

Chapter 1 Introduction

1.1 Purpose of the EIR/EA

This Environmental Impact Report (EIR) and Environmental Assessment (EA) was prepared to evaluate the significant or potentially significant environmental impacts associated with implementation of the proposed project and address appropriate and feasible mitigation measures and alternatives to the proposed project that would reduce or eliminate those impacts. A detailed description of the proposed project is provided in Chapter 2, Project Description.

The EIR portion of the document has been prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) and CEQA statutes provided in California Public Resources Code Section 21000 et seq.

All projects in the State of California are required to undergo environmental review in accordance with CEQA to determine if implementation of the proposed project would result in any environmental impacts. Accordingly, a project is defined as requiring environmental review pursuant to CEQA if by implementing it, the project has the potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. More specifically, a project requires environmental review if it incorporates an action undertaken by a public agency; is an activity that is supported in whole or in part through public agency contracts, grants, subsidies, etc.; or is an activity requiring a public agency to issue a lease, permit, license, certificate, or other entitlement.

CEQA was enacted in 1970 by the California legislature to disclose to decision makers and the public significant environmental effects of proposed activities and methods to avoid or reduce those effects by requiring implementation of feasible alternatives or mitigation measures. CEQA applies to California government agencies at all levels, including local government agencies that must issue permits or provide discretionary approvals for projects proposed with the potential to affect the environment. Therefore, the public agency is required to conduct an environmental review of the proposed project and consider its environmental effects before making a decision on the proposed project. In accordance with CEQA, the Los Angeles County Metropolitan Transportation Authority (LACMTA) is the lead agency for the preparation of this EIR, and LACMTA will be taking responsibility for conducting the environmental review and certifying the EIR.

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on them. The purpose of an EIR is to provide decision makers, public agencies, and the general public with an objective and informational document that fully discloses the potential significant environmental effects associated with the proposed project, describes and

evaluates reasonable alternatives to the project, and proposes mitigation measures that would avoid or reduce the project's significant effects.

In accordance with Section 15121(a) of the CEQA Guidelines (California Administrative Code, Title 14, Division 6, Chapter 3), the purpose of an EIR is as follows:

An EIR is an informational document that will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

This EIR evaluates the direct, indirect, and cumulative impacts of the proposed project and alternatives in accordance with the provisions set forth in CEQA and the CEQA Guidelines. It will be used to address potentially significant environmental issues and recommend adequate and feasible mitigation measures, where possible, that could reduce or eliminate potentially significant environmental impacts.

The EA portion of the document (Chapter 7) has been prepared pursuant to the National Environmental Policy Act (NEPA), in order to determine the effects of the proposed project on the quality of the human environment. The EA portion of this joint document is prepared for consideration by the Federal Transit Administration (FTA), which is the lead federal agency for the project.

It is important to note the differences between CEQA and NEPA in the way significance is determined. CEQA requires the lead agency to identify each significant impact on the environment resulting from the project and presents ways to mitigate each significant impact. If the project may have a significant impact on any environmental resource, then an EIR must be prepared. Each and every significant impact on the environment must be disclosed in the EIR and mitigated if feasible. In addition, the CEQA Guidelines list a number of mandatory findings of significance, which also require the preparation of an EIR.

NEPA requires that an Environmental Impact Statement (EIS) be prepared when the proposed federal action (project) as a whole has the potential to "significantly affect the quality of the human environment." The determination of significance is based on context and intensity.¹ Some impacts determined to be significant under CEQA may not be of sufficient magnitude to be determined significant under NEPA. NEPA does not require that a determination of significant impacts be stated in the environmental documents. Also, there are no types of actions under NEPA that parallel the findings of mandatory significance of CEQA.

For the FTA as lead agency, the process for complying with NEPA is defined in the joint Federal Highway Administration/FTA Environmental Impact and

¹ Council on Environmental Quality (CEQ) regulations (40 CFR §§ 1500-1508).

Related Procedures.² Based on this regulation, the FTA determines the level of documentation required in the NEPA process. The following are examples of actions that normally require an EIS:

- 1) A new controlled access freeway.
- 2) A highway project of four or more lanes on a new location.
- 3) New construction or extension of fixed rail transit facilities (e.g., rapid rail, light rail, commuter rail, automated guideway transit).
- 4) New construction or extension of a separate roadway for buses or high occupancy vehicles not located within an existing highway facility.

