

Attachment B:

**Comments and Responses on the
Final Environmental Impact Statement (FEIS)**

December 2011

Agency Comments Received on the FEIS and FTA Responses

The Notice of Availability of the FEIS was published in the Federal Register on September 9, 2011. The review period to receive public and agency comments concluded on October 10, 2011.

FTA received two letters from local, state, and federal agencies commenting on the FEIS. The Office of the Mayor for the City of Inglewood submitted a letter requesting that the Cut and cover crossing at Centinela design option be incorporated into the project as a betterment to preserve the viability of funeral procession routes for Inglewood Cemetery and the safety of students attending St. Mary's academy. The letter also requested that LACMTA continue to work with the City of Inglewood to ensure that the appropriate safety measures are incorporated into the project design. The EPA also submitted a letter stating that their previous concerns identified in a letter during circulation of the DEIS have been addressed in the FEIS and to continue working with the community throughout the project. Summaries of the comment and FTA's response follow:

- In consideration of the City of Inglewood's comments, FTA will review with LACMTA the appropriate course of action related to the cut and cover crossing at Centinela design option in the case that the City of Inglewood does demonstrate the ability to fund the design option as a betterment. The Design Option is described and analyzed in the FEIS. In addition, FTA will continue to work with LACMTA throughout the planning and design of the project to ensure that the appropriate safety measures are incorporated.
- FTA acknowledges that outstanding issues rose by the EPA during the circulation of the DEIS have been addressed and resolved. FTA will continue to work with community members through future design and construction of the project to minimize adverse impacts and build a system that meets the needs of the community.

Public Comments Received on the FEIS and Responses

Through the close of the review period, one hundred five (105) comment letters or emails were received from public individuals or groups. Most of these comments were essentially similar to comments submitted on the DEIS, and the FEIS contains the FTA response. Nevertheless, FTA reconsidered the duplicative comments and the new comments before making the decision presented in this ROD. New comments generally pertain to revised language in the FEIS or to the FTA response to previous comments made by the individual or organization. Fifty-eight of the letters or emails were related to support for specific project elements. Four of the comment letters or emails specifically related to comments on the FEIS. The major themes presented in the comments are:

- Support for inclusion of the Crenshaw/Vernon (Leimert Park) Station into the project
- Support for inclusion of a fully grade-separated segment along Crenshaw Boulevard
- Support for inclusion of Manchester/Aviation (Westchester) Station into the project

The following topics related to specific issues in the FEIS

- Project description, review periods and opportunity for public comment on design refinements made after the DEIS
- Construction cost estimates and specifics regarding project design elements
- Consideration of Additional Alternatives

- Cost and Financial Plan for the Project
- Request for community involvement in the planning, design, and construction of the project
- Consistency with land use policies
- Noise impacts of the Project
- Traffic Analysis
- Visual impacts of at-grade segment
- Inclusion of Florence/Centinela grade crossing into the project
- Opposition to the Site #14 Maintenance Facility Site
- Concern over elimination of parking along Crenshaw Boulevard
- Construction impacts and business disruption during at-grade construction
- Deferred mitigation and secondary impacts
- Characterization of impacts of at-grade segment along Crenshaw Boulevard

The following discussion summarizes these major comments on the Final EIS and the FTA response and resolution to those comments.

Support for inclusion of the Crenshaw/Vernon (Leimert Park) Station into the project

Sixty-nine comments cited general support for the inclusion of a Crenshaw/Vernon Station. Some stated opposition to the entire project if this project feature is not included. At its May 26, 2011 meeting, the LACMTA Board considered whether to add the Crenshaw/Vernon Station to the Project Definition and whether to add funding to the project to cover the additional cost. Over 200 members of the community attended the Board meeting and oral testimony extending over two hours was received as comment to the proposed motion. The issue was resolved as the LACMTA Board directed staff to include the Crenshaw/Vernon Station as a bid option (separate from the base project definition) during the procurement of design-build contracts. A determination of whether the station will be included into the base project definition will be made if proposed costs align with project funding.

