

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

NOV 08 2012

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401147 - Council File No. 09-1381 – Butte Street between Santa Fe Avenue and Perrino Place.

Recommendations:

- A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit "B":
 - 1. Butte Street between Santa Fe Avenue and Washington Boulevard.
 - 2. Butte Street between Washington Boulevard and its easterly terminus approximately 915 feet easterly of Harriett Street.
- B. That the vacation of the area shown colored orange on Exhibit "B" be denied.
- C. That the Council find that it has imposed all the mitigation measures that are within the control of the City as described in the EIR (State Clearinghouse No. 90011169) that are associated with the impacts of the street vacation and that other mitigation measures that are not within the authority of the City, have been or should be imposed as set forth in the Record of Decision of the U.S. Department of Transportation approved May 3, 1996.
- D. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.
- E. That, in conformance with Section 556 of the City Charter, the Council make the

findings that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.

- F. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determines that the vacation areas are not needed for nonmotorized transportation facilities.
- G. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determines that the vacation areas are not necessary for present or prospective public use.
- H. That the Council adopt the City Engineer's Report with the conditions contained therein.
- I. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City clerk and Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.
- J. That the payment of fees for the vacation proceedings be waived in accordance with Section 7.46 of the Administrative Code which exempted all government agencies at the time of application.

FISCAL IMPACT STATEMENT:

To date, an estimated \$9,463.86 in charges have been expended in the investigation and processing of this proceeding. Since Section 7.46 of the Administrative Code exempted all government agencies from payment of fees at the time of application, the processing of this report will be absorbed by the Bureau of Engineering. Maintenance of the public easement by City Forces will be eliminated.

NOTIFICATION:

That notification of the time and place of the Public Works Committee meeting to consider this request be sent to:

1. Alameda Corridor Transportation Authority
Attn: John T. Doherty
1 Civic Plaza Drive
Carson, CA 90745

2. Port of Los Angeles
4708 Autry Ave.
Long Beach, CA 90808
3. Port of Long Beach
420 E. G Street
Wilmington, CA 90744
4. City of Los Angeles
111 E 1st St., Ste 201
Los Angeles CA 90012
5. City of Long Beach
PO Box 570
Long Beach CA 90801
6. Los Angeles Department of Water and Power
PO Box 51111
Los Angeles CA 90051
7. Mustang Machinery
2426 E Washington Bl.
Los Angeles CA 90021
8. O'Brien Machinery
2426 E Washington Bl.
Los Angeles CA 90021
9. Burlington Northern Santa Fe Company
740 E Carnegie Dr
San Bernardino CA 92408-3571
10. National RR Passenger
955 NW L'enfante Plaza North
Washington D.C. 20024
11. State of California
Department of General Services
1102 Q Street #6000
Sacramento CA 95814
12. LACMTA
One Gateway Plaza, 14th Floor
Los Angeles CA 90012-2932

13. Southern Pacific Transportation Company
1800 Farnam St.
Omaha NE 68102

CONDITIONS FOR STREET VACATION:

The Conditions specified in this report are established as the requirements to be complied with by the petitioners for this vacation. Vacation proceedings in which the conditions have not been completed within two years of the Council's action on the City Engineer's report, shall be terminated, with no further Council action.

1. That a suitable map, approved by the Central District Engineering Office, delineating the limits, including bearings and distances of the areas to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.
2. That a suitable legal description describing the areas being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
3. That title reports indicating the vestee of the underlying fee title interest in the areas to be vacated be submitted to the City Engineer.
4. That arrangements be made with the Department of Water and Power, Metropolitan Water District, Los Angeles County Department of Public Works, Mobil Oil Corporation, ARCO Pipeline Company, and St. James Oil Corporation, or their successors, for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
5. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer and storm drain facilities located within the areas to be vacated, unless easements are reserved from the vacation for their protection.
6. That notarized consents to the vacation be secured from all of the property owners adjoining the street to be vacated, including from the owners of Lots 18 through 25, Butler and Elder's Tract.
7. That street lighting facilities be installed as required by the Bureau of Street Lighting.

8. That street trees be planted as may be required by the Street Tree Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated February 2, 2009, from Alameda Corridor Transportation Authority.

DISCUSSION:

Request: The petitioner, Mr. John Doherty, representing the Alameda Corridor Transportation Authority is requesting the vacation of the public street shown colored blue and orange.

The petitioner plans to expand the rail traffic in connection with the Alameda Corridor Project which will link the Ports of Los Angeles and Long Beach to the railroad yards of Central City North. The future use of the vacation area would be for the freight railroad traffic corridor.

This vacation procedure is being processed under proceedings established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on June 16, 2009 under Council File No. 09-1381 adopted a Rule 16 Motion initiating street vacation proceedings.

A report from the Bureau of Engineering for this vacation was submitted under a previous application on October 20, 1997 under Council File 96-1444. The file was deemed terminated on December 15, 2005 due to inactivity per Council Policy.

Zoning and Land Use: The properties adjoining the proposed vacation area to the north are zoned M3-1 and are developed with manufacturing building, warehousing and storage yard facilities. The properties to the south are also zoned M#-1 and are developed with a single railway track of the Pacific Railroad right-of-way and also manufacturing and warehousing facilities.

Description of Area to be Vacated: The area sought to be vacated is Butte Street from Santa Fe Avenue to its easterly terminus. Presently, Butte Street is not being used for regular vehicle traffic but used primarily as railroad right-of-way.

Adjoining Streets and alleys: Santa Fe Avenue in this area is an elevated secondary highway with an approximately 65-foot wide roadway, and curbs and sidewalks on both sides. Washington Boulevard is an improved major highway in which the portion northwesterly of Butte Street is dedicated 90 and 95 feet and variable width, with a median island (14-foot wide and 30-foot long). There is also a 33-foot wide roadway on each side of the island, with curb and sidewalk on both the northeasterly and southwesterly sides. The portion of Washington Boulevard southeasterly of Butte Street is dedicated 90 feet in width with a median island (14-foot wide and variable width and 50-foot long). There is also a 30-foot wide roadway along the northeasterly side with curb and sidewalk and a 33-foot wide roadway along the southwesterly side with curb and sidewalk. The north-south alley between Butte Street and Washington Boulevard is a partially improved alley dedicated 17 feet in width. The north-south alley between Butte Street and 23rd Street is an unimproved alley also dedicated 17 feet wide. Harriet Street between Washington Boulevard and Butte Street is an unimproved street dedicated 60 feet in width.

Surrounding Properties: The adjoining owners have been notified of the proposed street vacation.

Effects of Vacation on Circulation and Access: The vacation of the public street will not have any adverse effect on vehicular circulation or access since the area is unimproved and has been impassable for vehicular traffic.

The street is also not needed for the use of pedestrians, bicyclists or equestrians.

Objections to the vacation: There were objections to the vacation submitted for this project.

Reversionary Interest: No determinations of the underlying fee interest of the vacation areas have been made as to title or reversionary interest.

Dedications and Improvements: It will be necessary that the petitioners provide for the dedications as outlined under the conditions of this report.

Sewers and Storm Drains: There are existing sewer and storm drain facilities within the area proposed to be vacated.

Public Utilities: The Department of Water and Power, Metropolitan Water District, Los Angeles County Department of Public Works, Mobil Oil Corporation, ARCO Pipeline Company, and St. James Oil Corporation maintain facilities in the area proposed to be vacated.

Tract Map: Since the required dedications can be acquired by separate instruments and the necessary improvements can be constructed under separate permit processes, the requirement for the recordation of a new tract map could be waived.

City Department of Transportation: The Department of Transportation states that based on traffic considerations, the vacation is not opposed if all abutting property owners are in agreement with the proposed vacation. In addition, that through the requirements of a tract map or by other means, provisions are made for 1) lot consolidation, 2) driveway and access approval by the Department of Transportation and 3) any additional dedications and improvements necessary to bring all adjacent streets into conformance with the City's standard street dimensions.

City Fire Department: The Fire Department did not respond to the Bureau of Engineering's referral letter dated May 21, 2009.

Department of City Planning: The Director of Planning, on June 5, 2002, under City Plan Case No. 2002-2661 PWA, recommended that the vacation be approved under the previous application. The Department of City Planning did not respond to the Bureau of Engineering's referral letter dated May 21, 2009.

Conclusion: The vacation of the public alley as shown colored blue on attached Exhibit "B" could be conditionally approved based upon the following:

1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for nonmotorized transportation purposes.

The area shown colored orange should not be vacated because it is needed for public street purposes.

