Staff Report

LAX Landside Access Modernization Program Final Environmental Impact Report (Final EIR)

Appeals Filed by the
City of El Segundo
City of Culver City

State Clearinghouse No. 2015021014
Council File Nos. 17-0276 & 17-0276-S1

Prepared by:
CITY OF LOS ANGELES
LOS ANGELES WORLD AIRPORTS

INTRODUCTION

At a regular meeting on March 2, 2017, the City of Los Angeles Board of Airport Commissioners (BOAC), acting pursuant to the California Environmental Quality Act (CEQA), Public Resources Code § 21000, et seq., approved BOAC Resolution No. 26185, certifying the Final Environmental Impact Report (EIR) for the Los Angeles International Airport (LAX) Landside Access Modernization Program (LAMP). BOAC also made certain specific findings related to the Executive Director's LAX Plan Compliance Report (EDR). On the basis of the Final EIR, BOAC adopted the LAMP CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program (MMRP); and determined that the LAX SPAS required by Section 7.H.1 of the LAX Specific Plan is complete. BOAC then approved the LAX LAMP Project as described in the Final EIR.

El Segundo Appeal. In a letter dated March 9, 2017, Shute Mihaly & Weinberger LLP, on behalf of the City of El Segundo, appealed BOAC's certification of the LAMP EIR pursuant to Public Resources Code section 21151(c). El Segundo claims that the bases for its appeal are set forth in its letters to BOAC dated March 9, 2015, November 15, 2016, December 2, 2016 and March 1, 2017, including all attachments and exhibits thereto, and the oral testimony of El Segundo Mayor Suzanne Fuentes to the BOAC on March 2, 2017. El Segundo does not identify any specific portion(s) of these letters that support the general allegation included in its appeal letter, i.e., that the LAMP EIR "fails to comply with [CEQA] because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP."

Culver City Appeal. In a separate letter dated March 9, 2017, BuchalterNemer, on behalf of the City of Culver City, appealed BOAC's certification of the LAMP EIR pursuant to Public Resources Code section 21151(c). Culver City claims that the bases for its appeal are set forth in its November 15, 2016 comment letter on the LAMP Draft EIR. Culver City does not identify any specific portion(s) of this letter that support the general allegations included in its appeal letter, i.e., that "the EIR uses a questionable baseline date; improperly analyzes the project's 900,000 square feet of future related development at the 'program' level; and reflects significant traffic and air quality impacts obviating the purpose of the project."

On March 23, 2017, the City of Los Angeles Planning Commission (Planning Commission) and BOAC held a joint meeting. The Planning Commission approved certain land use plan amendments associated with the LAMP Project, including amendments to the City of Los Angeles General Plan Land Use Element (LAX Plan and Westchester-Playa del Rey Community Plan), the City of Los Angeles Transportation Plan (Mobility Plan 2035), the LAX Specific Plan, and related zone changes. BOAC concurred with the Planning Commission's recommendations in BOAC Resolution No. 26190.

El Segundo Second Appeal. In a second letter, dated April 3, 2017, Shute Mihaly & Weinberger LLP, on behalf of the City of El Segundo, appealed the Planning Commission's March 23, 2017 actions pursuant to Los Angeles City Charter section 245, Los Angeles Municipal Code sections 555-58, and Public Resources Code section 21151(c). Section 245 does not apply to this action (see generally Los Angeles City Charter Section 245, as well as the specific exemption listed in Section 245 (d)(8)). El Segundo asserted this appeal is in furtherance of its March 9, 2017 appeal, discussed above, and that the bases for the second appeal are the same as those set forth in its March 9, 2017 appeal, as well as its March 20, 2017 comments to the Planning Commission and BOAC. El Segundo requested that its April 3, 2017 appeal be combined with, and heard at the same time as, its March 9, 2017 appeal.

The City Council's decision on these appeals should be based on its own independent judgment and consideration of the materials in the administrative record before it, including but not limited to public comment and testimony; the appeal letters; the Final EIR certified by BOAC; the CEQA Findings, Statement of Overriding Considerations, and MMRP adopted by BOAC; the proposed Plan Amendments; BOAC's March 2, 2017 Staff Report; and the Planning Commission's March 23, 2017 Recommendation Report. Electronic copies of the Final EIR, the CEQA Findings, Statement of Overriding Consideration, MMRP, proposed Plan Amendments, BOAC's adopted March 2, 2017 Staff Report, and BOAC Resolution Nos. 26185, 26190 were provided to members of the City Council on May 9, 2017. Copies of

these documents are available to the City Council upon request.

Recommended City Council Actions

LAWA staff has carefully reviewed the March 9, 2017 and April 3, 2017 appeal letters, as well as the referenced letters from El Segundo dated March 9, 2015, November 15, 2016, December 2, 2016, March 1, 2017, and March 20, 2017, including all attachments and exhibits thereto, and the oral testimony of El Segundo Mayor Suzanne Fuentes to the BOAC on March 2, 2017; and the referenced letter from Culver City dated November 15, 2016.

The March 9, 2017 appeal letter from the City of Culver City attached copies of its November 15, 2016 on the Draft EIR. Written responses to all comments raised in the November 15, 2016 letter from the City of Culver City were provided in the Final EIR. A copy of this letter is provided as Attachment A of this Staff Report.

The March 9, 2017 appeal letter from the City of El Segundo attached copies of its March 9, 2015, November 15, 2016, December 2, 2016, and March 1, 2017 letters. Copies of these letters are provided as Attachment B. The March 9, 2015 letter from the City of El Segundo was submitted in response to the Notice of Preparation (NOP) for the LAX LAMP EIR. The issues raised by the City of El Segundo in their NOP letter were addressed in the Draft EIR. Written responses to all comments raised in the November 15, 2016 and December 2, 2016 letters from the City of El Segundo, including all attachments and exhibits, were provided in the Final EIR. Written responses to all comments raised in the March 1, 2017 letter from the City of El Segundo, including all attachments and exhibits, are provided as Attachment D to this Staff Report. All of the issues raised in the oral testimony of El Segundo Mayor Suzanne Fuentes at the BOAC March 2, 2017 meeting have been responded to either in the Final EIR or in the responses to the March 1, 2017 letter provided as Attachment D to this Staff Report.

The April 3, 2017 appeal letter from the City of Segundo attached a copy of its March 20, 2017 letter. A copy of the April 3, 2017 letter is provided as Attachment C. Responses to the issues raised in the March 20, 2017 letter from the City of El Segundo were provided at the City Planning Commission/BOAC hearing on March 23, 2017 and are provided as Attachment E.

As further explained below, all issues raised by the City of Culver City and the City of El Segundo during the LAWA review process were fully and adequately addressed in responses to comments in the Final EIR, in BOAC's adopted March 2, 2017 Board Report, and the CEQA Findings and Statement of Overriding Considerations. In sum, the City of Culver City's and the City of El Segundo's claims in this appeal are both factually and legally baseless.

Based on the administrative record, including but not limited to, the March 9, 2017 appeal letters from El Segundo and Culver City, respectively, the April 3, 2017 appeal letter from El Segundo, this LAWA Staff Report, the LAX LAMP EIR, the CEQA Findings, the Statement of Overriding Considerations, MMRP, and public comment and testimony, LAWA recommends that the City Council take the following actions:

1. DENY the City of Culver City's March 9, 2017 appeal of BOAC's certification of the LAX LAMP EIR.
2. DENY the City of El Segundo's March 9, 2017 appeal of BOAC's certification of the LAX LAMP EIR and its April 3, 2017 appeal of the City Planning Commission/BOAC March 23, 2017 related actions.
3. Take other actions related to the LAMP Project as set forth in BOAC's May 9, 2017 request to City Council for consideration of the LAMP Project.

Project Description

LAWA proposes to implement the LAX LAMP Project to continue to transform LAX into a world-class airport by relieving traffic congestion within the Central Terminal Area (CTA) and on the surrounding

street network, improving the travel experience for passengers, and providing a connection to the regional Los Angeles County Metropolitan Transportation Agency (Metro) rail system. The LAX LAMP Project reflects LAWA's commitment to reduce emissions from transportation sources to comply with Senate Bill (SB) 375 and improve air quality.

The LAX LAMP Project consists of several components including:

- An Automated People Mover (APM) system with APM stations connecting to the CTA;
- A Consolidated Rental Car Facility (CONRAC);
- Two Intermodal Transportation Facilities (ITF) providing new public parking facilities and passenger pick up and drop off;
- Roadway improvements designed to improve access to the CTA from the freeway and provide access to the proposed ITFs and CONRAC;
- Passenger walkway systems connecting the APM stations to passenger terminals;
- Modifications to existing passenger terminals and parking garages within the CTA to interface with the APM;
- An APM Maintenance and Storage Facility;
- Utilities needed to support the LAX LAMP Project; and
- Amendments to plans regulating land use in the area, including the City of Los Angeles General Plan and the LAX Specific Plan, zone changes, and the reconfiguration of existing parcels.

To provide the opportunity for passengers to access the Metro regional rail system, the APM system would include a station at the ITF East which would interface with a multi-modal/transit facility at 96th Street/Aviation Boulevard planned by Metro as a separate and independent project (the Airport Metro Connector 96th Street Transit Station).

LAWA also proposes to utilize land adjacent to the proposed facilities for construction staging and construction activities to build the APM, CONRAC, ITFs, roadway improvements and other project elements. Once the APM, CONRAC, and ITFs are constructed and operational, which is anticipated by 2024, potential future related development may occur on land owned by LAWA located adjacent to these facilities. Such potential future related development is envisioned to support the needs of passengers, visitors, employees, and guests of hotels in the area. Because no specific development projects are proposed for these areas, certain assumptions concerning this potential future related development were identified, and impacts were assessed at a program level in the LAX LAMP Project EIR. Any future development on the adjacent parcels would be subject to further environmental study which would be brought back to BOAC for consideration and approval.

Implementation of the LAX LAMP Project require General Plan Amendments to the City of Los Angeles' Land Use Element, the LAX Plan and the Westchester-Playa del Rey Community Plan, as well as the Transportation Element, the Mobility Plan 2035. Proposed amendments are also required to the LAX Specific Plan, the regulatory document that implements the LAX Plan, to include the necessary zone changes. These plan amendments reflect updated plan boundaries and descriptions reflecting the LAX LAMP Project components. The amendments also promote pedestrian and multi–modal activities that support trip reduction strategies, including transit use to LAX, and enable implementation of the LAX LAMP Project within the Airport Landside Subarea and the new Airport Landside Support Subarea. The Belford Special Study Area would be updated to reflect the proposed use of this area under the LAX LAMP Project: Airport Landside and Airport Landside Support. In addition to administrative and LAX LAMP Project–related changes, revisions to the LAX Plan and LAX Specific Plan include removal of language on the following: limitation on the number of off-airport parking spaces, limitation on the number of gates at LAX, and references to the FlyAway service. Amendments to the LAX Specific Plan include the removal of subsection G, Monitoring and Reporting, and subsection H, Additional Study Requirements. Portions of these requirements would be consolidated into the newly proposed Appendix

A of the LAX Specific Plan. Requirements regarding the preparation of a Specific Plan Amendment Study would be removed from the LAX Specific Plan as the LAX LAMP Project EIR fulfilled that requirement. The LAX Design Guidelines would be added as an appendix to the LAX Specific Plan.

Preparation and Circulation of the EIR

The LAX LAMP Project EIR was prepared in compliance with CEQA (Pub. Res. Code § 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.). The EIR identifies, analyzes, and evaluates impacts on the environment and feasible mitigation measures and project alternatives by which the significant impacts of the Project can be avoided or substantially reduced.

In accordance with CEQA and CEQA Guidelines § 15082, LAWA circulated a Notice of Preparation (NOP) and Initial Study (IS) to prepare the LAX LAMP Project EIR on February 5, 2015. The NOP was circulated for 33 days, with comments due on March 9, 2015. Two public scoping meetings were held during that time, on February 19, 2015 and February 21, 2015. LAWA distributed copies of the IS/NOP to thousands of stakeholders, other agencies, airlines, and other leaseholders at LAX. The IS/NOP was made available on the LAWA website and copies were placed at six local libraries: City of Los Angeles Westchester-Loyola Branch and Dr. Mary McLeod Bethune libraries, and the public libraries in the Cities of Culver City, El Segundo, Hawthorne, and Inglewood. During the CEQA process LAWA met with over 150 agencies, businesses, and community groups, as well as elected officials to present information on the LAX LAMP Project, proposed effects of the project, answer questions, and identify potential concerns. Additionally, LAWA mailed notices of key public meetings to an extensive database containing over 12,000 addresses. There were 51 comment letters received on the NOP /IS that were addressed in the Draft EIR.

On September 15, 2016, LAWA published a Draft EIR for the LAX LAMP Project. In accordance with CEQA, the Draft EIR was circulated for public review for 45 days, with the review period scheduled to close on October 31, 2016. During the public review period, LAWA received multiple requests for an extension of the comment period. LAWA extended the comment period by an additional 15 days, with the review period closing on November 15, 2016. Two public workshops were held during the comment period: one on October 15, 2016 and one on October 19, 2016. The Draft EIR documents were posted on LAWA's website and copies made available in the following libraries: Westchester-Loyola Villa Branch Library, El Segundo Library, Inglewood Library, Culver City Library, Hawthorne Library, and Dr. Mary McLeod Bethune Regional Branch Library.

LAWA undertook an extensive process to notify public agencies and members of the public of the availability of the LAX LAMP Project Draft EIR for review and the two open house/public meetings that were held in October 2016 during the public comment period. As required by CEQA, a Notice of Completion was filed with the State Clearinghouse and the Notice of Availability (NOA) was posted with the County Clerk. In addition to providing information about the availability of the LAX LAMP Project Draft EIR, the length of the public review period, and the process for providing comments, the NOA listed the two open house/public meeting dates. In addition, a mailer was sent to 12,000 individuals with information regarding the availability of the LAX LAMP Project Draft EIR and the open house/public meetings. Notices announcing availability of the LAX LAMP Project Draft EIR and the open house/public meetings were also published in area newspapers, including the Los Angeles Times, Argonaut, and Daily Breeze. LAWA posted several press releases announcing the open house/public meetings on its website (www.lawa.org) and distributed press releases to multiple travel- and airport-related media outlets. Finally, the meetings were announced via LAWA's social media platforms (i.e., Facebook and Twitter).

A total of 75 comment letters were received in conjunction with the LAX LAMP Project Draft EIR during the public review period, which contained a total of 442 individual comments. Pursuant to § 15088 of the State CEQA Guidelines, LAWA evaluated comments received from persons who reviewed the LAX LAMP Project Draft EIR and prepared written response to those comments. Those comments and written responses, along with other information, are included as part of the LAX LAMP Project Final EIR. As required by § 15088(c) of the State CEQA Guidelines, the focus of the responses to comments is on "the disposition of significant environmental issues raised."

As required by Public Resources Code § 20192.5, all agencies who commented on environmental issues in the Draft EIR were provided with responses to comments at least 10 days prior to the Final EIR being submitted to BOAC for certification.

BOAC's March 2, 2017 Actions

LAWA provided early notification of the availability of the LAX LAMP Project Final EIR and of the scheduled BOAC meeting on the LAX LAMP Project in several ways. For the Final EIR, over 100 copies were distributed via overnight delivery on February 16, 2017 (including one copy each to the City of Culver City and the City of El Segundo, and their respective law offices). Additionally, mailers indicating where the Final EIR could be found on-line or in libraries were sent to over 380 parties. The Final EIR was made available for review on LAWA's connectinglax.com website on February 17, 2017.

Public notification of the March 2, 2017 BOAC meeting was posted online (to connectinglax.com) on February 17, 2017 and an e-mail reminder of the meeting was sent on February 14, 2017 to all parties on the connectinglax.com e-mail list. For those unable to attend the March 2nd BOAC meeting, a link to video of the meeting was made available at LAWA's Official Twitter Feed on March 2nd. A press release regarding the outcome of the March 2nd BOAC meeting was issued early evening of March 2nd.

At a regular meeting on March 2, 2017, the City of Los Angeles BOAC, acting pursuant to the California Environmental Quality Act (CEQA), Public Resources Code § 21000, et seq., approved BOAC Resolution No. 26185, certifying the Final EIR for the LAX LAMP Project. BOAC also made certain specific findings related to the EDR. On the basis of the Final EIR, BOAC adopted the LAMP CEQA Findings, Statement of Overriding Considerations, and MMRP; and determined that the LAX SPAS required by Section 7.H.1 of the LAX Specific Plan is complete. BOAC then approved the LAX LAMP Project as described in the Final EIR.

BOAC's March 23, 2017 Action

On March 23, 2017, the City of Los Angeles Planning Commission (Planning Commission) and BOAC held a joint meeting, at which the Planning Commission recommended the City Council approve certain land use plan amendments as part of the LAMP Project, including amendments to the City of Los Angeles General Plan Land Use Element (LAX Plan and Westchester-Playa del Rey Community Plan), the City of Los Angeles Transportation Plan (Mobility Plan 2035), the LAX Specific Plan, and related zone changes. BOAC concurred with the Planning Commission's recommendations in BOAC Resolution No. 26190.

CITY OF CULVER CITY'S STATED "BASIS" FOR APPEAL

The City of Culver City appeal letter (written on behalf of the City of Culver City by Buchalter Nemer), dated March 9, 2017, did not identify specific grounds of appeal. Rather, the letter indicates that the basis for the appeal is set forth in City of Culver City's prior letter to LAWA, as comments to the Draft EIR, dated November 15, 2016 (also written on behalf of the City of Culver City by Buchalter Nemer). The letter was included as an attachment to the appeal, but was not incorporated by reference.

LAWA'S RESPONSES TO CULVER CITY'S PRIOR LETTER

On November 15, 2016, the City of Culver City, submitted an LAX LAMP Project Draft EIR Comment letter (written on behalf of the City of Culver City by Buchalter Nemer), which contained 19 individual comments. In accordance with State CEQA Guidelines § 15088, LAWA prepared written responses to all comments received on the LAX LAMP Project Draft EIR during the public review period, including the City of Culver City's November 15, 2016 letter, identified in the Final EIR as LAMP-AL00006. LAWA's written responses are thorough, detailed, and provide good faith, reasoned analyses. These responses are provided as part of the Final EIR.

The March 9, 2017 letter does not contain any new issues or "significant new information" that would trigger recirculation under State CEQA Guidelines § 15088.5. The Final EIR addressed all environmental

issues raised in the November 15, 2016 letter from the City of Culver City. LAWA has, therefore, already responded to the previous Culver City letter, as cited in its Appeal Letter. The responses to comments on the LAX LAMP Project Draft EIR were considered by the decision-makers during project deliberations.

To further assist in the City Council's review of City of Culver City's appeal, LAWA has provided specific citations identifying its responses to the issues raised in the March 9, 2017 appeal letter (Attachment A), as well as additional clarification as appropriate.

LAWA'S RESPONSES TO CULVER CITY'S "SUMMARY" OF ITS "BASIS" FOR APPEAL

The City of Culver City's appeal letter dated March 9, 2017, did not identify specific grounds of appeal. Rather, the letter indicates that the basis for the appeal is set forth in City of Culver City's prior letter to LAWA, as comments to the Draft EIR, dated November 15, 2016. The following provides a "summary" of its "basis for appeal."

1. Culver City's Claim that "the use of a baseline date other than 2015 is questionable" is without merit

CEQA Guidelines Section 15125(a) does require that the EIR include "a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published." However, the commentor is incorrect that CEQA requires this description to be the baseline for analysis. CEQA Guidelines Section 15125(a) specifies that the environmental setting "will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." (Emphasis added.) There are circumstances where the time that the notice of preparation is published is not the best representation of baseline physical conditions, and the Lead Agency has the discretion to decide how the existing physical conditions without the project can most realistically be measured. (See *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.)

The Notice of Preparation (NOP) for the LAX LAMP EIR was published on February 5, 2015. In accordance with the provisions of CEQA, 2015 is the baseline year for characterizing existing conditions in the environmental analysis. Where existing conditions data specific to 2015 were not available or where 2015, by itself, was not an appropriate representation of baseline conditions, the Draft EIR identifies this fact, explains what data was used to determine existing conditions, and provides evidence of why this information is representative of baseline conditions.

For certain analyses, a full year's worth of data was considered necessary and appropriate to characterize existing baseline conditions. Such is the case relative to existing air pollutant emissions and existing airport traffic generation, whereby the variability in airport operations throughout the year, especially seasonal variations, results in "existing" conditions for those topics being very different depending on time of year. For these analyses, data for the prior calendar year, which in the case of this EIR is 2014, were used to define existing baseline conditions for these topics.

CEQA does not require a public agency to wait until a calendar year ends to gather existing data so that the baseline analysis is strictly confined to the calendar year in which the NOP was published, nor would it be prudent to do so. Due to the highly developed nature of LAX and the surrounding communities, and the lack of economic growth in recent years, there is substantial evidence that site conditions at and around LAX did not materially change between 2014 and 2015. Therefore, the available information in 2014 that was used to characterize baseline conditions, is considered to be generally representative of 2015 conditions.

2. Culver City's Claim that "the DEIR improperly analyzes the project's 900,000 square feet of future related development at the "program" level" is without merit

The proposed Project would require changes to the configuration and use of existing parcels owned by LAWA where the new LAX ground transportation facilities are proposed to be constructed. Associated changes to the existing land use and zoning designations are proposed, as further discussed in Section

2.8 of the Draft EIR. These changes would create new parcels owned by LAWA that would be needed for construction laydown and staging areas during construction of the proposed Project until completion of Phase 1, but would be later available for future development following the construction period. As discussed in the Draft EIR, LAWA has no specific plans for development of these parcels at this time. Thus, the potential for environmental effects from future development of these parcels was examined at a programmatic level in the EIR. Still, future development of these parcels, such as maximum square footages and allowable compatible land uses, was addressed as part of the LAX Specific Plan requirements. Development of these areas would occur, if at all, after construction of the proposed components of the Project. At such time as individual development projects are proposed on these parcels, additional CEQA project-level environmental review would be conducted, as necessary.

The Draft EIR identified potential uses and development of these parcels. LAWA assumed that these parcels would accommodate up to 900,000 sq. ft. of commercial development. Such future development is envisioned to support the needs of passengers, visitors, employees, and guests of hotels in the area. LAWA has developed land use designations (see Section 2.8 of the Draft EIR) and design guidelines (see Appendix B of the Draft EIR) to guide the future development of these parcels. LAWA prepared an illustrative, conceptual plan for future development in consultation with local stakeholders and generated projections regarding the size and type of the potential future related development, as shown in Table 2-16 of the Draft EIR.

As stated in Chapter 4, *Environmental Impact Analysis*, of the Draft EIR, Section 15146(b) of the State CEQA Guidelines, states that an EIR prepared for program level entitlements, "need not be as detailed as an EIR on the specific construction projects that might follow." The State CEQA Guidelines incorporate the "rule of reason" and advise public agencies to avoid "speculative analysis of environmental consequences for future and unspecified development" that has not yet been formulated at greater levels of detail. Analyzing the impacts of potential future related development at a programmatic level of detail allows a lead agency to "consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts." (State CEQA Guidelines Section 15168(b)(4).) If and when future development is proposed within these parcels, those proposals will be evaluated as appropriate in compliance with CEQA. It would be speculative at this time to provide greater detail on or analysis of the potential future development of these parcels.

Each section in Chapter 4 of the Draft EIR includes both a project-level analysis of the LAX LAMP Project and a program-level analysis of the LAX LAMP potential future related development that describes and analyzes the effects associated with the potential future related development based on the assumptions for development of these parcels, in compliance with CEQA.

3. Culver City's Claim that "the purpose of the project is obviated by its significant traffic impacts" is without merit

The claim implies that the proposed Project is inconsistent with the Project objectives because there would be significant impacts associated with traffic. This assertion is incorrect; it ignores: 1) the proposed Project's consistency with numerous other Project objectives and goals, 2) operating conditions at numerous intersections would be improved, and 3) LAWA's proposed mitigation measures for significantly impacted intersections.

Section 2.2 of the Draft EIR provides the following description of the purpose, objectives and goals of the proposed Project: "the underlying purposes of the proposed Project are to improve access to LAX and relieve congestion on Airport and surrounding roadways". These objectives are consistent with the general goals LAWA has established for LAX as part of its sustainability program and policies that strive to minimize the impact of LAX operations on the surrounding communities.

The following information from the Draft EIR is relevant:

- The proposed Project with mitigation would improve system-wide traffic operating conditions

during both a.m. and p.m. peak hours and many of the congested intersections would be improved. Intersection operations would be improved at 34 locations in the a.m. peak hours and at 42 intersections during the p.m. peak hours compared to future (2035) baseline conditions without the proposed Project (see Table 4.12.2-20 in Section 4.12.2 of the Draft EIR, and pages 9-10 of Appendix O, Off-Airport Traffic Study, of the Draft EIR).

- The proposed Project with Potential Future Related Development with mitigation would improve the system-wide operations during both the a.m. and p.m. peak hours in the future (2035) conditions. Intersection operations would be improved at 32 intersections during the a.m. peak hours and at 35 intersections during the p.m. peak hours compared to future (2035) baseline conditions without the proposed Project (see Table 4.12.2-31 of the Draft EIR, and pages 9-10 of Appendix O, Off-Airport Traffic Study, of the Draft EIR).

Due to the consolidation of trips adjacent to the I-405 and adjacent arterials such as La Cienega Boulevard, Arbor Vitae Street, and Century Boulevard, certain intersections and freeway segments along these corridors would experience significant and cumulatively significantly impacts under various future conditions as noted in the Draft EIR.

To address these significant and cumulatively considerable traffic impacts, LAWA has proposed a detailed mitigation program as detailed in Section 4.12.2.9 of the Draft EIR. With the implementation of these mitigation measures, all significant impacts at intersections would be mitigated to less than significant levels using both existing baseline and future baseline (2024) conditions. However, in future (2035) With Project and future (2035) With Project and Potential Future Related Development scenarios, all significant impacts at intersections, except one, would be mitigated to less than significant levels. Impacts on the La Cienega Boulevard at Arbor Vitae Street intersection would be reduced, but not to less than significant levels. Working closely with the City of Inglewood, LAWA proposed ITS improvements along La Cienega Boulevard (including the intersection of La Cienega Boulevard and Arbor Vitae) and along Century Boulevard (Mitigation Measure MM-ST (LAMP)-7); this mitigation measure would further reduce the significant impact at the La Cienega Boulevard at Arbor Vitae Street intersection, but the impact would remain significant and unavoidable.

Therefore, overall the proposed Project with mitigation measures identified in Section 4.12.2.9 of the Draft EIR would meet the objectives supporting the stated objectives and goals, and would not result in Draft EIR's conclusions "belying" the stated purpose of the Project, as asserted in the claim.

4. Culver City's Claim that "the purpose of the project is similarly contravened by its as yet unanalyzed, but apparently significant air quality impacts" is without merit

The claim indicates that the air quality impact analysis of the LAX LAMP Project Draft EIR failed to analyze airside projects that were contemplated and analyzed in the LAX Specific Plan Amendment Study (SPAS) Final EIR, published in January 2013. However, the air quality impact analysis included in the LAX SPAS Final EIR included extensive programmatic analysis of multiple airside configurations, as well as multiple landside configurations – one of which was the basis of the currently proposed LAX LAMP Project (analyzed as Alternative 9 in the LAX SPAS EIR and ultimately selected by the Los Angeles City Council as part of the "Staff Recommended Alternative"). Thus, LAWA and the City have already analyzed, at a programmatic level, the air quality impacts of various options for airfield and landside components at LAX, including the SPAS Staff Recommended Alternative.

The LAX LAMP Draft EIR addresses a more refined, project-level design of the LAX SPAS Alternative 9 layout and systems. LAWA has not yet decided whether or how to proceed with the airside options programmatically analyzed in the LAX SPAS Final EIR. Therefore, it would not be appropriate or necessary under CEQA (i.e., it would be speculative) to assess airside options beyond what was already disclosed and analyzed in the LAX SPAS Final EIR, and what is included in the cumulative impacts analysis for the LAX LAMP Project Draft EIR. Furthermore, the SPAS airside options and the LAX LAMP

Project have independent utility: the LAX LAMP Project can be successfully implemented regardless of the SPAS airside options, and does not rely on the SPAS airside options for its justification.

With regard to the future passenger levels at LAX, as explained in Section 6.3.2 of the Draft EIR, projected future increases in passenger activity levels, forecasted by the Southern California Association of Governments (SCAG) and the Federal Aviation Administration (FAA), are anticipated to be realized with or without the LAX LAMP Project. The proposed Project simply provides a more convenient, transit-oriented system to enter and exit the Airport. The long-range future impacts of regional activity, including those from passengers using LAX, were analyzed in the approved Final 2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy and associated Program Environmental Impact Report (PEIR) published in April 2016. The air quality impact analysis in Section 4.2.1 of the Draft EIR included air travel passenger growth in the region up to 136.2 million annual passengers, with up to 96.6 million annual passengers flying to and from LAX.

CITY OF EI SEGUNDO'S STATED "BASIS" FOR APPEAL

The City of El Segundo's appeal letters (written on behalf of the City of El Segundo by Shute, Mihaly & Weinberger), dated March 9, 2017 and April 3, 2017, are appealing the decision from BOAC and the Department of City Planning (CPC)/BOAC, respectively, as "the EIR fails to comply with CEQA because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP, including the impacts of the proposed amendments to the LAX Plan and LAX Specific Plan." The letters further indicate that the specific bases for the appeals are set forth in El Segundo's previous letters to BOAC dated March 9, 2015, November 15, 2016, December 2, 2016, and March 1, 2017, including all attachments and exhibits thereto, and the oral testimony of El Segundo Mayor Suzanne Fuentes to the BOAC on March 2, 2017. The April 3, 2017 appeal letter also incorporates by reference El Segundo's March 20, 2017 comments to the Planning Commission and BOAC.

LAWA'S RESPONSES TO EL SEGUNDO'S PRIOR LETTERS

On November 15, 2016 and December 2, 2016, the City of El Segundo submitted comment letters on the LAX LAMP Project Draft EIR (written on behalf of the City of El Segundo by Shute, Mihaly & Weinberger), which contained 86 individual comments and 19 individual comments, respectively. In accordance with State CEQA Guidelines § 15088, LAWA prepared written responses to all comments received on the LAX LAMP Project Draft EIR during the public review period, including the City of El Segundo's November 15, 2016 and December 2, 2016 letters, identified in the Final EIR as LAMP-AL00008 and LAMP-AL00012, respectively. LAWA's written responses are thorough, detailed, and provide good faith, reasoned analyses. These responses are provided as part of the Final EIR and were considered by the BOAC during project deliberations.

The March 1, 2017, March 9, 2017, and April 3, 2017 letters do not contain any new issues or "significant new information" that would trigger recirculation under State CEQA Guidelines § 15088.5. Written responses to the March 1, 2017 letter are provided as Attachment D; responses to the issues raised in the March 20, 2017 letter from the City of El Segundo were provided at the City Planning Commission/BOAC hearing on March 23, 2017 (see Attachment E). LAWA has, therefore, responded to all of the comments El Segundo cites in its Appeal Letter.

To further assist in the City Council's review of City of El Segundo's appeal, LAWA has provided specific citations identifying its responses to the issues raised in the March 1, 2017 and March 9, 2017 letters (Attachment B), and April 3, 2017 letters (Attachment C), as well as additional clarification as appropriate.

LAWA'S RESPONSES TO EL SEGUNDO'S "SUMMARY" OF ITS "BASIS" FOR APPEAL

On behalf of the City of El Segundo, Shute, Mihaly & Weinberger submitted letters of appeal on March 9, 2017 and April 3, 2017. The March 9, 2017 stated that "[t]he EIR fails to comply with the California Environmental Quality Act ("CEQA") because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP." The April 3, 2017 letter identified the following as the "summary" of its "basis for appeal."

1. El Segundo's Claim that "[t]he EIR fails to comply with the California Environmental Quality Act ("CEQA") because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP" is without merit

The LAX LAMP Project EIR was prepared in compliance with CEQA (Pub. Res. Code § 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.). The EIR identifies, analyzes, and evaluates impacts on the environment and feasible mitigation measures and project alternatives by which the significant impacts of the Project can be avoided or substantially reduced. Each section in Chapter 4 includes both a project-level analysis of the LAX Landside Access Modernization Program and a program-level analysis of the LAX Landside Access Modernization Program Potential Future Related Development that describes and analyzes the effects associated with the potential future related development based on the assumptions for development of these parcels, in compliance with CEQA. The EIR also includes a thorough analysis of all cumulative impacts that would occur as a result of the proposed Project in combination with past, present and reasonably foreseeable future projects with the potential to impact the same resources as the proposed Project.

In accordance with CEQA and CEQA Guidelines § 15082, LAWA circulated a Notice of Preparation (NOP) and Initial Study (IS) to prepare the LAX LAMP Project EIR on February 5, 2015. On September 15, 2016, LAWA published a Draft EIR for the LAX LAMP Project. In accordance with CEQA, the Draft EIR was circulated for public review for 45 days, which LAWA extended by an additional 15 days. As required by CEQA, a Notice of Completion was filed with the State Clearinghouse and the Notice of Availability (NOA) was posted with the County Clerk. Pursuant to § 15088 of the State CEQA Guidelines, LAWA evaluated comments received from persons who reviewed the LAX LAMP Project Draft EIR and prepared written response to those comments. As required by Public Resources Code § 20192.5, all agencies who commented on environmental issues in the Draft EIR were provided with responses to comments at least 10 days prior to the Final EIR being submitted to BOAC for certification.

2. El Segundo's Claim that "the findings adopt wholesale the EIR's flawed assumption that LAMP will not enable passenger growth at LAX" is without merit

The Findings are supported by substantial evidence in the record, including the Draft and Final EIR. Specifically, the increase in passenger growth is not the result of new ground access options but is a background condition that has occurred every year even with current transportation constraints. Growth in passengers at LAX is expected to occur with or without the proposed Project improvements, as explained on page 2-84 of the Final EIR.

The proposed Project is simply addressing current transportation constraints that will continue to worsen if the Project is not implemented. There is substantial evidence in the record, including historical trends and LAX market share data, that growth in passengers at LAX can and have increased despite increased traffic congestion conditions at LAX, and is expected to occur with or without the proposed Project improvements, as discussed in Section 6.3.2 of the Draft EIR. Also see Responses to Comments LAMP-AL00008-2, LAMP-AL00008-4, LAMP-AL00008-8, and LAMP-AL00008-83 in the Final EIR and Response to Comment LAMP-F-AL00001-2 in Attachment D of this Staff Report. Between 2005 and 2015, whereas LAX's passenger market share has increased, other regional airports have seen their market shares stay relatively constant or decline over the 10-year period. Heavy traffic congestion at and around LAX has not forced passengers to use other airports in the region.

As explained in the Final EIR, practical capacity of an airport takes into account market assumptions, expected physical characteristics of various airport system functional elements and how they are planned and expected to work together. The ground access system alone does not constrain LAX. The EIR acknowledges that traffic conditions would worsen under a Without Project condition, as detailed in Tables 4.12.2-20, 4.12.2-24, 4.12.2-29, and 4.12.2-30 of the Draft EIR. However, worsening traffic conditions are not expected to significantly reduce future passenger demand for LAX, only to lower the level of service and experience for passengers and drivers as passenger activity continues to increase at LAX.

3. El Segundo's Claim that "the Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP" is without merit

As discussed in the Final EIR, the proposed changes to the LAX Plan and the LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates. Nor do the LAX Plan or LAX Specific Plan limit passenger activity level to 78.9 MAP. The revisions to the LAX Plan and LAX Specific Plan are proposed because the LAX Plan and LAX Specific Plan are not prescriptive plans that specify the exact number of facilities and passengers allowed at LAX; rather they are planning documents that discuss permitted land uses, zoning, and approval processes within the framework of the City of Los Angeles General Plan. Additional gates are not proposed as part of the proposed Project. Any future development at LAX would be required to comply with CEQA and NEPA. This means that any potential future terminal development at LAX, must undergo separate environmental review. Additionally, LAWA is bound by the 2006 Stipulated Settlement, which contains provisions regarding the number of gates at LAX through 2020.[1]

4. El Segundo's Claim that "the LAX Specific Plan Changes Proposed by LAWA Would Remove Key Protections Put in Place by the LA City Council When It Approved the 2004 LAX Master Plan" is without merit

The proposed changes to the LAX Specific Plan are intended to provide consistency with other City of Los Angeles specific plan processes. Amendments include: changes in the text of the LAX Specific Plan to facilitate implementation of the programs and policies in the plan; the addition of an Airport Landside Support Subarea; reorganization of text for consistency and clarity; removal of the parking regulations which are specific to the LAX Master Plan; clarification of which parcels within the LAX Specific Plan are subject to the trip generation provisions of the LAX Specific Plan; changes to the LAX Specific Plan compliance review; replacement of mitigation and reporting requirements for traffic generation and aviation activity related to the LAX Master Plan with reporting requirements that would be standard practice for all projects; removal of certain additional study requirements that would be fulfilled as part of the LAX Landside Access Modernization Program Project; and the addition of LAX Design Guidelines, as well as updates to the associated figures. The LAX Specific Plan would also be amended to allow the Executive Director to authorize the sale, dispensing, and consumption of alcohol beverages within sterile areas of the Airport or related off-site sterile areas without having to obtain a Conditional Use Permit from the Department of City Planning.

Section 7 of the LAX Specific Plan provides details on the LAX Specific Plan Compliance Review. The proposed changes were modeled after other city specific plan compliance review processes and crafted in consultation with the Department of City Planning and Council District 11. Based on comments received, revisions to this section include changing the time for the Director of Planning to review and make a consistency determination from 15 working days to 75 days from the date the documents were received, unless the Director of Planning and the Executive Director agree more time is necessary. All other City of Los Angeles specific plan compliance review processes do not require City Council approval, but rather only DCP Executive Director approval and allow for appeals to local area planning commissions. These changes will make the LAX Specific Plan more consistent with other specific plans in the City of Los Angeles.

Projects in the LAX Northside (north of Westchester Parkway), or surplus parcels after the reconfiguration of areas after the proposed Project is implemented (within the Landside Support SubArea), would have to receive a determination of consistency from the City Planning Department. If the BOAC approves a project in those areas which the DCP has determined as inconsistent with the plan, the consistency determination automatically goes to City Council. The proposed changes to the LAX Specific Plan would

---

[1] Section IV.B.1 of the Stipulated Settlement requires that by December 31, 2015, the total number of passenger gates (including remote gates) shall be reduced to no more than 153 passenger gates. This provision is in effect until December 31, 2020.

not affect how the plan works or how LAWA coordinates with the surrounding communities or diminish LAWA's commitment to public outreach on future projects.

5. El Segundo's Claim that "Specific Plan Amendment Study Is Now Required—the Requirement Is Not Satisfied by LAMP, and Must Remain in the LAX Specific Plan Until Satisfied" is without merit

The LAX LAMP Project EIR fulfills the requirement of the Specific Plan as it discloses environmental conditions at LAX at passenger activity levels of 86 million annual passengers and 95 million annual passengers, and the related Specific Plan Amendments. The LAX Landside Access Modernization Program Draft EIR evaluates the changes to the ground access system proposed by LAWA in relation to the surrounding neighborhoods and jurisdictions and seeks to implement the LAX Landside Access Modernization Program in an orderly manner with minimal impact to its neighbors. The Draft EIR evaluates the proposed changes to the LAX Plan and LAX Specific Plan, the effect of the LAX Landside Access Modernization Program on the policies and procedures contained in the LAX Plan and LAX Specific Plan, and recommends changes to maintain the intent and effectiveness of the plans given current and proposed conditions. As such, the LAX Landside Access Modernization Program Draft EIR also fulfills the requirement to conduct a Specific Plan Amendment Study.

List of Attachments:

- Attachment A – March 9, 2017 Appeal Letter from Buchalter Nemer on behalf of the City of Culver City
  - Attachment A-1 – November 15, 2016 Comment Letter on the LAX LAMP Project Referred to in Buchalter Nemer's March 9, 2017 Appeal Letter
- Attachment B – March 9, 2017 Appeal Letter from Shute, Mihaly & Weinberger on behalf of the City of El Segundo
  - Attachment B-1 – March 9, 2015 NOP Comment letter
  - Attachment B-2 – November 15, 2016 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger
  - Attachment B-3 – December 2, 2016 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger
  - Attachment B-4 – March 1, 2017 Comment Letter to BOAC from Shute, Mihaly & Weinberger
- Attachment C – April 3, 2017 Appeal Letter from Shute, Mihaly & Weinberger on behalf of the City of El Segundo
  - Attachment C-1 – March 20, 2017 Comment Letter to CPC and BOAC from Shute, Mihaly & Weinberger
- Attachment D – Responses by LAWA to March 1, 2017 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger
- Attachment E – Responses to issues raised by the March 20, 2017 Shute, Mihaly & Weinberger Comment Letter

ATTACHMENT A

March 9, 2017 Appeal Letter from Buchalter Nemer on behalf of the City of Culver City

BuchalterNemer
A Professional Law Corporation

18400 Von Karman Avenue, Suite 800, Irvine, California 92612-0514
Telephone (949) 760-1121 / Fax (949) 720-0182

Direct Dial Number: (949) 224-6292
Direct Facsimile Number: (949) 224-6480
E-Mail Address: *blichman@buchalter.com*

March 9, 2017

VIA E-MAIL (CITYCLERK@LACITY.ORG)

City Clerk
City of Los Angeles
200 North Spring Street
City Hall, Room 360
Los Angeles, CA 90012

Re: Appeal of Board of Airport Commissioners' Certification of Final Environmental Impact Report for Los Angeles International Airport (LAX) Landside Access and Modernization Program Project, SCH No. 2015021014

Dear City Clerk:

We represent the City of Culver City ("Culver City"). On behalf of Culver City, we hereby appeal the March 2, 2017 decision by the Board of Airport Commissioners ("BOAC") to certify the Final Environmental Impact Report for Los Angeles International Airport (LAX) Landside Access and Modernization Program Project and to approve actions based on the Final EIR. We file this appeal pursuant to Public Resources Code § 21151(c) which allows the appeal of the decision to certify an EIR by a nonelected decisionmaking body of a lead agency such as the City of Los Angeles to the elected decisionmaking body of the lead agency.

The basis for this appeal is set forth in our November 15, 2016 comment letter on the Draft Environmental Impact Report, a copy of which is attached hereto as Exhibit A. In summary, the EIR uses a questionable baseline date; improperly analyzes the project's 900,000 square feet of future related development at the "program" level; and reflects significant traffic and air quality impacts obviating the purpose of the project.

Please advise us as soon as possible when this appeal will be heard by the City Council.

Sincerely,

BUCHALTER NEMER
A Professional Corporation

By Barbara Lichman

Barbara Lichman

cc: Board of Airport Commissioners
Suzanne Tracy, Office of the City Attorney

EXHIBIT A

BuchalterNemer
A Professional Law Corporation

18400 VON KARMAN AVENUE, SUITE 800, IRVINE, CALIFORNIA 92612-0514
TELEPHONE (949) 760-1121 / FAX (949) 720-0182

Direct Dial Number: (949) 224-6292
Direct Facsimile Number: (949) 224-6480
E-Mail Address: *blichman@buchalter.com*

November 15, 2016

VIA E-MAIL (BSIDHOM@LAWA.ORG)

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216

Re: Los Angeles International Airport (LAX) Landside Access Modernization Program Draft Environmental Impact Report - Comments of the City of Culver City

Dear Ms. Quintanilla:

The following constitutes the comments of the City of Culver City ("City") concerning the Draft Environmental Impact Report for Los Angeles International Airport (LAX) Landside Access Modernization Program ("Project" or "LAMP").

I. THE USE OF A BASELINE DATE OTHER THAN 2015 IS QUESTIONABLE

The DEIR asserts that it uses a baseline date other than the year 2015 where 2015 "by itself is not an appropriate representation of baseline conditions." Nevertheless, CEQA requires that the baseline for analysis in an environmental document be "the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published, or, if no notice of preparation is published, at the time the environmental analysis is commenced . . ." 14 Cal.Code Regs. § 15125(a). Thus, the DEIR must more specifically define the circumstances, the environmental category, and reasons why it is not "appropriate" to use, the CEQA specified baseline. Otherwise, there is a clear danger that environmental impacts will be understated by the use of late baselines into which levels of environmental impact have already been incorporated, thus minimizing the environmental impacts of the Project.

II. THE DEIR IMPROPERLY ANALYZES THE PROJECT'S 900,000 SQUARE FEET OF FUTURE RELATED DEVELOPMENT AT THE "PROGRAM" LEVEL

The DEIR takes the position that the 900,000 square feet of "future related development" to be located around the CONRAC and ITF is so amorphous in its development prospects that it is impossible to adequately analyze at a project level of detail.

Nevertheless, the fact that specific development options have not yet been specified does not preclude the possibility of some specific environmental review of potential uses as determined by the Los Angeles City Zoning Code and other governing ordinances. In fact, "the level of detail should correspond to the level of detail of the program, plan, policy or ordinance that is proposed," 14 Cal. Code Regs. § 15152(b). In this case, this "future related development" is to take place on 47.3 acres of the total of 2 million square feet to be originally used for construction staging. Despite the scope of the area involved, and despite that neither the uses envisioned for this area, nor their impacts are described or analyzed with any specificity.

Therefore, it is entirely possible to provide more analysis on, among others, the parameters of air quality and traffic impacts by referring to and relying on the zoning designations for the areas covered by the "future related development." That the DEIR does little more than dismiss those impacts, stating that they will be analyzed at a future date when that aspect of the Project is analyzed under a Program EIR, understates the full impacts of the Project, and, thus, renders the DEIR inadequate.

III. THE PURPOSE OF THE PROJECT IS OBVIATED BY ITS SIGNIFICANT TRAFFIC IMPACTS

While the stated purpose of the Project is, among other things, to "improv[e] the efficiency and operation of the surface transportation system which LAX operates," DEIR, § 1.1.3(d), that purpose is belied by the DEIR's conclusions. Specifically, the DEIR concludes that traffic improvements, even without reference to the 900,000 square feet of "future related development," *see, e.g.*, DEIR, § 1.4.2, Table 1-3, contemplated to be added to the Project for buildout by 2035, will cause significant traffic impacts to certain intersections in 2024, without mitigation, and in 2035, even with appropriate mitigation. *Id.* Moreover, the DEIR further concludes that inclusion of the "future related development" will create significant impacts both with and without mitigation during both time periods.

The origin of these conclusions is clear. Not only does the Project Description include: (1) dramatic changes to the alignment of streets and roadways; (2) new facilities for rental cars in the Consolidated Rental Car Facility ("CONRAC"), and for the similar consolidation of other modes of transportation in the Intermodal Transportation Facility ("ITF"), east of LAX; but also (3) new freeway interchanges leading to local streets that are already heavily traveled, such as La Cienega Boulevard and Arbor Vitae Street. In addition, Los Angeles Metropolitan Transit Authority ("Metro") is planning a "separate and independent" 96th Street Metro Station near the CONRAC which will also be a hub for parking of private cars and well as modes of public transportation.

A few specific areas of concern regarding traffic impacts are the use of a five percent Transportation Demand Management (TDM) reduction for employee related trips with no means of measuring the effectiveness of the TDM measures to see if they actually result in this reduction. Additionally, the traffic study identifies the existing Level of Service (LOS) of the Sepulveda Boulevard and Centinela Avenue intersection as C in the AM and E in the PM. A

2016 traffic study for another project in the vicinity showed a LOS of E in both the AM and PM for the same intersection. Therefore the analysis of this intersection understates the potential impact. In fact Table 40A suggests the intersection will see a reduced level of service for the "with project" condition which could in fact result in an impact if the proper baseline condition of LOS E AM and PM is used.

Furthermore, the Project will add a significant amount of traffic to the Sepulveda Boulevard and Jefferson Boulevard corridors, two key arterial corridors in Culver City that provide access to the airport as alternate routes to using the 405 Freeway and on which Culver CityBus operates three (3) regular fixed route bus service and one (1) rapid bus line. DEIR Section 2.4.6.2.3, "Transportation System Management," briefly suggests the use of Intelligent Transportation System (ITS) improvements "along key north-south airport access routes which may include corridors through neighboring jurisdictions such as Culver City and El Segundo." The Project should include ITS improvements, such as Adaptive Traffic Control Systems (ATCS) and Bus Signal Priority (BSP), Closed-circuit Television (CCTV), and Changeable Message Signs (CMS), along the Sepulveda Boulevard and Jefferson Boulevard corridors to work closely in conjunction with the freeway corridor ITS systems and provide coordinated and improved regional and sub-regional access to the Los Angeles International Airport (LAX) and its associated facilities.

The Project DEIR did not analyze the Project's impacts to Culver CityBus service along Sepulveda Boulevard (Line 6 and Rapid 6) and Jefferson Boulevard (Lines 3 and 4). Given that the Project will add significant amount of traffic to these corridors and these bus lines provide direct (Local 6 and Rapid 6) and indirect (Lines 3 and 4) access to Project area, the DEIR should analyze the Project's impacts to these bus lines.

It should be noted that Sections 2.4.2.1.2, 2.4.2.2.2, and 2.4.3.1 indicated that the Project will build 8,000 parking spaces at ITF West, 8,300 parking spaces at ITF East, and 8,000 parking spaces at CONRAC, totaling 24,300 parking spaces. The CONRAC includes both the customer service building, "the public hub of the CONRAC," and the employee and visitor parking structures. The total amount of parking provided for at the CONRAC, ITF West, and ITF East is indicative of the minimum number of cars that will access the airport through the surface streets proximate to the airport.

Additionally, in all this, there is no analysis of the synergistic traffic impacts of the Northside Project, planned contemporaneously for 2.3 million square feet of office and retail space immediately to the north and east of LAX, and only passing reference to an additional 900,000 square feet of "future related development" being made available by the development of the CONRAC and ITF.

In short, the DEIR minimizes both the projects themselves and their impacts. The new Metro facility, and "future related development" should at least be analyzed, at minimum, as "cumulative impacts" ["The project's incremental effects viewed in connection with the effects of past projects, the effect of other current projects and the effect of probable future projects."

14 Cal. Code Regs. § 15065(a)(3)]. Instead, the DEIR's approach is facilitated by the superficial program level of environmental review accorded to the almost 1 million square feet of "future related development" ultimately planned for the Project area. Insofar as the planning area is constrained by zoning, and given the CEQA requirement that even "program" level analyses be studied with the greatest specificity possible, it is both necessary and appropriate to analyze the potential impacts of committed levels of allowable uses within the area allocated to "future related development," without which the DEIR is notably deficient. Nevertheless, and despite the looming prospect of additional, potentially significant traffic impacts on already impacted surrounding streets, intersections, and freeway on-ramps, the DEIR persists in categorizing the Project's surface traffic impacts as "insignificant."

IV. THE PURPOSE OF THE PROJECT IS SIMILARLY CONTRAVENED BY ITS AS YET UNANALYZED, BUT APPARENTLY SIGNIFICANT AIR QUALITY IMPACTS

The most prominent weakness of the LAMP air quality analysis is its omission to study the air quality impacts of both the airside and landside portions of the total redesign of the airport. Specifically, the LAMP DEIR attempts to single out only the landside portions of what was a complete (airside, terminal and landside) redesign of LAX, as documented in the Environmental Impact Report for the Los Angeles International Airport Specific Plan Amendment Study ("SPAS EIR"). The LAMP Project, however, is acknowledged to be an integral component of the larger SPAS project which, under accepted protocols of air quality analysis, must be evaluated in total. Most importantly, even though a North Airfield Improvement Project is listed as a reasonably foreseeable project in the LAMP DEIR, emissions from aircraft (and other airside and terminal emission sources) are not estimated, or included in the air quality analysis on the unsupported pretext that "the proposed project would not increase the number of flights or type of aircraft using the airfield because it affects only efficiency of the landside/roadway system and landside development . . ." LAMP DEIR, p. 4.2-10.

Allowing EIR review to proceed as structured in the DEIR would set a precedent for staggering improvement projects that would effectively defeat the environmental review process. If, for example, landside capacity can be increased without an environmental accounting of aircraft and terminal activity effects, then subsequent airside improvements will be facilitated, since the capacity enabling effects of a previous landside modification will have been "banked," or included in the baseline for the next project review. This process can continue ad infinitum with no environmental review ever being conducted on the full impacts of a given project component. One project will simply leapfrog on the back of another such that projects continue to grow while project reviews assume exactly the opposite about their emissions.

As a consequence, the DEIR fails to properly address the Project's air quality impacts in that it does not account for total airport emissions. This is because emissions from airside activities can substantially influence whether emissions from the LAMP project can cause or contribute to a violation of an ambient air quality standard (*i.e.*, influence a project's significance decision). Therefore, non-quantification can only be justified if such non-LAMP airport related

emissions are properly accounted for in utilized air quality background concentrations. This might be substantiated if background concentrations were obtained at an air quality monitor that was downstream of non-LAMP project airport related emissions sources, and upstream of LAMP activity. Such is not, however, the case for the background concentrations employed in the DEIR.

Specifically, for all emissions species except particulate matter ("PM"), background concentrations were taken from the southwest coastal Los Angeles County Monitoring Station on Hastings Avenue. This station is located approximately 2,000 feet to the north of the west end of the northernmost runway at LAX (Runway 6L/24R). This station is very likely to provide representative background concentrations onto which the effects of airport related emissions can be added, but that only holds true if all airport emissions are considered. The prevailing wind direction at LAX is from the west (off the ocean).[1] Therefore, most of LAX related emissions will be dispersed toward the east. Little of this dispersion will influence readings of the Hastings location and this is precisely why the monitor serves as a reasonable background monitor for the airport as a whole.

What the monitor is not, however, is a reasonable source of background information for portions of the airport that are downwind of other, unaccounted for, airport emission sources. Yet that is precisely what the DEIR is assuming. The DEIR makes no effort to account for airside and terminal related emissions that occur upstream of the LAMP Project. These emissions will substantially influence air quality concentrations east of their release points. Since these emissions are not generally reflected in the background concentrations added to the Project's modeled dispersion effects, they are entirely absent from the estimated air quality concentrations. As a result, it is impossible, using the methodology currently employed in the DEIR, to accurately determine the potential significance of the LAMP Project on air quality.

Further, the importance of ensuring that all airport emissions are considered is magnified by the fact the LAMP Project will relocate a portion of airport emissions much closer to the airport boundary with surrounding communities. The incremental effects of this movement is presumably captured in the Landside air quality analysis performed for the DEIR, but it is not possible to ascertain how this increment will affect overall National Ambient Air Quality Standards/California Ambient Air Quality Standards ("NAAQS/CAAQS") compliance in the absence of a full accounting of airport emissions.

In addition, the DEIR does not appear to have adequately estimated the contribution of emissions from the 900,000 square feet of "future related development" as set forth above, this future related development is to take place on 47.3 acres (2 million square feet) of land used for LAMP construction staging. The rationale for allocating only half the available acreage to future

[1] The DEIR does not present any summary of the meteorological data used for the dispersion modeling (most importantly wind speed and direction data). However, previous EIR analyses have provided information on prevailing wind directional data and that information is consistent with qualitative statements included in the DEIR. See, for example, "the location tends to produce a regular daily reversal of wind direction; onshore (from the west) during the day and offshore (from the east) at night." DEIR, p. 4.2-19.

development is unclear, which is yet another symptom of the defects in the DEIR caused by the failure to analyze the impacts of "future related development," at least at a program level, coincidently with the LAMP Project DEIR.

Finally, the DEIR improperly dismisses Sulfate in its analysis of secondary pollutants. DEIR, p. 4.2-2. The definition of Sulfate stated in the DEIR is correct, but its dismissal is incorrect. Sulfur, emitted as Sulfur Dioxide ("SO_2"), reacts in the atmosphere to form Sulfate, which is a significant contributor to total PM, PM_{10} and $PM_{2.5}$. Nitrogen, emitted as Nitrous Oxide ("NO_x") undergoes similar post emission secondary reactions to form particulate nitrates. Ignoring secondary Sulfate and Nitrate formation will underestimate all PM impacts. The DEIR itself notes the importance of secondary PM formation on page 4.2-4, but does not appear to note the inconsistency of this correct recognition with the decision not to estimate such impacts.

While the Southern California Air Quality Management District ("SCAQMD") CEQA Guidelines significance thresholds appear to allow consideration of emitted $PM_{2.5}$ only, "Final – Methodology to Calculate Particulate Matter (PM) 2.5 and PM2.5 Significance Thresholds," October 2006, the specific wording of the guidance is "staff's recommendation for calculating PM2.5 focuses only on directly emitted PM2.5." [Emphasis added.] This statement is merely a recommendation, and does not provide sufficient specificity to determine whether the guidance does not cover the estimation of Sulfate and Nitrate PM (the guidance does include a specific methodology to estimate emitted $PM_{2.5}$), or whether such estimation is not required. In the spirit anticipated by the legislature and the Guidelines, in the face of such uncertainty, it is incumbent upon Los Angeles World Airports ("LAWA") to perform the most complete and specific study available under existing methodologies. The DEIR does not reflect this mandate in its analysis of Sulfate.

In the final analysis, the DEIR fails to analyze the joint impacts of operational and construction activities. Air quality impacts for construction are based on peak day emissions estimates, while operational impacts are assessed in both 2024 (completion of phase 1 construction) and 2035 (following the completion of phase 2). However, at least at some points between 2024 and 2035, both construction and operational activity will be occurring simultaneously. Nevertheless, the combined effects on air quality during this period are not analyzed in the DEIR.

V. SUMMARY

While the LAMP Project offers some potential remedies for the surface traffic impacts that now burden access to LAX, on some parameters, the DEIR falls short. LAWA has not addressed potential attractants of traffic such as the "future related development," and potential emissions from that development and its traffic, when coupled with the capacity enhancing characteristics of the airside portion of the project, of which the LAMP Project is part and parcel. As a consequence, the serious impacts arising from the as yet unaddressed full development of the Project area remains similarly unanalyzed.

Culver City looks forward to working with LAWA cooperatively toward full disclosure, analysis and complete mitigation of the apparent environmental impacts of the LAMP Project.

Sincerely,

BUCHALTER NEMER
A Professional Corporation

By Barbara Lichman

Barbara Lichman

ATTACHMENT A-1

November 15, 2016 Comment Letter on the LAX LAMP Project referred to in Buchalter Nemer's March 9, 2017 Appeal Letter

BuchalterNemer
A Professional Law Corporation

18400 VON KARMAN AVENUE, SUITE 800, IRVINE, CALIFORNIA 92612-0514
TELEPHONE (949) 760-1121 / FAX (949) 720-0182

Direct Dial Number: (949) 224-6292
Direct Facsimile Number: (949) 224-6480
E-Mail Address: *blichman@buchalter.com*

November 15, 2016

VIA E-MAIL (BSIDHOM@LAWA.ORG)

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216

Re: Los Angeles International Airport (LAX) Landside Access Modernization Program Draft Environmental Impact Report - Comments of the City of Culver City

Dear Ms. Quintanilla:

The following constitutes the comments of the City of Culver City ("City") concerning the Draft Environmental Impact Report for Los Angeles International Airport (LAX) Landside Access Modernization Program ("Project" or "LAMP").

I. THE USE OF A BASELINE DATE OTHER THAN 2015 IS QUESTIONABLE

The DEIR asserts that it uses a baseline date other than the year 2015 where 2015 "by itself is not an appropriate representation of baseline conditions." Nevertheless, CEQA requires that the baseline for analysis in an environmental document be "the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published, or, if no notice of preparation is published, at the time the environmental analysis is commenced . . ." 14 Cal.Code Regs. § 15125(a). Thus, the DEIR must more specifically define the circumstances, the environmental category, and reasons why it is not "appropriate" to use, the CEQA specified baseline. Otherwise, there is a clear danger that environmental impacts will be understated by the use of late baselines into which levels of environmental impact have already been incorporated, thus minimizing the environmental impacts of the Project.

II. THE DEIR IMPROPERLY ANALYZES THE PROJECT'S 900,000 SQUARE FEET OF FUTURE RELATED DEVELOPMENT AT THE "PROGRAM" LEVEL

The DEIR takes the position that the 900,000 square feet of "future related development" to be located around the CONRAC and ITF is so amorphous in its development prospects that it is impossible to adequately analyze at a project level of detail.

Nevertheless, the fact that specific development options have not yet been specified does not preclude the possibility of some specific environmental review of potential uses as determined by the Los Angeles City Zoning Code and other governing ordinances. In fact, "the level of detail should correspond to the level of detail of the program, plan, policy or ordinance that is proposed," 14 Cal. Code Regs. § 15152(b). In this case, this "future related development" is to take place on 47.3 acres of the total of 2 million square feet to be originally used for construction staging. Despite the scope of the area involved, and despite that neither the uses envisioned for this area, nor their impacts are described or analyzed with any specificity.

Therefore, it is entirely possible to provide more analysis on, among others, the parameters of air quality and traffic impacts by referring to and relying on the zoning designations for the areas covered by the "future related development." That the DEIR does little more than dismiss those impacts, stating that they will be analyzed at a future date when that aspect of the Project is analyzed under a Program EIR, understates the full impacts of the Project, and, thus, renders the DEIR inadequate.

III. THE PURPOSE OF THE PROJECT IS OBVIATED BY ITS SIGNIFICANT TRAFFIC IMPACTS

While the stated purpose of the Project is, among other things, to "improv[e] the efficiency and operation of the surface transportation system which LAX operates," DEIR, § 1.1.3(d), that purpose is belied by the DEIR's conclusions. Specifically, the DEIR concludes that traffic improvements, even without reference to the 900,000 square feet of "future related development," *see, e.g.*, DEIR, § 1.4.2, Table 1-3, contemplated to be added to the Project for buildout by 2035, will cause significant traffic impacts to certain intersections in 2024, without mitigation, and in 2035, even with appropriate mitigation. *Id.* Moreover, the DEIR further concludes that inclusion of the "future related development" will create significant impacts both with and without mitigation during both time periods.

The origin of these conclusions is clear. Not only does the Project Description include: (1) dramatic changes to the alignment of streets and roadways; (2) new facilities for rental cars in the Consolidated Rental Car Facility ("CONRAC"), and for the similar consolidation of other modes of transportation in the Intermodal Transportation Facility ("ITF"), east of LAX; but also (3) new freeway interchanges leading to local streets that are already heavily traveled, such as La Cienega Boulevard and Arbor Vitae Street. In addition, Los Angeles Metropolitan Transit Authority ("Metro") is planning a "separate and independent" 96th Street Metro Station near the CONRAC which will also be a hub for parking of private cars and well as modes of public transportation.

A few specific areas of concern regarding traffic impacts are the use of a five percent Transportation Demand Management (TDM) reduction for employee related trips with no means of measuring the effectiveness of the TDM measures to see if they actually result in this reduction. Additionally, the traffic study identifies the existing Level of Service (LOS) of the Sepulveda Boulevard and Centinela Avenue intersection as C in the AM and E in the PM. A

2016 traffic study for another project in the vicinity showed a LOS of E in both the AM and PM for the same intersection. Therefore the analysis of this intersection understates the potential impact. In fact Table 40A suggests the intersection will see a reduced level of service for the "with project" condition which could in fact result in an impact if the proper baseline condition of LOS E AM and PM is used.

Furthermore, the Project will add a significant amount of traffic to the Sepulveda Boulevard and Jefferson Boulevard corridors, two key arterial corridors in Culver City that provide access to the airport as alternate routes to using the 405 Freeway and on which Culver CityBus operates three (3) regular fixed route bus service and one (1) rapid bus line. DEIR Section 2.4.6.2.3, "Transportation System Management," briefly suggests the use of Intelligent Transportation System (ITS) improvements "along key north-south airport access routes which may include corridors through neighboring jurisdictions such as Culver City and El Segundo." The Project should include ITS improvements, such as Adaptive Traffic Control Systems (ATCS) and Bus Signal Priority (BSP), Closed-circuit Television (CCTV), and Changeable Message Signs (CMS), along the Sepulveda Boulevard and Jefferson Boulevard corridors to work closely in conjunction with the freeway corridor ITS systems and provide coordinated and improved regional and sub-regional access to the Los Angeles International Airport (LAX) and its associated facilities.

The Project DEIR did not analyze the Project's impacts to Culver CityBus service along Sepulveda Boulevard (Line 6 and Rapid 6) and Jefferson Boulevard (Lines 3 and 4). Given that the Project will add significant amount of traffic to these corridors and these bus lines provide direct (Local 6 and Rapid 6) and indirect (Lines 3 and 4) access to Project area, the DEIR should analyze the Project's impacts to these bus lines.

It should be noted that Sections 2.4.2.1.2, 2.4.2.2.2, and 2.4.3.1 indicated that the Project will build 8,000 parking spaces at ITF West, 8,300 parking spaces at ITF East, and 8,000 parking spaces at CONRAC, totaling 24,300 parking spaces. The CONRAC includes both the customer service building, "the public hub of the CONRAC," and the employee and visitor parking structures. The total amount of parking provided for at the CONRAC, ITF West, and ITF East is indicative of the minimum number of cars that will access the airport through the surface streets proximate to the airport.

Additionally, in all this, there is no analysis of the synergistic traffic impacts of the Northside Project, planned contemporaneously for 2.3 million square feet of office and retail space immediately to the north and east of LAX, and only passing reference to an additional 900,000 square feet of "future related development" being made available by the development of the CONRAC and ITF.

In short, the DEIR minimizes both the projects themselves and their impacts. The new Metro facility, and "future related development" should at least be analyzed, at minimum, as "cumulative impacts" ["The project's incremental effects viewed in connection with the effects of past projects, the effect of other current projects and the effect of probable future projects."

14 Cal. Code Regs. § 15065(a)(3)]. Instead, the DEIR's approach is facilitated by the superficial program level of environmental review accorded to the almost 1 million square feet of "future related development" ultimately planned for the Project area. Insofar as the planning area is constrained by zoning, and given the CEQA requirement that even "program" level analyses be studied with the greatest specificity possible, it is both necessary and appropriate to analyze the potential impacts of committed levels of allowable uses within the area allocated to "future related development," without which the DEIR is notably deficient. Nevertheless, and despite the looming prospect of additional, potentially significant traffic impacts on already impacted surrounding streets, intersections, and freeway on-ramps, the DEIR persists in categorizing the Project's surface traffic impacts as "insignificant."

IV. THE PURPOSE OF THE PROJECT IS SIMILARLY CONTRAVENED BY ITS AS YET UNANALYZED, BUT APPARENTLY SIGNIFICANT AIR QUALITY IMPACTS

The most prominent weakness of the LAMP air quality analysis is its omission to study the air quality impacts of both the airside and landside portions of the total redesign of the airport. Specifically, the LAMP DEIR attempts to single out only the landside portions of what was a complete (airside, terminal and landside) redesign of LAX, as documented in the Environmental Impact Report for the Los Angeles International Airport Specific Plan Amendment Study ("SPAS EIR"). The LAMP Project, however, is acknowledged to be an integral component of the larger SPAS project which, under accepted protocols of air quality analysis, must be evaluated in total. Most importantly, even though a North Airfield Improvement Project is listed as a reasonably foreseeable project in the LAMP DEIR, emissions from aircraft (and other airside and terminal emission sources) are not estimated, or included in the air quality analysis on the unsupported pretext that "the proposed project would not increase the number of flights or type of aircraft using the airfield because it affects only efficiency of the landside/roadway system and landside development . . ." LAMP DEIR, p. 4.2-10.

Allowing EIR review to proceed as structured in the DEIR would set a precedent for staggering improvement projects that would effectively defeat the environmental review process. If, for example, landside capacity can be increased without an environmental accounting of aircraft and terminal activity effects, then subsequent airside improvements will be facilitated, since the capacity enabling effects of a previous landside modification will have been "banked," or included in the baseline for the next project review. This process can continue ad infinitum with no environmental review ever being conducted on the full impacts of a given project component. One project will simply leapfrog on the back of another such that projects continue to grow while project reviews assume exactly the opposite about their emissions.

As a consequence, the DEIR fails to properly address the Project's air quality impacts in that it does not account for total airport emissions. This is because emissions from airside activities can substantially influence whether emissions from the LAMP project can cause or contribute to a violation of an ambient air quality standard (*i.e.*, influence a project's significance decision). Therefore, non-quantification can only be justified if such non-LAMP airport related

emissions are properly accounted for in utilized air quality background concentrations. This might be substantiated if background concentrations were obtained at an air quality monitor that was downstream of non-LAMP project airport related emissions sources, and upstream of LAMP activity. Such is not, however, the case for the background concentrations employed in the DEIR.

Specifically, for all emissions species except particulate matter ("PM"), background concentrations were taken from the southwest coastal Los Angeles County Monitoring Station on Hastings Avenue. This station is located approximately 2,000 feet to the north of the west end of the northernmost runway at LAX (Runway 6L/24R). This station is very likely to provide representative background concentrations onto which the effects of airport related emissions can be added, but that only holds true if all airport emissions are considered. The prevailing wind direction at LAX is from the west (off the ocean).[1] Therefore, most of LAX related emissions will be dispersed toward the east. Little of this dispersion will influence readings of the Hastings location and this is precisely why the monitor serves as a reasonable background monitor for the airport as a whole.

What the monitor is not, however, is a reasonable source of background information for portions of the airport that are downwind of other, unaccounted for, airport emission sources. Yet that is precisely what the DEIR is assuming. The DEIR makes no effort to account for airside and terminal related emissions that occur upstream of the LAMP Project. These emissions will substantially influence air quality concentrations east of their release points. Since these emissions are not generally reflected in the background concentrations added to the Project's modeled dispersion effects, they are entirely absent from the estimated air quality concentrations. As a result, it is impossible, using the methodology currently employed in the DEIR, to accurately determine the potential significance of the LAMP Project on air quality.

Further, the importance of ensuring that all airport emissions are considered is magnified by the fact the LAMP Project will relocate a portion of airport emissions much closer to the airport boundary with surrounding communities. The incremental effects of this movement is presumably captured in the Landside air quality analysis performed for the DEIR, but it is not possible to ascertain how this increment will affect overall National Ambient Air Quality Standards/California Ambient Air Quality Standards ("NAAQS/CAAQS") compliance in the absence of a full accounting of airport emissions.

In addition, the DEIR does not appear to have adequately estimated the contribution of emissions from the 900,000 square feet of "future related development" as set forth above, this future related development is to take place on 47.3 acres (2 million square feet) of land used for LAMP construction staging. The rationale for allocating only half the available acreage to future

[1] The DEIR does not present any summary of the meteorological data used for the dispersion modeling (most importantly wind speed and direction data). However, previous EIR analyses have provided information on prevailing wind directional data and that information is consistent with qualitative statements included in the DEIR. See, for example, "the location tends to produce a regular daily reversal of wind direction; onshore (from the west) during the day and offshore (from the east) at night." DEIR, p. 4.2-19.

development is unclear, which is yet another symptom of the defects in the DEIR caused by the failure to analyze the impacts of "future related development," at least at a program level, coincidently with the LAMP Project DEIR.

Finally, the DEIR improperly dismisses Sulfate in its analysis of secondary pollutants. DEIR, p. 4.2-2. The definition of Sulfate stated in the DEIR is correct, but its dismissal is incorrect. Sulfur, emitted as Sulfur Dioxide ("SO_2"), reacts in the atmosphere to form Sulfate, which is a significant contributor to total PM, PM_{10} and $PM_{2.5}$. Nitrogen, emitted as Nitrous Oxide ("NO_x") undergoes similar post emission secondary reactions to form particulate nitrates. Ignoring secondary Sulfate and Nitrate formation will underestimate all PM impacts. The DEIR itself notes the importance of secondary PM formation on page 4.2-4, but does not appear to note the inconsistency of this correct recognition with the decision not to estimate such impacts.

While the Southern California Air Quality Management District ("SCAQMD") CEQA Guidelines significance thresholds appear to allow consideration of emitted $PM_{2.5}$ only, "Final – Methodology to Calculate Particulate Matter (PM) 2.5 and PM2.5 Significance Thresholds," October 2006, the specific wording of the guidance is "staff's recommendation for calculating PM2.5 focuses only on directly emitted PM2.5." [Emphasis added.] This statement is merely a recommendation, and does not provide sufficient specificity to determine whether the guidance does not cover the estimation of Sulfate and Nitrate PM (the guidance does include a specific methodology to estimate emitted $PM_{2.5}$), or whether such estimation is not required. In the spirit anticipated by the legislature and the Guidelines, in the face of such uncertainty, it is incumbent upon Los Angeles World Airports ("LAWA") to perform the most complete and specific study available under existing methodologies. The DEIR does not reflect this mandate in its analysis of Sulfate.

In the final analysis, the DEIR fails to analyze the joint impacts of operational and construction activities. Air quality impacts for construction are based on peak day emissions estimates, while operational impacts are assessed in both 2024 (completion of phase 1 construction) and 2035 (following the completion of phase 2). However, at least at some points between 2024 and 2035, both construction and operational activity will be occurring simultaneously. Nevertheless, the combined effects on air quality during this period are not analyzed in the DEIR.

V. SUMMARY

While the LAMP Project offers some potential remedies for the surface traffic impacts that now burden access to LAX, on some parameters, the DEIR falls short. LAWA has not addressed potential attractants of traffic such as the "future related development," and potential emissions from that development and its traffic, when coupled with the capacity enhancing characteristics of the airside portion of the project, of which the LAMP Project is part and parcel. As a consequence, the serious impacts arising from the as yet unaddressed full development of the Project area remains similarly unanalyzed.

Culver City looks forward to working with LAWA cooperatively toward full disclosure, analysis and complete mitigation of the apparent environmental impacts of the LAMP Project.

Sincerely,

BUCHALTER NEMER
A Professional Corporation

By Barbara Lichman

Barbara Lichman

ATTACHMENT B

March 9, 2017 Appeal Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

JOSEPH D. PETTA
Attorney
petta@smwlaw.com

March 9, 2017

Via E-Mail and FedEx

City Clerk
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Re: Appeal of Board of Airport Commissioners' Certification of Final Environmental Impact Report of LAX Landside Access Modernization Program

Honorable City Clerk:

On behalf of the City of El Segundo, we hereby appeal the March 2, 2017 decision of the Board of Airport Commissioners ("BOAC") to certify the Final Environmental Impact Report ("FEIR") for the LAX Landside Access Modernization Program ("LAMP") and to approve actions based on the FEIR. We file this appeal pursuant to Public Resources Code section 21151(c), which allows appeal of the decision to certify an EIR by a nonelected decisionmaking body of a lead agency, such as the City of Los Angeles, to the elected decisionmaking body of the lead agency.

The EIR fails to comply with the California Environmental Quality Act ("CEQA") because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP. The specific bases for this appeal are set forth in the enclosed letters to BOAC dated March 9, 2015, November 15, 2016, December 2, 2016, and March 1, 2017, including all attachments and exhibits thereto, and the oral testimony of El Segundo Mayor Suzanne Fuentes to the BOAC on March 2, 2017 (available at: http://www.lawa.org/boac_granicus.aspx). These letters (including attachments and exhibits) and the audio recording of Mayor Fuentes' testimony are incorporated by reference into this notice of appeal.

Please advise us as soon as possible when the City Council will hear this appeal.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

Enclosures

cc: Suzanne Tracy, Counsel, Los Angeles World Airports
Greg Carpenter, City Manager, City of El Segundo

871555.1

Attachment A

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

JOSEPH D. PETTA
Attorney
petta@smwlaw.com

March 9, 2015

Via E-Mail and FedEx

Christopher Koontz
Chief of Airport Planning
Los Angeles World Airports
1 World Way, Room 218
Los Angeles, California 90045

E-Mail: ckoontz@lawa.org

Re: Notice of Preparation for LAX Landside Access Modernization Program

Dear Mr. Koontz:

On behalf of the City of El Segundo, thank you for the opportunity to review the Notice of Preparation ("NOP") and Initial Study ("IS") for the Landside Access Modernization Program ("Project") and Potential Future Related Development ("Future Development"). The City expects to be actively involved in the planning process and looks forward to follow-up discussions and close coordination as the Project goes forward.

As LAWA is aware, El Segundo has a number of longstanding concerns related to LAX, particularly around noise and traffic impacts originating on the southern airfield and/or directed toward El Segundo. El Segundo appreciates that, for now, LAWA appears to have focused the Project and Future Development away from El Segundo. Nevertheless, the City believes that the remaining potential impacts could be further minimized or avoided if LAWA acts consistently with its prior development proposals and decisions, particularly those encompassed by the LAX Master Plan and Specific Plan Amendment Study ("SPAS"). This letter explains El Segundo's concerns about the Project and Future Development, and calls on LAWA to fully evaluate the potential significant impacts of the Project and Future Development on El Segundo's residents.

Project Setting and Description. El Segundo urges LAWA to describe the Project and its setting completely and accurately in the EIR. "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 727.

El Segundo is concerned that the EIR could fail to sufficiently analyze the Project's potential impacts due to an incomplete project description. For instance, the Project's "enabling components" (NOP at 51) include demolition of several facilities, including a hangar complex to the east of the CTA which the NOP describes as "currently leased for storage." *Id.*; *see id.* at 27 (Fig. 4). However, Figure 2, depicting land uses approved under the LAX Master Plan, shows the hangar complex as an "existing maintenance facility" (*id.* at 19), and Delta's "Tech Ops" website (http://www.deltatechops.com) indicates that the hangar complex is currently used for aircraft maintenance. If aircraft maintenance or other non-storage activities indeed take place at this hangar complex, the EIR must fully describe them and where and when they will be relocated. El Segundo is particularly invested in the displacement and relocation of maintenance facilities in light of the pending ground run-up enclosure ("GRE") siting study and the West Aircraft Maintenance Area ("WAMA") proposal.

The EIR must also clearly state where and when all other facilities slated for demolition will be rebuilt or relocated. If any of these facilities will be permanently removed, then the EIR must state this and explain how remaining facilities will accommodate capacity from the facilities planned for removal. Failure to analyze the impacts of the removal and relocation of these facilities in the EIR could run afoul of CEQA's prohibition on project segmentation.

LAX Master Plan/SPAS Consistency. While the NOP states that the LAX Plan and Specific Plan may need to be amended as part of the Project to allow for potential Future Development (*id.* at 105), the NOP does not discuss the Project's or Future Development's consistency with the LAX Master Plan. In particular, it is not clear how the Future Development locations shown in Figure 12 (*id.* at 57) correspond with the same locations in the Master Plan (*see id.* at 19 (Fig. 2)). Although "programmatic" in terms of its analysis of impacts from Future Development, the EIR should analyze the Future Development's consistency with the LAX Master Plan. El Segundo also urges LAWA to provide additional detail regarding the Project's consistency with the LAX Master Plan and what process LAWA would go through to amend the Master Plan to make it consistent with the Project.

In addition, El Segundo urges LAWA to analyze and ensure consistency between the Project and the plans and commitments reached through the SPAS process.

Traffic. The Project will have several circulation-related components, including demolition of the ramps from northbound Sepulveda into the airport. (*See id.* at 19 (Fig. 2)). This and other changes to existing on-airport circulation patterns could have traffic impacts in neighboring communities, including in El Segundo. *See id.* at 114 (Project and Future Development "could result in increased traffic impacts on surrounding roadways"). For example, if the northbound Sepulveda ramp is removed, drivers entering LAX from the south may instead access West Century Boulevard via Aviation Boulevard. Because the Project could alter current traffic conditions in El Segundo, the City urges LAWA to fully analyze the Project's and Future Development's traffic impacts in the EIR, as well as the potential for any construction vehicle traffic to use the City's designated truck routes or major arterial corridors such as Imperial Highway or Pershing Drive. As always, the City asks that truck trips for the Project avoid El Segundo when possible.

El Segundo also requests that the EIR identify any outstanding, previously adopted transportation mitigation measures and indicate whether these measures will be implemented as part of the Project or, if not, when they will be implemented.

Construction Staging. The NOP does not state where construction staging for the Project will occur, only that construction staging will be located near the Project "to the extent possible." *Id.* at 25. However, Figure 3 attached to Appendix A to the NOP suggests there may be two or more staging or laydown areas adjacent to El Segundo's border. Considering El Segundo's longstanding concerns related to noise and traffic impacts generated by uses at the airport's southern edge, the City urges that any proposed construction staging be located away from El Segundo. At the very least, the City expects all potential impacts from construction staging to be thoroughly analyzed and mitigated in the EIR. The project description should state the duration of any construction activities located near El Segundo, as well as the potential for any construction vehicle traffic to use the City's designated truck routes or major arterial corridors.

Cumulative Impacts. The Project is being proposed while other airport projects are still in varying stages of development, in particular, various CTA terminal upgrades, location of a GRE, rehabilitation of all four runways, and the Airport Metro Connector. The EIR must identify and analyze the Project's impacts when considered with these and other past, present, and probable future development at the airport and in the surrounding

area. El Segundo urges a thorough analysis of potential cumulative impacts and inclusion of meaningful alternatives and mitigation measures in the EIR.

Thank you for the opportunity to comment on the Project. We request that this firm and the City of El Segundo Planning and Building Safety Department receive a copy of the Draft EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

662586.2

Attachment B

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

OSA L. WOLFF
Attorney
wolff@smwlaw.com

November 15, 2016

Via E-Mail and FedEx

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216
E-Mail: equintanilla@lawa.org

Re: Landside Access Modernization Program Draft Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo ("City"), we submit the following comments on the Draft Environmental Impact Report ("Draft EIR" or "DEIR") for the Landside Access Modernization Program ("LAMP" or "Project"). As Los Angeles World Airports ("LAWA") is aware, the City has a number of longstanding concerns related to Los Angeles International Airport ("LAX"), including noise, traffic and air quality impacts. The City appreciates that LAWA has, thus far, been receptive to discussion regarding the environmental analysis of the Project, including the proposed non-aviation, commercial development on surplus property ("Potential Future Development"). In order to fully address the City's concerns, however, the EIR must analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed. To that end, this letter explains the City's concerns about the Project and identifies specific impacts that LAWA should carefully evaluate as part of an informative and comprehensive EIR.

By removing existing ground access constraints, the Project will ultimately enable Los Angeles International Airport to accommodate at least 95 million annual passengers ("MAP") instead of the 78.9 MAP historically represented as the maximum capacity for LAX. Despite the City's comments on the previously released Notice of Preparation ("NOP") and related National Environmental Policy Act Scoping Document ("NEPA Scoping Document"), both of which are attached to this letter, the DEIR fails to properly

analyze the environmental effects of the Project. It must be revised to address the Project's substantial contribution to future growth in passenger traffic at LAX and the resulting impacts of such growth on surrounding communities.

Please note that we will submit further comments on the LAMP DEIR's traffic analysis, and potentially other sections of the environmental document, once our traffic engineer completes his analysis.

