

CATEGORICAL EXEMPTION and TRANSPORTATION COMMITTEE REPORT relative to a California Environmental Quality Act (CEQA) appeal of the Los Angeles Department of Transportation's (LADOT) Venice Boulevard Great Street Project – Finalized Project and Additional Improvements.

Recommendations for Council action:

1. FIND that this action is categorically exempt from CEQA requirements pursuant to CEQA sections 15301 and 15304 after considering the Notice of Exemption on file and the response included in the LADOT report dated February 14, 2019.
2. DENY the CEQA appeal by Westside Los Angeles Neighbors Network, Inc. (Jamie T. Hall, Channel Law Group, LLP, representative), of LADOT's Venice Boulevard Great Street Project – Finalized Project and Additional Improvements.
3. ADOPT and CONCUR with the Venice Boulevard Great Street Project – Finalized Project and Additional Improvements as approved by LADOT.
4. DIRECT the LADOT to file a Notice of Exemption with the Los Angeles City Clerk and the Los Angeles County Clerk.

Fiscal Impact Statement: The LADOT reports that this action will not impact the General Fund.

Community Impact Statement: Yes.

Against: Mar Vista Community Neighborhood Council

### SUMMARY

On January 25, 2019, an appeal of LADOT's Venice Boulevard Great Street Project – Finalized Project and Additional Improvements was filed with Council by Jamie T. Hall, Channel Law Group, LLP, representative, on behalf of Westside Los Angeles Neighbors Network, Inc. The appellant appeals the determination that this project is exempt from CEQA based on the following:

1. The City of did not conduct any environmental review of the Great Streets Venice Boulevard road diet, despite there being substantial evidence during the one-year pilot project to support a fair argument that the road diet had significant impacts upon the environment.
2. The project does not conform to the guidelines set forth in the *Road Diet Informational Guide - Safety* on the Federal Highway Administration website.
3. Presently, the Palms - Mar Vista - Del Rey Community Plan is being updated. As part of the Community Plan update, the Mobility Element in the Community Plan will be subject to CEQA and formal public review. The Great Streets Venice Boulevard road diet constitutes an improper segmenting of a project without any CEQA review.
4. Extensive tree removal will impact migratory birds.
5. The project involves the reduction of capacity on a major arterial and, as such, does not constitute a minor alteration of an existing street.

6. The project does not create a bicycle lane on an existing right of way. Such a facility already existed at the time the project was instituted. It modifies an existing bicycle lane on a major arterial resulting in significant environmental impacts.
7. The project is 2-4 miles from the Ballona Wetlands and has created noise and has created noise and disruption on previous quiet, residential, tree-lined streets.
8. This plan promotes increased density around the High-Quality Transit Corridor along the route of the Expo Line, which is 2-3 miles from Venice Boulevard.
9. The project fails to consider the potential increase in cars produced by the EXPO Corridor Plan and similar projects throughout the Westside and fails to consider that the Environmental Impact Report (EIR) on Mobility Plan 2035 is currently under legal challenge. It also fails to address the glaring omission in the Great Streets Venice Boulevard Evaluation of the effects that the capacity reduction on Venice Boulevard will have on its nearest neighboring collateral arterial: Washington Boulevard.
10. The environmental effects of these volume increases have not been addressed by the current project and could pose a significant environmental impact, including Air Quality.

In a report to Council dated February 14, 2019, LADOT recommends that Council deny the appeal and approve related actions relative to this matter. LADOT reports that as part of the Venice Boulevard Great Street Project, previously approved on November 28, 2016, the Department tested a pilot demonstration on 0.80 miles of Venice Boulevard and implemented permanent improvements within the existing rights-of-way from Beethoven Street to Inglewood Boulevard. The Great Street Project reflected the results of a two-year public outreach process lead by the Great Streets Initiative, Council District 11, and LADOT. The pilot project used paint and temporary materials to install new buffered and protected bicycle lanes supplemented with green paint, a lane reconfiguration from three to two lanes in each direction, and right-turn lanes at intersections along Venice Boulevard. LADOT installed other permanent improvements that are separately exempt from the pilot project, such as high-visibility crosswalks and upgrades, leading-pedestrian intervals, left- turn signal phasing, dual left-turn lanes on Venice Boulevard at Centinela Avenue, and four new signals and pedestrian crossings.

With one year of collected data, LADOT determined that the pilot project was safe, efficient, good for business, and supported by residents. These findings are supported by data that demonstrated reduced bicyclist collisions, increased multi-modal activity, negligent change in vehicle volumes and travel times, increased business revenue, and positive public survey results. On December 20, 2018, LADOT recommended that the following pilot project features become permanent - protected and buffered bicycle lanes on Venice Boulevard between Beethoven Street and Inglewood Boulevard, including green- painted sections; right-turn lanes at intersections along Venice Boulevard; and bus benches, bike racks, trash receptacles, and landscaping installed along the corridor. Additional improvements were also implemented: left-turn signal phasing on Venice Boulevard at Wade Street, peak-hour parking restrictions on Centinela Avenue between McCune Avenue and Venice Boulevard, and all-way stop signs on Victoria Avenue and Charnock Road.

