

## Attachment A-2

April 10, 2017 Comment Letter on the LAX Terminals 2  
and 3 Modernization Project Draft EIR from Shute, Mihaly  
& Weinberger LLP

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Via E-Mail and FedEx

Angelica Espiritu  
City Planner  
Los Angeles World Airports  
1 World Way  
Los Angeles, CA 90045  
LAXstakeholderliaison@lawa.org

Re: LAX Terminals 2 & 3 Modernization Project Draft Environmental  
Impact Report

Dear Ms. Espiritu:

On behalf of the City of El Segundo ("El Segundo"), we submit the following comments on the Draft Environmental Impact Report ("DEIR") for the Los Angeles International Airport ("LAX") Terminals 2 and 3 Modernization Project (the "Project"). As Los Angeles World Airports ("LAWA") is aware, El Segundo has been closely monitoring plans for, and implementation of, development at LAX, including this Project. El Segundo has already expressed its deep concern about LAWA's approach of assuming, without evidence, that renovating and expanding LAX facilities *never* influences growth in passenger traffic or aircraft operations—or the environmental impacts this growth would cause—because all future increase in traffic is allegedly inevitable regardless of any physical change to the airport. Not surprisingly, LAWA has again relied on this approach for this Project, just as it relied on it for the LAX Landside Access Modernization Program ("LAMP").<sup>1</sup>

Like LAMP, this Project is enormous; among other things, it would *double* the square footage of Terminals 2 and 3, widen Terminal 3 by 90 feet (45 feet on each side), and demolish and reconstruct parts of both concourses and associated passenger and

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<sup>1</sup> The Board of Airport Commissioners approved the LAMP on March 2, 2017. El Segundo has appealed BOAC's certification of the Final EIR and associated approvals to the LA City Council.

baggage facilities. This work would take nearly 6.5 years, necessitating around-the-clock shifts for most of the time, and requiring disturbance of approximately 1.5 million square feet (including 134,400 cubic yards of cut-and-fill). Yet, despite the Project's scale, including the addition of up to 3 new passenger gate positions, LAWA categorically denies it could have *any* influence on the number of aircraft operations in and out of the airport, or on LAX's ability to accommodate over 95 million annual passengers ("MAP") by 2040.<sup>2</sup>

With this Project, like with LAMP, LAWA appears determined to avoid complying with the California Environmental Quality Act ("CEQA") by disowning any responsibility for the significant noise, air quality, climate change, and other environmental impacts of airport development, instead claiming that impacts from increased growth would occur anyway even with *current* facilities at LAX. For the reasons discussed herein, this approach is fundamentally flawed. Thus, the DEIR must analyze the full scope of the Project's environmental effects, including the impacts of increasing the total number of passenger gate positions, regardless of whether there is no net change to "linear frontage" or apron area at Terminals 2 or 3. This letter explains El Segundo's concerns about the Project and identifies specific impacts that LAWA should carefully evaluate as part of an informative and comprehensive EIR.<sup>3</sup>

**I. The DEIR's Description of the Project and Environmental Setting are Inaccurate and Misleading.**

**A. The Project Description Misidentifies the Operative Constraint on Existing Aircraft Operations, Which the Project Would Remove.**

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<sup>2</sup> In its most recent (2040) Regional Transportation Plan ("RTP"), the Southern California Association of Governments ("SCAG") forecasted 96.6 MAP as the maximum passenger capacity for LAX in the year 2040. *See* SCAG 2040 RTP Aviation Appendix (attached as Exhibit A). Before LAWA released the LAMP DEIR (which relied on the RTP's passenger growth forecast to avoid responsibility for, and thus analysis of, the LAMP's growth-inducing effects), El Segundo filed suit against SCAG, challenging its environmental analysis for the RTP's passenger growth forecast for LAX under CEQA. After reaching settlement of its claims with SCAG, El Segundo dismissed its lawsuit.

<sup>3</sup> El Segundo furthermore requests that LAWA keep the public comment period open until LAWA responds to El Segundo's request under the Public Records Act for records relating to the addition of passenger gates at Terminals 2 and 3. *See* Exhibit B. Please make any records responsive to this request part of the administrative record for the Project.

Throughout the DEIR, LAWA claims that the Project's doubling of the existing square footage of Terminals 2 and 3 is merely to enhance the "passenger experience" and comply with security and screening regulations, and would not allow LAX to process more passengers than would be possible without the Project. *See, e.g.*, DEIR at 2-27 ("[T]he proposed improvements to, and additional floor area proposed for, T2 and T3 would also not increase operations or passenger volumes beyond what would occur without the project."). This is a bare assertion unsupported by evidence.<sup>4</sup> El Segundo has already explained at length in its comments on the LAMP DEIR and FEIR why LAWA cannot assume, without evidence, that major airport renovations—whether doubling the size of two passenger terminals with this Project, or relieving ground access constraints in the case of LAMP—would not help LAX to meet demand that it otherwise would be unable to meet. In order for LAWA not to analyze the effect of the Project on increased passenger and aircraft operations at LAX, the DEIR must demonstrate that LAX could accommodate SCAG's maximum forecasted capacity even without any changes to the airport before 2040 (including the Project). *See* El Segundo's comments on the LAMP DEIR at 2-5, attached as Exhibit C; El Segundo's comments on the LAMP FEIR at 1-4, attached as Exhibit D. El Segundo's comments on the Terminals 2 and 3 Modernization Project hereby incorporate by reference these comments on the LAMP DEIR and FEIR, including all attachments and exhibits thereto.

Here, LAWA also claims that the addition of up to 3 new passenger gate positions at Terminals 2 and 3 is simply to be "compatible" with other changes to the terminals and "anticipated airline fleets and uses," and would have no influence on the number of aircraft operations because the Project would not increase the "linear frontage" or apron depth at these terminals. *See, e.g.*, DEIR at 2-24 ("Improvements to the aircraft apron areas also include reconfiguration of passenger boarding bridge locations, aircraft fueling system hydrant locations, and ground support equipment parking locations at T2 and T3 to be compatible with proposed changes to the T2/T3 buildings and anticipated airline fleets and uses.") Thus, LAWA claims, the additional passenger gates and any associated change in aircraft operations would not occur as a "result" of the Project. As discussed further below, this claim is incorrect as a matter of CEQA case law, including the state supreme court's decision in *Communities for a Better Environment v. South Coast Air Quality Management District*.