I. The Project Would Remove Existing Ground Access Constraints and Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.

The Master Plan, Specific Plan Amendment Study ("SPAS"), and the 2006 Settlement establish and relied on a maximum operational capacity of 78.9 MAP.[1] In its Master Plan for LAX and all subsequent proposed improvements prior to LAMP, LAWA represented that limiting the total gates at LAX to 153 would result in a maximum practical capacity of 78.9 MAP. *See* SPAS Draft EIR (2012) at 2-4. LAWA's recent environmental review of airport development projects consistently assumes this capacity for the purpose of evaluating projects' environmental impact. *See, e.g.,* Draft EIR, Midfield Satellite Concourse ("MSC") (March 2014) at 4-16, fn. 10 (stating project would comply with LAX Master Plan gate cap limit); "MSC North FAQs," available at http://www.lawa.org/mscnorth/faq.aspx (last visited November 15, 2016) (stating MSC Program will comply with 2006 Stipulated Settlement at all times). Furthermore, the LAX Specific Plan, with which all future development at LAX must be consistent, required restudy and full California Environmental Quality Act ("CEQA") review if annual passenger activity levels were anticipated to exceed 78.9 MAP.

With LAMP, however, LAWA abandons its commitment to a constrained LAX. The same 153 gates once represented as limiting LAX passenger growth effectively to 78.9 MAP are now represented as able to accommodate at least 95 MAP. That growth apparently comes from efficiencies gained through larger aircraft, fewer empty seats and shorter times between plane arrivals and departures. Efficiency is, of course, generally a

[1] As set forth in the LAX Master Plan and associated EIR (*see* Exhibits A and B on the enclosed CD) and the Specific Plan Amendment Study ("SPAS") and associated EIR that LAWA prepared pursuant to settlement with its neighbors over the Master Plan (*see* Exhibits C and D); *see also* Exhibit E (LAX Specific Plan, requiring LAWA to initiate a new specific plan amendment study if annual passenger forecast is anticipated to exceed 78.9 MAP); Exhibit F (Midfield Satellite Concourse North Project EIR).

good thing. In this case, however, some negative consequences will follow. If LAX is not, in fact, constrained to 78.9 MAP as LAWA previously represented, then the communities around LAX, like El Segundo, will suffer impacts resulting from that growth unless LAWA conducts appropriate analysis and applies effective mitigation.

LAWA has stated that the LAMP Project EIR will serve as the required CEQA review under the existing LAX Specific Plan. However, although the Project is scaled to accommodate ground access traffic associated with passenger levels in excess of 78.9 million, the DEIR does not adequately evaluate other operational impacts (e.g., noise and air pollution from aircraft operations and vehicular traffic) associated with passenger levels above 78.9 MAP. The DEIR may not ignore the impacts of the increased activity that the Project will facilitate, and its potential to further concentrate adverse impacts on nearby residents.

As the City has repeatedly emphasized to LAWA, the environmental analysis required by CEQA may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations; here, LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

Instead, the DEIR simply ignores these impacts by claiming that, by the target date for Project completion, passenger levels will have grown to 95 MAP or higher *regardless* of whether the Project is actually built. *See, e.g.,* DEIR at 6-6 through 6-8. The DEIR fails to provide substantial evidence that this assumption, which underlies all of the DEIR's analysis of environmental impacts, is true. In the CEQA context, substantial evidence means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. . . . Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate . . . does not constitute substantial evidence." Cal. Code Regs., tit. 14 ("CEQA Guidelines"), § 15384(a).

The DEIR asserts that ground access has no bearing on airport capacity, thereby attempting to portray the role of ground access in passenger operations in black and white. This mischaracterizes what is in fact a very complex issue, particularly at LAX. As explained in the memorandum by Adib Kanafani, Ph.D., N.A.E., attached hereto as Exhibit G and incorporated by reference into this letter ("Kanafani Report"),[2] the DEIR fails to

[2] In addition to providing responses to the comments of the City set forth in this letter, LAWA must provide responses to the comments contained in the Kanafani Report.

support the assertion that the Project will not enable any portion of the projected growth in passenger capacity. As the Kanafani Report describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high.

Indeed, the data cited in the DEIR's discussion of this issue states that ground access plays a role in prospective passengers' decisionmaking, thereby contradicting the assertion that removing ground access constraints will not enable passenger growth. *See* DEIR at 6-7 (citing report of the Transportation Research Board of the National Academies, Airport Cooperative Research Program, which finds that that "[s]urface access issues . . . remain[] a primary passenger choice driver in the Los Angeles Basin. Given the presence of several regional facilities across the area, the traffic situation in the Basin drives the airport choice for a large proportion of travelers."). Other sources echo this finding; a 2013 report by the Eno Center for Transportation ("Eno Report") found that "[g]round access to the airport at LAX is the most significant chokehold in the airport's system and according to [LAWA] airport access infrastructure was projected to hit complete gridlock at 78.9 million annual passengers without improvements to the system." *See* Eno Report, attached hereto as Exhibit H, at 18. Similarly, the Southern California Association of Governments ("SCAG") 2040 Regional Transportation Plan / Sustainable Communities Strategy ("2040 RTP/SCS") states that "[p]assengers' choice of airports is based in part on the travel time to the airport and the convenience of access, so facilitating airport access is essential to the efficient functioning of the aviation system." 2040 RTP/SCS Aviation & Airport Ground Access Appendix, attached hereto as Exhibit I, at 22.[3]

[3] On May 5, 2016, the City filed suit against SCAG, challenging its approval of the 2040 RTP/SCS and the adequacy of its associated environmental review. One of the critical defects in the EIR is its assumption that, although SCAG proposed to provide billions of dollars in funding to remove existing ground access constraints at LAX, this easier access would not enable higher passenger capacity. Due to that flawed reasoning, SCAG's EIR failed to analyze the impacts of this higher capacity, even as it projected a dramatic rise in the number of passengers traveling through LAX. The need for this analysis was particularly acute because none of LAWA's planning documents for LAX had analyzed, or developed mitigation for, operations scenarios with a capacity above 78.9 MAP. *See* SPAS Draft EIR at 2-4 (stating that LAWA will maintain consistency with the Master Plan's cap of 153 gates and projected 78.9 MAP).

LAWA itself has previously asserted that the ground access system is a significant constraint on passenger operations at LAX, and that it would need to be relieved to enable growth in passenger operations beyond approximately 78 MAP. The 2004 Master Plan, which considered an unconstrained demand forecast of 98 MAP in 2015 and evaluated four alternative plans under this demand scenario, stated that the No Action/No Project Alternative (i.e., no Master Plan adopted) would limit passenger operations at LAX to 78 MAP because of the airport's "constrained curbs and roadways." 2004 Master Plan EIR at Figure 1.2-1. By contrast, the alternatives that included LAMP components would have permitted up to 98 MAP. *Id.*; *id.* at 1-4 ("The [No Project] Alternative is limited by the capacity of the curbfront in the Central Terminal Area (CTA) where passengers are dropped off and picked up in front of the existing terminals. The resulting annual passenger performance measure of this alternative is approximately 78 million.").

Although this evidence directly contradicts LAWA's assertion that the proposed removal of ground access constraints with LAMP will not contribute to the higher passenger forecast at LAX in the target completion year, the DEIR does not attempt to respond to any of it. LAWA's counterargument that ground access simply is not a constraint on airport capacity, and therefore improving ground access efficiency would not affect airport capacity or operations, is incorrect and not supported by substantial evidence in the record. As a result, the DEIR fails to justify its omission of analysis of environmental impacts related to higher passenger operations enabled by the Project, including increased aviation noise, traffic, air quality and greenhouse gas ("GHG") impacts.

II. LAWA Has Hidden Within LAMP a Number of Unnecessary Plan Changes, Which It Fails to Evaluate Properly in the DEIR

The 2004 LAX Master Plan adopted for LAX makes clear that the option adopted (Alternative D) was designed to serve approximately 78 MAP, which was approximately the same aviation activity levels identified in the No Action/No Project Alternative. LAWA represented that constraining LAX in this way would encourage the development and use of regional airports. This same vision of a constrained LAX was carried forward in the SPAS. Other alternatives specifically considered and rejected as part of the 2004 Master Plan process would have involved higher MAP numbers and greater impacts.

In approving the LAX Master Plan (Alternative D), the LA City Council took care to ensure that growth beyond that anticipated in the Master Plan would not happen without subsequent public evaluation, discussion, and consideration at the City Council. This important "check" on LAX growth was implemented through adoption of the LAX

Plan and LAX Specific Plan (*see* LAMP DEIR Appendices C & D). The LAX Plan establishes a land-use policy framework, while the LAX Specific Plan establishes zoning and development regulations consistent with the LAX Plan. Future development at LAX is required to be consistent with both plans, and this consistency must be established by LAWA in reports to the City Council. The LAX Specific Plan requires that no "Project" at LAX may proceed unless it complies with the LAX Specific Plan and LAX Plan. As part of that compliance review, the Project is to be checked for compliance with Master Plan commitments and mitigation measures.

Although the plan consistency requirement and review process has worked well since the 2004 LAX Master Plan was adopted, LAWA now proposes a number of major changes as part of the LAMP Project. Specifically, LAWA has proposed a number of significant changes to the LAX Specific Plan and LAX Plan that would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the City Council for the promotion of regionalism and protection of LAX neighbors. As discussed in detail below, LAWA proposes to delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7), and also wants to delete references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2). LAWA's proposed changes to the LAX Specific Plan would undermine its effectiveness as a mechanism for informed and transparent public review of aviation activity and growth at LAX.

A. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

The DEIR does not adequately explain why the limits of 153 gates and 78.9 MAP are proposed for removal from the LAX Plan as part of LAMP. In fact, there is no logical link made between LAMP's proposed ground access upgrades and the removal of those limits from the Plan. The DEIR notes in several places that the LAMP project would necessitate amendments to the LAX Specific Plan and the LAX Plan, but the explanations of "necessity" provided are generally limited to relatively minor issues such as a boundary adjustment and a rezone, which are logically necessary for LAMP. The DEIR is silent regarding the substantial changes described below, which are not necessary or appropriate as part of LAMP.

It seems likely that LAWA has proposed the 78.9 MAP limit deletion in an attempt to avoid complying with that limit going forward and perhaps to dodge a plan inconsistency problem for the extremely ambitious LAMP. Specifically, because LAMP is designed to serve so much more than 78.9 MAP, it is not consistent with the 78.9 MAP

limit in the LAX Plan. As discussed elsewhere in this letter, LAWA takes the untenable position that LAMP is not growth inducing, and insists it has no obligation to evaluate any of the impacts associated with passenger growth above 78.9 MAP as part of LAMP. LAWA cannot remove the 78.9 MAP limit from the LAX Plan without a full public discussion of that proposed policy change, which would include conducting a full analysis of the associated environmental impacts. In other words, if LAWA is now planning for LAX to serve more than 78.9 MAP, it must evaluate the impacts of that growth so the public and City Council decisionmakers have the information they need. The absence of this analysis is a major flaw in the LAMP DEIR. In the absence of that analysis, LAWA cannot remove the 78.9 MAP limit from the LAX Plan as part of the Project.

It seems likely that LAWA has proposed deletion of the 153 gates limit in an attempt to avoid having to comply with that limit going forward. LAWA should withdraw this proposed deletion because there is no LAMP-related reason articulated for the removal. Indeed, how could LAMP, which focuses on ground access improvements, logically necessitate an increase in the number of gates at LAX? In discussing this proposed change, LAWA correctly acknowledges that under its settlement agreement with El Segundo and others, a gate limit would continue to apply until at least 2020. DEIR at 7-2. What LAWA fails to acknowledge is that even after 2020, it cannot increase the number of gates at LAX without comprehensive environmental review and a Master Plan amendment. As such, the limit of 153 gates contained in the LAX Plan must remain in place unless and until that environmental review and public process is complete. Deleting the limit now is not necessary for LAMP, would be premature, and prejudges the outcome of a separate process not yet begun.

If LAWA insists on pursuing removal of the current limits of 78.9 MAP and 153 gates from the LAX Plan as part of LAMP, it must first provide a complete analysis of the noise, air quality, and other environmental impacts that would result. That analysis would need to be provided in a recirculated DEIR. That document would consider, for example, the environmental impacts such as increased noise and increased emissions (air pollution and GHGs) associated with the increased aircraft operations at the added gates and serving annual passenger numbers in excess of 78.9 MAP. As discussed elsewhere in this letter, the LAMP DEIR provides no such analysis because it assumes (incorrectly) that the Project will not increase LAX's capacity or induce any growth in aviation activity.

We note that the DEIR includes Section 7 (Evaluation of Amendments to the LAX Plan and LAX Specific Plan). This section is very strange because it purports to analyze

a Project element (Amendments to the LAX Plan and LAX Specific Plan) separate from the Project itself (LAMP). The reader is left with the impression that Section 7 was an afterthought added by LAWA once the bulk of the DEIR's environmental analysis was complete. This is inconsistent with CEQA's mandate to evaluate the whole of the project. It is also inconsistent with LAWA's obligation to inform the public and decisionmakers of all the Project's environmental impacts.

Moreover, the environment analysis in Section 7, which appears on just five pages, is limited to the following repeated conclusions: the proposed amendments to the LAX Plan and LAX Specific Plan "would generally correspond to changes at LAX as a result of the proposed Project [LAMP], as well as updates to administrative processes." In other words, LAWA argues that the proposed changes were either covered as part of the LAMP project assessment or are simple updates to administrative processes. This does not accurately capture the universe of proposed plan changes and their associated impacts.

LAWA does acknowledge, in passing, that removal of the gate limitation "may result in future increased development" but argues that it need not evaluate the impact of that development now because "removal of these policies does not mean that additional development would occur. Any future development related to the change in these policies would undergo separate CEQA review and would be subject to BOAC and other approvals prior to implementation." This is the very definition of improper deferral of environmental analysis in violation of CEQA. If future exceedance of the 153 gate limit is uncertain and speculative as LAWA seems to claim, then LAWA should not ask the City Council to delete the limit from the LAX Plan now. If, on the other hand, LAWA insists asking the City Council to delete the 153 gate limit now, it must also provide more detail regarding its gate increase plans and evaluate the associated impacts.[4] It cannot delete the gate limit now based on the representation that the associated impacts would be evaluated later.

[4] We note, for example, that LAWA's recent NOP for the LAX Terminals 2 and 3 Modernization Project ("T2 & 3 Project") indicates that LAWA may add up to five gates as part of that project. This increase is not speculative and must be evaluated as part of the T2 & 3 Project as well as LAMP, if removal of the 153 gate cap remains as part of LAMP. We hereby request that LAWA include all public project and CEQA documentation for the T2 & 3 Project in its record for LAMP. The NOP and Initial Study are provided as Exhibit J hereto. We also understand that LAWA has plans for additional gates in what it terms the "Passenger Terminal Modernization Area" ("PTMA"). *See* LAWA-ARSAC Memorandum of Understanding, attached hereto as Exhibit K.

B. The LAX Specific Plan Changes Proposed by LAWA Would Remove Key Protections Put in Place by the LA City Council When It Approved the 2004 LAX Master Plan.

LAWA proposes a multitude of changes to the LAX Specific Plan as part of the LAMP. Examples include:

- Expanding significantly the universe of projects exempt from plan consistency review (*see* Appendix D at 7-9).
- Substituting the Board of Airport Commissioners ("BOAC") for the LA City Council as the body responsible for confirming the plan consistency of projects proposed for LAX (*see* Appendix D at 10, 13).
- Deleting references to compliance with Master Plan mitigation measures and commitments (*see* Appendix D at 10, 12).
- Limiting compliance review to the LAX Specific Plan (eliminating the need for LAX Plan compliance review).
- Deleting the LAX Master Plan Stakeholder Liaison, who was tasked with assisting with communication between LAWA and stakeholders such as its neighbor, El Segundo (*see* Appendix D, throughout). Under LAWA's proposed change, apparently only Councilmember District 11 would have the benefit of a stakeholder liaison, not El Segundo and other neighbors outside the City of LA.

LAWA does not provide an adequate, comprehensive description of these proposed plan changes, referring to them generally as "updates to administrative process." *See, e.g.,* DEIR at 7-1 *et seq.* As a result, it will be difficult if not impossible for the public and decisionmakers to gain a comprehensive understanding of the nature and extent of, much less the reasoning for, LAWA's plan change proposals. To the contrary, readers of the DEIR are told in general terms that the Project "necessitates" the proposed plan changes, when (in fact) the most significant changes appear to be proposed by LAWA for reasons unrelated to LAMP. LAWA must instead provide a clear narrative description of all proposed change and the reason for each. Once that description is provided, it should become clear that LAWA is seeking (for reasons unrelated to LAMP) to eliminate important checks put in place by the City Council. Those checks remain necessary and appropriate today.

III. A Specific Plan Amendment Study Is Now Required—the Requirement Is Not Satisfied by LAMP, and Must Remain in the LAX Specific Plan Until Satisfied.

The LAX Specific Plan plainly requires a Specific Plan Amendment Study and full CEQA review if annual passenger activity levels are anticipated to exceed 78.9 MAP. The LAMP DEIR makes clear that LAWA now anticipates annual passengers will meet or exceed 78.9 million in 2016 or 2017. DEIR at 2-201. Under the Specific Plan, LAWA must therefore conduct a Specific Plan Amendment Study. This study would augment/update the analysis performed by LAWA for the LAX Master Plan and SPAS to include the higher passenger levels LAWA now desires and anticipates for LAX. This Specific Plan Amendment Study is critical because all current plans for LAX assumed and were based on a maximum passenger level of 78.9 MAP. In fact, the 2004 Master Plan (Alternative D) was approved by the LA City Council only after it received assurances that LAX would not be modified to serve passenger numbers exceeding 78.9 MAP absent further analysis (through a Specific Plan Amendment). That is not what LAWA is doing with LAMP.

LAWA does not conduct the required analysis as part of the LAMP DEIR or propose to do it elsewhere. In fact, LAWA proposes to forever delete the operative language of the LAX Specific Plan and LAX Plan (DEIR Appendices C & D), rather than preparing the required Specific Plan Amendment and CEQA review. DEIR 2-195 to 201. LAWA seems to argue that its traffic analysis done in connection with LAMP should excuse it from conducting the Specific Plan Amendment Study clearly required by the LAX Specific Plan when aviation activity analysis shows annual passengers are anticipated to exceed 78.9 million. DEIR at 7-7. The LAMP analysis is, however, not equivalent to, and no substitute for, the required Specific Plan Amendment Study.

Most notably, as discussed elsewhere in this letter, the LAMP analysis treats as a given that LAX passenger activity will continue to grow past 78.9 MAP. The LAMP documents do not evaluate, much less offer mitigation for, impacts associated with that growth (e.g., increased noise and air quality impacts on surrounding communities associated with increased aircraft activity). As such, LAMP does not comply with a key requirement set forth in the LAX Specific Plan. LAWA's proposed remedy (deletion of the requirement) is inconsistent with clear City Council direction and the City of Los Angeles' General Plan framework.

LAWA's current attempt, as part of LAMP, to evade and delete the Specific Plan Amendment requirement, is wholly inconsistent with its prior statements and commitments on the subject. As recently as its Specific Plan Amendment adoption in 2013, LAWA described the LAX Specific Plan section 7.H as "requiring a Specific Plan Amendment Study if the annual aviation activity analysis forecasts that LAX annual passengers for that year are anticipated to exceed 78.9 MAP." *See* SPAS Report

Appendix F (Operational Analysis) at 11 (section 2.5). In other words, LAWA has previously recognized that if and when the forecast for annual aviation activity levels reached 78.9 MAP, it would be obligated to undertake and request Council approval for a Specific Plan Amendment. Now that anticipated levels have reached that point, LAWA seeks to avoid the requirement by deleting it.

Similarly, LAWA recognizes that Section 7.H.2 of the LAX Specific Plan requires it to initiate an LAX Domestic Passenger Survey/Study and corresponding Airline Survey/Study if the annual aviation activity forecast indicates that the annual passengers in the year when LAX is anticipated to exceed 78.9 million. LAWA represents that it will meet this requirement by conducting the required surveys in 2016 and 2017. It also proposes to delete the requirement. Deleting the requirement is, however, premature and should not be approved by the Council until LAWA has satisfactorily completed the required surveys and made them public.

IV. LAWA Improperly Distances the LAMP and its DEIR from the Governing LAX Master Plan.

The DEIR states,

> Although components of the LAX Landside Access Modernization Program were contained in the LAX Master Plan and the LAX Specific Plan Amendment Study, the proposed Project for ground access improvements at LAX has substantively evolved from the programmatic plans contained in these previous program level documents, and the proposed LAX Landside Access Modernization Program is substantively different from the ground access improvements evaluated in the 2004 LAX Master Plan and the associated Final Environmental Impact Statement/Final Environmental Impact Report. Thus, because the current plan evaluated in this Environmental Impact Report (EIR) substantively differs from programmatic concepts in the LAX Master Plan and SPAS, this EIR does not tier off of the environmental documents associated with those plans; it is a standalone analysis of LAWA's current project-level plans for ground access improvements at LAX. Because the LAX Landside Access Modernization Program does not tier off of the LAX Master Plan EIR and is a substantively different project, this Project is not considered an LAX Master Plan project and is not subject to the LAX Master Plan commitments and mitigation measures; thus, LAWA has identified mitigation measures specific to this Project as appropriate. The LAX

> Master Plan commitments and mitigation measures are still in effect for all Master Plan projects, just as other project-specific mitigation measures are in effect for other non-LAX Master Plan projects.

DEIR at 1-4, 1-5; *see also id.* at 2-4.

A review of the LAX Master Plan adopted in 2004 and subsequent LAX Specific Plan Amendment Study makes clear that the following elements were at the core of the LAX Master Plan: an automated people mover, a remote rental car facility, an intermodal transportation facility, and remote parking garages/drop-off areas. Even LAWA seems to recognize that those same elements constitute the LAMP. Given that the LAX Master Plan (and SPAS) remain the governing planning documents for the airport and the elements of LAMP are so clearly envisioned by the Master Plan, LAWA simply is not at liberty to distance LAMP from the LAX Master Plan as it attempts to do. LAWA must instead follow (or seek to amend) the LAX Master Plan and Specific Plan.

For the reasons noted below, we are particularly concerned by the following LAMP DEIR statements:

- "the current plan evaluated in this Environmental Impact Report (EIR) substantively differs from programmatic concepts in the LAX Master Plan and SPAS"

- "this Project is not considered an LAX Master Plan project and is not subject to the LAX Master Plan commitments and mitigation measures"

LAWA must present a clear side-by-side comparison of LAMP and the programmatic concepts in the LAX Master Plan and SPAS to detail similarities and differences. If the differences are indeed substantial, then a LAX Master Plan revision and/or Specific Plan amendment would be necessary and appropriate before proceeding with LAMP. LAWA may not pursue a major initiative such as LAMP wholly separate from the LAX Master Plan (as amended by SPAS), which remain the governing planning documents for the airport. The Master Plan is *the* "modernization plan" that accounts for all growth at LAX, including construction of new taxiways, increasing runway length, improving the level of passenger service throughout the CTA, building new aircraft parking gates, and installing an automatic people mover, consolidated rental car facility, and a more efficient connection between LA Metro and LAX. *See generally* Master Plan Executive Summary.

If, by contrast, LAWA were to change course and attempt to make LAMP consistent with the LAX Master Plan, then all of the LAX Master Plan commitments and mitigation measures would apply. Those commitments include developing LAX to serve a practical capacity of 78.9 MAP, with no more than 153 gates. Mitigation measures are detailed in LAWA's adopted Mitigation Monitoring and Reporting Program ("MMRP") and include commitments to implement and expand the LAX Aircraft Noise Mitigation Program ("ANMP") to provide noise relief to surrounding communities such as El Segundo.

V. Under FAA Guidance, the Project Requires an Update to the Master Plan, Not Simply a Revision of the Airport Layout Plan.

Because the Project will receive federal funding, LAWA must update the Master Plan to be consistent with the Project and the associated passenger forecast generated by LAWA. The DEIR states that LAWA will, as a connected action, seek "FAA unconditional approval of the Airport Layout Plan (ALP) for the Airport depicting the proposed improvements," apparently instead of the required update to the master plan. DEIR at 2-217. Under FAA advisory circular 150/5070-6B ("AC"), however, the scope and sheer number of individual components of the LAMP, and its significant deviations from the current master plan, require a master plan update, not just an update to the ALP. FAA advisory circular 150/5070-6B, attached hereto as Exhibit L, at 7 (ALP update an appropriate alternative to master plan update only when "fundamental assumptions" of previous master plan will not change, or when proposal involved a "single development item").[5] LAWA cannot avoid the FAA requirement to update the LAX Master Plan simply by saying the Project "is not considered a Master Plan project and is not subject to the Master Plan commitments and mitigation measures." DEIR at 2-4. Furthermore, FAA's approval of an updated Master Plan must include approval of LAWA's revised passenger forecast for LAX. AC at 8 ("master plan forecast should be reviewed to ensure that the underlying assumptions and forecast methodologies are appropriate" including consistency of applicant's passenger forecast with FAA terminal area forecast ("TAF")). The effects of a Master Plan update on the human environment must be part of LAWA's ongoing NEPA analysis of the LAMP Project.

[5] Regardless, the proposed revisions to the ALP are not disclosed anywhere in the DEIR. *See* DEIR at 4.8-37 (stating inaccurately that "an amendment to the LAX Airport Layout Plan" is "further described below"). Although a revised master plan is required pursuant to FAA guidance, as explained above, LAWA must at the least disclose its proposed revisions to the existing ALP.

VI. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.

The DEIR's noise analysis purports to evaluate the Project's contribution to three "types" of noise—road traffic noise; construction traffic noise and equipment noise and vibration; and transit noise and vibration—as well as cumulative noise impacts. Yet, because the DEIR takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The DEIR must be revised to resolve this obvious deficiency under CEQA.

As explained above, because all previous planning documents for LAX contemplated a maximum operational capacity of 78.9 MAP, the DEIR must evaluate and mitigate any aviation-related noise impacts on El Segundo residents that result from growth beyond 78.9 MAP. Current measures to mitigate aviation noise from LAX operations are scaled at 78.9 MAP and are not designed to address aviation noise at higher passenger levels. *See, e.g.,* Exhibit M, 2014 Annual Progress Report, LAX Master Plan Mitigation Monitoring & Reporting Program, at 18 (stating LAX Aircraft Noise Mitigation Program designed to mitigate land uses that would be rendered incompatible by noise impacts associated with implementation of the LAX Master Plan).

Furthermore, the current Noise Exposure Map for LAX, approved at the end of 2015, does not anticipate operations at the levels made possible by the Project. *See* Exhibit N, Final Noise Exposure Map Report (August 2015), at 3-10 (stating current noise contour is based on review of Master Plan Alternative D Report, Specific Plan Amendment Study, Midfield Satellite Concourse North Draft EIR, West Aircraft Maintenance Area Draft EIR, and various runway improvement project studies, all assuming operations at 78.9 MAP). In fact, LAWA states that the current Noise Exposure Map, which provides the basis for residential noise mitigation required by state law, assumes even lower passenger operations than LAWA expects to exceed this or next year, at approximately 77.1 MAP. *Id.* at G-4; *see id.* at G-19 (comments of City of El Segundo on Draft Noise Exposure Map Report, requesting explanation of passenger forecast assumed for NEM update).

Thus, although LAWA might be tempted to modify the DEIR to assert that aviation noise impacts resulting from the Project would be adequately addressed by

existing mitigation adopted as part of the Master Plan, that approach would fail because those measures were not designed to mitigate noise from the passenger levels LAWA anticipates by the time the Project is fully built. Because LAWA has not justified its claim that the Project would not cause any impacts related to higher passenger levels, the DEIR must be revised to include an analysis of the aviation noise impacts caused by the Project, not omit any discussion whatsoever of aviation noise impacts.

Finally, the analysis of road traffic noise impacts is fundamentally flawed as a consequence of errors in the DEIR's analysis of transportation impacts. As explained below, the DEIR's analysis of transportation impacts underestimates these impacts for two overarching reasons: first, it assumes the Project has no bearing on future increases in aviation and passenger activity and, therefore, that the increase in vehicular trips in 2024 and 2035 would not be attributable to the Project. Second, the DEIR does not take into account the phenomenon known as "induced travel" or "generated traffic," discussed further below. The noise impact analysis must be revised to reflect road traffic noise impacts from an accurate estimation of vehicular trips, including "induced" vehicular trips, resulting from higher passenger activity caused by the Project.

VII. LAWA Improperly Proposes to Modify LAX's Current Nighttime Curfew on Engine Run-Ups Without Any Environmental Analysis.

The Master Plan calls for development of two ground run-up enclosures ("GRE"). Master Plan Addendum at 2-95, attached hereto as Exhibit O. Moreover, the 2010 Stipulated Variance approved by LAWA, El Segundo, and others provides that LAWA would design two GREs by 2015. *See In the Matter of Noise Variance Application for City of Los Angeles et al.,* Dept. of Transp. Case No. L2010041216 (ordering LAWA to design two GREs), attached hereto as Exhibit P. To date, LAWA has partly designed one GRE and constructed none. Although the LAMP has nothing whatsoever to do with aircraft maintenance or GREs, LAWA has hidden within the Project problematic changes to its policies regarding both.

Currently, LAX's Aircraft Noise Abatement Operating Procedures and Restrictions (Sept. 2010), attached hereto as Exhibit Q, prohibit engine run-ups—regardless of whether they are performed within a GRE—between the hours of 11 p.m. and 6 a.m. unless waived on a case-by-case basis. The DEIR states that "LAWA has committed, as part of the West Aircraft Maintenance Area Project, to restrict high-powered engine run up testing during nighttime hours; this policy would also be incorporated." DEIR at 7-3. However, LAWA is actually proposing to amend the LAX Plan (Appendix C) to state: "Continue to restrict high-powered engine run-up testing

during the hours of 2300-0600, unless performed in a GRE." Appendix C (LAX Plan redline) at 15.

The unavoidable implication of this language is that if LAMP is approved, any number of high-powered engine run-up tests could proceed at any time (including late at night/early in the morning, when people are trying to sleep) as long as they are performed in a GRE (once built). This amendment would be a substantial change to how ground run-ups can be performed at LAX, yet LAWA's explanation of the proposed change in the DEIR does not make this clear and would likely expose area residents to more noise. Moreover, the proposed change bears no apparent relationship to airport ground access or the ground access improvements proposed as the LAMP. The only apparent explanation for the change is that LAWA finds the existing rules regarding ground run-ups to be too limiting and sees LAMP as an opportunity to make the desired modification. The DEIR may not propose such a change without providing any analysis of the noise impacts to El Segundo and other impacted communities associated with the proposed change. As such, the proposed change to existing ground run-up policy cannot be approved in reliance on the DEIR and should be deleted from LAMP.

VIII. The DEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.

A. The DEIR Relies on Flawed and Unsubstantiated Assumptions to Conclude that the Project Would Cause the Vast Majority of Intersection Operations Outside the Airport to Improve.

The DEIR concludes operations at the majority of intersections would improve under the "2024 With Project" compared with the "2024 Without Project" scenario. DEIR at 4.12-111. The DEIR also finds that the majority of intersections would improve under the "2035 With Project" compared with the "2035 Without Project" scenario. *Id.* at 4.12-131. The validity of these conclusions is questionable for two key reasons. First, as explained above, the DEIR incorrectly asserts that the Project would have no bearing on future increases in aviation and passenger activity and, therefore, that the increase in vehicular trips in 2024 and 2035 would not be attributable to the Project. Second, the DEIR does not take into account the phenomenon known as "induced travel" or "generated traffic." Had the DEIR relied on accurate assumptions, the DEIR likely

would have revealed a substantially greater number of significant impacts at off-airport intersections.[6]

1. The DEIR Fails to Acknowledge that Ground Access Has Been an Obstacle to Increased Passenger Activity.

The DEIR explains that the very essence of the proposed Project is to improve the efficiency of the ground access system at LAX. DEIR at 4.5-32. At the same time, the DEIR asserts that growth in passenger and aviation activity would be unaffected by the Project. There is ample evidentiary support that improvements in ground access at LAX would facilitate the expansion of passenger and aviation activity.

According to the DEIR, the passenger experience for those arriving or departing LAX is often severely compromised by extreme roadway congestion in LAX's central terminal area and on nearby streets. *Id.* at 1-8; 2-1. Indeed, unless they require international flights, at least some percentage of travelers currently seek to avoid trips to/from LAX as a result of this congestion. It is commonly known that if southern California passengers are able to fly at an airport other than LAX, they do so. *See, e.g.*, Trip Advisor webpage (*available at* https://www.tripadvisor.com/Travel-g32655-c160004/Los-Angeles:California:Bob.Hope.Airport.Aka.Burbank.Airport.html), attached hereto as Exhibit R (best way to avoid traffic and crowds of people is to use Burbank's Bob Hope Airport, rather than LAX); FlyerTalk webpage (*available at* http://www.flyertalk.com/forum/southwest-airlines-rapid-rewards/1558208-flying-into-burbank-vs-lax-worth-hassle-changing-planes-phx-2.html), attached hereto as Exhibit S ("[Burbank] is a very easy airport to navigate into and out of. LAX is exactly the opposite").

By increasing roadway capacity at LAX, substantially increasing the amount of parking, and by adding a people mover/connection to public transport, the Project would significantly expand the capacity of the airport's landside access system. In turn, traffic flow would be facilitated and parking at the airport would become less of an obstacle. As a result, visitors who may have avoided LAX or taken shuttle buses in the past now have an incentive to use LAX and to travel to LAX by car.

LAWA itself confirms the relationship between ground access and airport capacity. The 2004 LAX Master Plan explains that the "most constraining component of

[6] As noted earlier, we will submit supplementary comments once our traffic engineer completes his analysis of this section of the LAMP DEIR.

an airport defines the practical capacity of the entire airport." LAX Master Plan at 1-3. LAX is a "complex system made up of components through which passengers and aircraft flow in a sequential order." *Id.* The Master Plan goes on to explain that passengers traveling on local roadways and on-airport roads as they depart or arrive at the airport are part of the airport's complex system. *Id.* Clearly, ground access is currently a significant constraint on the airport's capacity and is a constraint on aviation activity. While the precise number of passengers that would choose to use LAX as a result of the Project is unknown, the DEIR must make a good faith effort to evaluate the relationship between improved landside access and growth in passenger and aviation activity. The document must then evaluate the traffic impacts from the increased passenger activity levels.

2. The DEIR's Failure to Account for Induced Travel Is an Egregious Error.

Again, the underlying purpose of the proposed Project is to relieve ground access congestion at LAX. DEIR at 2-7. The Project includes myriad roadway improvement projects that are intended to increase the capacity of the roadway system on and around the airport, and reduce traffic congestion. There is a direct relationship between increases in roadway capacity and induced vehicular travel.

This relationship is corroborated by the Surface Transportation Policy Project ("STPP") which cites a growing body of research showing that, in the long run, wider roadways actually create additional traffic, above and beyond what can be attributed to population increases and economic growth. *See* Surface Transportation Policy Project, *Build It and They'll Come*, attached as Exhibit T. According to the STPP, 100 percent of additional vehicle miles travelled ("VMT") in Los Angeles County is attributable to "induced traffic." *Id.* This means that increases in roadway capacity actually induce additional traffic—it does not simply "accommodate" existing or predicted traffic.

The California Air Resources Board ("CARB") has also weighed in on the relationship between increases in highway capacity and induced travel. In its recent report entitled "Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions," CARB confirms that increased capacity induces additional VMT. *See* Exhibit U at 3. CARB attributes this phenomenon to the basic economic principles of supply and demand: adding capacity decreases travel time, in effect lowering the "price" of driving; when prices go down, the quantity of driving goes up (Noland and Lem, 2002). *Id.* at 2.

According to CARB, the induced-travel impact of roadway capacity expansion is generally measured with respect to the change in VMT that results from an increase in lane miles, determined by the length of a road segment and its number of lanes (e.g. a two-mile segment of a four-lane highway equates to eight lane miles). Effect sizes are usually presented as the ratio of the percent change in VMT associated with a one percent change in lane miles. The expectation is that this ratio, also called an "elasticity," will be positive: an increase in lane miles will lead to an increase in VMT. An elasticity of 1 or greater means that the new capacity is entirely filled by additional VMT, producing no reduction in congestion. *Id.* at 3.

The proposed Project's increase in parking supply would also facilitate increased vehicular travel as there is a "consequential" connection between the amount of parking and driving. Researchers at the University of Connecticut have found compelling evidence that parking is a "likely cause" of increased driving. *See* "Effects of Parking Provision on Automobile Use in Cities: Inferring Causality," attached hereto as Exhibit V. As parking spots per building area increase, the amount of vehicle use also increases. Similar to induced vehicular travel, the more spaces there are to park, the more people will drive to reach them. In fact, the University of Connecticut researchers determined that as cities added more parking over the years, the share of commuters who drove to work increased. As a city goes from having about 20 parking spaces to 50 spaces per 100 people, the share of commuters driving rises from 60 percent to 83 percent. *Id.* at 7.

The Project would create a net increase of more than 18,000 spots at the two new Intermodal Transportation Facilities ("ITFs") and the Central Terminal Area ("CTA"), including 1,000 new employee-only spots at CONRAC. DEIR at 2-83, -105, -125, -153. Adding almost 20,000 new parking spaces would certainly remove a constraint to traveling by automobile to LAX.

Because the DEIR does not take into account induced travel, it underestimates the increase in traffic that would accompany the proposed Project. Consequently, the DEIR understates the Project's impact on nearby roadways, intersections, and freeways. The DEIR should be revised to accurately account for the traffic that would be generated by the Project and evaluate how this traffic would impact the off-airport roadway system.

B. The DEIR's Analysis of the Project's Construction-Related Traffic Impacts is Sorely Lacking.

One would expect that an EIR's evaluation of a project's construction-related impacts would be commensurate with its size and scope. Given the massive scale of this

construction project and its prolonged duration (18 years!), the DEIR should have comprehensively analyzed its potential to disrupt the local and regional transportation network. Unfortunately, the document's analysis is shockingly deficient. The analysis is hamstrung because it: (1) does not study all of the roadways or intersections that would likely be impacted by the construction activities; (2) focuses largely on the number of vehicular and truck trips that would be generated by construction activities while giving short shrift to how traffic flow would be managed on roadways in and around the airport; and (3) fails to identify mitigation measures capable of effectively minimizing the Project's construction-related traffic impacts.

The DEIR does not address all of the locations where construction of the LAMP would be expected to impact local and regional traffic because the DEIR's s study area barely extends beyond the airport's boundaries. The study area for purposes of analyzing the Project's construction-related traffic impacts is generally bounded by I-405 to the east, I-105 and Imperial Highway to the south, Pershing Drive to the west, and Westchester Parkway, Sepulveda Boulevard, and Howard Hughes Parkway to the north and *includes only 29 intersections*. *See* DEIR Figures 4.12.3-1 and 4.12.3-2, and DEIR pgs. 4.12-202—205. The DEIR's study area for assessing the Project's operational traffic impacts, on the other hand, is substantially larger, covering 183 intersections. *Id.* at 4.12-48 and Figure 4.12-2-1.

The DEIR explains that the geographic scope of the construction traffic analysis's study area was determined by identifying the intersections most likely to be used by construction-related vehicles accessing the Project's construction site. DEIR at 4.12-197, 4.12-202. Because the DEIR focuses largely on the number of construction employee and truck trips and the roads that would be used by these construction-related vehicles, the document arrives at the absurd conclusion that construction of this massive project would cause significant traffic impacts at only *one intersection*, Aviation Boulevard and Century Boulevard. *Id.* 4.12-232. This conclusion is not credible.

While it may be sufficient to focus on construction vehicular trip generation for a land use project such as a subdivision or a shopping center, this type of analysis is not sufficient for assessing impacts of a long term, multi-faceted construction project at one of the nation's busiest airports. About 76,000 vehicles per day entered LAX's central terminal area in 2014-15 and more than 6,000 vehicles enter the airport every hour.[7]

[7] *See* "A Better Flight Plan for LAX: L.A. Controller's Report Warns of Impending Traffic Crisis; Urges Improved Passenger Experience, Business Practices," *available at* http://www.lacontroller.org/lawa (last visited October 10, 2016).

DEIR at 1-2. Certainly one would expect massive traffic jams on roadways and intersections periodically throughout the 18-year construction, especially because the Project includes so much road construction. Over the Project's duration, certain roads would be closed, other roads would be removed, new roads and new lanes would be added, segments of existing roads would be realigned, freeway ramps would be modified, new driveways would be constructed, other driveways would be realigned; and numerous intersections would be improved. DEIR at 4.12-24; 2-181, 182.

Towards the end of the 50-page construction analysis, the DEIR includes a two-page section entitled "Temporary Traffic, Access, and Transit Impacts During Construction." DEIR at 4.12-234. This "analysis" purports to address the effect that construction activities would have on on-Airport and off-airport traffic roadway operations. *See id.* Yet, rather than provide a substantive evaluation, the DEIR's discussion is vague and generic, as evidenced by the following statement:

> To the extent that Project-related construction within the CTA would require temporary lane closures and detours, on-Airport traffic conditions could be impacted. Construction-related impacts to the on-Airport surface transportation system could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis.

DEIR at 4.12-237.

Clearly, construction of the Project would cause extensive traffic jams on airport access routes resulting from reduced roadway capacity, limited access to parking garages, reduced parking capacity, and construction vehicles completing with airport travelers for roadway space. The EIR's failure to thoroughly evaluate these impacts is a fatal flaw.

Rather than conduct a thorough analysis, the DEIR identifies a few vague mitigation measures. DEIR at 4.12-238 and 4.12-241. For example, the DEIR calls for the establishment of a task force to monitor traffic conditions and for the eventual preparation of a worksite traffic control plan. *Id.* Unfortunately, the DEIR lacks the required evidentiary support that these measures—which essentially punt the problem to a later date—would even begin to address the complexities and challenges that would accompany this major construction project. Indeed, the DEIR's approach is a "mere expression[] of hope" that LAWA will be able to devise a way around the problems created by construction of this massive Project. *Lincoln Place Tenants Assn v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508. Deferring mitigation without clear performance standards contravenes CEQA's clear requirements. "[F]or kinds of impacts

for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the planning process . . . , the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval." *Sacramento Old City Assn v. City Council* (1991) 229 Cal.App.3d 1011, 1028-29. Here, the DEIR includes no performance standards.

Moreover, given LAWA's current lackluster performance at handling traffic congestion around LAX, there is no evidence that the agency is even capable of effectively mitigating the effects of such a complex construction project. As the Supreme Court explained, "[b]ecause an EIR cannot be meaningfully considered in a vacuum devoid of reality, a project proponent's prior environmental record is properly a subject of close consideration in determining the sufficiency of the proponent's promises in an EIR." *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1988) 47 Cal.3d 376, 420. A performance review of LAX, prepared on behalf of the City of Los Angeles Office of the Controller ("LA Controller Report"), determined that LAWA is not prepared to handle the problems created by construction of the LAMP. *See* "Industrial, Economic, & Administrative Survey Report of Los Angeles World Airports" (Feb. 2016), attached hereto as Exhibit W, at 1.77-1.78. The LA Controller Report explains that the lack of an organizational focus on the landside operations appears to be one of the most serious faults with the operations of LAX. No one unit or individual is currently responsible "for coordinating the systems needed to keep traffic flowing during construction." *Id.* The report goes on to explain that LAWA has historically devoted insufficient staffing to manage its landside system, and it lacks the dedicated traffic engineering expertise to properly handle the airport's on-going congestion problems, let alone a project of LAMP's scale and scope. *Id.* at 1.78.

LAWA can and should consider and approve specific mitigation measures that would reduce the Project's construction-related traffic impacts. The LA Controller Report identified numerous actions that LAWA should undertake to manage the disruptions that would inevitably occur during the Project's construction:

- LAWA's Chief Executive Officer should establish a single point of responsibility for day-to-day landside operations (terminal, traffic, and parking).

- LAWA should form a joint-services team that includes Operations, Maintenance, & Emergency Management Group; Law Enforcement & Homeland Security; Traffic, Airports Development Group, and Commercial Development Group to:

    - Plan and execute a coordinated landside operations strategy.

- Review and update its regulations and operational rules for landside operations.
- Build on the Airport Response Control Center's capabilities as a powerful platform for data-driven performance management.
- Begin evidence-based management of landside operations designed to:

  - Ensure rapid response to issues that arise during the service day.
  - Anticipate congestion and wherever possible deploy resources before it occurs.
  - Propose policies and procedures to reduce CTA vehicle congestion in peak periods.
  - Work closely with airlines and other airport tenants to establish and maintain guest service excellence.

- LAWA should increase landside operations staffing levels by:

  - Adding staffing to allow 24/7 coverage of terminal and landside operations.
  - Increasing terminal and landside operations supervisory staff.
  - Providing robust Traffic Officer and Airport Police staffing to carry out flexible manual traffic control during construction.

- LAWA should assign overall APM construction impact coordination on the landside to a single position:

  - LAWA should provide this position with sufficient planning and construction coordination resources to ensure that he/she is able to anticipate and address CTA traffic and parking capacity reductions during construction.
  - This landside management position would have the scope to respond to Construction & Logistics Management plans and immediately react to identified shortcomings in execution.

- LAWA should include in its contract provisions with APM planning, construction, and operations contractor(s) that they:

  - Have significant incentives for maintaining CTA capacity and substantial penalties for reducing it.
  - Provide coordination staffing and performance requirements in APM construction contracts.

- LAWA should conduct periodic reviews of the construction process to learn from successes and failures, with the understanding that it may well be in order to change approaches if existing arrangements prove unworkable or ineffective.

- LAWA should also establish or obtain traffic engineering capability:

  - Traffic engineering should focus on:

    - Developing traffic mitigation plans.
    - Evaluating diversions for shuttle services and taxis/limos/vans and other strategies or systems that might help contain and manage CTA roadway congestion.
    - Conducting needs analyses based on projected traffic levels and designing construction-related diversions. (Note: Another possibility might be to include the needs analysis as part of LAMP in the contractors' specifications.)

  - LAWA should engage traffic engineering expertise, based on a cost-benefit analysis of different options:

    - Option 1: LAWA staff. Recruit and build its own traffic engineering unit.
    - Option 2: LADOT. Retain the services of LADOT through an MOU that would reimburse the department for its expenses in compliance with FAA requirements for revenue use and BOAC action to review and approve such agreements. (Note: LADOT also has technical knowledge and experience in traffic design and control systems. LADOT has jurisdiction over the "upstream" systems that deliver traffic to LAX and some involvement in CTA traffic influx.)
    - Option 3: Private contractor. Retain the traffic engineering services of a private contractor (LAWA should request LADOT to participate on the selection panel if this option is chosen).

- LAWA should train airport contract workers regarding Guest Experience initiatives, including wayfinding during construction.

- LAWA should increase existing staffing and systems to ensure that the public is kept informed, preferably well in advance, of significant disruptions to CTA traffic arising from APM construction. *Id.* at 1.79-1.80. LAWA might build on the proven "Carmageddon" model of saturation notices used during the widening of the 405 through Sepulveda pass.

IX. The DEIR Fails to Properly Analyze or Mitigate the Project's Climate Change Impacts.

A. Analyzing Climate Change Impacts Is Required Under CEQA.

The law is clear that lead agencies must thoroughly evaluate a project's impacts on climate change under CEQA. *See Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 89-91. In 2007, the state Legislature passed Senate Bill 97, which required the Governor's Office of Planning and Research to prepare guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by [CEQA], including, but not limited to, effects associated with transportation or energy consumption." SB 97 (2007), codified as Pub. Resources Code § 21083.05. Consistent with this mandate, the state Natural Resources Agency adopted revisions to the CEQA Guidelines that require lead agencies to determine the significance of a proposed project's greenhouse gas emissions. Guidelines § 15064.4.

B. The DEIR's Perfunctory Climate Change Analysis Fails to Inform the Public and Decisionmakers About the Project's GHG Emissions.

The DEIR's discussion of the Project's contribution to climate change fails to achieve CEQA's most basic purpose: informing governmental decisionmakers and the public about the potential significant environmental effects of a proposed activity. CEQA Guidelines § 15002(a)(1). Among its other flaws, the DEIR: calculates only a portion of the construction-related GHG emissions for which the Project would be responsible; refuses to acknowledge or otherwise analyze GHG emissions that would clearly be caused by the Project's operation; fails to account for GHG emissions beyond 2035 despite the fact that the Project has a more than 30-year lifespan; relies on a faulty methodology that omits GHG emissions from the full distance that Project-related vehicles would travel; fails to adequately analyze conflicts with state and regional GHG reduction plans and policies; and fails to identify mitigation measures to reduce or avoid the Project's contributions to climate change. The DEIR's approach, which ignores science and law, stands in stark contrast to the conscientious treatment of climate change impacts undertaken by other lead agencies throughout the state. LAWA must make substantial modifications to the DEIR's climate change analysis to achieve compliance with CEQA.

1. The DEIR Substantially Underestimates the Project's GHG Emissions.

The DEIR fails to account for all the ways the Project will generate GHG emissions. For the Project's construction-related GHG emissions, the DEIR includes only direct emissions. The DEIR explains that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The DEIR provides no evidence, or even an explanation, as to why LAWA considers the indirect emissions to be negligible.[8] Moreover, even if the indirect construction-related GHG emissions are a fraction of the direct emissions—and there is no evidence that this is the case—this is not a valid excuse for not including them in the inventory. Because GHG emissions are a cumulative global effect, all sources of a Project's emissions must be included in the inventory.

The DEIR also fails to account for all of the Project's operation-related emissions. The analysis does not include transportation-related GHG emissions that would be generated during the entire distance that Project-related vehicles travel to and from LAX. Instead, the analysis focuses on trips occurring near LAX (i.e., only within approximately six miles of the airport). DEIR at 4.5-32. The DEIR explains that it focuses on the emissions from trips within this six-mile radius because these are the trips that would be directly affected by the Project's improvements. *Id.* The DEIR's approach is illogical. The Project's impact on vehicular trips has no bearing on the Project's potential to increase GHG emissions. Vehicles would emit GHG emissions during the entire trip to and from LAX, not just within a six-mile radius of the airport. Indeed, the DEIR recognizes this fact when it discusses the GHG inventory that LAWA estimated for each of its airports, including LAX. The inventory of 1990 GHG transportation-related emissions for LAX "assumed the full distance of vehicle trips to and from the Airport." *Id.* Because LAX attracts travelers from through the southern California region, the vast majority of those travelers would be expected to travel a distance far greater than six miles.

Finally, the DEIR underestimates the Project's increase in GHGs because it underestimates the increase in traffic that would accompany the proposed Project. As discussed above, the DEIR fails to account for all of the Project's vehicular trips because it does not take into account induced travel. An accurate inventory of all of the Project's transportation-related emissions is critical because the transportation sector is one of the

[8] We found no indication that the Project's indirect construction-related criteria pollutant emissions were excluded from the DEIR's air quality analysis, leading one to further question why they were omitted from the GHG analysis. *See* DEIR chapter 4.2, generally.

largest sources of U.S. GHG emissions. In 2014, transportation represented approximately 26 percent of total U.S. GHG emissions. Between 1990 and 2014, GHG emissions in the transportation sector increased more in absolute terms than any other sector (i.e., electricity generation, industry, agriculture, residential, or commercial).[9]

To accurately evaluate the Project's effect on climate change, the EIR must be revised to include indirect construction-related GHG emissions, transportation-related emissions from vehicles traveling the full distance to and from LAX, and emissions from the Project's induced travel. This revised analysis must be transparent in its identification of the Project's GHG emissions. Thus, for the Project's construction-related emissions, the EIR must identify the amount of indirect emissions that would be generated by each source, i.e., purchased electricity, solid waste disposal, water usage and wastewater disposal. For the DEIR's accounting of transportation-related GHG emissions, the DEIR must identify the average trip distance (miles per trip) for arriving and departing airport travelers, the number of forecasted Project-related vehicular trips, and the amount of GHG emissions per vehicle mile for each of those trips. The DEIR must also clearly identify the number of vehicular trips the Project would induce, and include the emissions from these trips in the GHG analysis. Without an accurate accounting of all of the Project's GHG emissions, the DEIR's analysis is incomplete, making formulation of appropriate mitigation impossible.

2. The DEIR Relies on an Improper Methodology in Its Analysis of the "2015 With Project" Scenario.

The DEIR compares the Project's increase in GHG emissions in 2015 with 2015 existing conditions, as if the Project had, hypothetically, been completed in 2015. DEIR at 4.5-27. This analysis includes various emission sources, including autos and trucks. *Id.* Unfortunately, the DEIR relies on faulty methodology when it quantifies the Project's auto and truck-related GHG emissions and, consequently, it appears the DEIR does not accurately identify the Project's transportation-related GHG emissions.

As Table 4.5-5 shows, the DEIR's identification of the Project's GHG emissions from autos and trucks is based on *total traffic volumes on the roadway network*, rather than just LAX-related trip volumes. DEIR at Table 4.5-5, fn. 1. The DEIR states that the authors had to rely on total traffic volumes on the roadway network because "airport-

[9] U.S. EPA Transportation and Climate Website, attached hereto as Exhibit X, *available at* https://www.epa.gov/air-pollution-transportation/carbon-pollution-transportation (last visited November 15, 2016).

related trip volumes for this scenario were not available."[10] *Id.* This methodological error masks the Project's impacts and is particularly problematic because the document asserts that vehicular GHG emissions would *decline* as a result of the Project. *Id.* (emphasis added). Because the DEIR does not isolate Project GHG emissions from background emissions, the DEIR lacks the required evidentiary basis for this conclusion. The revised EIR must identify the Project's transportation-related GHG emissions, together with other Project-related emission sources, and evaluate the effect that these emissions would have on climate change reduction goals.

3. The DEIR Errs By Not Determining Whether the Emissions in 2024 and 2035 Are Significant Project-Related Impacts.

CEQA requires that an EIR must analyze not only a project's direct effects, but also indirect effects that are reasonably foreseeable. CEQA Guidelines §§ 21065 and § 15064(d). Here, it is reasonably foreseeable that the Project will cause increased passenger activity and aircraft operations. This, in turn, will cause GHG emissions to increase substantially. Although the DEIR quantifies the GHG emissions that would be expected to occur in 2024 and 2035, it refuses to attribute these emissions to the Project. The EIR's failure to analyze these indirect impacts of the Project is prejudicial error. *See Plastic Pipe & Fittings Assn. v. California Building Standards Com.* (2004) 124 Cal.App.4th 1390, 1412 (CEQA requires analysis of indirect impacts).

The DEIR relies on the faulty assumption that any changes in emissions from aircraft operations over the 2015 existing conditions are due to increased travel demand and changes in aircraft fleet mixes that are projected to occur by 2024 and 2035, irrespective of the proposed Project. DEIR at 4.5-7. This assertion is illogical. As this letter and the attached Kanafani Report make clear, the extreme levels of traffic congestion that occur on an on-going basis currently act as a constraint on the airport. Once these landside access constraints are removed, passenger activity and associated aircraft operations would be expected to substantially increase. In fact, LAWA is projecting substantial growth in passenger activity: from 74.9 MAP in 2015 to 85 MAP by 2024 and 96 MAP by 2035. DEIR at 4-5.

---

[10] The DEIR does not explain why airport-related trip volumes could not be obtained. Indeed, Table 4.5-7 (2024 Future With Project Compared to 2015 Existing Conditions) and Table 4.5.-9 (2035 Future With Project Compared to 2015 Existing Conditions) contain 2015 baseline data appears to identify Project-related auto and truck GHG baseline emissions. The DEIR should explain why the 2015 Baseline data for autos and trucks in Table 4.5-5 is substantially different than the 2015 baseline in Table 4.5-7 and Table 4.5-9. *See* DEIR at 4.5-27—31.

The need for a thorough analysis of the Project's indirect effects is not academic. The current maximum operational capacity for LAX is 78.9 MAP, as set forth in the airport's long range planning documents, including but not limited to the 2004 LAX Master Plan, the 2005 LAX Specific Plan, and the 2013 Specific Plan Amendment Study. Because there has been no analysis of the environmental impacts of operational capacity beyond 78.9 MAP, the DEIR is obligated to analyze the increase in GHG emissions that would accompany these increased activity levels. The DEIR cannot simply ignore the increase in GHG emissions associated with this growth, and especially the emissions from aircraft.

Aircraft constitute a huge portion of an airport's emissions. According to a report prepared by the Center for Biological Diversity ("CBD"), aircraft carbon polluting is skyrocketing. *See* Up In the Air—How Airplane Carbon Pollution Jeopardizes Global Climate Goals, CBD, December 2015, attached hereto as Exhibit Y. If commercial aviation were considered a country, it would rank seventh after Germany in terms of carbon emissions. *Id.* at 3. CBD found that:

> [B]y 2050, aircraft emissions re projected to more than triple. Unchecked, between 2016 and 2050 global aviation will generate an estimated 43 gigatonnes of carbon dioxide emissions. That amounts to more than 4 percent of the world's entire remaining carbon budget—the amount of pollution that can still be emitted before catastrophic planetary warming become virtually certain.

Id. at 2.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 and compares these emissions to 2015 (existing conditions) emissions' levels. The analysis of "2024 Future With Project" to 2015 existing conditions, in particular, identifies a substantial increase in GHG emissions attributable to the Project. *See* DEIR Table 4.5-7, p. 4.5-29. The problem, however, is that the DEIR includes this analysis for "informational purposes only" (*id.* at 4.5-28); it does not undertake this analysis for purposes of determining whether the Project would cause these significant impacts. Consequently, although the Project would result in a significant increase in GHG emissions in 2024, as compared to existing conditions, the DEIR fails to put forth any mitigation measures. This is in direct violation of CEQA as the primary goal of an EIR is to identify a project's significant environmental impacts and find ways to avoid or minimize them through the adoption of mitigation measures or project alternatives. §§ 21002.1(a), 21061.

4. The DEIR's Analysis of 2024 and 2035 Conditions Underestimate the Project's GHG Impacts.

The DEIR's analysis of the "2035 Future With Project" compared to the "2035 No Project" is flawed because it fails to properly analyze the Project's time horizon. The DEIR explains that the lifetime of the Project is 30 years. DEIR at 4.5-6; 4.5-24. By analyzing impacts only through 2035, the DEIR fails to provide the public with a meaningful assessment of the Project's full impact on climate change. The document should have analyzed impacts through at least 2047 (i.e., 30 years past the date that construction would commence which is estimated to be the end of 2017). *Id.* at 2-175. By not including 12 years of emissions, the DEIR substantially underestimates the Project's GHG emissions and the Project's contribution to climate change.

C. The DEIR Fails to Adequately Analyze the Project's Consistency with AB 32.

The Supreme Court has weighed in on appropriate thresholds for GHG emissions. In *Center for Biological Diversity v. California Department of Fish and Wildlife*, the Court affirmed reliance on compliance with AB 32's reduction goals as a valid threshold of significance when used as a "comparative tool for evaluating efficiency and conservation efforts." *Center for Biological Diversity*, 62 Cal.4th 204, 225-28. While the DEIR appropriately acknowledges AB 32, it fails to actually analyze the Project's consistency with this law because it claims it is technically unable to do so.

The GHG reduction target reflected in AB 32 calls for a statewide reduction in GHG emissions to 1990 levels by 2020. The DEIR asserts that while LAWA has estimated 1990 GHG emissions for each of its airports, including LAX, and that LAX's 1990 GHG inventory assumes GHG vehicular emissions from the full distance of vehicle trips to and from LAX, the DEIR includes only those emissions from vehicles traveling within approximately six miles of the airport.[11] DEIR at 4.5-32. The DEIR then explains that, given the differences in key assumptions, a comparison of the Project-related GHG emissions estimated for 2024 and 2035 to the emissions in the 1990 LAX GHG inventory would not provide an appropriate basis for evaluating how the GHG emissions of the Project measure against the GHG reduction targets of AB 32. *Id.* As discussed above, the DEIR errs by not including GHG emissions from the entire trip distance that Project-

[11] The DEIR asserts that this is the appropriate study area because it is the trips occurring within this six-mile distance that would be "directly affected by the Proposed Project improvements." DEIR at 4.5-32.

related vehicles would travel to and from LAX. Once LAWA conducts the analysis in an accurate manner, it will be able to properly assess the Project's consistency with AB 32.

Notwithstanding the DEIR's assertion that it is unable to analyze the Project's consistency with AB 32, the document patches together an analysis and asserts that Project-related emissions in 2024 would be approximately 43 percent greater than 1990 emissions and the Project-related emissions in 2035 would be approximately 48 percent greater than the 1990 GHG emissions.[12] DEIR at 4.5-33. The DEIR determines that the Project would be inconsistent with the GHG reduction target set forth in AB 32 and that this constitutes a significant impact. *Id.* We agree with this inconsistency conclusion.

The DEIR, however, fails to evaluate the Project's emission projections against the emission reduction targets established by AB 32. It is not sufficient to simply state that in 2024, the Project's emissions would be more than 43 percent greater than the 1990 emission levels. The EIR should have disclosed what LAX's 1990 GHG emissions were and then used this figure as the starting point to determine if the LAMP Project does its fair share to comply with AB 32's GHG reduction goals. Then, the EIR should have identified what the Project's emissions would be expected to be in 2020. Because the DEIR does not disclose this information anywhere, it fails to satisfy CEQA's most basic informational purpose. *See* Pub. Res. Code § 21061 ("The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment.").

D. The DEIR Fails to Adequately Analyze the Project's Consistency with Executive Orders S-3-05 and B-30-15.

In addition to properly analyzing consistency with the reduction goals set forth under AB 32, the DEIR must analyze the Project's consistency with state climate policy as set forth in Executive Orders S-3-05 and B-30-15. Executive Order S-3-05 establishes a long-term goal of reducing California's emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 sets an interim target of 40 percent below 1990 levels by the year 2030.

[12] The DEIR does not clearly explain how it arrived at its GHG emission exceedance figures other than stating that emissions were based on MAP levels and EMFAC emission factors. The revised EIR should be transparent in its analyses so that the public and decisionmakers are able to follow each step in the EIR's methodological process.

The DEIR acknowledges Executive Orders S-3-05 and B-30-15, yet it does not analyze the Project's consistency with either directive in any meaningful way. In fact, it contains even less "analysis" than that provided for its discussion of AB 32. The DEIR simply refers to its discussion of AB 32, and states that since the GHG emissions associated with operations of the Project in 2024 and 2035 would not be less than the levels estimated for 1990 conditions, the Project's emissions would exceed the GHG reduction targets in Executive Orders S-3-05 and B-30-15. DEIR at 4.5-33, 34. It goes on to explain that the Project would be inconsistent with these directives; and that these inconsistencies constitute significant impacts. *Id.* As discussed above, these bare, unsupported assertions are not the careful evaluation of potential impacts that CEQA requires.

The DEIR's treatment of these directives is particularly disappointing because the Court of Appeal has recognized that Executive Order S-3-05, designed to meet the environmental objective of climate stabilization, is highly relevant under CEQA. *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1157 (quoting the California Attorney General).

Other agencies have adopted the Executive Orders as thresholds of significance for long-term projects, including Regional Transportation Plans. For example, in 2015 the San Diego Association of Governments ("SANDAG") used them as a threshold of significance in the EIR for its most recent RTP/SCS. Specifically, Impact GHG-4 of that EIR asked whether the project would "[b]e inconsistent with the State's ability to achieve the Executive Order B-30-15 and S-3-05 goals of reducing California's GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050." *See* SANDAG 2015 RTP/SCS EIR at 4.8-33, attached as Exhibit Z; *see also Cleveland National Forest Foundation v. SANDAG* (November 24, 2014) 231 Cal.App.4th 1056 (Review Granted, 343 P.3d 903).

The SANDAG RTP/SCS EIR evaluated that project's impacts by calculating a 40 percent and 80 percent reduction from the region's 1990 emissions and using those figures as a target reference point for the RTP. It then compared the region's expected GHG emissions in the years 2035 and 2050 to the emissions necessary to meet the Executive Orders' trajectories. It included charts showing that the Plan would not come close to meeting the Executive Orders' goals. It concluded: "Because the total emissions in the San Diego region of 25.5 MMT CO2e in 2035 would exceed the regional 2035 GHG reduction reference point of 14.5 MMT CO2e (which is based on Executive Order-B-30-15 and Executive Order S-3-05), the proposed Plan's 2035 GHG emissions would be inconsistent with state's ability to achieve the Executive Orders' GHG reduction

goals. Therefore, this impact (GHG-4) in the year 2035 is significant." SANDAG 2015 RTP/SCS EIR at 4.8-35. It reached a similar conclusion for the year 2050 goal.

The LAMP DEIR's failure to compare the Project's emissions against the long-term GHG emission reduction policies set forth in Executive Orders S-3-05 and B-30-15 is unlawful, and SANDAG's recent example demonstrates that there is no excuse for the omission. LAWA has access to the state's GHG reduction goals, which reflect the emissions decreases that climate scientists have concluded are needed to provide a 50 percent chance of limiting global average temperature rise to 2° C above pre-industrial levels. The revised EIR should reveal the nature and extent of the Plan's sharp inconsistency with these clear goals.

E. The DEIR Fails to Adequately Analyze the Project's Consistency with the LAWA Sustainability Plan.

The LAWA Sustainability Plan sets goals and actions that LAWA will undertake to implement the initiatives set forth in the Green LA Plan. The Green LA Plan calls for the City to reduce GHG emissions by 35 percent below 1990 levels by 2030. DEIR at 4.5-34. The DEIR explains that the Project would not be consistent with the target GHG reduction level identified in the Green LA Plan and thus would be inconsistent with the LAWA Sustainability Plan. *Id.* Yet, here too, the DEIR does not bother to provide *any* explanation as to how far off course the Project would set LAX from achieving the goals established in its own Sustainability Plan. The DEIR cannot simply identify an impact; it must disclose the severity and extent of this impact. *See, e.g., Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1370-71; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1123; *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decisionmakers information about how adverse the impacts would be).

F. The DEIR Lacks the Evidentiary Support that Its Mitigation Measures Would Effectively Reduce Project-Related GHG Emissions to Less-Than-Significant Levels.

Notwithstanding the flaws in the analysis of the Project's GHG impacts, the DEIR concludes that the Project's increase in GHG emissions would be significant. The DEIR

includes two measures intended to reduce the Project's significant GHG impacts.[13] One measure would incorporate solar energy into the LAMP facilities, while the second measure would require the use of renewable diesel fuel in off-road equipment and on-site trucks, *to the extent feasible*. *Id.* at 4.5-59. The DEIR concludes that these two measures would reduce the Project's construction and operational impacts to less-than-significant levels for all impact scenarios. *Id.* 4.5-59—65; 70. The document does not, however, base its conclusions on substantial evidence. To conclude as the DEIR does, that an impact is less than significant, substantial evidence must demonstrate that mitigation measures will reduce an impact to a less-than-significant level. Substantial evidence consists of "facts, a reasonable presumption predicated upon fact, or expert opinion supported by fact," not "argument, speculation, unsubstantiated opinion or narrative." Pub. Res. Code § 21080(e)(1)-(2). Because the DEIR's conclusion of insignificance is premised on unsupported assumptions, it falls far short of this threshold.

For example, the DEIR's measure calling for the use of renewable diesel fuel is vague and directory. Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. *See, e.g.*, *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). Here, the measure simply suggests that LAWA would require the use of diesel fuel "to the extent feasible." DEIR at 4.5-59. Without committing to requiring the use of renewable fuel in construction equipment and trucks, the DEIR may not take credit for any GHG emission reductions. Moreover, the DEIR must identify which construction equipment and trucks would use this fuel, and provide sufficient documentation to allow the public and decisionmakers to verify the projected reductions in emissions. Without this documentation, the DEIR has no basis to conclude that the emission reductions from the use of renewable diesel fuel would be sufficient to offset the Project's increase in construction-related GHG emissions.

The measure calling for the use of solar energy in LAMP facilities is similarly flawed. The DEIR provides no detail as to which LAMP facilities would use solar energy. Nor does it quantify the emission reduction from these facilities. Without this documentation, the DEIR has no basis to conclude that the emission reductions from the

[13] The DEIR also proposes an array of mitigation measures, most of which are intended to mitigate the Project's air quality impacts. DEIR at 4.5-43—58. However, the DEIR explains that because LAWA is unable to quantify the effectiveness of these measures, the document makes no estimate of the air quality or GHG benefit.

use of solar energy would be sufficient to offset the Project's increase in operational GHG emissions.

G. The DEIR Fails to Analyze and Adopt All Feasible Mitigation.

The DEIR acknowledges that the Project's inconsistency with the GHG reduction targets established in state, regional and local plans constitutes a significant and unavoidable impact. DEIR at 4.5-70. If the DEIR had identified adequate mitigation measures as required under CEQA, it could have substantially lessened the Project's increase in GHG emissions. LAWA has a duty to consider other feasible mitigation measures as it may not approve the Project with significant environmental impacts if there are feasible mitigation measures which would substantially lessen those effects (even if they are not completely avoided or reduced to a less than significant level). Pub. Res. Code § 21002.

As an initial matter, LAWA should take all necessary actions to increase transit mode share to the airport. The LAMP is being billed as a project that will create a world-class transportation system connecting LAX to communities and public transportation hubs throughout the Southland. Mayor Garcetti touts the transit benefit of the LAMP as follows: "LAX is our gateway to the world—and by finally bringing rail to the airport, Angelenos and tourists will be able to connect to Los Angeles' world-renowned neighborhoods and attractions without ever stepping foot in a car." *See* Aero Newsletter for the Employees of Los Angeles World Airports.[14] Yet, the reality of the LAMP will not come close to achieving the Mayor's lofty proclamation as the Project is expected to increase transit mode share by only *one* percent! *See* DEIR Tables 4.12.1-1 through 4.12.1-10. It is outrageous that LAWA would spend $5 billion on a transportation project that is expected to result in such a meager increase in transit ridership.

If LAWA were truly committed to increasing transit use to and from LAX, it would have earmarked a large percentage of the Project's $5 billion budget to transit programs and projects. To this end, as mitigation for the Project's significant GHG impacts, LAWA must implement a series of transit-related mitigation measures. LAWA should study the approaches taken at other major airports to increase transit mode share. Leading cities like New York, London, Paris, Frankfurt, Amsterdam, Hong Kong and Shanghai, for example, have all focused on improving "people moving" for some time

[14] *Available at* https://www.lawa.org/uploadedFiles/LAX/pdf/Aero_Newsletter_201602.pdf (last visited November 7, 2016).

now, realizing that their airports have become the center of their region's connectivity.[15] Canada's Vancouver Airport is the national leader for increased transit use to and from the airport. At Paris' Charles De Gaulle airport, passengers have the luxury of many different transit options, which has resulted in only 40 percent of travelers arriving by car. *Id.* To mitigate the LAMP's substantial increase in GHG emissions—and to become a true world-class airport—LAWA must study approaches to increasing transit, commit to funding the necessary transit programs and projects, and establish ambitious mode share targets for 2024 and 2035.

LAWA should also mitigate for the Project's significant climate change impacts by committing to lobby the major airlines to participate in the Aviation Plan recently approved by the International Civil Aviation Organization.[16] Under the Aviation Plan, which is currently voluntary, airlines will buy credits to offset emissions from individual flights. The credits will come from alternative energy installations, forest conservation programs and other projects that prevent some amount of GHG emissions. LAWA could also develop and implement mechanisms to monitor and report current emissions, since this component of the Aviation Plan has yet to be developed. *Id.* LAWA could also establish the criteria to select conservation programs and other projects that will count toward offset credits. *Id.*

Other types of mitigation to reduce GHG emissions have been determined to be feasible. There are additional guidance documents that provide a full suite of GHG mitigation measures. LAWA must review and consider all of the measures listed in these documents in its revised DEIR, and it must adopt all feasible measures in order to reduce the Project's impacts to a level below significance, or as much as feasible:

- Governor's Office of Planning and Research. 2008. Technical Advisory. CEQA AND CLIMATE CHANGE: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, attached hereto as Exhibit CC.

---

[15] *See* Hillary Marshall, "We Must Prioritize Smarter Transit Options to and from Airports," *Huffington Post* (June 27, 2016), attached as Exhibit AA and *available at* http://www.huffingtonpost.ca/hillary-marshall/airport-transit_b_10700664.html (last visited November 7, 2016).

[16] *See* "Over 190 Countries Adopt Plan to Offset Air Travel Emissions," *The New York Times*, October 6, 2016, attached as Exhibit BB and *available at* http://mobile.nytimes.com/2016/10/07/science/190-countries-adopt-plan-to-offset-jet-emissions.html?emc=edit_th_20161007&nl=todaysheadlines&nlid=66270403&_r=0&referer= (last visited October 7, 2016).

- California Air Pollution Control Officers Association (CAPCOA), "CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act," January 2008.[17] *See generally id.* at Chapter 9.
- CAPCOA, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reduction from Greenhouse Gas Mitigation Measures," August 2010.[18]
- Attorney General of the State of California, "Addressing Climate Change at the Project Level," January 2010.[19]

X. The DEIR Fails to Adequately Analyze or Mitigate the Project's Air Quality Impacts.

A. The DEIR Underestimates the Project's Air Quality Impacts Because it Does Not Include Emissions From Aircraft or Ground Support Equipment.

Many of the flaws in the DEIR's analysis of the Project's GHG analysis also implicate the air quality analysis. For example, as discussed above, the DEIR inappropriately assumes that the Project would not increase the number of flights or the number of passengers at LAX. DEIR at 4.2-10. This faulty assumption causes the DEIR to substantially underestimate the Project's increase in criteria air pollutant emissions. Specifically, the DEIR's analysis of operational-related air quality impacts only accounts for emissions from automobiles and trucks and stationary and area sources of emissions. DEIR at 4.2-10 and Table 4.2.1-4; *id.* at 4.2-27. It does not account for the increase in emissions from aircraft or the ground support equipment that would occur as a result of LAX's planned growth in passenger activity. The DEIR must take into account emissions from aircraft and ground support equipment as these emissions would be expected to greatly increase with LAX's planned increase in passenger activity.

---

[17] *Available at* http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf (last visited October 7, 2016).

[18] *Available at* http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf (last visited October 7, 2016).

[19] *Available at* http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf (last visited October 7, 2016).

B. The DEIR Relies on Faulty VMT Assumptions to Conclude the Project Would Result in a Reduction in Criteria Air Pollutants.

The DEIR concludes that the regional air quality impacts associated with operation of the Project (the "2015 With Project" compared to the "2015 Existing Conditions" scenarios) would be less than significant, and that all criteria air pollutant emissions would actually decline as a result of the Project. DEIR Table 4.2.1-9 at 4.2-36. The DEIR asserts that this decline in emissions is because the Project would cause a reduction in VMT. *Id.* The DEIR's technical appendix, however, contradicts the DEIR's VMT assumptions. Appendix F reveals a trend of increasing, not decreasing, VMT. *See* DEIR Appendix F, at PDF pages 724 –728. Specifically, the Appendix identifies 2015 Baseline VMT as 2,107,251; VMT with the Project in 2024 is estimated to be 2,594,506; and VMT with the Project in 2035 is estimated to be 2,568,018. Inasmuch as VMT in 2024 and 2035 would exceed baseline (2015) levels of VMT, the DEIR's assertion that criteria air pollutants would decline as a result of the Project lacks credibility.

Moreover, as we explained in the transportation section of this letter, the DEIR underestimates predicted traffic volumes because it fails to take into account the Project's induced travel demand. Inasmuch as the Project's air quality emissions are dependent on the transportation assumptions, any underestimation of vehicular trips necessarily results in an underestimation of vehicular emissions.

Finally, the DEIR also likely underestimates the Project's increase in criteria air pollutant emissions, because it may not have accounted for all of the vehicular travel to and from LAX. As we explained, the DEIR's GHG analysis does not include GHG emissions generated by vehicles traveling the full distance to and from LAX. Instead, the analysis only accounted for the GHG emissions from vehicular trips within a six-mile radius of the airport. Presumably, the DEIR's air quality analysis relied on the same assumptions as the GHG analysis. If so, the DEIR underestimates the Project's increase in VMT and therefore also underestimates the increase in criteria air pollution generated by these vehicular trips.

XI. The DEIR's Description and Analysis of Potential Future Development, in Particular at the Continental City Site, Is Inadequate Under CEQA.

The LAMP Project includes the potential for approximately 900,000 square feet of future commercial development of LAWA-owned parcels that would be freed up after subdivision and other land reconfiguration undertaken for new LAX ground transportation facilities. During construction, these parcels would be used for laydown

and staging, at least through the first phase of the Project (2024). DEIR at 2-188; 2-191. Thereafter, the DEIR estimates that approximately 300,000 square feet would be used for office space, another 300,000 square feet would be used for hotel accommodation, 200,000 square feet would be used for commercial space, and the remaining 100,000 square feet would be used for a conference center. DEIR at 2-191.

The Project includes entitlements for development of these parcels consistent with the above uses, including proposed amendments to the LAX Plan and LAX Specific Plan necessary to accommodate development. *Id.* at 2-191 through 2-192. Such entitlements include two tract maps, lot line adjustments and "other minor subdivision actions" to reconfigure the parcels where Project components, including the two ITFs and the CONRAC, are proposed to be built. *Id.* at 2-201. The parcels identified for potential future development would be given a new subarea classification of "Airport Landside Support Subarea" under the proposed amendments to the LAX Plan and LAX Specific Plan.

The DEIR states that "additional CEQA project-level environmental review would be conducted, *as necessary*" once individual development projects are proposed on these parcels. DEIR 2-188 (emphasis added). Because these future development projects cannot proceed without the zoning changes associated with the Project, however, they are components of the LAMP Project. Thus the DEIR must describe and analyze these development projects in as much detail as is currently available, rather than postpone this analysis until individual development projects are proposed. Failure to do so amounts to project "segmentation" and is prohibited under CEQA.

Whether a lead agency prepares a "program" EIR or a "project specific" EIR under CEQA, the requirements for an adequate EIR remain the same. Guidelines § 15160. "Designating an EIR as a program EIR also does not by itself decrease the level of analysis otherwise required in the EIR." *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 533; see also Guidelines § 15146 (degree of specificity required in program EIR varies not with "program" label, but rather with degree of specificity in underlying activity). Even a program-level EIR must contain "extensive detailed evaluations" of a plan's effects on the existing environment. *See Environmental Planning & Information Council v. County of El Dorado (1982) 131 Cal.App.3d 350, 358* ("*EPIC*"); *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692,723-24 (where the record before an agency contains information relevant to environmental impacts, it is both reasonable and practical to include that information in an EIR).

Here, this analysis must include the full analysis of potential future development that is now missing, including, in particular, an explanation of the proposed temporary and long-term uses for the Continental City site located near El Segundo. While the DEIR states that the Continental City site is identified as a "Regional Center" in the General Plan,[20] and a solitary, unexplained exhibit to the DEIR appears to designate the majority of this site as a "Proposed Cargo Tenant Relocation Area" (DEIR Exhibit 2-46 at 2-157), the document reveals no specifics about LAWA's proposed future use for the site aside from stating it will be used for laydown during construction. The DEIR further violates CEQA by failing to state the "existing conditions" for the site, as required for an adequate analysis of the proposed Project's environmental impacts.

For example, the DEIR does not disclose that, under the approved 2004 Master Plan alternative (Alt. D), LAWA designated the Continental City site for development of an "Intermodal Transportation Center." Master Plan Final EIR at 3-81. Under that alternative, the site would have been developed to include 9,127 parking stalls and a link to the proposed Metro Green Line transit station. *Id.* In 2013, LAWA approved the SPAS preferred alternative, under which "Continental City is assumed to remain vacant unless/until another permanent land use is designated for the area separate from the SPAS." SPAS Final EIR at 4-565. The SPAS EIR identified possible future uses for the site as a relocated Airfield Bus Parking Area and Operations Building and/or Construction and Maintenance Division Facilities (*id.* at 2-13); the existing LAX Specific Plan would also permit various airport related commercial and operations uses, while prohibiting "aircraft under power" or residential use.

The DEIR must (a) give a complete an accurate description of the "existing conditions" at the site, under the applicable land use plans, (b) state any proposed future use (beyond construction laydown) for the site, whether as a "Cargo Tenant Relocation Area," or a use consistent with the specific and general plan designations, and (c) analyze the impacts of the propose change in use. CEQA requires that every EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. The document should provide a sufficient degree of analysis to inform the public about the proposed project's adverse environmental impacts and to allow decisionmakers to make intelligent judgments. *Id.* Consistent with this requirement, the information regarding the project's impacts must be "painstakingly ferreted out." *EPIC*, 131 Ca1.App.3d at 357.

[20] The DEIR states that "Regional Center" means "focal point of regional commerce, identity, and activity that contains a diversity of uses," and "should generally be developed at a density of 1.5:1 to 6.0:1 floor-area ratio ["FAR"] and to a height of 6 to 20 stories." DEIR at 4.8-15.

XII. The DEIR Should Include Analysis of a "Constrained Growth" Alternative.

As we recommended in our comments on the NEPA Scoping Document, because a legally adequate analysis of the impacts of induced growth caused by the Project would show noise, air quality and climate change impacts far above levels considered acceptable, LAWA should analyze a constrained growth alternative whereby the proposed Project would accommodate passenger levels up to some number at or below 82.9 MAP, the low end of the range forecast for LAX in the 2040 RTP/SCS. The DEIR responds to this recommendation by claiming that such an alternative would be infeasible because it would violate the Airport Noise and Capacity Act of 1990 ("ANCA"). DEIR at 5-19 through 5-20. This is a mischaracterization of ANCA. While ANCA and prior federal aviation law prohibit unreasonable, arbitrary or discriminatory constraints on access to airports, such laws do not require airport operators such as LAWA to *build* access-improvement projects or other projects to expand capacity. Once LAWA revises the DEIR consistent with the comments in this letter, thereby providing the legally required disclosure of environmental impacts associated with the Project, it will become clear that the Project would have substantially greater environmental impacts (particularly to air quality, climate change and noise) than the DEIR currently anticipates. To address this, LAWA should evaluate a "constrained capacity" (or more modest growth) alternative that would not constrain present operations but nonetheless would result in less growth (and thus fewer overall, and less significant impacts) than the proposed Project.

XIII. The DEIR Must Adequately Describe and Address the Impacts of Construction Haul Routes and Staging for the Project.

The DEIR indicates that laydown for construction will occur at the Continental City site, just north of El Segundo's border. Roughly one-third of Imperial Highway along the border with El Segundo is proposed to be used as a construction haul route. The impacts from both of these construction-related uses must be adequately analyzed in the DEIR. Presently, the DEIR does not indicate how long the Continental City site would be used for laydown, or disclose any site-specific impacts related to this use, including impacts from noise or truck-traffic ingress and egress. The DEIR's noise analysis also omits any analysis of noise impacts from use of Imperial Highway as a truck haul route. Indeed, the noise measurement locations identified in the noise analysis, used to establish the environmental baseline for construction noise, do not include any locations on the border with El Segundo, despite the fact that hauling and laydown will occur immediately adjacent to the City. DEIR Figure 4.9.3-1 at 4.9-29.