Support for inclusion of a below grade-separation in the Park Mesa Heights Neighborhood

Eighty-one comments cited general support for a below-grade separation in the Park Mesa Heights neighborhood, which includes the alignment between 48th and 59th streets along Crenshaw Boulevard and the station at Crenshaw and Slauson. Some commenters stated opposition to the entire project if this project feature is not included.

A below-grade alternative from 48th Street to 59th Street has been studied and considered throughout the planning and design phases during the Crenshaw/LAX Transit Corridor Project. Grade separation decisions are determined by consideration of a number factors related to technical design or environmental criteria. To provide a standard methodology for determining whether grade crossings along light rail lines should be grade separated or at-grade, the Metro Board adopted and published a “Policy for Grade Crossings for Light Rail Transit” on December 3, 2003. The policy established consistent criteria for evaluating operational, safety, institutional and financial issues. It also recognized that decisions about grade crossings are made under complex circumstances that include the interests of local, state and federal governments, communities near the rail line, and LACMTA. The policy established a process of several steps where individual grade crossings are evaluated in progressively greater detail to determine the conditions under which light rail trains may operate through a crossing efficiently and safely at-grade. The determination of the horizontal and vertical alignments (at-grade or below-grade) at all grade crossings including those in the Park Mesa Heights neighborhood was made

based on application of the Policy for Grade Crossings for Light Rail Transit. Before making its final determination for each grade crossing, LACMTA completed a number of studies, including early studies for the Crenshaw-Prairie Transit Corridor (1994), the “2003 Crenshaw Prairie Corridor Major Investment Study (MIS),” the “Crenshaw/LAX Transit Corridor Project Alternatives Analysis/Draft Environmental Impact Statement/Draft Environmental Impact Report (AA/DEIS/DEIR)” (August 2009), and the “Crenshaw/LAX Transit Corridor Park Mesa Heights Grade Separation Analysis” (June 2010) (PMHGS Analysis). Discussions of this process and the above studies have been shared with the community through a series of public meetings and dialogue. As a result of these studies, the proposed alignment includes below-grade and at-grade separations along the entire alignment (see illustration at page ES-19 of FEIS/FEIR). At its May 26, 2011 meeting, the LACMTA Board considered whether to add the below-grade grade separation in the Park Mesa Heights Neighborhood (between 48th and 59th Street) to the Project Definition and whether to add funding to the project to cover the additional cost.

Support for inclusion of Manchester/Aviation (Westchester) Station into the project

Five comments cited support for the inclusion of the optional station at Aviation/Manchester (Westchester). There were many comments received during the circulation of the DEIS that opposed a station, park and ride, and a maintenance facility built near Manchester and Hindry Avenues. The optional Manchester Station was included as an optional station upon adoption of the Locally Preferred Alternative in response to the negative response to all or a portion of the station and due to relatively low initial ridership projections. Since the adoption of the LPA, two expressions of this optional station were explored with the community – an aerial crossing over Manchester Avenue and an at-grade configuration at Hindry. While there are new comments in support of the station in either configuration, the LACMTA board has not directed its inclusion in the Project Definition. The cost of the either configuration would be outside of the project budget. The design of the project is being developed to allow for the at-grade version of the station to be included at a later time with any required update to additional environmental clearance if funds and public consensus related to such a station are identified and secured.

Project description, review periods and opportunity for public comment on design refinements made after the DEIS

Comments were made on the project description and the length of review periods. A detailed project description was provided throughout the environmental process, increasing in detail as engineering designs were refined, allowing for a full evaluation of potential impacts and meaningful comparisons of alternatives. All legally required public circulation and review periods for both NEPA and CEQA were satisfied, and often times extended to receive additional comments on the project. Comments on the FEIS were also received concerning refinements that were made after the DEIS was circulated for comment. The selection of the LPA provided the starting point for the detailed design of the project. As the project detail increases, the LPA typically evolves based on engineering constraints, potentially significant environmental effects, and financial feasibility. The NEPA process allows for refinements to the LPA during the FEIS and FTA evaluates whether recirculation is needed based on those design refinements and environmental effects. The FTA determined that based on the project revisions, that no recirculation of the DEIS was required. The State environmental process requires recirculation when new significant impacts result from a change in the project definition. LACMTA determined that the project refinements were not found to introduce new impacts or increase the severity of previously identified impacts. Where additional property acquisition was required, tenants and property owners were provided notice and given the opportunity to meet with LACMTA staff or provide comment. No

substantive comments were received from the public on these changes during the FEIS review period and the issues have been resolved.

