State and Regional Agencies Comments and Responses
Your comment has been noted. Metro has and will continue to coordinate with Caltrans on the issue of crossing the I-405 freeway at Wilshire Boulevard. Metro will prepare a Project Study Report (PSR)/Project Report (PR) for the portion of the Project in the vicinity of the I-405 freeway.

The comment has been noted and continuous coordination with Caltrans has and will continue to take place throughout the design process. Once the construction sequence is identified and construction activities are determined, a traffic management plan (TMP) will be developed in coordination with a Caltrans TMP team, showing potential arterial lane closures and street detours. This TMP will be submitted to the TMP team for review, comment and approval.

Mitigation measure TCON-1 in the Final EIS/EIR states that:

Site-specific traffic-control plans will be developed to minimize construction impacts for each work zone location. Traffic-control plans will follow State and local jurisdiction guidelines and standards. Traffic-control plans will be developed for Wilshire, Santa Monica, and Constellation Boulevards and north-south streets, including but not limited to, La Brea Avenue, Fairfax Avenue, La Cienega Boulevard, Rodeo Drive, Beverly Drive, Canon Drive, Century Park East, Avenue of the Stars, Westwood Boulevard, Veteran Avenue, Sepulveda Boulevard, I-405 ramps to/from eastbound Wilshire Boulevard, and Bonsall Avenue.

To facilitate traffic flow and mitigate major disruption and bottlenecks due to construction, advanced traffic control will extend one arterial street on each side of each station construction location. This will help disperse peak-hour traffic flows onto the adjacent arterial street network. Business owners will be interviewed to identify the type of business, delivery and shipping schedules, and critical days/times of years for the business. Traffic-control plans will incorporate this information. Specific street closures will be developed in close coordination with the local jurisdictions during the Final Design phase.

Mitigation measure TCON-4 in the Final EIS/EIR further states that:

Once subway construction sequencing/phasing and the truck haul routes have been concurred upon by Metro and reviewed by local jurisdictions and Caltrans, an overall LPA Transportation Management Plan (TMP) will be developed with and approved by Metro and other appropriate agencies. The TMP will include the following:

- Public information (e.g., media alerts, website)
- Traveler information (e.g., traffic advisory radio, changeable message signs (CMS))
- Incident management (e.g., TMP coordination, tow truck services)
- Construction (e.g., detour routes, haul routes, mitigation, construction times)
619-2

- Demand management (e.g., carpooling, express bus service, variable work hours, parking management)
- Coordination with concurrent LPAs

The TMP will also address individual and overlapping haul route impacts and will impacts resulting from concurrent and overlapping station(s) and tunnel excavation work.
The comment has been noted and coordination has and will continue with Caltrans throughout the design process. Once construction lay down areas are identified and refined, haul routes will be developed and submitted to Caltrans staff for review and comment. Generally, the contractor will be tasked to meet Caltrans requirements limiting construction related truck trips to off-peak commute periods.

Mitigation measure TCON-2 in the Final EIS/EIR states that Metro will incorporate the following objectives into its truck haul route plans:

- Establish nighttime truck haul operations times/days for each route. Truck haul operations will not be allowed in the AM and PM peak hours, in residential neighborhoods (where feasible), during noise restriction hours and special events, holiday season restrictions, and as restricted by State and local jurisdictional mandates.
- Establish truck haul headways to avoid platoons of trucks upon local arterial streets and freeways. Establish a vehicle dispatching system at construction laydown areas and off-site locations to monitor and address truck headway issues as they arise.
- Develop truck haul routes for each site in coordination with and approved by State and local jurisdictions.
- Incorporate comments and issues from State and local jurisdictions into the final approved truck haul routes and truck haul operation schedules.
Your comments have been noted. Section 4.14.4 (under "Archaeological Resources") of this Final EIS/EIR has been revised to state "The search of the Sacred Lands File did not indicate the presence of Native American cultural resources within one-half mile of the APE." Each of the Native American contacts provided by the NAHC has been contacted regarding the Project. Please also refer to Sections 4.14 and 4.15 of the Final EIS/EIR for the mitigation measures that will be part of the Project, if the Locally Preferred Alternative is implemented.