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<sup>4</sup> Furthermore, as a practical matter, it would not make sense for LAWA to *double* the square footage of the two terminals unless to allow greater throughput of passengers. LAWA's claim that the twofold increase in terminal size is simply to make travel more "convenient" does not hold water.

LAWA's own shifting descriptions of, and attempts to justify, the Project's addition of passenger gate positions belies this rationale. LAWA initially suggests that the Project *incidentally* would "allow for the reconfiguring of the passenger gate positions and aircraft-parking layout around T2 and T3 to match aircraft fleet requirements, which could result in there being additional passenger gate positions (increasing the total gates at T2 and T3 from 24 to 27 passenger gate positions)." See DEIR at 2-2; *id.* at 2-24. The statement that adding gates would enable LAWA to "match aircraft fleet requirements" implies that the current passenger gate configuration prevents a more efficient use of gates.<sup>5</sup> See *id.* at 2-27 ("Because of gate dependencies not all aircraft parking positions can be simultaneously used to *maximum capacity*"). Thus, the Project's reconfiguration of gate positions, within existing linear frontage and apron depth constraints, would free up positions that aircraft are presently prevented from using most efficiently. See *id.* ("Airlines operating at T2 and T3 have the ability to re-gauge . . . or rearrange the aircraft parking configurations around each terminal within the constraint of the existing passenger terminal apron areas and parking limit lines."). Ultimately, LAWA admits that the reconfiguration of gates is about enabling the airport to *meet demand*, stating that "airlines configure aircraft parking positions to best match their aircraft fleet and provide the greatest flexibility throughout the day to meet their demand." *Id.* at 2-25. In other words, without the Project, the airlines either could not serve demand as efficiently or possibly, in some cases, at all; for instance, if airlines are unable to operate flights at certain times of day due to "dependencies."

Thus, the project description mischaracterizes the operative "constraint" on aircraft operations. It is not, as LAWA claims, the "linear frontage" and apron depth, both of which may well be unaffected by the Project. The actual constraint is "dependencies" and the resulting lack of "flexibility throughout the day to meet [] demand," both of which LAWA admits would be alleviated by the Project. This undercuts LAWA's basic premise that LAX would be able to meet passenger demand

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<sup>5</sup> The DEIR says nothing about so-called "fleet requirements," any limitation they impose on current aircraft operations at Terminals 2 and 3, and how the Project would help "match" passenger gate layout with these fleet requirements. This information is necessary for a full description of existing conditions and the impact of the Project on aircraft operations. Pursuant to the California Public Records Act, please provide and include as part of the administrative record all documents related to "fleet requirements" as this term is used in the DEIR, including any "requirement" (whether of a legal nature or otherwise) that LAWA add gate positions to "match" or comply with anticipated airline "fleets or uses."



regardless of the Project. LAWA therefore must analyze the increase in aircraft operations that would be enabled by the Project, and the environmental impacts of the increase in operations, including the cumulative operational impacts of the addition of other gates LAWA has indicated it plans to construct. *See* Exhibit B at 32.

**B. The DEIR Omits a Description of How Additional Gate Positions Would Be Accommodated Within the Existing Linear Frontage, Including the Number of Existing Narrow Body Equivalent Gates.**

The DEIR acknowledges that the Project will add and reconfigure gates at Terminals 2 and 3 to improve LAX operations (e.g., increase efficiency, respond to the desires of airlines, and accommodate expected aircraft fleet mix). LAWA attempts to characterize this increase in the number of gates and overall intensity of their use as irrelevant from capacity standpoint. LAWA does so through the following tortured logic:

First, LAWA introduces and relies on a new concept: terminal linear frontage. LAWA defines this term as the area around an existing terminal that is within the designated parking limit lines and would theoretically be available for aircraft parking.<sup>6</sup> LAWA then argues that Terminals 2 and 3 currently have unused and/or underutilized terminal linear frontage. So, while Terminal 2 currently has just 10 somewhat outdated passenger gates, reconfiguration within the existing terminal linear frontage would actually allow for 13 gates in a more intensive use scenario. Similarly while Terminal 3 currently has just 13 passenger gates, LAWA argues that its existing terminal linear frontage would actually allow for 14 gates in a more intensive use scenario.

LAWA then concludes that it need not evaluate the potential growth and environmental impacts associated with intensifying and adding gates at Terminals 2 and 3 because all the changes would be taking place within the existing terminal linear frontage. This conclusion is seriously flawed and ignores the obvious:

a. While there may currently be room within the existing terminal linear footage of Terminals 2 and 3 to add gates, those gates do not now exist.

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<sup>6</sup> LAWA does not explain whether, where or how this concept is used more broadly in the aviation industry, FAA's airport planning documents, or academic research. Tellingly, the concept is missing from LAWA's own glossary of "airport terminology." DEIR at 1-5. El Segundo hereby requests, pursuant to the California Public Records Act, that LAWA provide and include as part of the administrative record all reference and background material used by LAWA in developing and applying the terminal linear frontage concept in connection with the Project.

b. The more aircraft gates a terminal has, the more aircraft flights and greater passenger throughput it will support.

c. Even putting aside the addition of gates, reconfiguring existing gates to gain efficiency is itself a physical change in the environment likely to lead to additional aircraft flights and greater passenger throughput.

d. Adding aircraft flights and passengers to LAX has direct implications for environmental issues such as traffic, noise, air pollution, and greenhouse gas emissions, all of which tend to increase as flights and passengers increase. None of those implications are evaluated at all in the DEIR because LAWA categorically refuses to acknowledge the Project will increase capacity, passenger throughput, and aircraft operations at LAX, and provides no associated analysis of environmental impacts.