Construction cost estimations and specifics regarding project design elements

One commenter had concerns with the specific and cost estimation of elements of the project. As with all transit projects, the costs for initial design are conservative and include substantial contingencies to address a variety of risk factors. Costs are based on the most recent Metro construction experience for various project design elements. As engineering designs are more refined, costs also become more refined, and potential uncertainty regarding risks are reduced. The costs of the project provided in the environmental document are provided in sufficient detail to allow a meaningful comparison of alternatives and provide the opportunity for the public to evaluate the alternatives. The costs associated with the LPA have been developed through Advanced Conceptual Engineering and have reviewed through a value engineering process. The design-build procurement process will provide the next opportunity for project costs to be refined and a determination of whether cost savings can be achieved. Bids received during the procurement stage will help to determine if cost estimates allow for the inclusion of project features that currently beyond the project budget and inconsistent with the Metro Unified Cost Management Process and Policy. Therefore, this issue has been resolved.

Consideration of Additional Alternatives

A series of Metro and MPO studies of addressed a full range of alternatives in the Crenshaw Study Area and in the Crenshaw Corridor. The current AA/DEIS/FEIS is a document that has evolved from previous studies of the Corridor over the last 13 years. Additional alternatives, design options and refinements to the project had been vetted and screened in previous studies in the Major Investment Study (MIS), AA/DEIS, SDEIS as well the FEIS which evaluated a No Build Alternative, a Transportation Systems Management Alternative, a Bus Rapid Transit Alternative and a Light Rail Transit Alternative. Therefore, the documentation and selection process to date has provided a reasonable range of alternatives for the project and the issue has been resolved.

Cost and Financial Plan for the Project

One commenter points out that the budget established for the project should be expanded to incorporate additional project elements. At its May 26, 2011 meeting, the LACMTA Board considered whether to add funding to the project to cover the additional costs of design options. The additional proposed project elements were determined to be inconsistent with Metro Board adopted Unified Cost Management Process and Policy. This issue was resolved when the Board opted not to increase the established funding for the project through defunding other projects. At its October 27, 2011, the Board considered the adoption of a budget for the Crenshaw/LAX Project.

Request for community involvement in the planning, design, and construction of the project

Several commenters asked for the community to be involved throughout the design and construction of the project. FTA and LACMTA will ensure that these comments are addressed by establishing a community leadership council, having a community project office where community members can voice their concerns about the project, conducting general public meetings as necessary and reaching out to community members through small business outreach and employment outreach. Such actions are documented in the FEIS as mitigation measures and have been and will continue to be a part of

LACMTA's long-standing policies for project management. The community leadership council has already been established. FTA and LACMTA, as part of its mitigation requirements, will establish a construction management plan, which will identify a community liaison and use community input to minimize the effects of construction on the surrounding community. Through these continuing efforts, this issue has been resolved.

Consistency with land use policies

Two commenters commented about the project's consistency with local land use policies. These policies are intended for projects within the applicable jurisdictions. As state and federal agencies, LACMTA and FTA are not subject to individual land use policies. Regardless, the project has been determined to be consistent with these overall plans and the issue has been resolved. In addition, it is believed the project will promote the mobility needs of and economic development for residents, businesses and visitors along the alignment and in the community.

Noise impacts of the Project

Two commenters cited concern about the noise analysis done for the project. The noise analysis was done using FTA methodology and the analysis took into account all potential operational and wayside noise created by the transit system. (The methodology was explained in Appendix F, Regulatory Setting.) Noise impacts from temporary construction may occur in localized areas for short durations. A Noise and Vibration Control Plan will be developed prior to and implemented throughout the construction period.