Considering El Segundo's longstanding concerns related to noise and traffic impacts generated by uses at the airport's southern edge, the City urges that the proposed construction staging be located away from El Segundo. At the very least, the City expects all potential impacts from construction staging, and truck hauling, to be thoroughly analyzed and mitigated in the DEIR. The City also repeats its longstanding request that LAWA include pavement reconstruction on Imperial Highway as a mitigation measure.

XIV. Conclusion

In sum, LAWA should take no action to approve the Project until it has addressed the significant deficiencies in the DEIR and the recommendations discussed in this letter. It should also remove from the LAMP those unrelated, unnecessary and problematic elements identified in this letter.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Osa L. Wolff

Laurel L. Impett

Joseph D. Petta

List of Exhibits (*due to combined size of exhibits, all exhibits are provided on the enclosed CD, unless otherwise indicated*)

A LAX Master Plan

B LAX Master Plan EIR

C	LAX Specific Plan Amendment Study ("SPAS") Report
D	SPAS EIR
E	LAX Specific Plan
F	LAX Midfield Satellite Concourse North Project EIR
G	Memorandum by Adib Kanafani, Ph.D., N.A.E. (*attached hereto*)
H	Eno Center for Transportation, "Addressing Future Capacity Needs in the U.S. Aviation System," Nov. 2013
I	Southern California Association of Governments 2040 RTP/SCS, Aviation & Airport Ground Access Appendix
J	LAX Terminals 2 & 3 Project Notice of Preparation of an EIR and Initial Study
K	Alliance for a Regional Solution to Airport Congestion (ARSAC) and LAWA Memorandum of Understanding
L	FAA Advisory Circular 150/5070-6B
M	2014 Annual Progress Report, LAX Master Plan Mitigation Monitoring & Reporting Program
N	LAX Final Noise Exposure Map Report (August 2015)
O	LAX Master Plan Addendum
P	*In the Matter of Noise Variance Application for City of Los Angeles et al.,* Dept. of Transp. Case No. L2010041216
Q	LAX Aircraft Noise Abatement Operating Procedures and Restrictions (Sept. 2010)
R	Trip Advisor Webpage, *available at* https://www.tripadvisor.com/Travel-g32655-c160004/Los-Angeles:California:Bob.Hope.Airport.Aka.Burbank.Airport.html (last visited November 15, 2016)
S	FlyerTalk Webpage, *available at* http://www.flyertalk.com/forum/southwest-airlines-rapid-rewards/1558208-flying-into-burbank-vs-lax-worth-hassle-changing-planes-phx-2.html (last visited November 15, 2016)
T	Surface Transportation Policy Project, *Build It and They'll Come*
U	California Air Resources Control Board, "Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions," Sept. 30, 2014.

V McCahill et al., "Effects of Parking Provision on Automobile Use in Cities–Inferring Causality," November 2015.

W City of Los Angeles Office of the Controller, "Industrial, Economic, & Administrative Survey Report of Los Angeles World Airports," Feb. 2016.

X U.S. EPA Transportation and Climate Website (last visited November 15, 2016)

Y Center for Biological Diversity, "Up In the Air—How Airplane Carbon Pollution Jeopardizes Global Climate Goals," December 2015

Z San Diego Association of Governments 2015 RTP/SCS EIR (excerpt)

AA Hillary Marshall, "We Must Prioritize Smarter Transit Options to and from Airports," *Huffington Post* (June 27, 2016)

BB "Over 190 Countries Adopt Plan to Offset Air Travel Emissions," T*he New York Times* (October 6, 2016)

CC Governor's Office of Planning and Research, Technical Advisory, "CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review," 2008.

838581.8

Exhibit G

(Exhibits A—F and H—CC are provided on enclosed CD)

Comments on the Draft Environmental Impact Report (DEIR) of the LAX Landside Access Modernization Program (LAMP)

Traffic Growth and Capacity Issues

The DEIR for the LAX Landside Access Modernization Program (LAMP) fails to adequately assess the growth impacts of the program on aviation activity levels, including air passengers, flight operations, and ground access traffic, and to provide mitigation measures for such growth. It assumes that the growth in aviation activity is unaffected by the program and that the same levels of activity will materialize regardless of whether the program is implemented or not. The DEIR states that airport access constraints do not affect aviation activity.

1. **Capacity Issues**: The airport is a group of components operating in sequence to accommodate traffic/passenger flow (access system-terminals-gates-airfield-airspace). Each of these components is a link in a chain and has a capacity. The lowest capacity of these links constrains flow and determines the capacity of the whole system. This was recognized by the LAX 2004 Master plan which stated: "The most constraining component defines the capacity of the entire airport". The 2004 master plan considered an unconstrained demand forecast of 98 MAP in 2015 and evaluated four alternative configurations and estimated the airport capacity for each using the principle that this capacity is constrained by that of the lowest capacity component. The four alternatives considered were:

    a. No Action No Project:
        i. Capacity of 78 MAP
        ii. constrained by the Curb and Roadways.
    b. Alternative A &B including 5th runway, increased gates, and Landside Improvement (LAMP):
        i. Capacity 97.9 MAP
        ii. constrained by 5-runway airfield.
    c. Alternative C including increased gates and LAMP improvements, but only 4 runways:
        i. Capacity 89.6 MAP
        ii. constrained by 4-runway airfield.
    d. Alternative D including LAMP improvements and limited to 153 gates:
        i. Capacity 78 MAP
        ii. constrained by gates as well as curb and roadways.

    The DEIR therefore contradicts the 2004 Master Plan which recognizes the fact that the curb and roadway (access system) can constrain airport capacity and consequently hinder growth, and that LAMP improvements will relieve this constraint and permit aviation activity to grow toward the capacity constrained by the next barrier to growth.

As shown in section 4.12.2-5 the ground traffic analysis contained in the DEIR is based on aviation activity levels of 86 MAP in 2024 and 95 MAP in 2035. These levels of activity could not be accommodated with the access system in its existing condition with its capacity of 78 MAP as determined in the Master Plan.[1]

2. **Demand Forecasting Issus**: In section 6.3.2 the DEIR maintains that the demands forecast will materialize with or without the proposed project. It quotes the FAA 2014 Terminal Area Forecasts as based on local and national economic conditions "independent of the ability of the airport and air traffic control system to furnish the capacity required to meet the demand". As such the DEIR fails to recognize the difference between "demand" and actual "aviation activity level", and makes an assumption that permits activity levels to exceed available capacities. It is clear that forecast demand levels will not materialize if the capacity is not provided to accommodate them. The DEIR further quotes the FAA as saying that "…existing constraints are "embedded in historical data" used by the FAA as a base for the forecast" and makes the wrong conclusion that there is "no correlation between activity level and existing conditions of the CTA". Existing conditions are reflected in historic data which show activity levels resulting from the interaction of demand and supply, and when the supply is limited the activity level cannot exceed that limit. Historic passenger traffic data at LAX did not, and could not reach beyond the 78 MAP capacity of the curb and roadway system, even if economic conditions created the "demand".

   The LAX Master Plan of 2004, while working in the face of 98 MAP forecast recognized that passenger traffic levels could not exceed 78 MAP unless LAMP improvements were made to release that constraint on capacity. The DEIR does not recognize this and implicitly assumes that activity levels up to the airfield capacity constrain will materialize far exceeding the stated capacity of the curb and roadway system. Such growth cannot occur unless the curb and roadway constraint is removed by the implementation of LAMP.

3. **Airport Market Share Issues**: The Los Angeles metropolitan area is served by a number of airports. In a multi-airport region passengers have a choice among airports. This choice has been the subject of many studies that are well documented in the literature. The ACRP report 98, which is quoted in the DEIR, provides a good summary of the findings on this subject. It identifies the primary drivers of airport choice in a multi-airport market such as: the price, air service

[1] For further information, please refer to "Addressing Future Capacity Needs in the U.S. Aviation System " report by Eno Center for Transportation (November 2013) (https://www.ustravel.org/sites/default/files/Media%20Root/USTravel_Eno_1.pdf), which states: "Ground access to the airport at LAX is the most significant chokehold in the airport's system and according to Los Angeles World Airports (LAWA) airport access infrastructure was projected to hit complete gridlock at 78.9 million annual passengers without improvements to the system. While 78.9 million annual passengers is a precise number [sic], it is accurate enough to mean that adding about 15 million annual passengers above the 62.6 million in 2012 will be too much for the access and gate infrastructure to handle."

quality, airline/alliance loyalty, and airport ground access. It recognizes airport accessibility as the extent to which passengers can get to the airport from their residence or place of business. This is usually measured by the access time. Numerous studies quoted here and elsewhere recognize the importance of time as a variable affecting airport choice.

LAX remains the primary airport serving the region because of its other service advantages: nonstop flights to more destinations, international connections, wider choice of airlines, etc. But the fact remains that access constraints will affect the airport's share of the market. The ACRP 98 report, concludes based on a the Los Angeles regional case study that[2]:

> *"Surface access issues across most of the regional – Passenger commute times remains a primary passenger choice driver in the Los Angeles Basin. Given the presence of several regional facilities across the area, the traffic situation in the Basin drives the airport choice for a large proportion of travelers".*

To the extent that LAMP improvements will relieve congestion in the CTA and improve travel time for passengers accessing or leaving the LAX terminal area, it will improve LAX's attractiveness relative to other airports in the region and will expand its market shed area. This has been shown to be true repeatedly in airport choice models that have consistently found significant effects of travel time as a factor in airport choice.

Another factor that has been shown to affect passenger airport and mode choice is the travel time reliability. Improving reliability is tantamount to reducing travel time because passengers will need to allow for shorter margins to avoid missing flights. The LAMP improvements will improve reliability by providing regular APM access to the CTA thereby reducing the fluctuations in travel time that arise when congestion is severe.

The DEIR simply dismisses all this by stating that the other factors such as air service quality, flight schedules, price, and loyalty program are the primary factors affecting passenger choice, and that therefore the LAMP improvements will not increase the market share of LAX.

Summary

The DEIR of the LAMP program incorrectly ignores the aviation activity growth effects of the project. It incorrectly ignores the fact that capacity constraints at the curb/roadway access system will limit airport activity, which cannot grow

[2] Parella, B.C. et. al. "Understanding Airline and Passenger Choice in Multi-Airport Regions", Acviation Cooperative Research Program ACRP 98. Transportation Research Board. Washington, D.C., 2013. *https://www.nap.edu/download/22443*

towards the forecast demand level without the improvements in the access system. LAMP improvements are designed to accommodate activity levels of 86 MAP in 2024 and 95 MAP in 2035, levels that clearly could not be accommodated with the current access system with its 78 MAP capacity.

Furthermore, the DEIR ignores the potential effect of the LAMP improvements on LAX's accessibility attractiveness relative to the other airports in the region and the resulting increase in its share of the regional market.

Recommendation

The DEIR should include a thorough and comprehensive aviation activity modeling analysis to quantify the effect of the LAMP improvements on activity considering regional demand and airport market share. The analysis should evaluate how the reduction in access time and the improvement of access time reliability will improve LAX's accessibility relative to the other airports in the Los Angeles Basin and how that will affect its market share of the total travel demand in the Basin. The aviation activity modeling analysis should also show what effect LAMP will have on passengers' mode choice to LAX and the extent if any to which LAMP will increase public transportation access to the airport. Only with such a thorough and comprehensive analysis would it be possible to assess the aviation activity and environmental impacts of LAMP.

Adib Kanafani

Professor of the Graduate School, University of California at Berkeley.
Kanafani holds a Ph.D. in Civil Engineering from the University of California at Berkeley. Since joining the faculty at Berkeley in 1971 he has taught and conducted research on transportation systems, transportation engineering, airport planning and design, and air transportation economics. He has served on a number of national and international advisory panels to Government and industry. He was Director of Berkeley's Institute of Transportation Studies from 1982 to 1997, and Chairman of the Department of Civil and Environmental Engineering from 1997 to 2002, and Co-Director of the National Center of Excellence in Aviation Operations Research from 2001 to 2005. Kanafani's important contributions to air transportation include air transportation demand analysis, airport capacity analysis methods, and airline network analysis. His research on airline hubbing and on the relation between aircraft technology and airline network structure laid the ground for much of the work aimed at understanding the implications of airline deregulation in the late 1970's. He was a member of the research team that developed airport capacity analysis methods that are in widespread application in airport planning and design. Professor Kanafani has authored over 170 publications on transportation, including three books on Transportation Demand Analysis, on National Transportation Planning, and on the Economics of Networked Industries. He is a recipient of numerous including election to the U.S. National Academy of Engineering in 2002. He served as Chair of the Air Transport Division of the American Society of Civil Engineers, and as chair of the Transportation Research Board of the National Academies in 2009 and was named a Lifetime Associate of the National Academies in 2012.

841849.2

Attachment C

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

LAUREL L. IMPETT, AICP
Urban Planner
impett@smwlaw.com

December 2, 2016

Via E-Mail

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216
E-Mail: equintanilla@lawa.org

Re: MRO Engineers' Report re Landside Access Modernization Program Draft Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo, we submit the following report prepared by Neal Liddicoat with MRO Engineers. Mr. Liddicoat, a traffic engineer, has reviewed the Draft Environmental Impact Report's ("DEIR") transportation/traffic analysis for the Landside Access Modernization Program. The MRO Engineers' report identifies potentially significant deficiencies in the DEIR's transportation/traffic analysis that LAWA should carefully evaluate as part of an informative and comprehensive EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Laurel L. Impett, AICP, Urban Planner

Encl: MRO Engineers Report, December 1, 2016

847509.3

M R O
ENGINEERS

660 Auburn Folsom Rd.

Suite 201B
Auburn, California

95603

PHONE (916) 783-3838

FAX (916) 783-5003

December 1, 2016

Ms. Laurel L. Impett, AICP
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Review of Transportation/Traffic Analysis***
Draft Environmental Impact Report
Los Angeles International Airport (LAX) Landside Access Modernization Program
Los Angeles, California

Dear Ms. Impett:

As requested, MRO Engineers, Inc., (MRO) has reviewed the "Transportation/Traffic" section of the Draft Environmental Impact Report (DEIR) for the Los Angeles International Airport (LAX) Landside Access Modernization Program (Los Angeles World Airports, September 2016). The "Transportation/Traffic" section of the DEIR is based on a traffic impact analysis prepared by Raju Associates (Raju). (Reference: Raju Associates, Inc., *Draft Transportation Study for the Landside Access Modernization Program DEIR*, September, 2016.) The Raju traffic study is presented as Appendix O to the DEIR.

Our review focused on the technical adequacy of the Transportation/Traffic analysis, including the detailed procedures and conclusions documented in the Raju study.

Transportation/Traffic Analysis Review

Our review of the DEIR Transportation/Traffic analysis revealed potentially significant deficiencies that should be addressed prior to approval of the project and its related environmental documentation by the City of Los Angeles. These issues are summarized below.

1. ***Traffic Volume Data Does Not Accurately Represent LAX Activity*** – Traffic volume data for the 183 study intersections was collected at various times between 2013 and 2015. The traffic count summary sheets for 179 of the study intersections are presented in DEIR Appendix O. The years in which those traffic counts were conducted are summarized below:

   - 2016 – 3 locations,
   - 2015 – 130 locations,
   - 2014 – 40 locations, and
   - 2013 – 6 locations.

   DEIR p. 4.12-59 presents slightly different information regarding when the counts used in the study were performed:

   - 2016 – 0 locations,
   - 2015 – 133 locations,

- 2014 – 44 locations, and
- 2013 – 6 locations.

Of greater interest are the months in which the data were collected, according to the data sheets in Appendix O:

- January – 3 locations,
- February – 3 locations,
- March – 76 locations,
- April – 38 locations,
- May – 4 locations,
- June – 0 locations,
- July – 23 locations,
- August – 0 locations,
- September – 13 locations,
- October – 13 locations,
- November – 0 locations,
- December – 6 locations,

DEIR p. 4.12-11 provides information regarding monthly traffic activity in the LAX Central Terminal Area (CTA) for the years 2006 through 2014. As described there:

> *. . . CTA traffic reached peak activity during the summer months of June, July and August. August is typically the peak month for Airport roadway traffic followed closely by July. For the purposes of this analysis, August 2014 was used as the peak month for traffic data, because the field data was collected in August. Although July had slightly more passengers in 2014, the analysis was based on a peak month average day in August.*

This quote specifically applies to the analysis of on-airport traffic conditions, but it also relates to the off-airport traffic analysis, since the two systems are inextricably linked; all vehicles traveling to or from the on-airport road system must also use the off-airport road system. For that reason, it is instructive to compare the intersection data collection schedule to the level of traffic activity at LAX. Table 1 presents that comparison, with the CTA average daily traffic volumes ranked from highest month to lowest month.

Table 1
CTA Traffic Volume Data vs. Data Collection Schedule

CTA Traffic Volume Data[1]			Intersection Counts[2]		
Month	Average Daily Traffic[3]	Monthly Ranking	Monthly Ranking	No.	%
August	77,311	1	10	0	0.0%
July	76,476	2	3	23	12.8%
June	75,635	3	10	0	0.0%
December	72,647	4	6	6	3.4%
May	71,404	5	7	4	2.2%
April	69,091	6	2	38	21.2%
November	69,064	7	10	0	0.0%
March	67,996	8	1	76	42.5%
September	67,838	9	4	13	7.3%
October	67,418	10	4	13	7.3%
January	65,673	11	8	3	1.7%
February	63,553	12	8	3	1.7%

Notes:
[1] Source: DEIR Table 4.12.1-2: CTA Average Daily Traffic Volumes, p. 4.12-11.
[2] Source: DEIR Appendix O.
[3] Overall average of all data points in DEIR Table 4.12.1-2 is 70,358 vehicles per day.

While August has historically had the highest average daily traffic volumes in the CTA, none of the intersection traffic counts used in the DEIR Transportation/Traffic analysis were performed in that month. This is also true for June, which is the third busiest month in the CTA. In July, the second busiest month, 23 (12.8 percent) of the 179 counts were performed.

The largest number of intersection traffic counts (76 counts, representing 42.5 percent of the counts) were conducted in March, which is the eighth busiest month in the CTA. Thirty-eight counts (21.2 percent) were performed in April, which is the sixth busiest month in the CTA. The average daily traffic volumes in those two months are 88 – 90 percent of the August volumes. In addition, they are somewhat below the overall average value of 70,358 vehicles per day, based on all of the data points (from 2006 through 2014) in DEIR Table 4.12.1-2.

Clearly, the "existing conditions" intersection traffic volumes employed in the DEIR analysis are not representative of the level of activity at LAX. Over 60 percent of the counts were performed in the bottom half of the ranking of monthly traffic volumes in the CTA. Only about 13 percent of the counts were conducted in the busiest three months.

In short, the existing traffic volumes are too low to accurately reflect traffic operations in the study area. As a result, the existing conditions level of service findings provide an overly optimistic view of the average vehicular delay and the current level of congestion in the study area. This deficiency will carry through to all subsequent analysis scenarios, so that intersection delays and project-related impacts will be understated.

2. ***Inadequate Midday Study Area*** – As noted above, the study area includes 183 intersections, all of which were included in the AM and PM peak hour analyses. According to DEIR p. 4.12-48:

> *. . . 36 of these intersections (immediately adjacent to or in the vicinity of the Project site) have been selected for a midday off-peak hour traffic impact evaluation.*

However, describing this as an "off-peak hour" analysis might be a misnomer. DEIR Figure 4.12.1-4 illustrates the pattern of arriving and departing passenger volumes over the course of an entire day. The arrival and departure patterns of airline passengers are closely linked to the traffic patterns of LAX as a whole.

According to DEIR p. 4.12-60, the midday traffic counts were generally conducted between 11:00 AM and 2:00 PM. Referring to DEIR Figure 4.12.1-4, a distinct peak in passenger arrival and departure activity is shown at about 11:00 AM. In fact, that peak is clearly higher than the total passenger activity shown in the AM (7:00 - 9:00 AM) and PM (4:00 - 6:00 PM) peak periods, for which all 183 intersections were analyzed.

In short, the midday traffic analysis is not inconsequential, given the LAX activity patterns demonstrated in the DEIR Transportation/Traffic section. This is clearly illustrated in DEIR Table 4.12.2-4, which summarizes the existing trip generation at LAX, as follows:

- AM Peak hour: 12,338 vehicle-trips,
- Midday peak hour: 16,097 vehicle-trips, and
- PM peak hour: 12,840 vehicle-trips.

As shown, the volume of traffic generated at LAX in the midday peak hour is 25 – 30 percent higher than either the AM or PM peak hours.

Therefore, it is inappropriate to limit the midday traffic analysis to the 36 arbitrarily selected locations addressed in the DEIR. In fact, given the factors presented above (i.e., non-representative existing conditions data and the fact that LAX traffic generation is highest in the midday period), we believe that a truly conservative analysis would include all 183 intersections in the midday analysis.

At a minimum, review of DEIR Figure 4.12.2-1 – Traffic Study Intersections (DEIR p. 4.12-55) and the existing conditions level of service (LOS) results presented in DEIR Table 4.12.2-6 (DEIR pp. 4.12-63 – 4.12-71) reveals a number of additional midday analysis candidate locations, each of which is also "adjacent to or in the vicinity of the Project site." Furthermore, each operates at LOS D or worse in either or both of the AM and PM peak hours, which is a reasonable indicator that it might operate poorly in the midday peak hour, as well. The additional midday study intersections are as follows:

- Intersection 21: Lincoln Boulevard/83rd Street (LOS F – AM)
- Intersection 69: Sepulveda Boulevard/Grand Avenue (LOS D – AM & PM)
- Intersection 70: Sepulveda Boulevard/El Segundo Boulevard (LOS D – AM & LOS E – PM)
- Intersection 71: Sepulveda Boulevard/Rosecrans Avenue (LOS E – AM & LOS F – PM)
- Intersection 88: Douglas Street/El Segundo Boulevard (LOS D – PM)

- Intersection 98: Aviation Boulevard/West 120th Street (LOS D – AM)
- Intersection 99: Aviation Boulevard/El Segundo Boulevard (LOS D – AM & LOS E – PM)
- Intersection 100: Aviation Boulevard/Rosecrans Boulevard (LOS E – AM & PM)
- Intersection 126: La Cienega Boulevard/West 120th Street (LOS D – PM)
- Intersection 127: La Cienega Boulevard/El Segundo Boulevard (LOS D – PM)
- Intersection 131: I-405 Northbound Ramps/Imperial Highway (LOS D – PM)
- Intersection 136: Inglewood Avenue/Century Boulevard (LOS D – PM)
- Intersection 137: Inglewood Avenue/Lennox Boulevard (LOS D – AM & LOS E – PM)
- Intersection 138: Inglewood Avenue/Imperial Highway (LOS E – AM & LOS F – PM)

To fully reflect the traffic patterns at LAX and to provide a comprehensive evaluation of the potential impacts of the proposed project, the midday traffic impact analysis must be revised to include these additional study intersections. The revised analysis should then be incorporated into a revised DEIR, which must be circulated for additional public review.

3. ***Obsolete Level of Service Calculation Procedures*** – DEIR p. 4.12-57 states:

> *For the City of Los Angeles study locations, including those shared with other jurisdictions, the* Critical Movement Analysis-Planning[l] *(CMA) method of intersection capacity analysis was used to determine the intersection volume-to-capacity (V/C) ratio and corresponding level of service at the signalized study intersections.*

The footnote in the quote presented above clarifies that the intersection level of service calculations were performed using the Transportation Research Board "Circular 212" method. This methodology was published in a document entitled, *Interim Materials on Highway Capacity* (Transportation Research Board, Transportation Research Circular Number 212, January 1980). As referenced, the document was published in 1980, almost 27 years ago.

The purpose of "Circular 212" was to provide a set of procedures to supplement the 1965 version of the *Highway Capacity Manual* until such time as a fully-updated manual could be published. Such an updated manual was distributed to the traffic engineering profession in 1985. Since that time, additional updated manuals have been published in 1994, 1997, 2000, and the year 2010. Each of these revised versions of the *Highway Capacity Manual* has advanced the technical procedures associated with the analysis of transportation facilities, including intersections, roadway segments, and freeway facilities.

The introduction to the 1980 Circular 212 document addresses the anticipated life span of the procedures documented there, including the following statements:

- "The choice of a Transportation Research Circular as the publication medium has been quite deliberate. By definition, Circulars contain information of immediate interest but not necessarily of long-lasting value."
- ". . . the methods presented here can be put to use until such time as a revised Manual becomes available." [As noted above, that occurred in 1985, followed by subsequent revisions in 1994, 1997, 2000, and 2010.]

- "This report comprises the first set of interim materials which will be distributed prior to the publication of a new "Highway Capacity Manual" in the mid-1980s. These interim materials are intended for application by HCM users in the 1980-1982 period."

It is clear from these statements that the "interim" procedures documented in Circular 212 have long ago outlived their usefulness and have been superseded. Thus, their use in this analysis is inappropriate. To ensure the accuracy of the traffic analysis, the intersection level of service calculations must be performed using the current, year 2010 version of the *Highway Capacity Manual*. (Reference: Transportation Research Board, *Highway Capacity Manual*, Fifth Edition, December 2010.)

In that regard, we note that the analyses of stop-sign-controlled intersections were performed using the 2010 *Highway Capacity Manual* procedures, as were the analyses of facilities under the jurisdiction of Caltrans.

4. ***Inconsistent On-Airport and Off-Airport Traffic Analyses*** – The DEIR presents separate analyses of the on-airport and off-airport transportation systems. It is not clear, however, that those two analyses are consistent with each other, which leads to questions regarding the validity of the results of those analyses. Particular areas of concern are delineated below.

Analysis Day

For the on-airport analysis:

> *Friday was selected as the design day as it is typically the busiest overall day of the week for the Airport roadway system.* (DEIR p. 4.12-3)

Although the off-airport analysis text does not explicitly say so, that analysis was based on conditions during the mid-week period (Tuesday through Thursday), which represents the usual method for conducting traffic impact analyses. Evaluation of traffic operations outside the Tuesday through Thursday period is generally not undertaken, because those circumstances might be atypical. The classic example used to illustrate this point relates to the fact that "Black Friday" conditions are not considered in analyzing the traffic impacts of a regional shopping center.

This case is different, though, as Friday happens every week, not just once a year. Also, because LAX is the dominant generator of traffic in the study area, it deserves special consideration. As noted in DEIR Table 4.12.1-2 (DEIR p. 4.12-11), LAX generated average daily traffic of 75,690 vehicles per day in the year 2014. Further, DEIR Table 4.12.2-4 (DEIR p. 4.12-61) shows that it generated over 12,300 AM peak hour trips, almost 16,100 midday peak hour trips, and 12,840 PM peak hour trips. It is unlikely that any other nearby land use generates such substantial traffic volumes.

Limiting the traffic impact analysis to the Tuesday through Thursday period is a guideline and not a requirement. Flexibility is accorded the lead agency in choosing the analysis periods. For consistency between the on-airport and off-airport traffic analyses, as well as to ensure a thorough analysis of potential traffic impacts, the analysis must address Friday "design day" conditions, as defined in the on-airport analysis.

Analysis Hours

The on-airport traffic analysis addressed the following peak hours (DEIR p. 4.12-18):

- Peak arrivals: 8:18 – 9:18 PM, and
- Peak departures: 6:16 – 7:16 AM.

The "peak arrivals" hour also represents the peak overall hour (i.e., arrivals and departures combined).

The off-airport analysis addressed the following time periods:

- AM peak hour: Highest hour between 7:00 and 10:00 AM,
- Midday peak hour (reduced study area): Highest hour between 11:00 AM and 2:00 PM, and
- PM peak hour: Highest hour between 3:00 and 6:00 PM.

The fact that the off-airport analysis addresses off-peak hours at LAX raises the distinct possibility that not all of the potentially significant impacts will be identified.

Travel Demand Forecasting Models

The on-airport traffic analysis for future year conditions was based, in part, on:

> *A vehicle trip generation and distribution model [that] was developed to estimate future traffic volumes on the Airport's roadway system based on future passenger activities.* (DEIR p. 4.12-3)

The off-airport traffic analysis apparently based its future year projections on a different travel demand forecasting model, as described below:

> *Utilizing TransCAD Version 7.0 modeling software, a detailed and updated travel demand forecasting model (updated City of Los Angeles Travel Demand Model) was developed for the Study Area using the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) 2012 Transportation Model (the most current regional model available at the time this Draft EIR was being prepared) and the calibrated and validated City of Los Angeles' Travel Demand Model as the base.* (DEIR p. 4.12-59)

No evidence is provided to indicate that any coordination occurred between the developers of the two models. Of particular interest is the question of what happens where the on-airport and off-airport study areas meet. Do the peak-hour traffic projections for the years 2024 and 2035 match? If not, why not? This information is needed to ensure that the traffic forecasts employed in both analyses are credible.

Summary

The lack of consistency between the on-airport and off-airport traffic analyses raises questions regarding the validity and credibility of the analyses, particularly with regard to the off-airport evaluation. The on-airport study is generally focused on historical design hours and days at LAX, based on extensive data collection at that facility. On the other hand, the off-airport analysis focuses on analysis procedures that, while considered "standard" in the traffic

engineering profession, do not necessarily fully address traffic operations at LAX. As demonstrated above, the approach employed in the off-airport analysis reflects levels of activity that fall far short of "peak" conditions (despite being labeled "peak hours") and, as a result, significant traffic impacts might be missed.

5. ***Inadequate Transit Analysis*** – The difficulties faced by individuals who desire to use public transit to access LAX are described at DEIR p. 1-2:

> *Moreover, LAX also lacks a direct connection to the Los Angeles County Metropolitan Transportation Authority (Metro) transit system. Currently, passengers and employees who want to take public transportation to LAX must either take a bus (often requiring a transfer from the LAX City Bus Center on W. 96th Street to the LAWA operated Lot C shuttle to reach the CTA), or take the Metro Green Line light rail to the station at Imperial Highway and Aviation Boulevard. They must then transfer to the LAWA-operated G shuttle to the Airport, which is a trip of approximately 2 miles.*

These constraints might lead one to believe that consideration of transit impacts and potential improvements to the transit system serving LAX would be important. The extremely limited, one-paragraph "analysis" of the proposed project's impacts on the regional transit system suggests otherwise. (DEIR p. 4.12-153) The analysis presented there states, in part:

> *Given that the Project consists of roadway and transportation improvements and construction of facilities that would facilitate movement of passengers at LAX . . ., the Project would not generate any additional new trips. . . . The proposed Project would improve connections to the regional transit system, which may encourage passengers and employees to utilize transit rather than other modes of traffic. Therefore, impacts to transit would be less than significant.*

First, we note the absolute lack of any analysis that might serve as a credible basis for a finding of a "less than significant" impact. We also find it ironic that the claim that the proposed Project "may encourage passengers and employees to utilize transit" is apparently used as the basis for determining that the transit impact will be less than significant.

The threshold of significance for transit is presented at DEIR p. 4.12-95:

> *. . . a significant impact is considered to occur if implementation of the proposed Project would result in a substantial increase in transit demand compared to the capacity of transit lines serving the project area.*

No information is provided with respect to current or project-related transit demand. Further, no data are presented to demonstrate whether adequate capacity exists (or will exist in the future) on the various transit lines that serve LAX. (Of course, this relieves the burden of having to determine what constitutes a "substantial" increase in transit demand.)

Finally, we note that Mitigation Measure "MM-ST (LAMP)-6. Transportation Demand Management (TDM) Program" (DEIR p. 4.12-179) specifically includes provision of transit passes to LAX employees. This feature of the TDM program can be expected to increase transit ridership, potentially impacting the transit lines serving LAX.

Under the circumstances, the absence of a meaningful analysis of existing and future transit capacity and the effect of the proposed project on that available capacity (if any) is a substantial deficiency in the DEIR. Further detail must be provided and incorporated into a revised DEIR.

6. ***Deficient Construction Traffic Analysis*** – The construction traffic analysis study area is substantially reduced from that addressed in the other traffic analyses. According to DEIR p. 4.12-194:

> *The construction traffic study area for this analysis includes those roads and intersections that would most likely be used by employee and truck traffic associated with construction of the proposed Project.*

In reality, though, the study area, as illustrated at DEIR Figure 4.12.3-1 (DEIR p. 4.12-195), barely extends beyond the boundaries of LAX. The apparent suggestion is that none of the construction traffic will travel east of La Cienega Boulevard, south of Imperial Highway or Interstate 105, or north of Westchester Parkway.

The analysis time periods are presented at DEIR p. 4.12-209. The AM peak hour is defined as 7:00 - 8:00 AM, while the PM peak hour is described as 4:00 - 5:00 PM. For both peak-hour periods:

> *The construction traffic analysis assumed that no employee trips would be on the roadways at this time. . . . This approach provides a conservative impact analysis by addressing situations when complete avoidance of the morning [or evening] commuter peak period is not possible.*

It is not at all clear how ignoring the traffic associated with 966 construction employees constitutes a "conservative" analysis. (DEIR, p. 4.12-213) In fact, referring to DEIR Table 4.12.3-4 (DEIR p. 4.12-215), we see that the assumed analysis hours just miss having to assess the impacts of over 520 employee-generated trips. For clarity, we have replicated a portion of that table below, as Table 2.

In the morning, the DEIR indicates that 523 employee vehicles will arrive between 6:00 and 7:00 AM, along with a total of 162 truck trips, for a total traffic volume of 685 trips. But the analysis addresses the following hour (7:00 – 8:00 AM), when no employees are assumed to arrive and the total traffic volume is only 162 trips, about one-quarter as many as between 6:00 and 7:00 AM. It is also interesting to note that, although they are specifically listed on the table, no "employee shuttle" trips are assumed.

In the evening, the analysis addressed the hour between 4:00 and 5:00 PM (i.e., 16:00 – 17:00) when only truck traffic is assumed to occur (162 trips). If the previous hour had been considered, the traffic total would be 685 trips, including 523 departing employees and 162 truck trips (81 in and 81 out). Again, no employee shuttle trips are shown in any hour.

The employee trip values in Table 2 are based largely on a number of assumptions regarding how construction workers will be scheduled. Given the uncertainties inherent in developing such assumptions, we believe that a truly conservative analysis would only result from evaluation of the adjacent hours, which have higher estimated construction employee traffic volumes.

Further, we note that the same deficiencies described here also afflict the construction traffic analysis for cumulative conditions, which is documented at DEIR pp. 4.12-219 – 4.12-229.

Table 2
Proposed Project-Related Construction Traffic PCEs[1,2]

Hour	Employee		Truck		Employee Shuttle		Total Construction PCEs
	Trips In	Trips Out	Trips In	Trips Out	Trips In	Trips Out	
6:00 – 7:00	523	--	81	81	--	--	685
7:00 – 8:00[3]	**--**	**--**	**81**	**81**	**--**	**--**	**162**
8:00 – 9:00	57	--	81	81	--	--	219
14:00 – 15:00	154	--	81	81	--	--	316
15:00 – 16:00	--	523	81	81	--	--	685
16:00 – 17:00[3]	**--**	**--**	**81**	**81**	**--**	**--**	**162**

Notes:
[1] Source: DEIR, Table 4.12.3-4 – Project Peak (January 2020) – Proposed Project-Related Construction Traffic PCEs, p. 4.12-215.
[2] PCE = Passenger Car Equivalent (Reflects conversion of truck numbers to indicate an equivalent number of passenger cars, based on operational considerations.)
[3] Analysis hours assumed for DEIR construction traffic analysis are shown in **bold** font and highlighted in yellow.

The non-conservative nature of the construction traffic analysis is further revealed through examination of the tables providing the intersection level of service results. DEIR Table 4.12.3-7 summarizes these results for the peak construction period (January 2020). According to that table, of the 58 calculations presented (i.e., 29 intersections analyzed for the AM and PM peak hours), 44 (76 percent) indicated no change in volume/capacity (V/C) ratio due to construction traffic, with the calculations carried out to three decimal places. In other words, no construction-related traffic was added to those intersections. A significant impact was found at only one intersection – Aviation Boulevard/Century Boulevard.

The cumulative conditions analysis (November 2019), as documented in DEIR Table 4.12.3-8 (DEIR p. 4.12-235) had one additional calculation for which the V/C ratio increased by 0.000. In other words, 45 of the 78 calculations listed on that table showed no increase in V/C, which indicates that no construction traffic was added to the intersection. (The traffic volumes for the construction traffic analysis are not presented in the DEIR, so it is impossible to confirm this.) In this case, three intersections were found to have significant impacts – Aviation Boulevard/ Century Boulevard, Imperial Highway/Aviation Boulevard, and Imperial Highway/I-105 Ramp.

Analyses were conducted for the significantly impacted intersections to determine the effects of implementing recommended mitigation measures. Not surprisingly, perhaps, those analyses concluded that the proposed measures would fully mitigate the construction impacts. That is, the change in V/C ratio after mitigation would be 0.000. It is not clear exactly how that is to be accomplished, given the list of mitigation measures (e.g., formation of a Project Task Force, development of Worksite Traffic Control Plans, etc.), which would generally have little or no effect on construction traffic volumes.

Since the only construction traffic that was considered in the analysis is truck traffic, it would seem reasonable to expect that the mitigation measure outlining designated truck routes might be

effective, but the roads listed there include those having significant impacts – Aviation Boulevard, Century Boulevard, Imperial Highway, and I-105. Another proposed measure calls for establishing designated truck delivery hours, but the description of that measure is so full of loopholes (in particular, repeated use of the phrase "to the extent possible") that it might have no effect whatsoever.

These results are simply not credible. The construction traffic analysis must be revised to reflect more conservative, more realistic consideration of the potential effects associated with almost 1,000 construction workers and the trucks necessary to carry out the proposed project. As illustrated in Table 2 above, it is difficult to avoid the conclusion that the construction traffic analysis hours were arbitrarily selected to avoid impacts. Additional detail is also needed with respect to the specific beneficial effects of the proposed mitigation measures.

Further consideration is also required with respect to the lane closures and other forms of traffic blockage that will occur for extended periods over the course of the construction process. The construction-related thresholds of significance include the following (DEIR pp. 4.12-230 – 4.12-231):

- *Result in temporary lane, alley, or street closures within a major or secondary highway right-of-way for more than one day.*
- *Result in the loss of regular vehicular or pedestrian access to Airport, commercial, or industrial facilities for more than one day.*
- *Result in the temporary loss for more than one day of an existing bus stop or rerouting of a bus route.*

DEIR p. 4.12-237 acknowledges that:

> *Construction of the proposed Project could result in the closure of one or more lanes of a major off-Airport traffic carrying street for an extended length of time. . . . The proposed Project would also require the re-routing of buses, the relocation of the LAX City Bus Center, and the relocation of bus stops.*

Although this is identified as a significant impact, no quantitative analysis is provided to indicate the true magnitude of the issue. In particular, where is this expected to occur? At locations where extended lane closures are anticipated, what will be the resulting vehicular delay and level of service in the AM and PM peak hours? Will there be additional safety impacts and crashes associated with the lane closures? What will be the effect on transit travel times? When bus stops are relocated, what will be the extent of the increase in walk access distance and time for transit passengers? Will it be sufficient to discourage transit usage?

In summary, the analysis of construction traffic impacts is deficient. The analysis appears to have been skewed to ensure that no impacts would occur, despite the arrival and departure of almost 1,000 construction workers in 523 vehicles/hour every day. In addition, more detail is necessary regarding the effects of lane closures that will occur over an extended period.

7. ***Deficient Transportation Demand Management Program*** – A key element of the proposed package of mitigation measures is the implementation of a Transportation Demand Management (TDM) Program (MM-ST (LAMP)-6, DEIR p. 4.12-179 – 4.12-180). This measure calls for the conduct of travel surveys and the formation of a Transportation Management Organization

(TMO), which will then offer various vaguely-defined "amenities/opportunities" to LAX-area employees.

The goal of this mitigation measure is to "[a]chieve a 5 percent trip reduction performance objective," which is further defined as:

- *Elimination of 200 peak hour trips (am or pm) identified as "drive alone" employee trips.*
- *Elimination of 800 average daily one-way trips identified as "drive alone" employee trips.*

It is unclear how the effectiveness of the TDM program will be measured, although perhaps the surveys referred to above might be helpful. More importantly, what happens if the performance objective is not met and the necessary trip reduction does not occur? By the time this failure becomes apparent, surrounding jurisdictions that will be inundated with LAX-generated traffic will have no recourse.

The proposed TDM program must be described in greater detail, and credible evidence of the specific beneficial effects of the various components of the program must be presented. As currently delineated, the value of the TDM program in effectively mitigating the impacts of the proposed project is questionable.

8. ***Failure to Address Freeway Access Deficiencies*** – As currently configured, the freeway access system serving LAX imposes an undue burden on the City of El Segundo. In particular, travelers approaching LAX on northbound I-405 tend to exit the freeway at westbound I-105, rather than continuing to Century Boulevard, where chronic traffic congestion causes delays, inconvenience, and frayed nerves. Unfortunately, the exit ramp from northbound I-405 to westbound I-105 overshoots Aviation Boulevard, so that these travelers are forced to use Nash Street, Maple Avenue, and Sepulveda Boulevard within El Segundo to reach the CTA.

   As passenger traffic at LAX increases, this situation will be exacerbated. The DEIR needs to address the potential for improved access from northbound I-405, particularly with respect to modifications to the northbound-to-westbound ramp between I-405 and I-105 that would allow drivers to exit from that ramp to Aviation Boulevard.

9. ***Nonexistent Project Access Analysis*** – The project proposes three major facilities that will each incorporate substantial parking structures, including a total of 24,300 parking spaces:

   - Intermodal Transportation Facility (West) – 8,000 parking spaces,
   - Intermodal Transportation Facility (East) – 8,300 parking spaces, and
   - Consolidated Rental Car Facility – 8,000 parking spaces.

   The DEIR presents no analysis to evaluate the access systems at these facilities, however. Such an analysis would address whether vehicles will be able to enter the facilities without queuing back onto the public street, thereby creating congestion and potential safety hazards. If left turns are required to enter the garages, can they be made safely? Also, will exiting drivers be able to do so safely, without creating hazards for themselves or passing motorists? Will either entering or exiting vehicles be subject to excessive idling, which would affect air quality and greenhouse gas emissions?

10. ***Mitigation Measures*** – In addition to the questions presented above regarding the TDM mitigation measure, we have identified a number of additional questions concerning the mitigation measures presented in the DEIR Transportation/Traffic section, as follows:

    - *MM-ST (LAMP)-7. Signal System Corridor Improvements – Intelligent Transportation System (ITS), City of Inglewood*: This measure includes a "monetary contribution" toward certain improvements, but does not specify the magnitude of the contribution. Will the proposed project fully fund the needed system upgrades or only pay a "fair share"?

      Also, three of the intersections listed in this measure are also addressed in other mitigation measures, specifically:

      - MM-ST (LAMP)-13. La Cienega Boulevard and Florence Avenue
      - MM-ST (LAMP)-14. Inglewood Avenue and Century Boulevard
      - MM-ST (LAMP)-16. La Cienega Boulevard and Manchester Boulevard

      What is the difference between MM-ST (LAMP)-7 and these other three measures?

    - *MM-ST (LAMP)-8. Signal System Corridor Improvements – Closed Circuit TV (CCTV) Camera and Changeable Message Signs (CMS) Installation*: This measure states that the proposed project, ". . . will provide funding towards implementation of Changeable Message Signs (CMS) along key access corridors to LAX such as Sepulveda Boulevard, La Cienega Boulevard and Century Boulevard."

      The measure does not state how much funding will be provided and is unclear as to whether the specific corridors listed are the only ones where CMS will be installed or if these are only examples of where this might occur. In short, additional specificity is required to allow a meaningful assessment of the beneficial effect of the measure.

    - *DEIR Section 4.12.2.9.3 Roadway Corridor Improvements* lists three significant roadway system improvements. However, these improvements are not designated as mitigation measures (i.e., they have no "MM-ST (LAMP)" number; those numbers skip over these three improvements). Consequently, it is not clear whether the proposed project will actually be required to implement these improvements.

    - *MM-ST (LAMP)-11. Modify the Intersection of La Cienega Boulevard and Arbor Vitae Street*: This measure says that the proposed project will add a second eastbound left turn lane and "contribute to design and implementation of signal system improvement," which will "increase intersection capacity by 10 percent."

      The amount of the contribution toward the signal improvements is unclear. Will the proposed project pay the entire cost or some lesser "fair share"? Further, the specific nature of the signal system improvement is not stated and the conclusion regarding its impact on intersection capacity is unsubstantiated.

    - The indirect impacts of implementing the proposed mitigation measures are not adequately addressed. This is briefly addressed at DEIR pp. 4.12-185 – 4.12-186, but that limited discussion revolves around the following statement:

      > *The environmental impacts associated with the proposed improvements to the off-Airport transportation system would depend on the specific nature, location, and extent of such improvements.*

The "specific nature, location, and extent" of the mitigation measures have presumably been set forth in the paragraphs preceding this statement and are, therefore, known. As such, a meaningful evaluation of the indirect impacts of implementing the measures should be possible. None is provided, however.

11. ***Potential Future Development*** – The DEIR addresses, at a program level, an analysis scenario referred to as "2035 Future With Project and Potential Future Related Development." (DEIR pp. 4.12-153 - 4.12-165) This scenario includes the traffic associated with 900,000 square feet of commercial development in addition to the 2035 Future With Project scenario. No information is presented to describe the specific land use assumptions or the volume of traffic associated with the potential future related development. Clearly, assumptions of this type have been made, as the DEIR presents detailed intersection V/C and LOS results for this analysis scenario. Absent this basic information about the potential future related development, it is impossible to judge the validity of the analysis results for this scenario.

CONCLUSION

Our review of the "Transportation/Traffic" section of the Draft Environmental Impact Report for the LAX Landside Access Modernization Program in Los Angeles, California revealed several substantial issues the affecting validity of the conclusions presented in that document. A modified traffic impact analysis must be prepared, and that updated analysis should be incorporated into a revised environmental document.

We hope this information is useful. If you have questions concerning anything presented here, please feel free to contact me at (916) 783-3838.

Sincerely,

MRO ENGINEERS, INC.

Neal K. Liddicoat, P.E.
Traffic Engineering Manager

845018.1

Attachment D

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

OSA L. WOLFF
Attorney
wolff@smwlaw.com

March 1, 2017

Via E-Mail and Federal Express

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
1 World Way
Los Angeles, CA 90045
E-Mail: equintanilla@lawa.org

Re: Landside Access Modernization Program
Final Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo ("City"), we submit the following comments on the Final Environmental Impact Report ("FEIR") for the for the Landside Access Modernization Program ("LAMP" or "Project"). Despite the City's comments on the Draft EIR ("DEIR"), the FEIR still fails to analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed.[1]

I. The Project Would Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.

In its responses to comments on the DEIR, Los Angeles World Airports ("LAWA") attempts for the first time to provide a rationale for its assumption that the

[1] The City appreciates that LAWA has removed the proposal to amend the LAX Plan and LAX Specific Plan to address application of the existing curfew on engine run-ups to those occurring inside a ground run-up enclosure ("GRE"). Because the Project does not include a proposal to construct a GRE, this is not the appropriate time to propose changing the regulations governing run-ups. The City looks forward to discussing this issue further with LAWA.

ground access network is never a limit on passengers' use of LAX, and thus that expanding ground access would not cause an increase in airport use. LAWA's rationale is unconvincing. As the City has repeatedly emphasized, the environmental analysis required by the California Environmental Quality Act ("CEQA") may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations. LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

As the City explained in its earlier comments, LAWA has previously stated that ground access *is* a constraint and that LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network. *See, e.g.,* 2004 Master Plan EIR at 1-4.[2] LAWA now attempts to distance itself from its own conclusions/representations, arguing these statements proved inaccurate: instead ground access is just one "factor" in passengers' choice of air travel, and furthermore the aviation industry can process more passengers today despite ground access congestion, through increased load factors and faster turnaround times. As "evidence" that there is no correlation between passenger capacity and ground access, LAWA states it has observed that LAX passenger throughput has steadily grown since it adopted the Master Plan, from 61.5 MAP in 2005 to 80.9 MAP at the end of 2016, despite the existing congestion in the Central Terminal Area ("CTA").

The problem with LAWA's analysis is that it simply infers, based on the above data, that the existing ground access network could accommodate an *additional* 15 MAP by 2035. This is faulty logic. Even if LAWA was "wrong" in 2004, and the ground access network did not practically constrain operations to 78.9 MAP, it does not follow

[2] In 2005, El Segundo filed an appeal before the Los Angeles County Airport Land Use Commission over LAWA's adoption of the Master Plan. *See generally,* Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001. The Commission found the Master Plan violated the state law requiring "orderly expansion of airports" (Pub. Util. Code § 21670(a)(2)). *Id.* Commission staff's analysis, which the April 20, 2005 Commission Resolution incorporated, stated that "[t]he present maximum capacity of LAX is generally agreed to be 78.9 MAP because of the present, limited ground access system. Even if gates are added, terminals enlarged and runways reconfigured, it would not be possible to accommodate more than 78.9 MAP with the present ground access system. . . . [T]here are a number of improvements to the ground access system that would accommodate a greater number of passengers." Commission Staff Analysis and Resolution, attached as Exhibit A.

that ground access would *never* constrain ever-increasing passenger demand. *See, e.g.,* Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015) at 38, attached as Exhibit B ("Actions taken by local airport authorities, such as changes in user charges, *ground access policies* or their support services, can also stimulate or hinder the demand for airport services."). LAWA nonetheless claims that, as long as the aviation industry continues to operate more efficiently (and the LAX airfield and terminals are periodically upgraded), the sky's the limit: ground access would never need to be upgraded to accommodate growth. Of course, this makes no sense.

Even if there were always some portion of potential LAX passengers for whom air travel through the airport is an "inelastic" service (meaning they will use LAX regardless of cost, including travel time to/from the airport), there is also a second, likely bigger population of potential passengers for whom travel through LAX is an "elastic" service negatively impacted by inconvenience. If LAWA did not build the Project, this second type of passenger would make other arrangements (e.g., patronize a different regional airport). *See* FEIR at 2-84 ("[H]istorical data on passenger activity levels reflect variations in passenger activity levels that may be attributed to traffic conditions in the CTA."). Without any evidence, LAWA assumes there is enough of the first kind of potential passenger that the airport would inevitably process 95 MAP by 2035, even if the Project were not built. Under CEQA, LAWA must provide substantial evidence for its assumption that the Project would not accommodate additional passenger demand, and thus would not cause any environmental impacts related to increased aircraft operations. Conjecture and unsubstantiated claims by LAWA do not qualify as substantial evidence. This is particularly true given LAWA's position that its own past analysis of CTA capacity proved inaccurate.[3]

As the City explained in its comments on the DEIR, LAWA has never analyzed the impacts of its operations at passenger levels above 78.9 MAP. The Ventura County Superior Court recognized this fact in its recent ruling on consolidated CEQA challenges to LAWA's 2013 approval of the Specific Plan Amendment Study, which stated that LAWA "analyze[d] environmental impacts of the SPAS alternatives at LAX's operational capacity (on 153 passenger gates) of 78.9 MAP. LAX is not projected to reach that capacity until 2024. LAX has never operated at 75 MAP or at its 78.9 MAP capacity. Once LAX reaches capacity, there are by definition no additional impacts,

[3] These and other deficiencies in LAWA's analysis of the Project's effect on capacity are discussed in the February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E., attached as Exhibit C and fully incorporated herein.

because the airport is operating at capacity." *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016) at 80, attached as Exhibit D. In its responses to comments, however, LAWA states that LAX hit 80.9 MAP at the end of 2016. Thus, in terms of passenger operations and analysis of its environmental impacts, LAWA has entered uncharted territory. *See* Exhibit E (containing a sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency). Because the EIR lacks substantial evidence that the Project would not enable additional passenger throughput, LAWA must now analyze the Project's contribution to continued growth at LAX.

II. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

In its comments on the DEIR, the City explained why the extensive and unnecessary changes proposed to the LAX Plan and LAX Specific Plan would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the Los Angeles City Council as a check on LAWA pursuing unconstrained growth at LAX, for the promotion of regionalism, and for the protection of LAX neighbors. LAWA's responses to these comments fail to justify the present need for these plan amendments, which among other things would delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7) as well as references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2).

LAWA attempts to defend its abandonment of the 153 gate cap by stating that "proposed changes to the LAX Plan and LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates." FEIR at 2-94. LAWA's claim that abandonment of the gate cap would have no environmental impact because the LAX Plan and LAX Specific Plan are not "prescriptive plans that specify the exact number of facilities and passengers allowed at LAX" (*id.* at 2-95) does not hold water. LAWA proposes to strike text from the LAX Plan stating, "Limit airport capacity by restricting the number of gates (including remote gates) to no more than 153 at Master Plan build out." Appendix C at 7. The LAX Plan presently states that development "shall be governed" by this and other policies and programs. *Id.* The current 153 gate cap is clearly a "prescriptive" limit. The Los Angeles City Council wisely and intentionally included real checks on LAWA's ability to pursue unconstrained growth at LAX. Any removal of those checks requires careful consideration and full environmental review.

LAWA states that the 153-gate cap applies through 2020 as a provision of the 2006 Stipulated Settlement. *Id.* at 2-96. This is partly correct. The 153-gate cap is also mitigation which LAWA expressly adopted when it approved SPAS, and "dutifully incorporated . . . into each proposed SPAS study alternative." *See ARSAC et al. v. City of Los Angeles et al.*, at 79. Because the Project would abandon an operational limitation adopted independently of the 2006 Stipulated Settlement, LAWA must analyze the impact of removing the 153-gate cap from the plans governing airport development.

LAWA also suggests that, regardless of whether the Project would cause an increase in passenger gates, the EIR considers the cumulative impact of additional passenger gates because the description of the environmental setting identifies other potential projects that would add gates. FEIR at 2-98. LAWA claims that these projects would not, in any event, cause the total number of passenger gates to exceed the 153-gate cap. *Id.* As an initial matter, the list of "Probable Future Projects" in the EIR contradicts LAWA's claim in its response to comments that the total number of gates would not exceed 153; the Terminals 2 and 3 project and the "Concourse 0" project together would add 14 gates to LAWA's current (2016) count of 141 gates. *See* FEIR at 2-97. Furthermore, this list of projects does not match the list of future projects LAWA provided to the City on January 4, 2017, in response to a Public Records Act request. *See* Exhibit F. This document indicates that LAX will have 173 passenger gates by 2032 as a result of several projects which are not mentioned in the EIR at all. *Id.* It also appears to show that LAX will have 158 gates in 2020, while the 2006 settlement remains in effect.

It is no secret that the 153 gates already slated for LAX can accommodate much more than 78.9 MAP. Moreover, LAWA intends to dramatically increase the number of passenger gates at LAX during, and beyond, construction of the Project. This will allow LAX to accommodate even more passengers and flights. Nothing in the EIR (including its cumulative impacts analysis) evaluates the noise, air quality and other impacts of that growth on El Segundo and other airport neighbors.

The City reiterates the request in its comments on the DEIR that the entire administrative record for the Terminals 2 and 3 project, including the recently released EIR (attached as Exhibit G), be included in the LAMP administrative record. Furthermore, pursuant to the California Public Records Act ("PRA"), Government Code Sections 6250 et seq., and the amendments to the California Constitution provided by Proposition 59, please make available for El Segundo's review all background documents supporting or explaining the data in Exhibit F, and include all such documents in the administrative record for the LAMP. Please respond to this request within ten (10) days. Gov't Code § 6256.

III. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.

As the City explained in its comments on the DEIR, because LAWA takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The FEIR must be revised to resolve this obvious deficiency under CEQA.

LAWA claims that any Project noise-related impacts would be adequately addressed by the mitigation measures in the 2004 Master Plan. FEIR at 2-108. Yet LAWA also takes the contradictory position that the Project is not governed by the Master Plan or its contents, including mitigation measures. *See id.* at 2-100. In fact, LAWA generally takes the position that the Master Plan has become largely irrelevant, does not govern future projects at LAX, and need not be replaced. *See id.* at 2-104 (asserting it is "incorrect that the LAX Master Plan is the governing planning document for LAX" and that it "was based on 1995 conditions projected over a 20-year period through 2015"); *id.* at 2-105 ("there is no requirement or reason to revise the LAX Master Plan or Specific Plan Amendment Study"). LAWA cannot distance the Project from the Master Plan's goals and capacity limits, while claiming that any impacts from the Project would be adequately addressed by the plan's mitigation measures.

LAWA also attempts to rebut the argument that any existing noise mitigation is tailored to 78.9 MAP, and thus insufficient to address higher passenger operations, by asserting that its Part 150 Noise Exposure Map ("NEM") is "expected to be updated every 5 years and would capture any increases in actual and forecast activity during that process." *Id.* at 2-108. Although FAA demanded a new NEM for LAX and approved it in 2015, the previous NEM for LAX was from 1984. Contrary to its claim that noise mitigation would be kept current pursuant to federal law, LAWA's demonstrated practice is *not* to ensure that its NEM is updated regularly to reflect current noise contours. Furthermore, the 2015 NEM, which contains a noise contour based on 77.1 MAP in contrast to the current 80.9 MAP, is already significantly outdated.

IV. The FEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.

In comments on the DEIR, the City and MRO Engineers identified numerous flaws in the DEIR's analysis of transportation impacts. The response to the vast majority of these comments is lamentably, denial. Indeed, most of the public's concerns about the Project's transportation impacts are rejected out of hand. Our comments remain relevant—and have yet to be adequately addressed. Below, we identify a few of the most egregious examples of the EIR's legal inadequacies.

A. The FEIR Fails to Adequately Disclose the Severity and Extent of the Project's Traffic Impacts.

Like the DEIR, the FEIR fails to disclose the severity and extent of the Project's traffic impacts. The EIR incorrectly asserts that alleviating the significant and longstanding ground access constraints at LAX would have no effect on the airport's operations. For this reason, the EIR does not analyze the increase in traffic that would occur as passenger activity increases to expected levels in 2035 (about 95 MAP). The EIR asserts that it analyzed the environmental impacts that would occur as passenger levels reach 86 MAP in 2034 and 95 MAP in 2035. While the EIR did, in fact, provide this analysis, because it does not evaluate the Project's impacts against a baseline of existing conditions, it determines that the Project would impact only 6 intersections in 2024 and 8 intersections in 2035. *See* DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118 and DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130. Had the DEIR recognized that the Project will facilitate this increase in passenger activity, it would have disclosed far more extensive impacts.

In fact, for the 2024 scenario, an additional 77 intersections would experience an increase in volume/capacity ("V/C") ratio sufficient to constitute a significant impact. Moreover, at another 40-plus intersections, the level of service ("LOS") does not change but a closer inspection could reveal that the V/C ratio may exceed the LADOT threshold. *See* DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118.

Had the EIR evaluated the Project's impacts in 2035 against a baseline of existing conditions, it would have determined that over 100 additional intersections would be significantly impacted. Furthermore, although the LOS does not change at an additional 25-plus intersections, a closer inspection may reveal that the V/C ratio may exceed the LADOT threshold. *See* DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130.

Because the EIR does not accurately analyze the Project's traffic impacts, it does not identify any mitigation for these significantly impacted intersections.

B. The FEIR's Evaluation of the Project's Construction-Related Traffic Impacts Remains Deficient.

In its comments on the DEIR, the City faulted the environmental document for its abject failure to analyze how the Project's lengthy construction operations would affect on-airport and off-airport roadway operations. According to the LA Controller, construction would result in reduced vehicular traffic capacity, limited access to parking garages, reduced parking capacity, guests and construction vehicles competing for space and increased congestion on CTA access routes. *See* "Industrial, Economic & Administrative Survey Report of Los Angeles World Airports," February 2016, City of Los Angeles Office of the Controller ("LA Controller Report") at I.77, attached as Exhibit W to this firm's November 15, 2016 letter. The FEIR concedes that, although construction "could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis," the DEIR did not evaluate these impacts. FEIR at 2-223 (Response AL00012-9); FEIR at 2-117 (Response AL00008-34). In lieu of conducting this impact analysis, the EIR proposes to evaluate impacts on general traffic flow as part of Worksite Traffic Control Plans that would be prepared by the various construction contractors before concluding that these would be significant and unavoidable. DEIR at 4.12-241; FEIR at 2-117 (Response AL00008-34).

As we explained in our comments on the DEIR, the EIR errs in two fundamental ways. It fails to provide the required analysis of impacts and it inappropriately defers mitigation. CEQA allows a lead agency to defer mitigation only when: (1) an EIR contains criteria, or performance standards, to govern future actions implementing the mitigation; (2) practical considerations preclude development of the measures at the time of initial project approval; and (3) the agency has assurances that the future mitigation will be both "feasible and efficacious." *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94-95 ("*CBE*"); *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 669-71; tit. 14, Cal. Code Regs. ("CEQA Guidelines") § 15126.4(a)(1)(B). Here, the EIR meets none of these requirements. First, the EIR include no performance standards that would govern the traffic control plan.

Second, the EIR provides no evidence of any practical considerations that prohibit LAWA from developing its traffic control plan now, prior to Project approval. LAWA, of course, knows the precise components of the Project. *See* DEIR at 2-4. It also knows which projects would be developed within each construction phase. *See* DEIR at 2-175 and Table 2-15 (Construction Phasing). In fact, LAWA even knows which highways are likely to be affected by construction activities. (*See* FEIR at 2-222 and 2-223 (Response

AL00012-9), stating that work would be conducted along the Center Way corridor; congestion would occur along World Way South; lane closures and detours would be required when Century Boulevard, Airport Boulevard, Aviation Boulevard, Arbor Vitae Street and W. 98th Street are constructed; and that work outside the CTA would primarily occur in the Manchester Square area and along W. 96th Street).

Finally, the EIR offers no evidence that the establishment of a construction task force or the adoption of a traffic control plan will be effective in addressing the extensive gridlock that is all but certain to occur during the Project's 18 years of construction. In fact, as we explain below, there is ample evidence that LAWA refuses to appropriately staff its construction task force and refuses to include appropriate measures to ensure that its traffic control plan effectively addresses these impacts.

Because the DEIR failed to identify or analyze sufficient mitigation measures capable of offsetting the Project's construction-related traffic impacts, we identified a series of measures that would help to address these impacts. These measures, which were taken directly from the LA Controller Report, were explicitly identified to proactively manage congestion at LAX during and after construction. LA Controller Report at I.77. Despite these seemingly reasonable and certainly feasible suggestions for mitigation, the FEIR ignores each one of the suggested measures.[4] Where a commenter suggests a "mitigation measure considerably different from others previously analyzed [that] would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it," an EIR must be recirculated. CEQA Guidelines § 15088.5(a)(3). Yet here, the FEIR simply repeats the flawed measures in the DEIR and asserts time and again that the measures we identified would have "no bearing on the environmental effects of the proposed Project or the effectiveness of construction traffic mitigation measures." FEIR at 2-123 (Response AL00008-42).

For example, we suggested that the FEIR evaluate a measure calling for LAWA to increase its landside operations staffing to ensure that traffic control is effectively managed during construction. *See, e.g.*, FEIR at 2-123 (Comment AL00008). In response, the FEIR simply asserts that LAWA will have sufficient staffing to implement the LAMP and that there would be "contractual mechanisms to require that these mitigation measures be successfully implemented and enforced." *Id.* (Response AL00008-42). Yet, the FEIR provides no evidence that the agency has sufficient staffing to effectively manage this massive construction project. Nor does the document ever describe these

[4] The measures are clearly feasible as they were developed by the LA Controller.

contractual mechanisms or explain how they would be effectively in reducing impacts. Moreover, the LA Controller Report contradicts LAWA's assertions,

> LAWA has devoted insufficient staffing levels to [landside operations]. The two existing Landside operations supervisors can neither provide the oversight needed to ensure contractor performance, nor respond to operational issues that arise on a day-to-day basis. Beyond that, there are not enough operations supervisors to monitor service levels in the terminals – service levels that are critical to improving and maintaining desired guest experiences. Existing oversight appears to be conducted when and where possible by staff members who have multiple responsibilities.

LA Controller Report at 4; I.77.

We identified a second measure—which was also identified in the LA Controller Report—calling for LAWA to obtain traffic engineering capability to develop the detailed traffic control plans necessary to contain and manage construction-related roadway congestion. *See* FEIR at 2-126 (Comment AL00008-46). Once again, the FEIR preparers refuse to adopt this mitigation measure, stating instead that LAWA will have sufficient traffic engineering experience to successfully implement the construction traffic mitigation measures. FEIR at 2-127 (Response AL0008-46). Here too, the FEIR provides no evidentiary support for this assertion. The LA Controller Report again contradicts the FEIR's assertions. The LA Controller, after conducting a survey of LAWA's operations, cited the agency for its lack of dedicated traffic engineering expertise. LA Controller Report at I.77.

Apparently recognizing the flaws in its approach to mitigation, the FEIR states that the EIR includes a number of measures that LAWA may need to implement to influence how passengers access the airport during the Project's construction. FEIR at 2-127 (Response AL0008-46). Tellingly, the EIR mentions only one measure, the possible implementation of tolls, but it does even bother to explain where the tolls would be implemented or how they would function. Had LAWA actually prepared its traffic control plan now, it could design an effective toll program along with other measures capable of addressing the Project's construction-related traffic impacts.

Finally, we identified another measure calling for: (1) the use of incentives for maintaining and penalties for reducing capacity within the CTA; and (2) including

performance requirements in the construction contracts for the automated people mover ("APM"). *See* FEIR at 2-124 (Comment AL00008-44) and LA Controller Report at I.79. Unfortunately, the FEIR also rejects this measure. Instead, it asserts that construction contracts will contain provisions to enforce mitigation procedures, including penalties for noncompliance. FEIR at 2-125 (Response AL0008-44). The FEIR offers no detail as to the contents of such provisions. Nor does it explain how the provisions would be sufficient to enforce the EIR's mitigation measures. It also provides no information as to what type of penalties might be imposed for noncompliance. The purpose of including these details now, rather than after the Project is approved, is to allow the information to be properly vetted by the public and decisionmakers.

C. The FEIR Fails to Resolve the Deficiencies Identified in MRO Engineers' December 1, 2016 Report.

MRO Engineers identified numerous deficiencies in the DEIR's transportation analysis. As MRO explains in the attached report, the FEIR's responses to their comments are not satisfactory and the EIR's analysis remains deficient. *See* Letter from MRO Engineers to L. Impett, February 27, 2017, attached as Exhibit H.

V. The FEIR's Analysis of and Mitigation for the Project's Impacts on Climate Change Are Inadequate.

The City previously pointed out numerous failures in the analysis and mitigation of the Project's impacts on climate change. The vast majority of these issues remain unresolved by evasive, conclusory, and incomplete responses to comments in the FEIR.

A. The FEIR Fails to Resolve Deficiencies in the Analysis of Construction-Related GHG Impacts.

The DEIR only included direct emissions in its calculation of construction-related GHG emissions. Specifically, the DEIR stated that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The FEIR asserts that its approach was appropriate because it relied on an industry standard model (the California Emissions Estimator Model or "CalEEMod") to calculate GHG emissions. FEIR at 2-130 (Response AL00008-51). The FEIR then attempts to explain why its approach to calculating GHG emissions for one part of the construction-related GHG inventory—electrical emissions from grid-powered off road equipment—is appropriate. *Id.*

The FEIR does not, however, provide a satisfactory response regarding the EIR's failure to include GHG emissions from other sources of purchased electricity (i.e., non grid-powered off road equipment) or from solid waste disposal, water usage and wastewater disposal. Regarding these last categories of emissions, the FEIR simply asserts that the GHG analysis was conservative because it neglected to account for reductions in electrical, water, and solid waste demand through the demolition of previously operational structures during the construction phase. *Id*. The EIR provides no analytical support for this assertion. Moreover, the FEIR's approach of directing the reader to various technical appendices which may or may not specify the emission sources that were utilized in the construction emissions analysis violates CEQA. California courts have determined that this is a wholly unacceptable way of presenting decisionmakers and the public with essential information, and it renders the EIR legally inadequate. Whatever is required to be in the text of the EIR must be in the EIR itself, not buried in some appendix. *See Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 722-23*; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 727.

B. The FEIR Incorrectly Asserts that the Proposed Project Would not Contribute to Increased Passenger and Aviation Activity and Therefore Would Result in a Decline in VMT and GHG Emissions.

The FEIR incorrectly asserts that, regardless of the Project, passenger levels will grow to 95 MAP in 2035. FEIR at 2-82 (Response AL00008-20). This is incorrect. As the Kanafani Report attached to the City's comments on the DEIR describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high. *See* Kanafani Report, attached as Exhibit G to this firm's November 15, 2016 letter; *see also* Exhibit C (Feb. 28, 2017 comments of Dr. Kanafani) attached hereto.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 but conducts this analysis for "informational purposes only." DEIR at 4.5-28. Thus, although, for example, the DEIR's analysis of "2024 Future With Project Compared to 2015 Existing Conditions" identifies GHG emissions that are above the thresholds of significance, it does not identify this impact as significant. *See* DEIR Table 4.5-7 at 4.5-29); *see also id.* at 4.5-41. The EIR claims that this increase in GHG emissions is not

from the LAMP, because these emissions are not attributable to the Project. FEIR at 2-135 (Response AL00008-57). Instead, the FEIR asserts, the 2024 emissions include future emissions from future growth in regional and local traffic that would occur irrespective of the Project. *Id.*

Yet, one must ask: what is the cause of this growth in regional and local traffic? Certainly a substantial source of this traffic growth would be the phenomenal increase in annual passengers at the airport. Between 2015 and 2025, LAX will accommodate an additional 21,918 passengers on a daily basis (86 MAP – 78 MAP = 8,000,000 annual passengers (8,000,000 / 365 = 21,918 daily passengers)). In 2024 and 2035, the DEIR determines that no more that only 2% of arrivals/departures to the airport will be via transit. DEIR at 4.12-4 – 4.12-34. Thus, the vast majority of passengers will continue to travel to the airport via automobile.

C. The FEIR Fails to Adequately Analyze the Project's Consistency With Applicable Plans, Policies and Regulations Adopted for the Purpose of Reducing GHG Emissions.

The City previously faulted the DEIR for its failure to adequately analyze the Project's consistency with plans, policies and regulations adopted with the intent of reducing GHG emissions. The FEIR fails to resolve the numerous deficiencies identified in our comments. For example, in response to our comment that the DEIR did not analyze the Project's consistency with Executive Orders ("EO") S-3-05 and B-30-15 in any meaningful way, the FEIR suggests that the approach we suggested—and the one used by SANDAG in its recent RTP/SCS—would not be appropriate because the characteristics of SANDAG's project are substantially different from those of the LAMP project. *See* FEIR at 2-139, 140 (Response AL00008-61). Specifically, the FEIR asserts:

> The LAX Landside Access Modernization Program Project is a specific development project particular to LAX with initial completion in 2024 and buildout, including future potential development, in 2035. The specific "reference point" approach to determining Executive Order consistency used in the SANDAG EIR may be appropriate for a long-term comprehensive regional plan with many sources of GHG emissions (being more similar to a statewide emissions inventory), but it clearly is not appropriate for a shorter-term specific project with only a few sources of GHG emissions.

Id.

As an initial matter, the FEIR provides no explanation as to why LAWA believes a project's particular timeframe has a bearing on its ability to achieve statewide GHG emission reduction targets. The more important consideration, of course, is the amount of GHG emissions generated by the Project. Moreover, the proposed Project is not a short-term project as it would be under construction for 18 years and would result in a significant increase in GHG emissions through at least 2024, if not longer. *See* DEIR Table 4.5-7 at 4.5-29.

While SANDAG's approach to analyzing its project's consistency with the Executive Orders is, of course, not the only technical method that lead agencies may use, the FEIR does not conduct any technical analysis at all. Instead, it simply offers the following contradictory statement: "The GHG emissions associated with operation of the proposed Project in the future (2024 and 2035) would not be less than the levels estimated for 1990 conditions, notwithstanding that future GHG emissions would be less with implementation of the proposed Project." DEIR at 4.4-33.

The DEIR explicitly states that the GHG reduction target specified in EO-S-3-05 can be considered as a basis for evaluating how the GHG emission of a project compare to those targets. The EIR should be revised to undertake this evaluation in light of the specific targets established by EO-S-3-05 and B-30-15. To its credit, the FEIR does undertake a quantitative comparison of the Project GHG emissions to the GHG reduction goals identified in the LAWA Sustainability Plan and the Green LA Plan. FEIR at 2-141 (Response AL00008-62). It should conduct a similar analysis of the Project's consistency with the Executive Orders.

For the foregoing reasons, the City urges LAWA not to certify the FEIR until the document is revised to address the flaws described above.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

For

Osa L. Wolff

Exhibits:

A: Commission Staff Analysis and Resolution, Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001 (2005)
B: Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015)
C: February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E.
D: *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016)
E: Sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency
F: List of projects LAWA provided to El Segundo on January 4, 2017, in response to a Public Records Act request
G: Draft EIR for the Terminals 2 and 3 project (due to size, this exhibit is provided separately on CD)
H: Letter from MRO Engineers to L. Impett, February 27, 2017

869183.3

ATTACHMENT B-1

March 9, 2015 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

JOSEPH D. PETTA
Attorney
petta@smwlaw.com

March 9, 2015

Via E-Mail and FedEx

Christopher Koontz
Chief of Airport Planning
Los Angeles World Airports
1 World Way, Room 218
Los Angeles, California 90045

E-Mail: ckoontz@lawa.org

Re: Notice of Preparation for LAX Landside Access Modernization Program

Dear Mr. Koontz:

On behalf of the City of El Segundo, thank you for the opportunity to review the Notice of Preparation ("NOP") and Initial Study ("IS") for the Landside Access Modernization Program ("Project") and Potential Future Related Development ("Future Development"). The City expects to be actively involved in the planning process and looks forward to follow-up discussions and close coordination as the Project goes forward.

As LAWA is aware, El Segundo has a number of longstanding concerns related to LAX, particularly around noise and traffic impacts originating on the southern airfield and/or directed toward El Segundo. El Segundo appreciates that, for now, LAWA appears to have focused the Project and Future Development away from El Segundo. Nevertheless, the City believes that the remaining potential impacts could be further minimized or avoided if LAWA acts consistently with its prior development proposals and decisions, particularly those encompassed by the LAX Master Plan and Specific Plan Amendment Study ("SPAS"). This letter explains El Segundo's concerns about the Project and Future Development, and calls on LAWA to fully evaluate the potential significant impacts of the Project and Future Development on El Segundo's residents.

Project Setting and Description. El Segundo urges LAWA to describe the Project and its setting completely and accurately in the EIR. "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 727.

El Segundo is concerned that the EIR could fail to sufficiently analyze the Project's potential impacts due to an incomplete project description. For instance, the Project's "enabling components" (NOP at 51) include demolition of several facilities, including a hangar complex to the east of the CTA which the NOP describes as "currently leased for storage." *Id.*; *see id.* at 27 (Fig. 4). However, Figure 2, depicting land uses approved under the LAX Master Plan, shows the hangar complex as an "existing maintenance facility" (*id.* at 19), and Delta's "Tech Ops" website (http://www.deltatechops.com) indicates that the hangar complex is currently used for aircraft maintenance. If aircraft maintenance or other non-storage activities indeed take place at this hangar complex, the EIR must fully describe them and where and when they will be relocated. El Segundo is particularly invested in the displacement and relocation of maintenance facilities in light of the pending ground run-up enclosure ("GRE") siting study and the West Aircraft Maintenance Area ("WAMA") proposal.

The EIR must also clearly state where and when all other facilities slated for demolition will be rebuilt or relocated. If any of these facilities will be permanently removed, then the EIR must state this and explain how remaining facilities will accommodate capacity from the facilities planned for removal. Failure to analyze the impacts of the removal and relocation of these facilities in the EIR could run afoul of CEQA's prohibition on project segmentation.

LAX Master Plan/SPAS Consistency. While the NOP states that the LAX Plan and Specific Plan may need to be amended as part of the Project to allow for potential Future Development (*id.* at 105), the NOP does not discuss the Project's or Future Development's consistency with the LAX Master Plan. In particular, it is not clear how the Future Development locations shown in Figure 12 (*id.* at 57) correspond with the same locations in the Master Plan (*see id.* at 19 (Fig. 2)). Although "programmatic" in terms of its analysis of impacts from Future Development, the EIR should analyze the Future Development's consistency with the LAX Master Plan. El Segundo also urges LAWA to provide additional detail regarding the Project's consistency with the LAX Master Plan and what process LAWA would go through to amend the Master Plan to make it consistent with the Project.

In addition, El Segundo urges LAWA to analyze and ensure consistency between the Project and the plans and commitments reached through the SPAS process.

Traffic. The Project will have several circulation-related components, including demolition of the ramps from northbound Sepulveda into the airport. (*See id.* at 19 (Fig. 2)). This and other changes to existing on-airport circulation patterns could have traffic impacts in neighboring communities, including in El Segundo. *See id.* at 114 (Project and Future Development "could result in increased traffic impacts on surrounding roadways"). For example, if the northbound Sepulveda ramp is removed, drivers entering LAX from the south may instead access West Century Boulevard via Aviation Boulevard. Because the Project could alter current traffic conditions in El Segundo, the City urges LAWA to fully analyze the Project's and Future Development's traffic impacts in the EIR, as well as the potential for any construction vehicle traffic to use the City's designated truck routes or major arterial corridors such as Imperial Highway or Pershing Drive. As always, the City asks that truck trips for the Project avoid El Segundo when possible.

El Segundo also requests that the EIR identify any outstanding, previously adopted transportation mitigation measures and indicate whether these measures will be implemented as part of the Project or, if not, when they will be implemented.

Construction Staging. The NOP does not state where construction staging for the Project will occur, only that construction staging will be located near the Project "to the extent possible." *Id.* at 25. However, Figure 3 attached to Appendix A to the NOP suggests there may be two or more staging or laydown areas adjacent to El Segundo's border. Considering El Segundo's longstanding concerns related to noise and traffic impacts generated by uses at the airport's southern edge, the City urges that any proposed construction staging be located away from El Segundo. At the very least, the City expects all potential impacts from construction staging to be thoroughly analyzed and mitigated in the EIR. The project description should state the duration of any construction activities located near El Segundo, as well as the potential for any construction vehicle traffic to use the City's designated truck routes or major arterial corridors.

Cumulative Impacts. The Project is being proposed while other airport projects are still in varying stages of development, in particular, various CTA terminal upgrades, location of a GRE, rehabilitation of all four runways, and the Airport Metro Connector. The EIR must identify and analyze the Project's impacts when considered with these and other past, present, and probable future development at the airport and in the surrounding

area. El Segundo urges a thorough analysis of potential cumulative impacts and inclusion of meaningful alternatives and mitigation measures in the EIR.

Thank you for the opportunity to comment on the Project. We request that this firm and the City of El Segundo Planning and Building Safety Department receive a copy of the Draft EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

662586.2

ATTACHMENT B-2

November 15, 2016 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

OSA L. WOLFF
Attorney
wolff@smwlaw.com

November 15, 2016

Via E-Mail and FedEx

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216
E-Mail: equintanilla@lawa.org

Re: Landside Access Modernization Program Draft Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo ("City"), we submit the following comments on the Draft Environmental Impact Report ("Draft EIR" or "DEIR") for the Landside Access Modernization Program ("LAMP" or "Project"). As Los Angeles World Airports ("LAWA") is aware, the City has a number of longstanding concerns related to Los Angeles International Airport ("LAX"), including noise, traffic and air quality impacts. The City appreciates that LAWA has, thus far, been receptive to discussion regarding the environmental analysis of the Project, including the proposed non-aviation, commercial development on surplus property ("Potential Future Development"). In order to fully address the City's concerns, however, the EIR must analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed. To that end, this letter explains the City's concerns about the Project and identifies specific impacts that LAWA should carefully evaluate as part of an informative and comprehensive EIR.

By removing existing ground access constraints, the Project will ultimately enable Los Angeles International Airport to accommodate at least 95 million annual passengers ("MAP") instead of the 78.9 MAP historically represented as the maximum capacity for LAX. Despite the City's comments on the previously released Notice of Preparation ("NOP") and related National Environmental Policy Act Scoping Document ("NEPA Scoping Document"), both of which are attached to this letter, the DEIR fails to properly

analyze the environmental effects of the Project. It must be revised to address the Project's substantial contribution to future growth in passenger traffic at LAX and the resulting impacts of such growth on surrounding communities.

Please note that we will submit further comments on the LAMP DEIR's traffic analysis, and potentially other sections of the environmental document, once our traffic engineer completes his analysis.

I. The Project Would Remove Existing Ground Access Constraints and Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.

The Master Plan, Specific Plan Amendment Study ("SPAS"), and the 2006 Settlement establish and relied on a maximum operational capacity of 78.9 MAP.[1] In its Master Plan for LAX and all subsequent proposed improvements prior to LAMP, LAWA represented that limiting the total gates at LAX to 153 would result in a maximum practical capacity of 78.9 MAP. *See* SPAS Draft EIR (2012) at 2-4. LAWA's recent environmental review of airport development projects consistently assumes this capacity for the purpose of evaluating projects' environmental impact. *See, e.g.,* Draft EIR, Midfield Satellite Concourse ("MSC") (March 2014) at 4-16, fn. 10 (stating project would comply with LAX Master Plan gate cap limit); "MSC North FAQs," available at http://www.lawa.org/mscnorth/faq.aspx (last visited November 15, 2016) (stating MSC Program will comply with 2006 Stipulated Settlement at all times). Furthermore, the LAX Specific Plan, with which all future development at LAX must be consistent, required restudy and full California Environmental Quality Act ("CEQA") review if annual passenger activity levels were anticipated to exceed 78.9 MAP.

With LAMP, however, LAWA abandons its commitment to a constrained LAX. The same 153 gates once represented as limiting LAX passenger growth effectively to 78.9 MAP are now represented as able to accommodate at least 95 MAP. That growth apparently comes from efficiencies gained through larger aircraft, fewer empty seats and shorter times between plane arrivals and departures. Efficiency is, of course, generally a

[1] As set forth in the LAX Master Plan and associated EIR (*see* Exhibits A and B on the enclosed CD) and the Specific Plan Amendment Study ("SPAS") and associated EIR that LAWA prepared pursuant to settlement with its neighbors over the Master Plan (*see* Exhibits C and D); *see also* Exhibit E (LAX Specific Plan, requiring LAWA to initiate a new specific plan amendment study if annual passenger forecast is anticipated to exceed 78.9 MAP); Exhibit F (Midfield Satellite Concourse North Project EIR).

good thing. In this case, however, some negative consequences will follow. If LAX is not, in fact, constrained to 78.9 MAP as LAWA previously represented, then the communities around LAX, like El Segundo, will suffer impacts resulting from that growth unless LAWA conducts appropriate analysis and applies effective mitigation.