Report prepared by:

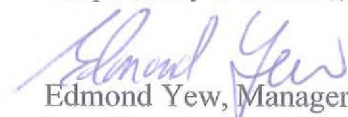
LAND DEVELOPMENT GROUP

Dale Williams
Civil Engineer
(213) 202-3491

EY/DW /

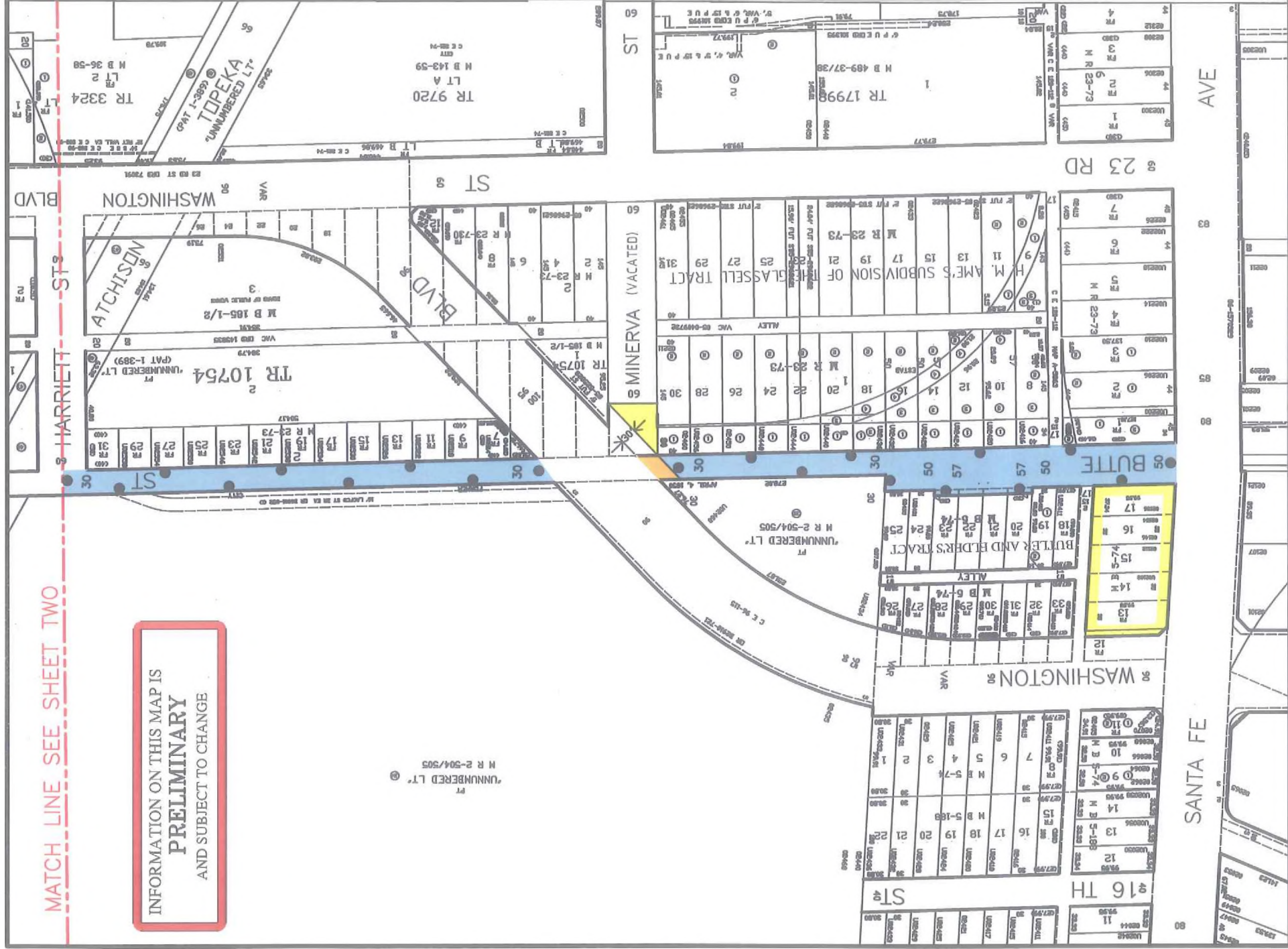
Q:\LANDDEV\STREET VACATIONS\E1401147 -Butte St\E1401147 (New Report).doc

Respectfully submitted,


Edmond Yew, Manager
Land Development Group
Bureau of Engineering

MATCH LINE SEE SHEET TWO

INFORMATION ON THIS MAP IS
PRELIMINARY
AND SUBJECT TO CHANGE



TITLE: BUTTE STREET BETWEEN SANTA FE AVENUE AND PERRINO PLACE
(SHEET ONE)

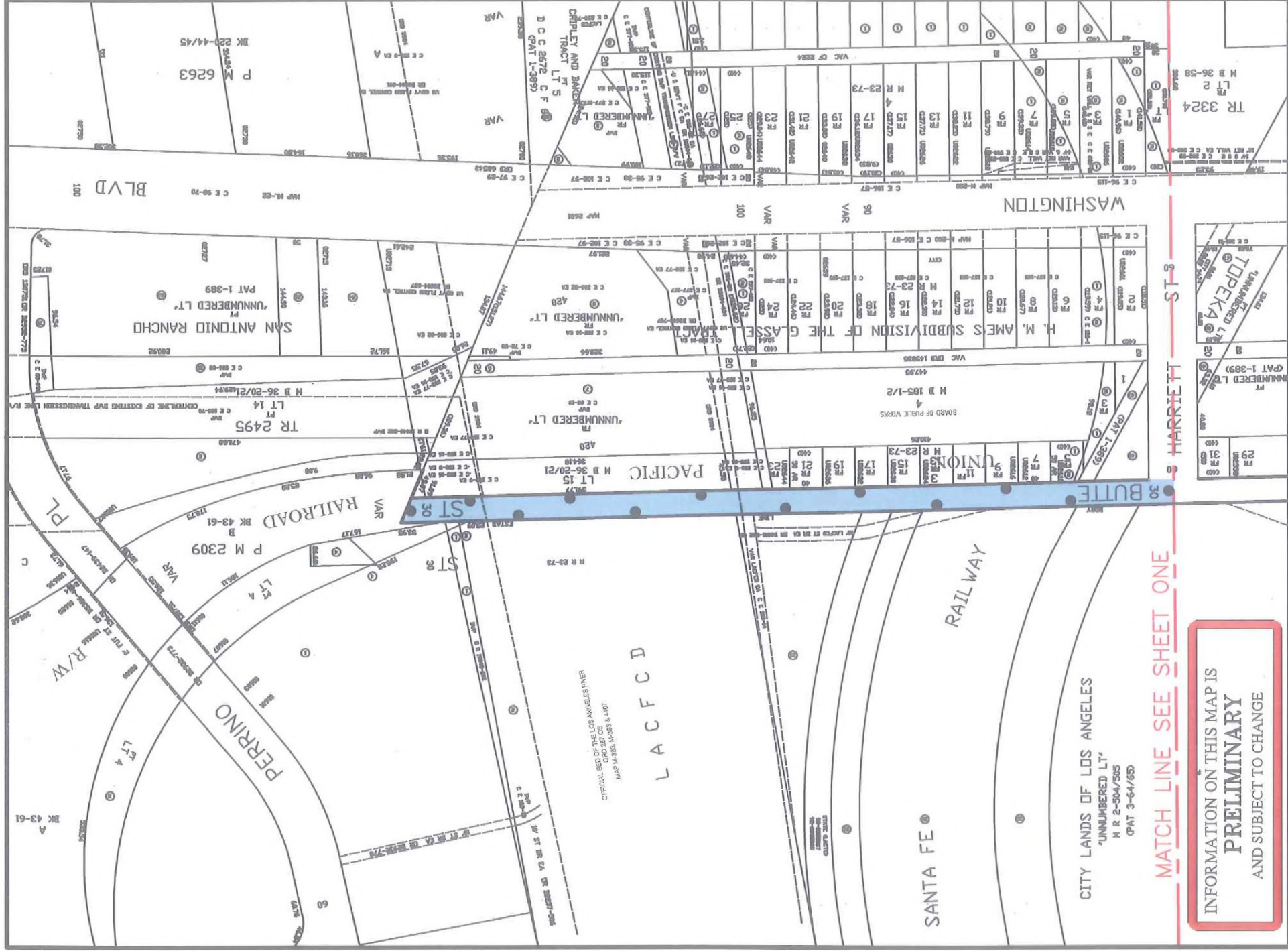
WORK ORDER NO. VAC- E1401147
 COUNCIL FILE NO. 09-1381
 COUNCIL DIST. 14 DIV. INDEX 129&150
 ENG. DIST. CENTRAL T.G. 674-H1
 DISTRICT MAP 118.5A217&118.5A219

SHEET ONE OF TWO SHEETS

DEPT. OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 CITY OF LOS ANGELES



EXHIBIT "B" LEGEND: Vacation boundary as shown



INFORMATION ON THIS MAP IS
PRELIMINARY
 AND SUBJECT TO CHANGE

TITLE: BUTTE STREET BETWEEN SANTA FE AVENUE AND PERRINO PLACE
 (SHEET TWO)

WORK ORDER NO. VAC- E1401147
COUNCIL FILE NO. 09-1381
COUNCIL DIST. 14 DIV. INDEX 129&150
ENG. DIST. CENTRAL T.G. 674-H1
DISTRICT MAP 118.5A217&118.5A219

DEPT. OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 CITY OF LOS ANGELES



EXHIBIT "B" LEGEND: Vacation boundary as shown

SHEET TWO OF TWO SHEETS

APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY

DATE: 2/2/09 ORIGINAL - (No copies or faxes)

PROJECT LOCATION AND DESCRIPTION:

(1) Area proposed to be vacated is: Bulte Street
(Street/Avenue/Boulevard/alley/walk/N/S/E/W/of)

and is located between:
Santa Fe Ave. and Perrino Place
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)

(2) The vacation area lies within or is shown on:

(a) Engineering District: (check appropriately)

(x) Central () Harbor () Valley () West Los Angeles

(b) Council District No. 14

(c) District Map No. 111 F217 & F219

(d) A CRA Redevelopment Area: OR (YES) OR (NO)

(3) Area (in sq. ft.) of the proposed vacation area is approx. _____ sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a Vacation staff member to discuss the effect of this on the processing of your application prior to submittal.

• If the vacation is located within a Coastal Development Zone, prior approval from the California Coastal Commission will be required before the vacation application can be submitted.

• If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.