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources. (Also see Environmental Protection Information Center v. Johnson (1985) 170 Cal. App. 3d 604). The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amendment effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(d) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance. The lead agency is required to assess whether the project will have an adverse impact on these resources within the area of potential effect (APE), and if so, to mitigate that effect. State law also addresses Native American Religious Expression in Public Resources Code §5097.9.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.9(a) and Native American Cultural Resources were not identified within one-half mile radius of the area of potential effect (APE). Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the culturally affiliated tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Entity may be the only source of information about a cultural resource. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the Initial Study and in other phases of the environmental planning process.

Furthermore the NAHC recommends that you contact the California Historic Resources Information System (CHRIS) of the Office of Historic Preservation (OHP), for archaeological data, (916) 653-7278.
Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-4335) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 (f)(2) etc), 36 CFR Part 800.3, the President’s Council on Environmental Quality (CEQ; 42 U.S.C. 4371 et seq.) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 Secretary of the Interior’s Standards for the Treatment of Historic Properties were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e).

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.96 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of “historic properties of religious and cultural significance may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave items. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177) is “advisory” rather than mandated, the NAHC does request lead agencies to work with tribes and interested Native American individuals as “consulting parties,” on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 SB 1069 in the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the “electric transmission corridors. This is codified in the California Public Resources Code, Chapter 4.3, and §25330 to Division 15, requires consultation with California Native American tribes, and identifies both federally recognized and non-federally recognized on a list maintained by the NAHC.

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of
any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, lead agencies should consider avoidance, as defined in §15372 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

[Signature]

David Singleton
Program Analyst

Attachment: List of Culturally Affiliated Native American Contacts

Cc: State Clearinghouse
Native American Contacts
Los Angeles County
September 8, 2010

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th Street, Rm.
Los Angeles, CA 90020
randrade@cos.lacounty.gov
(213) 351-5324
(213) 366-3695 FAX

Gabrielle Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 8606
Los Angeles, CA 90001
samdunlap@earthlink.net
(909) 262-9351 - cell

Gabrielle Tongva Indians of California Tribal Council
Robert F. Doramae, Tribal Chair/Cultural
P.O. Box 490
Bellflower, CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Gabrielle Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500
Gabrielle
Los Angeles, CA 90067
(310) 429-7720 - cell
(310) 587-2281

tattlaw@gmail.com
310-570-6567

Gabrielle Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.

tongvaancient@gmail.com

Gabrielle Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA 91778
GTTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 - FAX

Gabrielle Tongva San Gabriel Band of Mission Indians
Andy Sales, Chairperson
P.O. Box 383
Covina, CA 91723
gabrielenindians@yahoo.com
626-929-4131
213) 688-0181 - FAX

This list is current only as of the date of this document.
Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7060.5 of the Health and Safety Code, Section 5097.34 of the Public Resources Code and Section 5097.38 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA. And 36 CFR Part 600.

This list is only applicable for contacting local Native Americans for consultation purposes with regard to cultural resources impact by the proposed SB&H3.300 CESA Notice of Compulsory Draft Environmental Impact Report (DEIR) for the Westside Subway Expansion Project, located in the City of Los Angeles; Los Angeles County, California.
Native American Contacts
Los Angeles County
September 8, 2010

Gabrielino-Tongva Tribe
Linda Candalaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles, CA 90067
GCandalaria1@GabrielinoTribe.org
310-428-5787 - cell
(310) 587-2281

This list is current only as of the date of this document.
Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7802.5 of the Health and Safety Code, Section 5067.04 of the Public Resources Code and Section 9907.38 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 168 and federal NAGPRA. And 36 CFR Part 190.
This list is only applicable for contacting local Native Americans for consultation purposes with regard to cultural resources impact by the proposed SCAG/2003 CEQA Notice of Completeness, draft Environmental Impact Report (DEIR) for the Westside Subway Expansion Project, located in the City of Los Angeles, Los Angeles County, California.
835-1

Your comment is noted. Metro has and will continue to coordinate with The California Public Utilities Commission.