LAWA's approach is inappropriate from a technical standpoint and based on insufficient information. From a technical standpoint, LAWA does not adequately explain the mechanism by which use of the existing terminal linear frontage around Terminals 2 and 3 would be intensified to fit three additional gates and reconfigure the rest. Based on the inadequate information provided by LAWA, it appears possible that at Terminals 2 and 3, the Project would squeeze more aircraft parking positions/gates into the same area by converting areas currently and historically used for aircraft support functions (e.g., baggage cart staging) to aircraft parking area. The aircraft support uses, in turn, are displaced into other areas enlarged as part of the Project. Additionally, it appears that as part of the Project, aircraft would be parked further to the south (closer to World Way) than has historically been the case. The Project may also increase the area available for aircraft parking around Terminal 3 by removing the southern appendages and/or making use of areas closest to the ticketing areas. On the whole, however, the DEIR contains insufficient information to allow the public to understand exactly how the Project would achieve the proposed increase in the number of gates and overall intensification of aircraft parking areas around Terminals 2 and 3. LAWA must supplement the materials provided to address this shortcoming.

The significant difference between the current condition and the proposed, more intensified condition is somewhat apparent by comparing DEIR Figure 2-13 (aerial photo of current configuration, which shows 23 actual aircraft gates) with DEIR Figure 2-14 (LAWA's hypothetical layout showing 27 narrow body equivalent gates ("NBEG") around Terminals 2 and 3 as they now exist). Missing from the DEIR, however, is a figure like DEIR Figure 2-14 showing the actual existing configuration and size/location of aircraft gates. Such a figure is important and must be added in a recirculated DEIR. We anticipate that it will reveal that under the existing condition, some areas of the

“terminal linear frontage” are not currently used for aircraft gates/parking, as they would be under the proposed Project. Those areas may be used for aircraft support functions or be unavailable for aircraft parking due to difficult geometry. It is critical that the DEIR explain precisely the mechanisms by which the proposed Project will reconfigure use of the terminal linear frontage to allow more intensive use. Even without the necessary detail, however, it is readily apparent that the proposed Project would increase capacity by making use of space not currently used for aircraft parking.

The missing/requested figure would also help explain to the public how LAWA has calculated the NBEG equivalent of its existing aircraft gates at Terminals 2 and 3. The details of that calculation are critical to understanding how the Project would modify existing conditions and the extent to which the Project would increase gates and capacity. Currently, however, that detail is missing from the DEIR. Instead of providing information about the actual current NBEG numbers at Terminals 2 and 3, LAWA provides an “estimate” of the existing linear terminal area frontage. DEIR at 2-25. LAWA must provide additional details explaining how this estimate was derived. It must also provide additional details about how the terminals are actually currently configured (e.g., number and size of gates, NBEG equivalent, and wingtip separation). The DEIR’s current approach of presenting the public with “estimated” and “hypothetical” is unacceptable under CEQA and wholly unnecessary when LAWA could simply measure and report on actual existing conditions.

LAWA’s approach also violates the basic requirements of CEQA for a number of reasons. CEQA requires the lead agency to evaluate the potential impacts of the project relative to existing physical conditions (i.e., the existing baseline). At Terminals 2 and 3, the existing physical condition includes three fewer gates than would be present following implementation of the Project. This increase in capacity associated with this increase in the number of gates must be acknowledged and evaluated by LAWA.

LAWA’s reliance on the “terminal linear frontage” concept is a blatant attempt to avoid its clear obligations under CEQA. El Segundo does not question that terminal linear frontage can constrain the number of gates that fit around a given terminal. Likewise, El Segundo does not doubt that the Project will more intensively and efficiently use the space area around Terminals 2 and 3. The point, however, is that the existing condition around Terminals 2 and 3 is not currently used as intensively as proposed, so LAWA cannot treat the proposed condition as the existing condition. See *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310, 322 (proper baseline for proposed change to existing facility is physical conditions existing at the time of CEQA analysis, not maximum potential operations). Put another way, LAWA is taking the position that because there is



apparently room to squeeze more gates around Terminals 2 and 3, it should be allowed to do so without evaluating how this will increase airport capacity and operations.<sup>7</sup>

An analogy may be helpful here: Imagine a one-acre vehicle parking lot built many decades ago. The lot has been painted with wide parking stalls and includes planter areas with trees and shrubs. The owner of the parking lot can modernize the parking lot to fit more cars by restriping some of the stalls to accommodate only compact vehicles and by eliminating landscaping. One can easily imagine a scenario where the parking lot owner successfully increases the number of parking stalls by 10% on the same one-acre lot. Under that scenario, the lot would accommodate 10% more vehicles and people. That kind of efficiency makes a lot of sense, and it is precisely what LAWA logically seeks to do with the Project for aircraft gates at Terminals 2 and 3. The problem is that LAWA denies that is what it is doing because it does not want to come clean with the public regarding the extent to which these gate reconfigurations and additions will increase LAX aircraft operations and passenger throughput and the associated environmental impacts. The problem with LAWA's argument is all the more significant because taken to its logical extent, that argument would allow LAWA to add and reconfigure gates—without limitation—at any of LAX's existing terminals without doing any analysis of capacity increase or associated environmental impacts. That approach is not consistent with the requirements of CEQA.

Viewing the situation from the perspective of El Segundo's residents may also help LAWA to understand the problem. The main impacts El Segundo residents experience due to the operation of LAX are traffic, air pollution, and noise. Those impacts are, in turn, driven by the number of passengers who use LAX and the number of aircraft flights at LAX. The existing terminal linear frontage at LAX does not, by itself, produce any impacts to El Segundo residents. Traffic, air pollution, and noise impacts to El Segundo residents are only felt when terminal linear frontage is used for aircraft gates.