(4) Purpose of vacation (future use of vacation area) is: freight railroad
traffic corridor

(5) Vacation is in conjunction with: (Check appropriately)

() Revocable Permit () Tract Map () Parcel Map () Zone Change
(x) Other Alameda Corridor Rail Improvement

PETITIONER / APPLICANT:

(6) Petitioner(s): John T. Doherty Alameda Corridor Trans. Auth.
Print Name(s) of Petitioner(s) in full → Name or Company Name

Signature(s): [Signature] CEO
If Company, Name and Title

(7) Mailing Address: 1 Civic Plaza Dr. Carson, CA 90745
(Address, City, State, Zip Code)

(8) Daytime phone number of petitioner is: (310) 233-7480
FAX number: (310) 233-7483
E-mail number: hernandez@trenchteam.com

(9) Petitioner is: (check appropriately) () Owner OR (x) Representative of Owner

OWNERSHIPS:

(10) Name(s) and address of the **Owner(s)** applying for vacation is/are:

Port of Los Angeles

Port of Long Beach

Print Name(s) and Address of Owner(s) in Full
(If Owner is Petitioner, Indicate "Same as above")

Signature(s)

(11) Petitioner is owner or representative of owner of: (check appropriately)

() The property described in attached copy of Grant Deed **OR**

(X) 118.5 A217 129 & 150 111-217

(Lot, Tract No.) (Parcel, Parcel Map L.A. No.) (Other)

(12) The following are the available signatures of other property owners who also own properties adjoining the area proposed to be vacated and whose ownership's are indicated on the attached map by use of "circled letters". (1) Print Name(s), (2) Provide mailing addresses, (3) Indicate Lots owned and (4) Obtain signatures.
(See Example Ownership List)

Ownership Information may be obtained from:

Los Angeles City Clerk
Land Records Division
Room 730
201 North Figueroa Street
Los Angeles, CA 90012
Phone: (213) 977-6001

or for the most
current
information

Los Angeles County Assessor
Ownership Information
500 West Temple Street
Los Angeles, CA 90012
Phone: (213) 974-3211

Provide the **information** as indicated:

Print Name(s) of Property Owner(s) Here

Signature(s) Here

A

Print Mailing Address Here

Owner of: Lot or Parcel Here

B

C

D

E

F

G

Notice of Determination

To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) Alameda Corridor Transp.
Authority 6550 Miles Ave., Rm 113
Huntington Park, CA 92250

X County Clerk
County of Los Angeles

ORIGINAL REC'D

JAN 15 1993

COUNTY CLERK
BY [Signature] DEPUTY

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources C.

Alameda Corridor Project
Project Title

90011169 Gill V. Hicks, General Manager (213) 383-3080
State Clearinghouse Number Lead Agency Area Code/Telephone/Ext
(If submitted to Clearinghouse) Contact Person

Portions of Los Angeles County and City of Los Angeles, Vernon, Huntington Park, South Gate
Project Location (include county) Lynwood, Compton, and Carson

Project Description: Consolidate freight rail operations along a 20 mile corridor in Alameda Str starting from the ports of Los Angeles and Long Beach to the I-10 freeway. Rail improvements in a two-track main line facility in a depressed roadway, an at-grade drill track, and ancillary improvements. Roadway improvements would include reconstruction of Alameda Street, intersection and signalization improvements.

This is to advise that the Alameda Corridor Transportation Authority has approved the above described proje

1/14/93

Lead Agency Responsible Agency

and has made the following determinations regarding the above described project:

(Due:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Publi
Alameda Corridor Transportation Authority, 6550 Miles Avenue, Rm 113, Huntington Park, CA 92250

Gill V. Hicks 1/14/93 General Manager
Signature (Public Agency) Date Title

Date received for filing at OPR:

JAN 22 1993
JAN 22 -1993
DEPUTY COUNTY CLERK
DEPUTY COUNTY CLERK
FEB 22 1993
TO
RECEIVED

9201796

ALAMEDA CORRIDOR ENGINEERING TEAM

One Civic Plaza, Suite 600, Carson, CA 90745
Telephone 310-816-0460 / Fax 310-816-0464

transmittal

To: Maxner Real Estate	Date: February 26, 2001
Chad J. Maxner	Project Number: 5000
1015 Towne Avenue, Suite B	Project Name: Environmental System Wide
Los Angeles, CA 90021	Subject: Environmental Impact Report

We are forwarding:

<input checked="" type="checkbox"/> Enclosed	<input type="checkbox"/> Separate cover	<input type="checkbox"/> By blueprint company
<input type="checkbox"/> By Mail	<input type="checkbox"/> By messenger	<input type="checkbox"/> Other -

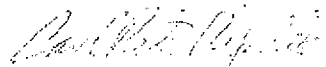
Remarks:

Dear Chad:

Please find enclosed Alameda Corridor's Environmental Impact Report prepared by Myra L. Frank, January 1993. Also enclosed is a Record of Decision from the U.S. Department of Transportation, Federal Highway Administration and Federal Railroad Administration, approved on May 3, 1996.

Should you have any questions please call me (310) 816-0460, Ext. 169.

Alameda Corridor Engineering Team

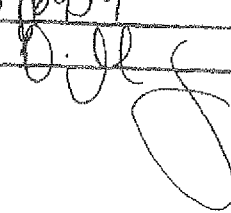

Carl Peter Ripaldi, R.E.A. II
Environmental Manager

Enclosure

CPR:md

cc: C. Ripaldi, ACET
DCC

File:

SENT	
ACTA DCC	
FEB 26 '01	
10027	04/03/002
0076959	
By:	

CR

Record of Decision
Alameda Corridor Project
Los Angeles County, California

May 6, 1996

Ms. Julie Anna Cirillo
Regional Administrator
San Francisco, California

HPD-09

Mr. Fred Hempel
Division Administrator (HB-CA)
Sacramento, California

Attached for your use are two copies of the above subject. The record of decision was approved on May 3, 1996 in accordance with 40 CFR sections 1505.2 and 1506.10.

The selected alternative as identified in the record of decision may now be advanced in the normal manner.

Jeffrey R. Brooks, P.E.
Director, Office of Program Development

Attachment

cc: w/ attachments

Gary Petersen, Myra Franks & Associates, 811 West 7th Street,
Suite 800, Los Angeles, CA 90017

Duane Kenagy, Moffatt & Nichol Engineers, One Civil Plaza Drive,
Suite 400, Carson, CA 90745

David Tomsovic, EPA-Region 9
75 Hawthorne Street, SF, CA 94105-3901

Elizabeth Calciano, for San Gabriel Valley Council of Government
c/o Burke, Williams & Sorensen, 611 West Sixth St, suite 2500,
Los Angeles, CA 90017

Joan Friedman, Environmental Unit, Los Angeles Unified School
District, 355 S. Grand Avenue, Suite 500, Los Angeles, CA 90071

Stephen Sherrill, Staff Chief Deputy, County of Los Angeles Fire
Department, 1320 North Eastern Avenue, Los Angeles, CA 90063

RECEIVED

MAY 08 1996

HPD-09

Martin Lomelli, City Manager, City of La Verne, 3660 "D" Street,
La Verne, CA 91750

Samuel Wilson, Director of Community Services and Water, City of
Vernon, 4305 Santa Fe Avenue, Ca 90058

Julio Fuentes, City Manager, City of Alhambra, 111 South First
Street, Alhambra, CA 91801

Robert Yates, General Manager, Los Angeles Department of
Transportation, 221 N. Figueroa Street, Suite 500, Los Angeles,
CA 90012

John Schlotterbeck for the City of Compton, c/o Burke, Williams
Sorensen, 611 West Sixth St, Suite 2500, Los Angeles, CA 90017

John Pugh, Attorney, Texaco Corporation, 10 Universal City Plaza
13th Floor, Universal City, Ca 91608

emailcc: w/o attachment
SPurcell:HRC-09
WStills:HEP-31

Reading File, HPD-09
Blue Copy
KWongMurillo:kw

U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration
and
Federal Railroad Administration

RECORD OF DECISION

ALAMEDA CORRIDOR PROJECT
From Downtown Los Angeles to Cerritos Channel
Los Angeles County, California

DECISION

The selected alternative for the Alameda Corridor project is Alternative 2.1B, the Depressed Trainway with Reconstruction of Existing Alameda Street. The project is a consolidated freight railroad facility extending from I-10 in the north, south to Henry Ford Avenue, and south along Henry Ford Avenue to the north side of the Cerritos Channel, a total of approximately 32 kilometers (20 miles). The project passes through the cities of Los Angeles, Vernon, Huntington Park, South Gate, Lynwood, Compton, and Carson and the county of Los Angeles. This project consolidates 90 miles of rail operations into a single 20-mile, high capacity facility that will provide rail access to the Port of Los Angeles and Long Beach. The project replaces all at-grade crossings with grade separations along Alameda Street.

Alternative 2.1B would provide for two main line consolidated freight rail tracks, depressed from the north terminus to SR 91 and at grade from there to the south terminus. Provision is made for an adjacent at-grade drill track for deliveries to local industries. Alameda Street would be four lanes reconstructed with the addition of left turn pockets at designated intersections within its existing right-of-way. East-west at-grade street overpasses will allow passage across the depressed trainway. South of SR 91, above grade separations would be constructed. The project also includes intersection signalization improvements. The total estimated costs are \$1.8 billion.

ALTERNATIVES CONSIDERED

The Environmental Impact Statement (EIS) incorporated the January 1993 certified final Environmental Impact Report (EIR) prepared in accordance with the California Environmental Quality Act

(CEQA). This approach is consistent with CEQ Guidelines (see 40 CFR 1506.3). The final EIR evaluated four build alternatives in detail, as described below, and selected one build alternative which was modified by the Alameda Corridor Transportation Authority (ACTA) Board. Although all alternatives were considered by FHWA and FRA, only two alternatives were evaluated in detail in the EIS, the depressed trainway with reconstruction of Alameda Street (described above) and the No Build.