Traffic Analysis

Two commenters cited concerns with the traffic analysis conducted for the project. The comments do not offer any factual information to invalidate the analysis done for the project and instead focus on components of the analysis. A comprehensive traffic analysis (including state of the art simulations) was completed for the project which took into account transit service, regional transportation, intersection analysis, local circulation, parking, pedestrian circulation, bicycle circulation, and construction.

The delay and level of service for the project was re-analyzed during preparation of the FEIS/FEIR based on coordination with the City of Los Angeles Department of Transportation (LADOT) and design refinements from the advanced conceptual engineering designs and additional intersection counts. Master Response 5 in the FEIS provides a description of a proven and accepted methodology that has been used both in past LACMTA projects and other transportation projects throughout the country. The analysis was done by two traffic engineering firms with substantial experience and relies on state of the art modeling programs that take into account all of the concerns cited by the two commenters. In addition, prior to approval of final design and construction of the project, the Los Angeles Department of Transportation (LADOT) and California Public Utilities Commission (CPUC) will review the traffic and pedestrian flows to support safe and efficient operation of the local transportation network.

Much of one commenter's traffic focus was based on a perceived lack of analysis in existing versus existing plus project conditions. This condition is not pertinent to federal environmental requirements but relates directly to State environmental requirements. The court case decision the commenter refers to (Sunnyvale West Neighborhood Association v. City of Sunnyvale) occurred in December 2010, one year after circulation of the DEIS. In preparation of the FEIS, additional language was added to provide

clarity that the existing versus existing plus project had been taken into account and analyzed. The FEIS analyzed in detail the project in future conditions (2030). The existing versus existing plus project analysis is presented in Table 3-18 of the FEIS. An additional modeling run was conducted to compare regional VHT and VMT and validated that existing conditions would not result in increased impacts. The LACMTA Board weighed whether this CEQA issue had been properly evaluated and subsequently certified the FEIR.

The two commenters also assert that a feasible mitigation measure for traffic operations would be to grade separate the at-grade section of the alignment along Crenshaw Boulevard. The FEIS discusses establishing a signal timing condition to minimize overall intersection delays due to operation of the project. The adoption of the exact signal timing regime is subject to refinement and consultation with LADOT. The FEIS has also determined that no additional feasible mitigation measures would reduce impacts. The LACMTA Board at its May 26, 2011 meeting considered whether to add the proposed grade-separated segment and it was determined to not be consistent with policies related to grade separation, outside of the project funding and, therefore, infeasible.

Visual impacts of at-grade segment

In order to accommodate the station and the at-grade system as it continues north on Crenshaw Boulevard, the mature trees and landscaped medians would be removed. Crenshaw Boulevard would also be reconfigured to remove the frontage roads. The FEIS acknowledges that removal of the large, mature trees within the roadway median and reconfiguration of the frontage roads would affect the character of the streetscape, which currently has a grand-boulevard character. The document further indicates that replacing the landscaped median with a street-grade transit system would affect the character of the setting. The loss of landscaping and vegetation could result in an adverse effect to visual quality and mitigation measures (such as extensive sidewalk widening and landscaping) will be implemented to minimize adverse visual effects of the project operating at-grade through this section of the alignment. With the implementation of mitigation, no adverse impacts to visual resources would occur.

Inclusion of Florence/Centinela grade crossing into the project

Two commenters requested the inclusion of the Florence/Centinela design option into the project. The FEIS and associated grade crossing analysis resolved this issue by determining that the project meets the LACMTA's established policies on determining grade separation, such policies have been applied throughout the design of this project and in the design of other system lines. The studies determined that the project could operate safely at grade through the Centinela Avenue crossing. It is determined that the inclusion of this project feature would only be pursued if outside funding is made available to support what is considered a betterment.

Opposition to the Site #14 Maintenance Facility Site

Two commenters expressed concern about the selection of the Site #14 Arbor Vitae/Bellanca Maintenance Site Alternative. A SDEIS was prepared which analyzed potential maintenance sites for the project. A comprehensive screening of 17 potential sites was completed and the LACMTA Board identified Site #14 as the preferred maintenance facility site for the project. Chapter 5.0 of the FEIS fully analyzes the impacts of the preferred site. No new issues were brought forward since the

circulation of the DEIS. The specific issues raised by the commenters were identified, responded to in the FEIS, and have been resolved.