Stephen Artus
Program and Project Supervisor
Rail Transit Safety Section
Consumer Protection and Safety Division
Your comment has been noted. Metro will continue to coordinate with The California Transportation Commission.
Your comment reviewing the Draft EIS/EIR has been noted. The Draft EIS/EIR and Final EIS/EIR are consistent with the SCAG 2008 Regional Transportation Plan (RTP) growth forecast and goals and policies as noted in the comment.
Appendix H - Response to Comments

Westside Subway Extension
Final Environmental Impact Statement/Environmental Impact Report
March 2012
Page H-2.2-12

October 18, 2010
Mr. Niuger

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
WESTSIDE SUBWAY EXTENSION TRANSIT CORRIDOR
[SCAG No. 020100306]

PROJECT LOCATION

The Westside Subway Extension Project Study Area is in western Los Angeles County and encompasses
approximately 36 square miles. The Study Area is oriented east-west and includes portions of five
jurisdictions—the Cities of Los Angeles, West Hollywood, Beverly Hills, and Santa Monica, plus portions of
unincorporated Los Angeles County. The Study Area boundaries generally extend north to the Santa
Monica Mountains along Hollywood, Sunset, and San Vicente Boulevards, east to the Metro Rail stations
at Hollywood/Highland and Wilshire/Western, south to Pico Boulevard, and west to the Pacific Ocean.

Several alternatives have been analyzed. Depending on the alternative selected, the subway would extend
from the Metro Purple Line Wilshire/Western station to Westwood at a minimum. The most extensive
alternative would extend the subway from the Metro Purple Line Wilshire/Western station to Santa
Monica, with a spur that would run through West Hollywood starting at the Metro Red Line
Hollywood/Highland station and connect with the proposed Wilshire/La Cienega station.

PROJECT DESCRIPTION

The proposed project would be a heavy rail subway system that would operate as an extension of the
Metro Purple Line/Metro Red Line heavy rail subway system west from its current terminal at
Wilshire/Western Station and Hollywood/Highland Station to a new western terminus either in Westwood
near the University of California, Los Angeles (UCLA) campus, the West Los Angeles Veterans Affairs
(VA) Hospital, or the City of Santa Monica.

Alternatives under consideration include a No Build Alternative, Transportation Systems Management
(TSM) Alternative, and five Build Alternatives as follows:

• No Build
  Under the No Build Alternative, no new infrastructure would be built within the Study Area, aside
  from projects currently under construction or projects funded for construction, environmentally
cleared, planned to be in operation by 2035, and identified in the adopted Metro LRTP.

• TSM
  The TSM Alternative emphasizes more frequent bus service than the No Build Alternative to
  reduce delay and enhance mobility. As such, the TSM meets some aspect of the Purpose and
  Need to provide enhanced transit service and improved mobility in the Study Area. The TSM
  Alternative contains all elements of the highway, transit, Metro Rail, and bus service described
  under the No Build Alternative. In addition, the TSM Alternative increases the frequency of service
during peak periods for Metro Rapid Bus Line 720 (Santa Monica–Commerce via Wilshire
  Boulevard and Whittier Boulevard).

• Alternative 1 - Westwood/UCLA Extension
  The Westwood/UCLA Extension would extend Heavy Rail Transit (HRT), in subway, from the
  existing Metro Purple Line Wilshire/Western Station to a Westwood/UCLA Station. The alignment
  is approximately 8.60 miles in length. From the Wilshire/Western Station, Alternative 1 travels
  westerly beneath Wilshire Boulevard to the Wilshire/Rodeo Station and then southwesterly toward
  a Century City Station. Alternative 1 then extends from Century City and terminates at a
  Westwood/UCLA Station.

  Alternative 1 would operate in each direction at 3.3-minute headways during morning and evening
Appendix H - Response to Comments

October 18, 2010
Mr. Mieger

SCAG No. I20100306

peak periods and at 10-minute headways during midday. Service frequencies on other Metro Rail lines and bus routes in the corridor would be the same as for the No Build Alternative. The estimated one-way running time is 12 minutes 39 seconds from the Wilshire/Western Station.

- **Alternative 2 - Westwood/VA Hospital Extension**
  This alternative extends HRT, in subway, from the existing Metro Purple Line Wilshire/Western Station to a Westwood/VA Hospital Station. This alignment is 8.66 miles in length from the Wilshire/Western Station. Similar to Alternative 1, from the Wilshire/Western Station, Alternative 2 travels westerly beneath Wilshire Boulevard to the Wilshire/Rodeo Station and then southwesterly toward a Century City Station, then toward a Westwood/UCLA Station. Alternative 2 then travels westerly under Veteran Avenue and continues west under the I-405 Freeway, terminating at a Westwood/VA Hospital Station.
  
  Alternative 2 would operate in each direction at 3.3-minute headways during the morning and evening peak periods and at 10-minute headways during the midday, off-peak period. Service frequencies on other Metro Rail lines and bus routes in the corridor would be the same as for the No Build Alternative. The estimated one-way running time is 15 minutes 56 seconds from the Wilshire/Western Station.