Prior to the EIR, three corridor routes were evaluated in the Feasibility Study of the Union Pacific San Pedro Branch and Los Angeles River Route as Alternative Consolidated Rail Corridor, December 1991, to determine which rail consolidation route would have the best engineering, costs and environmental factors. Among other findings, the Alameda Corridor was determined to be the corridor with the least residential impact. There were twelve trainway, roadway and grade separation configurations evaluated along the Alameda Corridor. These were narrowed down to four build alternatives and the no build alternative for further evaluation in the EIR (see Table 2-2 in the final EIS).

The four alternatives evaluated in the EIR and the No Build Alternative were reconsidered by CALTRANS, FHWA and FRA and are as follows:

Alternative 1.0, the at-grade trainway with six lanes along Alameda Street, would have more intrusive environmental effects than any of the depressed trainway alternatives. It would require more right-of-way, and produce more noise and traffic impacts than any of the depressed trainway alternatives. Therefore, this alternative was not selected.

Alternative 2.1S, a depressed trainway with sloped trench walls along Alameda Street, would use sloped walls for a portion of the vertical rise. It would require substantially more right-of-way than the depressed trainway using vertical walls. This was not selected due to enlarged right-of-way requirements and resulting acquisition and displacement that could be reduced with selection of another alternative.

Alternative 2.2, depressed trainway with the Vernon Diversion (Between 25th and Randolph Streets, the depressed trainway would follow an alignment along the Southern Pacific Wilmington Branch which parallels Long Beach Avenue to the west of Alameda Street) would have residual noise and vibration impacts on a number of residences. It would require the taking of a portion of a public housing project and additional residential properties, and would increase noise levels in the vicinity of a school and recreation center, and, therefore, was not selected.

The final EIR identified Alternative 2.1A as the environmentally superior alternative. Alternative 2.1A is similar to the alternative selected by FHWA and FRA, being a depressed trainway along Alameda Street but with six traffic lanes configured as a one-way couplet with three lanes in each direction. Grade separations would be provided over the trainway.

Alternative 2.1A was further refined by the ACTA Board after the EIR was completed. Upon reviewing the traffic analysis that was conducted for the EIR, ACTA found that the additional road capacity was not required to accommodate ports related goods movement by trucks. The refinement would eliminate the need for additional right-of-way takes in the northern portion of the corridor and avoid noise impacts to an estimated 20 residences. Therefore, Alternative 2.1B, the Depressed Trainway with Reconstruction of Existing Alameda Street, became the locally preferred alternative approved by the ACTA Board and the corridor cities. It was Alternative 2.1B that was further evaluated in the EIS.

The No Build Alternative would continue the current operation of freight rail movements of cargo into and out of the ports of Los Angeles and Long Beach by three independent trackage rail carriers: the Southern Pacific Transportation Company, Union Pacific Railroad Company and the Burlington Northern Santa Fe Corporation. (This could change if the merger currently pending before the Surface Transportation Board between the Union Pacific and Southern Pacific is approved.) There would be no change to Alameda Street except for the Ports Access Demonstration Projects, which would make certain improvements to Alameda Street, south of State Route 91. See Section 2.10 for more detail in the final EIS.

PRIMARY REASONS FOR SELECTING THE PREFERRED ALTERNATIVE

The Federal Highway Administration and the Federal Railroad Administration have selected Alternative 2.1B for the following reasons:

- Alternative 2.1B meets the need for improved access to the ports of Los Angeles and Long Beach and best accommodates the respective interests of and causes the least amount of disruption to the cities located along the corridor;
- Alternative 2.1B is judged to be the environmentally superior alternative as it results in less property acquisition, less adverse noise and vibration impacts and produces beneficial effects in terms of air quality and traffic circulation or flow;

- Alternative 2.1B will have the least amount of right-of-way acquisition impacts and the acquisition impacts are confined to industrial parcels.
- Significant growth in rail traffic is projected in serving the Ports of Los Angeles and Long Beach. Without this project, this growth will occur on existing rail lines with substantial environmental impacts.

SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES FOR THE SELECTED ALTERNATIVE

The FHWA's Environmental Policy emphasizes the identification and implementation of measures to rehabilitate, restore, or replace impacted resources. This includes providing mitigation and enhancement through innovative design and "state of the art" construction techniques. Also, the FHWA will continue to coordinate efforts with other agencies during project final design and during the refinement and implementation of the mitigation and enhancement measures on this project to assure that appropriate mitigation is implemented.

The Alameda Corridor Project includes mitigation measures to minimize project impacts. These include standard specifications and practices, and mitigation measures specified in the final EI: Section 5.12, Table S-1; Chapter 4, Environmental Consequences; Section 5.5, Written Comments and Responses; and through the EIR process, a mitigation monitoring report program. These mitigation measures are incorporated into the Record of Decision by reference and periodic status reports on the entire environmental mitigation program will be provided by the Project Manager to the ACTA Board and FHWA/FRA.

Major areas of environmental impacts and mitigation measures for the selected alternative are discussed below:

Air Quality

Section 176(c)(3)(B) of the Federal Clean Air Act (CAA) requires that projects come from a transportation plan and transportation program that comply with applicable requirements of the CAA; and in carbon monoxide non-attainment areas, contribute to elimination of or reduction in the severity and number of violations of the carbon monoxide standards in the area substantially affected by the project taken as a whole (42 U.S.C § 7506(c)(3)(B)).

The Alameda Corridor Project is included in the 1994 Regional Mobility Element and the 1993 to 1999 Regional Transportation

Improvement Plan (RTIP), both of which have been found to conform with the Clean Air Act. The Southern California Association of Governments (SCAG), the Metropolitan Planning Organization, made this conformity determination in 1994.

Los Angeles County is in a non-attainment area for carbon monoxide. The results of the localized CO analysis indicate that the project would reduce CO concentrations both within the consolidated Corridor and along other rail lines in the region. Further, the project would reduce the number and severity of CO violations both within the Corridor and along other rail lines.

Therefore, pursuant to the provisions of the Clean Air Act Amendments of 1990, the selected alternative conforms with the State Implementation Plan for achieving the National Ambient Air Quality Standards. See pages 4-2 to 4-15 in the final EIS.

The Alameda Corridor Project is subject to compliance with the rules of the South Coast Air Quality Management District (SCAQMD), which is the local air pollution control district. Construction phase mitigation measures in conformance with the SCAQMD are identified in Tables 4-9 and 4-10 of the final EIS and in a mitigation monitoring program adopted by the ACTA Board on January 14, 1993. Any additional control measures can be addressed in the state implementation program (SIP) by updating the district's Air Quality Management Plan. FHWA is not directly involved in the SIP approval but will provide oversight to ensure adequate project air pollution control measures are provided.

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires that Congestion Management Systems (CMS) be developed in metropolitan areas that have been designated as non-attainment areas for ozone and/or carbon monoxide. California Government Code Section 65089 (Assembly Bill 1791) requires every county which includes an urbanized area to adopt a Congestion Management Program (CMP). The Alameda Corridor Project is in the Los Angeles County Congestion Management Program (CMP) which was adopted by the Los Angeles County Metropolitan Transportation Authority (LACMTA) Board of Directors in November 1993. See LACMTA letter dated November 7, 1994 in Appendix F of the final EIS for more detail.

Noise

Noise impacts which exceed or approach the noise abatement criteria would occur at 92 residences and two community facilities, the Exceptional Adult Education Center and the Church of God of Prophecy. Noise impacts on the residences between Southern Avenue and Tweedy Boulevard, at the Dominguez Seminary

and between Dominguez Street and I-405 will be mitigated with placement of noise barriers. See Figure 4-2 in the final EIS for the locations of the proposed noise barriers.

The two community facilities are located on intersections with cross streets in which the construction of noise barriers to mitigate the noise impacts would block traffic. However, community facilities where severe noise impacts are identified warrant special consideration such as building insulation to provide interior noise abatement. These types of abatement measures will be pursued during final design of the project. Also, noise barriers have been considered at four isolated residences with noise impacts, but construction of noise barrier would not be possible or would be cost prohibitive due to the geometrics of the road.

Nevertheless, the project noise impacts and proposed noise barriers will be restudied during final project design. The final noise barrier lengths, heights, locations, and materials will be determined through additional noise assessment, mitigation cost-effectiveness analysis, aesthetic evaluations and the involvement of the affected public.

Aesthetics

The project would result in minor above grade visual impacts, but would be consistent with the existing visual environment. In the City of Compton, the project is perceived to create a barrier between the two sides of the city's Central Business District. Special discussions were held with Compton and, in response to their concerns regarding aesthetics, the following measures will be implemented:

- A. A master plan for landscaping and urban design will be developed for the entire 32 kilometer (20-mile) corridor with special consideration given to the Compton Central Business District.
- B. A series of cut-and-cover sections and wider bridges will be built at key intersections over the lowered railway in Compton. Cut-and-cover sections will be developed into pedestrian plazas with planters, kiosks, and other amenities. Coordination with the City of Compton will continue as these intersections are designed.

The width of the cut-and-cover section would be 31 meters (100 feet) from each side of the street at Compton Boulevard. The width of the cut-and-cover section at Myrhh and Palmer Streets would be 23 meters (75 feet) from each

side of the street. Greenleaf and Alondra Boulevards would also receive urban design treatment, in coordination with the City of Compton.

- C. Within the City of Compton, graded slopes adjacent to the rail trench will be used to the extent possible to maximize line of sight across the rail trench. Within these sections, the goal would be to have a fence no higher than meter (four feet) above sidewalk level. Outside of these graded sections, the goal would be to minimize fence height subject to safety considerations.

Relocation

The selected alternative would require an estimated 40 full acquisitions and 16 partial acquisitions of commercial properties. Most of these business relocations would occur in the City of Los Angeles and unincorporated communities of Los Angeles County involving commercial or industrial land uses.