None of these actions apply to the proposed project.

An EA is required for all actions in which the significance of the environmental impact is not clearly established. An EA can result in either a Finding of No Significant Impact (FONSI) requiring no further environmental evaluation, or identification of potentially significant impacts requiring an EIS. As described in detail in Chapter 7, the EA provides the basis for a FONSI.

1.2 Focus of the EIR/EA

LACMTA has initiated the Wilshire Bus Rapid Transit (BRT) Project within a 12.5-mile segment of Wilshire Boulevard between downtown Los Angeles and the City of Santa Monica (excluding the City of Beverly Hills) (see figure 2.1). Using federal funds administered by the FTA, LACMTA proposes to fund construction of weekday peak period curbside bus lanes in the City of Los Angeles and Los Angeles County. The project converts existing curbside lanes to peak period (7 a.m. to 9 a.m. to 4 p.m. to 7 p.m.) bus lanes by repaving and/or restriping and creates approximately 1.5 miles of new curbside bus lanes through selective street widening and jut-out removal. The project also includes some improvements to the existing bus signal priority system as well as a left-turn pocket extension at Sepulveda Boulevard.

The analysis contained in this EIR/EA reflects the level of detail necessary at this time for LACMTA to evaluate the proposed project. Consistent with Section 15180 of the CEQA Guidelines, this is a “project” EIR for the construction and operation of the proposed project. This EIR/EA, focuses on the effects that may be expected with the approval of and the subsequent implementation of the proposed project, resulting in the following potential impacts: air quality, cultural resources, land use, noise, and traffic and circulation.

1.3 Intended Uses of the EIR/EA

This EIR/EA is being circulated to the public and agencies for review and comment. The document is meant to inform agencies and the public of

² These procedures are found in 23 C.F.R. 771.

potential significant environmental effects associated with the proposed project, describe and evaluate reasonable alternatives, and propose mitigation measures that would avoid or reduce the project's significant effects.

The information used in this EIR/EA will be used to apply for project approvals that may be required by LACMTA, FTA, and other reviewing agencies. Accordingly, this EIR/EA will be used by LACMTA, as the lead agency under CEQA, and by FTA as the lead agency under NEPA, when making decisions regarding approval of the project and its implementation. The information in this EIR/EA may also be used by other agencies when deciding whether to grant the permits or approvals necessary to construct or operate the proposed project.

1.4 EIR/EA Participants and Public Review

1.4.1 The CEQA/NEPA Environmental Review Process

CEQA requires the preparation of an EIR when there is substantial evidence that a project may have a significant effect on the environment. Similarly, as discussed above, NEPA requires an EA for all actions in which the significance of the environmental impact is not clearly established. An EA can result in either a Finding of No Significant Impact (FONSI) requiring no further environmental evaluation, or identification of potentially significant impacts requiring an EIS.

The purpose of an EIR/EA is to provide decision makers, public agencies, and the general public with an objective and informational document that fully discloses the potential environmental effects of the proposed project. This EIR/EA process is specially designed to facilitate the objective evaluation of potentially significant direct, indirect, and cumulative impacts of the proposed project and identify potentially feasible mitigation measures and alternatives that reduce or avoid the project's significant effects. In addition, CEQA specifically requires that an EIR identify those adverse impacts determined to be significant after mitigation.

This EIR/EA addresses the potential environmental effects of the proposed project. Scoping for the EIR/EA was conducted using all of the tools required and recommended by CEQA. The following sections discuss the environmental review process that was undertaken for the proposed project.

Notice of Preparation

In accordance with Section 15063 of the CEQA Guidelines, a Notice of Preparation (NOP) was prepared and distributed to the State Office of Planning and Research, responsible and trustee agencies, as well as private organizations and individuals that may have an interest in the proposed project. The 30-day public comment period for the NOP commenced on September 23, 2009, and ended on October 23, 2009. The NOP was posted

with the County Clerk's office and sent to the State Clearinghouse at the Governor's Office of Planning and Research to officially solicit statewide agency participation in determining the scope of the EIR/EA.