- **Alternative 3 - Santa Monica Extension**
  This alternative extends HRT, in subway, from the existing Metro Purple Line Wilshire/Western Station to the Wilshire/4th Station in Santa Monica. The alignment is 12.38 miles in length from the Wilshire/Western Station. Similar to Alternative 1, from the Wilshire/Western Station, Alternative 3 travels westerly beneath Wilshire Boulevard to the Wilshire/Rodeo Station and then southwesterly toward a Century City Station, then toward a Westwood/UCLA Station. Similar to Alternative 2, Alternative 3 continues westerly under Veteran Avenue and continues west under the I-405 Freeway to a Westwood/VA Hospital Station. Alternative 3 would then continue westerly under Wilshire Boulevard, terminating at the Wilshire/4th Street Station between 4th and 5th Streets.
  
  Alternative 3 would operate in each direction at 3.3-minute headways during the morning and evening peak periods and operate with 10-minute headways during the midday, off-peak period. The estimated one-way running time is 18 minutes 27 seconds from the Wilshire/Western Station.

- **Alternative 4 - Westwood/VA Hospital Extension plus West Hollywood Extension**
  Similar to Alternative 2, this alternative extends HRT, in subway, from the existing Metro Purple Line Wilshire/Western Station to a Westwood/VA Hospital Station but also adds a West Hollywood Extension. The West Hollywood branch extends from the existing Metro Red Line Hollywood/Highland Station to the track connection structure near Robertson and Wilshire Boulevards. The alignment is 14.06 miles in length.
  
  From a new station at Hollywood/Highland, the West Hollywood Line extends south under Highland Avenue to just north of Fountain Avenue where the alignment curves southwest. At Orange Drive, the alignment turns westerly under Santa Monica Boulevard. At the Sycamore Avenue/Santa Monica Boulevard intersection, the alignment continues westerly under Santa Monica Boulevard to just east of the Santa Monica/San Vicente Boulevard intersection. The alignment turns south at La Rebece Street, then south at San Vicente Boulevard to Ashcroft Avenue. At Ashcroft Avenue, the alignment continues south between Sherbourne Drive and San Vicente Boulevard, crossing under Beverly Boulevard, and then under San Vicente Boulevard to just north of 3rd Street. Near 4th Street, the alignment begins to curve under Burton Way. At Colgate Avenue, the alignment turns southwesterly, crossing under Clifton Way, La Doux Road, and Stanley Drive. West of Stanley Drive, the alignment curves westerly under Canon Road, Harrel Drive, and Arma Drive, and then connects into the alignment of Alternative 2 at a track connection structure at Robertson and Wilshire Boulevards.
Appendix H - Response to Comments

October 18, 2010
Mr. Mieger

Alternative 4 would operate from Wilshire/Western to the Westwood/VA Hospital Station in each direction at 3.3-minute headways during morning and evening peak periods and 10-minute headways during the midday off-peak period. The West Hollywood branch of Alternative 4 would operate at 5-minute headways during peak periods and 10-minute headways during the midday, off-peak period. The estimated one-way running time for the Metro Purple Line extension is 13 minutes 53 seconds, and the running time for the West Hollywood from Hollywood/Highland to Westwood/VA Hospital is 17 minutes and 2 seconds.

- Alternative 5 - Santa Monica Extension plus West Hollywood Extension
  Similar to Alternative 3, this alternative extends RRT, in subway, from the existing Metro Purple Line Wilshire/Western Station to the Wilshire/West Station and adds a West Hollywood extension similar to the extension described in Alternative 4. The alignment is 17.49 miles in length.

Alternative 5 is comprised of two elements: a Metro Purple Line extension to Santa Monica plus a West Hollywood branch to Santa Monica. The Metro Purple Line extension would operate in each direction at 3.3-minute headways during the morning and evening peak periods and 10-minute headways during the midday, off-peak period. The West Hollywood branch would operate in each direction at 5-minute headways during peak periods and 10-minute headways during the midday, off-peak period. The estimated one-way running time for the Metro Purple Line extension is 19 minutes 27 seconds, and the running time for the West Hollywood Line from the Hollywood/Highland Station to the Wilshire/West Station is 22 minutes 38 seconds.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The Draft Environmental Impact Report (DEIR) should reflect the most current SCAG forecasts, which are the 2035 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region and subregion are as follows:

Adopted SCAG Regionwide Forecasts\(^1\)

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
<th>2035</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>21,498,344</td>
<td>20,460,836</td>
<td>21,468,948</td>
<td>22,369,121</td>
</tr>
<tr>
<td>Households</td>
<td>6,089,689</td>
<td>6,474,674</td>
<td>6,843,378</td>
<td>7,156,645</td>
</tr>
<tr>
<td>Employment</td>
<td>8,349,453</td>
<td>8,611,405</td>
<td>9,187,029</td>
<td>9,546,773</td>
</tr>
</tbody>
</table>

Adopted Westside Cities CGS Subregion Forecasts\(^2\)

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
<th>2035</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>220,653</td>
<td>241,991</td>
<td>244,978</td>
<td>247,308</td>
</tr>
<tr>
<td>Households</td>
<td>119,180</td>
<td>117,885</td>
<td>119,209</td>
<td>120,423</td>
</tr>
<tr>
<td>Employment</td>
<td>250,925</td>
<td>265,054</td>
<td>262,882</td>
<td>265,203</td>
</tr>
</tbody>
</table>

1. The 2035 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008.

SCAG Staff Comments:

As indicated in Section A.1. Land Use, employment and population growth projections are based on the SCAG 2035 RTP growth forecast.
The proposed project is consistent with SCAG's Regional Transportation Plan Goal 1.

The proposed project is consistent with SCAG's Regional Transportation Plan Goal 2.

The proposed project is consistent with SCAG's Regional Transportation Plan Goal 4.

The proposed project is consistent with SCAG's Regional Transportation Plan Goal 5.

SCAG Staff Comments:

Where able to assess, SCAG staff finds that the proposed project meets consistency with Regional Transportation Plan Goals.

587-2
The proposed project meets consistency with RTP G1. Mobility pertains to the speed at which one may travel and the delay, or difference between the actual travel time and travel time that would be experienced if a person traveled at the legal speed limit. The proposed project is expected to improve mobility by improving Levels of Service in Study Area interactions, relative to the No Build scenario, (indicated in Table 3-11). Accessibility measures how well the transportation system provides people access to opportunities, such as jobs, education, shopping, recreation, and medical care. The proposed project would provide a faster and more reliable connection between employment centers in Downtown Los Angeles and Westside to Fairmont, Century City, and Westwood, as well as other uses along the proposed alternative's routes.

587-3
With regard to RTP G2, the proposed project meets consistency. The RTP aims to improve safety by minimizing accidents. Mitigation measures listed on page 4-204 would be incorporated to ensure passenger safety. Reliability reflects the degree to which travelers experience variation in trip times from day to day. As indicated on page 3-28, "While some deviations could occur due to special conditions such as a traffic accident, close adherence between published and actual transit schedules and travel times should be expected."

587-4
Staff finds that the proposed project meets consistency with regard to RTP G4. Programmed funds for the operations and maintenance of the project are identified on pages 9-6 and 6-7, as are additional funding sources eligible for operations and maintenance.

587-5
With regard to RTP G6, the proposed project meets consistency. Producitivity is a system efficiency measure that reflects the degree to which the transportation system performs during peak demand conditions. Per Table 3-10, the proposed project would reduce the number of AM and PM peak period trips in the Study Area.

587-5
The proposed project meets consistency with RTP G5. Per page 4-87, "The Project is predicted to lower all regional pollutant burden levels on the regional and Study Area levels. Project impacts are below the regional significance thresholds the SCAQMD developed. While all alternatives are predicted to reduce overall emission burden levels within the Study Area and regionally, Alternative 5 (Santa Monica Extension plus West Hollywood Extension) is estimated to lower emissions the most on a regional level and within the Study Area."
With regard to RTP G6, the proposed project meets consistency. As indicated on page 1.6, “cities in the study Area have implemented general plan and zoning policies that support the development of denser development centers served by transit in the Study Area. The plans support use of transit to improve levels of service between Downtown Los Angeles, West Hollywood, Beverly Hills, and Santa Monica. Transit corridors and stations are planned for high-density and mixed-use development that function as destinations for transit users (e.g., jobs, entertainment, and culture) and contain a high number of residents who can conveniently use transit.”

The proposed project meets consistency with RTP G7. Mitigation measures listed on page 4-205 would be incorporated to ensure security of the system.