To mitigate these impacts, businesses will be provided relocation assistance and monetary payments for relocation expenses in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Adequate replacement property is available within the project area.

Coastal Zone Management

The southern end of the project falls within the coastal zone. The area is within the dual coastal development permit jurisdiction area of the coastal zone and the City of Los Angeles. On March 20, 1996, the California Coastal Commission confirmed their determination that the Alameda Corridor Project would not adversely affect the coastal zone and is consistent with the resource protection policies of Chapters 3 and 8 of the Coastal Zone Management Act.

Socio-Economic

The project will not require the acquisition of residential property or the displacement of residents. Any changes to travel patterns and accessibility to community facilities will be beneficial because the grade separations and left turn pockets will improve access and travel time. Existing community cohesion will not be affected. The project will follow the alignment of existing trackage, and all existing crossings will be maintained. Commenters have suggested that the Alameda Corridor could create a visual barrier in the central business district of the City of Compton. This will be mitigated as discussed above under

"Aesthetics." Access to residences, schools, and businesses will be maintained during construction. See "Construction" below.

As part of the September 1995 mitigation agreement between ACTA and Compton (in addition to the measures described in "Aesthetics" above), ACTA and Compton will cooperate with SCAG in development of a regional truck traffic study and, upon its completion, will work together to develop appropriate measures to mitigate any potential truck traffic increases due to port-related activities identified in the SCAG study.

Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, signed by President Clinton on February 11, 1994, requires federal agencies to identify and address disproportionate adverse human health or environmental effects of federal projects on minority and low-income populations to the greatest extent practicable by law.

The project corridor goes through cities with census tracts containing a majority of minority and low-income populations. However, with the exception of Compton, most of the land uses in the project area are dominated by industrial facilities. In Compton, the corridor goes through the central business district for which mitigation agreed upon with Compton has been provided (see "Aesthetics" above and "Construction" below.) Access will be improved for Compton businesses when the project is completed, because there will be grade-separations where previously there were at-grade crossings, with associated traffic congestion.

The project would result in additional railroad noise, and affect traffic during construction periods. The impacts from the project do not occur disproportionately to any one segment of the population, but throughout the corridor. The project's complete grade separation will improve congestion and local traffic flow across all cities along the corridor, including Compton. The grade separated trainway would also eliminate the potential for auto-train accidents and substantially reduce other hazards associated with freight train activity. The completed project will improve the aesthetics of the area by removing above ground freight trains through the northern half of the project. Finally, the project will produce beneficial employment and related economic opportunities during the construction and operational phases for all cities along the corridor.

For all the reasons discussed above, the Alameda Corridor Project will not result in disproportionately high and adverse human

health or environmental effects on minority or low income populations.

Safety

A major issue of concern to the public is the potential for train derailments and cargo spills. Although the project will increase the number of trains operating within the corridor, the improved tracks, equipment and cross-street grade separations will substantially decrease the potential for accidents.

To mitigate potential effects associated with accidents, the project will have signalization, centralized traffic control, continuously-welded track and surveillance. A "worst case" Emergency Response Plan will be prepared by ACTA in consultation with all appropriate agencies during final design, and it will be implemented in accordance with applicable guidelines and regulations. Copies of this Emergency Response Plan will be submitted to the Environmental Protection Agency, as requested.

Construction

During construction, surface soils will be excavated and removed from the construction site. If contaminated soil is encountered during construction of the project, it will be immediately remediated and disposed of or recycled in accordance with applicable regulations using techniques approved by appropriate agencies as stated in the Contractors' Standard Construction Practices and Specifications. Appropriate public notification prior to disturbance of suspected contamination areas will be provided. This includes school districts and other adjacent facilities with young children.

The construction of the project will result in the consumption of fossil fuels. Page 4-50 of the final EIS describes the mitigation measures that will be taken to reduce the project's construction impacts with regard to energy. For example, any existing rail steel and lumber will be reused where practicable during the construction process.

Businesses along the corridor will experience reduced vehicular and pedestrian access, traffic detours, noise and other inconveniences during construction. Some businesses may experience prolonged inconveniences. A Construction Management Plan will be developed to include specific measures targeted to individual businesses. Access to residences, businesses and schools will be maintained during construction. All reasonable efforts will be made to restrict construction-related parking, hauling of construction material, excavation activities, and staging of construction vehicles in close proximity to schools.

These concerns will be part of the construction traffic management plan. Vibration limits will be adhered to through performance specifications, and monitoring for vibration during construction will be on-going in order to identify and resolve vibration problems as they occur.

Specific mitigation measures to control emissions and fugitive dust during construction are specified in Tables 4-9 and 4-10 of the final EIS. Among other things, a construction trip reduction plan to encourage carpooling and use of buses by construction workers will be developed and implemented.

Mitigations specifically designed to reduce construction impacts on the Compton business district will be studied and adopted, in cooperation with Compton.

Major Investment Study (MIS)

On January 10, 1995, the Major Investment Study Review Committee comprised of FHWA, Federal Transit Administration, CALTRANS District 7, Los Angeles County Metropolitan Transportation Authority, and the SCAG, determined that the Alameda Corridor Project was not subject to the MIS requirements. (See SCAG letter dated January 24, 1995 in Appendix F of the final EIS.) This decision was based on the fact that the problems to be addressed by improvements proposed for the Alameda Corridor are primarily traffic safety and freight operations related, and the project does not provide for extensive new "high-type" highway or transit capacity of the type cited in 23 CFR §450.104.

Nevertheless, during the preparation of the EIR, a broad range of transportation and alignment alternatives were examined in terms of a broad array of criteria. A transit alternative was not considered since the newly constructed Light Rail Blue Line Transitway is one mile west of Alameda Street. There was also an extensive public involvement process provided through the ACTA Board. These activities, normally undertaken during a MIS analysis, were incorporated into the NEPA process for the project.

MITIGATION MONITORING AND ENFORCEMENT PROGRAM

The ACTA will provide direct monitoring and oversight of the implementation of the environmental mitigation measures during construction. The corridor cities are members of ACTA and their interests will be maintained through their active participation on ACTA. A mitigation monitoring and reporting program was prepared and adopted pursuant to CEQA and is incorporated into the project through this Record of Decision. Current FHWA and FRA and CALTRANS policies and procedures will ensure that all of

the mitigation measures referenced in this Record of Decision are carried out. Ultimately, funding is conditioned upon implementation of mitigation per 40 CFR § 1505.3.

COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT

The final EIS was circulated to other governmental agencies, organizations, and the public on February 2, 1996. Its availability was published in the Federal Register on February 16, 1996. The final EIS 30-day review period ended on March 18, 1996. The following comments on the final EIS were received:

FEDERAL AGENCIES

U.S. Environmental Protection Agency, (EPA)

By letter dated March 15, 1996, David Farrel, Chief of the Office of Federal Activities, EPA, raised six concerns that are listed as follows:

1) Construction Emissions

Issue: EPA requested a ROD discussion of the project's construction-phase emissions as they relate to California's air quality standards, as well as discussion of additional control measures to achieve state standards.

Response: The Alameda Corridor Project is subject to compliance with the rules of the South Coast Air Quality Management District (SCAQMD). Construction phase mitigation measures in conformance with the SCAQMD are identified in Tables 4-9 and 4-10 of the final EIS and in the mitigation monitoring program adopted by the ACTA Board on January 14, 1993. Any additional control measures can be addressed in the state implementation program (SIP) by updating the district's Air Quality Management Plan. FHWA and FRA are not directly involved in the SIP approval but FHWA will provide oversight to ensure adequate project air pollution control measures are provided.

2) Emergency Response Plan

Issue: EPA requested that the ROD discuss certain additional details regarding the project's "worst case" Emergency Response Plan.

Response: The ACTA will develop the Emergency Response Plan during the final design phase of the project and ensure its implementation. FHWA will act in an advisory capacity during development of the response plan. The plan will specify how the public will be apprised of the availability of the Emergency Response Plan and be notified of any incidents. The development

of the Emergency Response Plan will include consultation with all local emergency response providers (large facilities and cities along the corridor) and involve a "worst case" scenario. As noted earlier, a copy of the plan will be submitted to EPA upon completion.

3) Toxic Substances

Issue: EPA requested that the ROD address the Polychlorinated Biphenyls (PCBs) that are presently in use or in storage along any of the railroad or port corridors proposed for consolidation and compliance with regulations governing toxic substances, 40 CFR Part 761.

Response: Based on the preliminary environmental site assessment performed in 1991 which used an initial search of nine state and federal databases, there are no known PCBs in the project area. However, for final acquisition of right-of-way, additional testing and investigations will be conducted to more precisely determine the potential presence of PCBs. The acquisition process for these properties will comply with the Toxic Substances Control Act regarding the management and disposal of PCBs. Specific contractor specifications will be included in the construction contract, thereby, any liability for penalties for discharge of PCBs will be borne by the contractor.

4) Hazardous Waste

Issue: The ROD should state how toxic preservatives will be disposed of or reused and how compliance with California Health and Safety Code requirements will be accomplished.

Response: Toxic preservatives such as creosote in rail lumber will be recycled to the extent possible, rather than disposed of. Specifications in the contractor's construction provisions will be incorporated to assure this occurs. Any disposal activities will be subject to applicable Federal and State law with disposal penalties borne by the contractor.

5) Pollution Prevention

Issue: Recycling and reuse of existing rail steel, lumber and asphalt, as practicable, should be included in the ROD.

Response: This has been incorporated into the ROD. FHWA will encourage recycling of rail steel, lumber, and asphalt, energy and conservation features, solid waste recycling, and hazardous waste minimization.

6) City of Compton/Enhanced Option 4

Issue: The ROD should document and commit to the environmental mitigations agreed upon with the City of Compton.