LAWA has stated that the LAMP Project EIR will serve as the required CEQA review under the existing LAX Specific Plan. However, although the Project is scaled to accommodate ground access traffic associated with passenger levels in excess of 78.9 million, the DEIR does not adequately evaluate other operational impacts (e.g., noise and air pollution from aircraft operations and vehicular traffic) associated with passenger levels above 78.9 MAP. The DEIR may not ignore the impacts of the increased activity that the Project will facilitate, and its potential to further concentrate adverse impacts on nearby residents.

As the City has repeatedly emphasized to LAWA, the environmental analysis required by CEQA may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations; here, LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

Instead, the DEIR simply ignores these impacts by claiming that, by the target date for Project completion, passenger levels will have grown to 95 MAP or higher *regardless* of whether the Project is actually built. *See, e.g.,* DEIR at 6-6 through 6-8. The DEIR fails to provide substantial evidence that this assumption, which underlies all of the DEIR's analysis of environmental impacts, is true. In the CEQA context, substantial evidence means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. . . . Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate . . . does not constitute substantial evidence." Cal. Code Regs., tit. 14 ("CEQA Guidelines"), § 15384(a).

The DEIR asserts that ground access has no bearing on airport capacity, thereby attempting to portray the role of ground access in passenger operations in black and white. This mischaracterizes what is in fact a very complex issue, particularly at LAX. As explained in the memorandum by Adib Kanafani, Ph.D., N.A.E., attached hereto as Exhibit G and incorporated by reference into this letter ("Kanafani Report"),[2] the DEIR fails to

[2] In addition to providing responses to the comments of the City set forth in this letter, LAWA must provide responses to the comments contained in the Kanafani Report.

support the assertion that the Project will not enable any portion of the projected growth in passenger capacity. As the Kanafani Report describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high.

Indeed, the data cited in the DEIR's discussion of this issue states that ground access plays a role in prospective passengers' decisionmaking, thereby contradicting the assertion that removing ground access constraints will not enable passenger growth. *See* DEIR at 6-7 (citing report of the Transportation Research Board of the National Academies, Airport Cooperative Research Program, which finds that that "[s]urface access issues . . . remain[] a primary passenger choice driver in the Los Angeles Basin. Given the presence of several regional facilities across the area, the traffic situation in the Basin drives the airport choice for a large proportion of travelers."). Other sources echo this finding; a 2013 report by the Eno Center for Transportation ("Eno Report") found that "[g]round access to the airport at LAX is the most significant chokehold in the airport's system and according to [LAWA] airport access infrastructure was projected to hit complete gridlock at 78.9 million annual passengers without improvements to the system." *See* Eno Report, attached hereto as Exhibit H, at 18. Similarly, the Southern California Association of Governments ("SCAG") 2040 Regional Transportation Plan / Sustainable Communities Strategy ("2040 RTP/SCS") states that "[p]assengers' choice of airports is based in part on the travel time to the airport and the convenience of access, so facilitating airport access is essential to the efficient functioning of the aviation system." 2040 RTP/SCS Aviation & Airport Ground Access Appendix, attached hereto as Exhibit I, at 22.[3]

[3] On May 5, 2016, the City filed suit against SCAG, challenging its approval of the 2040 RTP/SCS and the adequacy of its associated environmental review. One of the critical defects in the EIR is its assumption that, although SCAG proposed to provide billions of dollars in funding to remove existing ground access constraints at LAX, this easier access would not enable higher passenger capacity. Due to that flawed reasoning, SCAG's EIR failed to analyze the impacts of this higher capacity, even as it projected a dramatic rise in the number of passengers traveling through LAX. The need for this analysis was particularly acute because none of LAWA's planning documents for LAX had analyzed, or developed mitigation for, operations scenarios with a capacity above 78.9 MAP. *See* SPAS Draft EIR at 2-4 (stating that LAWA will maintain consistency with the Master Plan's cap of 153 gates and projected 78.9 MAP).

LAWA itself has previously asserted that the ground access system is a significant constraint on passenger operations at LAX, and that it would need to be relieved to enable growth in passenger operations beyond approximately 78 MAP. The 2004 Master Plan, which considered an unconstrained demand forecast of 98 MAP in 2015 and evaluated four alternative plans under this demand scenario, stated that the No Action/No Project Alternative (i.e., no Master Plan adopted) would limit passenger operations at LAX to 78 MAP because of the airport's "constrained curbs and roadways." 2004 Master Plan EIR at Figure 1.2-1. By contrast, the alternatives that included LAMP components would have permitted up to 98 MAP. *Id.*; *id.* at 1-4 ("The [No Project] Alternative is limited by the capacity of the curbfront in the Central Terminal Area (CTA) where passengers are dropped off and picked up in front of the existing terminals. The resulting annual passenger performance measure of this alternative is approximately 78 million.").

Although this evidence directly contradicts LAWA's assertion that the proposed removal of ground access constraints with LAMP will not contribute to the higher passenger forecast at LAX in the target completion year, the DEIR does not attempt to respond to any of it. LAWA's counterargument that ground access simply is not a constraint on airport capacity, and therefore improving ground access efficiency would not affect airport capacity or operations, is incorrect and not supported by substantial evidence in the record. As a result, the DEIR fails to justify its omission of analysis of environmental impacts related to higher passenger operations enabled by the Project, including increased aviation noise, traffic, air quality and greenhouse gas ("GHG") impacts.

II. LAWA Has Hidden Within LAMP a Number of Unnecessary Plan Changes, Which It Fails to Evaluate Properly in the DEIR

The 2004 LAX Master Plan adopted for LAX makes clear that the option adopted (Alternative D) was designed to serve approximately 78 MAP, which was approximately the same aviation activity levels identified in the No Action/No Project Alternative. LAWA represented that constraining LAX in this way would encourage the development and use of regional airports. This same vision of a constrained LAX was carried forward in the SPAS. Other alternatives specifically considered and rejected as part of the 2004 Master Plan process would have involved higher MAP numbers and greater impacts.

In approving the LAX Master Plan (Alternative D), the LA City Council took care to ensure that growth beyond that anticipated in the Master Plan would not happen without subsequent public evaluation, discussion, and consideration at the City Council. This important "check" on LAX growth was implemented through adoption of the LAX

Plan and LAX Specific Plan (*see* LAMP DEIR Appendices C & D). The LAX Plan establishes a land-use policy framework, while the LAX Specific Plan establishes zoning and development regulations consistent with the LAX Plan. Future development at LAX is required to be consistent with both plans, and this consistency must be established by LAWA in reports to the City Council. The LAX Specific Plan requires that no "Project" at LAX may proceed unless it complies with the LAX Specific Plan and LAX Plan. As part of that compliance review, the Project is to be checked for compliance with Master Plan commitments and mitigation measures.

Although the plan consistency requirement and review process has worked well since the 2004 LAX Master Plan was adopted, LAWA now proposes a number of major changes as part of the LAMP Project. Specifically, LAWA has proposed a number of significant changes to the LAX Specific Plan and LAX Plan that would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the City Council for the promotion of regionalism and protection of LAX neighbors. As discussed in detail below, LAWA proposes to delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7), and also wants to delete references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2). LAWA's proposed changes to the LAX Specific Plan would undermine its effectiveness as a mechanism for informed and transparent public review of aviation activity and growth at LAX.

A. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

The DEIR does not adequately explain why the limits of 153 gates and 78.9 MAP are proposed for removal from the LAX Plan as part of LAMP. In fact, there is no logical link made between LAMP's proposed ground access upgrades and the removal of those limits from the Plan. The DEIR notes in several places that the LAMP project would necessitate amendments to the LAX Specific Plan and the LAX Plan, but the explanations of "necessity" provided are generally limited to relatively minor issues such as a boundary adjustment and a rezone, which are logically necessary for LAMP. The DEIR is silent regarding the substantial changes described below, which are not necessary or appropriate as part of LAMP.

It seems likely that LAWA has proposed the 78.9 MAP limit deletion in an attempt to avoid complying with that limit going forward and perhaps to dodge a plan inconsistency problem for the extremely ambitious LAMP. Specifically, because LAMP is designed to serve so much more than 78.9 MAP, it is not consistent with the 78.9 MAP

limit in the LAX Plan. As discussed elsewhere in this letter, LAWA takes the untenable position that LAMP is not growth inducing, and insists it has no obligation to evaluate any of the impacts associated with passenger growth above 78.9 MAP as part of LAMP. LAWA cannot remove the 78.9 MAP limit from the LAX Plan without a full public discussion of that proposed policy change, which would include conducting a full analysis of the associated environmental impacts. In other words, if LAWA is now planning for LAX to serve more than 78.9 MAP, it must evaluate the impacts of that growth so the public and City Council decisionmakers have the information they need. The absence of this analysis is a major flaw in the LAMP DEIR. In the absence of that analysis, LAWA cannot remove the 78.9 MAP limit from the LAX Plan as part of the Project.

It seems likely that LAWA has proposed deletion of the 153 gates limit in an attempt to avoid having to comply with that limit going forward. LAWA should withdraw this proposed deletion because there is no LAMP-related reason articulated for the removal. Indeed, how could LAMP, which focuses on ground access improvements, logically necessitate an increase in the number of gates at LAX? In discussing this proposed change, LAWA correctly acknowledges that under its settlement agreement with El Segundo and others, a gate limit would continue to apply until at least 2020. DEIR at 7-2. What LAWA fails to acknowledge is that even after 2020, it cannot increase the number of gates at LAX without comprehensive environmental review and a Master Plan amendment. As such, the limit of 153 gates contained in the LAX Plan must remain in place unless and until that environmental review and public process is complete. Deleting the limit now is not necessary for LAMP, would be premature, and prejudges the outcome of a separate process not yet begun.

If LAWA insists on pursuing removal of the current limits of 78.9 MAP and 153 gates from the LAX Plan as part of LAMP, it must first provide a complete analysis of the noise, air quality, and other environmental impacts that would result. That analysis would need to be provided in a recirculated DEIR. That document would consider, for example, the environmental impacts such as increased noise and increased emissions (air pollution and GHGs) associated with the increased aircraft operations at the added gates and serving annual passenger numbers in excess of 78.9 MAP. As discussed elsewhere in this letter, the LAMP DEIR provides no such analysis because it assumes (incorrectly) that the Project will not increase LAX's capacity or induce any growth in aviation activity.

We note that the DEIR includes Section 7 (Evaluation of Amendments to the LAX Plan and LAX Specific Plan). This section is very strange because it purports to analyze

a Project element (Amendments to the LAX Plan and LAX Specific Plan) separate from the Project itself (LAMP). The reader is left with the impression that Section 7 was an afterthought added by LAWA once the bulk of the DEIR's environmental analysis was complete. This is inconsistent with CEQA's mandate to evaluate the whole of the project. It is also inconsistent with LAWA's obligation to inform the public and decisionmakers of all the Project's environmental impacts.

Moreover, the environment analysis in Section 7, which appears on just five pages, is limited to the following repeated conclusions: the proposed amendments to the LAX Plan and LAX Specific Plan "would generally correspond to changes at LAX as a result of the proposed Project [LAMP], as well as updates to administrative processes." In other words, LAWA argues that the proposed changes were either covered as part of the LAMP project assessment or are simple updates to administrative processes. This does not accurately capture the universe of proposed plan changes and their associated impacts.

LAWA does acknowledge, in passing, that removal of the gate limitation "may result in future increased development" but argues that it need not evaluate the impact of that development now because "removal of these policies does not mean that additional development would occur. Any future development related to the change in these policies would undergo separate CEQA review and would be subject to BOAC and other approvals prior to implementation." This is the very definition of improper deferral of environmental analysis in violation of CEQA. If future exceedance of the 153 gate limit is uncertain and speculative as LAWA seems to claim, then LAWA should not ask the City Council to delete the limit from the LAX Plan now. If, on the other hand, LAWA insists asking the City Council to delete the 153 gate limit now, it must also provide more detail regarding its gate increase plans and evaluate the associated impacts.[4] It cannot delete the gate limit now based on the representation that the associated impacts would be evaluated later.

[4] We note, for example, that LAWA's recent NOP for the LAX Terminals 2 and 3 Modernization Project ("T2 & 3 Project") indicates that LAWA may add up to five gates as part of that project. This increase is not speculative and must be evaluated as part of the T2 & 3 Project as well as LAMP, if removal of the 153 gate cap remains as part of LAMP. We hereby request that LAWA include all public project and CEQA documentation for the T2 & 3 Project in its record for LAMP. The NOP and Initial Study are provided as Exhibit J hereto. We also understand that LAWA has plans for additional gates in what it terms the "Passenger Terminal Modernization Area" ("PTMA"). *See* LAWA-ARSAC Memorandum of Understanding, attached hereto as Exhibit K.

B. The LAX Specific Plan Changes Proposed by LAWA Would Remove Key Protections Put in Place by the LA City Council When It Approved the 2004 LAX Master Plan.

LAWA proposes a multitude of changes to the LAX Specific Plan as part of the LAMP. Examples include:

- Expanding significantly the universe of projects exempt from plan consistency review (*see* Appendix D at 7-9).
- Substituting the Board of Airport Commissioners ("BOAC") for the LA City Council as the body responsible for confirming the plan consistency of projects proposed for LAX (*see* Appendix D at 10, 13).
- Deleting references to compliance with Master Plan mitigation measures and commitments (*see* Appendix D at 10, 12).
- Limiting compliance review to the LAX Specific Plan (eliminating the need for LAX Plan compliance review).
- Deleting the LAX Master Plan Stakeholder Liaison, who was tasked with assisting with communication between LAWA and stakeholders such as its neighbor, El Segundo (*see* Appendix D, throughout). Under LAWA's proposed change, apparently only Councilmember District 11 would have the benefit of a stakeholder liaison, not El Segundo and other neighbors outside the City of LA.

LAWA does not provide an adequate, comprehensive description of these proposed plan changes, referring to them generally as "updates to administrative process." *See, e.g.,* DEIR at 7-1 *et seq.* As a result, it will be difficult if not impossible for the public and decisionmakers to gain a comprehensive understanding of the nature and extent of, much less the reasoning for, LAWA's plan change proposals. To the contrary, readers of the DEIR are told in general terms that the Project "necessitates" the proposed plan changes, when (in fact) the most significant changes appear to be proposed by LAWA for reasons unrelated to LAMP. LAWA must instead provide a clear narrative description of all proposed change and the reason for each. Once that description is provided, it should become clear that LAWA is seeking (for reasons unrelated to LAMP) to eliminate important checks put in place by the City Council. Those checks remain necessary and appropriate today.

III. A Specific Plan Amendment Study Is Now Required—the Requirement Is Not Satisfied by LAMP, and Must Remain in the LAX Specific Plan Until Satisfied.

The LAX Specific Plan plainly requires a Specific Plan Amendment Study and full CEQA review if annual passenger activity levels are anticipated to exceed 78.9 MAP. The LAMP DEIR makes clear that LAWA now anticipates annual passengers will meet or exceed 78.9 million in 2016 or 2017. DEIR at 2-201. Under the Specific Plan, LAWA must therefore conduct a Specific Plan Amendment Study. This study would augment/update the analysis performed by LAWA for the LAX Master Plan and SPAS to include the higher passenger levels LAWA now desires and anticipates for LAX. This Specific Plan Amendment Study is critical because all current plans for LAX assumed and were based on a maximum passenger level of 78.9 MAP. In fact, the 2004 Master Plan (Alternative D) was approved by the LA City Council only after it received assurances that LAX would not be modified to serve passenger numbers exceeding 78.9 MAP absent further analysis (through a Specific Plan Amendment). That is not what LAWA is doing with LAMP.

LAWA does not conduct the required analysis as part of the LAMP DEIR or propose to do it elsewhere. In fact, LAWA proposes to forever delete the operative language of the LAX Specific Plan and LAX Plan (DEIR Appendices C & D), rather than preparing the required Specific Plan Amendment and CEQA review. DEIR 2-195 to 201. LAWA seems to argue that its traffic analysis done in connection with LAMP should excuse it from conducting the Specific Plan Amendment Study clearly required by the LAX Specific Plan when aviation activity analysis shows annual passengers are anticipated to exceed 78.9 million. DEIR at 7-7. The LAMP analysis is, however, not equivalent to, and no substitute for, the required Specific Plan Amendment Study.

Most notably, as discussed elsewhere in this letter, the LAMP analysis treats as a given that LAX passenger activity will continue to grow past 78.9 MAP. The LAMP documents do not evaluate, much less offer mitigation for, impacts associated with that growth (e.g., increased noise and air quality impacts on surrounding communities associated with increased aircraft activity). As such, LAMP does not comply with a key requirement set forth in the LAX Specific Plan. LAWA's proposed remedy (deletion of the requirement) is inconsistent with clear City Council direction and the City of Los Angeles' General Plan framework.

LAWA's current attempt, as part of LAMP, to evade and delete the Specific Plan Amendment requirement, is wholly inconsistent with its prior statements and commitments on the subject. As recently as its Specific Plan Amendment adoption in 2013, LAWA described the LAX Specific Plan section 7.H as "requiring a Specific Plan Amendment Study if the annual aviation activity analysis forecasts that LAX annual passengers for that year are anticipated to exceed 78.9 MAP." *See* SPAS Report

Appendix F (Operational Analysis) at 11 (section 2.5). In other words, LAWA has previously recognized that if and when the forecast for annual aviation activity levels reached 78.9 MAP, it would be obligated to undertake and request Council approval for a Specific Plan Amendment. Now that anticipated levels have reached that point, LAWA seeks to avoid the requirement by deleting it.

Similarly, LAWA recognizes that Section 7.H.2 of the LAX Specific Plan requires it to initiate an LAX Domestic Passenger Survey/Study and corresponding Airline Survey/Study if the annual aviation activity forecast indicates that the annual passengers in the year when LAX is anticipated to exceed 78.9 million. LAWA represents that it will meet this requirement by conducting the required surveys in 2016 and 2017. It also proposes to delete the requirement. Deleting the requirement is, however, premature and should not be approved by the Council until LAWA has satisfactorily completed the required surveys and made them public.

IV. LAWA Improperly Distances the LAMP and its DEIR from the Governing LAX Master Plan.

The DEIR states,

> Although components of the LAX Landside Access Modernization Program were contained in the LAX Master Plan and the LAX Specific Plan Amendment Study, the proposed Project for ground access improvements at LAX has substantively evolved from the programmatic plans contained in these previous program level documents, and the proposed LAX Landside Access Modernization Program is substantively different from the ground access improvements evaluated in the 2004 LAX Master Plan and the associated Final Environmental Impact Statement/Final Environmental Impact Report. Thus, because the current plan evaluated in this Environmental Impact Report (EIR) substantively differs from programmatic concepts in the LAX Master Plan and SPAS, this EIR does not tier off of the environmental documents associated with those plans; it is a standalone analysis of LAWA's current project-level plans for ground access improvements at LAX. Because the LAX Landside Access Modernization Program does not tier off of the LAX Master Plan EIR and is a substantively different project, this Project is not considered an LAX Master Plan project and is not subject to the LAX Master Plan commitments and mitigation measures; thus, LAWA has identified mitigation measures specific to this Project as appropriate. The LAX

> Master Plan commitments and mitigation measures are still in effect for all Master Plan projects, just as other project-specific mitigation measures are in effect for other non-LAX Master Plan projects.

DEIR at 1-4, 1-5; *see also id.* at 2-4.

A review of the LAX Master Plan adopted in 2004 and subsequent LAX Specific Plan Amendment Study makes clear that the following elements were at the core of the LAX Master Plan: an automated people mover, a remote rental car facility, an intermodal transportation facility, and remote parking garages/drop-off areas. Even LAWA seems to recognize that those same elements constitute the LAMP. Given that the LAX Master Plan (and SPAS) remain the governing planning documents for the airport and the elements of LAMP are so clearly envisioned by the Master Plan, LAWA simply is not at liberty to distance LAMP from the LAX Master Plan as it attempts to do. LAWA must instead follow (or seek to amend) the LAX Master Plan and Specific Plan.

For the reasons noted below, we are particularly concerned by the following LAMP DEIR statements:

- "the current plan evaluated in this Environmental Impact Report (EIR) substantively differs from programmatic concepts in the LAX Master Plan and SPAS"

- "this Project is not considered an LAX Master Plan project and is not subject to the LAX Master Plan commitments and mitigation measures"

LAWA must present a clear side-by-side comparison of LAMP and the programmatic concepts in the LAX Master Plan and SPAS to detail similarities and differences. If the differences are indeed substantial, then a LAX Master Plan revision and/or Specific Plan amendment would be necessary and appropriate before proceeding with LAMP. LAWA may not pursue a major initiative such as LAMP wholly separate from the LAX Master Plan (as amended by SPAS), which remain the governing planning documents for the airport. The Master Plan is *the* "modernization plan" that accounts for all growth at LAX, including construction of new taxiways, increasing runway length, improving the level of passenger service throughout the CTA, building new aircraft parking gates, and installing an automatic people mover, consolidated rental car facility, and a more efficient connection between LA Metro and LAX. *See generally* Master Plan Executive Summary.

If, by contrast, LAWA were to change course and attempt to make LAMP consistent with the LAX Master Plan, then all of the LAX Master Plan commitments and mitigation measures would apply. Those commitments include developing LAX to serve a practical capacity of 78.9 MAP, with no more than 153 gates. Mitigation measures are detailed in LAWA's adopted Mitigation Monitoring and Reporting Program ("MMRP") and include commitments to implement and expand the LAX Aircraft Noise Mitigation Program ("ANMP") to provide noise relief to surrounding communities such as El Segundo.

V. Under FAA Guidance, the Project Requires an Update to the Master Plan, Not Simply a Revision of the Airport Layout Plan.

Because the Project will receive federal funding, LAWA must update the Master Plan to be consistent with the Project and the associated passenger forecast generated by LAWA. The DEIR states that LAWA will, as a connected action, seek "FAA unconditional approval of the Airport Layout Plan (ALP) for the Airport depicting the proposed improvements," apparently instead of the required update to the master plan. DEIR at 2-217. Under FAA advisory circular 150/5070-6B ("AC"), however, the scope and sheer number of individual components of the LAMP, and its significant deviations from the current master plan, require a master plan update, not just an update to the ALP. FAA advisory circular 150/5070-6B, attached hereto as Exhibit L, at 7 (ALP update an appropriate alternative to master plan update only when "fundamental assumptions" of previous master plan will not change, or when proposal involved a "single development item").[5] LAWA cannot avoid the FAA requirement to update the LAX Master Plan simply by saying the Project "is not considered a Master Plan project and is not subject to the Master Plan commitments and mitigation measures." DEIR at 2-4. Furthermore, FAA's approval of an updated Master Plan must include approval of LAWA's revised passenger forecast for LAX. AC at 8 ("master plan forecast should be reviewed to ensure that the underlying assumptions and forecast methodologies are appropriate" including consistency of applicant's passenger forecast with FAA terminal area forecast ("TAF")). The effects of a Master Plan update on the human environment must be part of LAWA's ongoing NEPA analysis of the LAMP Project.

[5] Regardless, the proposed revisions to the ALP are not disclosed anywhere in the DEIR. *See* DEIR at 4.8-37 (stating inaccurately that "an amendment to the LAX Airport Layout Plan" is "further described below"). Although a revised master plan is required pursuant to FAA guidance, as explained above, LAWA must at the least disclose its proposed revisions to the existing ALP.

VI. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.

The DEIR's noise analysis purports to evaluate the Project's contribution to three "types" of noise—road traffic noise; construction traffic noise and equipment noise and vibration; and transit noise and vibration—as well as cumulative noise impacts. Yet, because the DEIR takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The DEIR must be revised to resolve this obvious deficiency under CEQA.

As explained above, because all previous planning documents for LAX contemplated a maximum operational capacity of 78.9 MAP, the DEIR must evaluate and mitigate any aviation-related noise impacts on El Segundo residents that result from growth beyond 78.9 MAP. Current measures to mitigate aviation noise from LAX operations are scaled at 78.9 MAP and are not designed to address aviation noise at higher passenger levels. *See, e.g.,* Exhibit M, 2014 Annual Progress Report, LAX Master Plan Mitigation Monitoring & Reporting Program, at 18 (stating LAX Aircraft Noise Mitigation Program designed to mitigate land uses that would be rendered incompatible by noise impacts associated with implementation of the LAX Master Plan).

Furthermore, the current Noise Exposure Map for LAX, approved at the end of 2015, does not anticipate operations at the levels made possible by the Project. *See* Exhibit N, Final Noise Exposure Map Report (August 2015), at 3-10 (stating current noise contour is based on review of Master Plan Alternative D Report, Specific Plan Amendment Study, Midfield Satellite Concourse North Draft EIR, West Aircraft Maintenance Area Draft EIR, and various runway improvement project studies, all assuming operations at 78.9 MAP). In fact, LAWA states that the current Noise Exposure Map, which provides the basis for residential noise mitigation required by state law, assumes even lower passenger operations than LAWA expects to exceed this or next year, at approximately 77.1 MAP. *Id.* at G-4; *see id.* at G-19 (comments of City of El Segundo on Draft Noise Exposure Map Report, requesting explanation of passenger forecast assumed for NEM update).

Thus, although LAWA might be tempted to modify the DEIR to assert that aviation noise impacts resulting from the Project would be adequately addressed by

existing mitigation adopted as part of the Master Plan, that approach would fail because those measures were not designed to mitigate noise from the passenger levels LAWA anticipates by the time the Project is fully built. Because LAWA has not justified its claim that the Project would not cause any impacts related to higher passenger levels, the DEIR must be revised to include an analysis of the aviation noise impacts caused by the Project, not omit any discussion whatsoever of aviation noise impacts.

Finally, the analysis of road traffic noise impacts is fundamentally flawed as a consequence of errors in the DEIR's analysis of transportation impacts. As explained below, the DEIR's analysis of transportation impacts underestimates these impacts for two overarching reasons: first, it assumes the Project has no bearing on future increases in aviation and passenger activity and, therefore, that the increase in vehicular trips in 2024 and 2035 would not be attributable to the Project. Second, the DEIR does not take into account the phenomenon known as "induced travel" or "generated traffic," discussed further below. The noise impact analysis must be revised to reflect road traffic noise impacts from an accurate estimation of vehicular trips, including "induced" vehicular trips, resulting from higher passenger activity caused by the Project.

VII. LAWA Improperly Proposes to Modify LAX's Current Nighttime Curfew on Engine Run-Ups Without Any Environmental Analysis.

The Master Plan calls for development of two ground run-up enclosures ("GRE"). Master Plan Addendum at 2-95, attached hereto as Exhibit O. Moreover, the 2010 Stipulated Variance approved by LAWA, El Segundo, and others provides that LAWA would design two GREs by 2015. *See In the Matter of Noise Variance Application for City of Los Angeles et al.,* Dept. of Transp. Case No. L2010041216 (ordering LAWA to design two GREs), attached hereto as Exhibit P. To date, LAWA has partly designed one GRE and constructed none. Although the LAMP has nothing whatsoever to do with aircraft maintenance or GREs, LAWA has hidden within the Project problematic changes to its policies regarding both.

Currently, LAX's Aircraft Noise Abatement Operating Procedures and Restrictions (Sept. 2010), attached hereto as Exhibit Q, prohibit engine run-ups—regardless of whether they are performed within a GRE—between the hours of 11 p.m. and 6 a.m. unless waived on a case-by-case basis. The DEIR states that "LAWA has committed, as part of the West Aircraft Maintenance Area Project, to restrict high-powered engine run up testing during nighttime hours; this policy would also be incorporated." DEIR at 7-3. However, LAWA is actually proposing to amend the LAX Plan (Appendix C) to state: "Continue to restrict high-powered engine run-up testing

during the hours of 2300-0600, unless performed in a GRE." Appendix C (LAX Plan redline) at 15.

The unavoidable implication of this language is that if LAMP is approved, any number of high-powered engine run-up tests could proceed at any time (including late at night/early in the morning, when people are trying to sleep) as long as they are performed in a GRE (once built). This amendment would be a substantial change to how ground run-ups can be performed at LAX, yet LAWA's explanation of the proposed change in the DEIR does not make this clear and would likely expose area residents to more noise. Moreover, the proposed change bears no apparent relationship to airport ground access or the ground access improvements proposed as the LAMP. The only apparent explanation for the change is that LAWA finds the existing rules regarding ground run-ups to be too limiting and sees LAMP as an opportunity to make the desired modification. The DEIR may not propose such a change without providing any analysis of the noise impacts to El Segundo and other impacted communities associated with the proposed change. As such, the proposed change to existing ground run-up policy cannot be approved in reliance on the DEIR and should be deleted from LAMP.

VIII. The DEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.

A. The DEIR Relies on Flawed and Unsubstantiated Assumptions to Conclude that the Project Would Cause the Vast Majority of Intersection Operations Outside the Airport to Improve.

The DEIR concludes operations at the majority of intersections would improve under the "2024 With Project" compared with the "2024 Without Project" scenario. DEIR at 4.12-111. The DEIR also finds that the majority of intersections would improve under the "2035 With Project" compared with the "2035 Without Project" scenario. *Id.* at 4.12-131. The validity of these conclusions is questionable for two key reasons. First, as explained above, the DEIR incorrectly asserts that the Project would have no bearing on future increases in aviation and passenger activity and, therefore, that the increase in vehicular trips in 2024 and 2035 would not be attributable to the Project. Second, the DEIR does not take into account the phenomenon known as "induced travel" or "generated traffic." Had the DEIR relied on accurate assumptions, the DEIR likely

would have revealed a substantially greater number of significant impacts at off-airport intersections.[6]

1. The DEIR Fails to Acknowledge that Ground Access Has Been an Obstacle to Increased Passenger Activity.

The DEIR explains that the very essence of the proposed Project is to improve the efficiency of the ground access system at LAX. DEIR at 4.5-32. At the same time, the DEIR asserts that growth in passenger and aviation activity would be unaffected by the Project. There is ample evidentiary support that improvements in ground access at LAX would facilitate the expansion of passenger and aviation activity.

According to the DEIR, the passenger experience for those arriving or departing LAX is often severely compromised by extreme roadway congestion in LAX's central terminal area and on nearby streets. *Id.* at 1-8; 2-1. Indeed, unless they require international flights, at least some percentage of travelers currently seek to avoid trips to/from LAX as a result of this congestion. It is commonly known that if southern California passengers are able to fly at an airport other than LAX, they do so. *See, e.g.*, Trip Advisor webpage (*available at* https://www.tripadvisor.com/Travel-g32655-c160004/Los-Angeles:California:Bob.Hope.Airport.Aka.Burbank.Airport.html), attached hereto as Exhibit R (best way to avoid traffic and crowds of people is to use Burbank's Bob Hope Airport, rather than LAX); FlyerTalk webpage (*available at* http://www.flyertalk.com/forum/southwest-airlines-rapid-rewards/1558208-flying-into-burbank-vs-lax-worth-hassle-changing-planes-phx-2.html), attached hereto as Exhibit S ("[Burbank] is a very easy airport to navigate into and out of. LAX is exactly the opposite").

By increasing roadway capacity at LAX, substantially increasing the amount of parking, and by adding a people mover/connection to public transport, the Project would significantly expand the capacity of the airport's landside access system. In turn, traffic flow would be facilitated and parking at the airport would become less of an obstacle. As a result, visitors who may have avoided LAX or taken shuttle buses in the past now have an incentive to use LAX and to travel to LAX by car.

LAWA itself confirms the relationship between ground access and airport capacity. The 2004 LAX Master Plan explains that the "most constraining component of

[6] As noted earlier, we will submit supplementary comments once our traffic engineer completes his analysis of this section of the LAMP DEIR.

an airport defines the practical capacity of the entire airport." LAX Master Plan at 1-3. LAX is a "complex system made up of components through which passengers and aircraft flow in a sequential order." *Id.* The Master Plan goes on to explain that passengers traveling on local roadways and on-airport roads as they depart or arrive at the airport are part of the airport's complex system. *Id.* Clearly, ground access is currently a significant constraint on the airport's capacity and is a constraint on aviation activity. While the precise number of passengers that would choose to use LAX as a result of the Project is unknown, the DEIR must make a good faith effort to evaluate the relationship between improved landside access and growth in passenger and aviation activity. The document must then evaluate the traffic impacts from the increased passenger activity levels.

2. The DEIR's Failure to Account for Induced Travel Is an Egregious Error.

Again, the underlying purpose of the proposed Project is to relieve ground access congestion at LAX. DEIR at 2-7. The Project includes myriad roadway improvement projects that are intended to increase the capacity of the roadway system on and around the airport, and reduce traffic congestion. There is a direct relationship between increases in roadway capacity and induced vehicular travel.

This relationship is corroborated by the Surface Transportation Policy Project ("STPP") which cites a growing body of research showing that, in the long run, wider roadways actually create additional traffic, above and beyond what can be attributed to population increases and economic growth. *See* Surface Transportation Policy Project, *Build It and They'll Come*, attached as Exhibit T. According to the STPP, 100 percent of additional vehicle miles travelled ("VMT") in Los Angeles County is attributable to "induced traffic." *Id.* This means that increases in roadway capacity actually induce additional traffic—it does not simply "accommodate" existing or predicted traffic.

The California Air Resources Board ("CARB") has also weighed in on the relationship between increases in highway capacity and induced travel. In its recent report entitled "Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions," CARB confirms that increased capacity induces additional VMT. *See* Exhibit U at 3. CARB attributes this phenomenon to the basic economic principles of supply and demand: adding capacity decreases travel time, in effect lowering the "price" of driving; when prices go down, the quantity of driving goes up (Noland and Lem, 2002). *Id.* at 2.

According to CARB, the induced-travel impact of roadway capacity expansion is generally measured with respect to the change in VMT that results from an increase in lane miles, determined by the length of a road segment and its number of lanes (e.g. a two-mile segment of a four-lane highway equates to eight lane miles). Effect sizes are usually presented as the ratio of the percent change in VMT associated with a one percent change in lane miles. The expectation is that this ratio, also called an "elasticity," will be positive: an increase in lane miles will lead to an increase in VMT. An elasticity of 1 or greater means that the new capacity is entirely filled by additional VMT, producing no reduction in congestion. *Id.* at 3.

The proposed Project's increase in parking supply would also facilitate increased vehicular travel as there is a "consequential" connection between the amount of parking and driving. Researchers at the University of Connecticut have found compelling evidence that parking is a "likely cause" of increased driving. *See* "Effects of Parking Provision on Automobile Use in Cities: Inferring Causality," attached hereto as Exhibit V. As parking spots per building area increase, the amount of vehicle use also increases. Similar to induced vehicular travel, the more spaces there are to park, the more people will drive to reach them. In fact, the University of Connecticut researchers determined that as cities added more parking over the years, the share of commuters who drove to work increased. As a city goes from having about 20 parking spaces to 50 spaces per 100 people, the share of commuters driving rises from 60 percent to 83 percent. *Id.* at 7.

The Project would create a net increase of more than 18,000 spots at the two new Intermodal Transportation Facilities ("ITFs") and the Central Terminal Area ("CTA"), including 1,000 new employee-only spots at CONRAC. DEIR at 2-83, -105, -125, -153. Adding almost 20,000 new parking spaces would certainly remove a constraint to traveling by automobile to LAX.

Because the DEIR does not take into account induced travel, it underestimates the increase in traffic that would accompany the proposed Project. Consequently, the DEIR understates the Project's impact on nearby roadways, intersections, and freeways. The DEIR should be revised to accurately account for the traffic that would be generated by the Project and evaluate how this traffic would impact the off-airport roadway system.

B. The DEIR's Analysis of the Project's Construction-Related Traffic Impacts is Sorely Lacking.

One would expect that an EIR's evaluation of a project's construction-related impacts would be commensurate with its size and scope. Given the massive scale of this

construction project and its prolonged duration (18 years!), the DEIR should have comprehensively analyzed its potential to disrupt the local and regional transportation network. Unfortunately, the document's analysis is shockingly deficient. The analysis is hamstrung because it: (1) does not study all of the roadways or intersections that would likely be impacted by the construction activities; (2) focuses largely on the number of vehicular and truck trips that would be generated by construction activities while giving short shrift to how traffic flow would be managed on roadways in and around the airport; and (3) fails to identify mitigation measures capable of effectively minimizing the Project's construction-related traffic impacts.

The DEIR does not address all of the locations where construction of the LAMP would be expected to impact local and regional traffic because the DEIR's s study area barely extends beyond the airport's boundaries. The study area for purposes of analyzing the Project's construction-related traffic impacts is generally bounded by I-405 to the east, I-105 and Imperial Highway to the south, Pershing Drive to the west, and Westchester Parkway, Sepulveda Boulevard, and Howard Hughes Parkway to the north and *includes only 29 intersections*. *See* DEIR Figures 4.12.3-1 and 4.12.3-2, and DEIR pgs. 4.12-202—205. The DEIR's study area for assessing the Project's operational traffic impacts, on the other hand, is substantially larger, covering 183 intersections. *Id.* at 4.12-48 and Figure 4.12-2-1.

The DEIR explains that the geographic scope of the construction traffic analysis's study area was determined by identifying the intersections most likely to be used by construction-related vehicles accessing the Project's construction site. DEIR at 4.12-197, 4.12-202. Because the DEIR focuses largely on the number of construction employee and truck trips and the roads that would be used by these construction-related vehicles, the document arrives at the absurd conclusion that construction of this massive project would cause significant traffic impacts at only *one intersection*, Aviation Boulevard and Century Boulevard. *Id.* 4.12-232. This conclusion is not credible.

While it may be sufficient to focus on construction vehicular trip generation for a land use project such as a subdivision or a shopping center, this type of analysis is not sufficient for assessing impacts of a long term, multi-faceted construction project at one of the nation's busiest airports. About 76,000 vehicles per day entered LAX's central terminal area in 2014-15 and more than 6,000 vehicles enter the airport every hour.[7]

[7] *See* "A Better Flight Plan for LAX: L.A. Controller's Report Warns of Impending Traffic Crisis; Urges Improved Passenger Experience, Business Practices," *available at* http://www.lacontroller.org/lawa (last visited October 10, 2016).

DEIR at 1-2. Certainly one would expect massive traffic jams on roadways and intersections periodically throughout the 18-year construction, especially because the Project includes so much road construction. Over the Project's duration, certain roads would be closed, other roads would be removed, new roads and new lanes would be added, segments of existing roads would be realigned, freeway ramps would be modified, new driveways would be constructed, other driveways would be realigned; and numerous intersections would be improved. DEIR at 4.12-24; 2-181, 182.

Towards the end of the 50-page construction analysis, the DEIR includes a two-page section entitled "Temporary Traffic, Access, and Transit Impacts During Construction." DEIR at 4.12-234. This "analysis" purports to address the effect that construction activities would have on on-Airport and off-airport traffic roadway operations. *See id.* Yet, rather than provide a substantive evaluation, the DEIR's discussion is vague and generic, as evidenced by the following statement:

> To the extent that Project-related construction within the CTA would require temporary lane closures and detours, on-Airport traffic conditions could be impacted. Construction-related impacts to the on-Airport surface transportation system could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis.

DEIR at 4.12-237.

Clearly, construction of the Project would cause extensive traffic jams on airport access routes resulting from reduced roadway capacity, limited access to parking garages, reduced parking capacity, and construction vehicles completing with airport travelers for roadway space. The EIR's failure to thoroughly evaluate these impacts is a fatal flaw.

Rather than conduct a thorough analysis, the DEIR identifies a few vague mitigation measures. DEIR at 4.12-238 and 4.12-241. For example, the DEIR calls for the establishment of a task force to monitor traffic conditions and for the eventual preparation of a worksite traffic control plan. *Id.* Unfortunately, the DEIR lacks the required evidentiary support that these measures—which essentially punt the problem to a later date—would even begin to address the complexities and challenges that would accompany this major construction project. Indeed, the DEIR's approach is a "mere expression[] of hope" that LAWA will be able to devise a way around the problems created by construction of this massive Project. *Lincoln Place Tenants Assn v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508. Deferring mitigation without clear performance standards contravenes CEQA's clear requirements. "[F]or kinds of impacts

for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the planning process . . . , the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval." *Sacramento Old City Assn v. City Council* (1991) 229 Cal.App.3d 1011, 1028-29. Here, the DEIR includes no performance standards.

Moreover, given LAWA's current lackluster performance at handling traffic congestion around LAX, there is no evidence that the agency is even capable of effectively mitigating the effects of such a complex construction project. As the Supreme Court explained, "[b]ecause an EIR cannot be meaningfully considered in a vacuum devoid of reality, a project proponent's prior environmental record is properly a subject of close consideration in determining the sufficiency of the proponent's promises in an EIR." *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1988) 47 Cal.3d 376, 420. A performance review of LAX, prepared on behalf of the City of Los Angeles Office of the Controller ("LA Controller Report"), determined that LAWA is not prepared to handle the problems created by construction of the LAMP. *See* "Industrial, Economic, & Administrative Survey Report of Los Angeles World Airports" (Feb. 2016), attached hereto as Exhibit W, at 1.77-1.78. The LA Controller Report explains that the lack of an organizational focus on the landside operations appears to be one of the most serious faults with the operations of LAX. No one unit or individual is currently responsible "for coordinating the systems needed to keep traffic flowing during construction." *Id.* The report goes on to explain that LAWA has historically devoted insufficient staffing to manage its landside system, and it lacks the dedicated traffic engineering expertise to properly handle the airport's on-going congestion problems, let alone a project of LAMP's scale and scope. *Id.* at 1.78.

LAWA can and should consider and approve specific mitigation measures that would reduce the Project's construction-related traffic impacts. The LA Controller Report identified numerous actions that LAWA should undertake to manage the disruptions that would inevitably occur during the Project's construction:

- LAWA's Chief Executive Officer should establish a single point of responsibility for day-to-day landside operations (terminal, traffic, and parking).

- LAWA should form a joint-services team that includes Operations, Maintenance, & Emergency Management Group; Law Enforcement & Homeland Security; Traffic, Airports Development Group, and Commercial Development Group to:

    - Plan and execute a coordinated landside operations strategy.

- Review and update its regulations and operational rules for landside operations.
- Build on the Airport Response Control Center's capabilities as a powerful platform for data-driven performance management.
- Begin evidence-based management of landside operations designed to:

  - Ensure rapid response to issues that arise during the service day.
  - Anticipate congestion and wherever possible deploy resources before it occurs.
  - Propose policies and procedures to reduce CTA vehicle congestion in peak periods.
  - Work closely with airlines and other airport tenants to establish and maintain guest service excellence.

- LAWA should increase landside operations staffing levels by:

  - Adding staffing to allow 24/7 coverage of terminal and landside operations.
  - Increasing terminal and landside operations supervisory staff.
  - Providing robust Traffic Officer and Airport Police staffing to carry out flexible manual traffic control during construction.

- LAWA should assign overall APM construction impact coordination on the landside to a single position:

  - LAWA should provide this position with sufficient planning and construction coordination resources to ensure that he/she is able to anticipate and address CTA traffic and parking capacity reductions during construction.
  - This landside management position would have the scope to respond to Construction & Logistics Management plans and immediately react to identified shortcomings in execution.

- LAWA should include in its contract provisions with APM planning, construction, and operations contractor(s) that they:

  - Have significant incentives for maintaining CTA capacity and substantial penalties for reducing it.
  - Provide coordination staffing and performance requirements in APM construction contracts.

- LAWA should conduct periodic reviews of the construction process to learn from successes and failures, with the understanding that it may well be in order to change approaches if existing arrangements prove unworkable or ineffective.

- LAWA should also establish or obtain traffic engineering capability:

  - Traffic engineering should focus on:

    - Developing traffic mitigation plans.
    - Evaluating diversions for shuttle services and taxis/limos/vans and other strategies or systems that might help contain and manage CTA roadway congestion.
    - Conducting needs analyses based on projected traffic levels and designing construction-related diversions. (Note: Another possibility might be to include the needs analysis as part of LAMP in the contractors' specifications.)

  - LAWA should engage traffic engineering expertise, based on a cost-benefit analysis of different options:

    - Option 1: LAWA staff. Recruit and build its own traffic engineering unit.
    - Option 2: LADOT. Retain the services of LADOT through an MOU that would reimburse the department for its expenses in compliance with FAA requirements for revenue use and BOAC action to review and approve such agreements. (Note: LADOT also has technical knowledge and experience in traffic design and control systems. LADOT has jurisdiction over the "upstream" systems that deliver traffic to LAX and some involvement in CTA traffic influx.)
    - Option 3: Private contractor. Retain the traffic engineering services of a private contractor (LAWA should request LADOT to participate on the selection panel if this option is chosen).

- LAWA should train airport contract workers regarding Guest Experience initiatives, including wayfinding during construction.

- LAWA should increase existing staffing and systems to ensure that the public is kept informed, preferably well in advance, of significant disruptions to CTA traffic arising from APM construction. *Id.* at 1.79-1.80. LAWA might build on the proven "Carmageddon" model of saturation notices used during the widening of the 405 through Sepulveda pass.

IX. The DEIR Fails to Properly Analyze or Mitigate the Project's Climate Change Impacts.

A. Analyzing Climate Change Impacts Is Required Under CEQA.

The law is clear that lead agencies must thoroughly evaluate a project's impacts on climate change under CEQA. *See Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 89-91. In 2007, the state Legislature passed Senate Bill 97, which required the Governor's Office of Planning and Research to prepare guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by [CEQA], including, but not limited to, effects associated with transportation or energy consumption." SB 97 (2007), codified as Pub. Resources Code § 21083.05. Consistent with this mandate, the state Natural Resources Agency adopted revisions to the CEQA Guidelines that require lead agencies to determine the significance of a proposed project's greenhouse gas emissions. Guidelines § 15064.4.

B. The DEIR's Perfunctory Climate Change Analysis Fails to Inform the Public and Decisionmakers About the Project's GHG Emissions.

The DEIR's discussion of the Project's contribution to climate change fails to achieve CEQA's most basic purpose: informing governmental decisionmakers and the public about the potential significant environmental effects of a proposed activity. CEQA Guidelines § 15002(a)(1). Among its other flaws, the DEIR: calculates only a portion of the construction-related GHG emissions for which the Project would be responsible; refuses to acknowledge or otherwise analyze GHG emissions that would clearly be caused by the Project's operation; fails to account for GHG emissions beyond 2035 despite the fact that the Project has a more than 30-year lifespan; relies on a faulty methodology that omits GHG emissions from the full distance that Project-related vehicles would travel; fails to adequately analyze conflicts with state and regional GHG reduction plans and policies; and fails to identify mitigation measures to reduce or avoid the Project's contributions to climate change. The DEIR's approach, which ignores science and law, stands in stark contrast to the conscientious treatment of climate change impacts undertaken by other lead agencies throughout the state. LAWA must make substantial modifications to the DEIR's climate change analysis to achieve compliance with CEQA.

1. The DEIR Substantially Underestimates the Project's GHG Emissions.

The DEIR fails to account for all the ways the Project will generate GHG emissions. For the Project's construction-related GHG emissions, the DEIR includes only direct emissions. The DEIR explains that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The DEIR provides no evidence, or even an explanation, as to why LAWA considers the indirect emissions to be negligible.[8] Moreover, even if the indirect construction-related GHG emissions are a fraction of the direct emissions—and there is no evidence that this is the case—this is not a valid excuse for not including them in the inventory. Because GHG emissions are a cumulative global effect, all sources of a Project's emissions must be included in the inventory.

The DEIR also fails to account for all of the Project's operation-related emissions. The analysis does not include transportation-related GHG emissions that would be generated during the entire distance that Project-related vehicles travel to and from LAX. Instead, the analysis focuses on trips occurring near LAX (i.e., only within approximately six miles of the airport). DEIR at 4.5-32. The DEIR explains that it focuses on the emissions from trips within this six-mile radius because these are the trips that would be directly affected by the Project's improvements. *Id.* The DEIR's approach is illogical. The Project's impact on vehicular trips has no bearing on the Project's potential to increase GHG emissions. Vehicles would emit GHG emissions during the entire trip to and from LAX, not just within a six-mile radius of the airport. Indeed, the DEIR recognizes this fact when it discusses the GHG inventory that LAWA estimated for each of its airports, including LAX. The inventory of 1990 GHG transportation-related emissions for LAX "assumed the full distance of vehicle trips to and from the Airport." *Id.* Because LAX attracts travelers from through the southern California region, the vast majority of those travelers would be expected to travel a distance far greater than six miles.

Finally, the DEIR underestimates the Project's increase in GHGs because it underestimates the increase in traffic that would accompany the proposed Project. As discussed above, the DEIR fails to account for all of the Project's vehicular trips because it does not take into account induced travel. An accurate inventory of all of the Project's transportation-related emissions is critical because the transportation sector is one of the

[8] We found no indication that the Project's indirect construction-related criteria pollutant emissions were excluded from the DEIR's air quality analysis, leading one to further question why they were omitted from the GHG analysis. *See* DEIR chapter 4.2, generally.

largest sources of U.S. GHG emissions. In 2014, transportation represented approximately 26 percent of total U.S. GHG emissions. Between 1990 and 2014, GHG emissions in the transportation sector increased more in absolute terms than any other sector (i.e., electricity generation, industry, agriculture, residential, or commercial).[9]

To accurately evaluate the Project's effect on climate change, the EIR must be revised to include indirect construction-related GHG emissions, transportation-related emissions from vehicles traveling the full distance to and from LAX, and emissions from the Project's induced travel. This revised analysis must be transparent in its identification of the Project's GHG emissions. Thus, for the Project's construction-related emissions, the EIR must identify the amount of indirect emissions that would be generated by each source, i.e., purchased electricity, solid waste disposal, water usage and wastewater disposal. For the DEIR's accounting of transportation-related GHG emissions, the DEIR must identify the average trip distance (miles per trip) for arriving and departing airport travelers, the number of forecasted Project-related vehicular trips, and the amount of GHG emissions per vehicle mile for each of those trips. The DEIR must also clearly identify the number of vehicular trips the Project would induce, and include the emissions from these trips in the GHG analysis. Without an accurate accounting of all of the Project's GHG emissions, the DEIR's analysis is incomplete, making formulation of appropriate mitigation impossible.

2. The DEIR Relies on an Improper Methodology in Its Analysis of the "2015 With Project" Scenario.

The DEIR compares the Project's increase in GHG emissions in 2015 with 2015 existing conditions, as if the Project had, hypothetically, been completed in 2015. DEIR at 4.5-27. This analysis includes various emission sources, including autos and trucks. *Id.* Unfortunately, the DEIR relies on faulty methodology when it quantifies the Project's auto and truck-related GHG emissions and, consequently, it appears the DEIR does not accurately identify the Project's transportation-related GHG emissions.

As Table 4.5-5 shows, the DEIR's identification of the Project's GHG emissions from autos and trucks is based on *total traffic volumes on the roadway network*, rather than just LAX-related trip volumes. DEIR at Table 4.5-5, fn. 1. The DEIR states that the authors had to rely on total traffic volumes on the roadway network because "airport-

[9] U.S. EPA Transportation and Climate Website, attached hereto as Exhibit X, *available at* https://www.epa.gov/air-pollution-transportation/carbon-pollution-transportation (last visited November 15, 2016).

related trip volumes for this scenario were not available."[10] *Id.* This methodological error masks the Project's impacts and is particularly problematic because the document asserts that vehicular GHG emissions would *decline* as a result of the Project. *Id.* (emphasis added). Because the DEIR does not isolate Project GHG emissions from background emissions, the DEIR lacks the required evidentiary basis for this conclusion. The revised EIR must identify the Project's transportation-related GHG emissions, together with other Project-related emission sources, and evaluate the effect that these emissions would have on climate change reduction goals.

3. The DEIR Errs By Not Determining Whether the Emissions in 2024 and 2035 Are Significant Project-Related Impacts.

CEQA requires that an EIR must analyze not only a project's direct effects, but also indirect effects that are reasonably foreseeable. CEQA Guidelines §§ 21065 and § 15064(d). Here, it is reasonably foreseeable that the Project will cause increased passenger activity and aircraft operations. This, in turn, will cause GHG emissions to increase substantially. Although the DEIR quantifies the GHG emissions that would be expected to occur in 2024 and 2035, it refuses to attribute these emissions to the Project. The EIR's failure to analyze these indirect impacts of the Project is prejudicial error. *See Plastic Pipe & Fittings Assn. v. California Building Standards Com.* (2004) 124 Cal.App.4th 1390, 1412 (CEQA requires analysis of indirect impacts).

The DEIR relies on the faulty assumption that any changes in emissions from aircraft operations over the 2015 existing conditions are due to increased travel demand and changes in aircraft fleet mixes that are projected to occur by 2024 and 2035, irrespective of the proposed Project. DEIR at 4.5-7. This assertion is illogical. As this letter and the attached Kanafani Report make clear, the extreme levels of traffic congestion that occur on an on-going basis currently act as a constraint on the airport. Once these landside access constraints are removed, passenger activity and associated aircraft operations would be expected to substantially increase. In fact, LAWA is projecting substantial growth in passenger activity: from 74.9 MAP in 2015 to 85 MAP by 2024 and 96 MAP by 2035. DEIR at 4-5.

---

[10] The DEIR does not explain why airport-related trip volumes could not be obtained. Indeed, Table 4.5-7 (2024 Future With Project Compared to 2015 Existing Conditions) and Table 4.5.-9 (2035 Future With Project Compared to 2015 Existing Conditions) contain 2015 baseline data appears to identify Project-related auto and truck GHG baseline emissions. The DEIR should explain why the 2015 Baseline data for autos and trucks in Table 4.5-5 is substantially different than the 2015 baseline in Table 4.5-7 and Table 4.5-9. *See* DEIR at 4.5-27—31.

The need for a thorough analysis of the Project's indirect effects is not academic. The current maximum operational capacity for LAX is 78.9 MAP, as set forth in the airport's long range planning documents, including but not limited to the 2004 LAX Master Plan, the 2005 LAX Specific Plan, and the 2013 Specific Plan Amendment Study. Because there has been no analysis of the environmental impacts of operational capacity beyond 78.9 MAP, the DEIR is obligated to analyze the increase in GHG emissions that would accompany these increased activity levels. The DEIR cannot simply ignore the increase in GHG emissions associated with this growth, and especially the emissions from aircraft.

Aircraft constitute a huge portion of an airport's emissions. According to a report prepared by the Center for Biological Diversity ("CBD"), aircraft carbon polluting is skyrocketing. *See* Up In the Air—How Airplane Carbon Pollution Jeopardizes Global Climate Goals, CBD, December 2015, attached hereto as Exhibit Y. If commercial aviation were considered a country, it would rank seventh after Germany in terms of carbon emissions. *Id.* at 3. CBD found that:

> [B]y 2050, aircraft emissions re projected to more than triple. Unchecked, between 2016 and 2050 global aviation will generate an estimated 43 gigatonnes of carbon dioxide emissions. That amounts to more than 4 percent of the world's entire remaining carbon budget—the amount of pollution that can still be emitted before catastrophic planetary warming become virtually certain.

Id. at 2.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 and compares these emissions to 2015 (existing conditions) emissions' levels. The analysis of "2024 Future With Project" to 2015 existing conditions, in particular, identifies a substantial increase in GHG emissions attributable to the Project. *See* DEIR Table 4.5-7, p. 4.5-29. The problem, however, is that the DEIR includes this analysis for "informational purposes only" (*id.* at 4.5-28); it does not undertake this analysis for purposes of determining whether the Project would cause these significant impacts. Consequently, although the Project would result in a significant increase in GHG emissions in 2024, as compared to existing conditions, the DEIR fails to put forth any mitigation measures. This is in direct violation of CEQA as the primary goal of an EIR is to identify a project's significant environmental impacts and find ways to avoid or minimize them through the adoption of mitigation measures or project alternatives. §§ 21002.1(a), 21061.

4. The DEIR's Analysis of 2024 and 2035 Conditions Underestimate the Project's GHG Impacts.

The DEIR's analysis of the "2035 Future With Project" compared to the "2035 No Project" is flawed because it fails to properly analyze the Project's time horizon. The DEIR explains that the lifetime of the Project is 30 years. DEIR at 4.5-6; 4.5-24. By analyzing impacts only through 2035, the DEIR fails to provide the public with a meaningful assessment of the Project's full impact on climate change. The document should have analyzed impacts through at least 2047 (i.e., 30 years past the date that construction would commence which is estimated to be the end of 2017). *Id.* at 2-175. By not including 12 years of emissions, the DEIR substantially underestimates the Project's GHG emissions and the Project's contribution to climate change.

C. The DEIR Fails to Adequately Analyze the Project's Consistency with AB 32.

The Supreme Court has weighed in on appropriate thresholds for GHG emissions. In *Center for Biological Diversity v. California Department of Fish and Wildlife*, the Court affirmed reliance on compliance with AB 32's reduction goals as a valid threshold of significance when used as a "comparative tool for evaluating efficiency and conservation efforts." *Center for Biological Diversity*, 62 Cal.4th 204, 225-28. While the DEIR appropriately acknowledges AB 32, it fails to actually analyze the Project's consistency with this law because it claims it is technically unable to do so.

The GHG reduction target reflected in AB 32 calls for a statewide reduction in GHG emissions to 1990 levels by 2020. The DEIR asserts that while LAWA has estimated 1990 GHG emissions for each of its airports, including LAX, and that LAX's 1990 GHG inventory assumes GHG vehicular emissions from the full distance of vehicle trips to and from LAX, the DEIR includes only those emissions from vehicles traveling within approximately six miles of the airport.[11] DEIR at 4.5-32. The DEIR then explains that, given the differences in key assumptions, a comparison of the Project-related GHG emissions estimated for 2024 and 2035 to the emissions in the 1990 LAX GHG inventory would not provide an appropriate basis for evaluating how the GHG emissions of the Project measure against the GHG reduction targets of AB 32. *Id.* As discussed above, the DEIR errs by not including GHG emissions from the entire trip distance that Project-

[11] The DEIR asserts that this is the appropriate study area because it is the trips occurring within this six-mile distance that would be "directly affected by the Proposed Project improvements." DEIR at 4.5-32.

related vehicles would travel to and from LAX. Once LAWA conducts the analysis in an accurate manner, it will be able to properly assess the Project's consistency with AB 32.

Notwithstanding the DEIR's assertion that it is unable to analyze the Project's consistency with AB 32, the document patches together an analysis and asserts that Project-related emissions in 2024 would be approximately 43 percent greater than 1990 emissions and the Project-related emissions in 2035 would be approximately 48 percent greater than the 1990 GHG emissions.[12] DEIR at 4.5-33. The DEIR determines that the Project would be inconsistent with the GHG reduction target set forth in AB 32 and that this constitutes a significant impact. *Id.* We agree with this inconsistency conclusion.

The DEIR, however, fails to evaluate the Project's emission projections against the emission reduction targets established by AB 32. It is not sufficient to simply state that in 2024, the Project's emissions would be more than 43 percent greater than the 1990 emission levels. The EIR should have disclosed what LAX's 1990 GHG emissions were and then used this figure as the starting point to determine if the LAMP Project does its fair share to comply with AB 32's GHG reduction goals. Then, the EIR should have identified what the Project's emissions would be expected to be in 2020. Because the DEIR does not disclose this information anywhere, it fails to satisfy CEQA's most basic informational purpose. *See* Pub. Res. Code § 21061 ("The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment.").

D. The DEIR Fails to Adequately Analyze the Project's Consistency with Executive Orders S-3-05 and B-30-15.

In addition to properly analyzing consistency with the reduction goals set forth under AB 32, the DEIR must analyze the Project's consistency with state climate policy as set forth in Executive Orders S-3-05 and B-30-15. Executive Order S-3-05 establishes a long-term goal of reducing California's emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 sets an interim target of 40 percent below 1990 levels by the year 2030.

[12] The DEIR does not clearly explain how it arrived at its GHG emission exceedance figures other than stating that emissions were based on MAP levels and EMFAC emission factors. The revised EIR should be transparent in its analyses so that the public and decisionmakers are able to follow each step in the EIR's methodological process.

The DEIR acknowledges Executive Orders S-3-05 and B-30-15, yet it does not analyze the Project's consistency with either directive in any meaningful way. In fact, it contains even less "analysis" than that provided for its discussion of AB 32. The DEIR simply refers to its discussion of AB 32, and states that since the GHG emissions associated with operations of the Project in 2024 and 2035 would not be less than the levels estimated for 1990 conditions, the Project's emissions would exceed the GHG reduction targets in Executive Orders S-3-05 and B-30-15. DEIR at 4.5-33, 34. It goes on to explain that the Project would be inconsistent with these directives; and that these inconsistencies constitute significant impacts. *Id.* As discussed above, these bare, unsupported assertions are not the careful evaluation of potential impacts that CEQA requires.

The DEIR's treatment of these directives is particularly disappointing because the Court of Appeal has recognized that Executive Order S-3-05, designed to meet the environmental objective of climate stabilization, is highly relevant under CEQA. *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1157 (quoting the California Attorney General).

Other agencies have adopted the Executive Orders as thresholds of significance for long-term projects, including Regional Transportation Plans. For example, in 2015 the San Diego Association of Governments ("SANDAG") used them as a threshold of significance in the EIR for its most recent RTP/SCS. Specifically, Impact GHG-4 of that EIR asked whether the project would "[b]e inconsistent with the State's ability to achieve the Executive Order B-30-15 and S-3-05 goals of reducing California's GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050." *See* SANDAG 2015 RTP/SCS EIR at 4.8-33, attached as Exhibit Z; *see also Cleveland National Forest Foundation v. SANDAG* (November 24, 2014) 231 Cal.App.4th 1056 (Review Granted, 343 P.3d 903).

The SANDAG RTP/SCS EIR evaluated that project's impacts by calculating a 40 percent and 80 percent reduction from the region's 1990 emissions and using those figures as a target reference point for the RTP. It then compared the region's expected GHG emissions in the years 2035 and 2050 to the emissions necessary to meet the Executive Orders' trajectories. It included charts showing that the Plan would not come close to meeting the Executive Orders' goals. It concluded: "Because the total emissions in the San Diego region of 25.5 MMT CO2e in 2035 would exceed the regional 2035 GHG reduction reference point of 14.5 MMT CO2e (which is based on Executive Order-B-30-15 and Executive Order S-3-05), the proposed Plan's 2035 GHG emissions would be inconsistent with state's ability to achieve the Executive Orders' GHG reduction

goals. Therefore, this impact (GHG-4) in the year 2035 is significant." SANDAG 2015 RTP/SCS EIR at 4.8-35. It reached a similar conclusion for the year 2050 goal.

The LAMP DEIR's failure to compare the Project's emissions against the long-term GHG emission reduction policies set forth in Executive Orders S-3-05 and B-30-15 is unlawful, and SANDAG's recent example demonstrates that there is no excuse for the omission. LAWA has access to the state's GHG reduction goals, which reflect the emissions decreases that climate scientists have concluded are needed to provide a 50 percent chance of limiting global average temperature rise to 2° C above pre-industrial levels. The revised EIR should reveal the nature and extent of the Plan's sharp inconsistency with these clear goals.

E. The DEIR Fails to Adequately Analyze the Project's Consistency with the LAWA Sustainability Plan.

The LAWA Sustainability Plan sets goals and actions that LAWA will undertake to implement the initiatives set forth in the Green LA Plan. The Green LA Plan calls for the City to reduce GHG emissions by 35 percent below 1990 levels by 2030. DEIR at 4.5-34. The DEIR explains that the Project would not be consistent with the target GHG reduction level identified in the Green LA Plan and thus would be inconsistent with the LAWA Sustainability Plan. *Id.* Yet, here too, the DEIR does not bother to provide *any* explanation as to how far off course the Project would set LAX from achieving the goals established in its own Sustainability Plan. The DEIR cannot simply identify an impact; it must disclose the severity and extent of this impact. *See, e.g., Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1370-71; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1123; *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decisionmakers information about how adverse the impacts would be).

F. The DEIR Lacks the Evidentiary Support that Its Mitigation Measures Would Effectively Reduce Project-Related GHG Emissions to Less-Than-Significant Levels.

Notwithstanding the flaws in the analysis of the Project's GHG impacts, the DEIR concludes that the Project's increase in GHG emissions would be significant. The DEIR

includes two measures intended to reduce the Project's significant GHG impacts.[13] One measure would incorporate solar energy into the LAMP facilities, while the second measure would require the use of renewable diesel fuel in off-road equipment and on-site trucks, *to the extent feasible*. *Id.* at 4.5-59. The DEIR concludes that these two measures would reduce the Project's construction and operational impacts to less-than-significant levels for all impact scenarios. *Id.* 4.5-59—65; 70. The document does not, however, base its conclusions on substantial evidence. To conclude as the DEIR does, that an impact is less than significant, substantial evidence must demonstrate that mitigation measures will reduce an impact to a less-than-significant level. Substantial evidence consists of "facts, a reasonable presumption predicated upon fact, or expert opinion supported by fact," not "argument, speculation, unsubstantiated opinion or narrative." Pub. Res. Code § 21080(e)(1)-(2). Because the DEIR's conclusion of insignificance is premised on unsupported assumptions, it falls far short of this threshold.

For example, the DEIR's measure calling for the use of renewable diesel fuel is vague and directory. Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. *See, e.g.*, *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). Here, the measure simply suggests that LAWA would require the use of diesel fuel "to the extent feasible." DEIR at 4.5-59. Without committing to requiring the use of renewable fuel in construction equipment and trucks, the DEIR may not take credit for any GHG emission reductions. Moreover, the DEIR must identify which construction equipment and trucks would use this fuel, and provide sufficient documentation to allow the public and decisionmakers to verify the projected reductions in emissions. Without this documentation, the DEIR has no basis to conclude that the emission reductions from the use of renewable diesel fuel would be sufficient to offset the Project's increase in construction-related GHG emissions.

The measure calling for the use of solar energy in LAMP facilities is similarly flawed. The DEIR provides no detail as to which LAMP facilities would use solar energy. Nor does it quantify the emission reduction from these facilities. Without this documentation, the DEIR has no basis to conclude that the emission reductions from the

[13] The DEIR also proposes an array of mitigation measures, most of which are intended to mitigate the Project's air quality impacts. DEIR at 4.5-43—58. However, the DEIR explains that because LAWA is unable to quantify the effectiveness of these measures, the document makes no estimate of the air quality or GHG benefit.

use of solar energy would be sufficient to offset the Project's increase in operational GHG emissions.

G. The DEIR Fails to Analyze and Adopt All Feasible Mitigation.

The DEIR acknowledges that the Project's inconsistency with the GHG reduction targets established in state, regional and local plans constitutes a significant and unavoidable impact. DEIR at 4.5-70. If the DEIR had identified adequate mitigation measures as required under CEQA, it could have substantially lessened the Project's increase in GHG emissions. LAWA has a duty to consider other feasible mitigation measures as it may not approve the Project with significant environmental impacts if there are feasible mitigation measures which would substantially lessen those effects (even if they are not completely avoided or reduced to a less than significant level). Pub. Res. Code § 21002.

As an initial matter, LAWA should take all necessary actions to increase transit mode share to the airport. The LAMP is being billed as a project that will create a world-class transportation system connecting LAX to communities and public transportation hubs throughout the Southland. Mayor Garcetti touts the transit benefit of the LAMP as follows: "LAX is our gateway to the world—and by finally bringing rail to the airport, Angelenos and tourists will be able to connect to Los Angeles' world-renowned neighborhoods and attractions without ever stepping foot in a car." *See* Aero Newsletter for the Employees of Los Angeles World Airports.[14] Yet, the reality of the LAMP will not come close to achieving the Mayor's lofty proclamation as the Project is expected to increase transit mode share by only *one* percent! *See* DEIR Tables 4.12.1-1 through 4.12.1-10. It is outrageous that LAWA would spend $5 billion on a transportation project that is expected to result in such a meager increase in transit ridership.

If LAWA were truly committed to increasing transit use to and from LAX, it would have earmarked a large percentage of the Project's $5 billion budget to transit programs and projects. To this end, as mitigation for the Project's significant GHG impacts, LAWA must implement a series of transit-related mitigation measures. LAWA should study the approaches taken at other major airports to increase transit mode share. Leading cities like New York, London, Paris, Frankfurt, Amsterdam, Hong Kong and Shanghai, for example, have all focused on improving "people moving" for some time

[14] *Available at* https://www.lawa.org/uploadedFiles/LAX/pdf/Aero_Newsletter_201602.pdf (last visited November 7, 2016).

now, realizing that their airports have become the center of their region's connectivity.[15] Canada's Vancouver Airport is the national leader for increased transit use to and from the airport. At Paris' Charles De Gaulle airport, passengers have the luxury of many different transit options, which has resulted in only 40 percent of travelers arriving by car. *Id.* To mitigate the LAMP's substantial increase in GHG emissions—and to become a true world-class airport—LAWA must study approaches to increasing transit, commit to funding the necessary transit programs and projects, and establish ambitious mode share targets for 2024 and 2035.

LAWA should also mitigate for the Project's significant climate change impacts by committing to lobby the major airlines to participate in the Aviation Plan recently approved by the International Civil Aviation Organization.[16] Under the Aviation Plan, which is currently voluntary, airlines will buy credits to offset emissions from individual flights. The credits will come from alternative energy installations, forest conservation programs and other projects that prevent some amount of GHG emissions. LAWA could also develop and implement mechanisms to monitor and report current emissions, since this component of the Aviation Plan has yet to be developed. *Id.* LAWA could also establish the criteria to select conservation programs and other projects that will count toward offset credits. *Id.*

Other types of mitigation to reduce GHG emissions have been determined to be feasible. There are additional guidance documents that provide a full suite of GHG mitigation measures. LAWA must review and consider all of the measures listed in these documents in its revised DEIR, and it must adopt all feasible measures in order to reduce the Project's impacts to a level below significance, or as much as feasible:

- Governor's Office of Planning and Research. 2008. Technical Advisory. CEQA AND CLIMATE CHANGE: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, attached hereto as Exhibit CC.

---

[15] *See* Hillary Marshall, "We Must Prioritize Smarter Transit Options to and from Airports," *Huffington Post* (June 27, 2016), attached as Exhibit AA and *available at* http://www.huffingtonpost.ca/hillary-marshall/airport-transit_b_10700664.html (last visited November 7, 2016).

[16] *See* "Over 190 Countries Adopt Plan to Offset Air Travel Emissions," *The New York Times*, October 6, 2016, attached as Exhibit BB and *available at* http://mobile.nytimes.com/2016/10/07/science/190-countries-adopt-plan-to-offset-jet-emissions.html?emc=edit_th_20161007&nl=todaysheadlines&nlid=66270403&_r=0&referer= (last visited October 7, 2016).

- California Air Pollution Control Officers Association (CAPCOA), "CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act," January 2008.[17] *See generally id.* at Chapter 9.
- CAPCOA, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reduction from Greenhouse Gas Mitigation Measures," August 2010.[18]
- Attorney General of the State of California, "Addressing Climate Change at the Project Level," January 2010.[19]

X. The DEIR Fails to Adequately Analyze or Mitigate the Project's Air Quality Impacts.

A. The DEIR Underestimates the Project's Air Quality Impacts Because it Does Not Include Emissions From Aircraft or Ground Support Equipment.

Many of the flaws in the DEIR's analysis of the Project's GHG analysis also implicate the air quality analysis. For example, as discussed above, the DEIR inappropriately assumes that the Project would not increase the number of flights or the number of passengers at LAX. DEIR at 4.2-10. This faulty assumption causes the DEIR to substantially underestimate the Project's increase in criteria air pollutant emissions. Specifically, the DEIR's analysis of operational-related air quality impacts only accounts for emissions from automobiles and trucks and stationary and area sources of emissions. DEIR at 4.2-10 and Table 4.2.1-4; *id.* at 4.2-27. It does not account for the increase in emissions from aircraft or the ground support equipment that would occur as a result of LAX's planned growth in passenger activity. The DEIR must take into account emissions from aircraft and ground support equipment as these emissions would be expected to greatly increase with LAX's planned increase in passenger activity.

---

[17] *Available at* http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf (last visited October 7, 2016).

[18] *Available at* http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf (last visited October 7, 2016).

[19] *Available at* http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf (last visited October 7, 2016).

B. The DEIR Relies on Faulty VMT Assumptions to Conclude the Project Would Result in a Reduction in Criteria Air Pollutants.

The DEIR concludes that the regional air quality impacts associated with operation of the Project (the "2015 With Project" compared to the "2015 Existing Conditions" scenarios) would be less than significant, and that all criteria air pollutant emissions would actually decline as a result of the Project. DEIR Table 4.2.1-9 at 4.2-36. The DEIR asserts that this decline in emissions is because the Project would cause a reduction in VMT. *Id.* The DEIR's technical appendix, however, contradicts the DEIR's VMT assumptions. Appendix F reveals a trend of increasing, not decreasing, VMT. *See* DEIR Appendix F, at PDF pages 724 –728. Specifically, the Appendix identifies 2015 Baseline VMT as 2,107,251; VMT with the Project in 2024 is estimated to be 2,594,506; and VMT with the Project in 2035 is estimated to be 2,568,018. Inasmuch as VMT in 2024 and 2035 would exceed baseline (2015) levels of VMT, the DEIR's assertion that criteria air pollutants would decline as a result of the Project lacks credibility.

Moreover, as we explained in the transportation section of this letter, the DEIR underestimates predicted traffic volumes because it fails to take into account the Project's induced travel demand. Inasmuch as the Project's air quality emissions are dependent on the transportation assumptions, any underestimation of vehicular trips necessarily results in an underestimation of vehicular emissions.

Finally, the DEIR also likely underestimates the Project's increase in criteria air pollutant emissions, because it may not have accounted for all of the vehicular travel to and from LAX. As we explained, the DEIR's GHG analysis does not include GHG emissions generated by vehicles traveling the full distance to and from LAX. Instead, the analysis only accounted for the GHG emissions from vehicular trips within a six-mile radius of the airport. Presumably, the DEIR's air quality analysis relied on the same assumptions as the GHG analysis. If so, the DEIR underestimates the Project's increase in VMT and therefore also underestimates the increase in criteria air pollution generated by these vehicular trips.

XI. The DEIR's Description and Analysis of Potential Future Development, in Particular at the Continental City Site, Is Inadequate Under CEQA.

The LAMP Project includes the potential for approximately 900,000 square feet of future commercial development of LAWA-owned parcels that would be freed up after subdivision and other land reconfiguration undertaken for new LAX ground transportation facilities. During construction, these parcels would be used for laydown

and staging, at least through the first phase of the Project (2024). DEIR at 2-188; 2-191. Thereafter, the DEIR estimates that approximately 300,000 square feet would be used for office space, another 300,000 square feet would be used for hotel accommodation, 200,000 square feet would be used for commercial space, and the remaining 100,000 square feet would be used for a conference center. DEIR at 2-191.

The Project includes entitlements for development of these parcels consistent with the above uses, including proposed amendments to the LAX Plan and LAX Specific Plan necessary to accommodate development. *Id.* at 2-191 through 2-192. Such entitlements include two tract maps, lot line adjustments and "other minor subdivision actions" to reconfigure the parcels where Project components, including the two ITFs and the CONRAC, are proposed to be built. *Id.* at 2-201. The parcels identified for potential future development would be given a new subarea classification of "Airport Landside Support Subarea" under the proposed amendments to the LAX Plan and LAX Specific Plan.

The DEIR states that "additional CEQA project-level environmental review would be conducted, *as necessary*" once individual development projects are proposed on these parcels. DEIR 2-188 (emphasis added). Because these future development projects cannot proceed without the zoning changes associated with the Project, however, they are components of the LAMP Project. Thus the DEIR must describe and analyze these development projects in as much detail as is currently available, rather than postpone this analysis until individual development projects are proposed. Failure to do so amounts to project "segmentation" and is prohibited under CEQA.

Whether a lead agency prepares a "program" EIR or a "project specific" EIR under CEQA, the requirements for an adequate EIR remain the same. Guidelines § 15160. "Designating an EIR as a program EIR also does not by itself decrease the level of analysis otherwise required in the EIR." *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 533; see also Guidelines § 15146 (degree of specificity required in program EIR varies not with "program" label, but rather with degree of specificity in underlying activity). Even a program-level EIR must contain "extensive detailed evaluations" of a plan's effects on the existing environment. *See Environmental Planning & Information Council v. County of El Dorado (1982) 131 Cal.App.3d 350, 358* ("*EPIC*"); *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692,723-24 (where the record before an agency contains information relevant to environmental impacts, it is both reasonable and practical to include that information in an EIR).

Here, this analysis must include the full analysis of potential future development that is now missing, including, in particular, an explanation of the proposed temporary and long-term uses for the Continental City site located near El Segundo. While the DEIR states that the Continental City site is identified as a "Regional Center" in the General Plan,[20] and a solitary, unexplained exhibit to the DEIR appears to designate the majority of this site as a "Proposed Cargo Tenant Relocation Area" (DEIR Exhibit 2-46 at 2-157), the document reveals no specifics about LAWA's proposed future use for the site aside from stating it will be used for laydown during construction. The DEIR further violates CEQA by failing to state the "existing conditions" for the site, as required for an adequate analysis of the proposed Project's environmental impacts.

For example, the DEIR does not disclose that, under the approved 2004 Master Plan alternative (Alt. D), LAWA designated the Continental City site for development of an "Intermodal Transportation Center." Master Plan Final EIR at 3-81. Under that alternative, the site would have been developed to include 9,127 parking stalls and a link to the proposed Metro Green Line transit station. *Id.* In 2013, LAWA approved the SPAS preferred alternative, under which "Continental City is assumed to remain vacant unless/until another permanent land use is designated for the area separate from the SPAS." SPAS Final EIR at 4-565. The SPAS EIR identified possible future uses for the site as a relocated Airfield Bus Parking Area and Operations Building and/or Construction and Maintenance Division Facilities (*id.* at 2-13); the existing LAX Specific Plan would also permit various airport related commercial and operations uses, while prohibiting "aircraft under power" or residential use.

The DEIR must (a) give a complete an accurate description of the "existing conditions" at the site, under the applicable land use plans, (b) state any proposed future use (beyond construction laydown) for the site, whether as a "Cargo Tenant Relocation Area," or a use consistent with the specific and general plan designations, and (c) analyze the impacts of the propose change in use. CEQA requires that every EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. The document should provide a sufficient degree of analysis to inform the public about the proposed project's adverse environmental impacts and to allow decisionmakers to make intelligent judgments. *Id.* Consistent with this requirement, the information regarding the project's impacts must be "painstakingly ferreted out." *EPIC*, 131 Ca1.App.3d at 357.

[20] The DEIR states that "Regional Center" means "focal point of regional commerce, identity, and activity that contains a diversity of uses," and "should generally be developed at a density of 1.5:1 to 6.0:1 floor-area ratio ["FAR"] and to a height of 6 to 20 stories." DEIR at 4.8-15.

XII. The DEIR Should Include Analysis of a "Constrained Growth" Alternative.

As we recommended in our comments on the NEPA Scoping Document, because a legally adequate analysis of the impacts of induced growth caused by the Project would show noise, air quality and climate change impacts far above levels considered acceptable, LAWA should analyze a constrained growth alternative whereby the proposed Project would accommodate passenger levels up to some number at or below 82.9 MAP, the low end of the range forecast for LAX in the 2040 RTP/SCS. The DEIR responds to this recommendation by claiming that such an alternative would be infeasible because it would violate the Airport Noise and Capacity Act of 1990 ("ANCA"). DEIR at 5-19 through 5-20. This is a mischaracterization of ANCA. While ANCA and prior federal aviation law prohibit unreasonable, arbitrary or discriminatory constraints on access to airports, such laws do not require airport operators such as LAWA to *build* access-improvement projects or other projects to expand capacity. Once LAWA revises the DEIR consistent with the comments in this letter, thereby providing the legally required disclosure of environmental impacts associated with the Project, it will become clear that the Project would have substantially greater environmental impacts (particularly to air quality, climate change and noise) than the DEIR currently anticipates. To address this, LAWA should evaluate a "constrained capacity" (or more modest growth) alternative that would not constrain present operations but nonetheless would result in less growth (and thus fewer overall, and less significant impacts) than the proposed Project.

XIII. The DEIR Must Adequately Describe and Address the Impacts of Construction Haul Routes and Staging for the Project.

The DEIR indicates that laydown for construction will occur at the Continental City site, just north of El Segundo's border. Roughly one-third of Imperial Highway along the border with El Segundo is proposed to be used as a construction haul route. The impacts from both of these construction-related uses must be adequately analyzed in the DEIR. Presently, the DEIR does not indicate how long the Continental City site would be used for laydown, or disclose any site-specific impacts related to this use, including impacts from noise or truck-traffic ingress and egress. The DEIR's noise analysis also omits any analysis of noise impacts from use of Imperial Highway as a truck haul route. Indeed, the noise measurement locations identified in the noise analysis, used to establish the environmental baseline for construction noise, do not include any locations on the border with El Segundo, despite the fact that hauling and laydown will occur immediately adjacent to the City. DEIR Figure 4.9.3-1 at 4.9-29.

Considering El Segundo's longstanding concerns related to noise and traffic impacts generated by uses at the airport's southern edge, the City urges that the proposed construction staging be located away from El Segundo. At the very least, the City expects all potential impacts from construction staging, and truck hauling, to be thoroughly analyzed and mitigated in the DEIR. The City also repeats its longstanding request that LAWA include pavement reconstruction on Imperial Highway as a mitigation measure.

XIV. Conclusion

In sum, LAWA should take no action to approve the Project until it has addressed the significant deficiencies in the DEIR and the recommendations discussed in this letter. It should also remove from the LAMP those unrelated, unnecessary and problematic elements identified in this letter.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Osa L. Wolff

Laurel L. Impett

Joseph D. Petta

List of Exhibits (*due to combined size of exhibits, all exhibits are provided on the enclosed CD, unless otherwise indicated*)

A LAX Master Plan

B LAX Master Plan EIR

C	LAX Specific Plan Amendment Study ("SPAS") Report
D	SPAS EIR
E	LAX Specific Plan
F	LAX Midfield Satellite Concourse North Project EIR
G	Memorandum by Adib Kanafani, Ph.D., N.A.E. (*attached hereto*)
H	Eno Center for Transportation, "Addressing Future Capacity Needs in the U.S. Aviation System," Nov. 2013
I	Southern California Association of Governments 2040 RTP/SCS, Aviation & Airport Ground Access Appendix
J	LAX Terminals 2 & 3 Project Notice of Preparation of an EIR and Initial Study
K	Alliance for a Regional Solution to Airport Congestion (ARSAC) and LAWA Memorandum of Understanding
L	FAA Advisory Circular 150/5070-6B
M	2014 Annual Progress Report, LAX Master Plan Mitigation Monitoring & Reporting Program
N	LAX Final Noise Exposure Map Report (August 2015)
O	LAX Master Plan Addendum
P	*In the Matter of Noise Variance Application for City of Los Angeles et al.,* Dept. of Transp. Case No. L2010041216
Q	LAX Aircraft Noise Abatement Operating Procedures and Restrictions (Sept. 2010)
R	Trip Advisor Webpage, *available at* https://www.tripadvisor.com/Travel-g32655-c160004/Los-Angeles:California:Bob.Hope.Airport.Aka.Burbank.Airport.html (last visited November 15, 2016)
S	FlyerTalk Webpage, *available at* http://www.flyertalk.com/forum/southwest-airlines-rapid-rewards/1558208-flying-into-burbank-vs-lax-worth-hassle-changing-planes-phx-2.html (last visited November 15, 2016)
T	Surface Transportation Policy Project, *Build It and They'll Come*
U	California Air Resources Control Board, "Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions," Sept. 30, 2014.