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<sup>7</sup> It is important to note that LAWA has not provided any aerial photos or other evidence indicating that Terminals 2 and 3 have ever been configured to include more gates than shown in Figure 2-13. Additionally, because El Segundo has been conducting regular gate counts at LAX since roughly 2006, we know that at least since then, Terminals 2 and 3 have never had gates accommodating the number and intensity of gates proposed as part of the Project.

The more gates LAWA squeezes into its existing terminal linear frontage, the more impacts will flow to El Segundo.<sup>8</sup>

Historically, LAWA has acknowledged that the number and configuration of gates at LAX serves as a key constraint on operations and growth. *See, e.g.*, CEQA documents for SPAS and Master Plan, attached hereto as Exhibits E through F and incorporated herein. With the proposed Project, however, LAWA would increase the number of gates without doing any analysis of the impact on LAX capacity and operations. LAWA's position in the DEIR with respect to gates essentially asks El Segundo residents to trust, without analysis, that no additional traffic, air pollution, or noise will result from the Project. LAWA's sole reasoning for this is that the Project does not increase terminal linear footage. But from the perspective of El Segundo residents, this is no comfort and makes no sense. That is particularly true when you consider the fact that, although not discussed in any detail in the DEIR, the purpose of the Project is to accommodate Delta Airlines, which has substantial expansion planned at LAX.<sup>9</sup> *See* news articles attached as Exhibit H.

Interestingly, to the extent the DEIR discusses airport capacity at all, it focuses solely on passenger throughput. It says nothing about the Project's impact on LAX's capacity to accommodate increased aircraft operations (takeoffs and landings). DEIR 2-2. This is a critically important omission fatal to the DEIR's analysis. In fact, adding aircraft gates, as the DEIR acknowledges the Project will do, will have the direct result of allowing LAX to support additional aircraft operations. Additional aircraft operations will increase noise, air pollution, and greenhouse gas emissions but the DEIR provides no analysis of these impacts.

There is also grounds for considerable skepticism about LAWA's estimate that the post-Project condition will accommodate only 27 NBEG gates. Most notably, the DEIR provides no figure showing the size, number and configuration of gates following Project completion (or at any interim phase during construction). This is major missing piece of the project description. LAWA must provide additional information regarding how it calculated the 27 NBEG number for the post-Project scenario.

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<sup>8</sup> Similarly, impacts to El Segundo increase as airlines squeeze more flights into existing aircraft gates, squeeze larger aircraft into those gates, and squeeze more passengers onto planes.

<sup>9</sup> The intent of LAWA and Delta with respect to gates and other issues is described in detail in the lease materials attached hereto as Exhibit G.

In sum, LAWA claims, without substantial evidence in support, that the Project will not increase passenger capacity. DEIR 2-2. The only basis for LAWA's assertion is the argument that the Project would not increase "terminal linear frontage." In fact, reconfiguring and adding to the passenger gates (particularly when paired with the massive terminal expansion proposed) will allow the airline(s) operating those gates to use them more intensively. This will enable increased passenger throughput at LAX and lead to additional flights. To comply with CEQA, the DEIR must analyze the impacts of this change.<sup>10</sup>

## **II. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.**

Because the DEIR takes the flawed position that the Project will not contribute at all toward higher passenger capacity or aircraft operations at LAX, the DEIR does not include *any* analysis of the Project's noise impacts. 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.

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, including growth made possible in part by the Project. 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 J, 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 K, 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

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<sup>10</sup> We hereby incorporate by reference the report of Dr. Adib Kanafani, Ph.D., NAE, attached as Exhibit I. We respectfully request a response to each of the issues raised in the Kanafani Report.

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 or aircraft operations, the DEIR must be revised to include an analysis of the aviation noise impacts caused by the Project, and cumulative aviation noise impacts of other past, present or reasonably foreseeable future projects—not omit any discussion whatsoever of aviation noise impacts.

Finally, the DEIR's failure to provide any analysis of noise impacts from the Project's construction is a fatal flaw. Haul trucks, in particular, can be quite noisy. Moreover, the DEIR indicates that much of the construction will occur at night in an attempt to reduce construction-related traffic impacts. Increased noise levels at night can be particularly disruptive and can interfere with sleep. The revised DEIR must identify sensitive receptors along haul routes and evaluate how increases in noise from the Project's construction activities will impact these receptors. The revised analysis must also disclose the increase in noise levels from the cumulative increase in haul trucks from all of the projects identified in DEIR Tables 3-1 and 3-2.

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

Transportation in and around LAX is a critical issue, especially for the City of El Segundo, which shares a border with the airport. Unfortunately, the DEIR's analysis of transportation impacts fails to achieve CEQA's most basic purpose: informing governmental decisionmakers and the public about the potential significant environmental effects of a proposed activity. Tit. 14, Cal. Code Regs ("CEQA Guidelines") § 15002(a).



The report prepared by MRO Engineers (“MRO Report”) provides detailed comments on the shortcomings in the DEIR’s transportation impact analysis.<sup>11</sup> See Letter from N. Liddicoat, MRO Engineers, to L. Impett, March 29, 2017, attached as Exhibit L. Set forth below is a summary of some of the DEIR’s most troubling errors.

**A. The DEIR Fails Entirely to Evaluate the Project’s Operational Impacts.**

The DEIR’s traffic analysis focuses exclusively on how traffic conditions would change as a result of the Project’s construction. It fails to provide *any* analysis of the Project’s operational traffic impacts under the misguided assumption that the proposed Project would have no effect on passenger numbers and flight operations. DEIR at 2-2. As discussed above, this assumption is incorrect. The Project would improve passenger levels of service and therefore has the potential to increase passenger capacity. Had the DEIR preparers recognized this fact, they would have realized that increased passenger capacity would result in increased traffic to and from the airport. The EIR should be revised to evaluate the effect that this increase in traffic would have on the local and regional transportation network.