Response: The agreements with the City of Compton have been summarized in the ROD. The errata sheet (pages 5-115 to 5-115a) to the final EIS contains the basic agreement that was reached with the City of Compton. This agreement has been ratified by the Compton City Council and the governing board of ACTA and is a mitigation commitment of this ROD. No other comprehensive agreements with other levels of government have been developed.

7) Editorial Comment

Issue: EPA noted the incorrect reference in the final EIS to the Federal Implementation Plan (FIP) for the South Coast Air Basin which is no longer a legal requirement due to recent Federal legislation.

Response: FHWA and FRA agree that the FIP is no longer a legal requirement.

REGIONAL AGENCIES

San Gabriel Valley Council of Governments (SGVCG)

By letter dated February 28, 1996, Elizabeth M. Calciano of Burke, Williams & Sorensen representing the San Gabriel Valley Council of Governments, requested an extension for the final EIS public comment period to March 25, 1996.

Response: By letter dated March 4, 1996, CALTRANS responded to Mr. Calciano that the comment deadline date will be March 18, 1996.

By a second letter dated March 18, 1996, Elizabeth M. Calciano of Burke, Williams & Sorensen representing the SGVCOG, expressed concerns over growth in freight rail activity in the San Gabriel Valley caused by the Alameda Corridor Project.

Response: Growth in freight rail volumes is a function of global market forces and not the Alameda Corridor Project. The Alameda Corridor Project has the purpose of accommodating those volumes between Los Angeles and the Ports. As noted in our response to comments on the draft EIS page 5-36, routing decisions beyond the downtown yards are not affected by the Alameda Corridor since a) the Corridor ends at the downtown yards, b) these decisions are determined by market share and routing patterns established by the railroads themselves, and c) there is at the present time a merger pending before the Surface Transportation Board between two railroads that would operate on the Corridor, which may have an affect on all future routing decisions by those railroads. Also, as noted in our earlier response, the issue of freight rail activity in the San Gabriel Valley is being investigated by SCAG the regional government agency that is attempting to determine how best to handle railroad traffic beyond the downtown yards.

Los Angeles Unified School District (LAUSD)

By letter dated March 13, 1996, Ms. Joan Friedman of the Environmental Review Unit, LAUSD, raised several issues.

1) LAUSD asked that additional mitigation measures be provided to reduce PM-10 construction emissions and that the effectiveness of such measures be quantified.

Response: See EPA comment response #1 above. The effectiveness of the mitigation measures is on pages 4-16 and 4-17 in the final EIS.

2) LAUSD is concerned about pile driving vibration disrupting the education process at the schools along the Corridor.

Response: Non-vibrating drill techniques for placing piles such as cast-in-drilled-hole piles will be used as soil conditions permit in vibration sensitive areas, including schools. To the extent practicable, pile driving activities will be limited to off-school time periods with consideration for any adverse impacts to nearby residential areas. This mitigation is already included in the EIR mitigation monitoring program which is incorporated into the project. Vibration limits will be adhered to through performance specifications, and monitoring for vibration during construction will be on-going in order to identify and resolve vibration problems as they occur. Also, LAUSD staff will be consulted during the construction specification development process.

3) LAUSD requests it be consulted in the development of traffic management and emergency response plans.

Response: As part of final design, detailed traffic management plans and emergency response plans will be developed in coordination with representatives from local traffic and transportation agencies, fire and law enforcement officials, school districts and other affected parties. See page 5-71 of the final EIS.

4) LAUSD requests that the project fund the cost of busing students when student walk routes become unsafe during construction.

Response: The walk routes will adhere to standard pedestrian safety specifications and crossing guards will be provided as an added safeguard where necessary, and, therefore, busing will not be necessary.

5) LAUSD requests that where feasible, construction vehicles, including vehicles used to transport workers, be prohibited from parking or staging on streets adjacent to schools.

Response: All reasonable efforts will be made to restrict parking or staging of construction vehicles in close proximity to school and will be part of the construction traffic management plan, which is a mitigation measure. Consultation with LAUSD will occur during the development of traffic management plans.

6) LAUSD asked that construction haul routes not pass schools.

Response: Haul routes must use streets designated for trucks. Avoidance of schools will be attempted where feasible. Jordan High School is located on Alameda Street and cannot be avoided; however, hauling activities will be limited to off-school hours when possible. LAUSD will be consulted during the development of construction traffic management plans, which will include haul route designations.

6) LAUSD wants school principals to be notified of project construction scheduling in order to best assure proper notification of school officials.

Response: The LAUSD office will be notified in advance of construction scheduling.

7) LAUSD states that compliance with Executive Order 12898 is appropriate due to the student population.

Response: The final EIS has concluded that there are no disproportionately high or adverse human health or environmental effects on minority and low-income populations in the project area. The project also complies with Title VI of the Civil Rights Act of 1964. All attempts to minimize project impacts to the students' environment have been addressed in the EIS, and the school district will be informed and consulted as specified in this Record of Decision. See pages S-31 and S-32 and the Environmental Justice discussion above.

COUNTY AGENCIES

County of Los Angeles Fire Department

By letter dated March 8, 1996, Stephen C. Sherrill, Staff Chief Deputy of the County of Los Angeles Fire Department (LAFD), raised concerns regarding access to two large retirement mobile home parks with substantial rescue activity. LAFD also reiterated that relocation of fire station #105 would be the best mitigatic

to address past concerns regarding an increase in noise from trains and harm from a possible derailment.

Response: Maintaining access from Santa Fe Avenue to Alameda Street into the Laurel Park area is being revisited. It is the intent of the project to maintain essentially the same access as present. However, if that is not possible, access from the fire station to locations west of the Corridor would be via Del Amo Boulevard to the south, which will be fully grade-separated. If a train were to be present in the Corridor near the station, this grade separation would result in substantial time savings over current conditions for fire vehicles trying to cross the corridor when a train is present. The noise analysis did not find that noise levels would exceed thresholds requiring noise abatement. The likelihood of an increase in potential derailment will be reduced due to the upgraded rail facility. Furthermore, the fire department will be consulted during the development of the Emergency Response Plan to best mitigate project impacts.

LOCAL AGENCIES

City of La Verne

By letter dated February 26, 1996, Mr. Martin Lomelli, City Manager of the City of La Verne raised three issues as follows:

1) The City of La Verne shares the concerns of the San Gabriel Valley Council of Governments regarding future freight rail activity.

Response: Please see the response to the comment made by the San Gabriel Valley Council of Governments.

2) The City of La Verne feels deferral of impact analysis associated with future train volumes through the San Gabriel Valley is discouraged by past CEQA court cases.

Response: Rail movements themselves are part of a larger regional concern and are produced as a function of market forces, both outside the purview of this project. The SCAG study will focus on predicting future impacts based on projected planning figures. The Alameda Corridor is providing improvements to facilitate rail movements between the ports and the downtown yards. The Corridor will not influence the number of rail movements in the San Gabriel Valley.

3) The City of La Verne questioned whether the Alameda Corridor Project was competing for funds with the Route 30 project.

Response: In general, every transportation project that receives scarce public dollars is in competition with every other

transportation project. The Federal government mandates state and local planning efforts to establish priorities for project funding. While both projects compete for federal-aid highway funds, FHWA does not select projects to be funded unless specifically listed in legislation as demonstration projects. Rather, Los Angeles County MTA calls for projects and selects those to be programmed by the MPO (SCAG).

City of Vernon

By letter dated March 7, 1996, Mr. Samuel Kevin Wilson, Director of Community Services and Water of the City of Vernon raises several concerns:

1) The City of Vernon indicates that the Alameda Corridor must be built in order for the Ports to continue their expansion, the negative impacts of which should be mitigated.

Response: Since the Alameda Corridor is a "federal action" subject to the National Environmental Policy Act of 1969, it is FHWA and FRA policy that measures to mitigate adverse impacts be incorporated into the project before federal approval. Indeed, if the Alameda Corridor Project is not advanced, the Ports' ability to take advantage of increased trade opportunities could be constrained, and corridor cities would continue to experience congestion due to the current at-grade corridor. The increased trade through the ports should benefit the region and the nation as a whole, in addition to the ports.

2), 3), & 4) The City of Vernon raises the issue that continued Port expansion may precede the completion of the Project and produce more traffic congestion before construction is complete. They ask for advanced planning of construction staging and completion of other projects such as the I-710 interchange at Atlantic and Bandini Boulevard. Vernon also asks that ground-borne vibration during construction be addressed for commercial as well as residential properties.

Response: There is already a need for the Project, which is being advanced as quickly as possible to mitigate the impacts of the port expansion. Further port expansion is not within the control of FHWA, FRA and CALTRANS. The congestion inherent during construction will be mitigated through detailed construction staging plans which will seek to minimize or avoid economic disruption of businesses along Alameda Street in Vernon and other corridor cities. Construction plans will take into account other projects that might produce additional impacts, or, depending on staging, help alleviate impacts. The I-710 Interchange at Atlantic and Bandini Boulevards, which has not been approved for funding, is three and one-half miles away and is not expected to impact the Alameda Corridor project. Coordination and information

exchange between CALTRANS and ACTA will be maintained. Access to businesses during construction will be maintained, and vibration impacts to commercial, as well as residential buildings, will be mitigated through monitored drilling techniques.

5) The City of Vernon is concerned that the pending merger between the Union Pacific and Southern Pacific railroads would have train routing traffic impacts not previously evaluated. Also, the installation of left turn pockets on West Alameda Street between 25th Street and Firestone Boulevard, as well as the recent plan by the Southern Pacific Railroad to terminate the drill track north of Vernon Avenue, need to be addressed.