V McCahill et al., "Effects of Parking Provision on Automobile Use in Cities–Inferring Causality," November 2015.

W City of Los Angeles Office of the Controller, "Industrial, Economic, & Administrative Survey Report of Los Angeles World Airports," Feb. 2016.

X U.S. EPA Transportation and Climate Website (last visited November 15, 2016)

Y Center for Biological Diversity, "Up In the Air—How Airplane Carbon Pollution Jeopardizes Global Climate Goals," December 2015

Z San Diego Association of Governments 2015 RTP/SCS EIR (excerpt)

AA Hillary Marshall, "We Must Prioritize Smarter Transit Options to and from Airports," *Huffington Post* (June 27, 2016)

BB "Over 190 Countries Adopt Plan to Offset Air Travel Emissions," T*he New York Times* (October 6, 2016)

CC Governor's Office of Planning and Research, Technical Advisory, "CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review," 2008.

838581.8

Exhibit G

(Exhibits A—F and H—CC are provided on enclosed CD)

Comments on the Draft Environmental Impact Report (DEIR) of the LAX Landside Access Modernization Program (LAMP)

Traffic Growth and Capacity Issues

The DEIR for the LAX Landside Access Modernization Program (LAMP) fails to adequately assess the growth impacts of the program on aviation activity levels, including air passengers, flight operations, and ground access traffic, and to provide mitigation measures for such growth. It assumes that the growth in aviation activity is unaffected by the program and that the same levels of activity will materialize regardless of whether the program is implemented or not. The DEIR states that airport access constraints do not affect aviation activity.

1. **Capacity Issues**: The airport is a group of components operating in sequence to accommodate traffic/passenger flow (access system-terminals-gates-airfield-airspace). Each of these components is a link in a chain and has a capacity. The lowest capacity of these links constrains flow and determines the capacity of the whole system. This was recognized by the LAX 2004 Master plan which stated: "The most constraining component defines the capacity of the entire airport". The 2004 master plan considered an unconstrained demand forecast of 98 MAP in 2015 and evaluated four alternative configurations and estimated the airport capacity for each using the principle that this capacity is constrained by that of the lowest capacity component. The four alternatives considered were:

    a. No Action No Project:
        i. Capacity of 78 MAP
        ii. constrained by the Curb and Roadways.
    b. Alternative A &B including 5th runway, increased gates, and Landside Improvement (LAMP):
        i. Capacity 97.9 MAP
        ii. constrained by 5-runway airfield.
    c. Alternative C including increased gates and LAMP improvements, but only 4 runways:
        i. Capacity 89.6 MAP
        ii. constrained by 4-runway airfield.
    d. Alternative D including LAMP improvements and limited to 153 gates:
        i. Capacity 78 MAP
        ii. constrained by gates as well as curb and roadways.

    The DEIR therefore contradicts the 2004 Master Plan which recognizes the fact that the curb and roadway (access system) can constrain airport capacity and consequently hinder growth, and that LAMP improvements will relieve this constraint and permit aviation activity to grow toward the capacity constrained by the next barrier to growth.

As shown in section 4.12.2-5 the ground traffic analysis contained in the DEIR is based on aviation activity levels of 86 MAP in 2024 and 95 MAP in 2035. These levels of activity could not be accommodated with the access system in its existing condition with its capacity of 78 MAP as determined in the Master Plan.[1]

2. **Demand Forecasting Issus**: In section 6.3.2 the DEIR maintains that the demands forecast will materialize with or without the proposed project. It quotes the FAA 2014 Terminal Area Forecasts as based on local and national economic conditions "independent of the ability of the airport and air traffic control system to furnish the capacity required to meet the demand". As such the DEIR fails to recognize the difference between "demand" and actual "aviation activity level", and makes an assumption that permits activity levels to exceed available capacities. It is clear that forecast demand levels will not materialize if the capacity is not provided to accommodate them. The DEIR further quotes the FAA as saying that "…existing constraints are "embedded in historical data" used by the FAA as a base for the forecast" and makes the wrong conclusion that there is "no correlation between activity level and existing conditions of the CTA". Existing conditions are reflected in historic data which show activity levels resulting from the interaction of demand and supply, and when the supply is limited the activity level cannot exceed that limit. Historic passenger traffic data at LAX did not, and could not reach beyond the 78 MAP capacity of the curb and roadway system, even if economic conditions created the "demand".

   The LAX Master Plan of 2004, while working in the face of 98 MAP forecast recognized that passenger traffic levels could not exceed 78 MAP unless LAMP improvements were made to release that constraint on capacity. The DEIR does not recognize this and implicitly assumes that activity levels up to the airfield capacity constrain will materialize far exceeding the stated capacity of the curb and roadway system. Such growth cannot occur unless the curb and roadway constraint is removed by the implementation of LAMP.

3. **Airport Market Share Issues**: The Los Angeles metropolitan area is served by a number of airports. In a multi-airport region passengers have a choice among airports. This choice has been the subject of many studies that are well documented in the literature. The ACRP report 98, which is quoted in the DEIR, provides a good summary of the findings on this subject. It identifies the primary drivers of airport choice in a multi-airport market such as: the price, air service

[1] For further information, please refer to "Addressing Future Capacity Needs in the U.S. Aviation System " report by Eno Center for Transportation (November 2013) (https://www.ustravel.org/sites/default/files/Media%20Root/USTravel_Eno_1.pdf), which states: "Ground access to the airport at LAX is the most significant chokehold in the airport's system and according to Los Angeles World Airports (LAWA) airport access infrastructure was projected to hit complete gridlock at 78.9 million annual passengers without improvements to the system. While 78.9 million annual passengers is a precise number [sic], it is accurate enough to mean that adding about 15 million annual passengers above the 62.6 million in 2012 will be too much for the access and gate infrastructure to handle."

quality, airline/alliance loyalty, and airport ground access. It recognizes airport accessibility as the extent to which passengers can get to the airport from their residence or place of business. This is usually measured by the access time. Numerous studies quoted here and elsewhere recognize the importance of time as a variable affecting airport choice.

LAX remains the primary airport serving the region because of its other service advantages: nonstop flights to more destinations, international connections, wider choice of airlines, etc. But the fact remains that access constraints will affect the airport's share of the market. The ACRP 98 report, concludes based on a the Los Angeles regional case study that[2]:

> *"Surface access issues across most of the regional – Passenger commute times remains a primary passenger choice driver in the Los Angeles Basin. Given the presence of several regional facilities across the area, the traffic situation in the Basin drives the airport choice for a large proportion of travelers".*

To the extent that LAMP improvements will relieve congestion in the CTA and improve travel time for passengers accessing or leaving the LAX terminal area, it will improve LAX's attractiveness relative to other airports in the region and will expand its market shed area. This has been shown to be true repeatedly in airport choice models that have consistently found significant effects of travel time as a factor in airport choice.

Another factor that has been shown to affect passenger airport and mode choice is the travel time reliability. Improving reliability is tantamount to reducing travel time because passengers will need to allow for shorter margins to avoid missing flights. The LAMP improvements will improve reliability by providing regular APM access to the CTA thereby reducing the fluctuations in travel time that arise when congestion is severe.

The DEIR simply dismisses all this by stating that the other factors such as air service quality, flight schedules, price, and loyalty program are the primary factors affecting passenger choice, and that therefore the LAMP improvements will not increase the market share of LAX.

Summary

The DEIR of the LAMP program incorrectly ignores the aviation activity growth effects of the project. It incorrectly ignores the fact that capacity constraints at the curb/roadway access system will limit airport activity, which cannot grow

[2] Parella, B.C. et. al. "Understanding Airline and Passenger Choice in Multi-Airport Regions", Acviation Cooperative Research Program ACRP 98. Transportation Research Board. Washington, D.C., 2013. *https://www.nap.edu/download/22443*

towards the forecast demand level without the improvements in the access system. LAMP improvements are designed to accommodate activity levels of 86 MAP in 2024 and 95 MAP in 2035, levels that clearly could not be accommodated with the current access system with its 78 MAP capacity.

Furthermore, the DEIR ignores the potential effect of the LAMP improvements on LAX's accessibility attractiveness relative to the other airports in the region and the resulting increase in its share of the regional market.

Recommendation

The DEIR should include a thorough and comprehensive aviation activity modeling analysis to quantify the effect of the LAMP improvements on activity considering regional demand and airport market share. The analysis should evaluate how the reduction in access time and the improvement of access time reliability will improve LAX's accessibility relative to the other airports in the Los Angeles Basin and how that will affect its market share of the total travel demand in the Basin. The aviation activity modeling analysis should also show what effect LAMP will have on passengers' mode choice to LAX and the extent if any to which LAMP will increase public transportation access to the airport. Only with such a thorough and comprehensive analysis would it be possible to assess the aviation activity and environmental impacts of LAMP.

Adib Kanafani

Professor of the Graduate School, University of California at Berkeley.
Kanafani holds a Ph.D. in Civil Engineering from the University of California at Berkeley. Since joining the faculty at Berkeley in 1971 he has taught and conducted research on transportation systems, transportation engineering, airport planning and design, and air transportation economics. He has served on a number of national and international advisory panels to Government and industry. He was Director of Berkeley's Institute of Transportation Studies from 1982 to 1997, and Chairman of the Department of Civil and Environmental Engineering from 1997 to 2002, and Co-Director of the National Center of Excellence in Aviation Operations Research from 2001 to 2005. Kanafani's important contributions to air transportation include air transportation demand analysis, airport capacity analysis methods, and airline network analysis. His research on airline hubbing and on the relation between aircraft technology and airline network structure laid the ground for much of the work aimed at understanding the implications of airline deregulation in the late 1970's. He was a member of the research team that developed airport capacity analysis methods that are in widespread application in airport planning and design. Professor Kanafani has authored over 170 publications on transportation, including three books on Transportation Demand Analysis, on National Transportation Planning, and on the Economics of Networked Industries. He is a recipient of numerous including election to the U.S. National Academy of Engineering in 2002. He served as Chair of the Air Transport Division of the American Society of Civil Engineers, and as chair of the Transportation Research Board of the National Academies in 2009 and was named a Lifetime Associate of the National Academies in 2012.

841849.2

ATTACHMENT B-3

December 2, 2016 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

LAUREL L. IMPETT, AICP
Urban Planner
impett@smwlaw.com

December 2, 2016

Via E-Mail

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216
E-Mail: equintanilla@lawa.org

Re: MRO Engineers' Report re Landside Access Modernization Program Draft Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo, we submit the following report prepared by Neal Liddicoat with MRO Engineers. Mr. Liddicoat, a traffic engineer, has reviewed the Draft Environmental Impact Report's ("DEIR") transportation/traffic analysis for the Landside Access Modernization Program. The MRO Engineers' report identifies potentially significant deficiencies in the DEIR's transportation/traffic analysis that LAWA should carefully evaluate as part of an informative and comprehensive EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Laurel L. Impett, AICP, Urban Planner

Encl: MRO Engineers Report, December 1, 2016

847509.3

M R O
ENGINEERS

660 Auburn Folsom Rd.

Suite 201B
Auburn, California

95603

PHONE (916) 783-3838

FAX (916) 783-5003

December 1, 2016

Ms. Laurel L. Impett, AICP
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Review of Transportation/Traffic Analysis***
Draft Environmental Impact Report
Los Angeles International Airport (LAX) Landside Access Modernization Program
Los Angeles, California

Dear Ms. Impett:

As requested, MRO Engineers, Inc., (MRO) has reviewed the "Transportation/Traffic" section of the Draft Environmental Impact Report (DEIR) for the Los Angeles International Airport (LAX) Landside Access Modernization Program (Los Angeles World Airports, September 2016). The "Transportation/Traffic" section of the DEIR is based on a traffic impact analysis prepared by Raju Associates (Raju). (Reference: Raju Associates, Inc., *Draft Transportation Study for the Landside Access Modernization Program DEIR*, September, 2016.) The Raju traffic study is presented as Appendix O to the DEIR.

Our review focused on the technical adequacy of the Transportation/Traffic analysis, including the detailed procedures and conclusions documented in the Raju study.

Transportation/Traffic Analysis Review

Our review of the DEIR Transportation/Traffic analysis revealed potentially significant deficiencies that should be addressed prior to approval of the project and its related environmental documentation by the City of Los Angeles. These issues are summarized below.

1. ***Traffic Volume Data Does Not Accurately Represent LAX Activity*** – Traffic volume data for the 183 study intersections was collected at various times between 2013 and 2015. The traffic count summary sheets for 179 of the study intersections are presented in DEIR Appendix O. The years in which those traffic counts were conducted are summarized below:

   - 2016 – 3 locations,
   - 2015 – 130 locations,
   - 2014 – 40 locations, and
   - 2013 – 6 locations.

   DEIR p. 4.12-59 presents slightly different information regarding when the counts used in the study were performed:

   - 2016 – 0 locations,
   - 2015 – 133 locations,

- 2014 – 44 locations, and
- 2013 – 6 locations.

Of greater interest are the months in which the data were collected, according to the data sheets in Appendix O:

- January – 3 locations,
- February – 3 locations,
- March – 76 locations,
- April – 38 locations,
- May – 4 locations,
- June – 0 locations,
- July – 23 locations,
- August – 0 locations,
- September – 13 locations,
- October – 13 locations,
- November – 0 locations,
- December – 6 locations,

DEIR p. 4.12-11 provides information regarding monthly traffic activity in the LAX Central Terminal Area (CTA) for the years 2006 through 2014. As described there:

> *. . . CTA traffic reached peak activity during the summer months of June, July and August. August is typically the peak month for Airport roadway traffic followed closely by July. For the purposes of this analysis, August 2014 was used as the peak month for traffic data, because the field data was collected in August. Although July had slightly more passengers in 2014, the analysis was based on a peak month average day in August.*

This quote specifically applies to the analysis of on-airport traffic conditions, but it also relates to the off-airport traffic analysis, since the two systems are inextricably linked; all vehicles traveling to or from the on-airport road system must also use the off-airport road system. For that reason, it is instructive to compare the intersection data collection schedule to the level of traffic activity at LAX. Table 1 presents that comparison, with the CTA average daily traffic volumes ranked from highest month to lowest month.

Table 1
CTA Traffic Volume Data vs. Data Collection Schedule

CTA Traffic Volume Data[1]			Intersection Counts[2]		
Month	Average Daily Traffic[3]	Monthly Ranking	Monthly Ranking	No.	%
August	77,311	1	10	0	0.0%
July	76,476	2	3	23	12.8%
June	75,635	3	10	0	0.0%
December	72,647	4	6	6	3.4%
May	71,404	5	7	4	2.2%
April	69,091	6	2	38	21.2%
November	69,064	7	10	0	0.0%
March	67,996	8	1	76	42.5%
September	67,838	9	4	13	7.3%
October	67,418	10	4	13	7.3%
January	65,673	11	8	3	1.7%
February	63,553	12	8	3	1.7%

Notes:
[1] Source: DEIR Table 4.12.1-2: CTA Average Daily Traffic Volumes, p. 4.12-11.
[2] Source: DEIR Appendix O.
[3] Overall average of all data points in DEIR Table 4.12.1-2 is 70,358 vehicles per day.

While August has historically had the highest average daily traffic volumes in the CTA, none of the intersection traffic counts used in the DEIR Transportation/Traffic analysis were performed in that month. This is also true for June, which is the third busiest month in the CTA. In July, the second busiest month, 23 (12.8 percent) of the 179 counts were performed.

The largest number of intersection traffic counts (76 counts, representing 42.5 percent of the counts) were conducted in March, which is the eighth busiest month in the CTA. Thirty-eight counts (21.2 percent) were performed in April, which is the sixth busiest month in the CTA. The average daily traffic volumes in those two months are 88 – 90 percent of the August volumes. In addition, they are somewhat below the overall average value of 70,358 vehicles per day, based on all of the data points (from 2006 through 2014) in DEIR Table 4.12.1-2.

Clearly, the "existing conditions" intersection traffic volumes employed in the DEIR analysis are not representative of the level of activity at LAX. Over 60 percent of the counts were performed in the bottom half of the ranking of monthly traffic volumes in the CTA. Only about 13 percent of the counts were conducted in the busiest three months.

In short, the existing traffic volumes are too low to accurately reflect traffic operations in the study area. As a result, the existing conditions level of service findings provide an overly optimistic view of the average vehicular delay and the current level of congestion in the study area. This deficiency will carry through to all subsequent analysis scenarios, so that intersection delays and project-related impacts will be understated.

2. ***Inadequate Midday Study Area*** – As noted above, the study area includes 183 intersections, all of which were included in the AM and PM peak hour analyses. According to DEIR p. 4.12-48:

> *. . . 36 of these intersections (immediately adjacent to or in the vicinity of the Project site) have been selected for a midday off-peak hour traffic impact evaluation.*

However, describing this as an "off-peak hour" analysis might be a misnomer. DEIR Figure 4.12.1-4 illustrates the pattern of arriving and departing passenger volumes over the course of an entire day. The arrival and departure patterns of airline passengers are closely linked to the traffic patterns of LAX as a whole.

According to DEIR p. 4.12-60, the midday traffic counts were generally conducted between 11:00 AM and 2:00 PM. Referring to DEIR Figure 4.12.1-4, a distinct peak in passenger arrival and departure activity is shown at about 11:00 AM. In fact, that peak is clearly higher than the total passenger activity shown in the AM (7:00 - 9:00 AM) and PM (4:00 - 6:00 PM) peak periods, for which all 183 intersections were analyzed.

In short, the midday traffic analysis is not inconsequential, given the LAX activity patterns demonstrated in the DEIR Transportation/Traffic section. This is clearly illustrated in DEIR Table 4.12.2-4, which summarizes the existing trip generation at LAX, as follows:

- AM Peak hour: 12,338 vehicle-trips,
- Midday peak hour: 16,097 vehicle-trips, and
- PM peak hour: 12,840 vehicle-trips.

As shown, the volume of traffic generated at LAX in the midday peak hour is 25 – 30 percent higher than either the AM or PM peak hours.

Therefore, it is inappropriate to limit the midday traffic analysis to the 36 arbitrarily selected locations addressed in the DEIR. In fact, given the factors presented above (i.e., non-representative existing conditions data and the fact that LAX traffic generation is highest in the midday period), we believe that a truly conservative analysis would include all 183 intersections in the midday analysis.

At a minimum, review of DEIR Figure 4.12.2-1 – Traffic Study Intersections (DEIR p. 4.12-55) and the existing conditions level of service (LOS) results presented in DEIR Table 4.12.2-6 (DEIR pp. 4.12-63 – 4.12-71) reveals a number of additional midday analysis candidate locations, each of which is also "adjacent to or in the vicinity of the Project site." Furthermore, each operates at LOS D or worse in either or both of the AM and PM peak hours, which is a reasonable indicator that it might operate poorly in the midday peak hour, as well. The additional midday study intersections are as follows:

- Intersection 21: Lincoln Boulevard/83rd Street (LOS F – AM)
- Intersection 69: Sepulveda Boulevard/Grand Avenue (LOS D – AM & PM)
- Intersection 70: Sepulveda Boulevard/El Segundo Boulevard (LOS D – AM & LOS E – PM)
- Intersection 71: Sepulveda Boulevard/Rosecrans Avenue (LOS E – AM & LOS F – PM)
- Intersection 88: Douglas Street/El Segundo Boulevard (LOS D – PM)

- Intersection 98: Aviation Boulevard/West 120th Street (LOS D – AM)
- Intersection 99: Aviation Boulevard/El Segundo Boulevard (LOS D – AM & LOS E – PM)
- Intersection 100: Aviation Boulevard/Rosecrans Boulevard (LOS E – AM & PM)
- Intersection 126: La Cienega Boulevard/West 120th Street (LOS D – PM)
- Intersection 127: La Cienega Boulevard/El Segundo Boulevard (LOS D – PM)
- Intersection 131: I-405 Northbound Ramps/Imperial Highway (LOS D – PM)
- Intersection 136: Inglewood Avenue/Century Boulevard (LOS D – PM)
- Intersection 137: Inglewood Avenue/Lennox Boulevard (LOS D – AM & LOS E – PM)
- Intersection 138: Inglewood Avenue/Imperial Highway (LOS E – AM & LOS F – PM)

To fully reflect the traffic patterns at LAX and to provide a comprehensive evaluation of the potential impacts of the proposed project, the midday traffic impact analysis must be revised to include these additional study intersections. The revised analysis should then be incorporated into a revised DEIR, which must be circulated for additional public review.

3. ***Obsolete Level of Service Calculation Procedures*** – DEIR p. 4.12-57 states:

> *For the City of Los Angeles study locations, including those shared with other jurisdictions, the* Critical Movement Analysis-Planning[l] *(CMA) method of intersection capacity analysis was used to determine the intersection volume-to-capacity (V/C) ratio and corresponding level of service at the signalized study intersections.*

The footnote in the quote presented above clarifies that the intersection level of service calculations were performed using the Transportation Research Board "Circular 212" method. This methodology was published in a document entitled, *Interim Materials on Highway Capacity* (Transportation Research Board, Transportation Research Circular Number 212, January 1980). As referenced, the document was published in 1980, almost 27 years ago.

The purpose of "Circular 212" was to provide a set of procedures to supplement the 1965 version of the *Highway Capacity Manual* until such time as a fully-updated manual could be published. Such an updated manual was distributed to the traffic engineering profession in 1985. Since that time, additional updated manuals have been published in 1994, 1997, 2000, and the year 2010. Each of these revised versions of the *Highway Capacity Manual* has advanced the technical procedures associated with the analysis of transportation facilities, including intersections, roadway segments, and freeway facilities.

The introduction to the 1980 Circular 212 document addresses the anticipated life span of the procedures documented there, including the following statements:

- "The choice of a Transportation Research Circular as the publication medium has been quite deliberate. By definition, Circulars contain information of immediate interest but not necessarily of long-lasting value."
- ". . . the methods presented here can be put to use until such time as a revised Manual becomes available." [As noted above, that occurred in 1985, followed by subsequent revisions in 1994, 1997, 2000, and 2010.]

- "This report comprises the first set of interim materials which will be distributed prior to the publication of a new "Highway Capacity Manual" in the mid-1980s. These interim materials are intended for application by HCM users in the 1980-1982 period."

It is clear from these statements that the "interim" procedures documented in Circular 212 have long ago outlived their usefulness and have been superseded. Thus, their use in this analysis is inappropriate. To ensure the accuracy of the traffic analysis, the intersection level of service calculations must be performed using the current, year 2010 version of the *Highway Capacity Manual*. (Reference: Transportation Research Board, *Highway Capacity Manual*, Fifth Edition, December 2010.)

In that regard, we note that the analyses of stop-sign-controlled intersections were performed using the 2010 *Highway Capacity Manual* procedures, as were the analyses of facilities under the jurisdiction of Caltrans.

4. ***Inconsistent On-Airport and Off-Airport Traffic Analyses*** – The DEIR presents separate analyses of the on-airport and off-airport transportation systems. It is not clear, however, that those two analyses are consistent with each other, which leads to questions regarding the validity of the results of those analyses. Particular areas of concern are delineated below.

Analysis Day

For the on-airport analysis:

> *Friday was selected as the design day as it is typically the busiest overall day of the week for the Airport roadway system.* (DEIR p. 4.12-3)

Although the off-airport analysis text does not explicitly say so, that analysis was based on conditions during the mid-week period (Tuesday through Thursday), which represents the usual method for conducting traffic impact analyses. Evaluation of traffic operations outside the Tuesday through Thursday period is generally not undertaken, because those circumstances might be atypical. The classic example used to illustrate this point relates to the fact that "Black Friday" conditions are not considered in analyzing the traffic impacts of a regional shopping center.

This case is different, though, as Friday happens every week, not just once a year. Also, because LAX is the dominant generator of traffic in the study area, it deserves special consideration. As noted in DEIR Table 4.12.1-2 (DEIR p. 4.12-11), LAX generated average daily traffic of 75,690 vehicles per day in the year 2014. Further, DEIR Table 4.12.2-4 (DEIR p. 4.12-61) shows that it generated over 12,300 AM peak hour trips, almost 16,100 midday peak hour trips, and 12,840 PM peak hour trips. It is unlikely that any other nearby land use generates such substantial traffic volumes.

Limiting the traffic impact analysis to the Tuesday through Thursday period is a guideline and not a requirement. Flexibility is accorded the lead agency in choosing the analysis periods. For consistency between the on-airport and off-airport traffic analyses, as well as to ensure a thorough analysis of potential traffic impacts, the analysis must address Friday "design day" conditions, as defined in the on-airport analysis.

Analysis Hours

The on-airport traffic analysis addressed the following peak hours (DEIR p. 4.12-18):

- Peak arrivals: 8:18 – 9:18 PM, and
- Peak departures: 6:16 – 7:16 AM.

The "peak arrivals" hour also represents the peak overall hour (i.e., arrivals and departures combined).

The off-airport analysis addressed the following time periods:

- AM peak hour: Highest hour between 7:00 and 10:00 AM,
- Midday peak hour (reduced study area): Highest hour between 11:00 AM and 2:00 PM, and
- PM peak hour: Highest hour between 3:00 and 6:00 PM.

The fact that the off-airport analysis addresses off-peak hours at LAX raises the distinct possibility that not all of the potentially significant impacts will be identified.

Travel Demand Forecasting Models

The on-airport traffic analysis for future year conditions was based, in part, on:

> *A vehicle trip generation and distribution model [that] was developed to estimate future traffic volumes on the Airport's roadway system based on future passenger activities.* (DEIR p. 4.12-3)

The off-airport traffic analysis apparently based its future year projections on a different travel demand forecasting model, as described below:

> *Utilizing TransCAD Version 7.0 modeling software, a detailed and updated travel demand forecasting model (updated City of Los Angeles Travel Demand Model) was developed for the Study Area using the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) 2012 Transportation Model (the most current regional model available at the time this Draft EIR was being prepared) and the calibrated and validated City of Los Angeles' Travel Demand Model as the base.* (DEIR p. 4.12-59)

No evidence is provided to indicate that any coordination occurred between the developers of the two models. Of particular interest is the question of what happens where the on-airport and off-airport study areas meet. Do the peak-hour traffic projections for the years 2024 and 2035 match? If not, why not? This information is needed to ensure that the traffic forecasts employed in both analyses are credible.

Summary

The lack of consistency between the on-airport and off-airport traffic analyses raises questions regarding the validity and credibility of the analyses, particularly with regard to the off-airport evaluation. The on-airport study is generally focused on historical design hours and days at LAX, based on extensive data collection at that facility. On the other hand, the off-airport analysis focuses on analysis procedures that, while considered "standard" in the traffic

engineering profession, do not necessarily fully address traffic operations at LAX. As demonstrated above, the approach employed in the off-airport analysis reflects levels of activity that fall far short of "peak" conditions (despite being labeled "peak hours") and, as a result, significant traffic impacts might be missed.

5. ***Inadequate Transit Analysis*** – The difficulties faced by individuals who desire to use public transit to access LAX are described at DEIR p. 1-2:

> *Moreover, LAX also lacks a direct connection to the Los Angeles County Metropolitan Transportation Authority (Metro) transit system. Currently, passengers and employees who want to take public transportation to LAX must either take a bus (often requiring a transfer from the LAX City Bus Center on W. 96th Street to the LAWA operated Lot C shuttle to reach the CTA), or take the Metro Green Line light rail to the station at Imperial Highway and Aviation Boulevard. They must then transfer to the LAWA-operated G shuttle to the Airport, which is a trip of approximately 2 miles.*

These constraints might lead one to believe that consideration of transit impacts and potential improvements to the transit system serving LAX would be important. The extremely limited, one-paragraph "analysis" of the proposed project's impacts on the regional transit system suggests otherwise. (DEIR p. 4.12-153) The analysis presented there states, in part:

> *Given that the Project consists of roadway and transportation improvements and construction of facilities that would facilitate movement of passengers at LAX . . ., the Project would not generate any additional new trips. . . . The proposed Project would improve connections to the regional transit system, which may encourage passengers and employees to utilize transit rather than other modes of traffic. Therefore, impacts to transit would be less than significant.*

First, we note the absolute lack of any analysis that might serve as a credible basis for a finding of a "less than significant" impact. We also find it ironic that the claim that the proposed Project "may encourage passengers and employees to utilize transit" is apparently used as the basis for determining that the transit impact will be less than significant.

The threshold of significance for transit is presented at DEIR p. 4.12-95:

> *. . . a significant impact is considered to occur if implementation of the proposed Project would result in a substantial increase in transit demand compared to the capacity of transit lines serving the project area.*

No information is provided with respect to current or project-related transit demand. Further, no data are presented to demonstrate whether adequate capacity exists (or will exist in the future) on the various transit lines that serve LAX. (Of course, this relieves the burden of having to determine what constitutes a "substantial" increase in transit demand.)

Finally, we note that Mitigation Measure "MM-ST (LAMP)-6. Transportation Demand Management (TDM) Program" (DEIR p. 4.12-179) specifically includes provision of transit passes to LAX employees. This feature of the TDM program can be expected to increase transit ridership, potentially impacting the transit lines serving LAX.

Under the circumstances, the absence of a meaningful analysis of existing and future transit capacity and the effect of the proposed project on that available capacity (if any) is a substantial deficiency in the DEIR. Further detail must be provided and incorporated into a revised DEIR.

6. ***Deficient Construction Traffic Analysis*** – The construction traffic analysis study area is substantially reduced from that addressed in the other traffic analyses. According to DEIR p. 4.12-194:

> *The construction traffic study area for this analysis includes those roads and intersections that would most likely be used by employee and truck traffic associated with construction of the proposed Project.*

In reality, though, the study area, as illustrated at DEIR Figure 4.12.3-1 (DEIR p. 4.12-195), barely extends beyond the boundaries of LAX. The apparent suggestion is that none of the construction traffic will travel east of La Cienega Boulevard, south of Imperial Highway or Interstate 105, or north of Westchester Parkway.

The analysis time periods are presented at DEIR p. 4.12-209. The AM peak hour is defined as 7:00 - 8:00 AM, while the PM peak hour is described as 4:00 - 5:00 PM. For both peak-hour periods:

> *The construction traffic analysis assumed that no employee trips would be on the roadways at this time. . . . This approach provides a conservative impact analysis by addressing situations when complete avoidance of the morning [or evening] commuter peak period is not possible.*

It is not at all clear how ignoring the traffic associated with 966 construction employees constitutes a "conservative" analysis. (DEIR, p. 4.12-213) In fact, referring to DEIR Table 4.12.3-4 (DEIR p. 4.12-215), we see that the assumed analysis hours just miss having to assess the impacts of over 520 employee-generated trips. For clarity, we have replicated a portion of that table below, as Table 2.

In the morning, the DEIR indicates that 523 employee vehicles will arrive between 6:00 and 7:00 AM, along with a total of 162 truck trips, for a total traffic volume of 685 trips. But the analysis addresses the following hour (7:00 – 8:00 AM), when no employees are assumed to arrive and the total traffic volume is only 162 trips, about one-quarter as many as between 6:00 and 7:00 AM. It is also interesting to note that, although they are specifically listed on the table, no "employee shuttle" trips are assumed.

In the evening, the analysis addressed the hour between 4:00 and 5:00 PM (i.e., 16:00 – 17:00) when only truck traffic is assumed to occur (162 trips). If the previous hour had been considered, the traffic total would be 685 trips, including 523 departing employees and 162 truck trips (81 in and 81 out). Again, no employee shuttle trips are shown in any hour.

The employee trip values in Table 2 are based largely on a number of assumptions regarding how construction workers will be scheduled. Given the uncertainties inherent in developing such assumptions, we believe that a truly conservative analysis would only result from evaluation of the adjacent hours, which have higher estimated construction employee traffic volumes.

Further, we note that the same deficiencies described here also afflict the construction traffic analysis for cumulative conditions, which is documented at DEIR pp. 4.12-219 – 4.12-229.

Table 2
Proposed Project-Related Construction Traffic PCEs[1,2]

Hour	Employee		Truck		Employee Shuttle		Total Construction PCEs
	Trips In	Trips Out	Trips In	Trips Out	Trips In	Trips Out	
6:00 – 7:00	523	--	81	81	--	--	685
7:00 – 8:00[3]	**--**	**--**	**81**	**81**	**--**	**--**	**162**
8:00 – 9:00	57	--	81	81	--	--	219
14:00 – 15:00	154	--	81	81	--	--	316
15:00 – 16:00	--	523	81	81	--	--	685
16:00 – 17:00[3]	**--**	**--**	**81**	**81**	**--**	**--**	**162**

Notes:
[1] Source: DEIR, Table 4.12.3-4 – Project Peak (January 2020) – Proposed Project-Related Construction Traffic PCEs, p. 4.12-215.
[2] PCE = Passenger Car Equivalent (Reflects conversion of truck numbers to indicate an equivalent number of passenger cars, based on operational considerations.)
[3] Analysis hours assumed for DEIR construction traffic analysis are shown in **bold** font and highlighted in yellow.

The non-conservative nature of the construction traffic analysis is further revealed through examination of the tables providing the intersection level of service results. DEIR Table 4.12.3-7 summarizes these results for the peak construction period (January 2020). According to that table, of the 58 calculations presented (i.e., 29 intersections analyzed for the AM and PM peak hours), 44 (76 percent) indicated no change in volume/capacity (V/C) ratio due to construction traffic, with the calculations carried out to three decimal places. In other words, no construction-related traffic was added to those intersections. A significant impact was found at only one intersection – Aviation Boulevard/Century Boulevard.

The cumulative conditions analysis (November 2019), as documented in DEIR Table 4.12.3-8 (DEIR p. 4.12-235) had one additional calculation for which the V/C ratio increased by 0.000. In other words, 45 of the 78 calculations listed on that table showed no increase in V/C, which indicates that no construction traffic was added to the intersection. (The traffic volumes for the construction traffic analysis are not presented in the DEIR, so it is impossible to confirm this.) In this case, three intersections were found to have significant impacts – Aviation Boulevard/ Century Boulevard, Imperial Highway/Aviation Boulevard, and Imperial Highway/I-105 Ramp.

Analyses were conducted for the significantly impacted intersections to determine the effects of implementing recommended mitigation measures. Not surprisingly, perhaps, those analyses concluded that the proposed measures would fully mitigate the construction impacts. That is, the change in V/C ratio after mitigation would be 0.000. It is not clear exactly how that is to be accomplished, given the list of mitigation measures (e.g., formation of a Project Task Force, development of Worksite Traffic Control Plans, etc.), which would generally have little or no effect on construction traffic volumes.

Since the only construction traffic that was considered in the analysis is truck traffic, it would seem reasonable to expect that the mitigation measure outlining designated truck routes might be

effective, but the roads listed there include those having significant impacts – Aviation Boulevard, Century Boulevard, Imperial Highway, and I-105. Another proposed measure calls for establishing designated truck delivery hours, but the description of that measure is so full of loopholes (in particular, repeated use of the phrase "to the extent possible") that it might have no effect whatsoever.

These results are simply not credible. The construction traffic analysis must be revised to reflect more conservative, more realistic consideration of the potential effects associated with almost 1,000 construction workers and the trucks necessary to carry out the proposed project. As illustrated in Table 2 above, it is difficult to avoid the conclusion that the construction traffic analysis hours were arbitrarily selected to avoid impacts. Additional detail is also needed with respect to the specific beneficial effects of the proposed mitigation measures.

Further consideration is also required with respect to the lane closures and other forms of traffic blockage that will occur for extended periods over the course of the construction process. The construction-related thresholds of significance include the following (DEIR pp. 4.12-230 – 4.12-231):

- *Result in temporary lane, alley, or street closures within a major or secondary highway right-of-way for more than one day.*
- *Result in the loss of regular vehicular or pedestrian access to Airport, commercial, or industrial facilities for more than one day.*
- *Result in the temporary loss for more than one day of an existing bus stop or rerouting of a bus route.*

DEIR p. 4.12-237 acknowledges that:

> *Construction of the proposed Project could result in the closure of one or more lanes of a major off-Airport traffic carrying street for an extended length of time. . . . The proposed Project would also require the re-routing of buses, the relocation of the LAX City Bus Center, and the relocation of bus stops.*

Although this is identified as a significant impact, no quantitative analysis is provided to indicate the true magnitude of the issue. In particular, where is this expected to occur? At locations where extended lane closures are anticipated, what will be the resulting vehicular delay and level of service in the AM and PM peak hours? Will there be additional safety impacts and crashes associated with the lane closures? What will be the effect on transit travel times? When bus stops are relocated, what will be the extent of the increase in walk access distance and time for transit passengers? Will it be sufficient to discourage transit usage?

In summary, the analysis of construction traffic impacts is deficient. The analysis appears to have been skewed to ensure that no impacts would occur, despite the arrival and departure of almost 1,000 construction workers in 523 vehicles/hour every day. In addition, more detail is necessary regarding the effects of lane closures that will occur over an extended period.

7. ***Deficient Transportation Demand Management Program*** – A key element of the proposed package of mitigation measures is the implementation of a Transportation Demand Management (TDM) Program (MM-ST (LAMP)-6, DEIR p. 4.12-179 – 4.12-180). This measure calls for the conduct of travel surveys and the formation of a Transportation Management Organization

(TMO), which will then offer various vaguely-defined "amenities/opportunities" to LAX-area employees.

The goal of this mitigation measure is to "[a]chieve a 5 percent trip reduction performance objective," which is further defined as:

- *Elimination of 200 peak hour trips (am or pm) identified as "drive alone" employee trips.*
- *Elimination of 800 average daily one-way trips identified as "drive alone" employee trips.*

It is unclear how the effectiveness of the TDM program will be measured, although perhaps the surveys referred to above might be helpful. More importantly, what happens if the performance objective is not met and the necessary trip reduction does not occur? By the time this failure becomes apparent, surrounding jurisdictions that will be inundated with LAX-generated traffic will have no recourse.

The proposed TDM program must be described in greater detail, and credible evidence of the specific beneficial effects of the various components of the program must be presented. As currently delineated, the value of the TDM program in effectively mitigating the impacts of the proposed project is questionable.

8. ***Failure to Address Freeway Access Deficiencies*** – As currently configured, the freeway access system serving LAX imposes an undue burden on the City of El Segundo. In particular, travelers approaching LAX on northbound I-405 tend to exit the freeway at westbound I-105, rather than continuing to Century Boulevard, where chronic traffic congestion causes delays, inconvenience, and frayed nerves. Unfortunately, the exit ramp from northbound I-405 to westbound I-105 overshoots Aviation Boulevard, so that these travelers are forced to use Nash Street, Maple Avenue, and Sepulveda Boulevard within El Segundo to reach the CTA.

   As passenger traffic at LAX increases, this situation will be exacerbated. The DEIR needs to address the potential for improved access from northbound I-405, particularly with respect to modifications to the northbound-to-westbound ramp between I-405 and I-105 that would allow drivers to exit from that ramp to Aviation Boulevard.

9. ***Nonexistent Project Access Analysis*** – The project proposes three major facilities that will each incorporate substantial parking structures, including a total of 24,300 parking spaces:

   - Intermodal Transportation Facility (West) – 8,000 parking spaces,
   - Intermodal Transportation Facility (East) – 8,300 parking spaces, and
   - Consolidated Rental Car Facility – 8,000 parking spaces.

   The DEIR presents no analysis to evaluate the access systems at these facilities, however. Such an analysis would address whether vehicles will be able to enter the facilities without queuing back onto the public street, thereby creating congestion and potential safety hazards. If left turns are required to enter the garages, can they be made safely? Also, will exiting drivers be able to do so safely, without creating hazards for themselves or passing motorists? Will either entering or exiting vehicles be subject to excessive idling, which would affect air quality and greenhouse gas emissions?

10. ***Mitigation Measures*** – In addition to the questions presented above regarding the TDM mitigation measure, we have identified a number of additional questions concerning the mitigation measures presented in the DEIR Transportation/Traffic section, as follows:

    - *MM-ST (LAMP)-7. Signal System Corridor Improvements – Intelligent Transportation System (ITS), City of Inglewood*: This measure includes a "monetary contribution" toward certain improvements, but does not specify the magnitude of the contribution. Will the proposed project fully fund the needed system upgrades or only pay a "fair share"?

      Also, three of the intersections listed in this measure are also addressed in other mitigation measures, specifically:

      - MM-ST (LAMP)-13. La Cienega Boulevard and Florence Avenue
      - MM-ST (LAMP)-14. Inglewood Avenue and Century Boulevard
      - MM-ST (LAMP)-16. La Cienega Boulevard and Manchester Boulevard

      What is the difference between MM-ST (LAMP)-7 and these other three measures?

    - *MM-ST (LAMP)-8. Signal System Corridor Improvements – Closed Circuit TV (CCTV) Camera and Changeable Message Signs (CMS) Installation*: This measure states that the proposed project, ". . . will provide funding towards implementation of Changeable Message Signs (CMS) along key access corridors to LAX such as Sepulveda Boulevard, La Cienega Boulevard and Century Boulevard."

      The measure does not state how much funding will be provided and is unclear as to whether the specific corridors listed are the only ones where CMS will be installed or if these are only examples of where this might occur. In short, additional specificity is required to allow a meaningful assessment of the beneficial effect of the measure.

    - *DEIR Section 4.12.2.9.3 Roadway Corridor Improvements* lists three significant roadway system improvements. However, these improvements are not designated as mitigation measures (i.e., they have no "MM-ST (LAMP)" number; those numbers skip over these three improvements). Consequently, it is not clear whether the proposed project will actually be required to implement these improvements.

    - *MM-ST (LAMP)-11. Modify the Intersection of La Cienega Boulevard and Arbor Vitae Street*: This measure says that the proposed project will add a second eastbound left turn lane and "contribute to design and implementation of signal system improvement," which will "increase intersection capacity by 10 percent."

      The amount of the contribution toward the signal improvements is unclear. Will the proposed project pay the entire cost or some lesser "fair share"? Further, the specific nature of the signal system improvement is not stated and the conclusion regarding its impact on intersection capacity is unsubstantiated.

    - The indirect impacts of implementing the proposed mitigation measures are not adequately addressed. This is briefly addressed at DEIR pp. 4.12-185 – 4.12-186, but that limited discussion revolves around the following statement:

      > *The environmental impacts associated with the proposed improvements to the off-Airport transportation system would depend on the specific nature, location, and extent of such improvements.*

The "specific nature, location, and extent" of the mitigation measures have presumably been set forth in the paragraphs preceding this statement and are, therefore, known. As such, a meaningful evaluation of the indirect impacts of implementing the measures should be possible. None is provided, however.

11. ***Potential Future Development*** – The DEIR addresses, at a program level, an analysis scenario referred to as "2035 Future With Project and Potential Future Related Development." (DEIR pp. 4.12-153 - 4.12-165) This scenario includes the traffic associated with 900,000 square feet of commercial development in addition to the 2035 Future With Project scenario. No information is presented to describe the specific land use assumptions or the volume of traffic associated with the potential future related development. Clearly, assumptions of this type have been made, as the DEIR presents detailed intersection V/C and LOS results for this analysis scenario. Absent this basic information about the potential future related development, it is impossible to judge the validity of the analysis results for this scenario.

CONCLUSION

Our review of the "Transportation/Traffic" section of the Draft Environmental Impact Report for the LAX Landside Access Modernization Program in Los Angeles, California revealed several substantial issues the affecting validity of the conclusions presented in that document. A modified traffic impact analysis must be prepared, and that updated analysis should be incorporated into a revised environmental document.

We hope this information is useful. If you have questions concerning anything presented here, please feel free to contact me at (916) 783-3838.

Sincerely,

MRO ENGINEERS, INC.

Neal K. Liddicoat, P.E.
Traffic Engineering Manager

845018.1

ATTACHMENT B-4

March 1, 2017 Comment Letter to BOAC from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

OSA L. WOLFF
Attorney
wolff@smwlaw.com

March 1, 2017

Via E-Mail and Federal Express

Evelyn Quintanilla
Chief of Airport Planning
Los Angeles World Airports
1 World Way
Los Angeles, CA 90045
E-Mail: equintanilla@lawa.org

Re: Landside Access Modernization Program
Final Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo ("City"), we submit the following comments on the Final Environmental Impact Report ("FEIR") for the for the Landside Access Modernization Program ("LAMP" or "Project"). Despite the City's comments on the Draft EIR ("DEIR"), the FEIR still fails to analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed.[1]

I. The Project Would Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.

In its responses to comments on the DEIR, Los Angeles World Airports ("LAWA") attempts for the first time to provide a rationale for its assumption that the

[1] The City appreciates that LAWA has removed the proposal to amend the LAX Plan and LAX Specific Plan to address application of the existing curfew on engine run-ups to those occurring inside a ground run-up enclosure ("GRE"). Because the Project does not include a proposal to construct a GRE, this is not the appropriate time to propose changing the regulations governing run-ups. The City looks forward to discussing this issue further with LAWA.

ground access network is never a limit on passengers' use of LAX, and thus that expanding ground access would not cause an increase in airport use. LAWA's rationale is unconvincing. As the City has repeatedly emphasized, the environmental analysis required by the California Environmental Quality Act ("CEQA") may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations. LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

As the City explained in its earlier comments, LAWA has previously stated that ground access *is* a constraint and that LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network. *See, e.g.,* 2004 Master Plan EIR at 1-4.[2] LAWA now attempts to distance itself from its own conclusions/representations, arguing these statements proved inaccurate: instead ground access is just one "factor" in passengers' choice of air travel, and furthermore the aviation industry can process more passengers today despite ground access congestion, through increased load factors and faster turnaround times. As "evidence" that there is no correlation between passenger capacity and ground access, LAWA states it has observed that LAX passenger throughput has steadily grown since it adopted the Master Plan, from 61.5 MAP in 2005 to 80.9 MAP at the end of 2016, despite the existing congestion in the Central Terminal Area ("CTA").

The problem with LAWA's analysis is that it simply infers, based on the above data, that the existing ground access network could accommodate an *additional* 15 MAP by 2035. This is faulty logic. Even if LAWA was "wrong" in 2004, and the ground access network did not practically constrain operations to 78.9 MAP, it does not follow

[2] In 2005, El Segundo filed an appeal before the Los Angeles County Airport Land Use Commission over LAWA's adoption of the Master Plan. *See generally,* Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001. The Commission found the Master Plan violated the state law requiring "orderly expansion of airports" (Pub. Util. Code § 21670(a)(2)). *Id.* Commission staff's analysis, which the April 20, 2005 Commission Resolution incorporated, stated that "[t]he present maximum capacity of LAX is generally agreed to be 78.9 MAP because of the present, limited ground access system. Even if gates are added, terminals enlarged and runways reconfigured, it would not be possible to accommodate more than 78.9 MAP with the present ground access system. . . . [T]here are a number of improvements to the ground access system that would accommodate a greater number of passengers." Commission Staff Analysis and Resolution, attached as Exhibit A.

that ground access would *never* constrain ever-increasing passenger demand. *See, e.g.,* Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015) at 38, attached as Exhibit B ("Actions taken by local airport authorities, such as changes in user charges, *ground access policies* or their support services, can also stimulate or hinder the demand for airport services."). LAWA nonetheless claims that, as long as the aviation industry continues to operate more efficiently (and the LAX airfield and terminals are periodically upgraded), the sky's the limit: ground access would never need to be upgraded to accommodate growth. Of course, this makes no sense.

Even if there were always some portion of potential LAX passengers for whom air travel through the airport is an "inelastic" service (meaning they will use LAX regardless of cost, including travel time to/from the airport), there is also a second, likely bigger population of potential passengers for whom travel through LAX is an "elastic" service negatively impacted by inconvenience. If LAWA did not build the Project, this second type of passenger would make other arrangements (e.g., patronize a different regional airport). *See* FEIR at 2-84 ("[H]istorical data on passenger activity levels reflect variations in passenger activity levels that may be attributed to traffic conditions in the CTA."). Without any evidence, LAWA assumes there is enough of the first kind of potential passenger that the airport would inevitably process 95 MAP by 2035, even if the Project were not built. Under CEQA, LAWA must provide substantial evidence for its assumption that the Project would not accommodate additional passenger demand, and thus would not cause any environmental impacts related to increased aircraft operations. Conjecture and unsubstantiated claims by LAWA do not qualify as substantial evidence. This is particularly true given LAWA's position that its own past analysis of CTA capacity proved inaccurate.[3]

As the City explained in its comments on the DEIR, LAWA has never analyzed the impacts of its operations at passenger levels above 78.9 MAP. The Ventura County Superior Court recognized this fact in its recent ruling on consolidated CEQA challenges to LAWA's 2013 approval of the Specific Plan Amendment Study, which stated that LAWA "analyze[d] environmental impacts of the SPAS alternatives at LAX's operational capacity (on 153 passenger gates) of 78.9 MAP. LAX is not projected to reach that capacity until 2024. LAX has never operated at 75 MAP or at its 78.9 MAP capacity. Once LAX reaches capacity, there are by definition no additional impacts,

[3] These and other deficiencies in LAWA's analysis of the Project's effect on capacity are discussed in the February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E., attached as Exhibit C and fully incorporated herein.

because the airport is operating at capacity." *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016) at 80, attached as Exhibit D. In its responses to comments, however, LAWA states that LAX hit 80.9 MAP at the end of 2016. Thus, in terms of passenger operations and analysis of its environmental impacts, LAWA has entered uncharted territory. *See* Exhibit E (containing a sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency). Because the EIR lacks substantial evidence that the Project would not enable additional passenger throughput, LAWA must now analyze the Project's contribution to continued growth at LAX.

II. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

In its comments on the DEIR, the City explained why the extensive and unnecessary changes proposed to the LAX Plan and LAX Specific Plan would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the Los Angeles City Council as a check on LAWA pursuing unconstrained growth at LAX, for the promotion of regionalism, and for the protection of LAX neighbors. LAWA's responses to these comments fail to justify the present need for these plan amendments, which among other things would delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7) as well as references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2).

LAWA attempts to defend its abandonment of the 153 gate cap by stating that "proposed changes to the LAX Plan and LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates." FEIR at 2-94. LAWA's claim that abandonment of the gate cap would have no environmental impact because the LAX Plan and LAX Specific Plan are not "prescriptive plans that specify the exact number of facilities and passengers allowed at LAX" (*id.* at 2-95) does not hold water. LAWA proposes to strike text from the LAX Plan stating, "Limit airport capacity by restricting the number of gates (including remote gates) to no more than 153 at Master Plan build out." Appendix C at 7. The LAX Plan presently states that development "shall be governed" by this and other policies and programs. *Id.* The current 153 gate cap is clearly a "prescriptive" limit. The Los Angeles City Council wisely and intentionally included real checks on LAWA's ability to pursue unconstrained growth at LAX. Any removal of those checks requires careful consideration and full environmental review.

LAWA states that the 153-gate cap applies through 2020 as a provision of the 2006 Stipulated Settlement. *Id.* at 2-96. This is partly correct. The 153-gate cap is also mitigation which LAWA expressly adopted when it approved SPAS, and "dutifully incorporated . . . into each proposed SPAS study alternative." *See ARSAC et al. v. City of Los Angeles et al.*, at 79. Because the Project would abandon an operational limitation adopted independently of the 2006 Stipulated Settlement, LAWA must analyze the impact of removing the 153-gate cap from the plans governing airport development.

LAWA also suggests that, regardless of whether the Project would cause an increase in passenger gates, the EIR considers the cumulative impact of additional passenger gates because the description of the environmental setting identifies other potential projects that would add gates. FEIR at 2-98. LAWA claims that these projects would not, in any event, cause the total number of passenger gates to exceed the 153-gate cap. *Id.* As an initial matter, the list of "Probable Future Projects" in the EIR contradicts LAWA's claim in its response to comments that the total number of gates would not exceed 153; the Terminals 2 and 3 project and the "Concourse 0" project together would add 14 gates to LAWA's current (2016) count of 141 gates. *See* FEIR at 2-97. Furthermore, this list of projects does not match the list of future projects LAWA provided to the City on January 4, 2017, in response to a Public Records Act request. *See* Exhibit F. This document indicates that LAX will have 173 passenger gates by 2032 as a result of several projects which are not mentioned in the EIR at all. *Id.* It also appears to show that LAX will have 158 gates in 2020, while the 2006 settlement remains in effect.

It is no secret that the 153 gates already slated for LAX can accommodate much more than 78.9 MAP. Moreover, LAWA intends to dramatically increase the number of passenger gates at LAX during, and beyond, construction of the Project. This will allow LAX to accommodate even more passengers and flights. Nothing in the EIR (including its cumulative impacts analysis) evaluates the noise, air quality and other impacts of that growth on El Segundo and other airport neighbors.

The City reiterates the request in its comments on the DEIR that the entire administrative record for the Terminals 2 and 3 project, including the recently released EIR (attached as Exhibit G), be included in the LAMP administrative record. Furthermore, pursuant to the California Public Records Act ("PRA"), Government Code Sections 6250 et seq., and the amendments to the California Constitution provided by Proposition 59, please make available for El Segundo's review all background documents supporting or explaining the data in Exhibit F, and include all such documents in the administrative record for the LAMP. Please respond to this request within ten (10) days. Gov't Code § 6256.

III. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.

As the City explained in its comments on the DEIR, because LAWA takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The FEIR must be revised to resolve this obvious deficiency under CEQA.

LAWA claims that any Project noise-related impacts would be adequately addressed by the mitigation measures in the 2004 Master Plan. FEIR at 2-108. Yet LAWA also takes the contradictory position that the Project is not governed by the Master Plan or its contents, including mitigation measures. *See id.* at 2-100. In fact, LAWA generally takes the position that the Master Plan has become largely irrelevant, does not govern future projects at LAX, and need not be replaced. *See id.* at 2-104 (asserting it is "incorrect that the LAX Master Plan is the governing planning document for LAX" and that it "was based on 1995 conditions projected over a 20-year period through 2015"); *id.* at 2-105 ("there is no requirement or reason to revise the LAX Master Plan or Specific Plan Amendment Study"). LAWA cannot distance the Project from the Master Plan's goals and capacity limits, while claiming that any impacts from the Project would be adequately addressed by the plan's mitigation measures.

LAWA also attempts to rebut the argument that any existing noise mitigation is tailored to 78.9 MAP, and thus insufficient to address higher passenger operations, by asserting that its Part 150 Noise Exposure Map ("NEM") is "expected to be updated every 5 years and would capture any increases in actual and forecast activity during that process." *Id.* at 2-108. Although FAA demanded a new NEM for LAX and approved it in 2015, the previous NEM for LAX was from 1984. Contrary to its claim that noise mitigation would be kept current pursuant to federal law, LAWA's demonstrated practice is *not* to ensure that its NEM is updated regularly to reflect current noise contours. Furthermore, the 2015 NEM, which contains a noise contour based on 77.1 MAP in contrast to the current 80.9 MAP, is already significantly outdated.

IV. The FEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.

In comments on the DEIR, the City and MRO Engineers identified numerous flaws in the DEIR's analysis of transportation impacts. The response to the vast majority of these comments is lamentably, denial. Indeed, most of the public's concerns about the Project's transportation impacts are rejected out of hand. Our comments remain relevant—and have yet to be adequately addressed. Below, we identify a few of the most egregious examples of the EIR's legal inadequacies.

A. The FEIR Fails to Adequately Disclose the Severity and Extent of the Project's Traffic Impacts.

Like the DEIR, the FEIR fails to disclose the severity and extent of the Project's traffic impacts. The EIR incorrectly asserts that alleviating the significant and longstanding ground access constraints at LAX would have no effect on the airport's operations. For this reason, the EIR does not analyze the increase in traffic that would occur as passenger activity increases to expected levels in 2035 (about 95 MAP). The EIR asserts that it analyzed the environmental impacts that would occur as passenger levels reach 86 MAP in 2034 and 95 MAP in 2035. While the EIR did, in fact, provide this analysis, because it does not evaluate the Project's impacts against a baseline of existing conditions, it determines that the Project would impact only 6 intersections in 2024 and 8 intersections in 2035. *See* DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118 and DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130. Had the DEIR recognized that the Project will facilitate this increase in passenger activity, it would have disclosed far more extensive impacts.

In fact, for the 2024 scenario, an additional 77 intersections would experience an increase in volume/capacity ("V/C") ratio sufficient to constitute a significant impact. Moreover, at another 40-plus intersections, the level of service ("LOS") does not change but a closer inspection could reveal that the V/C ratio may exceed the LADOT threshold. *See* DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118.

Had the EIR evaluated the Project's impacts in 2035 against a baseline of existing conditions, it would have determined that over 100 additional intersections would be significantly impacted. Furthermore, although the LOS does not change at an additional 25-plus intersections, a closer inspection may reveal that the V/C ratio may exceed the LADOT threshold. *See* DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130.

Because the EIR does not accurately analyze the Project's traffic impacts, it does not identify any mitigation for these significantly impacted intersections.

B. The FEIR's Evaluation of the Project's Construction-Related Traffic Impacts Remains Deficient.

In its comments on the DEIR, the City faulted the environmental document for its abject failure to analyze how the Project's lengthy construction operations would affect on-airport and off-airport roadway operations. According to the LA Controller, construction would result in reduced vehicular traffic capacity, limited access to parking garages, reduced parking capacity, guests and construction vehicles competing for space and increased congestion on CTA access routes. *See* "Industrial, Economic & Administrative Survey Report of Los Angeles World Airports," February 2016, City of Los Angeles Office of the Controller ("LA Controller Report") at I.77, attached as Exhibit W to this firm's November 15, 2016 letter. The FEIR concedes that, although construction "could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis," the DEIR did not evaluate these impacts. FEIR at 2-223 (Response AL00012-9); FEIR at 2-117 (Response AL00008-34). In lieu of conducting this impact analysis, the EIR proposes to evaluate impacts on general traffic flow as part of Worksite Traffic Control Plans that would be prepared by the various construction contractors before concluding that these would be significant and unavoidable. DEIR at 4.12-241; FEIR at 2-117 (Response AL00008-34).

As we explained in our comments on the DEIR, the EIR errs in two fundamental ways. It fails to provide the required analysis of impacts and it inappropriately defers mitigation. CEQA allows a lead agency to defer mitigation only when: (1) an EIR contains criteria, or performance standards, to govern future actions implementing the mitigation; (2) practical considerations preclude development of the measures at the time of initial project approval; and (3) the agency has assurances that the future mitigation will be both "feasible and efficacious." *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94-95 ("*CBE*"); *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 669-71; tit. 14, Cal. Code Regs. ("CEQA Guidelines") § 15126.4(a)(1)(B). Here, the EIR meets none of these requirements. First, the EIR include no performance standards that would govern the traffic control plan.

Second, the EIR provides no evidence of any practical considerations that prohibit LAWA from developing its traffic control plan now, prior to Project approval. LAWA, of course, knows the precise components of the Project. *See* DEIR at 2-4. It also knows which projects would be developed within each construction phase. *See* DEIR at 2-175 and Table 2-15 (Construction Phasing). In fact, LAWA even knows which highways are likely to be affected by construction activities. (*See* FEIR at 2-222 and 2-223 (Response

AL00012-9), stating that work would be conducted along the Center Way corridor; congestion would occur along World Way South; lane closures and detours would be required when Century Boulevard, Airport Boulevard, Aviation Boulevard, Arbor Vitae Street and W. 98th Street are constructed; and that work outside the CTA would primarily occur in the Manchester Square area and along W. 96th Street).

Finally, the EIR offers no evidence that the establishment of a construction task force or the adoption of a traffic control plan will be effective in addressing the extensive gridlock that is all but certain to occur during the Project's 18 years of construction. In fact, as we explain below, there is ample evidence that LAWA refuses to appropriately staff its construction task force and refuses to include appropriate measures to ensure that its traffic control plan effectively addresses these impacts.

Because the DEIR failed to identify or analyze sufficient mitigation measures capable of offsetting the Project's construction-related traffic impacts, we identified a series of measures that would help to address these impacts. These measures, which were taken directly from the LA Controller Report, were explicitly identified to proactively manage congestion at LAX during and after construction. LA Controller Report at I.77. Despite these seemingly reasonable and certainly feasible suggestions for mitigation, the FEIR ignores each one of the suggested measures.[4] Where a commenter suggests a "mitigation measure considerably different from others previously analyzed [that] would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it," an EIR must be recirculated. CEQA Guidelines § 15088.5(a)(3). Yet here, the FEIR simply repeats the flawed measures in the DEIR and asserts time and again that the measures we identified would have "no bearing on the environmental effects of the proposed Project or the effectiveness of construction traffic mitigation measures." FEIR at 2-123 (Response AL00008-42).

For example, we suggested that the FEIR evaluate a measure calling for LAWA to increase its landside operations staffing to ensure that traffic control is effectively managed during construction. *See, e.g.*, FEIR at 2-123 (Comment AL00008). In response, the FEIR simply asserts that LAWA will have sufficient staffing to implement the LAMP and that there would be "contractual mechanisms to require that these mitigation measures be successfully implemented and enforced." *Id.* (Response AL00008-42). Yet, the FEIR provides no evidence that the agency has sufficient staffing to effectively manage this massive construction project. Nor does the document ever describe these

[4] The measures are clearly feasible as they were developed by the LA Controller.

contractual mechanisms or explain how they would be effectively in reducing impacts. Moreover, the LA Controller Report contradicts LAWA's assertions,

> LAWA has devoted insufficient staffing levels to [landside operations]. The two existing Landside operations supervisors can neither provide the oversight needed to ensure contractor performance, nor respond to operational issues that arise on a day-to-day basis. Beyond that, there are not enough operations supervisors to monitor service levels in the terminals – service levels that are critical to improving and maintaining desired guest experiences. Existing oversight appears to be conducted when and where possible by staff members who have multiple responsibilities.

LA Controller Report at 4; I.77.

We identified a second measure—which was also identified in the LA Controller Report—calling for LAWA to obtain traffic engineering capability to develop the detailed traffic control plans necessary to contain and manage construction-related roadway congestion. *See* FEIR at 2-126 (Comment AL00008-46). Once again, the FEIR preparers refuse to adopt this mitigation measure, stating instead that LAWA will have sufficient traffic engineering experience to successfully implement the construction traffic mitigation measures. FEIR at 2-127 (Response AL0008-46). Here too, the FEIR provides no evidentiary support for this assertion. The LA Controller Report again contradicts the FEIR's assertions. The LA Controller, after conducting a survey of LAWA's operations, cited the agency for its lack of dedicated traffic engineering expertise. LA Controller Report at I.77.

Apparently recognizing the flaws in its approach to mitigation, the FEIR states that the EIR includes a number of measures that LAWA may need to implement to influence how passengers access the airport during the Project's construction. FEIR at 2-127 (Response AL0008-46). Tellingly, the EIR mentions only one measure, the possible implementation of tolls, but it does even bother to explain where the tolls would be implemented or how they would function. Had LAWA actually prepared its traffic control plan now, it could design an effective toll program along with other measures capable of addressing the Project's construction-related traffic impacts.

Finally, we identified another measure calling for: (1) the use of incentives for maintaining and penalties for reducing capacity within the CTA; and (2) including

performance requirements in the construction contracts for the automated people mover ("APM"). *See* FEIR at 2-124 (Comment AL00008-44) and LA Controller Report at I.79. Unfortunately, the FEIR also rejects this measure. Instead, it asserts that construction contracts will contain provisions to enforce mitigation procedures, including penalties for noncompliance. FEIR at 2-125 (Response AL0008-44). The FEIR offers no detail as to the contents of such provisions. Nor does it explain how the provisions would be sufficient to enforce the EIR's mitigation measures. It also provides no information as to what type of penalties might be imposed for noncompliance. The purpose of including these details now, rather than after the Project is approved, is to allow the information to be properly vetted by the public and decisionmakers.

C. The FEIR Fails to Resolve the Deficiencies Identified in MRO Engineers' December 1, 2016 Report.

MRO Engineers identified numerous deficiencies in the DEIR's transportation analysis. As MRO explains in the attached report, the FEIR's responses to their comments are not satisfactory and the EIR's analysis remains deficient. *See* Letter from MRO Engineers to L. Impett, February 27, 2017, attached as Exhibit H.

V. The FEIR's Analysis of and Mitigation for the Project's Impacts on Climate Change Are Inadequate.

The City previously pointed out numerous failures in the analysis and mitigation of the Project's impacts on climate change. The vast majority of these issues remain unresolved by evasive, conclusory, and incomplete responses to comments in the FEIR.

A. The FEIR Fails to Resolve Deficiencies in the Analysis of Construction-Related GHG Impacts.

The DEIR only included direct emissions in its calculation of construction-related GHG emissions. Specifically, the DEIR stated that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The FEIR asserts that its approach was appropriate because it relied on an industry standard model (the California Emissions Estimator Model or "CalEEMod") to calculate GHG emissions. FEIR at 2-130 (Response AL00008-51). The FEIR then attempts to explain why its approach to calculating GHG emissions for one part of the construction-related GHG inventory—electrical emissions from grid-powered off road equipment—is appropriate. *Id.*

The FEIR does not, however, provide a satisfactory response regarding the EIR's failure to include GHG emissions from other sources of purchased electricity (i.e., non grid-powered off road equipment) or from solid waste disposal, water usage and wastewater disposal. Regarding these last categories of emissions, the FEIR simply asserts that the GHG analysis was conservative because it neglected to account for reductions in electrical, water, and solid waste demand through the demolition of previously operational structures during the construction phase. *Id*. The EIR provides no analytical support for this assertion. Moreover, the FEIR's approach of directing the reader to various technical appendices which may or may not specify the emission sources that were utilized in the construction emissions analysis violates CEQA. California courts have determined that this is a wholly unacceptable way of presenting decisionmakers and the public with essential information, and it renders the EIR legally inadequate. Whatever is required to be in the text of the EIR must be in the EIR itself, not buried in some appendix. *See Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 722-23*; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 727.

B. The FEIR Incorrectly Asserts that the Proposed Project Would not Contribute to Increased Passenger and Aviation Activity and Therefore Would Result in a Decline in VMT and GHG Emissions.

The FEIR incorrectly asserts that, regardless of the Project, passenger levels will grow to 95 MAP in 2035. FEIR at 2-82 (Response AL00008-20). This is incorrect. As the Kanafani Report attached to the City's comments on the DEIR describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high. *See* Kanafani Report, attached as Exhibit G to this firm's November 15, 2016 letter; *see also* Exhibit C (Feb. 28, 2017 comments of Dr. Kanafani) attached hereto.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 but conducts this analysis for "informational purposes only." DEIR at 4.5-28. Thus, although, for example, the DEIR's analysis of "2024 Future With Project Compared to 2015 Existing Conditions" identifies GHG emissions that are above the thresholds of significance, it does not identify this impact as significant. *See* DEIR Table 4.5-7 at 4.5-29); *see also id.* at 4.5-41. The EIR claims that this increase in GHG emissions is not

from the LAMP, because these emissions are not attributable to the Project. FEIR at 2-135 (Response AL00008-57). Instead, the FEIR asserts, the 2024 emissions include future emissions from future growth in regional and local traffic that would occur irrespective of the Project. *Id.*

Yet, one must ask: what is the cause of this growth in regional and local traffic? Certainly a substantial source of this traffic growth would be the phenomenal increase in annual passengers at the airport. Between 2015 and 2025, LAX will accommodate an additional 21,918 passengers on a daily basis (86 MAP – 78 MAP = 8,000,000 annual passengers (8,000,000 / 365 = 21,918 daily passengers)). In 2024 and 2035, the DEIR determines that no more that only 2% of arrivals/departures to the airport will be via transit. DEIR at 4.12-4 – 4.12-34. Thus, the vast majority of passengers will continue to travel to the airport via automobile.

C. The FEIR Fails to Adequately Analyze the Project's Consistency With Applicable Plans, Policies and Regulations Adopted for the Purpose of Reducing GHG Emissions.

The City previously faulted the DEIR for its failure to adequately analyze the Project's consistency with plans, policies and regulations adopted with the intent of reducing GHG emissions. The FEIR fails to resolve the numerous deficiencies identified in our comments. For example, in response to our comment that the DEIR did not analyze the Project's consistency with Executive Orders ("EO") S-3-05 and B-30-15 in any meaningful way, the FEIR suggests that the approach we suggested—and the one used by SANDAG in its recent RTP/SCS—would not be appropriate because the characteristics of SANDAG's project are substantially different from those of the LAMP project. *See* FEIR at 2-139, 140 (Response AL00008-61). Specifically, the FEIR asserts:

> The LAX Landside Access Modernization Program Project is a specific development project particular to LAX with initial completion in 2024 and buildout, including future potential development, in 2035. The specific "reference point" approach to determining Executive Order consistency used in the SANDAG EIR may be appropriate for a long-term comprehensive regional plan with many sources of GHG emissions (being more similar to a statewide emissions inventory), but it clearly is not appropriate for a shorter-term specific project with only a few sources of GHG emissions.

Id.

As an initial matter, the FEIR provides no explanation as to why LAWA believes a project's particular timeframe has a bearing on its ability to achieve statewide GHG emission reduction targets. The more important consideration, of course, is the amount of GHG emissions generated by the Project. Moreover, the proposed Project is not a short-term project as it would be under construction for 18 years and would result in a significant increase in GHG emissions through at least 2024, if not longer. *See* DEIR Table 4.5-7 at 4.5-29.

While SANDAG's approach to analyzing its project's consistency with the Executive Orders is, of course, not the only technical method that lead agencies may use, the FEIR does not conduct any technical analysis at all. Instead, it simply offers the following contradictory statement: "The GHG emissions associated with operation of the proposed Project in the future (2024 and 2035) would not be less than the levels estimated for 1990 conditions, notwithstanding that future GHG emissions would be less with implementation of the proposed Project." DEIR at 4.4-33.

The DEIR explicitly states that the GHG reduction target specified in EO-S-3-05 can be considered as a basis for evaluating how the GHG emission of a project compare to those targets. The EIR should be revised to undertake this evaluation in light of the specific targets established by EO-S-3-05 and B-30-15. To its credit, the FEIR does undertake a quantitative comparison of the Project GHG emissions to the GHG reduction goals identified in the LAWA Sustainability Plan and the Green LA Plan. FEIR at 2-141 (Response AL00008-62). It should conduct a similar analysis of the Project's consistency with the Executive Orders.

For the foregoing reasons, the City urges LAWA not to certify the FEIR until the document is revised to address the flaws described above.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

For

Osa L. Wolff

Exhibits:

A: Commission Staff Analysis and Resolution, Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001 (2005)
B: Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015)
C: February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E.
D: *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016)
E: Sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency
F: List of projects LAWA provided to El Segundo on January 4, 2017, in response to a Public Records Act request
G: Draft EIR for the Terminals 2 and 3 project (due to size, this exhibit is provided separately on CD)
H: Letter from MRO Engineers to L. Impett, February 27, 2017

869183.3

ATTACHMENT C

April 3, 2017 Appeal Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

JOSEPH D. PETTA
Attorney
petta@smwlaw.com

April 3, 2017

Via E-Mail and FedEx

City Clerk
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Re: Appeal of City of Los Angeles Planning Commission/Board of Airport Commissioners March 23, 2017 Actions on LAX Landside Access Modernization Program

Honorable City Clerk:

On behalf of the City of El Segundo, we hereby appeal the March 23, 2017 actions of the City of Los Angeles Planning Commission ("Planning Commission") (CPC-2016-3390-GPA-ZC-SP) and Board of Airport Commissioners ("BOAC") (Case No. 002-016LAXSP), including those actions to:

(1) **Approve** and **Recommend** that the Mayor approve and the City Council adopt the proposed amendments to the LAX Plan, as part of the General Plan of the City of Los Angeles;

(2) **Approve** and **Recommend** that the City Council adopt the proposed amendments to the LAX Specific Plan;

(3) **Adopt** and **Recommend** that the City Council adopt findings;

(4) **Approve** and **Recommend** that the Mayor approve and the City Council adopt the proposed Resolution amending the General Plan and LAX Specific Plan;

(5) **Find** that the City Planning Commission has reviewed and considered the environmental impact report ("EIR") in its determination approving the proposed amendments, and **Recommend** that the City Council consider the environmental effects of the proposed project as described in the EIR and Affirm that the EIR prepared for the Los Angeles International Airport ("LAX") Landside Access Modernization Program

("LAMP") was certified by BOAC on March 2, 2017 and that the EIR was prepared in compliance with the California Environmental Quality Act ("CEQA") and reflects and independent judgment of the lead agency; and

(6) **Recommend** that the City Council Concur with BOAC's action of March 2, 2017, Affirm the certification of the LAMP EIR by BOAC, including the EIR errata and Los Angeles International Airport's ("LAWA") response to comments submitted to BOAC and Affirm that (a) the EIR has been completed in compliance with CEQA, (b) the EIR was presented to the lead agency and the lead agency has reviewed and considered the information contained in the EIR prior to approving the Project, (c) the EIR reflects the lead agency's independent judgment and analysis, and Adopt the (a) environmental findings of fact, (b) the project design features, commitments, and mitigation, monitoring and reporting program, and (c) statement of overriding considerations.

El Segundo appeals these actions pursuant to Los Angeles City Charter section 245, Los Angeles Municipal Code sections 555-58, and Public Resources Code section 21151(c). On March 9, 2017, El Segundo filed with the City Council an appeal of BOAC's March 2, 2017 actions to certify the LAMP EIR and to approve actions based on the EIR. To the extent El Segundo's March 9 appeal does not apply to the March 23, 2017 actions of the Planning Commission and BOAC, the present appeal is in furtherance of El Segundo's March 9 appeal.

As explained in the March 9 appeal, the EIR fails to comply with CEQA because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP, including the impacts of the proposed amendments to the LAX Plan and LAX Specific Plan. The specific bases for the March 9 appeal were set forth in El Segundo's letters to BOAC dated March 9, 2015, November 15, 2016, December 2, 2016, and March 1, 2017, including all attachments and exhibits thereto, and the oral testimony of El Segundo Mayor Suzanne Fuentes to the BOAC on March 2, 2017 (available at: http://www.lawa.org/boac_granicus.aspx). These letters (including attachments and exhibits) and the audio recording of Mayor Fuentes' testimony were included with, and incorporated into, the March 9 appeal, and are hereby incorporated by reference into the present appeal. The present appeal also incorporates by reference El Segundo's March 20, 2017 comments to the Planning Commission and BOAC, enclosed as Attachment 1.

We request that the present appeal be combined with, and heard at the same time as, the March 9, 2017 appeal. Please advise us as soon as possible when the City Council will hear the appeals.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

Enclosures

cc: Suzanne Tracy, Counsel, Los Angeles World Airports
David Olivo, Planner, Los Angeles City Planning Department
Greg Carpenter, City Manager, City of El Segundo

878213.1

ATTACHMENT 1

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

JOSEPH D. PETTA
Attorney
petta@smwlaw.com

March 20, 2017

Via E-Mail and FedEx

David H. Ambroz, President
City Planning Commission
City of Los Angeles
200 North Spring Street
Los Angeles, CA 90012

Sean O. Burton, President
Board of Airport Commissioners
Los Angeles World Airports
1 World Way
Los Angeles, CA 90045

Re: LAX Landside Access Modernization Program and Related Amendments to the LAX Plan and LAX Specific Plan

Honorable Members of the City of Los Angeles Planning Commission and the Board of Airport Commissioners:

This firm represents the City of El Segundo ("El Segundo") with respect to Los Angeles World Airports' ("LAWA") proposed LAX Landside Access Modernization Program and the associated, proposed amendments to the LAX Plan and the LAX Specific Plan (together, the "LAMP" or "Project"). As we have commented in the past, El Segundo does not fundamentally oppose the LAMP. El Segundo nonetheless has serious concerns about the environmental and community impacts of the proposed Project and about the adequacy of the environmental review prepared for it.

El Segundo has described these concerns, including the Project's contribution to enormous growth in passenger traffic at LAX and the related environmental impacts, extensively in comment letters and public testimony to the City Planning Department and the Board of Airport Commissioners ("BOAC"). Yet, so far, the City has failed to address these concerns or to remedy the extensive flaws in the environmental impact report ("EIR") for the Project, which BOAC certified on March 2. El Segundo has appealed BOAC's certification of the EIR and related project approvals to the City Council. Although City rules prohibit our written comments addressing the March 23, 2017 joint Planning Commission–BOAC meeting from exceeding 10 pages, this letter incorporates by reference El Segundo's prior comments on the LAMP submitted on

March 9, 2015; November 15, 2016;[1] December 2, 2016; March 1, 2017; and March 9, 2017—more than 90 pages in total, plus exhibits. These letters and exhibits have been delivered to City Hall so that they may be included in the administrative record for the LAMP Project.

I. The Findings Adopt Wholesale the EIR's Flawed Assumption that LAMP Will Not Enable Any Passenger Growth at LAX.

Under the California Environmental Quality Act ("CEQA"), the City must make findings, supported by substantial evidence, demonstrating how the mitigation measures proposed as part of the LAMP will actually reduce environmental impacts to a level of insignificance. See Pub. Res. Code §§ 21002, 21002.1(b), 21081; tit. 14, Cal. Code Regs. ("CEQA Guidelines") §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Cal.App.4th 587 (2007). In so doing, the City must reveal the "analytical route" between the evidence and the findings—in other words, it must explain how the evidence supports the finding of insignificance. *See Topanga Ass'n for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515. The proposed CEQA findings contained in the Staff Report fail to reveal that route.

As El Segundo has repeatedly emphasized, the EIR erroneously assumes that the existing ground access network are not and can never be a limit on passengers' use of LAX, and thus that the Project's expansion of ground access would not cause an increase in airport use. This assumption is without support. The environmental analysis required by CEQA may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations. LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e). Without such evidence in the record, the proposed findings, including that the Project would not result in significant noise or greenhouse gas ("GHG") impacts, are entirely unsupported.

LAWA has previously stated that ground access *is* a constraint and that LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network. *See, e.g.,* 2004 Master Plan EIR at 1-4.[2] LAWA

[1] On February 1, 2017, we submitted to Planning Department staff a copy of El Segundo's November 15, 2016 comments on the Draft EIR.

[2] In 2005, El Segundo filed an appeal before the Los Angeles County Airport Land Use Commission over LAWA's adoption of the Master Plan. *See generally,* Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001. The Commission

now attempts to distance itself from its own conclusions/representations, arguing these statements proved inaccurate: instead ground access is just one "factor" in passengers' choice of air travel, and furthermore the aviation industry can process more passengers today despite ground access congestion, through increased load factors and faster turnaround times. As "evidence" that there is no correlation between passenger capacity and ground access, LAWA states it has observed that LAX passenger throughput has steadily grown since it adopted the Master Plan, from 61.5 MAP in 2005 to 80.9 MAP at the end of 2016, despite the existing congestion in the CTA.

The problem with LAWA's analysis is that it simply infers, based on the above data, that the existing ground access network could accommodate an *additional* 15 MAP by 2035. This is faulty logic. Even if LAWA was "wrong" in 2004, and the ground access network did not practically constrain operations to 78.9 MAP, it does not follow that ground access would *never* constrain ever-increasing passenger demand. *See, e.g.,* Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015) at 38, attached as Exhibit B to El Segundo's March 1, 2017 comments on the Final EIR ("Actions taken by local airport authorities, such as changes in user charges, *ground access policies* or their support services, can also stimulate or hinder the demand for airport services."). LAWA nonetheless claims that, as long as the aviation industry continues to operate more efficiently (and the LAX airfield and terminals are periodically upgraded), the sky's the limit: ground access would never need to be upgraded to accommodate growth. Of course, this makes no sense.

Even if there were always some portion of potential LAX passengers for whom air travel through the airport is an "inelastic" service (meaning they will use LAX regardless of cost, including travel time to/from the airport), there is also a second, likely bigger population of potential passengers for whom travel through LAX is an "elastic" service

---

found the Master Plan violated the state law requiring "orderly expansion of airports" (Pub. Util. Code § 21670(a)(2)). *Id.* Commission staff's analysis, which the April 20, 2005 Commission Resolution incorporated, stated that "[t]he present maximum capacity of LAX is generally agreed to be 78.9 MAP because of the present, limited ground access system. Even if gates are added, terminals enlarged and runways reconfigured, it would not be possible to accommodate more than 78.9 MAP with the present ground access system. . . . [T]here are a number of improvements to the ground access system that would accommodate a greater number of passengers." Commission Staff Analysis and Resolution, attached as Exhibit A to El Segundo's March 1, 2017 comments on the Final EIR.

negatively impacted by inconvenience. If LAWA did not build the Project, this second type of passenger would make other arrangements (e.g., patronize a different regional airport). *See* Final EIR at 2-84 ("[H]istorical data on passenger activity levels reflect variations in passenger activity levels that may be attributed to traffic conditions in the CTA."). Without any evidence, LAWA assumes there is enough of the first kind of potential passenger that the airport would inevitably process 95 MAP by 2035, even if the Project were not built. Under CEQA, the EIR must provide substantial evidence for its assumption that the Project would not accommodate additional passenger demand, and thus would not cause any environmental impacts related to increased aircraft operations. Conjecture and unsubstantiated claims by LAWA do not qualify as substantial evidence. This is particularly true given LAWA's position that its own past analysis of CTA ground capacity proved inaccurate.[3]

LAWA has never analyzed the impacts of its operations at passenger levels above 78.9 MAP. The Ventura County Superior Court recognized this fact in its recent ruling on consolidated CEQA challenges to LAWA's 2013 approval of the Specific Plan Amendment Study, which stated that LAWA "analyze[d] environmental impacts of the SPAS alternatives at LAX's operational capacity (on 153 passenger gates) of 78.9 MAP. LAX is not projected to reach that capacity until 2024. LAX has never operated at 75 MAP or at its 78.9 MAP capacity. Once LAX reaches capacity, there are by definition no additional impacts, because the airport is operating at capacity." *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016) at 80, attached as Exhibit D to El Segundo's March 1, 2017 comments on the Final EIR. In its responses to comments, however, LAWA stated that LAX hit 80.9 MAP at the end of 2016. Thus, in terms of passenger operations and analysis of its environmental impacts, LAWA has entered uncharted territory. Because the EIR lacks substantial evidence that the Project would not enable additional passenger throughput, the Planning Commission may not adopt, or recommend to the Council, the finding that the EIR complies with CEQA. *See Topanga Ass'n*, 11 Cal.3d at 515.