The purpose of the NOP was to provide notification that LACMTA and FTA, as lead agencies under CEQA and NEPA, respectively, planned to prepare an EIR/EA for the proposed project and solicit guidance on the scope and content of the EIR/EA.

The NOP presented a description of the proposed project, potential environmental effects, instructions on how to provide comments, and the date, time, and location of the public scoping meeting. A copy of the NOP is included in Appendix A.

Public Scoping Meeting

Four public scoping meetings for the proposed project were held on the following dates, times, and locations:

- Felicia Mahood Community Center
October 5, 2009
6:00 p.m. – 8:00 p.m.
11338 Santa Monica Boulevard
Los Angeles, CA 90025
- Wilshire United Methodist Church
October 7, 2009
6:00 p.m. – 8:00 p.m.
4350 Wilshire Boulevard
Los Angeles, CA 90005
- Westwood Presbyterian Church
October 8, 2009
6:00 p.m. – 8:00 p.m.
10822 Wilshire Boulevard
Los Angeles, CA 90024
- Good Samaritan Hospital, Moseley-Salvatori Conference Room
October 13, 2009
6:00 p.m. – 8:00 p.m.
637 Lucas Avenue
Los Angeles, CA 90017

Draft EIR/EA and Public Review

The contents of this EIR/EA are based on public and agency input. Issues found during the scoping phase that were determined to have no impact do not require further evaluation and, therefore, are not discussed in this EIR; these include aesthetics (scenic vistas and light/glare), agricultural resources, biological resources (sensitive ecological species), geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, public services and recreation, and utilities and service systems.

Nonetheless, project scoping identified potentially significant impacts, which are addressed in this EIR/EA. These include the following:

- Aesthetics (Loss of Trees)
- Air Quality
- Biological Resources (Loss of Trees)
- Cultural Resources
- Land Use
- Noise
- Transportation and Circulation

This EIR/EA will be circulated as a Draft EIR/EA for public review and comment for a period of 45 days. During this period, comments from the general public, organizations, and agencies regarding environmental issues raised in the EIR/EA and the EIR/EA's accuracy and completeness may be submitted to LACMTA at the following address:

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012
Contact: Ms. Martha Butler, Project Manager
Phone: (213) 922-2500
Email: wilshirebrt@metro.net

Formal comment on the EIR/EA should be submitted in writing, with a contact name and mailing address, and delivered to the address above by the last day of the public review period identified in the Notice of Availability circulated with this EIR/EA.

Final EIR/EA

Upon completion of the public review period, a Final EIR/EA will be prepared. The Final EIR/EA will include the comments on the EIR/EA received during the formal public review period, as well as responses to those comments. Prior to approval of the proposed project, CEQA also requires the LACMTA Board to adopt "findings" with respect to each significant environmental effect identified in the EIR/EA (Public Resources Code, Section 21081, and CEQA Guidelines, Section 15091).

For each such significant effect, CEQA requires the approving agency to reach one or both of the following findings:

- The project has been altered to avoid or substantially lessen significant impacts identified in the EIR; or
- Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make the mitigation measures or project alternatives identified in the final EIR infeasible.

In the event that LACMTA, as the lead agency under CEQA, concludes that the proposed project will result in significant effects, which were identified in the EIR/EA but not substantially lessened or avoided by feasible mitigation measures and alternatives, the LACMTA Board must adopt a “Statement of Overriding Considerations” prior to approval of the proposed project (Public Resources Code, Section 21081, subd. (b), and CEQA Guidelines, Section 15093). Such statements are intended, under CEQA, to provide a written means by which the lead agency balances in writing the benefits of the proposed project and the significant and unavoidable environmental impacts. Where the lead agency concludes that the economic, legal, social, technological, or other benefits outweigh the unavoidable environmental impacts, the lead agency may find such impacts “acceptable” and approve the project.

Mitigation Monitoring and Reporting Program

Pursuant to Section 21081.6 of the Public Resources Code, public agencies, when approving a project, must also adopt a monitoring and reporting program for the changes that were incorporated into the project or made a condition of project approval to mitigate or avoid significant effects on the environment. The monitoring and reporting program is adopted at the time of project approval and must be designed to ensure compliance during project implementation. If LACMTA, as the lead agency, approves the proposed project, the LACMTA Board will implement the proposed project and mitigation monitoring and reporting program.