Response: The merger requires the approval of the Surface Transportation Board, which has not yet completed its review. Based on a review of the merger proposal, there are no plans to reroute Southern Pacific trains on the Union Pacific line through Vernon. FHWA and FRA have no authority to impose strict train scheduling limits as requested.

The final configuration along West Alameda Street will provide for signalized left turn pockets on all cross streets, including the section between 25th Street and Firestone Boulevard. The disposition of the drill track is controlled by the Southern Pacific Railroad, which may be affected by the merger with the Union Pacific. The drill track is not needed for the function of the Alameda Corridor, although the current project design provides a location for it.

City of Alhambra

By letter dated March 13, 1996, Mr. Julio Fuentes, City Manager of the City of Alhambra echoed the concerns of the San Gabriel Valley Council of Governments regarding future freight rail activity in the valley. Also raised was concern that Alhambra will experience increased traffic congestion due to cars traveling through the City to avoid delay due to train traffic and at-grade crossings in San Gabriel Valley.

Response: Please see the response to the comment made by the San Gabriel Valley Council of Governments. Concerns about increased auto traffic congestion through Alhambra cannot be addressed by the Alameda Corridor project but through the SCAG investigation.

City of Los Angeles (LADOT)

By letter dated March 18, 1996, Mr. Robert Yates, General Manager, Department of Transportation of the City of Los Angeles raises two major concerns:

1) LADOT noted that the existing spacing between signalized intersections of East and West Alameda Street is less than 50 feet, and that the Alameda Corridor will reduce this spacing to only 30 feet in project segment B-1.

Response: The Alameda Corridor project would not change the spacing between East and West Alameda Streets' signalized intersections. Current problems with queuing between roadways may be alleviated by improved signal coordination and elimination of train cross-traffic.

2) LADOT suggests that traffic signal preemption be used for greater traffic clearance periods than currently exist.

Response: Coordination between ACTA and the cities of Vernon and Los Angeles will continue as design solutions to traffic problems are developed. Signal preemption will be one of the options considered.

City of Compton

By letter dated February 15, 1996, Rufus C. Young, Jr. of Burke, Williams & Sorensen representing the City of Compton, requested an extension for the final EIS public comment period of 60 days until June 10, 1996.

Response: By letter dated March 4, 1996, CALTRANS responded to Mr. Young that the comment deadline date will be March 18, 1996.

By a second letter dated March 18, 1996, John D. Schlotterbeck of Burke, Williams & Sorensen, representing the City of Compton, provided lengthy comments.

Response: FHWA and FRA are concerned that the City of Compton still raises so many issues in spite of its long term participation in the project development process.

The City of Compton has been involved in the Alameda Corridor project since the inception of the ACTA Board in 1989 and their views have been actively sought in all decision-making comprising the project to the present. Included in the decisions in which the City of Compton has participated have been:

- (a) the development of the concept engineering effort leading to the alternatives examined in the CEQA process,
- (b) the conduct of the CEQA process (including several public hearings, one of which was held in the City of Compton),
- (c) certification of the EIR under CEQA,
- (d) approval of the locally preferred alternative (2.1B),
- (e) adoption of the Mitigation Monitoring and Reporting Program under CEQA, and
- (f) the present NEPA process.

In addition, the City of Compton has been a cooperating party in an agreement specifically addressing its concerns, the details of which have been adopted by the Compton City Council and the ACTA Governing Board (see response to Compton comments on the draft EIS on pages 5-110 through 5-115a of the final EIS).

The March 18 letter from the City of Compton reiterated many of the same concerns submitted on the draft EIS for the Alameda Corridor Project. FHWA and FRA undertook a considerable effort in the final EIS to be as responsive as possible to Compton concerns. The format used for the Responses to Comment section in the final EIS provided for each paragraph of a letter to have a corresponding numbered response to the major points raised. This approach was applied to all letters received on the draft EIS.

In its comments on the final EIS, the City of Compton requested a separate written response to its March 18, 1996, letter prior to any formal action on the final EIS. Instead, FHWA and FRA have decided to respond to all comments on the final EIS through this Record of Decision. No comments were such that reappraisal of any issues addressed in the final EIS was required.

FHWA and FRA have attempted to be responsive to the City of Compton's 63 pages of comments on the final EIS by providing the following discussions. The responses to Compton's substantive comments are grouped by topical issues rather than by the order raised in the City's letter due to the great number and repetition of the comments.

Inadequate Comment Period

Compton raised the issue that not enough time was provided to review the final EIS and that an extension to the comment period was not granted. FHWA and FRA did not find that an extension was warranted based on the extensive environmental review that was undertaken at the state and federal level and Compton's extensive involvement throughout the process, as discussed above. The review period was consistent with the Council on Environmental Quality's regulations (see 40 CFR 1506.10).

Failure to Consider Relevant Studies

Compton stated that several studies related to the Alameda Corridor Project are under preparation and should be considered as part of the EIS. All completed relevant studies were considered in the preparation and development of the EIS. The SCAG regional truck study is still not complete, and the data may change prior to its final distribution. The SCAG truck study will be reviewed upon its completion, but studies used for the EIS did include truck as well as auto traffic within the Alameda

Corridor Project area. Other studies noted by Compton, the Long Beach Naval Shipyard Closure Project and the 1992 Deep Draft Navigation Improvement Project for the Los Angeles and Long Beach Harbors by the Corps of Engineers, have been factored into the 2020 long range plan for the Ports, and, consequently, the planning for the Alameda Corridor Project.

Improper Reliance on Final EIR

Compton claimed that incorporation of the EIR was not appropriate and that a summary of information contained in the EIR was not provided. NEPA and the Council on Environmental Quality regulations implementing NEPA encourage federal agencies to cooperate with state and local agencies to the fullest extent possible to reduce duplication between NEPA and state and local requirements and permits reliance upon locally prepared environmental documents. By including the EIR as a part of the EIS, FHWA and FRA have indicated acceptance of the EIR as a federal document. This was done only after an independent review of the EIR.

Compton raised issues of the age of the EIR and of inadequacy of its distribution with the draft EIS. The certified EIR was completed in January 1993; the draft EIS was approved for circulation in January 1995; and the final EIS was approved in January 1996. Because a three-year interval has not occurred between each acceptable environmental document, a reevaluation is not warranted. See 23 CFR § 771.129. The EIR was circulated with the draft EIS to those parties who had not received a copy of the EIR during the CEQA process. Seven public libraries received copies of the EIS and the EIR.

Compton stated that Alternative 2.1B is not identical to Alternative 2.1A in the final EIR and therefore, the findings in the EIR cannot be used in the EIS. Alternative 2.1A was further refined during the adoption of the project by ACTA after reviewing the traffic analysis conducted for the EIR. It was found that the additional road capacity was not required to accommodate ports-related goods movement by trucks. This refinement would eliminate the need for additional right-of-way takes in the northern portion of the Corridor and avoid noise impacts to an estimated 20 residences. Therefore, the impacts from Alternative 2.1B would be less than those presented for Alternative 2.1A in the EIR.

Compton claimed uncertainty regarding which mitigation measures presented in the EIR were included in the final EIS. The EIR was incorporated in total along with all mitigation measures. This Record of Decision specifies inclusion of the mitigation monitoring program from the EIR as part of the project mitigation.

Improper Reliance on ACTA's Decisions

Compton contended that the federal agencies' reliance on ACTA decisions was improper. FHWA and FRA have made their decisions in consultation with CALTRANS and ACTA after an independent review.

Inadequate Analysis of Alternatives

Compton is concerned about the range of alternatives examined in the EIS. Detailed rationale for eliminating the EIR alternative is discussed in the draft EIS, chapter 2. The EIR fully evaluate four different alternatives and is part of the draft EIS. During the project planning process, twelve trainway, roadway and grade separation configurations were narrowed to the four distinct alternatives studied in the EIR and summarized in the EIS. FHWA and FRA have continued to conduct an impartial review, and the decision to approve the project based on this independent review is reflected in this Record of Decision.

Compton claimed that FHWA's and FRA's analysis and consideration of the "Compton Alternative" is inadequate and believes that the lead agencies improperly placed on Compton the burden to demonstrate the benefit of the proposal. The depressed trainway and roadway alternative ("Compton Alternative") was proposed by Compton after initiation of the EIS process and was given reasonable and appropriate consideration. A review of the "Compton Alternative" is included in Appendix H of the final EIS and has led to the adoption of mitigation measures described above under "Aesthetics" and "Socio-Economic."

Construction Impacts

Compton is concerned that a Traffic Management Plan has not been developed and will not be enforceable. The Traffic Management Plan cannot be developed until the final engineering design (blueprints and actual material quantities) is completed. During the final design phase, the FHWA transportation engineer will be involved in the design review to ensure all cities are consulted and their concerns are addressed. See the above section on "Mitigation Monitoring and Enforcement Program" regarding enforcement.

Compton thought that Alternative 2.2 would have less negative impact on local businesses during construction. FHWA, FRA, CALTRANS and ACTA have concluded that Alternative 2.1B is, overall, the environmentally superior alternative and the alternative that best achieves the project's goals. The selection of Alternative 2.1B includes mitigation measures to address Compton's specific concerns, as discussed under "Aesthetics".

Compton claimed that construction air quality impacts were not explored, particularly as related to haul trucks and construction worker travel and that construction-related state emission standards would not be met. Construction air quality impacts are appropriately analyzed in section 4.2 of the final EIS and mitigation measures are specified in Tables 4-9 and 4-10. The final EIS acknowledges adverse impacts from haul trucks and construction worker travel. Measures to minimize these impacts are listed in the mitigation and monitoring program as well as in the tables mentioned above. With regard to state emission standards, please see the response to the EPA's comment number 1 Construction Emissions.