II. Approval by the Planning Commission and City Council of the Proposed LAX Plan and LAX Specific Plan Amendments Would Usurp the Council's

[3] These and other deficiencies in LAWA's analysis of the Project's effect on capacity are discussed in the February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E., attached as Exhibit C to El Segundo's March 1, 2017 comments on the Final EIR, and fully incorporated herein.

Own Authority, are Unnecessary, and Are Not in Conformity with the General Welfare.

The 2004 LAX Master Plan adopted for LAX makes clear that the option adopted (Alternative D) was designed to serve approximately 78 MAP, which was approximately the same aviation activity levels identified in the No Action/No Project Alternative. LAWA represented that constraining LAX in this way would encourage the development and use of regional airports. This same vision of a constrained LAX was carried forward in the SPAS. Other alternatives specifically considered and rejected as part of the 2004 Master Plan process would have involved higher MAP numbers and greater impacts.

In approving the LAX Master Plan (Alternative D), the City Council took care to ensure that growth beyond that anticipated in the Master Plan would not happen without subsequent public evaluation, discussion, and consideration at the City Council. This important "check" on LAX growth was implemented through adoption of the LAX Plan and LAX Specific Plan (*see* LAMP Draft EIR Appendices C & D). The LAX Plan establishes a land-use policy framework, while the LAX Specific Plan establishes zoning and development regulations consistent with the LAX Plan. Future development at LAX is required to be consistent with both plans, and this consistency must be established by LAWA in reports to the City Council. The LAX Specific Plan requires that no "Project" at LAX may proceed unless it complies with the LAX Specific Plan and LAX Plan. As part of that compliance review, the Project is to be checked for compliance with Master Plan commitments and mitigation measures.

Although the plan consistency requirement and review process has worked well since the 2004 LAX Master Plan was adopted, LAWA now proposes a number of major changes as part of the LAMP Project. Specifically, LAWA has proposed a number of significant changes to the LAX Specific Plan and LAX Plan that would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the City Council for the promotion of regionalism and protection of LAX neighbors. As discussed below, LAWA proposes to delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7), and also to delete references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2). LAWA's proposed changes to the LAX Specific Plan would undermine its effectiveness as a mechanism for informed and transparent public review of aviation activity and growth at LAX, and thus are not in conformity with the general welfare.

A. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

The EIR does not adequately explain why the limits of 153 gates and 78.9 MAP are proposed for removal from the LAX Plan as part of LAMP. In fact, there is no logical link made between LAMP's proposed ground access upgrades and the removal of those limits from the Plan. The EIR notes in several places that the LAMP project would necessitate amendments to the LAX Specific Plan and the LAX Plan, but the explanations of "necessity" provided are generally limited to relatively minor issues such as a boundary adjustment and a rezone, which are logically necessary for LAMP. The EIR is silent regarding the substantial changes described below, which are not necessary or appropriate as part of LAMP.

It seems likely that LAWA has proposed the 78.9 MAP limit deletion in an attempt to avoid complying with that limit going forward and perhaps to dodge a plan inconsistency problem for the extremely ambitious LAMP. Specifically, because LAMP is designed to serve so much more than 78.9 MAP, it is not consistent with the 78.9 MAP limit in the LAX Plan. As discussed elsewhere in this letter, LAWA takes the untenable position that LAMP is not growth inducing, and insists it has no obligation to evaluate any of the impacts associated with passenger growth above 78.9 MAP as part of LAMP. LAWA cannot remove the 78.9 MAP limit from the LAX Plan without a full public discussion of that proposed policy change, which would include conducting a full analysis of the associated environmental impacts. In other words, if LAWA is now planning for LAX to serve more than 78.9 MAP, it must evaluate the impacts of that growth so the public and City Council decisionmakers have the information they need. The absence of this analysis is a major flaw in the LAMP EIR. In the absence of that analysis, LAWA cannot remove the 78.9 MAP limit from the LAX Plan as part of the Project.

It seems likely that LAWA has proposed deletion of the 153 gates limit in an attempt to avoid having to comply with that limit going forward. Yet there is no LAMP-related reason articulated for the removal. Indeed, how could LAMP, which focuses on ground access improvements, logically necessitate an increase in the number of gates at LAX? In discussing this proposed change, LAWA correctly acknowledges that under its settlement agreement with El Segundo and others, a gate limit would continue to apply until at least 2020. EIR at 7-2. What LAWA fails to acknowledge is that even after 2020, it cannot increase the number of gates at LAX without comprehensive environmental review and a Master Plan amendment. As such, the limit of 153 gates contained in the LAX Plan must remain in place unless and until that environmental

review and public process is complete. Deleting the limit now is not necessary for LAMP, would be premature, and prejudges the outcome of a separate process not yet begun.

If LAWA insists on pursuing removal of the current limits of 78.9 MAP and 153 gates from the LAX Plan as part of LAMP, it must first provide a complete analysis of the noise, air quality, and other environmental impacts that would result. That analysis would need to be provided in a recirculated EIR. That document would consider, for example, the environmental impacts such as increased noise and increased emissions (air pollution and GHGs) associated with the increased aircraft operations at the added gates and serving annual passenger numbers in excess of 78.9 MAP. As discussed elsewhere in this letter, the LAMP EIR provides no such analysis because it assumes (incorrectly) that the Project will not increase LAX's capacity or induce any growth in aviation activity.

We note that the EIR includes Section 7 (Evaluation of Amendments to the LAX Plan and LAX Specific Plan). This section is very strange because it purports to analyze a Project element (Amendments to the LAX Plan and LAX Specific Plan) separate from the Project itself (LAMP). The reader is left with the impression that Section 7 was an afterthought added by LAWA once the bulk of the EIR's environmental analysis was complete. This is inconsistent with CEQA's mandate to evaluate the whole of the project. It is also inconsistent with LAWA's obligation to inform the public and decisionmakers of all the Project's environmental impacts.

Moreover, the environment analysis in Section 7, which appears on just five pages, is limited to the following repeated conclusions: the proposed amendments to the LAX Plan and LAX Specific Plan "would generally correspond to changes at LAX as a result of the proposed Project [LAMP], as well as updates to administrative processes." In other words, LAWA argues that the proposed changes were either covered as part of the LAMP project assessment or are simple updates to administrative processes. This does not accurately capture the universe of proposed plan changes and their associated impacts.

LAWA does acknowledge, in passing, that removal of the gate limitation "may result in future increased development" but argues that it need not evaluate the impact of that development now because "removal of these policies does not mean that additional development would occur. Any future development related to the change in these policies would undergo separate CEQA review and would be subject to BOAC and other approvals prior to implementation." This is the very definition of improper deferral of

environmental analysis in violation of CEQA. If future exceedance of the 153 gate limit is uncertain and speculative as LAWA seems to claim, then LAWA should not ask the City Council to delete the limit from the LAX Plan now. If, on the other hand, LAWA insists on asking the City Council to delete the 153 gate limit now, it must also provide more detail regarding its gate increase plans and evaluate the associated impacts. It cannot delete the gate limit now based on the representation that the associated impacts would be evaluated later.

B. The LAX Specific Plan Changes Proposed by LAWA Would Remove Key Protections Put in Place by the LA City Council When It Approved the 2004 LAX Master Plan.

LAWA proposes a multitude of changes to the LAX Specific Plan as part of the LAMP. Examples include:

- Expanding significantly the universe of projects exempt from plan consistency review (*see* Appendix D at 7-9).
- Substituting BOAC for the LA City Council as the body responsible for confirming the plan consistency of projects proposed for LAX (*see* Appendix D at 10, 13).
- Deleting references to compliance with Master Plan mitigation measures and commitments (*see* Appendix D at 10, 12).
- Limiting compliance review to the LAX Specific Plan (eliminating the need for LAX Plan compliance review).
- Deleting the LAX Master Plan Stakeholder Liaison, who was tasked with assisting with communication between LAWA and stakeholders such as its neighbor, El Segundo (*see* Appendix D, throughout). Under LAWA's proposed change, apparently only Councilmember District 11 would have the benefit of a stakeholder liaison, not El Segundo and other neighbors outside the City of LA.

LAWA does not provide an adequate, comprehensive description of these proposed plan changes, referring to them generally as "updates to administrative process." *See, e.g.,* EIR at 7-1 *et seq.* As a result, it will be difficult if not impossible for the public and decisionmakers to gain a comprehensive understanding of the nature and extent of, much less the reasoning for, LAWA's plan change proposals. To the contrary, readers of the EIR are told in general terms that the Project "necessitates" the proposed plan changes, when (in fact) the most significant changes appear to be proposed by LAWA for reasons unrelated to LAMP. LAWA must instead provide a clear narrative description of all proposed change and the reason for each. Once that description is

provided, it should become clear that LAWA is seeking (for reasons unrelated to LAMP) to eliminate important checks put in place by the City Council. Those checks remain necessary and appropriate today.

C. A Specific Plan Amendment Study Is Now Required—the Requirement Is Not Satisfied by LAMP, and Must Remain in the LAX Specific Plan Until Satisfied.

The LAX Specific Plan plainly requires a Specific Plan Amendment Study and full CEQA review if annual passenger activity levels are anticipated to exceed 78.9 MAP. LAWA reports that annual passengers exceeded 80 million at the end of 2016. Under the Specific Plan, LAWA must therefore conduct a Specific Plan Amendment Study. This study would augment/update the analysis performed by LAWA for the LAX Master Plan and SPAS to include the higher passenger levels LAWA now desires and anticipates for LAX. This Specific Plan Amendment Study is critical because all current plans for LAX assumed and were based on a maximum passenger level of 78.9 MAP. In fact, the 2004 Master Plan (Alternative D) was approved by the City Council only after it received assurances that LAX would not be modified to serve passenger numbers exceeding 78.9 MAP absent further analysis (through a Specific Plan Amendment). That is not what LAWA is doing with LAMP.

LAWA does not conduct the required analysis as part of the LAMP EIR or propose to do it elsewhere. In fact, LAWA proposes to forever delete the operative language of the LAX Specific Plan and LAX Plan (EIR Appendices C & D), rather than preparing the required Specific Plan Amendment and CEQA review. DEIR 2-195 to 201. LAWA seems to argue that its traffic analysis done in connection with LAMP should excuse it from conducting the Specific Plan Amendment Study clearly required by the LAX Specific Plan when aviation activity analysis shows annual passengers are anticipated to exceed 78.9 million. EIR at 7-7. The LAMP analysis is, however, not equivalent to, and no substitute for, the required Specific Plan Amendment Study.

Most notably, as discussed elsewhere in this letter, the LAMP analysis treats as a given that LAX passenger activity will continue to grow past 78.9 MAP. The LAMP documents do not evaluate, much less offer mitigation for, impacts associated with that growth (e.g., increased noise and air quality impacts on surrounding communities associated with increased aircraft activity). As such, LAMP does not comply with a key requirement set forth in the LAX Specific Plan. LAWA's proposed remedy (deletion of the requirement) is inconsistent with clear City Council direction and the City of Los Angeles' General Plan framework.

LAWA's current attempt, as part of LAMP, to evade and delete the Specific Plan Amendment requirement, is wholly inconsistent with its prior statements and commitments on the subject. As recently as its Specific Plan Amendment adoption in 2013, LAWA described the LAX Specific Plan section 7.H as "requiring a Specific Plan Amendment Study if the annual aviation activity analysis forecasts that LAX annual passengers for that year are anticipated to exceed 78.9 MAP." *See* SPAS Report Appendix F (Operational Analysis) at 11 (section 2.5). In other words, LAWA has previously recognized that if and when the forecast for annual aviation activity levels reached 78.9 MAP, it would be obligated to undertake and request Council approval for a Specific Plan Amendment. Now that anticipated levels have reached that point, LAWA seeks to avoid the requirement by deleting it.

Similarly, LAWA recognizes that Section 7.H.2 of the LAX Specific Plan requires it to initiate an LAX Domestic Passenger Survey/Study and corresponding Airline Survey/Study if the annual aviation activity forecast indicates that the annual passengers in the year when LAX is anticipated to exceed 78.9 million. LAWA represents that it will meet this requirement by conducting the required surveys in 2017. It also proposes to delete the requirement. Deleting the requirement is, however, premature and should not be approved by the Council until LAWA has satisfactorily completed the required surveys and made them public.

Neither LAWA, nor the Planning Department in its recommendations to the Planning Commission, has demonstrated that the Project is in conformity with the intent of the General Plan (including the LAX Plan), the general welfare, or public necessity. Thus the Planning Commission and BOAC may not adopt the proposed findings, or recommend that the Council affirm the certification of the EIR, until the Project is modified to remove the unnecessary amendments to the LAX Plan and LAX Specific Plan, and the EIR is revised and recirculated to address its substantial legal deficiencies.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

ATTACHMENT C-1

March 20, 2017 Comment Letter to CPC and BOAC from Shute, Mihaly & Weinberger on behalf of the City of El Segundo

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

JOSEPH D. PETTA
Attorney
petta@smwlaw.com

March 20, 2017

Via E-Mail and FedEx

David H. Ambroz, President
City Planning Commission
City of Los Angeles
200 North Spring Street
Los Angeles, CA 90012

Sean O. Burton, President
Board of Airport Commissioners
Los Angeles World Airports
1 World Way
Los Angeles, CA 90045

Re: LAX Landside Access Modernization Program and Related Amendments to the LAX Plan and LAX Specific Plan

Honorable Members of the City of Los Angeles Planning Commission and the Board of Airport Commissioners:

This firm represents the City of El Segundo ("El Segundo") with respect to Los Angeles World Airports' ("LAWA") proposed LAX Landside Access Modernization Program and the associated, proposed amendments to the LAX Plan and the LAX Specific Plan (together, the "LAMP" or "Project"). As we have commented in the past, El Segundo does not fundamentally oppose the LAMP. El Segundo nonetheless has serious concerns about the environmental and community impacts of the proposed Project and about the adequacy of the environmental review prepared for it.

El Segundo has described these concerns, including the Project's contribution to enormous growth in passenger traffic at LAX and the related environmental impacts, extensively in comment letters and public testimony to the City Planning Department and the Board of Airport Commissioners ("BOAC"). Yet, so far, the City has failed to address these concerns or to remedy the extensive flaws in the environmental impact report ("EIR") for the Project, which BOAC certified on March 2. El Segundo has appealed BOAC's certification of the EIR and related project approvals to the City Council. Although City rules prohibit our written comments addressing the March 23, 2017 joint Planning Commission–BOAC meeting from exceeding 10 pages, this letter incorporates by reference El Segundo's prior comments on the LAMP submitted on

March 9, 2015; November 15, 2016;[1] December 2, 2016; March 1, 2017; and March 9, 2017—more than 90 pages in total, plus exhibits. These letters and exhibits have been delivered to City Hall so that they may be included in the administrative record for the LAMP Project.

I. The Findings Adopt Wholesale the EIR's Flawed Assumption that LAMP Will Not Enable Any Passenger Growth at LAX.

Under the California Environmental Quality Act ("CEQA"), the City must make findings, supported by substantial evidence, demonstrating how the mitigation measures proposed as part of the LAMP will actually reduce environmental impacts to a level of insignificance. See Pub. Res. Code §§ 21002, 21002.1(b), 21081; tit. 14, Cal. Code Regs. ("CEQA Guidelines") §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Cal.App.4th 587 (2007). In so doing, the City must reveal the "analytical route" between the evidence and the findings—in other words, it must explain how the evidence supports the finding of insignificance. *See Topanga Ass'n for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515. The proposed CEQA findings contained in the Staff Report fail to reveal that route.

As El Segundo has repeatedly emphasized, the EIR erroneously assumes that the existing ground access network are not and can never be a limit on passengers' use of LAX, and thus that the Project's expansion of ground access would not cause an increase in airport use. This assumption is without support. The environmental analysis required by CEQA may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations. LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e). Without such evidence in the record, the proposed findings, including that the Project would not result in significant noise or greenhouse gas ("GHG") impacts, are entirely unsupported.

LAWA has previously stated that ground access *is* a constraint and that LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network. *See, e.g.,* 2004 Master Plan EIR at 1-4.[2] LAWA

[1] On February 1, 2017, we submitted to Planning Department staff a copy of El Segundo's November 15, 2016 comments on the Draft EIR.

[2] In 2005, El Segundo filed an appeal before the Los Angeles County Airport Land Use Commission over LAWA's adoption of the Master Plan. *See generally,* Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001. The Commission

now attempts to distance itself from its own conclusions/representations, arguing these statements proved inaccurate: instead ground access is just one "factor" in passengers' choice of air travel, and furthermore the aviation industry can process more passengers today despite ground access congestion, through increased load factors and faster turnaround times. As "evidence" that there is no correlation between passenger capacity and ground access, LAWA states it has observed that LAX passenger throughput has steadily grown since it adopted the Master Plan, from 61.5 MAP in 2005 to 80.9 MAP at the end of 2016, despite the existing congestion in the CTA.

The problem with LAWA's analysis is that it simply infers, based on the above data, that the existing ground access network could accommodate an *additional* 15 MAP by 2035. This is faulty logic. Even if LAWA was "wrong" in 2004, and the ground access network did not practically constrain operations to 78.9 MAP, it does not follow that ground access would *never* constrain ever-increasing passenger demand. *See, e.g.,* Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015) at 38, attached as Exhibit B to El Segundo's March 1, 2017 comments on the Final EIR ("Actions taken by local airport authorities, such as changes in user charges, *ground access policies* or their support services, can also stimulate or hinder the demand for airport services."). LAWA nonetheless claims that, as long as the aviation industry continues to operate more efficiently (and the LAX airfield and terminals are periodically upgraded), the sky's the limit: ground access would never need to be upgraded to accommodate growth. Of course, this makes no sense.

Even if there were always some portion of potential LAX passengers for whom air travel through the airport is an "inelastic" service (meaning they will use LAX regardless of cost, including travel time to/from the airport), there is also a second, likely bigger population of potential passengers for whom travel through LAX is an "elastic" service

---

found the Master Plan violated the state law requiring "orderly expansion of airports" (Pub. Util. Code § 21670(a)(2)). *Id.* Commission staff's analysis, which the April 20, 2005 Commission Resolution incorporated, stated that "[t]he present maximum capacity of LAX is generally agreed to be 78.9 MAP because of the present, limited ground access system. Even if gates are added, terminals enlarged and runways reconfigured, it would not be possible to accommodate more than 78.9 MAP with the present ground access system. . . . [T]here are a number of improvements to the ground access system that would accommodate a greater number of passengers." Commission Staff Analysis and Resolution, attached as Exhibit A to El Segundo's March 1, 2017 comments on the Final EIR.

negatively impacted by inconvenience. If LAWA did not build the Project, this second type of passenger would make other arrangements (e.g., patronize a different regional airport). *See* Final EIR at 2-84 ("[H]istorical data on passenger activity levels reflect variations in passenger activity levels that may be attributed to traffic conditions in the CTA."). Without any evidence, LAWA assumes there is enough of the first kind of potential passenger that the airport would inevitably process 95 MAP by 2035, even if the Project were not built. Under CEQA, the EIR must provide substantial evidence for its assumption that the Project would not accommodate additional passenger demand, and thus would not cause any environmental impacts related to increased aircraft operations. Conjecture and unsubstantiated claims by LAWA do not qualify as substantial evidence. This is particularly true given LAWA's position that its own past analysis of CTA ground capacity proved inaccurate.[3]

LAWA has never analyzed the impacts of its operations at passenger levels above 78.9 MAP. The Ventura County Superior Court recognized this fact in its recent ruling on consolidated CEQA challenges to LAWA's 2013 approval of the Specific Plan Amendment Study, which stated that LAWA "analyze[d] environmental impacts of the SPAS alternatives at LAX's operational capacity (on 153 passenger gates) of 78.9 MAP. LAX is not projected to reach that capacity until 2024. LAX has never operated at 75 MAP or at its 78.9 MAP capacity. Once LAX reaches capacity, there are by definition no additional impacts, because the airport is operating at capacity." *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016) at 80, attached as Exhibit D to El Segundo's March 1, 2017 comments on the Final EIR. In its responses to comments, however, LAWA stated that LAX hit 80.9 MAP at the end of 2016. Thus, in terms of passenger operations and analysis of its environmental impacts, LAWA has entered uncharted territory. Because the EIR lacks substantial evidence that the Project would not enable additional passenger throughput, the Planning Commission may not adopt, or recommend to the Council, the finding that the EIR complies with CEQA. *See Topanga Ass'n*, 11 Cal.3d at 515.

II. Approval by the Planning Commission and City Council of the Proposed LAX Plan and LAX Specific Plan Amendments Would Usurp the Council's

[3] These and other deficiencies in LAWA's analysis of the Project's effect on capacity are discussed in the February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E., attached as Exhibit C to El Segundo's March 1, 2017 comments on the Final EIR, and fully incorporated herein.

Own Authority, are Unnecessary, and Are Not in Conformity with the General Welfare.

The 2004 LAX Master Plan adopted for LAX makes clear that the option adopted (Alternative D) was designed to serve approximately 78 MAP, which was approximately the same aviation activity levels identified in the No Action/No Project Alternative. LAWA represented that constraining LAX in this way would encourage the development and use of regional airports. This same vision of a constrained LAX was carried forward in the SPAS. Other alternatives specifically considered and rejected as part of the 2004 Master Plan process would have involved higher MAP numbers and greater impacts.

In approving the LAX Master Plan (Alternative D), the City Council took care to ensure that growth beyond that anticipated in the Master Plan would not happen without subsequent public evaluation, discussion, and consideration at the City Council. This important "check" on LAX growth was implemented through adoption of the LAX Plan and LAX Specific Plan (*see* LAMP Draft EIR Appendices C & D). The LAX Plan establishes a land-use policy framework, while the LAX Specific Plan establishes zoning and development regulations consistent with the LAX Plan. Future development at LAX is required to be consistent with both plans, and this consistency must be established by LAWA in reports to the City Council. The LAX Specific Plan requires that no "Project" at LAX may proceed unless it complies with the LAX Specific Plan and LAX Plan. As part of that compliance review, the Project is to be checked for compliance with Master Plan commitments and mitigation measures.

Although the plan consistency requirement and review process has worked well since the 2004 LAX Master Plan was adopted, LAWA now proposes a number of major changes as part of the LAMP Project. Specifically, LAWA has proposed a number of significant changes to the LAX Specific Plan and LAX Plan that would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the City Council for the promotion of regionalism and protection of LAX neighbors. As discussed below, LAWA proposes to delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7), and also to delete references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2). LAWA's proposed changes to the LAX Specific Plan would undermine its effectiveness as a mechanism for informed and transparent public review of aviation activity and growth at LAX, and thus are not in conformity with the general welfare.

A. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

The EIR does not adequately explain why the limits of 153 gates and 78.9 MAP are proposed for removal from the LAX Plan as part of LAMP. In fact, there is no logical link made between LAMP's proposed ground access upgrades and the removal of those limits from the Plan. The EIR notes in several places that the LAMP project would necessitate amendments to the LAX Specific Plan and the LAX Plan, but the explanations of "necessity" provided are generally limited to relatively minor issues such as a boundary adjustment and a rezone, which are logically necessary for LAMP. The EIR is silent regarding the substantial changes described below, which are not necessary or appropriate as part of LAMP.

It seems likely that LAWA has proposed the 78.9 MAP limit deletion in an attempt to avoid complying with that limit going forward and perhaps to dodge a plan inconsistency problem for the extremely ambitious LAMP. Specifically, because LAMP is designed to serve so much more than 78.9 MAP, it is not consistent with the 78.9 MAP limit in the LAX Plan. As discussed elsewhere in this letter, LAWA takes the untenable position that LAMP is not growth inducing, and insists it has no obligation to evaluate any of the impacts associated with passenger growth above 78.9 MAP as part of LAMP. LAWA cannot remove the 78.9 MAP limit from the LAX Plan without a full public discussion of that proposed policy change, which would include conducting a full analysis of the associated environmental impacts. In other words, if LAWA is now planning for LAX to serve more than 78.9 MAP, it must evaluate the impacts of that growth so the public and City Council decisionmakers have the information they need. The absence of this analysis is a major flaw in the LAMP EIR. In the absence of that analysis, LAWA cannot remove the 78.9 MAP limit from the LAX Plan as part of the Project.

It seems likely that LAWA has proposed deletion of the 153 gates limit in an attempt to avoid having to comply with that limit going forward. Yet there is no LAMP-related reason articulated for the removal. Indeed, how could LAMP, which focuses on ground access improvements, logically necessitate an increase in the number of gates at LAX? In discussing this proposed change, LAWA correctly acknowledges that under its settlement agreement with El Segundo and others, a gate limit would continue to apply until at least 2020. EIR at 7-2. What LAWA fails to acknowledge is that even after 2020, it cannot increase the number of gates at LAX without comprehensive environmental review and a Master Plan amendment. As such, the limit of 153 gates contained in the LAX Plan must remain in place unless and until that environmental

review and public process is complete. Deleting the limit now is not necessary for LAMP, would be premature, and prejudges the outcome of a separate process not yet begun.

If LAWA insists on pursuing removal of the current limits of 78.9 MAP and 153 gates from the LAX Plan as part of LAMP, it must first provide a complete analysis of the noise, air quality, and other environmental impacts that would result. That analysis would need to be provided in a recirculated EIR. That document would consider, for example, the environmental impacts such as increased noise and increased emissions (air pollution and GHGs) associated with the increased aircraft operations at the added gates and serving annual passenger numbers in excess of 78.9 MAP. As discussed elsewhere in this letter, the LAMP EIR provides no such analysis because it assumes (incorrectly) that the Project will not increase LAX's capacity or induce any growth in aviation activity.

We note that the EIR includes Section 7 (Evaluation of Amendments to the LAX Plan and LAX Specific Plan). This section is very strange because it purports to analyze a Project element (Amendments to the LAX Plan and LAX Specific Plan) separate from the Project itself (LAMP). The reader is left with the impression that Section 7 was an afterthought added by LAWA once the bulk of the EIR's environmental analysis was complete. This is inconsistent with CEQA's mandate to evaluate the whole of the project. It is also inconsistent with LAWA's obligation to inform the public and decisionmakers of all the Project's environmental impacts.

Moreover, the environment analysis in Section 7, which appears on just five pages, is limited to the following repeated conclusions: the proposed amendments to the LAX Plan and LAX Specific Plan "would generally correspond to changes at LAX as a result of the proposed Project [LAMP], as well as updates to administrative processes." In other words, LAWA argues that the proposed changes were either covered as part of the LAMP project assessment or are simple updates to administrative processes. This does not accurately capture the universe of proposed plan changes and their associated impacts.

LAWA does acknowledge, in passing, that removal of the gate limitation "may result in future increased development" but argues that it need not evaluate the impact of that development now because "removal of these policies does not mean that additional development would occur. Any future development related to the change in these policies would undergo separate CEQA review and would be subject to BOAC and other approvals prior to implementation." This is the very definition of improper deferral of

environmental analysis in violation of CEQA. If future exceedance of the 153 gate limit is uncertain and speculative as LAWA seems to claim, then LAWA should not ask the City Council to delete the limit from the LAX Plan now. If, on the other hand, LAWA insists on asking the City Council to delete the 153 gate limit now, it must also provide more detail regarding its gate increase plans and evaluate the associated impacts. It cannot delete the gate limit now based on the representation that the associated impacts would be evaluated later.

B. The LAX Specific Plan Changes Proposed by LAWA Would Remove Key Protections Put in Place by the LA City Council When It Approved the 2004 LAX Master Plan.

LAWA proposes a multitude of changes to the LAX Specific Plan as part of the LAMP. Examples include:

- Expanding significantly the universe of projects exempt from plan consistency review (*see* Appendix D at 7-9).
- Substituting BOAC for the LA City Council as the body responsible for confirming the plan consistency of projects proposed for LAX (*see* Appendix D at 10, 13).
- Deleting references to compliance with Master Plan mitigation measures and commitments (*see* Appendix D at 10, 12).
- Limiting compliance review to the LAX Specific Plan (eliminating the need for LAX Plan compliance review).
- Deleting the LAX Master Plan Stakeholder Liaison, who was tasked with assisting with communication between LAWA and stakeholders such as its neighbor, El Segundo (*see* Appendix D, throughout). Under LAWA's proposed change, apparently only Councilmember District 11 would have the benefit of a stakeholder liaison, not El Segundo and other neighbors outside the City of LA.

LAWA does not provide an adequate, comprehensive description of these proposed plan changes, referring to them generally as "updates to administrative process." *See, e.g.,* EIR at 7-1 *et seq.* As a result, it will be difficult if not impossible for the public and decisionmakers to gain a comprehensive understanding of the nature and extent of, much less the reasoning for, LAWA's plan change proposals. To the contrary, readers of the EIR are told in general terms that the Project "necessitates" the proposed plan changes, when (in fact) the most significant changes appear to be proposed by LAWA for reasons unrelated to LAMP. LAWA must instead provide a clear narrative description of all proposed change and the reason for each. Once that description is

provided, it should become clear that LAWA is seeking (for reasons unrelated to LAMP) to eliminate important checks put in place by the City Council. Those checks remain necessary and appropriate today.

C. A Specific Plan Amendment Study Is Now Required—the Requirement Is Not Satisfied by LAMP, and Must Remain in the LAX Specific Plan Until Satisfied.

The LAX Specific Plan plainly requires a Specific Plan Amendment Study and full CEQA review if annual passenger activity levels are anticipated to exceed 78.9 MAP. LAWA reports that annual passengers exceeded 80 million at the end of 2016. Under the Specific Plan, LAWA must therefore conduct a Specific Plan Amendment Study. This study would augment/update the analysis performed by LAWA for the LAX Master Plan and SPAS to include the higher passenger levels LAWA now desires and anticipates for LAX. This Specific Plan Amendment Study is critical because all current plans for LAX assumed and were based on a maximum passenger level of 78.9 MAP. In fact, the 2004 Master Plan (Alternative D) was approved by the City Council only after it received assurances that LAX would not be modified to serve passenger numbers exceeding 78.9 MAP absent further analysis (through a Specific Plan Amendment). That is not what LAWA is doing with LAMP.

LAWA does not conduct the required analysis as part of the LAMP EIR or propose to do it elsewhere. In fact, LAWA proposes to forever delete the operative language of the LAX Specific Plan and LAX Plan (EIR Appendices C & D), rather than preparing the required Specific Plan Amendment and CEQA review. DEIR 2-195 to 201. LAWA seems to argue that its traffic analysis done in connection with LAMP should excuse it from conducting the Specific Plan Amendment Study clearly required by the LAX Specific Plan when aviation activity analysis shows annual passengers are anticipated to exceed 78.9 million. EIR at 7-7. The LAMP analysis is, however, not equivalent to, and no substitute for, the required Specific Plan Amendment Study.

Most notably, as discussed elsewhere in this letter, the LAMP analysis treats as a given that LAX passenger activity will continue to grow past 78.9 MAP. The LAMP documents do not evaluate, much less offer mitigation for, impacts associated with that growth (e.g., increased noise and air quality impacts on surrounding communities associated with increased aircraft activity). As such, LAMP does not comply with a key requirement set forth in the LAX Specific Plan. LAWA's proposed remedy (deletion of the requirement) is inconsistent with clear City Council direction and the City of Los Angeles' General Plan framework.

LAWA's current attempt, as part of LAMP, to evade and delete the Specific Plan Amendment requirement, is wholly inconsistent with its prior statements and commitments on the subject. As recently as its Specific Plan Amendment adoption in 2013, LAWA described the LAX Specific Plan section 7.H as "requiring a Specific Plan Amendment Study if the annual aviation activity analysis forecasts that LAX annual passengers for that year are anticipated to exceed 78.9 MAP." *See* SPAS Report Appendix F (Operational Analysis) at 11 (section 2.5). In other words, LAWA has previously recognized that if and when the forecast for annual aviation activity levels reached 78.9 MAP, it would be obligated to undertake and request Council approval for a Specific Plan Amendment. Now that anticipated levels have reached that point, LAWA seeks to avoid the requirement by deleting it.

Similarly, LAWA recognizes that Section 7.H.2 of the LAX Specific Plan requires it to initiate an LAX Domestic Passenger Survey/Study and corresponding Airline Survey/Study if the annual aviation activity forecast indicates that the annual passengers in the year when LAX is anticipated to exceed 78.9 million. LAWA represents that it will meet this requirement by conducting the required surveys in 2017. It also proposes to delete the requirement. Deleting the requirement is, however, premature and should not be approved by the Council until LAWA has satisfactorily completed the required surveys and made them public.

Neither LAWA, nor the Planning Department in its recommendations to the Planning Commission, has demonstrated that the Project is in conformity with the intent of the General Plan (including the LAX Plan), the general welfare, or public necessity. Thus the Planning Commission and BOAC may not adopt the proposed findings, or recommend that the Council affirm the certification of the EIR, until the Project is modified to remove the unnecessary amendments to the LAX Plan and LAX Specific Plan, and the EIR is revised and recirculated to address its substantial legal deficiencies.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

ATTACHMENT D

Responses by LAWA to March 1, 2017 Comment Letter on LAX LAMP Project EIR from Shute, Mihaly & Weinberger

1. Comments and Responses

LAMP-F-AL00001 Wolff, Osa **Shute, Mihaly & Weinberger LLP (City of El Segundo)** **3/1/2017**

LAMP-F-AL00001-1

Comment: On behalf of the City of El Segundo ("City"), we submit the following comments on the Final Environmental Impact Report ("FEIR") for the for the Landside Access Modernization Program ("LAMP" or "Project"). Despite the City's comments on the Draft EIR ("DEIR"), the FEIR still fails to analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed.[1]

[1] The City appreciates that LAWA has removed the proposal to amend the LAX Plan and LAX Specific Plan to address application of the existing curfew on engine runups to those occurring inside a ground run-up enclosure ("GRE"). Because the Project does not include a proposal to construct a GRE, this is not the appropriate time to propose changing the regulations governing run-ups. The City looks forward to discussing this issue further with LAWA.

Response: Please see Responses to Comments LAMP-F-AL00001-2 through LAMP-F-AL00001-14 below regarding the adequacy of the analysis and mitigation in the LAX Landside Access Modernization Program EIR.

LAMP-F-AL00001-2

Comment: **I. The Project Would Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.**

In its responses to comments on the DEIR, Los Angeles World Airports ("LAWA") attempts for the first time to provide a rationale for its assumption that the ground access network is never a limit on passengers' use of LAX, and thus that expanding ground access would not cause an increase in airport use. LAWA's rationale is unconvincing. As the City has repeatedly emphasized, the environmental analysis required by the California Environmental Quality Act ("CEQA") may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations. LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

As the City explained in its earlier comments, LAWA has previously stated that ground access *is* a constraint and that LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network. See, e.g., 2004 Master Plan EIR at 1-4.[2] LAWA now attempts to distance itself from its own conclusions/representations, arguing these

statements proved inaccurate: instead ground access is just one "factor" in passengers' choice of air travel, and furthermore the aviation industry can process more passengers today despite ground access congestion, through increased load factors and faster turnaround times. As "evidence" that there is no correlation between passenger capacity and ground access, LAWA states it has observed that LAX passenger throughput has steadily grown since it adopted the Master Plan, from 61.5 MAP in 2005 to 80.9 MAP at the end of 2016, despite the existing congestion in the Central Terminal Area ("CTA").

The problem with LAWA's analysis is that it simply infers, based on the above data, that the existing ground access network could accommodate an *additional* 15 MAP by 2035. This is faulty logic. Even if LAWA was "wrong" in 2004, and the ground access network did not practically constrain operations to 78.9 MAP, it does not follow that ground access would never constrain ever-increasing passenger demand. See, e.g., Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015) at 38, attached as Exhibit B ("Actions taken by local airport authorities, such as changes in user charges, *ground access policies* or their support services, can also stimulate or hinder the demand for airport services."). LAWA nonetheless claims that, as long as the aviation industry continues to operate more efficiently (and the LAX airfield and terminals are periodically upgraded), the sky's the limit: ground access would never need to be upgraded to accommodate growth. Of course, this makes no sense.

Even if there were always some portion of potential LAX passengers for whom air travel through the airport is an "inelastic" service (meaning they will use LAX regardless if cost, including travel time to/from the airport), there is also a second, likely bigger population of potential passengers for whom travel through LAX is an "elastic" service negatively impacted by inconvenience. If LAWA did not build the Project, this second type of passenger would make other arrangements (e.g., patronize a different regional airport). See FEIR at 2-84 ("[H]istorical data on passenger activity levels reflect variations in passenger activity levels that may be attributed to traffic conditions in the CTA."). Without any evidence, LAWA assumes there is enough of the first kind of potential passenger that the airport would inevitably process 95 MAP by 2035, even if the Project were not built. Under CEQA, LAWA must provide substantial evidence for its assumption that the Project would not accommodate additional passenger demand, and thus would not cause any environmental impacts related to increased aircraft operations. Conjecture and unsubstantiated claims by LAWA do not qualify as substantial evidence. This is particularly true given LAWA's position that its own past analysis of CTA capacity proved inaccurate.[3]

As the City explained in its comments on the DEIR, LAWA has never analyzed the impacts of its operations at passenger levels above 78.9 MAP. The Ventura County Superior Court recognized this fact in its recent ruling on consolidated CEQA challenges to LAWA's 2013 approval of the Specific Plan Amendment Study, which stated that LAWA "analyze[d] environmental impacts of the SPAS alternatives at LAX's operational capacity (on 153 passenger gates) of 78.9 MAP. LAX is not projected to reach that capacity until 2024. LAX has never operated at 75 MAP or at its 78.9 MAP capacity. Once LAX reaches capacity, there are by definition no additional impacts, because the airport is operating at capacity." ARSAC et al. v. City of Los Angeles et al., Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016) at 80, attached as Exhibit D. In its responses to comments, however, LAWA states that LAX hit 80.9 MAP at the end of 2016. Thus, in terms of passenger operations and analysis of its environmental impacts, LAWA has entered uncharted territory. See Exhibit E (containing a sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency). Because the EIR lacks substantial evidence that the Project would not enable additional passenger throughput, LAWA must now analyze the Project's contribution to continued growth at LAX.

[2] In 2005, El Segundo filed an appeal before the Los Angeles County Airport Land Use Commission over LAWA's adoption of the Master Plan. See generally, Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001. The Commission found the Master Plan violated the state law requiring "orderly expansion of airports" (Pub. Util. Code § 21670(a)(2)). Id. Commission staff's analysis, which the April 20, 2005 Commission Resolution incorporated, stated that "[t]he present maximum capacity of LAX is generally agreed to be 78.9 MAP because of the present, limited ground access system. Even if gates are added, terminals enlarged and runways reconfigured, it would not be possible to accommodate more than 78.9 MAP with the present ground access system. . . . [T]here are a number of improvements to the ground access system that would accommodate a greater number of passengers." Commission Staff Analysis and Resolution, attached as Exhibit A.

[3] These and other deficiencies in LAWA's analysis of the Project's effect on capacity are discussed in the February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E., attached as Exhibit C and fully incorporated herein.

Response: In the second paragraph starting on page 1 of the commentor's letter, the commentor's claim that the responses to comments on the Draft EIR were the first time LAWA attempted to "provide a rationale for its assumptions that the ground access network is never a limit on passengers' use of LAX" is incorrect. See Response to Comment LAMP-AL00008-2 on page 2-83 of the Final EIR which references a discussion provided in the Draft EIR regarding the factors that influence passengers' decision to choose to use an airport, which include ground access. In addition, the last paragraph on page 2-84 of the Final EIR provides the following summary statement which clearly acknowledges that ground access is a factor, among many others, considered by passengers:

> Reduced traffic congestion in the CTA and other enhancements in passenger convenience provided by the proposed Project are not primary consideration in passengers' decisions to travel to, from or through LAX, and how often they travel. Many other primary factors such as airfare prices and flight schedules more directly influence these decisions.

The commentor further discusses the need to provide substantial evidence in the record to support the conclusions that "expanding ground access would not cause an increase in airport use". The Final EIR provides such substantial evidence. As discussed in Response to Comment LAMP-AL00008-2 on page 2-84 of the Final EIR, growth in passengers at LAX is expected to occur with or without the proposed Project improvements. Response to Comment LAMP-AL00008-83 on page 2-183 of the Final EIR provides a discussion of empirical evidence based on historical statistics that passenger activity levels can and have increased despite increased traffic congestion conditions at LAX. Further substantial evidence is provided in Response to Comment LAMP-AL00008-83 on page 2-184 of the Final EIR. As discussed, between 2005 and 2015, whereas LAX's passenger market share has increased, the other airports have seen their market shares stay relatively constant (John Wayne Airport and Long Beach Airport) or decline (Ontario International Airport and Hollywood Burbank Airport) over the 10-year period. Therefore, historical trends likely to continue in the future indicate that heavy traffic congestion at and around LAX has not forced passengers to use other airports in the region.

In the second paragraph on page 2 of the commentor's letter, the commentor's claim that "LAWA has previously stated that (...) LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network" is a misinterpretation of the

concept of capacity of an airport component. See Response to Comment LAMP-AL00008-2 on page 2-82 of the Final EIR for a discussion of how practical capacity of 78.9 MAP does not mean maximum capacity.

LAWA did not suggest that statements included in the 2004 Master Plan have become "inaccurate", as written by the commentor. As discussed in Response to Comment LAMP-AL00008-2 on pages 2-81 and 2-82 of the Final EIR, the 2004 Master Plan analyses relied on a specific set of assumptions and conditions such as an assumed aircraft fleet mix, load factor (number of passengers on each aircraft), and number of aircraft operations each airline passenger gate would accommodate on a daily basis. These assumptions and conditions are dynamic and have changed over time. Landside access factors that have changed since the 2004 LAX Master Plan include advent of shared ride services, increased regional traffic congestion, evolution of the Los Angeles County Metro and public transit system, advent of TNCs (e.g., Uber and Lyft), and improved traffic data collection. Additionally, LAWA has implemented a number of projects including the Bradley West Terminal, terminal renovations, Center Way improvements, single-level busing for some commercial vehicles, and other improvements.

Further, the commentor's claim that the EIR analyses conclude that "there is no correlation between passenger capacity and ground access" is incorrect. The commentor misquotes the EIR analyses by omitting the word "direct". See page 6-7 of the Draft EIR and page 2-82 of the Final EIR which state:

> Additionally, passenger activity levels at LAX in 2014 and 2015 have increased 6-percent year-over-year and 8 percent between 2015 and 2016, compared to an average of 4.1 percent over the four previous years (2010 to 2013), suggesting no direct statistical correlation between recent passenger activity levels and the existing congested conditions of the CTA.

In the third paragraph on page 2 of the commentor's letter, the commentor continues to erroneously associate the ground access component practical capacity of 78.9 MAP to a constraint on activity levels. See Response to Comment LAMP-AL00008-2 on page 2-82 of the Final EIR for a discussion of how practical capacity of 78.9 MAP does not mean maximum capacity. As discussed on page 2-84 of in the Final EIR, practical capacity takes into account market assumptions, expected physical characteristics of various airport system functional elements and how they are planned and expected to work together. Contrary to the commentor's claim, LAWA does not suggest that the ground access component would "never" constrain passenger activity levels, or that the "sky's the limit".[1] Understanding the concept of practical capacity and the interaction among each airport component and their respective capacity limits, as recognized by the commentor's expert Mr. Kanafani (see page 12 of the commentor's letter), any of the airport components could become the constraining component at LAX, depending on the specific facilities and constraints.

In the second paragraph on page 3 of the commentor's letter, the commentor discusses "elastic" and "inelastic" service in the context of the passengers' reactions to cost and travel times. The commentor discusses that a proportion of today's LAX passengers would continue to use LAX regardless of increases in airfares or congestion (i.e., "inelastic" service). The commentor further

[1] Also, LAWA does not disagree with the FAA Advisory Circular generalization cited by commenter indicating that actions taken by local airport authorities such as changes in ground access policies "can" stimulate or hinder the demand for airport services. This generalization statement does not, however, lead to the conclusion that the LAMP project is necessary for LAX to achieve 95 MAP by 2035.

suggests that the proportion of passengers that would be sensitive (i.e., "elastic") to increases in airfares or congestion (among other factors) would likely be "bigger" without providing any evidence to support such statement. As discussed above, and if traffic conditions at and around LAX were a primary factor that would deter passengers from using LAX, as suggested by the commentor, historical market shares presented in Response to Comment LAMP-AL00008-83 on page 2-184 of the Final EIR would have shifted to the favor of other regional airports. At the end of the second paragraph, again, the commentor erroneously suggests that the EIR analyses did not provide substantial evidence in the record. The EIR analyses relied upon documented substantial empirical evidence (i.e., historical passenger data, traffic congestion data, and airport market shares in the Los Angeles region) to reasonably support a conclusion that 95 MAP could be achieved in 2035 without the LAMP project.

Under a future (95 MAP) Without Project scenario at LAX, in which the landside facilities and operations would remain mostly unchanged from current conditions, it is likely that while private and commercial vehicles would still be able to pick-up and drop-off passengers within the CTA, vehicle flow would be significantly impacted while congestion and delays would be increased (see Tables 4.12.1-13 and 4.12.1-5 in Section 4.12.1, On-Airport Transportation, of the Draft EIR). Any roadway, including airport landside facilities, has a finite throughput capacity. Even during heavy traffic activity events today, which are not necessarily the Airport's peak events, LAX routinely experiences substantial vehicle congestion within the CTA resulting in significant vehicle queues accessing the Airport and delays for drivers circling either the arrivals or departures level roadways. Under a future Without Project scenario, these conditions would become the norm at LAX as passenger traffic continues to grow. However, even with the traffic congestion experienced today during peak holiday and summer periods, there is no evidence that this is causing passengers to choose other airports.

Similarly, as shown in Tables 4.12.2-20, 4.12.2-24, 4.12.2-29, and 4.12.2-30 of the Draft EIR, congestion at off-airport intersections and on the freeways would also increase under the Without Project scenario. However, worsening traffic conditions are not expected to significantly reduce future passenger demand for LAX, only to lower the level of service and experience for passengers and drivers as passenger activity continues to increase at LAX.

The number of seats scheduled by airlines operating at LAX varies throughout the year depending upon the time of year (e.g., summer time and holidays) and the day of the week (weekdays vs. weekend days). **Table 1** presents the numbers of scheduled seats in calendar years 2015 and 2016. Historically, and as presented in Table 1, the months of July and August have been the months with the highest numbers of seats scheduled by the airlines in order to respond to greater demand for air travel during these summer months. As percentages of totals, the numbers of seats scheduled in the remaining months remain comparatively constant.

Table 1: Numbers of Published Seats in Calendar Year 2015 and 2016 by Month

Months	2015 Seats	Percent of 2015 Total	2016 Seats	Percent of 2016 Total
January	6,965,531	7.7%	7,469,743	7.7%
February	6,241,741	6.9%	6,944,518	7.2%
March	7,253,701	8.1%	7,774,925	8.0%
April	7,156,073	7.9%	7,706,068	7.9%
May	7,598,360	8.4%	8,139,757	8.4%
June	7,933,977	8.8%	8,629,121	8.9%
July	8,404,498	9.3%	9,114,296	9.4%
August	8,304,635	9.2%	9,002,084	9.3%
September	7,490,414	8.3%	7,987,950	8.2%
October	7,732,461	8.6%	8,217,070	8.5%
November	7,249,876	8.1%	7,767,260	8.0%
December	7,700,846	8.6%	8,330,368	8.6%
Grand Total	90,032,113	100.0%	97,083,160	100.0%

Source: Ricondo & Associates, Inc., March 2017, based on published schedule information downloaded from Innovata, Inc.
Prepared by: Ricondo & Associates, Inc., March 2017.

Table 2 presents the numbers of seats scheduled on week days and weekend days for calendar year 2015 and 2016. Notwithstanding changes in the numbers of weekend days each month, airlines scheduled 72.5 percent of all seats during week days at LAX in 2015 and 2016, with the remaining 27.5 percent of seats scheduled during weekend days.

Table 2: Numbers of Published Seats in Calendar Year 2015 and 2016 by Week Day and Weekend Day

	2015	Percent of 2015 Total	2016	Percent of 2016 Total
Week Days	65,308,905	72.5%	70,358,145	72.5%
Weekend Days	24,723,208	27.5%	26,725,015	27.5%
Totals	90,032,113	100.0%	97,083,160	100.0%

Source: Ricondo & Associates, Inc., March 2017, based on published schedule information downloaded from Innovata, Inc.
Prepared by: Ricondo & Associates, Inc., March 2017.

Table 3 presents additional statistics based on the numbers of scheduled seats at LAX in 2015 and 2016. Between 2015 and 2016, the number of scheduled seats grew by 7.8 percent. As presented in Table 3, various data (e.g., number of seats in the peak month; number of seats on a peak day in the peak month; or number of seats on the peak day in the year) has grown consistently with the overall 7.8 percent growth factor, suggesting no other factors influencing the number of scheduled seats made available by the airlines beyond inherent growth in passenger demand for air travel.

Table 3: 2015 and 2016 Aircraft Passenger Seat Statistics at LAX

	Seats in 2015	Seats in 2016	Percentage Change
Annual	90,032,113	97,083,160	7.8%
Peak Month (July)	8,404,498	9,114,296	8.4%
Peak Month Average Day	271,113	294,010	8.4%
Peak Month Peak Day	278,768	302,928	8.7%
Average Annual Day	246,663	265,255	7.5%
Peak Annual Day	281,542	303,162	7.7%

Source: Ricondo & Associates, Inc., March 2017, based on published schedule information downloaded from Innovata, Inc.
Prepared by: Ricondo & Associates, Inc., March 2017.

The historical information presented above reveals consistency in airline scheduling practices over these 24 months. Consistency in these statistics suggests that airline business and scheduling models are focused on meeting demand for air travel as opposed to being influenced by extrinsic local airport factors (e.g., long lines at TSA screening positions or traffic congestion). If extrinsic factors play a significant role in the number of seats scheduled by the airlines, one would expect greater variability in the statistics presented above.

In 2016, LAX accommodated 697,138 aircraft operations and 80,921,527 passengers. Of the 697,138 aircraft operations, 671,725 were air carrier and air taxi operations. As shown in Table 1, the airlines had a total 97.1 million seats available for passengers at LAX (meaning that the passenger aircraft operating at LAX in 2016 were configured to accommodate 97.1 million passengers). This resulted in an overall passenger load factor (average number of passengers per passenger aircraft operation) of 83.4 percent.

LAWA already accommodates daily passenger and vehicle traffic during peak periods that would equal 95 MAP if such activity were sustained for the entire year. **Table 4** provides an analysis of daily seats by average annual day, peak month average day, and peak annual day in 2016. As shown, if passenger aircraft operations at LAX were equal to a peak annual day in 2016 and the airlines had an average load factor of 85.6 percent, LAX would have accommodated 95 million annual passengers in 2016. The peak annual day in 2016 occurred in July; thus, the surface traffic conditions throughout the year at a level of 95 million annual passengers would be similar to what occurred at LAX in July 2016. As LAX reaches capacity, the variation in passenger levels from month-to-month and from day-to-day will level off, with growth primarily occurring in off-peak months, days, and times of the day; the Airport will be less likely to accommodate more flights during typical peak periods, but instead would increase the number of days and times during the day where it operates at or near capacity. LAWA already can and regularly does accommodate the level of daily activity (and traffic congestion) that would be associated with an annual activity level of 95 MAP. Thus, traffic congestion would not be a barrier to reaching 95 MAP at LAX with the existing landside infrastructure, even with more extensive traffic congestion in 2035.

Table 4: Analysis of Daily Seats in Calendar Year 2016

	Baseline 2016	Average Annual Day in 2016	Peak Month Average Day in 2016	Peak Annual Day in 2016
Daily Seats		265,255	294,010	303,162
Annual Seats (Daily x 366)		97,083,160	107,607,495	110,957,292
2016 Average Load Factor	83.4%	83.4%	83.4%	83.4%
Annual Passengers	80,921,527	80,967,355	89,744,651	92,538,382

Source: Ricondo & Associates, Inc., March 2017, based on published schedule information downloaded from Innovata, Inc.
Prepared by: Ricondo & Associates, Inc., March 2017.

Table 5 extrapolates the daily and annual seats for an average annual day in 2016, a peak month average day in 2016, and a peak annual day in 2016. As shown in Table 1, the airlines had a total 97.1 million seats available for passengers at LAX (meaning that the passenger aircraft operating at LAX in 2016 were configured to accommodate 97.1 million passengers). This resulted in an overall passenger load factor (average number of passengers per passenger aircraft operation) of 83.4 percent. In order to achieve 95 MAP based on the same operations on an average annual day, an average load factor of 97.9 percent would be required. However, if the airlines operated aircraft every day of the year as they did for the peak annual day in 2016, 95 MAP would have been achieved with an average load factor of 85.6 percent, which is very close to the actual 2016 average load factor of 83.4 percent. Thus, it is reasonable to conclude that the existing LAX airfield, terminal, and landside infrastructure would accommodate 95 MAP even without the LAMP improvements.

Table 5: Load Factors at 2016 Activity Levels that Would Achieve 95 MAP

	Average Annual Day in 2016	Peak Month Average Day in 2016	Peak Annual Day in 2016
Daily Seats	265,255	294,010	303,162
Annual Seats (Daily x 366)	97,083,160	107,607,495	110,957,292
Extrapolation:			
Annual Passengers	95,000,000	95,000,000	95,000,000
Average Load Factor	97.9%	88.3%	85.6%

Source: Ricondo & Associates, Inc., March 2017, based on published schedule information downloaded from Innovata, Inc.
Prepared by: Ricondo & Associates, Inc., March 2017.

In the third paragraph on page 3 of the commentor's letter, the commentor erroneously suggests that LAWA did not analyze passenger activity beyond 78.9 MAP. See Response to Comment LAMP-AL00008-27 on page 2-110 of the Final EIR. The Draft EIR included analyses for both horizon years 2024 and 2035, including disclosing environmental conditions with 86 Million Annual Passengers (MAP) in 2024 and 95 MAP in 2035 at LAX. The Draft EIR did not judge the significance of the impacts of passenger growth or mitigate those impacts, because as explained in the Draft and Final EIR, passenger growth is not a direct or indirect impact of the LAX Landside

Access Modernization Program. Additionally, the Ventura County Superior Court's 2015 ruling upholding LAWA's 2013 approval of the Specific Plan Amendment Study simply acknowledged MAP levels as they existed in 2015 when the ruling was drafted; the ruling is irrelevant to 2016 MAP levels. Finally, the general news and blog articles about LAX included as commenter's Exhibit E provide no substantial evidence that would change this conclusion.

LAMP-F-AL00001-3

Comment: **II. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.**

In its comments on the DEIR, the City explained why the extensive and unnecessary changes proposed to the LAX Plan and LAX Specific Plan would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the Los Angeles City Council as a check on LAWA pursuing unconstrained growth at LAX, for the promotion of regionalism, and for the protection of LAX neighbors. LAWA's responses to these comments fail to justify the present need for these plan amendments, which among other things would delete the limit of 153 gates at LAX from the LAX Plan (see Appendix C at 1, 7) as well as references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (see Appendix C at 2).

LAWA attempts to defend its abandonment of the 153 gate cap by stating that "proposed changes to the LAX Plan and LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates." FEIR at 2-94. LAWA's claim that abandonment of the gate cap would have no environmental impact because the LAX Plan and LAX Specific Plan are not "prescriptive plans that specify the exact number of facilities and passengers allowed at LAX" (id. at 2-95) does not hold water. LAWA proposes to strike text from the LAX Plan stating, "Limit airport capacity by restricting the number of gates (including remote gates) to no more than 153 at Master Plan build out." Appendix C at 7. The LAX Plan presently states that development "shall be governed" by this and other policies and programs. Id. The current 153 gate cap is clearly a "prescriptive" limit. The Los Angeles City Council wisely and intentionally included real checks on LAWA's ability to pursue unconstrained growth at LAX. Any removal of those checks requires careful consideration and full environmental review.

LAWA states that the 153-gate cap applies through 2020 as a provision of the 2006 Stipulated Settlement. Id. at 2-96. This is partly correct. The 153-gate cap is also mitigation which LAWA expressly adopted when it approved SPAS, and "dutifully incorporated . . . into each proposed SPAS study alternative." See ARSAC et al. v. City of Los Angeles et al., at 79. Because the Project would abandon an operational limitation adopted independently of the 2006 Stipulated Settlement, LAWA must analyze the impact of removing the 153-gate cap from the plans governing airport development.

LAWA also suggests that, regardless of whether the Project would cause an increase in passenger gates, the EIR considers the cumulative impact of additional passenger gates because the description of the environmental setting identifies other potential projects that would add gates. FEIR at 2-98. LAWA claims that these projects would not, in any event, cause the total number of passenger gates to exceed the 153-gate cap. Id. As an initial matter, the list of "Probable Future Projects" in the EIR contradicts LAWA's claim in its response to comments that the total number of gates would not exceed 153; the Terminals 2 and 3 project and the "Concourse 0" project together would add 14 gates to LAWA's current (2016) count of 141 gates. See FEIR at 2-97. Furthermore, this list of projects does not match the list of future projects LAWA provided to the City on January 4, 2017, in response to a Public Records Act request. See Exhibit F. This document indicates that LAX will have 173 passenger gates by 2032 as a result of

several projects which are not mentioned in the EIR at all. Id. It also appears to show that LAX will have 158 gates in 2020, while the 2006 settlement remains in effect.

It is no secret that the 153 gates already slated for LAX can accommodate much more than 78.9 MAP. Moreover, LAWA intends to dramatically increase the number of passenger gates at LAX during, and beyond, construction of the Project. This will allow LAX to accommodate even more passengers and flights. Nothing in the EIR (including its cumulative impacts analysis) evaluates the noise, air quality and other impacts of that growth on El Segundo and other airport neighbors.

The City reiterates the request in its comments on the DEIR that the entire administrative record for the Terminals 2 and 3 project, including the recently released EIR (attached as Exhibit G), be included in the LAMP administrative record. Furthermore, pursuant to the California Public Records Act ("PRA"), Government Code Sections 6250 et seq., and the amendments to the California Constitution provided by Proposition 59, please make available for El Segundo's review all background documents supporting or explaining the data in Exhibit F, and include all such documents in the administrative record for the LAMP. Please respond to this request within ten (10) days. Gov't Code § 6256.

Response: As noted in Response to Comment LAMP-AL00008-4 on page 2-90 of the Final EIR, LAWA's commitment to comply with the 2006 Stipulated Settlement is affirmed. As noted on pages 7-6 and 7-7 in Chapter 7, Evaluation of Amendments to the LAX Plan and LAX Specific Plan, of the Draft EIR, LAWA is proposing changes to Section 7, LAX Specific Plan Compliance Review, of the LAX Specific Plan. Revisions to this section would include the removal of subsection G, Monitoring and Reporting, and subsection H, Additional Study Requirements. Portions of these requirements would be consolidated into proposed Appendix A. Requirements regarding the preparation of a Specific Plan Amendment Study would be removed from the LAX Specific Plan as the LAX Landside Access Modernization Program EIR fulfills that requirement as described in Section 2.8.2 of the Draft EIR.

The commentor further asserts that LAWA has abandoned its commitment to a constrained LAX; see Response to Comment LAMP-AL00008-7 on page 2-95 of the Final EIR which addresses this assertion. As noted in that response, the proposed changes to the LAX Plan and LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates. This change is proposed because the LAX Plan and LAX Specific Plan are not prescriptive plans that specify the exact number of facilities and passengers allowed at LAX; rather they are planning documents that discuss permitted land uses, zoning, and approval processes within the framework of the City of Los Angeles General Plan. Additional gates are not proposed as part of the LAX Landside Access Modernization Program. Any future development at LAX would be required to comply with CEQA and NEPA. This means that any terminal development at LAX, must undergo environmental review. Further, the Stipulated Settlement's gate provisions are not, as the commentor suggests, "mitigation" for any specific project or environmental impact. The gate provisions were agreed to in 2006 in connection with settlement of the LAX Master Plan litigation. The LAX Specific Plan Amendment Study complied with that settlement by studying alternatives that would have no more than 153 gates.

Exhibit F, presented by the commentor, shows a planning list of potential gates that may or may not occur at LAX under different proposals. As an airport operator, LAWA is constantly evaluating different proposals for concourses and gates that various airlines propose. As noted in Response to Comment LAMP-AL00008-4 on page 2-90 of the Final EIR, LAWA's commitment to comply with the 2006 Stipulated Settlement is affirmed. Additionally, as stated above, any terminal development at LAX must undergo environmental review.

Table 3-1 in the Draft EIR identifies all of the reasonably foreseeable projects at the time the Draft EIR was initiated in 2015. Reasonably foreseeable means that LAWA had definitive plans for the projects (i.e., under environmental review, design, and/or construction); reasonably foreseeable does not mean any potential idea that someone has suggested for future development. Additionally, the projects contained in Table 3-1 are consistent with the current Airport Layout Plan for LAX that identifies existing facilities as well as reasonably foreseeable future development projects.

Finally, as mentioned above, any future development at LAX would be required to comply with CEQA and NEPA. This means that any terminal development must undergo environmental review. That is the appropriate time to analyze any increase in potential capacity that would occur with those projects and the commensurate effects of that increase in capacity. As explained in Response to Comment LAMP-AL00008-2 starting on page 2-81 of the Final EIR, the proposed Project would not directly or indirectly induce LAX passenger growth; instead, the Draft EIR relies on projected future increases in passenger activity levels forecasted by the FAA and SCAG, that would be achieved with or without the proposed Project, as explained in the Draft EIR and Final EIR.

Lastly, the commenter also makes certain LAMP administrative record and Public Records Act requests. LAWA is addressing these requests as required by law; they do not directly pertain to the adequacy of the Draft EIR or Final EIR under CEQA.

LAMP-F-AL00001-4

Comment: **III. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.**

As the City explained in its comments on the DEIR, because LAWA takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The FEIR must be revised to resolve this obvious deficiency under CEQA.

LAWA claims that any Project noise-related impacts would be adequately addressed by the mitigation measures in the 2004 Master Plan. FEIR at 2-108. Yet LAWA also takes the contradictory position that the Project is not governed by the Master Plan or its contents, including mitigation measures. See id. at 2-100. In fact, LAWA generally takes the position that the Master Plan has become largely irrelevant, does not govern future projects at LAX, and need not be replaced. See id. at 2-104 (asserting it is "incorrect that the LAX Master Plan is the governing planning document for LAX" and that it "was based on 1995 conditions projected over a 20-year period through 2015"); id. at 2-105 ("there is no requirement or reason to revise the LAX Master Plan or Specific Plan Amendment Study"). LAWA cannot distance the Project from the Master Plan's goals and capacity limits, while claiming that any impacts from the Project would be adequately addressed by the plan's mitigation measures.

LAWA also attempts to rebut the argument that any existing noise mitigation is tailored to 78.9 MAP, and thus insufficient to address higher passenger operations, by asserting that its Part 150 Noise Exposure Map ("NEM") is "expected to be updated every 5 years and would capture any increases in actual and forecast activity during that process." Id. at 2-108. Although FAA demanded a new NEM for LAX and approved it in 2015, the previous NEM for LAX was from 1984. Contrary to its claim that noise mitigation would be kept current pursuant to federal law,

LAWA's demonstrated practice is *not* to ensure that its NEM is updated regularly to reflect current noise contours. Furthermore, the 2015 NEM, which contains a noise contour based on 77.1 MAP in contrast to the current 80.9 MAP, is already significantly outdated.

Response: Please see Response to Comment LAMP-F-AL00001-2 and LAMP-F-AL00001-3 above. As explained in Response to Comment LAMP-AL00008-2 starting on page 2-81 of the Final EIR, the proposed Project would not directly or indirectly induce LAX passenger growth; instead, the Draft EIR relies on projected future increases in passenger activity levels forecasted by the FAA and SCAG. LAWA does not state that the Master Plan commitments and mitigation measures are irrelevant or invalid; in fact, LAWA implements and enforces the applicable Master Plan commitments and mitigation measures on all projects. This is evidenced by the mitigation measures contained in the proposed Project's Draft EIR and the Mitigation Monitoring and Reporting Program (MMRP), which include a number of Master Plan mitigation measures and commitments applicable to the proposed Project.

As the commentor is well aware, LAWA has run an Airport Noise Mitigation Program (ANMP) at LAX for a number of years, which the City of El Segundo is a participant. LAWA's ANMP utilizes current Noise Exposure Maps (NEMs) to determine residents and households impacted by significant levels of aircraft noise, as well as eligibility for AIP funding for mitigation (sound insulation or property acquisition). LAWA undertook an NEM Update, which prepared existing (2015) and future (2020) noise contours in accordance with 14 CFR Part 150 requirements to analyze existing conditions and conditions five years into the future. Data for existing conditions was based on the latest operations data available at the time, which was the 2014 FAA TAF. Although total passengers associated with aircraft operations in 2020 were forecast to be 77.1 MAP, this only represents a less than 5 percent difference from the 2016 annual passengers of 80.9 MAP. Therefore, these contours still accurately represent existing conditions.

The 2020 NEM is the official Program Boundary for the ANMP as of December 31, 2015.[2] Previous federal funding (AIP grants) for the ANMP was based on the LAX Master Plan Alternative D Noise Contour (Alt D 2015 Forecast Noise Contour) from 2006 through 2015. Prior to that, Federal funding for the ANMP was based on either the 1982 base-year or the 1987 five-year forecast NEM contours approved in 1984 as part of the original Part 150 Study. While LAWA did not formally update the 1982/87 NEMs, the Program Boundary for the ANMP reflected current forecast conditions based on the Master Plan from 2006 through 2015.

Moreover, from 1997 (when many of the noise mitigation programs were just starting up) through 2015, LAWA's ANMP Program Boundary was based on the State-required Quarterly Report for the Fourth Quarter of 1992 (aka 4Q92 Noise Contour), which was one of the largest overall aircraft noise contours prepared for LAX (based on total acreage and total properties included), and which LAWA agreed to fund up to 100 percent of the costs. This resulted in many areas within the City of El Segundo receiving 100 percent LAWA funding. LAWA paid up to 100 percent of the costs for mitigating properties within the 4Q92 Noise Contour, up to and until the FAA would no longer allow airport funding to be used for a non-FAA-approved contour (2015).

FAA requires that airport sponsors evaluate their NEMs every 5 years, and update them or prove that they are still applicable based on fleet mix and forecasting assumptions used to develop the NEM contour maps. LAWA has always tried to assure the maximum number of properties are

[2] Los Angeles International Airport, "Title 14, Code of Federal Regulations (CFR) Part 150 Noise Exposure Map Report Update", Final, August 2015.

eligible for noise mitigation funding, and worked with the affected communities to expedite the funding to assure the work could be done quickly and to capture the largest number of properties. LAWA also authorized end-of-block mitigation for properties that were outside of the 4Q92 Noise Contour. LAWA has clearly attempted to provide funding to mitigate as many households as possible throughout the history of the ANMP.

LAMP-F-AL00001-5

Comment: **IV. The FEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.**

In comments on the DEIR, the City and MRO Engineers identified numerous flaws in the DEIR's analysis of transportation impacts. The response to the vast majority of these comments is lamentably, denial. Indeed, most of the public's concerns about the Project's transportation impacts are rejected out of hand. Our comments remain relevant—and have yet to be adequately addressed. Below, we identify a few of the most egregious examples of the EIR's legal inadequacies.

Response: Please see Responses to Comments LAMP-F-AL00001-6 through LAMP-F-AL00001-8.

LAMP-F-AL00001-6

Comment: **A. The FEIR Fails to Adequately Disclose the Severity and Extent of the Project's Traffic Impacts.**

Like the DEIR, the FEIR fails to disclose the severity and extent of the Project's traffic impacts. The EIR incorrectly asserts that alleviating the significant and longstanding ground access constraints at LAX would have no effect on the airport's operations. For this reason, the EIR does not analyze the increase in traffic that would occur as passenger activity increases to expected levels in 2035 (about 95 MAP). The EIR asserts that it analyzed the environmental impacts that would occur as passenger levels reach 86 MAP in 2034 and 95 MAP in 2035. While the EIR did, in fact, provide this analysis, because it does not evaluate the Project's impacts against a baseline of existing conditions, it determines that the Project would impact only 6 intersections in 2024 and 8 intersections in 2035. See DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118 and DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130. Had the DEIR recognized that the Project will facilitate this increase in passenger activity, it would have disclosed far more extensive impacts.

In fact, for the 2024 scenario, an additional 77 intersections would experience an increase in volume/capacity ("V/C") ratio sufficient to constitute a significant impact. Moreover, at another 40-plus intersections, the level of service ("LOS") does not change but a closer inspection could reveal that the V/C ratio may exceed the LADOT threshold. See DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118.

Had the EIR evaluated the Project's impacts in 2035 against a baseline of existing conditions, it would have determined that over 100 additional intersections would be significantly impacted. Furthermore, although the LOS does not change at an additional 25-plus intersections, a closer inspection may reveal that the V/C ratio may exceed the LADOT threshold. See DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130.

Because the EIR does not accurately analyze the Project's traffic impacts, it does not identify any mitigation for these significantly impacted intersections.

Response: Please see Response to Comment LAMP-F-AL00001-2 for an explanation of why passenger growth, and traffic caused by that growth, are not a direct or indirect impact of the LAX Landside Access Modernization Program. The EIR correctly analyzed the impacts of the proposed Project, and identified significant impacts requiring mitigation, using the appropriate baselines, as explained in both the Draft EIR and the Final EIR. Contrary to the suggestions in the comment, the LAMP DEIR Section 4.12.1.10.6 includes "Impact Comparison 1: Existing (2014) with Project Traffic Compared to Existing (2014) with Without Project Traffic." This Section also includes "Impact Comparison 2: Cumulative Traffic (Future [2024] and Future [2035]) Compared to Existing (2014)." This is similar to the methodology employed in El Segundo's recently certified EIR.[1] More specifically, the certified EIR prepared by El Segundo included three scenarios (1) Comparison of Existing Conditions against Existing With Project Conditions (El Segundo EIR, page 5.2-49), (2) Future Near-term without Project Conditions against Future Near-term with Project Conditions (El Segundo EIR, page 5.2-59), and (3) Future Long-Range without Project Conditions against Future Long-Range with Project Conditions (El Segundo EIR, page 5.2-88).

Please also see Responses to Comments LAMP-AL00008-29 and LAMP-AL00008-30 in the Final EIR.

FN1: El Segundo South Specific Plan Draft EIR available online at: http://elsegundo.org/depts/planningsafety/planning/el_segundo_south_specific_plan_draft_eir.asp. El Segundo Agenda Report dated January 19, 2016 available online at: http://www.elsegundo.org/civicax/filebank/blobdload.aspx?BlobID=14546 ["On December 15, 2015, the City Council adopted Resolution No. 4958 certifying the Environmental Impact Report (Environmental Assessment No. EA-905) for the El Segundo South Campus Specific Plan project."]]

LAMP-F-AL00001-7

Comment: **B. The FEIR's Evaluation of the Project's Construction-Related Traffic Impacts Remains Deficient.**

In its comments on the DEIR, the City faulted the environmental document for its abject failure to analyze how the Project's lengthy construction operations would effect on-airport and off-airport roadway operations. According to the LA Controller, construction would result in reduced vehicular traffic capacity, limited access to parking garages, reduced parking capacity, guests and construction vehicles competing for space and increased congestion on CTA access routes. See "Industrial, Economic & Administrative Survey Report of Los Angeles World Airports," February 2016, City of Los Angeles Office of the Controller ("LA Controller Report") at I.77, attached as Exhibit W to this firm's November 15, 2016 letter. The FEIR concedes that, although construction "could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis," the DEIR did not evaluate these impacts. FEIR at 2-223 (Response AL00012-9); FEIR at 2-117 (Response AL00008-34). In lieu of conducting this impact analysis, the EIR proposes to evaluate impacts on general traffic flow as part of Worksite Traffic Control Plans that would be prepared by the various construction contractors before concluding that these would be significant and unavoidable. DEIR at 4.12-241; FEIR at 2-117 (Response AL00008-34).

As we explained in our comments on the DEIR, the EIR errs in two fundamental ways. It fails to provide the required analysis of impacts and it inappropriately defers mitigation. CEQA allows a lead agency to defer mitigation only when: (1) an EIR contains criteria, or performance standards, to govern future actions implementing the mitigation; (2) practical considerations preclude development of the measures at the time of initial project approval; and (3) the agency has assurances that the future mitigation will be both "feasible and efficacious." Communities for a

Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70, 94-95 ("CBE"); San Joaquin Raptor Rescue Center v. County of Merced (2007) 149 Cal.App.4th 645, 669-71; tit. 14, Cal. Code Regs. ("CEQA Guidelines") § 15126.4(a)(1)(B). Here, the EIR meets none of these requirements. First, the EIR include no performance standards that would govern the traffic control plan.

Second, the EIR provides no evidence of any practical considerations that prohibit LAWA from developing its traffic control plan now, prior to Project approval. LAWA, of course, knows the precise components of the Project. See DEIR at 2-4. It also knows which projects would be developed within each construction phase. See DEIR at 2-175 and Table 2-15 (Construction Phasing). In fact, LAWA even knows which highways are likely to be affected by construction activities. (See FEIR at 2-222 and 2-223 (Response AL00012-9), stating that work would be conducted along the Center Way corridor; congestion would occur along World Way South; lane closures and detours would be required when Century Boulevard, Airport Boulevard, Aviation Boulevard, Arbor Vitae Street and W. 98th Street are constructed; and that work outside the CTA would primarily occur in the Manchester Square area and along W. 96th Street).

Finally, the EIR offers no evidence that the establishment of a construction task force or the adoption of a traffic control plan will be effective in addressing the extensive gridlock that is all but certain to occur during the Project's 18 years of construction. In fact, as we explain below, there is ample evidence that LAWA refuses to appropriately staff its construction task force and refuses to include appropriate measures to ensure that its traffic control plan effectively addresses these impacts.

Because the DEIR failed to identify or analyze sufficient mitigation measures capable of offsetting the Project's construction-related traffic impacts, we identified a series of measures that would help to address these impacts. These measures, which were taken directly from the LA Controller Report, were explicitly identified to proactively manage congestion at LAX during and after construction. LA Controller Report at I.77. Despite these seemingly reasonable and certainly feasible suggestions for mitigation, the FEIR ignores each one of the suggested measures.[4] Where a commentor suggests a "mitigation measure considerably different from others previously analyzed [that] would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it," an EIR must be recirculated. CEQA Guidelines § 15088.5(a)(3). Yet here, the FEIR simply repeats the flawed measures in the DEIR and asserts time and again that the measures we identified would have "no bearing on the environmental effects of the proposed Project or the effectiveness of construction traffic mitigation measures." FEIR at 2-123 (Response AL00008-42).

For example, we suggested that the FEIR evaluate a measure calling for LAWA to increase its landside operations staffing to ensure that traffic control is effectively managed during construction. See, e.g., FEIR at 2-123 (Comment AL00008). In response, the FEIR simply asserts that LAWA will have sufficient staffing to implement the LAMP and that there would be "contractual mechanisms to require that these mitigation measures be successfully implemented and enforced." Id. (Response AL00008-42). Yet, the FEIR provides no evidence that the agency has sufficient staffing to effectively manage this massive construction project. Nor does the document ever describe these contractual mechanisms or explain how they would be effectively in reducing impacts. Moreover, the LA Controller Report contradicts LAWA's assertions,

> LAWA has devoted insufficient staffing levels to [landside operations]. The two existing Landside operations supervisors can neither provide the oversight needed to ensure contractor performance, nor respond to operational issues that arise on a day-to-day basis. Beyond that, there

> are not enough operations supervisors to monitor service levels in the terminals – service levels that are critical to improving and maintaining desired guest experiences. Existing oversight appears to be conducted when and where possible by staff members who have multiple responsibilities.

LA Controller Report at 4; I.77.

We identified a second measure—which was also identified in the LA Controller Report—calling for LAWA to obtain traffic engineering capability to develop the detailed traffic control plans necessary to contain and manage construction-related roadway congestion. See FEIR at 2-126 (Comment AL00008-46). Once again, the FEIR preparers refuse to adopt this mitigation measure, stating instead that LAWA will have sufficient traffic engineering experience to successfully implement the construction traffic mitigation measures. FEIR at 2-127 (Response AL0008-46). Here too, the FEIR provides no evidentiary support for this assertion. The LA Controller Report again contradicts the FEIR's assertions. The LA Controller, after conducting a survey of LAWA's operations, cited the agency for its lack of dedicated traffic engineering expertise. LA Controller Report at I.77.

Apparently recognizing the flaws in its approach to mitigation, the FEIR states that the EIR includes a number of measures that LAWA may need to implement to influence how passengers access the airport during the Project's construction. FEIR at 2-127 (Response AL0008-46). Tellingly, the EIR mentions only one measure, the possible implementation of tolls, but it does even bother to explain where the tolls would be implemented or how they would function. Had LAWA actually prepared its traffic control plan now, it could design an effective toll program along with other measures capable of addressing the Project's construction-related traffic impacts.

Finally, we identified another measure calling for: (1) the use of incentives for maintaining and penalties for reducing capacity within the CTA; and (2) including performance requirements in the construction contracts for the automated people mover ("APM"). See FEIR at 2-124 (Comment AL00008-44) and LA Controller Report at I.79. Unfortunately, the FEIR also rejects this measure. Instead, it asserts that construction contracts will contain provisions to enforce mitigation procedures, including penalties for noncompliance. FEIR at 2-125 (Response AL0008-44). The FEIR offers no detail as to the contents of such provisions. Nor does it explain how the provisions would be sufficient to enforce the EIR's mitigation measures. It also provides no information as to what type of penalties might be imposed for noncompliance. The purpose of including these details now, rather than after the Project is approved, is to allow the information to be properly vetted by the public and decisionmakers.

[4] The measures are clearly feasible as they were developed by the LA Controller.

Response: The commentor incorrectly asserts that the Final EIR concedes that the Draft EIR did not evaluate construction impacts. As noted in Response to Comment LAMP-AL00008-34, on page 2-117 of the Final EIR, the Draft EIR provides a discussion of construction phasing in Section 2.6, and an in-depth construction traffic analysis was included in Section 4.12.3. The LAMP EIR's construction traffic analysis included a Level of Service (LOS) analysis of construction related trips, and included a secondary analysis which concludes "Impacts to traffic, access, and transit during construction' and concludes impacts would be significant. (LAMP DEIR Section 4.12.3.7.4 and Response LAMP-AL00008-36.) While the commentor suggests that the Draft EIR needs to provide a more detailed construction traffic analysis, it should be noted that the City of El Segundo recently prepared and certified an Environmental Impact Report in December 2015 for the El Segundo South Specific Plan, which includes construction of an additional 2.1 million

square feet of development on 142 acres occurring over a seven year period. (El Segundo South Specific Plan Draft EIR, Sections 3.3 and 3.4.)[2] The EIR that El Segundo prepared and certified for that project does not provide any analysis of construction traffic impacts. (El Segundo South Specific Plan Draft EIR, Section 5.2; certified in Resolution No. 4958.) Similarly, the City prepared an EIR for the "Topgolf" project, which includes construction of a 67,000 square foot recreation facility. The EIR's traffic analysis for this project contains no discussion of construction traffic impacts.[3] Unlike the EIRs prepared by El Segundo, the LAX Landside Access Modernization Program EIR included detailed information on both construction phasing and traffic.

More specifically, the construction surface transportation analysis included:

(1) The study area for the construction surface transportation analysis is discussed in Section 4.12.3.3.2 of the Draft EIR. As discussed, the geographic scope of the construction traffic study area was determined by identifying the intersections most likely to be used by construction-related vehicles accessing a) the proposed Project construction site, construction employee parking areas, and delivery staging areas and b) the construction employee parking and staging areas for other concurrent construction projects in the vicinity of LAX. Construction delivery vehicle travel paths would be regulated according to the construction traffic management plan detailed in Section 4.12.3.8 of the Draft EIR.

(2) Furthermore, the construction-related trips are comprised of three sources of traffic that affect the off-Airport roadway system consisting of truck delivery trips, construction employee trips, and shuttle bus trips required to transport employees to/from their assigned parking areas to their construction site. In accordance with the travel paths as shown in Figure 2-50 of the Draft EIR, truck delivery trips would be required to use the freeway system to access the Airport. As a result, these truck trips will have no effect within the study area except those in the direct route between the freeway terminus points and the staging areas. Section 4.12.3, Construction Surface Transportation, of the Draft EIR is largely intended to address the impacts of construction traffic on the off-Airport roadway network, while lane closures, detours, and general traffic flow is discussed in Section 4.12.3.7.4 and would be addressed in the Worksite Traffic Control Plans developed prior to construction (described in Section 4.12.3.8, Mitigation Measure MM-ST (LAMP)-3).

(3) The implementation of the mitigation measures identified in Section 4.12.3.8 effectively mitigate the identified construction traffic-related impacts, as shown in Tables 4.12.3-9 and 4.12.3-10 of the Draft EIR. As shown, each identified construction traffic-related impact would be mitigated to a level that is less than significant. Additionally, LAWA has identified five mitigation measures in Section 4.12.3.8 of the Draft EIR to address potential impacts to vehicle traffic during construction.

Similar to these measures, mitigation measures proposed for the LAX Landside Access Modernization Program include Mitigation Measures MM-ST (LAMP)-2, 3, 4, and 5 (see pages 4.12-240 and 4.12-241 of the Draft EIR.) Among other things, these measures include provisions for detours, limitations on roadway closures, construction management plans, including signage, noticing, flaggers, sequencing limits, and requirements to comply with the California Manual on Uniform Traffic Control Devices (MUTCD).[1] As part of these MUTCD requirements, there are provisions for coordination with local emergency services, training for flagman for emergency vehicles traveling through the work zone, temporary lane separators that have sloping sides to facilitates crossover by emergency vehicles, and vehicle storage and staging areas for emergency vehicles. MUTCD requirements also provide for construction work during off-peak hours and flaggers. Off-peak hours are from 9:00 a.m. to 4:00 p.m. and from 6:30 p.m. to 7:00

a.m. These requirements also include provisions for "Detour for Bike Land on Roads with Closure of One Travel Direction."

The same types of measures have been successfully implemented on numerous LAX projects, including the Bradley West Project, Central Utility Plant Project, Crossfield Taxiway Project, and South Airfield Improvements Project, etc. These types of measures are ideal for handling construction roadway conditions that are likely to change from day to day over the duration of the construction period. The commenter also alleges that the construction traffic mitigation measures do not provide an adequate performance standard. This issue was addressed by the Court of Appeal in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2012) Case No. B232655. While this case was reviewed by the Supreme Court, this issue was not overturned. More specifically, the Court of Appeal upheld the construction traffic management mitigation noting "The EIR contemplated that major arteries will not be closed during nonweekend and nonevening hours without that approval, which is an acceptable performance standard….Petitioner has demonstrated no inadequacy in the Expo Authority's construction mitigation measures." (Slip Opinion at 39.) This mitigation measure from *Neighbors for Smart Rail* is nearly identical to MM-ST (LAMP)-4 ["Roadway Closure Restrictions. No designated major or secondary highway will be closed to vehicular or pedestrian traffic except at night or on weekends, unless approval is granted by the jurisdiction in which it is located."]. "At night" under MM-ST (LAMP)-4 references the time period after the PM peak hour (which ends at 6:30 PM).