1.5 Community/Public Outreach Efforts

1.5.1 Meeting Preparation

In order to inform the community about the project, a series of public meetings were held throughout the project area. The project team utilized a multi-media approach, which included the delivery of postal and electronic mail invitations to the meetings. The stakeholder database was developed using the Metro Westside Extension Transit Corridor Study since the two projects share a similar project study area. The stakeholder database included 309 postal addresses and 950 email addresses. Those who had both email and postal addresses included were sent both notices.

Take-ones were placed on the Metro 20, 720, and 920 bus lines, which run primarily on Wilshire Boulevard. Take-ones were also placed on the Metro Red and Purple rail lines.

The outreach effort included development of a project webpage located at <http://www.metro.net/wilshire> and included establishing and regularly monitoring an information line at (213) 922-2500. The webpage included a project overview, information about upcoming meetings and posted relevant collateral materials, including a fact sheet, the presentation made at the community meetings, and other information of interest to the public. In addition to a press release, a fact sheet was developed and a series of e-bulletins were distributed to coincide with the community meetings. A set of Frequently Asked Questions (FAQs) was also prepared. Most materials were prepared in English, Spanish, and Korean.

1.5.2 Stakeholder Database

A comprehensive stakeholder identification process was initiated to coincide with the early scoping process. Recognizing the size of the study area and the tremendous geographic diversity of the potential study stakeholders, a radius mail was not recommended to publicize the early scoping meetings. Rather, the intent was to develop a comprehensive study database throughout the study area for the purposes of a targeted email and direct mail that included the following:

- Elected officials on the local, state and federal level (42 entries);
- Neighborhood Councils and other elected groups (183 entries);
- Homeowners Associations and Neighborhood Organizations (134 entries);
- Chambers of Commerce and business leaders (39 entries);
- Community-based and civic organizations (21 entries);
- Key destinations and employers (25 entries);
- Transportation advocates and interest groups (12 entries);
- Print, broadcast and electronic media, including community-based publications and blogs (175 entries);
- Local Business Improvement Districts (BIDs) (7 entries); and
- Other interested groups and persons.

While the Westside Subway Extension stakeholder list was used as a “starter,” the stakeholder list was complemented and expanded to include Wilshire Corridor neighborhoods between Western Avenue and Witmer Street and beyond into Downtown Los Angeles. The expanded stakeholder database consists of residential and business addresses, service organizations and neighborhood councils, which include the following:

- Downtown Los Angeles Neighborhood Council (Eastern Boundary: Bixel Street);
- MacArthur Park (Boundaries: 7th Street, Olympic Boulevard, Alvarado Street, Vermont Avenue);
- Mid City West (Boundaries: Olympic Boulevard, La Brea Avenue, Cities of West Hollywood and Beverly Hills);
- Pico Neighborhood Council (Boundaries: Olympic, Venice, and La Cienega Boulevards, and La Brea Avenue); and
- Wilshire Center/Koreatown (Boundaries: Vermont and Western Avenues, 101 Freeway, Olympic Boulevard).

Scoping materials were hand delivered to a number of residential, commercial, and retail buildings along Wilshire Boulevard from Witmer Street to the Wilshire/Vermont Metro rail station.

Additionally, recognizing the significant number of religious congregations along Wilshire Boulevard in the project area, a separate database of those congregations was developed, and every congregation received a mailer notifying them of upcoming meetings. Materials were distributed in English, Spanish and Korean.

To accommodate those communities east of Western Avenue, meeting locations were carefully chosen to address the needs of the transit dependent. Two of the four meetings were held at Good Samaritan Hospital and Southwest Law School and attracted over 80 participants, including a number of Spanish and Korean speaking participants that required translations services. These meetings also had noticeable participation from seniors, youth, and those identified as transit dependent.

Furthermore, an existing database originally developed for the Exposition Light Rail Transit (Expo LRT) Project was reviewed and 118 email addresses and 18 US mail addresses were extracted from that database and incorporated into the Wilshire BRT database.