Concern over elimination of parking along Crenshaw Boulevard

A detailed parking analysis was completed for the project which took into account the existing parking inventory and demand. During operation of the Crenshaw/LAX Transit Corridor Project, access to surrounding businesses and residences would be improved and vehicle trips within the Corridor would be reduced. With removal of the frontage road that parallels Crenshaw Boulevard from 48th to 60th Streets, the existing bus stops would be relocated. Based on the advanced conceptual engineering designs and relocation of the existing bus stops, there is a permanent loss of 142 northbound and 166 southbound on-street parking spaces between 48th and 60th Streets. A parking inventory of on-street parking along Crenshaw Boulevard found that the existing parking was underutilized and the remaining parking after implementation of the project would be sufficient to accommodate the demand and would not be detrimental to the existing businesses along Crenshaw Boulevard. This analysis resolves any concerns about the loss of on-street parking in the Park Mesa Heights section of the Corridor.

Construction impacts and business disruption during at-grade construction

FTA and LACMTA acknowledge that the construction of the light rail line would change traffic patterns, reduce on street parking and change access to local businesses during construction. FTA and LACMTA will work with and coordinate with local businesses to minimize adverse effects from traffic, pedestrian circulation and safety, visual effects, air quality, noise, and the loss of parking and access to businesses and residents to the greatest extent feasible. Although construction of the project would require the loss of on-street parking and reduction in travel lanes, in most instances these are temporary conditions during the construction phase.

Mitigation measures include identifying and limiting trucks to appropriate haul routes to minimize the amount of heavy truck activity during peak and nighttime periods, and providing a community liaison to handle community concerns and minimize the impacts to businesses and residents. Implementation of these mitigation measures would provide a comprehensive array of construction management and abatement measures that would reduce the significant impacts of construction activity for adjacent commercial districts and residential neighborhoods to less than significant. Because these effects are associated with the construction phases and are short-term in nature, no permanent significant impacts are anticipated.

Deferred Mitigation Measures and Secondary Impacts

The mitigation measures provided in the FEIS are included in a Mitigation Monitoring and Reporting Program, which is a legally enforceable process to ensure that the measures are carried out. The mitigation measures identified in the FEIS are tied to performance standards and are not deferred. In addition, the mitigation measures proposed in the FEIS would not introduce any secondary impacts. At this stage in the planning process, it is appropriate to allow the contractor to select the specific methods to comply with the proscribed performance standards. The mitigation measures are to be included as specifications in the design build contract and failure to include them would result in a breach of contract. LACMTA is responsible as the enforcement agency and will ensure that the mitigation measures are enforced.

Characterization of impacts of at-grade segment along Crenshaw Boulevard

Three commenters asserted that the impacts of an at-grade alignment in Park Mesa Heights had not been adequately analyzed related to air pollution clusters, negative economic effects, comprehensive cost estimation, the historic relationship of Leimert Park “Red Car Station”, pedestrian safety, barrier to community from flow of light rail vehicles, a Park Mesa Grade Separation incorporated as mitigation, traffic, Spanish translation of the document, comparison of existing to existing with project, segmentation, and deferred mitigation. See the above discussions for resolutions to issues involving cost estimation, deferred mitigation. Many of these issues were identified during the circulation period of the DEIS and responded to and resolved.

The air quality analysis for the project took into account localized air quality hot spots that could occur with idling cars at intersections and no significant impacts were found to occur.

The project is anticipated to generate two thousand direct construction jobs over a five year period (approximately 400 per year). In addition, implementation of mitigation measures would provide for construction planning to reduce impacts from the inconvenience and/or disruption to the flow of customers, employees, and materials and supplies to and from corridor businesses. The provision of these mitigation measures would provide information to property owners and businesses and provide an outlet for them to communicate their concerns and ensure that impacts remain less than significant. The economic and fiscal effects discussed address regional economic activity, long-term operations, employment, government revenues, and likely long-term effects on adjacent businesses and business districts. Only the later effect would result from physical changes in the environment – primarily the acquisition of property, displacement of building structures, and potentially the construction of the rail tracks for the LRT line. The project would provide transit infrastructure in a transit dependent community, providing for the future sustainability of the area. No urban decay would result from implementation of the project. Therefore, the impacts related to economic and fiscal effects have been resolved.