**B. The DEIR Relies on an Undersized Study Area to Evaluate the Project’s Traffic Impacts.**

The DEIR understates the Project’s traffic impacts because it relies on a study area that barely extends beyond the boundaries of LAX. The DEIR asserts that only an insignificant amount of the construction traffic will travel east of La Cienega Boulevard, south of Imperial Highway or Interstate 105, or north of Westchester Parkway or Howard Hughes Parkway. See DEIR at 4.4-3. As we explain below in the following section, traffic impacts from the construction of the proposed Project would inevitably impact roadways, intersections and freeways outside of the DEIR’s narrow study area. Moreover, even within the limited study area that the DEIR does include, numerous intersections are ignored entirely. In particular, the following locations were evaluated in the recent DEIR for the LAMP but were not included in this DEIR’s analysis:

- Sepulveda Boulevard & I-105 Westbound Ramps,
- Sepulveda Boulevard & Mariposa Avenue,

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<sup>11</sup> We respectfully request a response to each of the issues raised in the MRO Report.

- Sepulveda Boulevard & Grand Avenue,
- Sepulveda Boulevard & El Segundo Boulevard,
- Sepulveda Boulevard & Rosecrans Avenue,
- Avion Drive & Century Boulevard,
- Airport Boulevard & Century Boulevard,
- Nash Street & El Segundo Boulevard,
- Douglas Street & El Segundo Boulevard,
- Bellanca Avenue & Century Boulevard,
- Aviation Boulevard & West 120th Street,
- Aviation Boulevard & El Segundo Boulevard,
- Concourse Way & Century Boulevard,
- La Cienega Boulevard & West 120th Street,
- La Cienega Boulevard & El Segundo Boulevard,
- El Segundo Boulevard & I-405 Northbound Ramps, and
- Inglewood Avenue & Imperial Highway.

CEQA prohibits use of a truncated study area to avoid disclosing a project's impacts. The California Supreme Court emphasized that an EIR may not ignore the regional impacts of a project approval, including those impacts that occur outside of its borders; on the contrary, a regional perspective is required." *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 575. An EIR must analyze environmental impacts over the entire area where one might reasonably expect these impacts to occur. *See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 721-23. This principle stems directly from the requirement that an EIR analyze all significant or potentially significant environmental impacts. Pub. Res. Code §§ 21061, 21068. An EIR cannot analyze all such environmental impacts if its study area does not include the geographical area over which these impacts will occur. As we discuss below, the DEIR's flawed study area also implicates its analysis of cumulative traffic impacts.

**C. The DEIR Fails to Adequately Analyze the Project's "Temporary" Traffic Impacts.**

Similar to the flawed approach taken in the LAMP EIR, this DEIR's traffic analysis focuses only on the roads and intersections that would be used by construction employees and truck traffic associated with construction of the Project. DEIR at 4.4-3. While an analysis of these roads and intersections is important, these are not the only locations that would be impacted by this lengthy construction project. Construction operations and activities would inevitably require road and/or lane closures have the potential to cause traffic to back up on adjacent roads and intersections. Construction trucks traveling along the planned haul routes would also likely cause motorists to detour to alternative, less-congested roadways. The DEIR's failure to evaluate impacts at these other locations is an egregious error.

Construction projects at airports are notorious for causing massive traffic jams. *See, e.g.*, "Report: LAX Traffic Could be Getting a Whole Lot Worse," E. Chiland, Curbed Los Angeles, March 10, 2016, attached as Exhibit M; "Construction at LaGuardia Airport Causing Gridlock, Traffic Nightmares," J. Einiger, ABC News, August 23, 2016, attached as Exhibit N. Construction projects at airports are unlike construction projects on a typical city block. If a project is constructed in Downtown Los Angeles, for example, motorists have a variety of alternative routes to choose from to reach their destination. In other words, they can simply avoid traveling near the construction site. Motorists with flights to/from LAX, however, have no choice; they cannot avoid construction activities at the airport unless they travel by transit. Moreover, rebuilding in the limited confines of an operating airport, because there are so few roads accessing the terminals, will inevitably cause traffic to spill over to off-airport roads and even cause massive back-ups on freeways such as at the I-405. This is especially likely at a major airport like LAX which brings about 76,000 vehicles per day into the airport's central terminal area and more than 6,000 vehicles into the airport every hour.<sup>12</sup>

The DEIR does nothing more than pay lip service to these types of impacts. The document does identify thresholds of significance intended to address what the DEIR refers to as "temporary" construction impacts. DEIR at 4.4-27, -28. These thresholds state that the Project would result in a significant impact if lanes are closed for more than one day or if the Project results in the loss of vehicular access *for more than one day*. *Id.*

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<sup>12</sup> *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).



emphasis added. Yet, rather than actually analyze the Project's construction-related impacts against these thresholds, the DEIR provides a superficial, one-paragraph discussion before concluding that impacts would be less than significant. Unfortunately, this truncated discussion raises more questions than it answers.

For example, the DEIR simply states that lane closures would occur during the night shift whenever possible, and that it is unlikely that lane closures would be required for any extended period of time. DEIR at 4.4-29. The DEIR does not identify the locations of these lane closures. The phrases "whenever possible" and "extended period of time" are never defined and are therefore meaningless. CEQA requires that environmental impact analyses be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. Thus 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." *Environmental Planning and Information Council of Western El Dorado County v. County of El Dorado* (1982) 131 Cal.App.3d 350, 357 (finding an EIR for a general plan amendment inadequate where the document did not make clear the effect on the physical environment).

Notwithstanding the DEIR's superficial discussion of "temporary" impacts, the document ultimately explains that the Project's construction could result in lane closures that could extend up to one week. In violation of its own significance thresholds, the DEIR concludes that these lengthy lane closures would not constitute a significant effect. Because the DEIR's own information confirms that the Project's construction-related impacts would be significant, the EIR must be revised and recirculated.

The revised analysis must take into account the Project's cumulative construction-related impacts. As discussed below, LAX is planning myriad large-scale projects with simultaneous construction schedules. The revised EIR must analyze how the traffic from all of these projects would effect the local and regional roadway system.