On December 21, 2018, LADOT filed a Notice of Exemption for the project which was approved through a LADOT General Manager's Determination on December 20, 2018. The Department goes on to respond to each of the appellant's justifications for the appeal, as follows:

1. LADOT determined that the project qualifies as minor alteration of an existing street due to negligible or no expansion of an existing use under the State CEQA Guidelines sections

15301(c).

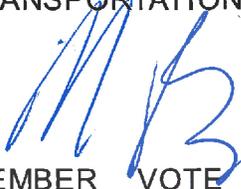
2. The *Road Diet Informational Guide – Safety 5*, referred to by the appellant, is an Informational guide book only and does not govern the decision making processes of any agency.
3. The Bicycle Enhanced Network of the Mobility Plan 2035 adopted by Council on September 7, 2016, is independent of the Community Plan update process. The City's initiation of the community plan process does not prevent the City from taking actions, such as issuing permits, or making decisions on street operations that may affect the plan area.
4. Project tree removal was not extensive, and contributed little in habitat value due to its location along a high-volume median that was at minimum 1.5 miles from the State-owned Ballona Wetlands Ecological Reserve. In compliance with the City's tree replacement standards, 14 trees were replanted.
5. LADOT determined that the Venice Boulevard Great Street Project qualifies as minor alteration of an existing street due to negligible or no expansion of an existing use under the State CEQA Guidelines sections 15301(c). The project qualifies as a minor alteration of the existing highway because it repurposes space in the existing paved roadway, and does not expand the existing use of the street. LADOT cannot confirm which Federal Highway Administration criteria the appellant is referring to. If appellant is referring to the Federal Highway Administration Road Diet Informational Guide - Safety document, this is an informational guide only and does not act as a governing document that requires compliance by any agency. More importantly, deviation from this guiding document does not constitute an environmental impact that would disqualify the application of a Class 1 or Class 4 Exemption pursuant to Section 15300.2 of the CEQA Guidelines.
6. Modifying an existing bicycle lane is an exempt activity under Section 15301(c) of the CEQA Guidelines because it is a minor alteration of a roadway that does not result in environmental impacts. LADOT also found that the project included activities that are exempt under Section 15304 of the CEQA Guidelines where the project scope includes creating bicycle lanes and installing landscaping. Installing bicycle lanes with higher protection from motor traffic achieves statewide goals of providing more attractive multimodal transportation options and reducing transportation-related greenhouse gas emissions as outlined in Senate Bill 743. Staff finds that the class 1 and 4 of exemptions in Sections 15301(c) and 15304 were correctly applied to the project.
7. The Mobility Plan 2035 EIR considered the noise impacts of roadway capacity reducing projects along the Bicycle Enhanced Network, which the project partly implements. The EIR concluded that while projects that reduce roadway capacity could increase traffic diverted onto lower volume residential streets that are parallel to major arterials, the increase in noise would not be substantial enough to result in a significant impact. The project is in an urban built-out area, where the nearest portion of the project is over 1.5 miles away from the Ballona Wetlands. The appellant presents no evidence that higher increase in traffic on local streets exceeds an acceptable threshold that would impact migratory bird species. Such a conclusion based on the appellant's statements, as well as the evidence in the record, is remote and speculative.
8. Additional driving delay or congestion is no longer, on its own, considered an environmental impact under CEQA; therefore, additional delay as a result of the project and other related projects is also not considered a cumulative impact under CEQA.
9. The findings of the Venice Boulevard Great Street One-Year Evaluation Report conclude that there are negligible changes in traffic volumes along Venice Boulevard as a result of the lane reduction. There is no supportive data that demonstrates significantly increased traffic volumes on Washington Boulevard.

10. LADOT has no evidence to suggest that traffic volumes on neighboring arterial streets such as Washington Boulevard have or will increase. As to impacts related to air quality, the Mobility Plan 2035 EIR evaluated the potential impacts of installing the network of bicycle facilities, including the project, and found that these changes would not result in significant impacts to air quality.

At its meeting held February 27, 2019, the Transportation Committee discussed this matter with LADOT staff. The Department representatives presented responses to the appeal justifications as listed above. A public hearing was held during which the Committee heard testimony from the appellant and comments from members of the community. Committee recommended that Council deny the appeal and approve the related actions recommended by LADOT.

Respectfully Submitted,

TRANSPORTATION COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
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BONIN:	YES
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MARTINEZ:	YES
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KORETZ:	YES
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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**