As further provided in Response to Comment LAMP-AL00012-9 starting on page 2-222 of the Final EIR, LAWA has identified steps to minimize impacts to traffic during construction.

As stated on page 4.12-237 of Section 4.12.3, Construction Surface Transportation, of the Draft EIR, to minimize impacts to the CTA roadway system and Airport operations during construction, the Project components located within the CTA would be constructed over an 18-hour/day schedule with two shifts. The "night" shift would occur from approximately 1 a.m. to 9 a.m. and the "day" shift would occur from approximately 9 a.m. to 7 p.m., with minimal construction occurring between 7 p.m. and 1 a.m. Approximately 65 percent of construction activity within the CTA would occur during the 8-hour night shift, when traffic levels are low, and 35 percent would occur during the 10-hour day shift. Delivery of construction materials would occur during the night shift, as would most lane closures. Construction activities during the day shift would largely consist of activities that could proceed without requiring lane closures or significantly disrupting Airport operations.

The majority of the construction activity associated with the proposed Project within the CTA would primarily occur along the Center Way corridor; thus, curbside impacts along World Way in front of the passenger terminals would be minimized. A portion of the vehicular traffic exiting the parking structures along Center Way would be detoured to use World Way South, which may cause some vehicle congestion along World Way South.

Contractors working within the CTA would be required to adhere to the restrictions noted above so that access to the CTA for passengers is maintained at all times, with minimal disruption.

As noted on page 4.12-237 of the Draft EIR, Project-related construction outside the CTA would require temporary lane closures and detours, particularly when roadway improvements to Century Boulevard, Airport Boulevard, Aviation Boulevard, Arbor Vitae Street, and W. 98th Street are constructed and when the APM guideway is constructed over existing streets. Figures 2-5 through 2-7 located in Chapter 2, Description of the Proposed Project, identify the locations of the proposed APM construction; Figures 2-41 through 2-43 identify the locations of the proposed roadway improvements. Construction-related impacts to the off-Airport surface transportation system could result in substantial congestion and inconvenience to motorists and pedestrians on

a regular or frequent basis during these times (see Table 2-15 in Chapter 2, Description of the Proposed Project, of the Draft EIR). Construction activity outside of the CTA would occur during two 8-hour shifts/work day (16 hours/day): a morning shift from approximately 7 a.m. to 3 p.m., and an evening shift from approximately 3 p.m. to 11 p.m. For construction of the APM guideway outside of the CTA, approximately 60 percent of construction would occur during the morning shift and 40 percent during the evening shift. For construction of all other elements (excluding the APM guideway), approximately 80 percent would occur during the morning shift and 20 percent during the evening shift. To the extent feasible, most lane closures would occur during off-peak and evening hours. Construction activities during the day shift would largely consist of activities that could proceed without requiring lane closures or significantly disrupting area traffic.

The majority of the construction activity associated with the proposed Project outside of the CTA would primarily occur in the Manchester Square area and along W. 96th Street. Access to businesses and hotels located adjacent to the construction areas would be maintained throughout the construction period, although detours or temporary access points may be required during certain phases of construction.

The commenter also asserts that "the EIR provides no evidence of any practical considerations that prohibit LAWA from developing its traffic control plan now, prior to Project approval." As explained to the commenter in LAMP FEIR Response AL0008-34 "construction roadway conditions [] are likely to change from day to day over the duration of the construction period." The timing of roadway improvements will greatly depend on the individual developers of the various Project components. Until LAWA has awarded design and construction contracts and determined which roadway improvements will be included with specific contracts, it is infeasible to specify exact timing of improvements. The Draft EIR assumed that roadway improvements would occur between 2018 and 2023, and made assumptions on when those improvements would occur during that timeframe. However, a detailed Construction Management Plan and schedule for those improvements has not yet been developed. Additionally, how construction will be implemented will be up to each contractor; they will be required to implement the mitigation measures identified below, but it will be up to each contractor to develop phasing plans and submit maintenance of traffic plans to LAWA for review and approval. Additionally, projects such as LAMP involve the coordination and integration of several aspects of construction occurring on an interdependent basis and involve specialized equipment/crews depending upon the project component. There are often times when the precise scheduling of specific construction activities has to be modified within the context of the overall construction program. Examples include, but are not limited to, refinements/modification to construction techniques/activities which depend upon subsurface exploration which cannot occur until existing overlying structures and surfaces are removed (e,g, utility relocation), situations when certain predecessor construction activities don't start or end at the scheduled time, specialized construction equipment breaking down during the job or being unexpectedly out of service when needed, specialized subcontractors not being at the project site when planned due to other previously scheduled project components taking longer than expected. Other factors may include the discovery of unknown existing subsurface features (pipelines, soils, etc), that may affect the timing of construction activities on a day to day basis.

All elements of the Project will be required to implement the mitigation measures discussed above (MM-ST(LAMP)-1 and MM-ST(LAMP)-3), as well as MM-ST(LAMP)-2, Maintenance of Traffic, MM-ST(LAMP)-4, Roadway Closure Restrictions, and MM-ST(LAMP)-5, Traffic Maintenance During Construction, as well as comply with all City of Los Angeles procedures and regulations regarding lane closures, pedestrian access, and traffic safety. As a result, it is infeasible to calculate temporary LOS or similar quantitative analyses of short-term, constantly-shifting construction impacts. The Court of Appeal recognized this concept in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 [Rejecting argument

"that the EIR should have specified whether trucks sometimes enter and leave the site "unevenly" over time. We hold that such minute detail was not required in the analysis in question."]

As noted in Section 4.12.3.6.4, Temporary Traffic, Access, and Transit Impacts during Construction, of the Draft EIR, a significant impact on traffic during construction would occur if the proposed Project would result in one or more of the following conditions:

- Result in temporary lane, alley, or street closures within a major or secondary highway right-of-way for more than one day.
- Result in the loss of regular vehicular or pedestrian access to Airport, commercial, or industrial facilities for more than one day.
- Result in the temporary loss for more than one day of an existing bus stop or rerouting of a bus route.

The Draft EIR appropriately analyzed the effects of the proposed Project against these thresholds and determined that even with mitigation, temporary traffic, access, and transit impacts during construction would be significant and unavoidable. LAWA will implement the mitigation measures identified in the Draft EIR and Final EIR to minimize those impacts, will structure construction deliveries and work to occur during times that will minimize impacts on surrounding roads and access to Project Task Force that will pro-actively react to changing construction conditions and include extensive outreach to passengers, businesses, and surrounding jurisdictions. However, even with these mitigation measures, LAWA anticipates that there will be temporary lane closures on Sepulveda Boulevard and Century Boulevard that may last more than one day, there may be terminal entrances that are closed for more than one day, and bus stops/routes may be temporarily re-routed for more than one day. As the proposed Project includes construction of terminal cores, adding lanes to Century Boulevard, and construction of the APM over Sepulveda Boulevard, these temporary closures would be unavoidable. However, access would always be provided to these facilities and some lanes on Century and Sepulveda Boulevards would remain open to maintain access to the surrounding properties.

As stated in Section 4.12.3.8 of the Draft EIR, LAWA would establish a Project Task Force specific to the LAX Landside Access Modernization Program that may be comprised of key stakeholders from LAWA, the Coordination and Logistics Management Team (CALM), other City departments, and others as deemed appropriate (MM-ST (LAMP)-1, as revised in Chapter 3, Corrections and Additions to the Draft EIR). Key responsibilities for the Task Force include providing input into worksite traffic control plans and other traffic management plans for lane closures and detours, in addition to working with residential and commercial neighbors regarding upcoming construction activities in order to keep key stakeholders, businesses, and residents notified and informed during construction. Prior to initiation of construction, contractors would be required to complete Worksite Traffic Control Plans (MM-ST (LAMP)-3), which would include a description of how the contractor will manage all construction-related traffic; therefore allowing LAWA to be proactive in managing landside operations.

MM-ST (LAMP)-4, Roadway Closure Restrictions, states that no designated major or secondary highway will be closed to vehicular or pedestrian traffic except at night or on weekends, unless approval is granted by the jurisdiction in which it is located.

As noted in the Response to Comment LAMP-AL00008-42, LAWA will have sufficient organizational oversight and staffing to successfully implement the LAX Landside Access Modernization Program EIR construction traffic mitigation measures. LAWA will continue to improve management of CTA congestion during and after construction of the LAX Landside

Access Modernization Program. As stated in the Industrial, Economic, & Administrative (IEA) Survey Report of Los Angeles World Airports (LAWA), the preparers "have already observed LAWA begin to implement some of the 2016 IEA Survey Report recommendations as a result of our preliminary briefings." Specific to the Proposed Project, LAWA will have sufficient organizational oversight and staffing to successfully implement the LAX Landside Access Modernization Program EIR construction traffic mitigation measures. Proposed Project procurements would provide contractual mechanisms to require that these mitigation measures be successfully implemented and enforced. All contractors charged with implementing the Project will be required to adhere to the construction traffic mitigation measures including providing adequate staffing and traffic engineering expertise to ensure that construction traffic impacts are minimized. Furthermore, LAWA would establish a Project Task Force specific to the LAX Landside Access Modernization Program that may be comprised of key stakeholders from LAWA, the Coordination and Logistics Management Team (CALM), other City departments, and others as deemed appropriate (Mitigation Measure MM-ST (LAMP)-1, as revised in Chapter 3, Corrections and Additions to the Draft EIR). Key responsibilities for the Task Force include providing input into worksite traffic control plans and other traffic management plans for lane closures and detours, in addition to working with residential and commercial neighbors regarding upcoming construction activities in order to keep key stakeholders, businesses, and residents notified and informed during construction. Prior to initiation of construction, contractors would be required to complete Worksite Traffic Control Plans (Mitigation Measure MM-ST (LAMP)-3), which would include a description of how the contractor will manage all construction-related traffic; therefore allowing LAWA to be proactive in managing landside operations. As noted in the FEIR Responses, LAWA has successfully implemented similar traffic control mitigation measures on past projects, as demonstrated in the LAWA's Mitigation Monitoring and Reporting Progress Reports, which are provided on an annual basis and made available on LAWA's website.[4]

All contractors charged with implementing the Project will be required to adhere to the construction traffic mitigation measures including providing adequate staffing and traffic engineering expertise to ensure that construction traffic impacts are minimized.

[1] California State Transportation Agency, Department of Transportation, California Manual on Uniform Traffic Control Devices, FHWA's MUTCD 2009 Edition, including Revisions 1 & 2 as amended for use in California, 2014 Edition (including Revision 1), November 7, 2014, Available: http://www.dot.ca.gov/trafficops/camutcd/docs/CAMUTCD2014_rev1_hires.pdf.

[2] El Segundo South Specific Plan Draft EIR available online at: http://elsegundo.org/depts/planningsafety/planning/el_segundo_south_specific_plan_draft_eir.asp. El Segundo Agenda Report dated January 19, 2016 available online at: http://www.elsegundo.org/civicax/filebank/blobdload.aspx?BlobID=14546 ["On December 15, 2015, the City Council adopted Resolution No. 4958 certifying the Environmental Impact Report (Environmental Assessment No. EA-905) for the El Segundo South Campus Specific Plan project."]]

[3] El Segundo Topgolf Draft EIR available online at: http://elsegundo.org/depts/planningsafety/planning/ea_1135_top_golf_environmental_initial_study/ea_1135_top_gofl_draft_eir/default.asp

4. Los Angeles World Airprots, Mitigation Monitoring and Reporting Program (MMRP), Progress Reports, available online at: http://www.lawa.org/ourLAX/AnnualReports.aspx?id=8067

LAMP-F-AL00001-8

Comment: **C. The FEIR Fails to Resolve the Deficiencies Identified in MRO Engineers' December 1, 2016 Report.**

MRO Engineers identified numerous deficiencies in the DEIR's transportation analysis. As MRO explains in the attached report, the FEIR's responses to their comments are not satisfactory and the EIR's analysis remains deficient. See Letter from MRO Engineers to L. Impett, February 27, 2017, attached as Exhibit H.

Response: Responses to MRO Engineers Comments are provided below.

LAMP–AL00012-3 – Traffic Volume Data Does not accurately represent LAX Activity

As noted in the Response to Comment LAMP-AL00012-3 provided in the Final EIR, the traffic counts used in the Traffic Study were all performed between 2013 and 2016. The Notice of Preparation (NOP) for the Project was sent to the public in February 2015. The traffic counts for the Transportation Study for the proposed Project ("Study") were conducted between 2013 and 2016 as noted in the response (Existing traffic volumes were compiled using video footage during morning and evening peak hours collected between 2013 and 2016). The City of Los Angeles (LADOT's) Traffic Study Policies and Procedures (August 2014) states that "The Traffic Study should not use any traffic counts that are more than two years old".

The 2013 traffic volumes used in the Study for 3 intersections were obtained from counts conducted in September and October of 2013, which are well within the two years from the time the NOP for the LAX Landside Access Modernization Program was sent out. Therefore, all the traffic counts used in the Study are well within the allowable timeframe noted in the LADOT's Traffic Study Policies and Procedures.

The commentor continues to discuss the seasonal times when the traffic counts used in the Study were conducted in spite of the response in the Final EIR that the data collection plan developed for the Study allowed for the "maximum traffic volumes at the intersections irrespective of the month when the traffic counts were conducted were used in the study", to reflect a conservative worst-case evaluation of traffic conditions. The commentor fails to acknowledge that the traffic volumes at the off-Airport intersections consist of traffic to and from the Airport as well as from other traffic generators in the region and that the maximum traffic volumes at the study intersections have been used in the Study.

The commentor further questions summer versus non-summer comparison of both intersection and freeway information presented in the Final EIR. Again, the maximum traffic volumes at the intersections and freeway segments were used in the Study. The freeway segment traffic volume data from the Performance Management System (PeMS) was provided and approved by Caltrans staff for use in the Study.

Therefore, contrary to the commentor's assertion that the level of service findings presented throughout the document provides an overly optimistic view of the average vehicular delay and levels of congestion in the study area, the traffic volume data and the level of service analyses used in the Study reflect a worst-case evaluation at the off-Airport study intersections and

freeway segments and represents a reasonable conservative view of the current delay and levels of congestion.

LAMP–AL00012-4 – Inadequate Mid-Day Study Area

The commentor selectively reiterates the response relative to selection of the study intersections during mid-day time periods. The response included in the Final EIR clearly indicates a systematic process used in the selection of study intersections and consequently the study area used in the transportation impact analysis. Specifically, the commentor notes a location that was included in the mid-day analyses as having a worse level of service than in the morning/evening peak hours from the analysis presented in the Study to draw upon a conclusion that the external street system does not necessarily experience peaks during the AM and / or PM peak hours but in the mid-day peak hours. The Study included this location and additional locations farther from the LAX airport in the mid-day evaluation.

The effect of Airport traffic on the external street system reduces as one travels farther from the Airport. As noted in the Final EIR, the adequacy of the geographic scope was ensured based on the fact that the boundary locations where mid-day traffic volume changes due to the proposed Project did not reveal any significant traffic impacts under the Baseline (2015) with Project, Future (2024) with Project, Future (2035) with Project, and Future (2035) with Project and Related Development Scenarios (see Tables 4.12.2-16, 4.12.2-18, and 4.12.2-20). To clarify this statement in the Final EIR, an examination of the study area boundary locations revealed no significant traffic impacts and consequently, none of the intersections farther from LAX would show a significant impact and therefore, the study area for the mid-day time period adequately addresses the traffic impacts of the proposed Project. Furthermore, as discussed under CEQA Guidelines Section 15204(a) "CEQA does not require a lead agency to conduct every test or to perform all research study and experimentation recommended or demanded by commentors." The Court of Appeal recognized this concept in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 [Rejecting argument "that the EIR should have specified whether trucks sometimes enter and leave the site "unevenly" over time. We hold that such minute detail was not required in the analysis in question."]

LAMP–AL00012-6 – Inconsistent On-Airport and Off-Airport Traffic Analyses

The commentor acknowledges that the clarification provided in the Final EIR relative to the process used to forecast traffic volumes on the on-Airport and off-Airport transportation systems with regard to consistency was adequate.

The commentor goes on to compare a certain departure level time-period for on-Airport analysis and the time period traffic counts were taken in the City of Los Angeles external street system intersections. The traffic volumes at the departure level of the on-Airport roadway system do not translate to the peak volumes traversing the external street system. In fact, the external street system serves a two-level on-Airport roadway system consisting of the arrival and departure levels with ramps connecting these two-level roadways. The combination of passengers at both arrivals and departures is the peak condition for the on-Airport traffic analysis and is addressed in the on-Airport traffic analysis presented in the Draft EIR.

The commentor goes on to state "Given the fact that airport arrivals peak between approximately 6:00 and 7:00 AM, it seems prudent to expand the AM peak period to be considered in the off-airport traffic analysis to cover the 6:00 AM and 10:00 AM time period." Firstly, the Airport arrivals do not peak between 6:00 and 7:00 AM. Additionally, as stated in the clarification provided

above, the Airport-related traffic volumes at the off-Airport intersections serving the Airport peak at the time the combination of number of arrivals and departures coincide and not at any time one of the two levels peak. Further, it is worth understanding that the intersection traffic volumes at the off-Airport locations include not only the traffic to and from the Airport, but also the traffic to and from the other traffic generators in the region. The commenter also ignores the part of Response AL00012-6 which explains "the off-Airport traffic model utilized the traffic forecasted for the on-Airport roadway system peak hours and applied those to the peak hours identified for the off-Airport roadway system. Thus, the off-Airport traffic model analyzed the worst conditions; the peaks of the on-Airport roadway system with the peaks of the off-Airport roadways system..."

Therefore, there is no evidence to support the suggestion that the AM peak period off-Airport traffic analysis would need to be expanded to cover the 6:00 to 10:00 AM time period to strengthen the connection between the two analyses. The two analyses presented in the Draft EIR and Final EIR are adequate, consistent and reflective of peak traffic conditions in the study area.

LAMP–AL00012-7 – Inadequate Transit Analysis

The information in Response to Comment LAMP-AL00012-7 indicates clearly that residual capacity would be available on the transit system. The additional ridership anticipated due to the proposed Project on a daily basis as is presented in Table 3 of the response is also indicative of the additional demand and the available residual capacity of the transit system. The methodology employed in the LAMP EIR for analysis of transit is similar to that utilized in El Segundo's own recently certified EIR, which did not provide an analysis of each individual bus line and instead was based upon "Total Transit Trips of the Proposed Project." (FN2) However, unlike the LAX LAMP EIR, El Segundo's EIR does not provide any numeric values associated with total transit capacity, and concludes:

> As shown in Table 5.2-35, based on the CMP guidelines, and the proximity of the various project land uses in relation to available transit in the Project vicinity, the Project is forecast to generate approximately 149 a.m. peak hour transit trips, approximately 153 p.m. peak hour transit trips, and approximately 1,303 daily transit trips. Since the Project transit trips can be accommodated by existing transit service in the Project vicinity, no significant CMP transit impacts are forecast to occur. (El Segundo EIR, page 5.2-116 through 117; see footnote 2 and 3.)

Additionally, the State Office of Planning and Research (OPR) proposed guidance prepared for implementation under CEQA (Senate Bill 743) states "When evaluating impacts to multimodal transportation networks, lead agencies generally should not treat the addition of new users as an adverse impact." (2016 Draft SB 743 Guidelines, page III-26; FN1) Nevertheless, as discussed in Response AL00012-7:

The proposed Project has been designed in coordination with Metro's "Airport Metro Connector 96th Street Transit Station" Project, which includes a certified Final EIR. (SCH No. 2015021009.)[2] As noted in that Draft EIR, Metro and LAWA worked collaboratively to develop the transit connection. Metro's project has been specifically designed with the goal of "increas[ing] transit ridership and provid[ing] a reliable and convenient transit option to and from LAX along with the regional bus and rail transit system [and to] Increase the share of transit trips to and from LAX...to help reduce air pollution." (Metro EIR, Section 2.3.1.) The proposed Metro project includes new transit facilities to cater to demand at LAX, including three at-grade Light Rail Transit (LRT) platforms, a bus plaza and terminal facilities for Metro and municipal bus operators, a bicycle hub with secured parking, a pedestrian plaza, passenger vehicle pick-up and drop-off area, and a Metro transit center/terminal building that connects passengers between the

various modes of transportation, which is funded by Measure R funds. The Airport Metro Connector 96th Street Transit Station Project is included in Metro's 2009 Long Range Transportation Plan and the Measure R Expenditure Plan to finance new transportation projects and programs. Metro concluded that the connector has "the capacity to accommodate both the existing and future passengers presently using the LAX City bus center and the Aviation/LAX transit center…[and]…will be capable of handling the consolidated bus service with room for expanded frequency or additional lines in the future" and concluded that impacts to transit would be less than significant. (Metro EIR, pp. 3.6-28 through 29.) This expressly included cumulative growth outlined in the LAX Landside Access Modernization Program Draft EIR. (Metro Final EIR, Response 2-12.)

In addition, Chapter VII in Appendix O of the Draft EIR provides additional transit information. Table 5 in Appendix O provides details of existing transit serving the study area including the following:

- Provider name
- Line number
- One-way route length
- Average daily riders
- Service area
- Direction
- Service type
- Hours of operation
- AM / MD / PM peak hours' frequency of service

Figure 9 in Appendix O presents the various transit lines within the Project vicinity. Chapter II in Appendix O provides a detailed description of existing transit service including the Metro LAX/Crenshaw Light Rail Transit line under construction.

The following information is included, consistent with the CMP:

- Evidence that affected transit operators received the NOP (Distribution list can be found in the Draft EIR)
- Existing transit service in the Study Area (provided in Chapter II of Appendix O)
- Project trip generation estimates (described in Chapter VII of Appendix O)
- Project transit trip estimates (described in Chapter VII of Appendix O)
- Project components to encourage transit use (described in Chapter III of Appendix O, including connections to Metro's LAX/Crenshaw Line and the AMC Station; a TDM Program, including provision of an employee shuttle program described in Chapter VI of Appendix O)
- Analysis and Mitigation (described in Chapter VII of Appendix O), as further enhanced in the additional transit analysis presented in the Final EIR, included in Chapter 3, Corrections and Additions, and summarized below:

The Final EIR, in Response to Comment LAMP-AL00012-7, included Table 3 that summarized the transit impact analysis associated with all transit routes serving LAX and its vicinity as shown in Table 5 of Appendix O of the Draft EIR. The table evaluates and summarizes key elements

used in transit impact analysis such as the total daily ridership of all transit lines serving LAX and its vicinity, total available capacity of all these transit routes, average daily ridership to capacity ratios and whether residual capacity would be available under the following scenarios - Existing conditions without and with the proposed Project, Future (2024) conditions without and with proposed Phase 1 Project and Future (2035) conditions without and with the buildout of the proposed Project.

Table 3 identified that the existing average daily route ridership of all routes serving LAX and its vicinity is approximately 115,546 riders with residual capacity available throughout the day. With the proposed Project in place, the average daily ridership is estimated to increase to 117,545 riders; however, there would continue to be adequate capacity available on a daily basis with the proposed Project. Therefore, transit impacts due to the Project would be less than significant under the Existing with Project scenario because there would no substantial increase in transit demand compared to capacity of transit lines serving the Project area.

Similarly, the Future (2024) without Project average daily ridership is projected to be 139,093 riders with residual capacity available. With the proposed Phase 1 Project in the Future Year 2024, the average daily ridership is projected to increase to 141,235 riders; however, there would continue to be adequate capacity available on a daily basis. Therefore, transit impacts due to Phase 1 of the Project would be less than significant because there would no substantial increase in transit demand compared to capacity of transit lines serving the Project area.

The table also presents the Future (2035) without Project average daily ridership to be 151,804 riders with residual capacity throughout the day. With buildout of the proposed Project in 2035, the average daily ridership is projected to increase to 154,310 riders. However, adequate transit capacity would continue to be available even with the overall proposed Project in place, and consequently, no significant transit impacts would occur because there would no substantial increase in transit demand compared to capacity of transit lines serving the Project area.

The proposed Project is a transportation improvement project involving provision of consolidated facilities connected to and from the CTA by an APM system offering time-certain travel and roadway improvements. With the Project, as shown in Tables 19-21 of Appendix O of the Draft EIR, the net vehicular trip generation during peak periods would be reduced in comparison to conditions without Project. Since the proposed Project would encourage transit usage, provide connectivity to the regional transit and multi-modal hub and provide improvements as part of the TDM Program including possibly an Employee Shuttle Program (See Appendix O, Chapter VI for more detail), increase in transit ridership is anticipated. The analysis presented in the EIR includes the potential increase in transit ridership due to the proposed Project and its effects on the transit system. In summary, the proposed Project would not increase transit demand to the extent that transit capacity available in the system providing service to LAX and its vicinity would be exceeded and therefore, no significant transit impacts would occur.

Further, the employee shuttle system being planned as a component of the Transportation Demand Management Program of the LAX Landside Access Modernization Program would provide an additional mass transit option for LAX employees and would provide adequate capacity for not only the additional LAX and related uses' employees but also the existing employees associated with LAX and its related uses.

Therefore, all the required introductory, background and project information and detail to validate the finding of a less than significant transit impact is already provided in the Draft EIR and Final EIR for the LAX Landside Access Modernization Program.

FN: OPR Senate Bill 743 CEQA Guidelines (January 2016 Draft available online at: https://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf)]

FN2: El Segundo South Specific Plan Draft EIR available online at: http://elsegundo.org/depts/planningsafety/planning/el_segundo_south_specific_plan_draft_eir.asp. El Segundo Agenda Report dated January 19, 2016 available online at: http://www.elsegundo.org/civicax/filebank/blobdload.aspx?BlobID=14546 ["On December 15, 2015, the City Council adopted Resolution No. 4958 certifying the Environmental Impact Report (Environmental Assessment No. EA-905) for the El Segundo South Campus Specific Plan project."]] A similar EIR was peer reviewed by MRO Engineers which did not include an individual bus line analysis; See Lake County General Plan EIR http://www.co.lake.ca.us/Assets/CDD/docs/Valley+Oaks+DEIR/Transportation.pdf (page 4.13-19.)

FN3: El Segundo Top Golf EIR page 5.8-49 available online at: http://elsegundo.org/depts/planningsafety/planning/ea_1135_top_golf_environmental_initial_study/ea_1135_top_gofl_draft_eir/default.asp

LAMP-AL00012-8 – Deficient Construction Traffic Analysis

The detailed analysis provided in Draft EIR Section 4.12-3 adequately and correctly analyzes construction traffic impacts. Traffic impacts are examined during peak hours, as stated in Response to Comment LAMP-AL00012-8 (see also Response to Comment LAMP-AL00001-7 above). This analysis was conducted according to LADOT criteria, although it should be noted that LADOT does NOT require a construction traffic impact analysis. As stated in Section 4.12.3.3, the analysis time periods were based on those hours at the start of the AM and PM commuter peak periods, which were defined as 7:00 AM to 8:00 AM (AM Peak) and 4:00 PM to 5:00 PM (PM Peak). Furthermore, a construction schedule was developed to estimate the shift times to be implemented during the Project, which vary based on the type and location of construction. Shift times were established to avoid the commuter peak hours in order to limit the impact of construction vehicles on the roadway network. As stated in Section 2.6.1 of the Draft EIR, APM guideway and station components that would be located within the CTA would be constructed over an 18 hour/day schedule with two shifts. The "night" shift would occur from approximately 1 a.m. to 9 a.m., the "day" shift would occur from approximately 9 a.m. to 7 p.m., and minimal construction would occur between 7 p.m. and 1 a.m. Approximately 65 percent of the CTA APM construction activity would occur during the 8-hour night shift and 35 percent would occur during the 10-hour day shift. Remaining Project construction activity would occur during two 8-hour shifts/work day (16 hours/day): a morning shift from approximately 7 a.m. to 3 p.m., and an evening shift from approximately 3 p.m. to 11 p.m. For construction of the APM guideway outside of the CTA, approximately 60 percent of construction would occur during the morning shift and 40 percent during the evening shift. For construction of all other elements (excluding the APM guideway), approximately 80 percent would occur during the morning shift and 20 percent during the evening shift. Based on these shift times, which would be included in the CTMP, reviewed by the Project Task Force, and enforced by the contractor, it was estimated that no employee traffic would be on the roadways during the start of the commuter peak periods as employees would be required to have either arrived or departed the staging lots outside of the peak periods. The commentor also notes that no employee shuttle trips have been assumed. As stated in footnote 3 of Table 4.12.3-4 of the Draft EIR, "[e]mployee shuttles would not affect public roadways or intersections due to the location of the project construction site and the employee parking areas. In some cases, employee parking would occur in close proximity to the construction site; in other cases, employee shuttles would travel largely or exclusively on on-airport roadways."

LAMP-AL00012-10 – Deficient Transportation Demand Management Program

As noted in Response to Comment LAMP-AL00006-5 on page 2-62 of the Final EIR, the TDM Program mitigation measure, as described in Section 4.12.2.9.1 of the Draft EIR, includes preparation and conduct of an employee travel demand survey. Based on the results of the survey, design and implementation of an LAX TDM Program including formation of a Transportation Management Organization (TMO) would occur. The TDM Program could include choice of alternative transport, enhanced vanpool, carpool programs and provision of transit passes; and car-share and employee shuttle programs.

After 9 months of launching the TDM Program, LAWA would conduct another follow-up survey to ascertain the performance of the Program, pros and cons of the Program elements, and consider re-tooling the Program to maximize its effectiveness.

The performance or effectiveness of these measures used in the estimation of mitigation was 5 percent of the employee drive-alone trips – equivalent to a reduction of 200 peak hour employee drive-alone trips or 800 average daily one-way employee trips. These trip reduction estimates are very conservative and small, given all the elements of the robust TDM Program mitigation measure.

The past success of LAWA TDM measures is a predictor that the relatively modest 5 percent additional trip reduction target can easily be achieved. LAWA has a comprehensive rideshare and vanpool program available to all LAWA employees, which offers financial incentives and discounts to participating employees. As noted in the annual Sustainability Report, LAWA's Rideshare Program has a 23 percent participation rate and saved more than 300,000 gallons of fuel in 2015. Additionally the U.S. Environmental Protection Agency (EPA) considers the LAWA program to be one of the most comprehensive programs offered by an employer in Southern California. It is part of the EPA's Best Workplaces for Commuters Program that distinguishes and provides national recognition to employers offering outstanding commuter benefits. In order to participate in this program, employers must meet the EPA's National Standard of Excellence in commuter benefits. As noted in the Sustainability Report, based on a study conducted by the Transportation Research Board in 2012, LAWA's voluntary rideshare program is the largest and most comprehensive airport employee rideshare program in the U.S. While this program is currently solely for LAWA employees, the proposed mitigation measure for the LAX Landside Access Modernization Program would expand participation to any Airport employee (TSA, airline, cargo, etc.).

LAMP–AL00012-12 – Nonexistent Project Access Analysis

The commentor is reminded that the key facilities proposed as part of the LAX Landside Access Modernization Program include the CONRAC, ITF East, and ITF West. The CONRAC, per the Project Description (see Chapter 2 of the Draft EIR) includes a direct access from the W. 98th Street roadway without any traffic control devices providing access from both the eastbound and westbound access points. The egress location from the CONRAC (Arbor Vitae Street at Hindry Avenue) has been analyzed in all of the scenarios provided in the Draft EIR.

The ITF East obtains access from W. 98th Street west of Concourse Way and from Aviation Boulevard north of W. 98th Street. The ITF East provides egress to Concourse Way north of W. 98th Street. By design, there is adequate storage available at the access and egress points to this facility. The ITF East rotary obtains access to/from both Aviation Boulevard and Concourse Way with right-turns in and out facilities and by design, these are all new facilities with adequate provisions for storage and processing.

The ITF West facility also includes a rotary and parking facility. The access locations for the rotary, that the commentor does not understand, but are noted in the Final EIR include the intersection of W. 96th Street and New "A" Street and W. 96th Street at Airport Boulevard. The ITF West parking facility as described in the Project Description and noted by the commentor provides access to and from the facility via two entrance and exit plazas located on New B Street.

In summary, the vehicles accessing these facilities would be able to enter them without queueing back on to public streets. Additionally, these entering and exiting vehicles would be able to do so without excessive idling; their effects on air quality and greenhouse gas emissions have been taken into account and presented in the respective sections of the Draft EIR / Final EIR.

LAMP-AL00012-17 – Mitigation Measures – Indirect Impacts

As stated in the Response to Comment LAMP-AL00012-17 on page 2-230 of the Final EIR, the implementation of the proposed mitigation measures was evaluated in terms of their effect on traffic (see Section 4.12.2.10 of the Draft EIR). The proposed mitigation measures consist of Intelligent Transportation System (ITS) improvements (signalization, closed-circuit TV cameras, electronic messaging, etc.), restriping, physical improvements, and fair-share contributions. **Table 1** summarizes the actions associated with each of the 19 off-Airport traffic mitigation measures.

Table 1
Off-Airport Traffic Mitigation Measures

Mitigation Measure No.	Description	Intelligent Transportation System (ITS)	Restriping	Physical Improvement	Fair-Share Contribution
MM-ST (LAMP)-6	Transportation Demand Management (TDM) Program				
MM-ST (LAMP)-7	Signal System Corridor Improvements – Intelligent Transportation System (ITS), City of Inglewood	X			
MM-ST (LAMP)-8	Signal System Corridor Improvements - Closed Circuit TV (CCTV) Camera and Changeable Message Signs (CMS) Installation	X			
MM-ST (LAMP)-9	Modify the Intersection of Airport Boulevard and Century Boulevard	X			
MM-ST (LAMP)-10	Modify the Intersection of Arbor Vitae Street and Concourse Way-Isis Avenue	X			
MM-ST (LAMP)-11	Modify the Intersection of La Cienega Boulevard and Arbor Vitae Street	X	X		
MM-ST (LAMP)-12	Modify the Intersection of La Cienega Boulevard and Century Boulevard	X	X		
MM-ST (LAMP)-13	Modify the Intersection of La Cienega Boulevard and Florence Avenue	X			
MM-ST (LAMP)-14	Modify the Intersection of Inglewood Avenue and Century Boulevard	X			
MM-ST (LAMP)-15	Modify the Intersection of I-105 Freeway Ramps (east of Aviation Boulevard) and Imperial Highway			X	
MM-ST (LAMP)-16	Modify the Intersection of La Cienega Boulevard and Manchester Boulevard	X			
MM-ST (LAMP)-17	Modify the Intersection of Sepulveda Boulevard and Century Boulevard		X		
MM-ST (LAMP)-18	Modify the Intersection of La Brea Avenue/Hawthorne Boulevard and Century Boulevard	X		X	
MM-ST (LAMP)-19	I-405 Northbound Auxiliary Lane			X	
MM-ST (LAMP)-20	Imperial Highway Off-ramp			X	
MM-ST (LAMP)-21	La Cienega Boulevard Additional Lane		X	X	
MM-ST (LAMP)-22	I-405 Corridor and Network Connectivity Enhancements				X
MM-ST (LAMP)-23	I-105 Freeway Intelligent Transportation System (ITS) Improvements	X			X
MM-ST (LAMP)-24	I-405 Freeway Intelligent Transportation System (ITS) Improvements	X			X

Of the 19 off-airport traffic mitigation measures, 12 involve implementation of ITS and/or signalization, 4 involve restriping, 5 involve physical improvements, and 3 involve fair-share contributions. The ITS and signalization improvements would be accomplished mostly outside of the active roadway to minimize disruption to traffic operations. Restriping would require temporary lane closures, however, this work is typically done within a matter of hours. The physical improvements would entail the following:

- MM-ST (LAMP)-15: Add an approximately 12-foot wide, 150-foot long right-turn lane on new 'C' street southbound approach to Imperial Highway
- MM-ST (LAMP)-18: Widen Century Boulevard by approximately 8 feet to add a second 10-foot wide left-turn lane on both the eastbound and westbound approaches. Existing lane configurations would need restriping
- MM-ST (LAMP)-19: Widen the existing I-405 northbound auxiliary lane by 11 feet for approximately 0.9-mile to the Imperial Highway ramp junction
- MM-ST (LAMP)-20: Widen the existing off-ramp by 12 feet to provide 2 lanes at exit and carry widening to ramp junction at Imperial Highway. Improvements would occur along a total approximate length of 1,800 feet
- MM-ST (LAMP)-21: Reconstruct up to 4,000 linear feet of median along portions of La Cienega Boulevard between Imperial Highway and Century Boulevard to allow restriping

The construction of the specified physical improvements would result in localized inconvenience due to temporary lane narrowing and/or lane closures to provide adequate room to construct the proposed improvements; this concept was disclosed in LAMP Draft EIR Section 4.12.3.6.4. There would be localized and short-term generation of construction-related air pollutant emissions from equipment operations, worker commute, materials deliveries, and ground disturbance. Given the limited scope of these small projects, they are not anticipated to result in any significant air emissions; in fact, implementation of these measures is anticipated to result in decreased emissions from increased speeds and LOS at these locations. Effects on air quality would be less than significant. Noise associated with the construction of these improvements would be generated; however, based on the distance between the proposed intersection improvements and the nearest noise-sensitive (residential) receptors (approximately 500 feet for the improvements at new 'C' Street and Imperial Highway; approximately 200 feet for the Century Boulevard and La Brea/Hawthorne Avenue intersection; approximately 250 feet for the I-405 northbound auxiliary lane; approximately 400 feet for the Imperial Highway off-ramp; and approximately 100 feet at the intersection of La Cienega and 104th Street) and the relatively low level of construction activity associated with the proposed improvements, it is not anticipated that associated noise would significantly affect noise-sensitive receptors.

In accordance with Mitigation Measures LAMP-ST (LAMP)-1, Construction Traffic Project Task Force, MM-ST (LAMP)-2, Maintenance of Traffic, MM-ST (LAMP)-3, Worksite Traffic Control Plans, MM-ST (LAMP)-4, Roadway Closure Restrictions, and MM-ST (LAMP)-5, Traffic Maintenance During Construction (see Section 4.12.3.8 of the Draft EIR and as amended in the Final EIR) impacts related to the implementation of the physical improvements would be minimized.

MM-ST-(LAMP)-1, as revised in Chapter 3, Corrections and Additions to the Draft EIR, would establish a Project Task Force specific to the LAX Landside Access Modernization Program that may be comprised of key stakeholders from LAWA, the Coordination and Logistics Management

Team (CALM), other City departments, and others as deemed appropriate. Key responsibilities for the Project Task Force include providing input into worksite traffic control plans and other traffic management plans for lane closures and detours, in addition to working with residential and commercial neighbors regarding upcoming construction activities in order to keep key stakeholders, businesses, and residents notified and informed during construction. Prior to initiation of construction, contractors would be required to complete Worksite Traffic Control Plans MM-ST (LAMP)-3), which would include a description of how the contractor will manage all construction-related traffic. As part of the Worksite Traffic Control Plans, the contractor will designate active construction periods, and will, to the extent feasible, limit construction activity and lane closures to the non-peak periods in order to reduce traffic related congestion and delays associated with construction. Thus, the indirect environmental effects of these mitigation measures would be less than significant.

LAMP-AL00012-18 – Potential Future Development

As noted in the Response to Comment LAMP-AL00012-18 on page 2-230 of the Final EIR, the reader was referred to Response to Comment LAMP-AL00008-74 on page 2-173 of the Final EIR, which notes: "Contrary to the commentor's assertion, the Draft EIR identified potential uses and development of these parcels, as shown on page 2-191 of Chapter 2, Description of the Proposed Project, of the Draft EIR. LAWA assumed that these parcels would accommodate up to 900,000 sq. ft. of commercial development. Such future development is envisioned to support the needs of passengers, visitors, employees, and guests of hotels in the area. In the CONRAC area, the land located between W. 98th Street and W. Century Boulevard (Sites 7 and 8) and the land located on the corner of Aviation Boulevard and W. Arbor Vitae Street (Site 9) would be available after construction of the Project facilities is completed. For purposes of analysis, up to 450,000 sq. ft. of commercial development is projected in these areas. In addition, the areas located south of the ITF West along W. 98th Street (Sites 1 and 2) and along Airport Boulevard (Sites 3, 4 and 5) would be available for future development, as would portions of the Belford area located south of W. 96th Street (Site 6). For purposes of analysis, up to 450,000 sq. ft. of commercial development is projected in this area." Trip generation rates for the commercial development were generated by the LADOT traffic model consistent with SCAG growth assumptions for the region. These assumptions were utilized in the traffic analysis.

CONCLUSION

All the issues affecting the validity and conclusions presented in the traffic analysis for the LAX Landside Access Modernization Program have been addressed. The continued assertion that a modified traffic impact analysis be prepared and incorporated into a revised environmental document is unwarranted given the repeated detailed clarifications and supporting analyses provided in the responses to comments.

LAMP-F-AL00001-9

Comment: **V. The FEIR's Analysis of and Mitigation for the Project's Impacts on Climate Change Are Inadequate.**

The City previously pointed out numerous failures in the analysis and mitigation of the Project's impacts on climate change. The vast majority of these issues remain unresolved by evasive, conclusory, and incomplete responses to comments in the FEIR.

Response: Please see Responses to Comment LAMP-F-AL00001-10 through LAMP-F-AL00001-12. The Final EIR provides good faith, reasoned analyses in the written response to each of the comments regarding climate change that the commentor provided on the Draft EIR; see,

specifically, Response to Comments LAMP-AL00008-49 through LAMP-AL00008-69 on pages 2-129 through 2-169 of the Final EIR. The commentor's most recent comments on that issue do not provide any new information supported by substantial evidence or specifics regarding why those responses are considered inadequate. That is particularly the case in the individual sub-comments that follow the commentor's overall allegation, as described below.

LAMP-F-AL00001-10

Comment: **A. The FEIR Fails to Resolve Deficiencies in the Analysis of Construction-Related GHG Impacts.**

The DEIR only included direct emissions in its calculation of construction-related GHG emissions. Specifically, the DEIR stated that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The FEIR asserts that its approach was appropriate because it relied on an industry standard model (the California Emissions Estimator Model or "CalEEMod") to calculate GHG emissions. FEIR at 2-130 (Response AL00008-51). The FEIR then attempts to explain why its approach to calculating GHG emissions for one part of the construction-related GHG inventory—electrical emissions from grid-powered off road equipment—is appropriate. Id.

The FEIR does not, however, provide a satisfactory response regarding the EIR's failure to include GHG emissions from other sources of purchased electricity (i.e., non grid-powered off road equipment) or from solid waste disposal, water usage and wastewater disposal. Regarding these last categories of emissions, the FEIR simply asserts that the GHG analysis was conservative because it neglected to account for reductions in electrical, water, and solid waste demand through the demolition of previously operational structures during the construction phase. Id. The EIR provides no analytical support for this assertion. Moreover, the FEIR's approach of directing the reader to various technical appendices which may or may not specify the emission sources that were utilized in the construction emissions analysis violates CEQA. California courts have determined that this is a wholly unacceptable way of presenting decisionmakers and the public with essential information, and it renders the EIR legally inadequate. Whatever is required to be in the text of the EIR must be in the EIR itself, not buried in some appendix. See Santa Clarita Organization for Planning the Environment v. County of Los Angeles (2003) 106 Cal.App.4th 715, 722-23; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, 727.

Response: The commentor has mischaracterized the Response to Comment LAMP-AL00008-51 on page 2-130 of the Final EIR. The GHG emissions analysis did include indirect emissions, as stated in the response. As stated in the response, the California Emissions Estimator Model (CalEEMod) is an industry standard model developed specifically to calculate GHG emissions for development projects; CalEEMod includes the calculation of indirect GHG emissions for electrical demand during the construction phase, but only so far as to calculate electrical emissions from grid-powered (i.e., electric-powered) off-road equipment.[1] CalEEMod was created by organizations and agencies with considerable expertise in GHG modeling: the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the SCAQMD and other air quality management districts.

In regards to indirect emissions from off-road, grid-powered construction equipment, CAPCOA's Quantifying Greenhouse Gas Mitigation Measures 2010 report, states that "…grid-based emissions are typically small compared to the emissions from the diesel-fueled equipment (depending on the source of grid power)."[2] For this reason, use of diesel-fueled equipment rather than grid-based is a conservative assumption. The LAX Landside Access Modernization Program

emissions inventory assumes that off-road emissions sources which have the potential to be grid-based, such as painting carts, are to be diesel-fueled. Additionally, a large number of diesel-fueled generators are assumed to provide electrical power throughout the Project construction in lieu of grid-based power. By using the CalEEMod and CAPCOA's emissions calculation methodology, the Draft EIR provides a conservative assessment of potential indirect construction emissions. This Draft EIR methodology also, conservatively, does not take credit for the decreases in existing GHG emissions that would result from reductions in electrical, water, and solid waste demand through the demolition of previously operational structures during the construction phase.

The Draft EIR GHG analysis complies with State CEQA Guidelines (Section 15064.4(a)) requirements to make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate a proposed project's GHG emissions. Under the State CEQA Guidelines Section 15064.4(a), LAWA has the discretion to choose the model it considers most appropriate for construction GHG emissions estimates (CalEEMod). Additionally, Section 4.2.1.3.1 in Section 4.1, Air Quality and Human Health Risk, of the Draft EIR, specifies the emission sources that were utilized in the construction emissions analysis. It is appropriate for an EIR to present "summarized technical data" such as a general description of emissions sources used in the construction emission analysis, with "highly technical" data on these sources included in EIR appendices. See CEQA Guidelines Section 15147.

[1] California Air Pollution Control Officers Association (CAPCOA), California Emissions Estimator Model (CalEEMod) User's Guide, Version 2016.3.1, September 2016.

[2] California Air Pollution Control Officers Association (CAPCOA), Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures," August 2010, page 47, Available: https://www.arb.ca.gov/cc/capandtrade/auctionproceeds/capcoa_quantifying_ghg_measures.pdf.

LAMP-F-AL00001-11

Comment: **B. The FEIR Incorrectly Asserts that the Proposed Project Would not Contribute to Increased Passenger and Aviation Activity and Therefore Would Result in a Decline in VMT and GHG Emissions.**

The FEIR incorrectly asserts that, regardless of the Project, passenger levels will grow to 95 MAP in 2035. FEIR at 2-82 (Response AL00008-20). This is incorrect. As the Kanafani Report attached to the City's comments on the DEIR describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high. See Kanafani Report, attached as Exhibit G to this firm's November 15, 2016 letter; see also Exhibit C (Feb. 28, 2017 comments of Dr. Kanafani) attached hereto.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 but conducts this analysis for "informational purposes only." DEIR at 4.5-28. Thus, although, for example, the DEIR's analysis of "2024 Future With Project Compared to 2015 Existing Conditions" identifies GHG emissions that are above the thresholds of significance, it does not identify this impact as significant. See DEIR Table 4.5-7 at 4.5-29); see also id. at 4.5-41. The EIR claims that this

increase in GHG emissions is not from the LAMP, because these emissions are not attributable to the Project. FEIR at 2-135 (Response AL00008-57). Instead, the FEIR asserts, the 2024 emissions include future emissions from future growth in regional and local traffic that would occur irrespective of the Project. Id.

Yet, one must ask: what is the cause of this growth in regional and local traffic? Certainly a substantial source of this traffic growth would be the phenomenal increase in annual passengers at the airport. Between 2015 and 2025, LAX will accommodate an additional 21,918 passengers on a daily basis (86 MAP – 78 MAP = 8,000,000 annual passengers (8,000,000 / 365 = 21,918 daily passengers)). In 2024 and 2035, the DEIR determines that no more that only 2% of arrivals/departures to the airport will be via transit. DEIR at 4.12-4 – 4.12-34. Thus, the vast majority of passengers will continue to travel to the airport via automobile.

Response: Please see Response to Comment LAMP-F-AL00001-2 above. The commentor discusses a report prepared by Dr. Kanafani dated February 2017 and identified as "Exhibit C". This response addresses Dr. Kanafani's February 2017 comments. The analogy of a "link in a chain" is appropriate when discussing airport practical capacity. As discussed on page 2-84 of the Final EIR, practical capacity takes into account market assumptions, expected physical characteristics of various airport system functional elements and how they are planned and expected to work together. For instance, the airfield component could become the "link with the lowest capacity" in the airport system, and constrain future passenger growth. Without providing substantial evidence, the commentor reiterates the claim that passengers, specifically "domestic travelers" would decide to use other airports in the Los Angeles region because of increasing traffic congestion. As discussed in Response to Comment LAMP-AL00008-83 on pages 2-183 and 2-184 of the Final EIR, between 2005 and 2015, whereas LAX's passenger market share has increased, the other airports have seen their market shares stay relatively constant (John Wayne Airport and Long Beach Airport) or decline (Ontario International Airport and Hollywood Burbank Airport) over the 10-year period. Therefore, historical trends suggest that heavy traffic congestion at and around LAX has not forced passengers to use other airports in the region.

Dr. Kanafani's February 2017 comments claim that the existing landside access system at LAX could not accommodate passenger activity levels of 95 MAP. There is no evidence to support this claim. The Draft and Final EIR state, correctly, that the proposed Project would not induce growth of passenger activity levels; the growth in passengers forecast for LAX by FAA and SCAG are anticipated to occur irrespective of the Project. Dr. Kanafani's February 2017 comments also imply that the Final EIR suggests that "any one component of the airport system cannot be a constraint on capacity" and challenges that idea. As discussed in Response to Comment LAMP-F-AL00001-2 above, and on page 2-84 of in the Final EIR, practical capacity takes into account market assumptions, expected physical characteristics of various airport system functional elements and how they are planned and expected to work together. Understanding the concept of practical capacity and the interaction among each airport component and their respective capacity limits, any of the airport components could become the constraining component at LAX between now and 2035. However, as stated previously, there is no evidence that the existing landside access system is the constraining component at LAX. As noted in Response to Comment LAMP-F-AL00001-2 above, if traffic conditions at and around LAX were a primary factor that would deter passengers from using LAX, as suggested by the commentor, historical market shares presented in Response to Comment LAMP-AL00008-83 on page 2-184 of the Final EIR would have shifted to the favor of other regional airports. The EIR analyses relied upon documented substantial empirical evidence (i.e., historical passenger data, traffic congestion data, and airport market shares in the Los Angeles region) to reasonably support a conclusion that 95 MAP could be achieved in 2035 without the LAMP project. While historic trends do not necessarily predict the future, the Draft EIR relies on projected future increases in passenger activity levels forecasted by the FAA and SCAG that would be achieved with or without the

proposed Project, as explained in the Draft EIR and Final EIR. In response to Dr. Kanafani's comment that "an improvement of the accessibility at LAX will enhance LAX's competitiveness", the objectives of the proposed Project are to enhance the passenger experience and reduce traffic and congestion at LAX and on surrounding roadways, as identified in Section 2.2 of Chapter 2, *Description of the Proposed Project*, of the Draft EIR. Improvements to the ground access system do not translate into airlines scheduling more flights and more passengers flying into and out of LAX. As explained in Section 6.3.2 of the Draft EIR and Responses to Comments LAMP-AL00008-2, LAMP-AL00008-4, LAMP-AL00008-8, and LAMP-AL00008-83 in the Final EIR and Response to Comment LAMP-F-AL00001-2 above, reduced traffic congestion in the CTA and other enhancements in passenger convenience provided by the proposed Project are not primary consideration in passengers' decisions to travel to, from or through LAX, and how often they travel. Many other primary factors such as airfare prices and flight schedules more directly influence these decisions.

As noted in Response to Comment LAMP-AL00008-57 on page 2-135 of the Final EIR, as indicated in Section 4.5.4.1.1 on page 4.5-24 of the Draft EIR, the evaluation of Project emissions for the analysis scenarios of 2024 Future With Project compared to 2015 existing conditions and 2035 Future With Project compared to 2015 existing conditions were compared to the GHG thresholds for informational purposes; however, the level of significance of Project-related emissions was not determined for those scenarios because the future conditions (2024 and 2035) include emissions not attributable to the proposed Project. Specifically, 2024 and 2035 include future emissions from future growth in regional and local traffic that would occur irrespective of the proposed Project. As such, it would be incorrect, uninformative and misleading to use 2015 existing conditions as a baseline for drawing significance conclusions for the Future With Project scenarios. Rather, the correct, accurate, and meaningful determinations of impact significance are made by comparing 2024 Future With Project to 2024 Future Without Project and 2035 Future With Project to 2035 Future Without Project. Using the Future Without Project scenarios as a baseline controls for future non-Project emissions and isolates the changes in future emissions that are attributable to the proposed Project. The Future Without Project scenarios properly serve as a baseline because they accurately represent the "existing environmental conditions" upon which the project will operate. (See *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439,453.) Please also see Response to Comment LAMP-AL00006-1 for a parallel discussion of the Draft EIR's choice of baseline scenarios for the air quality impact analysis.

The Draft EIR's projections of traffic growth in 2024 and 2035 are based not just on passenger growth, but also on traffic increases from regional growth and from future probable development projects. Section 4.12.2.2.5 of the Draft EIR identifies the inputs and assumptions utilized in the traffic model, which includes regional growth projections based on LADOT and SCAG growth projections. Working closely with the surrounding jurisdictions, a total of 212 probable development projects were analyzed, as identified in Table 3-2 in Chapter 3, *Overview of Project Setting*. Therefore, the impact analysis for off-Airport traffic includes cumulative growth projections related to vehicle trips in the area surrounding LAX and traffic generated by reasonably foreseeable planned development. The location and size of all the probable development projects within the Study Area was compared to the model input growth data for the corresponding Traffic Analysis Zone (TAZ). Appropriate increases to land use data were made to increase all the probable development projects' growth in these TAZs. The networks in the model were modified to reflect roadway modifications in the Study Area, regional improvement plans, local specific plans, and programmed improvements.

LAMP-F-AL00001-12

Comment: **C. The FEIR Fails to Adequately Analyze the Project's Consistency With Applicable Plans, Policies and Regulations Adopted for the Purpose of Reducing GHG Emissions.**

The City previously faulted the DEIR for its failure to adequately analyze the Project's consistency with plans, policies and regulations adopted with the intent of reducing GHG emissions. The FEIR fails to resolve the numerous deficiencies identified in our comments. For example, in response to our comment that the DEIR did not analyze the Project's consistency with Executive Orders ("EO") S-3-05 and B-30-15 in any meaningful way, the FEIR suggests that the approach we suggested—and the one used by SANDAG in its recent RTP/SCS—would not be appropriate because the characteristics of SANDAG's project are substantially different from those of the LAMP project. See FEIR at 2-139, 140 (Response AL00008-61). Specifically, the FEIR asserts:

> The LAX Landside Access Modernization Program Project is a specific development project particular to LAX with initial completion in 2024 and buildout, including future potential development, in 2035. The specific "reference point" approach to determining Executive Order consistency used in the SANDAG EIR may be appropriate for a long-term comprehensive regional plan with many sources of GHG emissions (being more similar to a statewide emissions inventory), but it clearly is not appropriate for a shorter-term specific project with only a few sources of GHG emissions.

Id.

As an initial matter, the FEIR provides no explanation as to why LAWA believes a project's particular timeframe has bearing on its ability to achieve statewide GHG emission reduction targets. The more important consideration, of course, is the amount of GHG emissions generated by the Project. Moreover, the proposed Project is not a short-term project as it would be under construction for 18 years and would result in a significant increase in GHG emissions through at least 2024, if not longer. See DEIR Table 4.5-7 at 4.5-29.

While SANDAG's approach to analyzing its project's consistency with the Executive Orders is, of course, not the only technical method that lead agencies may use, the FEIR does not conduct any technical analysis at all. Instead, it simply offers the following contradictory statement: "The GHG emissions associated with operation of the proposed Project in the future (2024 and 2035) would not be less than the levels estimated for 1990 conditions, notwithstanding that future GHG emissions would be less with implementation of the proposed Project." DEIR at 4.4-33.

The DEIR explicitly states that the GHG reduction target specified in EO-S-3-05 can be considered as a basis for evaluating how the GHG emission of a project compare to those targets. The EIR should be revised to undertake this evaluation in light of the specific targets established by EO-S-3-05 and B-30-15. To its credit, the FEIR does undertake a quantitative comparison of the Project GHG emissions to the GHG reduction goals identified in the LAWA Sustainability Plan and the Green LA Plan. FEIR at 2-141 (Response AL00008-62). It should conduct a similar analysis of the Project's consistency with the Executive Orders.

Response: As noted in Response to Comment LAMP-AL00008-61 on page 2-139 of the Final EIR, the Draft EIR on pages 4.5-33 and 4.5-34 does analyze the proposed Project's consistency with the Executive Orders, and treats consistency with the State's ability to achieve the Executive Order

targets as significance thresholds. Each lead agency has broad discretion to select appropriate technical methods for analyzing GHG emissions, including analyzing consistency with plans and policies such as the Executive Orders. (See State CEQA Guidelines Section 15064.4(a).)

Additionally, it is important to note that the implementation aspects of Executive Orders B-30-15 and S-3-05 are specific to, and limited to, state agencies and not individual development projects such as the LAX Landside Access Modernization Program. The City of El Segundo has acknowledged this concept in their own recently certified EIR, which states "Executive Orders are binding on State agencies. Accordingly, S-3-05 will guide State agencies' efforts to control and regulate GHG emissions but will have no direct binding effect on local efforts." (El Segundo South Specific Plan DEIR, page 5.4-2; FN1.). The Executive Orders instruct those state agencies to develop plans, strategies, and measures to reduce GHG emissions statewide, but those instructions do not provide any specifics on how the State is supposed to achieve those reductions. As with the AB 32 Scoping Plan, nothing in the Executive Orders relates the statewide reduction efforts to "the percentage of reduction that would or should be required from individual projects." (See *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 205, 225-226.)

As such, it is not meaningful to provide an analysis of how the proposed Project's GHG emissions compare to speculative, hypothetical "fair share" project-specific emission reductions under the Executive Orders. It is more meaningful to analyze, as in the Draft EIR, whether the GHG emissions associated with the Project would or would not, be consistent with the State's ability to achieve the Executive Order GHG reduction targets. Section 4.5 of the Draft EIR provides estimates of the Project's GHG construction and operations emissions and describes (on pages 4.5-34 and 4.5-35) why those GHG emissions would not be consistent with the State's ability to achieve the Executive Order GHG reduction targets; therefore the Draft EIR considers these GHG impacts to be significant.

Regarding use of the SANDAG EIR approach to determine consistency with Executive Order S-3-05, timeframe is relevant because the Executive Order has a 2050 target, which is close to the SANDAG RTP/SCS horizon year of 2048; in contrast, the furthest horizon year for the proposed Project EIR GHG analysis is 2035. Further the Executive Order consistency analysis approach used in the SANDAG EIR may be appropriate for a regional comprehensive plan with many GHG emissions sources, but not for a specific project with only a few emissions sources.

The commentor characterizes a specific statement about Executive Order inconsistency in the Draft EIR as "contradictory." (This statement appears on page 4.5-33 of the Draft EIR.) The first part of the statement indicates that "GHG emissions associated with operation of the proposed Project in the future (2024 and 2035) would not be less than the levels estimated for 1990 conditions." This statement led to the Draft EIR conclusion that, quantitatively, these *increases* over 1990 levels would be inconsistent with the State's ability to achieve Executive Order S-3-05 emissions *reduction* targets of achieving 1990 levels by 2020, and 80% below 1990 levels by 2050. The second part of the quoted statement, "notwithstanding that future GHG emissions would be less with implementation of the proposed Project" does not contradict the first part, but merely recognizes that if the proposed Project were not implemented, the inconsistency with the State's ability to achieve Executive Order S-3-05 emissions reductions targets would still exist, and in fact be worse.

FN1: El Segundo South Specific Plan Environmental Impact Report, available online at: http://elsegundo.org/civicax/filebank/blobdload.aspx?BlobID=11904

LAMP-F-AL00001-13

Comment: For the foregoing reasons, the City urges LAWA not to certify the FEIR until the document is revised to address the flaws described above.

Response: Please see Responses to Comments LAMP-F-AL00001-2 through LAMP-F-AL00001-12 above regarding the adequacy of the analysis in the LAX Landside Access Modernization Program Draft and Final EIR.

LAMP-F-AL00001-14

Comment: Exhibits:

A: Commission Staff Analysis and Resolution, Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001 (2005)

B: Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015)

C: February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E.

D: ARSAC et al. v. City of Los Angeles et al., Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016)

E: Sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency

F: List of projects LAWA provided to El Segundo on January 4, 2017, in response to a Public Records Act request

G: Draft EIR for the Terminals 2 and 3 project (due to size, this exhibit is provided separately on CD)

H: Letter from MRO Engineers to L. Impett, February 27, 2017

Response: The exhibits provided were reviewed and responded to, as appropriate, in Responses to Comments LAMP-F-AL00002 through LAMP-F-AL000012 above.

LAMP-F-PC00001 Shrier, Kevin — TPS Parking Management, LLC — 3/1/2017

LAMP-F-PC00001-1

Comment: We are submitting this comment letter to the Board of Airport Commissioners ("BOAC") regarding the final EIR on the Landside Access Modernization Project ("LAMP") circulated by LAWA staff and dated February 15, 2017 ("FEIR") provided to those individuals and companies who submitted comments during the 45 day comment period on the draft EIR circulated in October 2017 ("DEIR"). The Parking Spot wishes to take this opportunity to provide the following comments on LAWA staff's responses in the FEIR with particular reference to the enumerated comments below:

Response: Please see Responses to Comments LAMP-F-PC00001-2 through LAMP-F-PC00001-6 below.

LAMP-F-PC00001-2

Comment: **LAMP-PC00028-6**

The response included in the FEIR is troubling. Simply stating that LAMP follows the City of Los Angeles Traffic Study Policies and Procedures is not a sufficient reason to ignore, and not evaluate, intersections that would potentially be severely impacted by traffic as a result of LAMP. Furthermore, the City of Los Angeles Traffic Study Policies and Procedures *also* state "When choosing which unsignalized intersections will be reviewed, intersections that are adjacent to the project or that are expected to be integral to the project's site access and circulation plan should be identified." Although the guidelines from the City of Los Angeles certainly prioritize analysis of signalized intersections, they do not state that unsignalized intersections should summarily be ignored.

In addition, there is still concern on our part that the DEIR and FEIR were not conducting in accordance with all CEQA requirements. The fact remains that the new analysis summarized in Table 1 in the Response to LAMP-PC00028-6 is significant new information. Notwithstanding, although these intersections appear to operate at an acceptable level of service, the supporting calculation worksheets are not provided for review. Furthermore, the new analysis presented in the FEIR fails to disclose the without project conditions at these intersections and fails to disclose the existing baseline conditions[1] and existing plus project conditions at these same locations. The City of Los Angeles Traffic Study Policies and Procedures are clear that existing LOS calculations should be done to determine if a signal is required. Based on the response in the FEIR it appears as though this step is skipped and the response is that since a signal is being proposed at these locations it somehow obviates the CEQA document from disclosing the existing and existing plus project traffic conditions at these locations along 98th Street.

[1] See Sunnyvale West Neighborhood Assoc. v. City of Sunnyvale City Council (6th Dist. 2010) 190 Cal.App.4th 1351

Response: The comment misrepresents the LAMP FEIR Response to Comment PC00028-6, which does not rely exclusively upon compliance with Traffic Study Policies. As discussed in the response, three of the intersections referenced in the comment are proposed for signalization as an inherent part of the LAMP project (additional discussion of this issue is provided below). As noted in the CEQA objectives, the LAMP Project has been designed to "releive congestion at LAX and on the surrounding street system by developing a flexible transportation system..." Regarding, the fourth intersection referenced in the comment the response explained that the unsignalized intersection "would not be altered by the proposed Project since it would not be used as a site access or circulation intersection...no further analysis is necessary." (See *City of Long Beach v. LAUSD* (2009) 176 Cal.App.4th 889, 908-909 ["upholding traffic analysis geographic scope "based on location, *likely travel patterns,* and anaylzed intersections."].)

The off-Airport traffic analysis study area (Study Area) was delineated through coordination with the local jurisdictions, including the City of Los Angeles, City of Culver City, City of Inglewood, City of El Segundo, City of Hawthorne, City of Manhattan Beach, County of Los Angeles, and Caltrans. The Study Area was delineated to ensure all intersections that could experience significant impacts were analyzed. Through coordination with eight local jurisdictions, a total of 183 intersections were selected for analysis. A list of these intersections by jurisdiction is presented in Table 4.12.2-1 and their locations are illustrated in Figure 4.12.2-1 of the Draft EIR. Neither CEQA nor the LADOT Traffic Study Policies and Procedures require that all intersections be examined; rather it requires that the environmental effects of a proposed Project be identified

and assessed. As noted in Response to Comment LAMP-PC00028-6 and in the response above, the intersections in question by the commentor (98th Street intersections at Concourse Way, Aviation Boulevard, Bellanca Avenue and New "A" Street, as well as the intersection of Sepulveda Boulevard and 96th Street), once signalized, would not be significantly impacted according to LADOT criteria.

The California Court of Appeal has also upheld traffic analyses which rely upon traffic signalization of previously unsignalized intersections to address environmental impacts. (See *Citizens Coalition to Preserve Telegraph Road v. City of Commerce Community Development Com.* (2nd App. Dist. 2008, Case No. B198970); 2008 WL 4838467 ["The draft EIR, in contrast, stated that traffic conditions in the area of Bandini Boulevard and the I-5 freeway ramps warranted some traffic mitigation measure and stated further study showed that even under current traffic conditions the addition of traffic signals was warranted. Both the draft and final EIR proposed the installation of traffic signals at this intersection to ease traffic congestion as traffic mitigation measure number 10. The above constitutes substantial evidence that the EIR considered traffic impacts on this intersection with, or in the absence of, the project and proposed a solution to help alleviate these problems."] However, unlike this 2008 case, the LAMP project has been proposed to include signification as an inherent part of the project intended to "releive congestion at LAX and on the surrounding street system by developing a flexible transportation system..." (LAMP DEIR Section 2.2, Project Objectives.)

The commentor suggests that somehow unsignalized intersections should be compared to future signalized intersections to potentially determine whether significant impacts would occur. However, as stated in LADOT Traffic Study Policies and Procedures, unsignalized intersections are not included in the impact analysis. This is because comparing an unsignalized intersection to a signalized intersection is comparing apples to oranges. The commentor incorrectly asserts that the LADOT Traffic Study Policies and Procedures states that existing LOS calculations should be done to determine if a signal is required. The LADOT Traffic Study Policies and Procedures manual does not state that; it states that unsignalized intersections should be *evaluated*. The Draft EIR provides the information required by the LADOT Traffic Study Policies and Procedures in Section 4.12.2 and Appendix O. Additionally, the Final EIR provides additional clarification in Response to Comment LAMP-PC00028-6 on page 2-271. Although additional information was provided in Response to Comment LAMP-PC00028-6, as requested in the commentor's letter on the Draft EIR, the additional information does not indicate any new impact or significantly increase the severity of any impact that was disclosed in the Draft EIR.

Similar comments regarding new traffic analysis in an FEIR have been rejected by the Court of Appeal. More specifically, this issue was addressed in *Merced Alliance for Responsible Growth v. City of Merced* (2012, 5th App. Dist., Case F062602). The Court concluded that recirculation was not required when the public agency provided additional traffic analysis requested by the commenter. In Merced, petitioners alleged that "...the city's late-submitted information on traffic impacts triggered the requirement that the EIR be recirculated." (Slip Opinion at 65.) "[The Lead Agency] prepared a response that explained in detail why the methodologies used in its traffic study were sound. In addition, to allay [Plaintiff's] concern, [the Lead Agencies' consultants] conducted an analysis of the study intersections using the baseline [Plaintiffs] suggested - the existing condition plus project-generated trips. This analysis showed that 'there would be no new findings compared to the DEIR traffic analysis.' The challengers argue that, because the respondents cited [the Lead Agency's] analysis to defend the EIR before the superior court, this must have been significant new information that required recirculation. Once again, their recirculation argument fails. The [lead agency's] response letter and new analysis did not disclose a new significant impact, increase the severity of an impact, identify a feasible project alternative or mitigation measure, or 'deprive the public of a meaningful opportunity to comment upon a substantial adverse environmental effect...'. [Laurel Heights II, supra, 6 Cal.4th at p. 1129.] The

letter and analysis were prepared especially to respond to [Plaintiff's] concerns, not to change any aspect of the project, mitigation measures, or findings and conclusions in the EIR." (Slip Opinion at 77-78.)

The comment also asserts that baseline information was not provided. The Comment cites to LAMP DEIR Appendix W of Appendix O. Contrary to the assertions in the comment, this Appendix expressly includes a section titled "Existing Conditions."

LAMP-F-PC00001-3

Comment: **LAMP-PC00028-7**

The response included in the FEIR on this specific comment raises additional questions. The traffic volumes identified for Option 3, which is the preferred option, are different than the traffic volumes included in the DEIR. If the analysis in Appendix W is accurate, then these volumes should be referenced in the DEIR. The original comment assertion stands. Based on Appendix W, Exhibit W-11, the traffic volumes increase by 600% are not due solely to LAMP, but due to LAMP and expected growth that would otherwise not be on this roadway without LAMP's anticipated connections to the west.

Response: The commentor states that "[t]he traffic volumes identified for Option 3, which is the preferred option, are different than the traffic volumes included in the DEIR……." . This is not correct. The traffic volumes identified for Option 3 in Appendix W of Appendix O of the Draft EIR are the same volumes as used in the off-Airport traffic analysis for the proposed Project in Section 4.12.2, Off-Airport Transportation, of the Draft EIR.

LAMP-F-PC00001-4

Comment: **LAMP-PC00028-8**

The response included in the FEIR on this specific comment is not sufficient. There are still significant concerns regarding queuing. Level of Service (LOS) alone is not necessarily an indicator of whether or not a queue will occur. In fact, LADOT guidelines state that microsimulation may also be necessary to fully understand the effects of the project in terms of queue lengths, traffic signal timing parameters, and transit travel times etc. For instance, existing queues at a traffic signal would prevent all the full demand to be accounted for when taking traffic counts which in turn is the underlying basis for the LOS calculations included in the DEIR.

Response: Measures such as those proposed in the exhibit provided by LAWA to The Parking Spot in September 2016 relative to striping options in front of The Parking Spot driveway along 98th Street (see Figure 1 on page 2-277 of the Final EIR) would allow for queueing, if any, at the intersection of 98th Street and Bellanca Avenue to be regulated such that access and egress to The Parking Spot facility along 98th Street could be achieved. Micro-simulation would not be necessary given the optional measure noted above.

LAMP-F-PC00001-5

Comment: **LAMP-PC00028-15**

The response in the FEIR on this specific comment underscores the original comment that this information was not previously disclosed or provided in the DEIR. The 2011 and 2015 Passenger

Survey Data should have been included in the DEIR and part of the administrative record for review by the public and decision makers.

Response: CEQA Guidelines Section 15148 which notes "Preparation of EIRs is dependent upon information from many sources…These documents should be cited but not included in the EIR." Nevertheless, as indicated on pages 1-17 and 8-10 of the LAX Landside Access Modernization Program Draft EIR, all documents referenced in the Draft EIR, including the 2011 and 2015 Passenger Survey Data, were available for public inspection at the following location during the public review period for the Draft EIR: Los Angeles World Airports, One World Way, Room 218, Los Angeles, CA 90045. These documents continue to be, and will remain, available for public inspection until after final consideration of the proposed Project and Final EIR by the Los Angeles City Council. Additionally, these materials have been made readily available on LAWA's website: http://www.lawa.org/welcome_lax.aspx?id=1126.

LAMP-F-PC00001-6

Comment: As BOAC can see, there are some significant technical issues and material concerns for our operations. We look forward to hearing how BOAC and LAWA staff will work through our and other impacted stakeholder's comments on LAMP.

Response: Please see Responses to Comments LAMP-F-PC00001-2 through LAMP-F-PC00001-5 above regarding the adequacy of the analysis in the LAX Landside Access Modernization Program Draft and Final EIR. LAWA has committed to working with the area businesses, such as The Parking Spot, throughout the planning, design, and implementation of the proposed Project to address concerns and keep affected businesses appraised of the Project progress.

LAMP-F-PC00002 Vandehey, Brian — Los Angeles Off Airport Parking Association — 3/1/2017

LAMP-F-PC00002-1

Comment: As LAWA staff and the Board of Airport Commissioners ("BOAC") knows, there are many stakeholders that have a very real and very material part in making LAX run in a world class manner. The Los Angeles Off-Airport Parking Provider Association ("LAOPPA") is one such group of stakeholders that provides not only a convenient parking option to local Los Angeles travelers but also critical congestion relief on LAX property given our group's ability to transport multiple passengers in one trip to and from the airport potentially taking 14 single occupancy vehicles off the airport curb. As LAMP is focused on also providing some much needed traffic relief, our group takes a keen interest in its formulation and ultimate implementation and we would like to take this opportunity to provide the BOAC with some questions and concerns on the final EIR issued by LAWA staff on February 15, 2017.

The EIR responses to questions raised by not only by two of our member companies, Wally Park and The Parking Spot but, it appears from a review of the multitude of comment letters received, many other commercial ground transportation operators with regard to utilization of the ITF and access to the central terminal ("CTA") are just not clear or consistent in our opinion.

With regard to the issues surrounding utilization of the ITF and access to the CTA, the EIR responses specifically indicate that off-airport parking shuttles and hotel shuttles were assumed to operate at the ITF West in order to get to the desired 48% traffic shift outside of the CTA (See

comment referenced as LAMP-PC00028-3). The EIR does also indicate that there are a number of ways to achieve such 48% traffic shift and that LAWA will be evaluating the appropriate actions and incentives to take to effect this shift in traffic to ensure that the investment they are making in improving the landside access system at LAX is successful (See comment referenced as LAMP-PC00024-1). As private operators, our group understands, as the final EIR notes with regard to LAMP, the importance of making sure that investments made in properties in order to improve business and operations are successful (See comment referenced as LAMP-PC00024-1). We further appreciate that the EIR states that LAWA will continue to coordinate with the affected parties and ultimately seek the approval of this Board prior to implementing any changes to existing transportation policies. (See comment referenced as LAMP-PC00024-1). We greatly look forward to participating in that coordination and take this opportunity to urge both LAWA staff and this Board to have those policy discussions with affected stakeholders, such as our group's members, sooner in the process than later.

We also respectfully request that the Board ensures, as indicated in the final EIR, that LAWA staff takes into consideration the requests and desires of all the various operators and users (See comment referenced as LAMP-PC00024-2) while also focusing on the following nuances that make our group's type of ground transportation services different from other ground transportation operators and more appropriately allowed access to the CTA: 1) we operate, not unlike other modes of ground transportation operators like hotel/motels and rental car shuttles, a high occupancy vehicle capable of carrying multiple passenger to and from the airport on one trip, 2) we operate, unlike the other modes of GT operators like hotel/motels and rental car shuttles, shuttle services for the local traveling population - our customers are Los Angeles' and its surrounding areas' citizens, employees and travelers, and 3) unlike certain other modes of GT operators, our team of drivers are not only generally trained to operate commercial motor vehicles but to operate such commercial motor vehicles specifically at the airport - meaning that our drivers can more readily take reasonable directions from LAWA staff and effectuate changes that help with areas LAWA staff and LAMP have identified as issues, including but not limited to congestion and curbside behavior. While the responses provided in the EIR to certain of the comments raised by many ground transportation operators on this CTA access issue indicate that "nowhere does the EIR state that specific commercial vehicles would all be barred from operating within the CTA" (See comment referenced as LAMP-PC0024-1) we point out to LAWA staff and this Board that nowhere in the EIR does it state what sort of analysis will go into adopting a policy that is inapposite to the assumptions that the EIR based its traffic impact and reductions on, namely that all off-airport shuttles would be required to use ITF West thereby implying a prohibition against using the CTA (See comment referenced as LAMP-PC-00028-1, stating that both off-airport parking shuttles and hotel shuttles were assumed to operate at the ITF West"). Our concern is that the policies that will be recommended by LAWA staff and ultimately implemented won't be anything other than a rubber stamp of the assumptions in the final EIR. We understand that LAWA staff's responses to industry comments may make it clear to LAWA staff that the EIR does not include a prohibition on where commercial ground transportation operators will be required to go post-LAMP construction, so we look forward to LAWA staff continuing to engage our members in conversations and soliciting our member's participation on any relevant task forces (see comment letter referenced as LAMP-AL00004-30, referencing Section 4.12.3.8 (MM-ST (LAMP)-1)) and this Board soliciting real time feedback on those policy conversations resulting from such task force meetings.

We raise the similarities and differences between our members' shuttle services and customer usage as the EIR states that, given the number and types of commercial vehicle operators at LAX, it becomes a wayfinding issue if similar shuttle operators are operating in multiple locations and because of this issue the traffic analysis reasonably assumed that ***all*** commercial vehicle operators for a certain type of shuttle were operating at a single location (emphasis added) (See comment referenced as LAMP-PC-00028-3). While we can agree with this statement in concept,

we do want to be sure that when formulating the policies that the EIR indicates will be forthcoming, this Board and relevant LAWA staff continues to focus on the above identified nuances that make our group's type of ground transportation services different from other operators.

We do strongly disagree with the final EIR's statement that "from a traffic perspective, an alternative to evaluate different assumptions about where different commercial modes operate would not meaningful change the traffic analysis, or reduce or avoid any significant impacts." (See comment referenced as LAMP-PC00024-1) Quite the opposite, in our opinion. Evaluating different assumptions may lead to the determination that the 48% shift in vehicle traffic is not the appropriate figure from which any of us should operate when making critically important development and infrastructure decisions and policy recommendations. Not only that, but the vehicle trip generation and distribution model used by LAWA staff when coming up with their data and forecasts will very likely continue to change in the near term thus making the traffic analysis and resulting impacts included in the EIR stale. It is reasonably feasible to rely on more relevant year over year data with the full universe of ground transportation operators actually impacting vehicle trip generation and distribution models analyzed. In addition, we think that the significant reliance on projections and forecasting that were based on incomplete data sets from the start, given that many of the data points were collected by LAWA before the transportation network companies were operating legally and in earnest at the LAX curb, should cause this Board some reason to pause and as is their responsibility as commissioners, to ask LAWA staff detailed questions about their data and analysis.

Our members are committed to being a valued partner with LAX and LAWA staff. As is evidence by our group's willingness to work with LAWA staff recently on a single level operation strategy in spite of significant congestion and construction issues, we hope to be part of the solution and not add to any problem. As stated in one of our member's specific comment letters on LAMP, we applaud the efforts of Executive Director Flint and her staff to take these critically necessary steps forward in making sure that LAX operates as a world class airport benefitting the hundreds of thousands of national and international travelers coming through its doors every day (See comment referenced as LAMP-PC00028-18).

Response: LAWA appreciates the comments and concerns of the Los Angeles Off Airport Parking Association, and agrees that continued coordination and dialog with the association, its members, and other commercial vehicle operators is critical to the success of the Project. LAWA also appreciates the Association's comments that traffic conditions may change in the intervening years between completion of the EIR and opening of different Project elements. Please note, however, that assumptions concerning transportation network companies (TNCs) were included in the forecasts and projections of traffic utilized for the EIR analyses. As noted in Tables 4.12.1-8 through 4.12-1-11, paid rides were combined with charter vans, taxis, and limo/town cars due to the uncertainty of how this particular traffic mode will evolve over the next several years. For this reason, among others, LAWA has decided to hold off on developing or implementing changes to existing transportation policies until closer to the time that these changes are needed.

As noted in Tables 4.12.1-8 through 4.12-1-11 of the Draft EIR, the future With Project scenario assumes all commercial vehicles except taxicabs and TNCs would be restricted from accessing the CTA to pick-up or drop-off passengers. In addition to the parking shuttles, the large number of shuttles serving hotels and rental car facilities located in the LAX vicinity contributes to congestion in the CTA and surrounding area, as passengers who choose to park remotely, stay in local hotels, or take public transit to LAX, must take a bus, shuttle, taxi, or similar service from the CTA. These outbound trips totaled approximately 950,000 in 2014. It is important to note that the dwell times (staging, loading and unloading, etc.), frequent lane changes, and maneuverability challenges of these vehicles disproportionately contributes to the congestion

experienced on the CTA roadways.[1] LAX is also served by other passenger transportation modes, such as FlyAway buses, shared ride vans, limousines and other commercial vehicles, all competing for limited space along the drop-off and pick-up curbs. Although their percentage of the total vehicles accessing the CTA is less than the various shuttles, all of these vehicles contribute to congestion in the CTA.

The operation of the CTA roadways are highly influenced by issues, such as traffic weaving to and from different terminal curbsides, a higher proportion of traffic that is unfamiliar with the roadways leading to slower speeds, constant need of decision-making as a result of signage, and a complex mix of vehicle modes. If some portion of commercial vehicles were permitted to operate within the CTA, it is reasonable to assume this additional traffic volume on both the arrivals and departures roadways would result in increased congestion and delays, when compared to the assumptions made in the Draft EIR. For example, permitting shuttle buses to pick-up along the arrivals level roadway's outer curbside would cause increased friction for vehicles in the lanes closest the curbside, additional congestion near the slip-ramps as vehicles travel between the outer and inner roadways, thereby reducing vehicle throughput, increasing congestion, delays, and pollution. Note that the commentor appears to be confusing 48 percent of passengers with 48 percent of traffic. A one-to-one substitution of a private automobile with a shuttle van or bus would result in increased congestion and delay on the on-Airport roadways, not less.

LAWA looks forward to continued coordination with the Association, its members, and other affected parties during implementation of the Project.

[1] Los Angeles World Airports, Ground Transportation Report, Los Angeles International Airport, February 23, 2015.

LAMP-F-PC00003 Dillard, Joyce 3/1/2017

LAMP-F-PC00003-1

Comment: Please note that the DRAFT ENVIRONMENTAL REPORT APPENDIX L 2.2.3 Regional did not address the legal challenges to the NPDES Municipal Separate Storm Sewer Permit (MS4). This effects the FEIR as you are addressing Federal regulations.

We are enclosing a TENTATIVE ORDER from the Superior Court on the case BS159495:

> Natural Resources Defense Council, Inc. And Los Angeles Waterkeeper v State Water Resources Control Board and California Regional Water Quality Control Board, Los Angeles Region

Please note that "effluent limitations" are not acknowledged as a criterion in the permit under the Clean Water Act. TMDLs are in question as they establish the effluent limitations in the permit. Consequently, the EWMPs Enhanced Watershed Management Plans may be in jeopardy as a compliance issue.