**D. The DEIR Fails to Adequately Analyze Impacts to El Segundo From Construction-related Haul Trucks.**

The proposed Project would result in a substantial increase in truck traffic, particularly on West Imperial Highway along the northern edge of El Segundo's city limits. In fact, as much as 67 percent of the Project-related trucks would use West Imperial Highway, as follows:



- 32 percent regional trips to/from the east on I-105;
- 23 percent regional trips to/from the south on I-405;
- 5 percent local trips to/from the east on West Imperial Highway;
- 5 percent local trips to/from the south on Sepulveda Boulevard; and
- 2 percent local trips to/from the south on Aviation Boulevard. *See* DEIR Figure 4.4-3 at p. 4.4-20.

According to MRO Engineers, trucks have an inordinate adverse effect on traffic operations and safety, due to their size and operating characteristics, particularly with regard to slower acceleration, longer braking distances, and the need for greater separation between vehicles. MRO Report at 5. The DEIR largely ignores the effects these trucks would have on West Imperial Highway and the Project's other haul routes. For example, the DEIR does not analyze the potential safety-related impacts associated with mixing automobile traffic with a substantially increased volume of heavy-truck traffic. Nor does the DEIR provide *any* analysis of the effect that trucks have on pavement condition. The addition of substantial volumes of heavy trucks will take a toll on the condition of the pavement on West Imperial Highway and the Project's other haul routes. Because the DEIR does not evaluate this impact, it also fails to identify any alternatives or mitigation. The revised EIR must do so, including an evaluation of other feasible haul routes and the identification of measures to maintain roads used for LAX-related construction projects, in an acceptable condition. As regards West Imperial Highway in particular, the revised EIR should include a measure requiring that LAWA commit to the complete reconstruction (base and surface) of this roadway. Following reconstruction, LAWA must commit to regular resurfacing as needed to ensure that the Pavement Condition Index remains in the good (A-rated) range.

**E. The DEIR's Analyze of Cumulative Traffic Impacts is Legally Inadequate.**

An EIR must discuss a Project's significant cumulative impacts. CEQA Guidelines § 15130(a). A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." CEQA Guidelines § 15355(b).

A project has a significant cumulative effect if it has an impact that is individually limited but “cumulatively considerable.” *Id.* §§ 15065(a)(3), 15130(a). “Cumulatively considerable” is defined as meaning that “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” *Id.* § 15065(a)(3). Cumulative impacts analysis is necessary because “environmental damage often occurs incrementally from a variety of small sources [that] appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact.” *Communities for a Better Env’t v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 114. Here, the DEIR’s analysis of cumulative impacts is incomplete, cursory and superficial.

As an initial matter, although the DEIR identifies 26 past, present, and reasonably foreseeable future projects that would be developed at or adjacent to LAX, it includes only eight of these projects in the cumulative traffic analysis. *See* Tables 3-1 and 4.4-6. The DEIR ignores the traffic generated by the other eighteen LAX projects claiming that they would have no impacts because they would not have concurrent construction schedules. DEIR at 4.4-19. Compounding this error, the DEIR acknowledges another 212 probable development projects in the vicinity of LAX, i.e., the Cities of Los Angeles, Culver City, El Segundo, Manhattan Beach, Lawndale, Inglewood, Hawthorne, and the County of Los Angeles (*see* DEIR Table 3-2), but it also does not include the traffic from these projects in its cumulative impact analysis.

The DEIR’s failure to analyze the impacts from all of these related projects is a clear violation of CEQA’s requirements. The fact that these other projects may not be under construction at the same time is not the only factor that must be considered. The DEIR must analyze traffic from all of the projects (both airport and non-airport projects) if the traffic from those other projects would compound or interrelate with the proposed Project’s traffic impacts.

The DEIR’s failure to thoroughly analyze the Project’s cumulative traffic impacts is not a trivial detail. Some proportion of the trucks used to construct these 238 projects in the LAX vicinity will inevitable travel on El Segundo roads. As discussed above, construction projects which result in a substantial increase in the volume of trucks on area roadways increase the risk of automobile-truck accidents. In addition, trucks also result in substantial deterioration in roadway pavement.

The revised EIR must identify the total number of truck trips that would travel on El Segundo roads from all of these development projects and analyze the effects that this massive increase in truck traffic would have on roadway safety and pavement condition.

The EIR must identify feasible mitigation measures as these impacts will certainly be significant.

**F. The DEIR Fails to Mitigate the Project's Significant Construction Impacts.**

Notwithstanding the DEIR's faulty traffic analysis, it concludes that certain cumulative impacts would be significant and unavoidable. DEIR at 4.4-40. We disagree that these impacts are unavoidable. Because LAWA is the lead agency and the sponsor for at least 26 of the projects that are contributing to these significant effects, the agency certainly could eliminate certain projects or, at a minimum, stagger their implementation.

The DEIR does include one measure calling for LAWA to prepare a construction traffic management plan prior to initiation of construction. *See* DEIR at 4.4-40. As we explained in our comments on the LAMP EIR, the DEIR lacks the required evidentiary support that this measure—which merely punts the problem to a later date—would even begin to address the complexities and challenges that would accompany this major construction project. *See* El Segundo Comments on LAMP DEIR at 19-25. This letter identified a series of measures that LAWA could implement to reduce the LAMP project's construction-related traffic impacts. *Id.* Specifically, the LA Controller's Office recommended numerous actions that LAWA should undertake to manage the disruptions that would inevitably occur during that project's construction. *Id.* Those same measures should be implemented for the proposed Project to reduce the project-specific and cumulative construction-related impacts.

**IV. The DEIR Fails to Adequately Analyze the Project's Air Quality Impacts.**

**A. The DEIR's Failure to Evaluate the Project's Operational Impacts is an Egregious Flaw.**

The DEIR explains that emissions from aircraft and ground support equipment were not included in the air quality analysis because the Project would not increase aircraft operations or passenger volumes. DEIR at 4.1-1. Consequently, the DEIR's air quality analysis focuses exclusively on construction- and energy-related operational emissions. As discussed above, the assertion that the Project would not increase aircraft operations or passenger volumes disregards the effect that improved access to terminals would have on passenger numbers and flight operations. The modification of the terminals will result in capacity increases and operational changes that in turn will result in an increase in air emissions. Consequently, the EIR should be revised to identify the Project's potential to increase emissions from aircraft and ground support equipment.



