF THE ALTERNATIVE ROUTES THAT WE HAVE  
3 SUGGESTED COULD REACH CONSTELLATION BOULEVARD AND AVOID  
4 BEVERLY HILLS HIGH SCHOOL AND PERHAPS EVEN AVOID THE ISSUE  
5 OF WHETHER OR NOT THERE IS A SEISMIC RISK TO PUTTING A  
6 STATION AT SANTA MONICA BOULEVARD.

7 WE IMPLORE YOU TO TAKE THE TIME BECAUSE YOU HAVE  
8 THE TIME TO MAKE THE RIGHT CHOICE.

9 AND WE THANK YOU FOR TAKING THAT UNDER  
10 CONSIDERATION AND YOUR ATTENTION TODAY.

11 HEARING OFFICER DROOYAN: THANK YOU, MR. WIENER.

12 MADAM SECRETARY, DO YOU HAVE --

13 THAT IS THE END OF YOUR PRESENTATION, I TAKE IT?

14 MR. WIENER: YES.

15 MR. FASANA: DOES THAT CONCLUDE THE HEARING? I  
16 NEED TO LEAVE IMMEDIATELY.

17 HEARING OFFICER DROOYAN: WE'RE JUST ABOUT READY  
18 TO CONCLUDE IT. ONE QUESTION, AND THEN THE SECRETARY'S IS  
19 GOING TO READ --

20 MR. ANTONOVICH: QUESTION FOR MTA STAFF. IF THE  
21 MTA DID BUILD A TUNNEL UNDER THE HIGH SCHOOL, WHAT TYPE OF  
22 APPROVAL DOES THE SCHOOL DISTRICT NEED FROM MTA TO  
23 CONSTRUCT ABOVE OR ADJACENT TO THE TUNNELS? AND HOW CLEAR  
24 ARE THOSE REQUIREMENTS FOR APPROVAL IF THEY ARE ARBITRARY  
25 OR DEFINED?

1                   AND IS THERE A SET OF RULES OR DESIGNED CRITERIA  
2                   AND STANDARDS FOR ADJACENT CONSTRUCTION?   AND DO THOSE  
3                   RULES GOVERN WHAT A PROPERTY OWNER CAN BUILD OVER THE  
4                   TUNNELS AND WHAT THE PROPERTY OWNER CAN BUILD ADJACENT TO  
5                   THE TUNNELS?

6                   ESSENTIALLY, IS THE SCHOOL DISTRICT CEDING  
7                   CONTROL OVER ITS FUTURE DEVELOPMENT ON PLANS TO LEVEL --  
8                   ANY LEVEL DISCRETION EXERCISED BY THE MTA.   AND ARE THE  
9                   RULES FOR APPROVAL OBJECTIVE AND ESTABLISHED ENOUGH SO  
10                  THAT MTA CANNOT ARBITRARILY REFUSE PLANS BY THE SCHOOL  
11                  DISTRICT?

12                  AND THAT'S ART OR --

13                  MR. LEAHY:   I'LL JUST SAY, WE DON'T HAVE STAFF  
14                  HERE AT THE MEETING TO ANSWER THAT QUESTION, BUT WE'LL  
15                  COME PREPARED AT THE NEXT MEETING TO DO SO.

16                  MR. ANTONOVICH:   AND THEN ALSO IF TAKEN BY  
17                  EMINENT DOMAIN, DOES MTA THEN CONTROL THE PROPERTY OWNER'S  
18                  ABILITY TO BUILD ON HIS OR HER PROPERTY AFTER THE TUNNELS  
19                  ARE BUILT BY THE MTA?

20                  AND SECONDLY, PAST EXPERIENCE THAT MTA HAS HAD  
21                  WITH PROPERTY OWNERS WHO WANTED TO BUILD OVER MTA TUNNELS.  
22                  HAVE WE DEALT WITH THAT?   HOW MANY SUCH OWNERS AND  
23                  INSTANCES?   WHEN DID THEY NEED TO PROVIDE -- WHAT DID THEY  
24                  NEED TO PROVIDE TO MTA BEFORE BUILDING?   THE TIME FRAME IT  
25                  TOOK FOR THEM TO APPROVE OR DENY THOSE REQUESTS?   THE COST

1 THAT MTA BILLED THE PROPERTY OWNERS TO GO THROUGH THAT  
2 PROCESS AND ANY ADDITIONAL CONSTRUCTION COSTS THAT THESE  
3 PROPERTY OWNERS INCURRED DUE TO THAT REQUIREMENT. SO  
4 THOSE QUESTIONS.

5 HEARING OFFICER DROOYAN: THANK YOU. OKAY.  
6 THAT'S GOING TO CONCLUDE THE HEARING.

7 MADAM SECRETARY, WOULD YOU PLEASE READ YOUR  
8 STATEMENT.

9 MS. JACKSON: THE NOTICE OF INTENT TO HOLD THE  
10 PUBLIC WAS MAILED TO ALL 88 CITIES WITHIN LOS ANGELES  
11 COUNTY; THE BOARD OF SUPERVISORS OFFICES FOR LOS ANGELES,  
12 ORANGE, SAN BERNARDINO, RIVERSIDE, AND VENTURA COUNTIES;  
13 AND PUBLISHED ON THE INTERNET.

14 AFFIDAVITS OF PUBLICATION WILL BE FILED WITH THE  
15 METRO SECRETARY AND MADE AVAILABLE IN THE SECRETARY'S  
16 OFFICE FOR REVIEW.

17 HEARING OFFICER DROOYAN: THANK YOU. I WILL MAKE  
18 SURE THAT THIS ALL GETS IN AS PART OF THE RECORD. THAT  
19 CONCLUDES THE HEARING.

20

21 (WHEREUPON THE PROCEEDINGS  
22 WERE ADJOURNED AT 5:19 P.M.)

23

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24

25

1 STATE OF CALIFORNIA )  
 ) SS.  
2 COUNTY OF LOS ANGELES )

3

4 I, MARCIA S. MC ENTEE, A CERTIFIED SHORTHAND  
5 REPORTER IN AND FOR THE STATE OF CALIFORNIA, DO HEREBY  
6 CERTIFY:

7 THAT ON THURSDAY, MAY 17, 2012, I DID REPORT IN  
8 STENOGRAPHIC WRITING ALL OF THE TESTIMONY AND PROCEEDINGS  
9 IN THE FOREGOING PROCEEDINGS;

10 THAT SAID PROCEEDINGS WERE THEREAFTER REDUCED  
11 TO A TRANSCRIPT UNDER MY DIRECTION;

12 I FURTHER CERTIFY THAT THE FOREGOING IS A  
13 FULL, TRUE, AND CORRECT TRANSCRIPT OF SAID TESTIMONY AND  
14 PROCEEDINGS.

15 I FURTHER CERTIFY THAT I AM NEITHER COUNSEL  
16 FOR NOR RELATED TO ANY PARTY TO SAID ACTION, NOR IN  
17 ANYWISE INTERESTED IN THE OUTCOME THEREOF.

18 IN WITNESS WHEREOF, I HAVE HEREUNTO  
19 SUBSCRIBED MY NAME THIS 21ST DAY OF MAY, 2012.

20

21

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23

\_\_\_\_\_  
MARCIA S. MC ENTEE, CSR NO. 13399

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