COMPASS GROWTH VISIONING

The fundamental goal of the Compass Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region’s mobility, livability and prosperity. The following “Regional Growth Principles” are proposed to provide a framework for local and regional decision-making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

GV P1.1 Encourage transportation investments and land use decisions that are mutually supportive.
GV P1.2 Locate new housing near existing jobs and new jobs near existing housing.
GV P1.3 Encourage transit-oriented development.
GV P1.4 Promote a variety of travel choices

SCAG Staff Comments:

Where applicable, SCAG staff finds that the proposed project meets consistency with Principle 1. GV P1.2 is not applicable.

With regard to GV P1.3, the proposed project meets consistency. The proposed project, in conjunction with previously mentioned land use policies would generate numerous transit-oriented development opportunities.

Principle 2: Foster livability in all communities.

GV P2.1 Promote infill development and redevelopment to revitalize existing communities.
GV P2.2 Promote developments, which provide a mix of uses.
GV P2.3 Promote "people scaled," walkable communities.
GV P2.4 Support the preservation of affordable, single-family neighborhoods.
The proposed project is consistent with SCAG’s Compass Growth Visioning Principle 2.1.

The proposed project is consistent with SCAG’s Compass Growth Visioning Principle 2.2.

The proposed project is consistent with SCAG’s Compass Growth Visioning Principle 2.3.

The proposed project is consistent with SCAG’s Compass Growth Visioning Principle 3.3.

The proposed project is consistent with SCAG’s Compass Growth Visioning Principle 4.2.

The proposed project is consistent with SCAG’s Compass Growth Visioning Principle 4.3.
CONCLUSION

Where applicable, the proposed project meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/lis/donuments/SCAG_I SMPMMRP_2008.pdf

When a project is of statewide, regional, or area-wide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resources Code Section 21081.7, and CEQA Guidelines Section 15067 (g).

Your comment and recommendation on mitigation measures for the Project have been noted. A list of the mitigation measures for adverse impacts related to the Westside Subway Extension project is summarized in the Executive Summary in Tables S-6, S-7, and S-8. A full list of the mitigation monitoring for the project can be found in Appendix I - Mitigation Monitoring and Reporting Plan. Appendix I describes the mitigation as well as the timing of the implementation of that mitigation. During the Final EIS/EIR phase, further analysis of project impacts during construction and operations were conducted and associated standard and site-specific mitigation measures were further developed. SCAG's List of Mitigation Measures was reviewed and generally reflects many of the principles of the mitigation suggested for the Westside Subway Extension where there was adverse impacts or, in some cases, to avoid adverse impacts. Metro is responsible to implement monitoring and verification of successful completion of each mitigation measure.
Your comment has been noted. Responses to the attached Native American Heritage Commission letter are addressed in submission number five as it was submitted directly to Metro.
## Appendix H - Response to Comments

### Westside Subway Extension Final Environmental Impact Statement/Environmental Impact Report

**March 2012**

**Page H-2.2-20**

---

**Document Details Report**

**State Clearinghouse Data Base**

<table>
<thead>
<tr>
<th>SCH#</th>
<th>2039031083</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title</td>
<td>Westside Subway Extension Project</td>
</tr>
<tr>
<td>Lead Agency</td>
<td>Los Angeles County</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type</th>
<th>EIR Draft EIR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td>The project is a heavy rail subway system that would operate as an extension of the Metro Purple Line/Metro Red Line heavy rail subway west from its current terminal at the Wilshire/Western Station and Hollywood/Hollywood Station to a new eastern terminus either in Westwood near the University of California, Los Angeles or the West Los Angeles Veterans Affairs Hospital, or near 4th Street in Santa Monica. The study area is in western Los Angeles County and encompasses approximately 56 square miles in an east-west orientation. It includes portions of the following cities: Los Angeles, West Hollywood, Beverly Hills, Santa Monica, and unincorporated Los Angeles County. The northern boundary extends to the base of the Santa Monica Mountains along Hollywood, Sunset, and San Vicente Boulevards, east to the Metro Rail stations at Hollywood/Hollywood and Wilshire/Western, south to Pico Boulevard and west to the Pacific Ocean. Alternatives under consideration include a No Build Alternative, Transportation Systems Management (TSM) Alternative, two Build Alternatives with six options.</td>
</tr>
</tbody>
</table>