**B. The DEIR's Analysis of the Project's Cumulative Air Quality Analysis is Riddled With Flaws.**

The DEIR's analysis of cumulative impacts suffers from several flaws which undermine the integrity of the analysis. First, the DEIR errs because it fails to recognize that the Project's increase in particulate emissions constitutes a cumulatively significant impact. Second, the DEIR fails to analyze the cumulative air quality effects from the related development projects in the region.

**1. The Project's Increase in PM<sub>10</sub> and PM<sub>2.5</sub> Emissions Constitutes a Cumulatively Significant Impact.**

In the South Coast Air Basin, PM<sub>10</sub> and PM<sub>2.5</sub> levels exceed the National Ambient Air Quality Standards and the California Ambient Air Quality Standards. DEIR at 4.1-18. Ambient air quality standards define clean air, and are established to protect even the most sensitive individuals in our communities. An air quality standard defines the maximum amount of a pollutant that can be present in outdoor air without harm to the public's health.<sup>13</sup>

The DEIR concludes that the Project's potential to increase PM<sub>10</sub> and PM<sub>2.5</sub> emissions would be less than significant, i.e., less than the South Coast Air Quality Management District's thresholds of significance. *Id.* at 4.1-20. The DEIR determines that the proposed Project, together with other LAX-related projects would result in cumulatively significant PM<sub>10</sub> and PM<sub>2.5</sub> impacts but that the Project's contribution to these cumulative impacts would *not* be cumulatively considerable. *Id.* at 4.1-24. The DEIR's flawed approach for determining the Project's contribution to this cumulative impact has been explicitly rejected by the courts.

In *Kings County Farm Bureau*, the court invalidated an EIR that concluded that increased ozone impacts from the project would be insignificant because it would emit relatively minor amounts of precursor pollutants compared with the large volume already emitted by other sources in the county. 221 Cal.App.3d at 717-18. The court aptly stated, "The relevant question to be addressed in the EIR is not the relative amount of precursors emitted by the project when compared with preexisting emissions, but whether any additional amount of precursor emissions should be considered significant in light of the serious nature of the ozone problems in this air basin." *Id.* at 718. Similarly, in *Los Angeles Unified School District v. City of Los Angeles*, the court invalidated an EIR that

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<sup>13</sup> See California Air Resources Board Ambient Air Quality Standards, available at <https://www.arb.ca.gov/research/aaqs/aaqs.htm> (last accessed March 27, 2017).



deemed a project's cumulative traffic noise impact insignificant in light of existing traffic noise in the project area. 58 Cal.App.4th 1019, 1025-26.

Likewise here, the DEIR may not minimize the Project's cumulative PM<sub>10</sub> and PM<sub>2.5</sub> impacts given that the South Coast Air Basin already violates the PM<sub>10</sub> and PM<sub>2.5</sub> ambient air quality standards. Indeed, these existing adverse conditions weigh in favor of a finding of significance. *Kings County Farm Bureau*, 221 Cal.App.3d at 718. The EIR should be revised to recognize that the Project's contribution to this impact is significant and identify feasible mitigation measures or alternatives capable of reducing this impact.

## **2. The DEIR Fails to Evaluate the Air Quality Impacts From Related Projects.**

As discussed above, the DEIR identifies 212 probable development projects in the City of Los Angeles and neighboring communities within the general vicinity of LAX. See DEIR at 3-4 and Table 3-2. The DEIR, however, fails to analyze how the emissions from these projects would impact air quality, claiming that such an analysis would be speculative because LAWA does not have information on each of the project's construction details. *Id.* at 4.1-24. Such dismissive treatment of these potentially significant air quality impacts is not adequate under CEQA. Rather, LAWA must "use its best effort to find out and disclose all that it reasonably can" regarding these project's air quality impacts. *Citizens to Preserve the Ojai v. Ventura* (1986) 176 Cal.App.3d 421, 431; see also *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 399 ("*Laurel Heights I*") ("We find no authority that exempts an agency from complying with the law, environmental or otherwise, merely because the agency's task may be difficult.").

Nor can the DEIR simply assume it is obligated to analyze only construction-related emissions from these other projects. Some of these projects would generate operational emissions as well. For example, the fueling station and Brotman Medical Center in Culver City; the 2,000,000 square foot Raytheon Campus Office Park Expansion Project, the "industrial addition," the Mattel Grand Way Project, the "warehouse, office and manufacturing" project in El Segundo; the gas station and the Chevron facility in Manhattan Beach; the office/warehouse project, gas station, Starbucks drive-through, the manufacturing/warehouse, and the Centinela Hospital expansion in Inglewood would likely generate air pollutant emissions during their operational phases. See DEIR at 3-4 and Table 3-2.

The revised EIR must make at least some attempt to analyze the emissions from the 212 development projects in vicinity of LAX. See CEQA Guidelines § 15144

("Drafting an EIR ... necessarily involves some degree of forecasting"). This analysis must take into account the increase in operational as well as construction emissions.

**V. 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 greenhouse gas ("GHG") emissions for which the Project would be responsible and it fails to analyze the Project's consistency with state plans adopted for the purpose of reducing GHG emissions.

**A. The DEIR's Failure to Evaluate the Project's Operational Impacts is an Egregious Flaw.**

Similar to the DEIR's air quality impact analysis, the DEIR includes only certain of the emissions that would result from the proposed Project. The DEIR explains that because the Project would not change the number of airline passengers traveling to/through the airport the analysis does not include increases in GHG emissions from aircraft or ground support equipment. DEIR at 4.2-1; 4.2-4. For the reasons discussed above, the EIR should be revised to identify the increase in GHG emissions from aircraft and ground support equipment.