Two commenters asserted that historical significance of Red Car system was not taken into account. The document acknowledges that the Line 5 Yellow Car (Los Angeles Railway) trolley system operated through the Crenshaw Corridor and Leimert Park area. This system was separate from the Pacific Electric (“Red Car”) system, did not require extensive station infrastructure, and included several frequent trolley-car type stops along the route for its riders. FTA and LACMTA are not attempting to recreate the trolley system and its functionality is based on existing transit demand. A similar type frequent service to Leimert Park that the Yellow Car system had would be evident with the bus routes that currently operate between the Crenshaw/King Station to the Leimert Park area. There is no physical layout of land uses in the Leimert Park area or historical monuments or placards to indicate the historical significance of a station within the Leimert Park area.

Appropriate pedestrian crossing control devices for at-grade crossings are critical for rail system safety. In addition to standard cross-walk markings, control devices for pedestrian crossings include flashing light signals, signs, markings along the outside of the rail line, curbside pedestrian barriers, pedestrian automated gates, swing gates, bedstead barriers and crossing channelization. When the light rail transit line is at-grade, it would operate in a semi-exclusive right-of-way separated from automobile traffic by a raised curb. Pedestrians are permitted to cross the street at designated crosswalk locations during protected pedestrian signal phases in which light rail vehicles are not present. Each crossing will be reviewed during design based on the California Public Utilities Report “Pedestrian – Rail Crossings in

California.” Pedestrians crossing Crenshaw Boulevard across the light rail tracks will be controlled using normal pedestrian traffic signal indications; adequate crossing times will be provided at the traffic signals for pedestrians to cross the street at a normal walking pace. A pedestrian refuge area will be provided in the median at all crossings of the LRT tracks to provide a space for pedestrians to wait out of traffic and off the tracks should they not be able to complete their crossing of Crenshaw Boulevard during one signal phase. Each crossing was evaluated for pedestrian safety based on site visits and engineering design. The evaluation resulted in a list of design modifications and mitigation measures identified in the Safety and Security Section of the FEIS to improve the level of safety at crossings. The final resolution of safety measures to be implemented is determined through consultation and approval by the California Public Utilities Commission.

Comments were received that the at grade rail line would create a barrier within the community. The addition of a light rail line in the Crenshaw median would not introduce a new barrier that would divide a community. Crenshaw Boulevard (a six lane major arterial 90 to 180 feet wide) is an existing barrier and vehicles and pedestrians would continue to be able to cross Crenshaw Boulevard at all designated signalized crossings via crosswalks. Therefore, this issue has been resolved.

A few comments asserted that a Spanish translation of the FEIS was not provided. Spanish translation was provided for all meeting notices and document circulation. With the notices, services for translation were made available. In addition, Spanish translation services were provided at all public hearings and meetings of general public interest and were seldom, if ever, used. No requests for a Spanish translation of the FEIS were received.

A few comments asserted that segmentation had occurred when the project referenced system extensions and alternate station locations. The modeling of the project and its impacts were based on funded reasonable foreseeable projects that would be in place by 2030. Other project extensions mentioned in the FEIS are beyond the planning horizon for the project, are not reasonably foreseeable and the inclusions of these extensions and potential impacts is speculative. Alternate station locations if mentioned in the FEIS but not fully analyzed, would also require additional environmental analysis before being incorporated into the project.

Resolution of these issues related to the at-grade segment along Crenshaw Boulevard occurred when the LACMTA Board at its May 26, 2011 meeting considered whether to add the proposed grade-separated segment and confirmed that the lack of significant environmental impacts for the at-grade portion of the alignment along Crenshaw Boulevard did not require grade separation. FTA has further considered these comments and determined that the characterization of impacts related for the at grade portion of the alignment have been fully evaluated and the issue has been resolved.