**Lead Agency Contact**

<table>
<thead>
<tr>
<th>Name</th>
<th>David Menger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency</td>
<td>Los Angeles County Metropolitan Transportation Authority</td>
</tr>
<tr>
<td>Phone</td>
<td>(213) 992-3840</td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>One Gateway Plaza MS 00-22-3</td>
</tr>
<tr>
<td>City</td>
<td>Los Angeles</td>
</tr>
<tr>
<td>State</td>
<td>CA</td>
</tr>
<tr>
<td>Zip</td>
<td>90012-2902</td>
</tr>
</tbody>
</table>

**Project Location**

<table>
<thead>
<tr>
<th>County</th>
<th>Los Angeles</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>Los Angeles City, Beverly Hills, Santa Monica, ...</td>
</tr>
<tr>
<td>Region</td>
<td></td>
</tr>
<tr>
<td>Lot/Long</td>
<td>34° 4' 3.84&quot; N / 118° 23' 20.66&quot; W</td>
</tr>
<tr>
<td>Cross Streets</td>
<td>Wilshire/Western to Wilshire/4th Street and Hollywood/Hollywood to Wilshire/La Cienega</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>Multiple</td>
</tr>
<tr>
<td>Township</td>
<td>18</td>
</tr>
<tr>
<td>Range</td>
<td>14E</td>
</tr>
<tr>
<td>Section</td>
<td></td>
</tr>
<tr>
<td>Base</td>
<td>DUBIAM</td>
</tr>
</tbody>
</table>

**Proximity to:**

- Highways: I-405, I-10
- Airports: Not applicable
- Railways: Los Angeles River
- Waterways: None
- Schools: Multiple
- Land Use: Single family and multi-family residential, commercial, government institutional, vacant/park

**Project Issues:**

- Air Quality; Archaeological/Historic; Coastal Zone; Drainage/Absorption; Economic/Uses; Fiscal Impact; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Recreation; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Stabilization; Solid Waste; Toxic Hazards; Traffic/Circulation; Vegetation; Water Quality; Wetlands/Wetlands; Growth Industry; Land Use; Cumulative Effects; Other Issues; Flood Plain/Flooding; Aesthetic/Visual; Agricultural Land; Biological Resources; Minerals; Water Supply

**Reviewing Agencies:**

- Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Air Resources Board; Transportation Projects; Regional Water Quality Control Board, Region 4; Department of Toxics Substances Control; Native American Heritage Commission; Public Utilities Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.
September 8, 2010

Mr. David Meger
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-22-3
Los Angeles, CA 90012-2952

Re: SCHP09003108 CEQA Notice of Completion: draft Environmental Impact Report (EIR)
for the Westside Subway Expansion Project located in the City of Los Angeles, Los Angeles County, California.

Dear Mr. Meger:

The Native American Heritage Commission (NAHC) is the state "trustee agency" pursuant to Public Resources Code §21070 for the protection and preservation of California’s Native American Cultural Resources. (Also see Environmental Protection Information Center v. Johnson (1985) 170 Cal. App. 3d 604). The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amendment effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance. The lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect' (APE), and if so, to mitigate that effect. State law also addresses Native American Religious Expression in Public Resources Code §5097.5.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.04(a) and Native American Cultural Resources were not identified within one-half mile radius of the 'area of potential effect' (APE). Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the culturally affiliated tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.

Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the initial Study” and in other phases of the environmental planning processes.

Furthermore the NAHC recommends that you contact the California Historic Resources Information System (CHRIS) of the Office of Historic Preservation (OHP), for archaeological data. (916) 653-7378.
Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-4335) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 (f)(et seq), the President’s Council on Environmental Quality (CEQ; 42 U.S.C. 4371 et seq), and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 Secretary of the Interior’s Standards for the Treatment of Historic Properties were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(b).

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 6097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of “historic properties of religious and cultural significance” may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) before an action to either or not disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave items. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177) is advisory rather than mandated, the NAHC does request ‘lead agencies’ to work with tribes and interested Native American individuals as ‘consulting parties,’ on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 S8 1059 the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the electric transmission corridors. This is codified in the California Public Resources Code, Chapter 4.3, and §25330 to Division 15, requires consultation with California Native American tribes, and identifies both federally recognized and non-federally recognized on a list maintained by the NAHC.

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5(d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of
any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7652 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, lead agencies should consider avoidance, as defined in §15270 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 853-6251 if you have any questions.

Sincerely,

Dave Singler
Program Analyst

Attachment: List of Culturally Affiliated Native American Contacts

Cc: State Clearinghouse