In addition to mailing to those key individuals, the 3 key Westside neighborhood councils impacted by the Wilshire BRT were contacted on a regular basis throughout the study. Again, careful consideration was given to meeting locations and one of the four meetings was held at the Felicia Mahood Senior Center, which is also where a number of Westside organizations regularly convene.

1.5.3 Web Notice

As mentioned earlier, a project website was developed to serve as an information clearinghouse. Located at metro.net/Wilshire, the website provides the project fact sheet, meeting information, and methods available to submit comments on the project. As the project moves forward, the website will be updated as more information becomes available.

Meeting information was reposted on a handful of neighborhood and transportation-related blogs.

1.5.4 Email Notification

An electronic notice was distributed to 950 people who have previously supplied their email address for the Westside Extension Transit Corridor Study. The listing of electronic addresses also included representatives from local elected official offices and neighborhood councils.

The notice was distributed on September 24, 2009. A reminder email was distributed on October 10, 2009, and provided a link to the project webpage, and additional information on how to provide comment on the project.

1.6 Areas of Public Concern and Known Controversy

Public comments were submitted concerning a large number of different topics, including the following:

- Concerns regarding anticipated increase in bus ridership;
- Impacts on automobile travel times/increased idling and congestion that would lead to more noise and air quality problems;
- Concerns regarding less accessibility to businesses and homes and reduced emergency access;
- Concerns regarding results of past trial bus lanes and results of test demonstration;
- Concerns regarding the creation of more traffic in the local neighborhoods;
- Concerns regarding increased accident rates;
- Impacts resulting from cut-through through traffic on the local neighborhoods;
- Concerns regarding the non-participation of the Cities of Santa Monica and Beverly Hills in the project
- Concerns regarding road degradation;
- Concerns regarding parking impacts (i.e., loss of parking spaces on Wilshire Boulevard)
- More stress, noise, pollution, and speeding vehicles/reduced quality of life;
- Impacts to air quality, noise and vibration from more buses and buses running closer to residential buildings;
- Concerns regarding the aesthetic impacts of project;

- Concerns regarding impacts to property values;
- Increased risk to children, elderly, pedestrians, cyclists, and pets in the local neighborhoods (i.e., health and safety concerns);
- Concerns regarding land use impacts, change in neighborhood character, and consistency with community and specific plans and growth inducing impacts;
- Concerns about street widening and removal of sidewalks;
- Concerns regarding project impacts to traffic on north/south and east/west streets;
- Scope of the project should exclude the Westwood residential corridor; and
- Concerns regarding project elements to affect sidewalk, jut-outs, and median.

Copies of all letters received in response to the NOP are included in Appendix A.

1.7 Organization of the EIR/EA

- Executive Summary. The Executive Summary provides an overview of the detailed information contained in subsequent chapters. This chapter includes a table that summarizes the potential environmental impacts in each resource area and the significance determination, mitigation measures, and level of significance after mitigation for those impacts.
- Chapter 1 of this document provides an introduction to the project, as well as an overview of the environmental review process, the community/public outreach efforts, and the agencies involved. In addition, a description of the intended uses of the EIR/EA is included in this chapter.
- Chapter 2 of this document provides a detailed description of the proposed project, as well as its objectives, location, characteristics, and construction scenario.
- Chapter 3 of this document provides a description of the regional and local setting of the project area.
- Chapter 4 of this document describes the potential environmental effects on traffic and circulation, air quality, cultural resources, noise, and land use. A discussion of the environmental setting for the resource, the environmental impacts resulting from the project, and the required mitigation measures is provided for each resource area.
- Chapter 5 of this document describes and analyzes the No-Project Alternative and other alternatives that were considered during the planning process. It also identifies the Environmentally Superior Alternative.
- Chapter 6 of this document provides a discussion of other CEQA considerations, including a discussion of cumulative impacts, a summary

of significant unavoidable impacts, significant irreversible environmental changes, growth-inducing effects, and those impacts that were not found to be significant.

- Chapter 7 of this document consists of the Environmental Assessment in compliance with NEPA and FTA requirements.
- Chapter 8 of this document provides sources, references, and a list of persons consulted in the preparation of this draft document.
- Chapter 9 of this document identifies the preparers of this EIR/EA.