Also note that the California Supreme Court decided Case No. S214855 which effects reimbursement by the State:

> Department of Finance v.Commission on State Mandates and County of Los Angeles

Response: A comment was received from Joyce Dillard on March 1, 2017 asserting that "The [DEIR] Appendix L 2.2.3 Regional did not address the legal challenges to the NPDES Municipal Separate Storm Sewer Permit (MS4). This effects the FEIR as you are addressing Federal regulations…"

The commentor attached a copy of the "tentative Order Denying Petition for Writ of Mandamus" in the Los Angeles Superior Court case *Natural Resources Defense Council, Inc. et al v. State Water Resources Control Board* (Case No. BS159495) ["NRDC"] and the Supreme Court case *Department of Finance et al v. Commission on State Mandates* Case No S214855 ["*DOF*"].

The LAX Landside Access Modernization Program Draft EIR, Appendix L, Section 2.2.3 does provide an overview of the "NPDES Municipal Separate Storm Sewer (MS4) Permit." The commentor does not explain why these decisions are relevant in the context of the LAX Landside Access Modernization Program EIR. These decisions do not affect the adequacy of the water quality impact analysis in the LAX Landside Access Modernization Program Final EIR.

The Court in NRDC upheld the MS4 permit regulations, concluding "the weight of the evidence supports RWB's finding the discharges permitted by the 2012 Permit 'are consistent with the antidegradation provisions of 40 CFR section 131.12 and Resolution 68-16.'" This decision does not affect the environmental analysis contained in Section 4.7.5 of the Draft EIR. While the Supreme Court case addressed the right to reimbursement for municipal compliance with stormwater regulations, it is not relevant to the effectiveness of these regulations in reducing water quality impacts. In general, economic issues such as this are irrelevant to the analysis in an Environmental Impact Report. (CEQA Guidelines Section 15131(a) ["Economic or social effects of a project shall not be treated as significant effects on the environment."].)

LAMP-F-PC00004 Coester, Marcus Aeromoval Brasil S.A. 3/1/2017

LAMP-F-PC00004-1

Comment: my question is about the intensive user of rubber tires with the traditional automated people movers proposed for the LAWA LAMP project. In best cases these tires must be replaced at every 100.000 Km or about 6 months of regular use. The question is if LAWA is considering the environmental impact of the use and recycling of the APM tires, and if LAWA is considering the continuous contamination of rubber particles on the guideway and surrounding soil. After 6 months of use the thickness difference of the replaced tires and the new tires remains on the guideway or on the soil. Is this amount of rubber calculated for each proposed technology? Are there mitigation procedures for that phenomena?

Should not LAWA set preferential use of steel tires on rails that need no recycling and generate no relevant contamination with use? APM technologies like Aeromovel run on steel wheels, with equivalent performance and noise generation than rubber tires, yet these wheels can run more than 10 years without replacement.

Response: The Draft EIR does not assume that the APM tires would be rubber. LAWA has released a set of performance criteria that APM providers must meet in order to be responsive.[1] Particulate matter, both PM_{10}, which refers to particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (microns, um, or µm) and $PM_{2.5}$, which refers to particulate matter with an aerodynamic diameter less than or equal to 2.5 micrometers, was examined as part of the air quality analysis in Section 4.2 of the Draft EIR, which included sources such as fuel combustion,

automobile exhaust, brake wear, and vehicle movement. The APM tires were not specifically included as a source; however, the air quality analysis included particulate matter sources associated with aircraft tires, passenger vehicle tires, truck tires, bus tires, and other ground vehicle tires. Compared to those sources, the particulate matter generated by the APM tires would be minimal.

Rubber is not regulated as a hazardous waste by the U.S. EPA. Thus, use of rubber tires versus steel wheel tires does not pose a contamination problem as claimed by the commentor. LAX has an existing recycling program, which includes recycling of rubber tires.

[1] Los Angeles World Airports, *LAX Landside Access Modernization Program, APM Operating System Supplier Eligibility Determination Process, Attachment 3, Select Draft Project Technical Performance Provisions*, March 17, 2016. Available at: http://www.lawa.org/uploadedFiles/LAWA/Business/EDP Attachment 3 – Select Draft Project Technical Performance Provisions - FINAL.pdf.

LAMP-F-PC00005 Mastroly, Frank 1/30/2017

LAMP-F-PC00005-1

Comment: If the LAX Draft Landside Access Modernization Project (LAMP) EIR available at http://connectinglax.com/files/LAMP_DEIR_REPORT_092016v3.pdf is any guide, I contend that this plan needs a major do-over. I have read it "from cover to cover" and have noted what I feel are several not insignificant deficiencies in the LAMP as presently envisioned.

By way of background, I am a retired Aerospace Mechanical Engineer, having worked for Lockheed, Douglas, and Northrop, in both Preliminary Design and on highly successful projects. I am also an avid rail fan, but because of my Aerospace experience I am also very interested is aviation and especially in commercial aviation. Being retired allows me the luxury of spending considerable time on the Internet, during which time I eagerly search for, download, and read any and all material related to existing and proposed commercial aviation and rail passenger facilities, both Amtrak and various transit systems such as in Los Angeles (I live in Huntington Beach, but that did not prevent me rooting for LA Metro's successful Measure M), New York (my "Ancestral Home"), Chicago, etc. I thus know what is available and/or planned elsewhere and thus what may be applicable to the upgrade of the Los Angeles International Airport, or LAX.

I have downloaded and read material on how various US airports, such as SFO, DFW, ATL, JFK, ORD, and SNA handle both landside (outside security) and airside (inside security) access. In the process, I have downloaded and read an extensive library of material relative to LAX, going back to your 2004 Master Plan which, among other things, called for demolishing Terminals 1, 2, and 3, along with all parking structures within the Central Terminal Area (CTA) and constructing replacement terminals where the CTA parking structures once stood. Despite this particular aspect of the Master Plan (it was Alternative D) not being fulfilled, other parts were, such as the construction of the Tom Bradley International Terminal (TBIT) and the soon to be constructed Midfield Satellite Concourse (MSC).

Of interest here is the proposed Landside Access Modernization Project (LAMP), about which Los Angeles World Airports (LAWA) is planning to hold public hearings in February 2017 in anticipation of project approval by the Los Angeles City Council. In addition to various roadway improvements, the LAMP includes two Inter-Modal Transfer Facilities (ITFs) and a Consolidated Rent A Car (CONRAC) facility. To tie all this together, LAWA has proposed constructing an

Automated People Mover (APM) to transport travelers between these off-site facilities and the CTA.

In addition, in conjunction with the Los Angeles Metropolitan Transit Authority, or LA Metro, the APM will have a station above the Crenshaw/Green Line 96th Street/LAX Station to permit transfer between the Metro Crenshaw and Green Lines and the airport APM. The Metro station will include a bus plaza northeast of the rail station to facilitate transfer between the Crenshaw and Green LRT Lines and local and regional bus lines.

Inside the CTA, the current design of the proposed APM is a choked-spine system running up the center of the CTA, with three CTA stations connected to the various north and south terminals and the TBIT via a series of open and enclosed passages. Three off-site APM stations would serve, in sequence west-to-east, the West ITF, the East ITF/Metro Station, and the CONRAC. The APM and the Metro Transfer Station are anticipated to be completed by 2023 or 2024.

Overall, I strongly support the concept of constructing of these off-site facilities, especially at least one ITF, the Metro/LAX Station, and the CONRAC facility. I also support in concept the LAWA proposal to construct an APM to transport travelers between these off-site facilities and the CTA. More on the ITFs later.

Response: The comment does not raise any environmental issues; rather it summarizes the proposed LAX Landside Access Modernization Program.

LAMP-F-PC00005-2

Comment: However, as discussed below, I have reservations about the precise routing of the APM within the CTA and its interface with the Metro station. My reservations are based upon what is currently installed at SFO and JFK, both of which have extensive landside APMs, aka AirTrains, that serve each terminal and connect them with offsite facilities, including transfer stations between the APMs and local rail transit that provide one-seat service between these transfer stations and the respective downtown areas.

My study is based primarily on the material contained in the LAWA Draft Landside Access Modernization Project (LAMP) Environmental Impact Report (DEIR) available at http://connectinglax.com/files/LAMP_DEIR_REPORT_092016v3.pdf I realize that the LAMP DEIR was released before the Terminal 1.5, Terminal 2.5, and Terminal 3.5 plans were developed and apparently approved, and hence I realize that the preliminary station locations within the CTA for the proposed APM need revision in any case. For this very reason, I strongly recommend that the LAWA engineers hold off holding public hearings or seeking LA City Council approval at least until the Final LAMP EIR is released and approved, which is scheduled for later this year and reflects all that is currently being planned at LAX.

Response: The comment does not appear to be related to significant environmental issues. As noted on page 2-37 of the Draft EIR, the locations of the proposed pedestrian walkways are approximate, and are subject to change to provide appropriate access to the terminals or parking garages. The APM stations were located to provide equivalent access, to the extent possible, to each of the passenger terminals.

LAMP-F-PC00005-3

Comment: More to the point, I have sincere doubts that the LAMP program as currently envisioned will materially reduce congestion in the Central Terminal Area (CTA), which the LAMP Draft EIR states is a primary goal of LAMP.

The reason why this may be the case? Specifically, it is the inconvenient locations of the APM stations within the CTA and, in some cases, the long "unassisted" walking distances in these passages between these stations and the airline terminals that travelers must traverse if they use the APM. I suspect that after only one use, many of those travelers will, on future trips, chose another option to get to and from LAX or even avoid LAX for short domestic flights and use SNA ONT, LGB, or BUR.

As long as CTA parking and terminal curbside access is provided, many travelers will prefer to continue to use such access. Also, those being driven to and from LAX by others will still prefer to use curbside access. Same with shared-ride van, e.g. Super Shuttle, passengers who will insist on curbside access. About the only vehicles that will not use the CTA roadways are the rental car and hotel shuttles, and public transit, including the FlyAway, buses. I assume that these vehicles will use the bus plaza planned to be constructed adjacent to and northeast of the Metro 96th Street Station or the ITF-West. In passing, will arriving passengers not familiar with LAX be given assistance on accessing which ITF or bus plaza to go to to complete their trip? The proper use proposed arrangement is not intuitively obvious.

Although LAWA plans to install moving sidewalks in these CTA passages, there are, according to the LAWA LAMP DEIR, several long segments of "unassisted walking." I wonder if LAWA considered the potential hardships for those travelers carrying and traveling with small children, those with several pieces of luggage, and those with impaired mobility. At the very least, Sky Caps should be present at all CTA APM stations along with passenger carts, and even wheel chairs and assistants for those who may need them.

Response: The comment does not appear to be related to significant environmental issues. However, the terminals would connect to the APM stations via elevated pedestrian walkways, incorporating moving walkways to assist passengers with extended distances. The maximum walking distance, including assisted walk distance, from any terminal to an APM station is 950 feet. The approximate lengths of pedestrian walkways and moving walkways, as well as total walk time, for the West CTA APM Station are provided in Table 2-3 (page 2-53) of the Draft EIR. The same information for the Center CTA APM Station and the East CTA APM Station are provided in Tables 2-4 (page 2-59) and 2-5 (page 2-67), respectively, of the Draft EIR. As noted on pages 2-47, 2-53, and 2-67, of the Draft EIR, "the precise locations and lengths of pedestrian and moving walkways are subject to change during the design process."

LAWA considered numerous operational characteristics during the planning of the APM system, including turning radii of proposed APM alignments, effect on APM operations and travel times, and traffic and pedestrian circulation, as well as walk distances. Due to the physical constraints of the CTA and the close proximity of the terminals, a spine alignment with APM stations located approximately equidistant between the north and south terminals best met LAWA's operational criteria for the system. Chapter 5, Alternatives, Section 5.4.1.1, of the Draft EIR discusses the various APM alignment alternatives considered and how they were evaluated.

Passengers choosing to utilize the APM system may have a longer walk than they do today; however, the walk distance would be very similar for those passengers who choose to park in the CTA and walk to the terminals. The proposed Project would actually improve these conditions by providing moving walkways and elevated, grade separated walkways into the terminals; passengers would no longer have to walk across World Way to get to the terminal or their vehicles. Additionally, it should be recognized that passengers would still have the option of being dropped-off or picked-up in front of their terminals, as they are today.

The information presented in Table 18 in Appendix O of the Draft EIR includes the 2015 daily mode split derived from the LAX 2015 Passenger Survey[1] as well as the estimated future daily

passenger mode splits at the projected 2035 passenger activity level. Based on the historical trends observed, future mode shares for all modes that reflect reasonably likely traveler preferences were projected by transportation professionals as an assumption in the Traffic Study.

Section 2.4.6, Transportation Policies at LAX, in Chapter 2, Description of the Proposed Project, of the Draft EIR describes the existing transportation policies at LAX and the policy changes that LAWA may establish at LAX. These could include changes to fees, pricing, licenses, traffic patterns, and agreements with various commercial vehicle operators at LAX, as well as fees and prices for parking at LAX facilities. Additionally, LAWA may implement tolls for commercial vehicle operators and potentially to the public to access Airport facilities if needed to manage traffic during peak periods and for incident management. The Draft EIR states, in Section 2.4.6.1, on page 2-144, that, "[t]o reduce congestion on the CTA roadways, LAWA would update the LAX Ground Transportation Permit Program to allow and/or require commercial operators to pick-up and drop-off passengers at the ITF East and ITF West. Concurrently, LAWA would restrict access to the CTA for some commercial operators. LAWA would also institute pricing differential strategies to encourage commercial vehicle operators to pick-up and drop-off passengers at the ITF East and the ITF West."

Section 2.4.6.2 of the Draft EIR, also on page 2-144, states that, "[w]ith implementation of the proposed Project, changes to the LAX Ground Transportation Permit Program, and implementation of pricing differential strategies, LAWA would manage the Project facilities to induce future daily passenger mode share shifts, with most commercial vehicle operators picking-up and dropping-off passengers at the ITF East and ITF West. LAWA would manage the facilities and Airport traffic to effectuate a shift of up to approximately 49 percent of the Airport passenger pick-up and drop-off from the CTA to the ITF East, ITF West, and CONRAC." Additional language on traffic management at the ITF West (Section 2.4.6.2.1 of the Draft EIR) and ITF East (Section 2.4.6.2.2), describes the actions that LAWA may take to encourage use of these facilities and a shift in traffic from the CTA.

LAWA will be evaluating the appropriate actions and incentives to take to effect this shift in traffic to ensure that the investment they are making in improving the landside access system at LAX is successful. LAWA recognizes that there are a number of ways that a shift in approximately 48 percent of vehicle traffic can be achieved; LAWA will continue to coordinate with the affected parties and will need to seek approval from the Board of Airport Commissioners to implement any changes to the existing transportation policies at LAX.

[1] Unison Consulting, Inc., Final Report, Los Angeles International Airport 2015 Air Passenger Survey Results and Findings, February 2016.

LAMP-F-PC00005-4

Comment: A particularly unsatisfactory arrangement is that at the Metro 96th Street station and its lack of a one-seat ride to and from Union Station and downtown LA. As currently planned, the Metro Crenshaw-Green Lines will require one or two intermediate transfers to serve Union Station and downtown LA. In all transfers, it will be necessary to change elevation via elevators or escalators. Also, there is no coordination of connecting train schedules. This may be acceptable to airport employees but not to most passengers, especially those with small children, have several pieces of luggage, and/or are mobility-impaired.

In contrast, at several other major US airports, such as SFO, JFK, DEN, PHL, ORD, and others, direct one-seat rail transit is provided between the downtown area, major rail depots, and the rail station serving the airport. I realize that Metro is responsible for this service, and on several occasions, I have suggested to Metro that they construct a branch to the Blue Line along Slauson

to connect with the Crenshaw Line and the Metro LAX 96th Street station, with premium-fare limited-stop service using regular LRT vehicles reconfigured with fewer but better seats and room for baggage storage in the articulation joint area. Still no response from Metro.

Response: The comment does not appear to be related to significant environmental issues. Over the past several years, both Metro and LAWA have worked closely to provide a connection between Metro's regional transit system and LAX. The connection between the proposed ITF East APM Station and Metro's proposed Airport Metro Connector (AMC) 96th Street Transit Station is discussed on page 2-90 and shown on Figure 2-31 in Chapter 2, Description of the Proposed Project, of the Draft EIR. The ITF East APM Station would provide a direct connection to the Metro Crenshaw/LAX Line (currently under construction) and the Metro Green Line. Additionally, Metro is including a bus transfer facility as part of their AMC 96th Street Transit Station.

The Draft EIR, on page 2-31, describes the operational conditions for the proposed APM, which identifies that during peak periods, operating headway intervals (time between trains at a given station) would be approximately 2 minutes. As the APM would operate 24 hours a day, passengers desiring to utilize the APM would experience small wait times. Expansion of the Metro system is beyond LAWA's purview.

LAMP-F-PC00005-5

Comment: Another problem with this Metro LAX station is that the APM guideway is perpendicular to the Metro station. In all the other installations I have looked at, the APM platform is parallel to and directly above or below the transit station platform, and thus there are banks of elevators and escalators at both ends of each station platform and not only at one end, thus providing more passenger convenience. Also, this APM station, which also serves the adjacent ITF East facility, is not directly above the Metro station but offset to the east, thus again requiring long walks. Again, Sky Caps should be present the Metro station along with wheel chairs and assistants for those who may need them.

Response: The comment does not appear to be related to significant environmental issues. As noted on page 2-109 of the Draft EIR, the ITF East APM Station, platforms, and pedestrian walkways would be compliant with the Americans with Disabilities Act (ADA).[1] The Project facilities would be designed to accommodate wheelchairs, and would include dynamic visual signs, and signs with braille to accommodate visually or auditory-impaired individuals. If walk distances exceed 200 feet, moving walkways would be provided.

[1] 28 CFR Part 36, Americans with Disabilities Act, Title III Regulations, Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities, as amended by the final rule published on September 15, 2010.

LAMP-F-PC00005-6

Comment: What do I propose as an alternative? In short, the APM, as is the case elsewhere, should serve each terminal individually. What really LAWA should do is demolish the CTA upper roadway and restrict the (now bi-directional) lower roadway to only emergency and service vehicles, with gates preventing the entry of private vehicles.

The APM would then be constructed directly above the lower roadway, in a loop routing with stations serving each CTA terminal. The now eight CTA APM stations (T1.5, T2.5, T3.5, TBIT. T4, T5, T6, and T7/T8) stations would be located at the same level as the departure level in all terminals and in line with the center of the respective ticketing areas. Because the CTA is reasonably compact, this segment of the APM could be single tracked to save costs. Alternate

trains would loop only between the CTA terminals and between the CTA terminals and the off-site facilities. SFO and JFK have separate terminals-only and terminals-offsite facilities routes on a double track system, but I think taht LAX's CTA.s compactness will permit a single track terminal loop. The APM station platforms would thus provide immediate access to the departure level in each terminal. Elevators and escalators would connect the APM platforms with the arrival levels.

Offsite, the APM, now double tracked, east of the ITF West would be rerouted over 98th Street and then turn north to be directly above and parallel to the Metro line, with the APM station platform immediately above the Metro station platforms. East of the Metro station, the APM would turn east and serve the ITF East (which later I suggest should simply be a long-term parking structure) and CONRAC facilities on their respective north faces. This would entail what was ITF-East and the Metro Station bus plaza swapping places, but this would benefit Metro patrons without impacting the users of ITF-East or its replacement. Admittedly, this would entail still another additional APM station making a grand-total of 12 (eight CTA and four offsite), but passenger convenience would now take center stage where it must always be.

Response: The commenter does not indicate why his recommended alternative would have clear environmental advantages over the proposed Project's APM alignment. Chapter 5, Alternatives, of the Draft EIR, identifies and discusses numerous alternative APM alignments that were considered as part of the planning process for the LAX Landside Access Modernization Program. Specifically, Section 5.4.1.1.1 of the Draft EIR discusses the various Central Terminal Area APM alignments that were considered, how they were analyzed, and why certain alignments were rejected due to safety and security, operational, constructability, and pedestrian access considerations.

As part of the planning analysis conducted for the LAX Landside Access Modernization Program, several APM alignments within the Central Terminal Area were proposed and evaluated; the World Way APM Alternative is similar to the alternative suggested by the commentor.[1] A number of criteria were established to evaluate the differing alternative alignments including:

- Whether an alignment would be feasible to construct within the physical constraints of the Airport environment (impacts to existing infrastructure, cost and complexity to remove or relocate existing facilities);
- Whether construction of the APM would substantially interfere with the operational capabilities of the Airport (minimizing direct and indirect impacts to passenger gates, maintaining key terminal functions and facilities, minimizing roadway closures, and maintaining sufficient parking); and
- Whether the alternative was operationally feasible (turning radii of alignments, effects on APM operations and travel times; passenger walking distances).

The following APM alignments within the CTA were evaluated as part of the planning process.

Terminal/Airside APM Alternative

This alternative consists of a split (scissor alternative) APM alignment utilizing two corridors through the CTA: a northern section that runs parallel to World Way North and a southern section that runs parallel to World Way South. The APM would be constructed either on top of or beneath the existing terminal structures; an at-grade alignment would not be possible due to conflicts with the existing terminals and aircraft movement areas. The alignment would either be in a scissor or loop alignment, extending across Terminals 1, 2, and 3, and Tom Bradley International Terminal to the north, and across Terminals 4, 5, 6, 7, and 8 to the south. Under

this alternative, the APM station(s) would be integrated into the terminals, allowing for vertical circulation to the arrivals and departures levels.

Construction of an integrated APM guideway and stations within the existing terminals/airfield would be infeasible within the current terminal/airfield configuration/constraints. Reconstruction of each terminal would be tremendously costly and severely impact access to the passenger terminals and aircraft gates during construction. Therefore, due to the severe impact to Airport operations, this alignment option was considered infeasible.

World Way APM Alternative

The World Way APM Alternative would also consist of a split (scissor alternative) APM alignment utilizing two corridors through the CTA, consisting of either a scissor or loop alignment with access to all terminals. The northern section of the alignment would be constructed directly along World Way North and the southern section would be constructed along World Way South. APM station(s) would be located along World Way and connected to the passenger terminals and existing parking garages via passenger walkways.

The structural integrity of the existing Upper World Way, could not withstand the loading requirements of the APM. Reconstruction of this roadway to withstand the additional load of an APM would be extremely costly and severely impact access to the passenger terminals during construction. Construction of an elevated APM alignment along Lower World Way would require a construction right-of-way of up to 60 feet, or the equivalent of four lanes of roadway and a sidewalk. After construction, this APM alignment would result in the permanent removal of up to two roadway lanes for the placement of APM support columns. Removal of these lanes would severely impact vehicular access to the passenger terminals within the CTA. Therefore, due to the severe impact to Airport operations, this alignment option was considered infeasible.

Parking Garage APM Alternative

The Parking Garage APM Alternative would also consist of a split (scissor alternative) APM alignment utilizing two corridors through the CTA: the northern section that runs parallel to World Way North and the southern section that runs parallel to World Way South. However, under this alternative, the APM guideway and stations would be constructed above, beneath, or through the existing parking garages adjacent to World Way. Under this alternative, the stations would be integrated into the parking garages, allowing for vertical circulation within each garage. Pedestrian walkways would connect the APM station(s) to the terminals.

Construction of this alternative would require substantial structural changes to the existing parking garages within the CTA. During construction of this alternative, the already constrained existing parking capacity within the CTA would decrease by approximately 40 percent. Therefore, because of the substantial demolition required and the temporary reduction in CTA parking, this alignment option was considered infeasible.

Center Way APM Alternative

The Center Way APM Alternative would consist of a single (spine alternative) APM alignment, commonly referred to as a "spine" alignment, located along Center Way. The APM alignment would travel along the northern portion of Center Way, to the north of the Central Utility Plant and the Theme Building, generally extending from the LAWA Administration Building to between Parking Garages P3 and P4. APM station(s) would be located along Center Way.

Constructing an aerial APM alignment would be feasible considering the physical constraints at the Airport. Through the use of columns, construction areas would be minimized and flexible in placement. Design of the APM guideway, stations, and support columns could be conducted to avoid existing facilities and span over existing roadways. Initial planning efforts determined that the construction impacts for an APM within the interior of the CTA, including the guideway and APM support columns, could be conducted with nominal impacts to passenger gates and roadway closures.

A dual-track guideway provides simultaneous operations in two directions, both to and from the CTA. This results in consistent headways and a time-certain schedule, operating more efficiently than a scissor or loop alignment. Furthermore, a single APM alignment generally following Center Way would not include any 90 degree turns and therefore, would meet minimum turning radii requirements for an APM system. The passenger walking distances to/from the APM and the passenger terminals may be farther than those alternatives that would have the APM alignment closer to the terminals; however, distances would be acceptable based on industry standards through incorporation of moving walkways.

Underground APM Alternative

Construction of the APM completely underground through the CTA was also considered. An underground APM alignment (scissor alternative) would require major tunneling work beneath an active airport and surrounding network of roadways and adjacent buildings. The Central Utility Plant for the Airport is located in the center of the CTA; it provides heating, cooling, and hot water to each terminal in the CTA; thus a series of underground utilities emanates from the center of the CTA to each terminal building. Additionally, electrical power feeds are located off site and enter the CTA via underground conduits. The Central Outfall Sewer (COS), a 57 inch diameter circular 2-ring brick pipeline, runs underneath the CTA and serves the existing terminals. Based on the number of underground utilities and infrastructure beneath grade, this alignment option was considered infeasible.

[1] City of Los Angeles, Los Angeles World Airports, LAX Connected, Board of Airport Commissioners Ground Transportation Workshop, May 5, 2014, Available: http://www.connectinglax.com/files/5.5.14_BOAC.Briefing_LAX.Connected.pdf.

LAMP-F-PC00005-7

Comment: When looking at the off-site site plan (DIER Figure 2-37) it appears that it should be possible to reroute the APM over 98th Street and rearrange buildings to place ITF-East., aka long term parking structure, at the corner of Aviation and Arbor Vitae and to place the Metro bus plaza adjacent to the rail station - A Win-Win situation. More on the possible future of ITF-East later.

Response: The commenter does not indicate why his recommended alternative would have clear environmental advantages over the proposed Project's APM alignment. Section 5.4.1.1.2 of the Draft EIR discusses different APM alignments outside of the CTA. The Specific Plan Amendment Study examined an APM alignment down W. 98th Street as suggested by the commentor. However, the right-of-way on W. 98th Street between Airport Boulevard and Bellanca Boulevard is narrow, and is utilized by the existing hotels and businesses for loading and unloading, as their buildings extend right up to the street with no loading docks. Construction of an aerial APM in this area would impact existing facilities and require acquisition of several adjacent parcels. Commercial properties along W. 98th Street consist of hotels and office buildings on the north and south sides of the street. Along the north side are the Four Points by Sheraton Los Angeles International Airport hotel; the Flying Food Group facility; and the Neutrogena Corporation campus. Along the south side of W. 98th Street are the Los Angeles Airport Marriott hotel; the

Airport Spectrum office building; and the Hilton Los Angeles Airport hotel. Acquisition of these buildings would be costly and disruptive to the business district along W. 98th Street and Century Boulevard. Relocation of these facilities would be infeasible as they are dependent on proximity to the Airport and suitable areas for their relocation are limited. Due to the potential impacts to businesses and the hospitality industry in this area, as well as impacts to implementation of the proposed Project, LAWA determined that this alternative was not feasible.

LAMP-F-PC00005-8

Comment: Since private vehicle access would now be precluded from the CTA, the CTA parking structures could be demolished as planned for in the LAX 2004 Master Plan, with the two ITFs easily expanded to handle the increased number of vehicles. (Note that Alternative D in the 2004 LAX Master Plan also called for the CTA parking structures to be demolished and replaced by new Terminals 1, 2, and 3). The space currently occupied by the CTA parking structures could then be used to widen the lower roadway and/or for a bus/shared-ride van-only plaza supplementing, and perhaps replacing, the bus plaza adjacent to the Metro station and ITF-East or even ITF-West, which could now become a short-term parking structure. This plaza could even be double-decked, with buses on the lower level and shared-ride vans on the upper level. The Theme Building, Control Tower, and other facilities currently located between the north and south parking structures would remain, as the bus plaza structures would simply curl around them.

Enclosed walkways with elevator/escalator complexes over the APM would connect each terminal with the CTA bus plaza. Additionally, the single-track landside CTA APM stations could have platforms on both sides, with those on the side away from the terminals leading directly to the bus-van plaza via covered passageways, with elevators and escalators. To reduce confusion, the APM vehicle doors could be opened in sequence -- terminal first, bus plaza second, obviously with recorded messages telling the passengers which doors to use.

Replacing the CTA parking structures with off-site parking and a bus plaza should eliminate another CTA congestion problem discussed in the 2004 Master Plan EIR, specifically in LAX document entitled FEIS_EIR_Part1-09_040301_OnAirportSurfaceTransportation available online at http://www.lawa.org/uploadedFiles/OurLAX/Past_Projects_and_Studies/Past_Publications/FEIS_EIR_Part1-09_040301_OnAirportSurfaceTransportation.pdf. In this document was described the situation where those seeking a parking space in a CTA parking structure continually circle the CTA trying to find a parking structure with an available slot. Keeping the current arrangement of CTA parking garages and double-deck access roads will not solve this problem even when the APM is fully operational, as these travelers will not be candidates for using the APM.

Response: As noted by the commentor, the 2004 Master Plan contemplated the prohibition of private vehicles in the CTA, also discussed in Section 5.4.1.1.2 of the Draft EIR. Please see Response to Comment LAMP-F-PC00005-6 and discussion on the World Way APM Alternative. The construction of this alternative, as suggested by the commentor, is infeasible as it would severely affect Airport operations. Passengers would not be able to access the terminals during construction. The alternative suggested by the commentor is infeasible as the Airport must remain operational throughout construction.

Additionally, the proposed LAX Landside Access Modernization Program includes two public parking garages and areas for buses and commercial vehicles to pick-up and drop-off passengers outside of the CTA. Those facilities are the proposed ITF East and ITF West, which have been designed to reduce traffic within the CTA, as the commentor suggests.

LAMP-F-PC00005-9

Comment: With respect to providing two Inter-modal Transfer Facilities (ITFs), I question the need for two. From the LAMP DEIR, it seems that what is planned for ITF-East is essentially redundant to the functions provided by the bus plaza adjacent to the Metro rail station. More important, it can cause arriving patrons' confusion as to which ITF they need to use to continue their trip. What should be done is to simply build a long-term parking structure in lieu of ITF-East on the site where Metro plans to build its bus plaza and then relocate this plaza to be adjacent to the rail station.

Earlier I suggested demolishing the CTA parking structures in accordance with your 2004 Master Plan and replacing them with a bus-van plaza that could very well accomplish the functions planned for ITF-West. If fact, the LAMP DEIR calls for demolishing and rebuilding CTA Parking Structures P2A, P2B, and P5. Why not do the complete job while you are at it? Remember, improving CTA parking structures and access will continue CTA traffic congestion, something the LAMP DEIR says it wants to reduce.

Response: The Draft EIR examined a One ITF Alternative (see Section 5.5.1.4). As stated in Section 5.6 of the Draft EIR, the One ITF Alternative would result in greater environmental impacts compared to the proposed Project. Most notably, in comparison to the other alternatives and the proposed Project, the One ITF Alternative would result in significant impacts to land use and planning in terms of plan consistency. The One ITF Alternative would incrementally reduce some of the less than significant impacts of the proposed Project related to aesthetics (shading and light and glare), air quality (construction), hazards and hazardous materials, and energy. Impacts to aesthetics (visual character), air quality, cultural resources, greenhouse gas emissions, public services (schools), and off-Airport traffic would be similar as the proposed Project and it would not reduce the significant unavoidable impacts that would occur under the proposed Project with respect to these areas. See also Response to Comment LAMP-F-PC00005-8 above.

LAMP-F-PC00005-10

Comment: You state that by providing differential parking rates you will encourage those driving others to or from LAX to use ITF-West. I submit that many will simply drive to the curb-sides to drop off and pick up passengers. They may even simply wait at curbside for arriving passengers. With mobile phones, they can simply wait off-site for a message that their loved-ones are at the curb with their baggage. I also anticipate a fleet of on-call Uber and Lyft vehicles waiting at the two off-site parking structures and the Metro station to transfer passengers to and from the various terminal curbsides. They may even be driverless.

Response: The comment does not appear to be related to significant environmental issues. Section 2.4.6 of the Draft EIR identifies a number of ways that LAWA could encourage use of the ITF West and ITF East, including differential pricing. As noted in Section 2.4.6.2.1, the ITF West could include cell-phone waiting areas as well as free parking for a limited amount of time for people waiting to pick-up passengers.

LAMP-F-PC00005-11

Comment: While I am at it, I might make a few comments about LAX airside (inside security) access. I realize that most LAX passenger traffic either originates or terminates at LAX. However, there is still considerable transferring traffic, especially between domestic and international flights.

Of particular concern is the recently completed south-side passage between Terminal 8 and the Tom Bradley International Terminal (TBIT). Per everything I have read, this passage is

supposed to be 100% inside security. HOWEVER, according to the attached sketch downloaded from at http://www.laxishappening.com/assets/pdf/LAX-CTA-South-Tunnel-Map.pdf, the connection at the TBIT is OUTSIDE security. In addition, a TSA check point is installed between Terminal 4 and the TBIT. What gives?

Notes on the attached sketch, downloaded from the LAX website, state that it will take up to 40 minutes (5x8) to walk between Terminal 8 and the TBIT. I assume that this time will be much longer for mobility-impaired travelers and those carrying small children. Here again there needs to be Sky Caps and wheel chairs present in all terminals. Finally, this sketch clearly shows that the TBIT connection is on the landside, thus defeating the stated purpose of this passage,

In http://milestomemories.boardingarea.com/lax-airside-connections-between-terminals/ there is a complicated (I suspect tongue-in-cheek) step-by-step procedure for navigating this passage, which includes several elevation changes and, apparently, choosing the correct escalator. From all appearances, the "Ghost of Rube Goldberg" lives on in this supposedly convenient passage way. LAX should at the very least provide each traveler using this passage a handout with step-by-step instructions. So far nothing on the LAWA or LAX websites.

I gather that a similar arrangement is being planned for the north-side between Terminal 1 (Terminal 0 or Terminal 1.5?) and the TBIT. However, there are apparently no plans whatsoever to provide an airside connector between the north and south terminals except by way of the TBIT. Is this still the case? If so, why?

Response: The comment does not appear to be related to significant environmental. The commentor is referencing layout and configuration of the passenger terminals, which is not part of the proposed Project.

LAMP-F-PC00005-12

Comment: Another airside access concern is the Midfield Satellite Concourse (MSC). According to the MSC Draft EIR at https://www.lawa.org/uploadedFiles/OurLAX/pdf/2_MSC_DEIR_Description_of_the_Proposed_Project.pdf, an airside APM station would be located in the basement of the MSC. However, the proposed elevated landslide APM comes nowhere near the MSC. Instead, the MSC is connected by an underground airside passage to the TBIT, with airside bus shuttles planned to transfer domestic passengers to and from the MSC.

My airside access suggestion? LAWA should construct a single-track airside APM loop serving ALL CTA terminals, including the TBIT and the MSC. It would be fully below grade and routed below the midpoints of each terminal concourse, with separate stations under each wing of the TBIT and under the MSC North and MSC South. For commonality and vehicle maintenance, it would be connected to the landside APM via a wye connection near the east end of the CTA.

Response: The comment does not appear to be related to significant environmental issues.. The commentor is referencing layout and configuration of the Midfield Satellite Concourse, which is not part of the proposed Project. The commentor's suggestion would not meet the basic objectives of the LAX Landside Access Modernization Program, which is to relieve traffic and congestion on Airport roadways and surrounding streets.

LAMP-F-PC00005-13

Comment: If LAX is truly committed to being a World Class airport, it is appreciated that much needs to be done and will be done to facilitate both landside and airside access. Other US airports are much better at this. For example, JFK and SFO have landside APMs serving all terminals and off-site

facilities, including APM-rail-transfer stations which permit one-seat rides between the respective downtowns; DFW has an airside APM with TWO stations in each terminal; DEN has an airside APM and direct one-seat connection to Denver Union Station; and ATL has both a landside and airside APM.

I realize that what I propose will cost more than will the LAMP system currently being proposed. However, I contend that for LAX to really become a World Class airport, it must consider the possibility that what is currently being planned might have unforeseen problems and deficiencies, and conceivably may need to be redone. In particular, ORD is currently replacing its APM with a new one for reasons not explained.

I assume that LAWA is well aware of the most recent J.D. Powers customer satisfaction ratings of major US airports, where LAX came in Number 26 out of 31 airports, with a three "Power Circles" rating which translates to "Average." Drilling down through the data, what dragged LAX down were “Power Circle” ratings of Two for Airport Accessibility and Check-In/Baggage Check, which, in J.D. Powers-speak means "The Rest," as they do not have a rating less than two Power Circles.

Taken to the extreme, this rating could mean anything from below average to poor. I suspect that LAX is presently closer to poor when it comes to airport accessibility. Check-in and baggage check are really the responsibilities of the airlines, assuming that sufficient airline counter space and baggage carousels are provided. Perhaps the Terminal 1.5, 2.5, and 3.5 (and Terminal 0?) projects will improve this area, even though I suspect at the penalty of longer distances between the airline counters and the gates.

One thing they mentioned that "saved LAX's bacon" in the J.D. Powers survey was this:

> “Los Angeles International Airport: The big news at Los Angeles International is the redesign of Terminal 2, which was completed in February 2016.
>
> “Terminal 2’s new design and the amenities it now offers are partly responsible for a hefty 32-point jump in overall satisfaction,” said Taylor. “Terminal 2 represents the wave of new airport designs with a mix of local and chain restaurants and a more open feel to the terminal. While that’s a good thing, there is much more construction scheduled at Los Angeles for the next several years, and the airport’s U-shaped layout will make access an issue during renovations.”

I really wonder if the frequent traveler really cares much about such "amenities." He/She is only using an airport to get from Point A to Point B with a minimum number of hassles, and such amenities don't make the process any speedier or more convenient.

In short - The "Golden Rule: when redesigning terminals and access should always be "Function Yes, Style No."

In my forty years in Aerospace, engineering I learned two basic “rules” that are always in play when planning a major project.

Specifically:

Rule 1. Don't Make Vast Plans with Half-Vast Ideas, and

Rule 2. We Never Have Time to Do It Right, Only to Do It Over.

Then, of course, we always have Murphy's Law and O'Toole's corollary, "Murphy was an optimist."

As a Preliminary Design Aerospace Engineer, I know from first-hand experience what almost always happens when Rule 1 is violated. Successful projects generally followed Rule 1 and thus bypassed Rule 2. However, unsuccessful projects inevitably broke Rule 1 and suffered the consequences of Rule 2 or, worse yet, were consigned to the "round file."

I trust that the final plan for the LAX Landside Access Modernization Project or LAMP will not fall victim to ignoring these two rules. If you ignore Rule 1, you will suffer the consequences of Rule 2.

Best wishes for a successful LAMP Program to FINALLY make LAX worthy of World Class Status

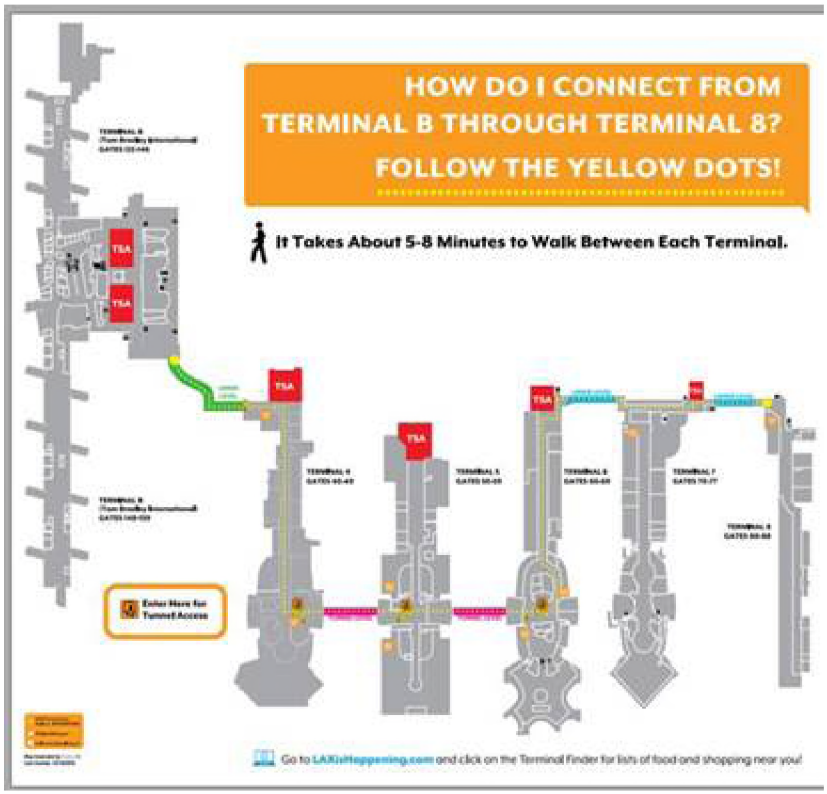
Response: The comment does not appear to be related to significant environmental issues to which CEQA requires LAWA to respond.

LAMP-F-PC00006 Mastroly, Frank 2/28/2017
Email Submitted 11:51 A.M.

LAMP-F-PC00006-1

Comment: While I am at it, I might make a few comments about LAX airside (inside security) access. I realize that most LAX passenger traffic either originates or terminates at LAX. However, according to LAWA data, approximately 25% on LAX passenger traffic involves transfers, primarily between domestic and international flights. Hence the need to address passenger airside access.

Of particular concern is the recently completed south-side passage between Terminal 8 and the Tom Bradley International Terminal (TBIT). Per everything I have read, this passage is supposed to be 100% inside security. HOWEVER, according to the sketch below downloaded from at http://www.laxishappening.com/assets/pdf/LAX-CTA-South-Tunnel-Map.pdf, the connection at the TBIT is clearly OUTSIDE security. In addition, a TSA check point is installed between Terminal 4 and the TBIT. What gives?



Notes on the above sketch state that it will take up to 40 minutes (5x8) to walk between Terminal 8 and the TBIT. I assume that this time will be much longer for mobility-impaired travelers and those carrying small children [I assume here that baggage transfer is taken care of by the airline(s)]. Here again there needs to be Sky Caps and wheel chairs present in all terminal concourses. Finally, this sketch clearly shows that the TBIT connection is on the landside, thus defeating the stated purpose of this passage,

In http://milestomemories.boardingarea.com/lax-airside-connections-between-terminals/ there is a complicated (I suspect tongue-in-cheek) step-by-step procedure for navigating this passage, which includes several elevation changes and, apparently, choosing the correct escalator. From all appearances, the "Ghost of Rube Goldberg" lives on in this supposedly convenient passage way. LAX should at the very least provide each traveler using this passage a handout with step-by-step instructions. So far nothing on the LAWA or LAX websites.

I gather that a similar arrangement is being planned for the north-side between Terminal 1 (Terminal 0 or Terminal 1.5?) and the TBIT. However, there are apparently no plans whatsoever to provide an airside connector between the north and south terminals except by way of the TBIT. Is this still the case? If so, why?

Another airside access concern is the Midfield Satellite Concourse (MSC). According to the MSC Draft EIR at https://www.lawa.org/uploadedFiles/OurLAX/pdf/2_MSC_DEIR_Description_of_the_Proposed_Project.pdf , an airside APM station would be located in the basement of the MSC. However, the proposed elevated landslide Automated People Mover (APM) comes nowhere near the MSC. Instead, the MSC is connected by an underground airside passage to the TBIT, with

only airside bus shuttles planned to transfer domestic passengers between other terminals and the MSC.

I understand that MCS-North construction is about to start. Do the MSC construction drawings include incorporating provisions for a future airside APM station in the basement. If not, why not?

My airside access suggestion? LAWA should construct a single-track airside Automated People Mover (APM) loop serving ALL CTA terminals, including the TBIT and the MSC. It would be fully below grade and routed below the midpoints of each terminal concourse, with separate stations under each wing of the TBIT and under the MSC North and MSC South (12 stations total). For commonality and vehicle maintenance, it would be connected to the landside APM via a wye connection near the east end of the CTA.

Please note that DEN has an airside APM, DFW has an airside APM, and ATL has both a landside and an airside APM. Why not LAX?

Response: Comments submitted in LAMP-F-PC00006 are similar to the comments submitted by this commentor in LAMP-F-PC00005. Please see Responses to Comments LAMP-F-PC00005-11 and LAMP-F-PC00005-12.

LAMP-F-PC00007 Mastroly, Frank 2/28/2017
Email Submitted 11:49 A.M.

LAMP-F-PC00007-1

Comment: If the LAX Draft Landside Access Modernization Project (LAMP) EIR available on line at http://connectinglax.com/files/LAMP_DEIR_REPORT_092016v3.pdf is any guide, I contend that this plan needs a major do-over. I have read it "from cover to cover" and have noted what I feel are several not insignificant deficiencies in the LAMP as presently envisioned. I notice too that the basic design is the same as documented in Volume 11 of the Final EIR available at http://www.connectinglax.org/files/LAX_LAMP_Final_EIR_Vol_11_20170217.pdf

As discussed in another comment, I am fully cognizant of how various US airports, such as SFO, DFW, ATL, JFK, ORD, and SNA handle both landside (outside security) and airside (inside security) access. I thus have downloaded an extensive library of material relative to LAX, going back to the Alternative D in the LAX 2004 Master Plan available on line at http://www.lawa.org/uploadedFiles/OurLAX/pdf/Final_LAX_MP/025_Appendix%20E.pdf,

Among other things, the 2004 Master Plan called for demolishing Terminals 1, 2, and 3, along with all parking structures within the Central Terminal Area (CTA), and constructing replacement terminals where the CTA parking structures once stood. Despite this particular aspect of the Master Plan (it was Alternative D) not being implemented, other parts were, such as the construction of the Tom Bradley International Terminal (TBIT) and the soon to be constructed Midfield Satellite Concourse (MSC).

In addition to various roadway improvements, the proposed Landside Access Modernization Project (LAMP) includes two Inter-Modal Transfer Facilities (ITFs) and a Consolidated Rent A Car (CONRAC) facility. To tie all this together, LAWA has proposed constructing an Automated People Mover (APM) to transport travelers between these off-site facilities and the CTA.

Inside the CTA, the current design of the proposed APM is a choked-spine system running up the center of the CTA, with three CTA stations connected to the various north and south terminals and the TBIT via a series of open and enclosed passages. Three off-site APM stations would serve, in sequence west-to-east, the West ITF, the East ITF/Metro Station, and the CONRAC. The APM and the Metro Transfer Station are anticipated to be completed by 2023 or 2024.

Overall, I strongly support the concept of constructing of these off-site facilities, especially at least one ITF, the Metro/LAX Station, and the CONRAC facility. I also support in concept the LAWA proposal to construct an APM to transport travelers between these off-site facilities and the CTA. More on the ITFs in another comment.

However, as is discussed here and elsewhere, I have reservations about the precise routing of the APM within the CTA and its interface with the Metro station. My reservations are based upon what is currently installed at SFO and JFK, both of which have extensive landside APMs, aka AirTrains, that serve each terminal and connect them with offsite facilities, and including transfer stations between the APMs and local rail transit that provide one-seat service between these transfer stations and the respective downtown areas.

I also the question the need for multiple Inter-Modal Transfer Facilities (ITFs), which will be discussed in another comment.

I realize that the LAMP DEIR was released before the Terminal 1.5, Terminal 2.5, and Terminal 3.5 (and Terminal O?) plans were developed and apparently approved, and hence I realize that the preliminary station locations within the CTA for the proposed APM need revision in any case. For this very reason, I strongly recommend that the LAWA engineers hold off holding public hearings or seeking LA City Council approval at least until the Final LAMP EIR is released and approved, which is scheduled for later this year and reflects all that is currently being planned at LAX.

Although LAWA plans to install moving sidewalks in the passages between the CTA APM stations and the various terminals, there are, according to the LAWA LAMP DEIR, several long segments of "unassisted walking." I wonder if LAWA considered the potential hardships for those travelers carrying or even traveling with small children, those with several pieces of luggage, and those with impaired mobility. At the very least, Sky Caps should be present at all CTA APM stations along with passenger carts, and even wheel chairs and assistants for those who may need them.

What do I propose as an alternative? As proposed by several commentors in FEIR Volume 11, the APM, as is generally the case on other major airports, should serve each terminal individually. I appreciate that this is a drastic proposal, but in a throwback to the 2004 Master Plan, what really LAWA should do is demolish the CTA upper roadway and restrict the (now bi-directional) lower roadway to only emergency and service vehicles, with gates preventing the entry of private vehicles, thus depriving passengers of using curb-side terminal access, a major source of CTA traffic congestion. I also appreciate that there are $$$$$ involved, but in the long run it may be cheaper if the LAWA has to endure an LAMP expensive do-over.

The APM would then be constructed directly above the lower roadway, in a loop routing with stations serving each CTA terminal. The now eight CTA APM stations (T1.5, T2.5, T3.5, TBIT. T4, T5, T6, and T7/T8) stations would be located at the same level as the departure level in all terminals and in line with the center of the respective ticketing areas. Because the CTA is reasonably compact, this segment of the APM could be single tracked to save costs. Alternate trains would loop only between the CTA terminals or operate between the CTA terminals and the off-site facilities. SFO and JFK have separate terminals-only and terminals-offsite facilities routes

on double track systems, but I think that LAX's CTA's compactness would permit a single-track terminal loop. The APM station platforms would thus provide immediate access to the departure level in each terminal. Vertical Circulation Cores would connect the APM platforms with the arrival and concourse levels and all other levels in the respective terminals.

In passing, I should note that AWA currently is concerned about APM turning radii at the west end of the CTA. This apparently was not an issue in the 2013-01-LAX Specific Plan Amendment Study Final Report which called for the APM to be routed in a hook around the CTA from Terminal 1 to Terminal 7/8, with several stations along the route. Even without demolishing any parking structures, adequate turning room could be provided by modifying the structures of P3 and P4 at their north-west and southwest corners, respectively. This would probably result in the loss of several parking slots, but this could easily be accommodated by adding additional slots to the off-site parking structures.

In addition, apparently frequent APM station stops was not an issue in 2013. Note too that the DFW airside APM has two stations in each of the five terminals, or ten stations total. Having too many stations and the impact on travel time was not an issue at DFW nor should it be an issue at LAX. Remember, passenger convenience outweighs $$$$$.

Offsite, east of the ITF West the APM, now double tracked, would be rerouted over 98th Street and then turn north to be directly above and parallel to the Metro rail line, with the APM station platform immediately above the Metro station platforms. East of the Metro station, the APM would turn east and serve the ITF East (which in another comment I suggest should simply be a long-term parking structure) and CONRAC facilities on their respective north faces. This would entail what was ITF-East and the Metro Station bus plaza swapping places, but this would benefit Metro patrons without impacting the users of ITF-East or its replacement. Admittedly, this would also require still another additional APM station making a grand-total of 12 (eight CTA and four offsite), but passenger convenience would now take center stage over $$$$$ where it must always be.

When looking at the off-site site plan (DIER Figure 2-37) it appears that it should be possible to reroute the APM over 98th Street and rearrange buildings to locate ITF-East, aka long term parking structure, at the corner of Aviation and Arbor Vitae and to locate the Metro bus plaza adjacent to the rail station - A Win-Win situation, especially for Metro patrons. More on the possible reconfiguration of ITF-East and the Metro station in other comments.

Again, consistent with the 2004 Master Plan, all CTA parking structures could also be demolished, with the two ITFs easily expanded to handle the increased number of vehicles. Note this is less drastic than Alternative D in the 2004 LAX Master Plan which also called for demolishing Terminals 1,2 and 3 as well as the CTA parking structures and which would be replaced by Terminals 1, 2, and 3 replacements.

The space currently occupied by the CTA parking structures could then be used to widen the lower roadway and/or for a bus/shared-ride van-only plaza supplementing, and perhaps replacing, the bus plaza adjacent to the Metro station and ITF-East or even ITF-West, which could now become, respectively, long-term and short term parking structures. This CTA bus-van plaza could even be double-decked, with FlyAway and Metro transit buses using the lower level, and shared-ride vans and hotel shuttles using the upper level. The Theme Building, Control Tower, and other facilities currently located between the north and south parking structures would remain, as the bus-van plaza structures would simply curl around them.

Enclosed walkways over the APM with Vertical Circulation Cores would connect each terminal with the CTA bus-van plaza. Additionally, the single-track landside CTA APM stations could even

have platforms on both sides of the guideway, with those on the side away from the terminals leading directly to the bus-van plaza via covered passageways, again with Vertical Circulation Cores. To reduce confusion, the APM car doors could be opened in sequence -- terminal first, bus-van plaza second, obviously with recorded messages telling the passengers which doors to use.

Replacing the CTA parking structures with off-site parking and a bus plaza should eliminate another CTA congestion problem discussed in the 2004 Master Plan EIR, specifically in LAX document entitled FEIS_EIR_Part1-09_040301_OnAirportSurfaceTransportation available online at http://www.lawa.org/uploadedFiles/OurLAX/Past_Projects_and_Studies/Past_Publications/FEIS_EIR_Part1-09_040301_OnAirportSurfaceTransportation.pdf. In this document was described the situation where those seeking a parking space in a CTA parking structure continually circle the CTA trying to find a parking structure with an available slot. Keeping the current arrangement of CTA parking garages and double-deck access roads will not solve this problem even when the APM is fully operational, as these particular travelers will not be candidates for using the APM.

Response: Comments submitted in LAMP-F-PC00007 are similar to the comments submitted by this commentor in LAMP-F-PC00005. Please see Responses to Comments LAMP-F-PC00005-1, LAMP-F-PC00005-2, LAMP-F-PC00005-3, LAMP-F-PC00005-6, LAMP-F-PC00005-7, and LAMP-F-PC00005-8.

LAMP-F-PC00008 Mastroly, Frank 2/28/2017
Email Submitted 11:44 A.M.

LAMP-F-PC00008-1

Comment: By way of background, I am a retired Aerospace Mechanical Engineer, having worked for Lockheed, Douglas Aircraft, and Northrop-Grumman, in both Preliminary Design and on highly successful aircraft and space projects. I am also an avid rail fan, but because of my Aerospace experience I am also very interested in aviation and especially in commercial aviation. For instance, I still subscribe to "Aviation Week," the primary aerospace news source.

Being retired allows me the luxury of spending considerable time on the Internet, during which time I have eagerly searched for, downloaded, and read any and all material related to existing and proposed commercial aviation and rail passenger developments, both Amtrak and various transit systems such as in Los Angeles (I live in Huntington Beach, but that did not prevent me rooting for LA Metro's successful Measure M), New York (my "Ancestral Home"), Chicago, etc. I am thus am familiar with what is available and/or planned elsewhere, both on the ground and in the air, and thus am cognizant of any material that may be applicable to the upgrade of the Los Angeles International Airport, or LAX.

Presented in several e-mails are my comments on the proposed LAX Landside Access Modernization Project (LAMP). My comments are based upon reading in detail the material in Volume 11 of the LAX LAMP Final EIR at http://www.connectinglax.org/files/LAX_LAMP_Final_EIR_Vol_11_20170217.pdf in conjunction with the Draft EIR at (http://connectinglax.com/files/LAMP_DEIR_REPORT_092016v3.pdf

I have even downloaded commentor comments in Volume 11 of the Final EIR and the LAWA responses to those comments I am particularly interested in into a Word file that I can read at my leisure. Many of these comments parallel many of mine, and so I don't feel alone and isolated.

I note that LAMP description in the DEIR/FEIR is essentially the same as described in the LAMP LAX - Program Brief at http://www.lawa.org/uploadedFiles/LAWA/pdf/LAMP%20LAX%20-%20Program%20Brief.pdf.

Other Los Angeles World Airports (LAWA) documents that I have downloaded and read are:

- Executive Summary of the 2004-LAX Master Plan Final EIS, (file:///E:/LAX%20from%20Laptop/2004-LAX%20Master%20Plan/Final%20EIS/FEIS_EIR_Part1-01_ExecutiveSummary.pdf)

- Appendix C: Alternative D (to 2004 Master Plan) - Proposed Project Phasing (http://www.lawa.org/uploadedFiles/OurLAX/Past_Projects_and_Studies/Past_Publications/Appendix%20C%20LAX%20ROD%205%2016%202005%20LR.pdf)

These two documents illustrate early LAWA thinking about the future of LAX, both Landside (outside security) and Airside (inside security)

Other documents that I have downloaded and reviewed relative to LAMP are:

- 2015-05-14-BOAC Briefing, Ground Transportation Workshop-LAX.Connected (http://www.connectinglax.com/files/5.5.14_BOAC.Briefing_LAX.Connected.pdf)

- LAX Specific Plan Amendment Study (SPAS) FEIR, Attachment-01 Final, 2013-01-25, (http://www.lawa.org/uploadedfiles/spas/pdf/LAXSPAS-FEIR%20Main%20Document%20Final%202013-01-25.pdf)

- LAX Plan, (http://cityplanning.lacity.org/complan/pdf/LAXCPTXT.PDF)

- LAX-T2 and T3 Modernization Project Scoping Meeting Boards, (http://www.lawa.org/uploadedFiles/OurLAX/pdf/LAX-T2T3_Mod_Project_Scoping_Mtg_Boards_24_August%202016_Secure.PDF)

- Terminal 8 Connector to the Tom Bradley International Terminal, (http://www.laxishappening.com/assets/pdf/LAX-CTA-South-Tunnel-Map.pdf)

- MTA Predicts Less Than 1 Percent of Airport Passengers Will Take Train to LAX (http://www.laweekly.com/news/mta-predicts-less-than-1-percent-of-airport-passengers-will-take-train-to-lax-4815150)

- Los Angeles Metro Comments to the LAX SPAS, (https://media.metro.net/projects_studies/green_line_lax/images/Metro_Comments_to_LAX_SPAS_DEIR.pdf)

- Los Angeles Airport Metro Connector (AMC) Final EIR, (https://media.metro.net/projects_studies/crenshaw/images/feir_AMC_96thStTransitStation.pdf)

- JFK 2015 Traffic Data (http://www.panynj.gov/airports/pdf/JFK_Dec_2015.pdf)

- JFK AirTrain Cost and Tickets (http://www.panynj.gov/airports/jfk-cost-tickets.html)

- JFK AirTrain-Brochure (https://www.panynj.gov/airports/pdf/jfk-airtrain-brochure-english.pdf)

There are two frequently stated responses in the Final EIR Volume 11, that, although strictly correct, need to be into perspective:

- The comment does not appear to be related to significant environmental issues to which CEQA requires LAWA to respond.

- ...the LAX Landside Access Modernization Program does not include any changes to the airside facilities at LAX, and would not enhance capacity of the Airport, as explained in Section 6.3.2 of the Draft EIR.

As for the first (CEQA relevance), I firmly believe that although LAWA is strictly correct, the impact on passenger convenience should be paramount in deciding anything that LAWA does when it comes to landside passenger-handling facilities at LAX, and thus comments are more than appropriate. The second (airside facilities) I feel needs to be addressed in any major LAX rebuilding program, as approximately 25% of all LAX passengers involve transfers, especially between domestic and international flights. Thus, I have included airside passenger handling in a separate comment.

In retrospect, but germane to the present situation, in the 1950s the so-called Los Angeles transportation "experts" fell into a major and very expensive trap when they allowed our then existing rail transportation systems (both Pacific Electric and Los Angeles Railway/Los Angeles Transit Lines) to fall into disrepair. Instead of upgrading these systems, these so-called "experts" decided to build a massive freeway system and leave slow buses and a few rush-hour freeway expresses for the less fortunate folks to use. In short, the overriding principal was "Automobiles, YES - Mass Transit, NO!". Thanks to Measure M, the Los Angeles Metropolitan Authority will soon be spending billions of $$$$$$ to correct this horrendous mistake.

I fear that LAWA may be falling into this same "Automobiles, YES – Mass Transit, NO" trap. Specifically, it appears that the LAWA LAMP program favors automobiles that carry one or two passengers while penalizing vehicles (and their passengers) that carry many. How this will increase passenger convenience while materially reducing Central Terminal Area (CTA) congestion assuming LAX passenger traffic increases is beyond me. I agree with several commentors that this "flies into the face" of and is counter intuitive to a primary LAMP objective to reduce CTA traffic congestion.

In particular, as long as unrestricted terminal curb-side access and CTA parking is provided and readily available, the vast majority of LAX travelers and well-wishers will continue to prefer to use these facilities rather than those provided by the LAMP Project. I suspect also that FlyAway and shared-ride van, e.g., Super Shuttle, users will be very unhappy over the loss of curb-side access and will petition LAWA to change this-short-sided policy. I fact, in one response, LAWA touts that curb-side access will always be available for those who are dissatisfied with what LAWA is providing.

Also continuing to contribute to CTA congestion will be those who circle the Central Terminal Area (CTA) trying to find a slot in one of the parking structures, a problem that LAWA says is serious. About the only travelers regularly using the LAMP will be probably be those who use rental car agency and hotel shuttles. In short, as will be discussed in several comments, I do not think that the proposed LAMP will materially reduce CTA traffic congestion as is hoped.

In fact, LAWA is apparently aware that the LAMP may fail in its primary objective of reducing CTA traffic congestion. Specifically, LAWA says in several responses that perhaps differential parking and automobile access fees could be imposed to reduce CTA traffic congestion. Why not do the right things now to reduce traffic congestion instead of dealing with it when or if it occurs?

One thing in particular I noted was that the layout in the DEIR of the three Automated People Mover (APM) stations and pedestrian passages within the Central Terminal Area (CTA) does not match the layouts of the proposed T1.5, T2.5, and T3.5 (or Terminal 0?) projects. I realize that the APM will ultimately be designed to correspond to the actual terminal layouts, but I feel that all such terminal modifications should be finalized BEFORE any APM contracts are signed and the LAMP program certified for construction.

In my various separate comments, I have identified what I feel are weaknesses in the LAMP as currently envisioned, coupled with what may in some cases appear to be extreme solutions. However, my suggestions are no more extreme than what was proposed as Alternative D in the LAX 2004 Master Plan. This Master Plan, although not fully implemented, addressed both landside (outside security) and airside (inside security) access as do I. It did, however, lead to the construction of the Tom Bradley International Terminal (TBIT) and the soon-to-be constructed Midfield Satellite Concourse (MSC).

I will shortly e-mail you several documents with my comments on aspects of the LAMP program, in no particular order:

- My Comments of Future CTA Configuration and APM Route
- My Comments on LAX ITF Facilities
- My Comments on Landside vs Airside Facilities.
- My Comments on LA Metro AMC and ITF-East APM Station

These comments have been broken down into several discrete elements so that they can distributed to and reviewed by those involved with that particular area.

* * * * * * * * *

If LAX is truly committed to being a World Class airport, it is appreciated that much needs to be done and will be done to facilitate both landside and airside access. Other US airports are much better at this. For example, JFK and SFO have landside APMs serving all terminals and off-site facilities, including APM-rail-transfer stations which permit one-seat rides between the respective downtowns; DFW has an airside APM with TWO stations in each terminal; DEN has an airside APM and direct one-seat landside rail connection to Denver Union Station; and ATL has both a landside and airside APM.

I realize that what I propose will cost more than will the LAWA LAMP system currently being proposed. However, I contend that for LAX to really become a World Class airport, it must consider the possibility that what is currently being planned might have unforeseen problems and deficiencies, and conceivably may need to be redone. In particular, ORD is currently replacing its APM with a new one for reasons not explained.

I assume that LAWA is well aware of the most recent J.D. Powers customer satisfaction ratings of major US airports, where LAX came in Number 26 out of 31 airports, with a Three "Power Circles" rating which translates to "Average." Drilling down through the data, what dragged LAX

down were “Power Circle” ratings of Two for Airport Accessibility and Check-In/Baggage Check, which, in J.D. Powers-speak means "The Rest," as they do not have a rating less than two Power Circles.

Taken to the extreme, this rating could mean anything from below average to poor. I suspect that LAX is presently closer to poor when it comes to airport accessibility. Check-in and baggage check are really the responsibilities of the airlines, assuming that sufficient airline counter space and baggage carousels are provided. Perhaps the Terminal 1.5, 2.5, and 3.5 (and Terminal 0?) projects will improve this area, even though I suspect at the penalty of longer walking distances between the airline counters and the gates.

One thing that J.D. Powers mentioned that "saved LAX's bacon" in their survey was this:

> “Los Angeles International Airport: The big news at Los Angeles International is the redesign of Terminal 2, which was completed in February 2016.
>
> “Terminal 2’s new design and the amenities it now offers are partly responsible for a hefty 32-point jump in overall satisfaction,” said Taylor. “Terminal 2 represents the wave of new airport designs with a mix of local and chain restaurants and a more open feel to the terminal. While that’s a good thing, there is much more construction scheduled at Los Angeles for the next several years, and the airport’s U-shaped layout will make access an issue during renovations.”

I really wonder if the frequent traveler really cares that much about such "amenities." He/She is only using an airport to get from Point A to Point B with a minimum number of hassles, and such amenities don't make the process any speedier or more convenient. In short - The "Golden Rule” when redesigning terminals and access should always be "Function Yes, Style No."

In closing, in my forty plus years in Aerospace engineering, I learned two basic “rules” that are always in play when planning a major project:

- Rule 1: Don't Make Vast Plans with Half-Vast Ideas, and
- Rule 2: We Never Have Time to Do It Right, Only to Do It Over.

Then, of course, we always have Murphy’s Law and O’Toole’s corollary, “Murphy was an optimist.”

As a Preliminary Design Aerospace Engineer, I know from first-hand experience what almost always happens when Rule 1 is violated. Successful projects generally followed Rule 1 and thus bypassed Rule 2. However, unsuccessful projects inevitably violated Rule 1 and suffered the consequences of Rule 2 or, worse yet, were consigned to the “round file.”

I trust that LAWA’s final plans for the LAX Landside Access Modernization Project or LAMP will not fall victim to ignoring these two rules. If LAWA ignores Rule 1, it could very well suffer the consequences of Rule 2.

Best wishes for a successful LAMP Program to FINALLY make LAX worthy of World Class Status

Response: Comments submitted in LAMP-F-PC00008 are similar to the comments submitted by this commentor in LAMP-F-PC00005. Please see Responses to Comments LAMP-F-PC00005-1, LAMP-F-PC00005-2, LAMP-F-PC00005-10, and LAMP-F-PC00005-13. Additionally, passenger convenience and level-of-service was considered throughout the planning of the LAX Landside

Access Modernization Program; in fact one of the objectives of the LAX Landside Access Modernization Program, as stated in Section 2.2 of Chapter 2, Description of the Proposed Project, in the Draft EIR, is to "Enhance the passenger experience by providing new access options for all modes of travel, including direct connections to transit, convenient parking, and commercial vehicles." However, as stated previously, passenger conveniences is not a CEQA issue.

LAMP-F-PC00009 Mastroly, Frank 2/28/2017
Email Submitted 11:47 A.M.

LAMP-F-PC00009-1

Comment: In my opinion, an unsatisfactory situation exists in the interface between the LA Metro 96th Street Airport Metro Connection (AMC) station and the LAX Automated People Mover (APM). Specifically, the current APM design has the guideway perpendicular to the Metro rail line. In all the other installations I have looked at, the APM platform is parallel to and directly above or below the rail transit station platform, and thus there are Vertical Circulation Cores at both ends of the station platforms and not only at one end, thus providing more passenger convenience and shorter walking distances.

In addition, this proposed APM station, which also serves the adjacent ITF East facility, is not directly above the Metro station but offset to the east, thus again requiring a longer walk. Because of this, Sky Caps should be present at the Metro AMC station, along with wheel chairs and assistants for those who may need them.

As discussed in another comment, east of the ITF West, the APM would be rerouted over 98th Street and then turn north to be directly above and parallel to the Metro rail line, with the APM station platform immediately above the Metro station platforms. Beyond the Metro station, the APM would turn east and serve the ITF East (which in another comment I suggested should simply be a long-term parking structure) and CONRAC facilities on their respective north faces. This would entail what was ITF-East and the Metro Station bus plaza swapping places, but this would benefit Metro patrons without impacting the users of ITF-East or its replacement. Admittedly, this would also require still another additional APM station, making a grand-total of 12 (eight CTA and four offsite), but passenger convenience would now take center stage over $$$$ where it must always be.

When looking at the off-site site plan (DIER Figure 2-37), it appears that it should be possible to reroute the APM over 98th Street and rearrange buildings to locate ITF-East, which would then become the long-term parking structure, at the corner of Aviation and Arbor Vitae, and to locate the Metro bus plaza adjacent to the rail station - A Win-Win situation, especially for Metro patrons.

In other comments, I addressed my reservations of LAX having multiple inter-modal-transfer facilities or ITFs. I also mentioned the, admittedly drastic, idea of demolishing the CTA parking structures and replacing them with a bus-van plaza that would supplant the two ITFs currently envisioned.

If this CTA bus-van plaza is not constructed, then serious consideration should be given to converting the bus plaza adjacent to the Metro station into the one-and-only ITF at LAX. In any event, what are now ITF-West and ITF-East would, respectively, simply become short term and

long-term parking structures. To avoid confusion, there should be only one inter-modal transfer facility or ITF at LAX.

Related to this AMC station, I am confused about how much LAX passenger traffic will actually use the AMC station. The LAX LAMP DEIR says that total transit usage will be 2% of airport passenger traffic when operational, compared with only 0.5% today. Not clear in the LAX documentation is the breakdown between bus and rail patronage in the 2% figure and how much of this is new traffic.

However, per http://www.laweekly.com/news/mta-predicts-less-than-1-percent-of-airport-passengers-will-take-train-to-lax-4815150, the current LAMTA ridership estimate for the AMC is 1790 riders per day, or less than 1% of current LAX passenger traffic. Which estimate is correct?

In comparison, per http://www.panynj.gov/airports/pdf/JFK_Dec_2015.pdf, the JFK AirTrain caries over 17% of airport passenger traffic via two external AirTrain/Subway/Commuter Rail stations, Howard Beach (subway) and Jamaica (subway and Long Island Rail Road). Of course, this is because Manhattan, the Bronx, Queen, and Brooklyn all have extensive inter-connecting subway and commuter rail transit systems which someday Los Angeles will have.

I feel that these estimates may be optimistic. I realize that Metro is responsible for rail and bus service to and from the AMC station. However, my understanding is that Metro is not planning to provide one-seat service between Downtown LA, Union Station and the AMC/LAX station. Instead, it will require at least one or perhaps two intermediate transfers to serve Union Station and downtown LA. In all such transfers, it will be necessary to change elevation via elevators or escalators. I addition, there is no coordination of connecting train schedules. This may be acceptable to airport employees but not to most passengers, especially those with small children, have several pieces of luggage, and/or are mobility-impaired.

Assuming there will not be one-seat rail service available between Union Station and the LAX AMC station in 2023 and beyond, the best way to travel between Union Station (assuming the Regional Connector is in service) and the LAX AMC station would be to ride the Blue Line to Imperial/Rosa Parks and transfer to the Green Line west towards LAX. Based upon current (February 2017) LA Metro timetables, and adding 5 minutes to travel between Union Station (based upon Red Line schedules) and two minutes to travel between Imperial/Aviation and the AMC, the total trip time would be just over an hour. In addition, it would entail an elevation change at Imperial/Rosa Parks.

This is in contrast to 23 minutes required between Penn Station and Jamaica via the Long Island Rail Road (LIRR), and 40 or so minutes via subway. Although the LIRR costs $7.50 to $10, depending upon direction and time of day, vs $2.75 for the subway, LIRR trains run non-stop every few minutes between Penn Station and Jamaica and have far fewer, if any, standees and more comfortable seats.

I personally favor Metro constructing a Blue Line branch along Slauson to connect with the Crenshaw Line, with Metro operating premium-fare limited-stop service using reconfigured LRT cars with fewer but better seats similar to those on Metrolink, with Sky Cap Service, and with baggage storage in the articulation joint. Too bad the BNSF Harbor Subdivision is not available for DMU (Diesel Multiple Unit) service similar to Sprinter. There, are in fact, FRA-Compliant DMUs

Please note that SFO, ATL, DEN, ORD, PHL, BOS, etc., all have one-seat service between the airport and their respective downtown areas, something Los Angeles must have. For rail access

provided to and from SFO and JFK, see http://www.flysfo.com/maps/interactive-maps and http://www.panynj.gov/airports/jfk-airport-map.html, respectively.

As an off-the-wall suggestion, perhaps the LAX Automated People Mover (APM) could be extended over Manchester/Firestone to the Metro Blue Line Firestone Station. This would be similar to the JFK AirTrain that connects with two external transit stations. At LAX, only selected APM trains would serve the Firestone station, with APM schedules coordinated with the Blue Line schedules. The JFK AirTrain is free within the airport and immediately adjacent related facilities, but a $5 fare is charged when boarding or deboarding at the two transit stations. Perhaps LAWA could do something similar, with Metro possibly contributing some of its Measure M money to the pot. Just a thought.

Response: Comments submitted in LAMP-F-PC00009 are similar to the comments submitted by this commentor in LAMP-F-PC00005. Please see Responses to Comments LAMP-F-PC00005-4, LAMP-F-PC00005-5, LAMP-F-PC00005-7, and LAMP-F-PC00005-9. In response to the commentor's questions concerning transit ridership, Table 4.12.1-1 of the Draft EIR identifies that transit ridership in 2014 was approximately 0.76 percent of airport passengers. With construction of the Metro LAX/Crenshaw line and connection to the proposed APM, LAWA projects that transit ridership would increase to approximately 1.3 percent of airport passengers by 2024 (see Tables 4.12.1-8 and 4.12.1-9 of the Draft EIR), increasing to approximately 2.0 percent by 2035 (see Tables 4.12.1-10 and 4.12.1-11 of the Draft EIR). It is assumed that the existing 0.5 percent transit ridership (by bus) would continue in the future. Rail ridership would be 0.8 percent in 2024 and 1.5 percent in 2035.

Extension of the APM to the Metro Blue Line Firestone Station would not be feasible. That would entail an extension of the system by over 6 miles, 3 times its current proposed length. Besides being cost prohibitive, LAWA would not be able to fund or operate such an extension as it would be off-Airport property and there is no direct airport need for such an extension. LAWA is prohibited from spending airport funds on non-airport projects. A transit connection for transit purposes would need to be funded and operated by Metro.

LAMP-F-PC00010 Mastroly, Frank

2/28/2017
Email Submitted 11:46 A.M.

LAMP-F-PC00010-1

Comment: To start off, I question the need for two Inter-Modal Transfer facilities or ITFs. I am not aware of there being two ITFs adjacent to any other major airport, so why at LAX? From the LAMP DEIR, it seems that what is planned for LAMP ITF-East is essentially redundant to the functions provided by the bus plaza adjacent to the Metro rail station. More important, it can cause arriving patrons unfamiliar with LAX confusion as to which of the THREE ITFs they need to use to continue their trip.

In another comment, I suggested the drastic idea (based upon the 2004 Master Plan) of demolishing the CTA parking structures replacing them with a bus-van plaza that could very well accomplish the functions currently planned for ITF-West. If fact, the LAMP DEIR calls for demolishing and rebuilding CTA Parking Structures P2A, P2B, and P5. Why not do the complete job while LAWA is at it? Remember, improving CTA parking structures and access will continue to create CTA traffic congestion, something the LAMP DEIR says it wants to reduce.

Whether or not a CTA bus-plaza is constructed, I feel LAWA should simply build a short-term parking structure in lieu of ITF-East and a long-term parking structure in lieu of ITF-East on the site where Metro plans to build its bus plaza and then relocate this plaza to be adjacent to the rail station.

If there is no CTA bus-van plaza, then serious consideration should be given to utilizing and redesigning the bus plaza adjacent to the Metro station to be the one-and-only ITF. Again, to avoid confusion, there should be only one inter-modal transfer facility or ITF, not three as is currently envisioned.

The Metro station and its interface with LAMP is discussed in a separate comment.

Even while still providing full unrestricted curbside access, the LAWA LAMP DEIR states that by providing differential parking rates it will encourage those driving others to or from LAX to use ITF-West. I submit that many well-wishers will simply drive to the curb-sides to drop off and pick up passengers. They may even simply wait at curb-side for arriving passengers. With mobile phones, they can simply wait off-site for a message that their loved-ones are at the curb with their baggage. I also anticipate a fleet of on-call Uber and Lyft vehicles waiting at the two off-site parking structures and the Metro station to transfer passengers to and from the various terminal curbsides. These vehicles may even be driverless.

Response: Comments submitted in LAMP-F-PC00010 are similar to the comments submitted by this commentor in LAMP-F-PC00005. Please see Responses to Comments LAMP-F-PC00005-8, LAMP-F-PC00005-9, and LAMP-F-PC00005-10.

ATTACHMENT E

Responses to issues raised by the March 20, 2017 Shute, Mihaly & Weinberger Comment Letter

Issues Raised in El Segundo Letter

In advance of the City Planning Commission/Board of Airport Commissioners (CPC/BOAC) Special Joint Meeting on March 23, 2017, the City of El Segundo, through the law offices of Shute, Mihaly & Weinberger, have submitted a 10-page comment letter reiterating previous comments on the LAX Landside Access Modernization Program (proposed Project) Environmental Impact Report (EIR). Below is a summary of newly submitted comments and responses. The responses generally correspond to those already presented by LAWA in the Final EIR.

Issue: The commentor reiterates their claim that the EIR is flawed as it does not assume that the proposed Project would enable passenger growth. The commentor asserts that capacity at LAX is constrained by the ground access network, and that the EIR does not adequately analyze impacts related to passenger growth as a result of improving this network under the proposed Project.

Response: The increase in passenger growth is not the result of new ground access options but is a background condition that has occurred every year even with current transportation constraints. Growth in passengers at LAX is expected to occur with or without the proposed Project improvements, as explained on page 2-84 of the Final EIR.

The proposed Project is simply addressing current transportation constraints that will continue to worsen if the Project is not implemented. There is substantial evidence in the record, including historical trends and LAX market share data, that growth in passengers at LAX can and have increased despite increased traffic congestion conditions at LAX, as explained on page 2-183 of the Final EIR, and is expected to occur with or without the proposed Project improvements. Between 2005 and 2015, whereas LAX's passenger market share has increased, other regional airports have seen their market shares stay relatively constant or decline over the 10-year period. Heavy traffic congestion at and around LAX has not forced passengers to use other airports in the region (see page 2-184 of the Final EIR).

As explained in the Final EIR, practical capacity of an airport takes into account market assumptions, expected physical characteristics of various airport system functional elements and how they are planned and expected to work together. The ground access system alone does not constrain LAX, as explained on page 2-82 of the Final EIR. The EIR acknowledges that traffic conditions would worsen under a Without Project condition, as detailed in Tables 4.12.2-20, 4.12.2-24, 4.12.2-29, and 4.12.2-30 of the Draft EIR. However, worsening traffic conditions are not expected to significantly reduce future passenger demand for LAX, only to lower the level of service and experience for passengers and drivers as passenger activity continues to increase at LAX

Issue: LAX proposes to delete the limit of 153 gates from the LAX Plan and delete references to 78.9 million annual passengers. This would undermine the LAX Specific Plan's effectiveness as a tool for informed and transparent public review of growth at LAX.

Response: As discussed on page 2-95 of the Final EIR, the proposed changes to the LAX Plan and the LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates. This change is proposed because the LAX Plan and LAX Specific Plan are not prescriptive plans that specify the exact number of facilities and passengers allowed at LAX; rather they are planning documents that discuss permitted land uses, zoning, and approval processes within the

framework of the City of Los Angeles General Plan. Additional gates are not proposed as part of the proposed Project.

Issue: Changes to the LAX Specific Plan would substitute BOAC for City Council as the body responsible for confirming plan consistency

Response:

The proposed changes to the LAX Specific Plan are intended to create parity with other specific plan processes. All other City of Los Angeles specific plan compliance review processes do not require City Council approval, but rather only DCP Executive Director approval and allow for appeals to local area planning commissions.

Projects in the LAX Northside (north of Westchester Parkway), or surplus parcels after the reconfiguration of areas after the proposed Project is implemented (within the Landside Support SubArea), would have to receive a determination of consistency from the City Planning Department. If the BOAC approves a project in those areas which the DCP has determined as inconsistent with the plan, the consistency determination automatically goes to City Council.

Issue: The universe of projects exempt from plan consistency review has been expanded

Response: Clarifications were made to the LAX Specific Plan as to which projects would not trigger plan compliance review. These projects include such things as:

- New construction of small structures less than 15,000 sq ft, or minor additions to existing structures that result in less than 10% increase in area or no more than 2,500 sq ft.
- The restoration or rehabilitation of existing damaged or existing structures, facility or mechanical equipment and systems to meet current public health, safety and environmental protections
- Repair and replacement of utilities and street improvements.

These are minor and/or routine modernization projects at LAX that should not trigger plan compliance reviews.

Issue: Compliance with Master Plan mitigation measures has been deleted

Response: Compliance with mitigation monitoring plans are still required for all LAX Projects, but there is no need to reference "Master Plan" since the proposed Project is not tiering off of the Master Plan. Additionally, the relevant Master Plan mitigation measures and commitments have been incorporated into the proposed Project Mitigation Monitoring and Reporting Program (MMRP).

Issue: Revisions to the Plan delete the LAX Master Plan Stakeholder Liaison

Response: Historically, there were 2 Stakeholder Liaison positions: 1 housed at LAWA and 1 housed in council district (CD) 11 offices. LAWA is committed to continuing funding for the CD 11 Stakeholder Liaison, and this has been communicated to CD 11 and the Alliance for a Regional Solution to Airport Congestion (ARSAC). The other stakeholder position was never well-defined and responsibilities were limited to mass mailings and public notices. Today, outreach with stakeholders is typically handled by the External Affairs group. Any legal notifications pertaining to Plan Compliance will still be handled by the Environmental Planning Group.

Issue: Passenger activity levels exceeded 78.9 million annual passengers in 2016, therefore, LAWA must conduct a Specific Plan Amendment Study as required by the LAX Specific Plan.

Response: The proposed Project EIR fulfills the requirement of the Specific Plan as it discloses environmental conditions at LAX at passenger activity levels of 86 million annual passengers and 95 million annual passengers, and the related Specific Plan Amendments. As discussed on page 2-89 of the Final EIR, requirements regarding the preparation of a Specific Plan Amendment Study would be removed from the LAX Specific Plan as the proposed Project EIR fulfills that requirement as described in Section 2.8.2 of the Draft EIR.