**B. The DEIR Fails to Evaluate the Project's Consistency With State and Regional Plans.**

The DEIR includes two thresholds for determining the significance of the Project's environmental impacts relating to GHG emissions. One of these thresholds states that a project would be considered to have a significant impact if it would conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. DEIR at 4.2-16. Because the Project would result in a large increase in GHG emissions, the DEIR should have evaluated whether this increase in emissions would be inconsistent with state and regional plans. Unfortunately, the DEIR declines to conduct this analysis; it instead offers up a series of excuses.

First, it asserts that state and regional plans, policies and regulations are generally aimed at setting statewide and regional policy, and are not directed at individual projects. DEIR at 4.2-20. The DEIR includes no explanation as to why individual projects should

be exempt from a consistency determination with state and regional GHG reduction plans. We query why the DEIR would set forth a significance threshold calling for this analysis, only to ignore it. Moreover, the CEQA Guidelines instruct the lead agency to determine “[t]he extent to which the *project* complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.” CEQA Guidelines § 15064.4 (b)(3) (emphasis added). Finally, common sense dictates that individual projects must be held accountable for their roles in achieving or interfering with GHG reduction goals.

The DEIR then asserts that neither the AB 32 Scoping Plan, Executive Orders S-3-05 and B-30-15, nor SCAG’s 2040 RTP provides a specific basis for calculating a project’s “fair share” of statewide or regional GHG emissions. DEIR at 4.2-20. This excuse is also unavailing. As the CEQA Guidelines make clear, drafting an EIR necessarily involves some degree of forecasting. *See* Guidelines § 15144 (“Drafting an EIR ... necessarily involves some degree of forecasting ... [and] an agency must use its best efforts to find out and disclose all that it reasonably can”); *Communities for a Better Environment v. City of Richmond* (“CBE”) (2010) 184 Cal.App.4th 70, 96 (“difficulties caused by evolving technologies and scientific protocols do not justify a lead agency’s failure to meet its responsibilities under CEQA . . .”). Moreover, as we explained in our letter on the LAMP DEIR, other agencies have been able to evaluate their projects’ consistency with the Executive Orders:

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. 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.

*See* El Segundo Comments on LAMP DEIR at 32.

Finally, the DEIR asserts that the Project’s emissions would be less than the SCAQMD’s threshold of significance which is intended to achieve the level of GHG

reductions set forth in EO S-3-05 which in turn would achieve the GHG reduction goal of AB 32. DEIR at 4.2-20. The DEIR provides no evidence to support the assertion that the SCAQMD's thresholds of significance are intended to achieve the level of GHG reductions set forth in EO S-3-05. Moreover, as the LAMP DEIR explains, the SCAQMD's thresholds are intended only to apply to projects whether the SCAQMD is the lead agency. LAMP DEIR (attached as Exhibit O) at 4.5-16. The SCAQMD has not adopted guidance for CEQA projects under other lead agencies. *Id.*

The EIR should be revised to provide a legally defensible analysis of the Project's GHG impacts. This revised analysis must include an evaluation of the Project's consistency with regional and state plans adopted for the purpose of reducing GHG emissions.

**VI. The DEIR Should Include Analysis of an Alternative That Does not Change the Number or Configuration of Passenger Gates.**

Because a legally adequate analysis of the impacts of additional aircraft operations caused by the Project would show noise, air quality and climate change impacts, LAWA should analyze an alternative whereby the major renovation aspects of the proposed Project would proceed without adding additional or reconfigured passenger gates to either terminal. 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 "no new gates" alternative that would not constrain present operations but nonetheless would help ensure the Project does not result in additional aircraft operations.

**VII. If LAWA Refuses to Analyze the Growth-Inducing Impact of Individual Development Projects, Including this Project, LAWA Must Update the Master Plan and Its Associated EIR.**

Tellingly, the DEIR makes little mention of the 2004 LAX Master Plan, in particular the extent to which the Project is consistent with that guiding plan for airport development. LAWA may not pursue a major Project such as this 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 improving the level of passenger service throughout the CTA and building new aircraft parking gates. *See generally* Master Plan Executive Summary. LAWA should present a clear side-by-side comparison of the Project and the



programmatic concepts in the LAX Master Plan and SPAS to detail similarities and differences.

Furthermore, for reasons explained in El Segundo's comments on the LAMP DEIR and FEIR, LAWA must update its 2004 LAX Master Plan and the associated environmental analysis because many of its planning assumptions, and much of the associated environmental analysis, are now inaccurate and insufficient. LAWA's refusal to acknowledge case-by-case the relationship of this Project, the LAMP, or other projects on the horizon to LAWA's ability to accommodate passenger capacity as forecasted in SCAG's 2040 RTP makes updating the Master Plan all the more critical and timely.

The Master Plan process was the last time, and to El Segundo's knowledge the *only* time, that LAWA has done a comprehensive, program-level environmental analysis of its long-term planning vision for LAX. While LAWA's vision in the Master Plan and associated EIR assumed a maximum practical passenger capacity at LAX of 78.9 MAP, the Project will play a central role in replacing this vision with one defined by unconstrained growth and disregard for regionalization. Without a "top-tier" document analyzing the impacts of passenger and aircraft operations at a maximum capacity of 96.6 MAP—and without such analysis in individual project EIRs like this one—no analysis exists on which LAWA can even purport to rely to back up its claims that its actions have no effect on LAX's ability to meet forecasted capacity. Without a comprehensive Master Plan update and new environmental analysis, LAWA's sole recourse is a full impact analysis, including analysis of cumulative impacts of all present, past, and reasonably foreseeable future projects, of individual projects' growth-inducing impacts.

### **VIII. 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.

Angelica Espiritu  
April 10, 2017  
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Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read "Osa Wolff".

Osa L. Wolff

A handwritten signature in blue ink, appearing to read "Laurel Impett".

Laurel L. Impett, AICP, Urban Planner

A handwritten signature in blue ink, appearing to read "J. D. Petta".

Joseph D. Petta