Compton also raised concerns about solid waste impacts on existing landfills. The excavated soil removed in order to create the depressed trainway would be used as fill material, either for projects at the ports which have an ongoing need for fill material, or for other landfill projects throughout the area. There are adequate disposal sites to handle excavated soil.

Compton raised concerns about encountering hazardous materials during construction and the deferral of analysis in the final EIS. Both Phase I and II investigations have been conducted for the Alameda Corridor. Applicable laws and regulations governing the handling of hazardous materials will be followed. Hazardous materials are discussed on pages 4-32 and 4-33 in the final EIS.

Environmental Justice

Compton stated that it has an overwhelmingly minority population and that it is the only city in which the Project runs straight through the heart of a business and residential community. Although the land use in the study area is highly industrial, the EIS and EIR acknowledge that the cities along the Alameda Corridor contain large minority and low-income populations. The NEPA analysis has concluded that there is an adverse impact on the Central Business District in the City of Compton, but it is not a disproportionate environmental justice impact. An analysis of Environmental Justice issues in accordance with Executive Order 12898 is found on page S-31 of the final EIS. The Alameda Corridor Project provides special mitigation measures to minimize the impact on Compton's Central Business District.

CEQ Referral

Compton stated it intends to forward a copy of its March 18 letter to the Council of Environmental Quality and requests that no action be taken to implement the project until the Council acts upon the referral. The Council's environmental referral procedures resolve disagreements between Federal agencies on

environmental issues. (See 40 CFR 1504.1(a)) There are no unresolved differences between federal agencies on this project.

Technical Reports and Other Information

Compton raised several concerns regarding requests and reference to various technical reports. Compton also questioned the availability of the methodology used for certain analyses. Complete sets of technical reports are and have been available for review at three locations. Copies of the technical reports were also available at the cost of reproduction. Calculations and model runs are not included in the appendices of the EIS since they are too cumbersome and generally too technical for the public. However, these studies are part of the technical report which are available for review. To the best of our knowledge, Compton has not contacted FHWA or FRA to request the studies or technical reports specified other than through its Freedom of Information Act (FOIA) request addressed below.

FOIA Request

With the March 18 letter, Compton made a formal FOIA request for copies of five documents. The request is for Appendix A: Highway Capacity and Level-of-Service (DMJM/M&N and DKS & Associates, 1992); Phase I Environmental Site Assessment (MAA Engineering Consultants, 1991); Phase II Environmental Site Investigation (Leighton and Associates, 1993); certified copy of transcripts of the public hearing prepared in accordance with 23 CFR 771.111(h) and an outline of the terms and conditions of the railroad operating agreement which governs the use of the corridor. The request has been processed by the FHWA Region 9 Deputy Regional Counsel for action. By letter dated April 23, 1996, information regarding the documents requested was provided.

Hazardous Spills/Train Derailments

Compton stated that there is no basis to conclude that increases in rail accidents are unlikely. There are five infrastructure improvements to the consolidated rail corridor that will reduce the probability of hazardous material releases from train accidents: 1) grade separations, 2) safety detectors to reduce mechanical defect and single-wheel derailment, 3) right-of-way fencing and surveillance, 4) state-of-the-art track structure to reduce derailments and 5) signalization to protect against broken rail, misaligned switches and other unwanted train movements. The transportation of hazardous materials by rail has continued to be remarkably safe. The number of train accidents resulting in a release of hazardous materials declined from 55 in 1989 to 27 in 1995, an improvement of 51 percent in six years. There were 136 such accidents in 1978. Since 1980, there have been only two fatalities caused by the release of hazardous materials

during rail transportation -- one fatality in 1986 and one in 1996.

Compton is concerned about relying on an Emergency Response Plan that has not yet been developed. The ACTA will develop the Emergency Response Plan during the final design phase of the project and will ensure its implementation. The development of the Emergency Response Plan will include consultation with all local emergency response providers (large facilities and cities along the Corridor) and involve a "worst case" scenario.

Compton is also concerned that the possibility of hazardous materials permeating the soil after a spill in the corridor has not been adequately addressed. It is expected that the degree of imperviousness resulting from the project would be greater and absorption of hazardous materials would be less than the present condition. The design of the trench will likely include concrete surfaces at the bottom with treatment systems for the collection of spill run-off.

Increased Traffic

Compton is concerned that truck traffic will increase along Alameda Street once the project is built and that reducing the number of lanes from six to four and improving grade crossings (which might attract traffic from other areas) will lead to traffic congestion along the corridor. Modeling studies showed that only a small percentage of the truck traffic in the northern Corridor cities was port related. Traffic volume on the four lane Alameda Street is expected to be the same as it would be under the "No Build" conditions. See pages 4-53 through 4-57 of the final EIS. The project's reconfiguration for left turn pockets and grade separated east-west crossings will enhance the traffic flow locally, but are not expected to attract traffic to Alameda Street, which is primarily a north-south roadway.

Compton raised a concern about the increase in diversion of traffic. All decisions concerning local traffic service are made independently by the individual railroads. However, no change in local freight service is anticipated as a result of the project. Anticipated growth in port-related train traffic, which depends on global market forces, is the basis for the decisions made on the Alameda Corridor. Compton also raised the concern that the SCAG Regional Rail Study identifies a greater number of trains than are identified in the final EIS. The areas studied for the SCAG study and for the Alameda Corridor EIS are different. SCAG study covered a greater area. Also, the number of trains identified in the Alameda Corridor does not include local or similar train movements.

Compton stated a concern that the traffic analysis conducted for Alternative 2.1B studied only 53 intersections compared with 116 intersections in the analysis for Alternative 2.1A. The EIR originally involved a study area large enough to contain an alternative with a six-lane roadway with fly-over crossings. Alternative 2.1B would only impact a maximum of 53 intersections because the study area was limited to four lanes and at-grade crossings for the EIS. The change in the size of the study area changed the number of intersections impacted and, consequently, the evaluation needed for Alternative 2.1B.

Noise

Compton raised several concerns about operational and construction noise impacts and abatement criteria for schools, the number of residences impacted by noise from the project, and the inclusion of noise impacts from projected traffic. The Exceptional Adult Education Center and the Church of God Prophec are two sites which would have adverse noise impacts. However, these two community facilities are located on intersections with cross streets where the construction of noise walls would block traffic. Nevertheless, community facilities where severe noise impacts are identified warrant special consideration such as building insulation to provide interior noise abatement.

The interior noise thresholds for requiring abatement for classrooms, courtrooms, and hospitals is 52 dBA. The operations noise impact findings for the other three schools (Holmes and Ritter Elementary and Jordan High School) are in EIR Table 4-42 (page 4-106). No adverse impact was found at these locations. Construction noise was not evaluated on a site-specific basis because it is inconsistent and unreliable. However, construction noise mitigation is discussed on page 4-47 of the final EIS.

Three residences would experience adverse noise impacts in Compton, as shown on Table 4-12. The noise analysis does include the effects associated with the growth in background traffic, projected to the future year from present levels. Providing noise barriers at the three residences was found to be not cost effective. However, project noise impacts and proposed noise barriers will be restudied during final project design and will include public involvement.

Compton stated that noise impacts from trains are understated due to the methodology (averaging) used. The noise analysis used was based on freight trains which are dispatched randomly and do not demonstrate peaking phenomenon.

Land Use

Compton claimed that construction and relocation impacts contradict the conclusion that existing land use patterns will not be disrupted and that the project will not induce growth. Land use patterns are expected to remain the same because of the mitigation provided for construction impacts, such as maintained access to businesses and homes and the emergency response and traffic management plans. While some businesses will be acquired for right-of-way (none within the City of Compton), compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act provides adequate mitigation. Construction employment is not considered growth-inducing because it is temporary and can be satisfied with local labor pools.

Public Safety

Compton raised concerns about lack of adequate mitigation for local police and firefighters. Mitigation measures to address the concerns of law enforcement officials are presented in section 4.7.10.4 of the final EIS and include, among other measures, use of surveillance, flood lighting, video cameras and improved communication. For firefighter access, roads to the trench will be able to accommodate emergency fire equipment. Firefighters will find improved access across the roadway with the grade separations. However, access to water will be determined during final design activities.

Unsubstantiated Statements

Compton stated that no reference is provided for the Concept Engineering report in either the EIR or EIS. The documents are referenced in the EIR Preface and on EIR page II-3.

Compton stated that the final EIS contains unsubstantiated assumptions regarding the lessening of noise impacts due to consolidation of train activity on one corridor. See final EIS Table 4-13 for the supporting data regarding noise assumptions.

Compton stated that the discussion of consistency with applicable stormwater permitting requirements should be expanded. Stormwater permitting requirements are appropriately discussed on page 4-29 of the final EIS.

Compton found that the Phase II Environmental Site Investigation was neither circulated with the draft EIS nor referenced as a technical appendix. This Site Investigation is referenced on final EIS Appendix A (page A-2) and in section 3.5.1. A summary of the information contained in this Site Investigation is provided in section 3.5.1.

Compton stated that the Air Quality technical reports are not referenced in the document. The 1994 Air Quality Technical

Report is referenced in final EIS Appendix A (page A-2) and the 1992 Air Quality Technical Report is referenced as a footnote to final EIS Table 4-1. The latter was inadvertently not listed in final EIR Appendix II. Both reports were available for review upon request. No such request was made.

Miscellaneous Comments

Compton requested evidence documenting the Corps of Engineer's comments on the draft EIS and states that more detailed analysis should be presented regarding hydrologic effects of the proposed project, especially as it regards the Corps of Engineer's flood control system. Extensive dialogue has been conducted with the Corps of Engineers. Meetings with the Corps were held on May 17 and 19, 1994. The result of the consultation was that the Corps staff had no issues of substance regarding hydrology and regulatory concerns. See page 5-4 and Appendix F of the final EIS.

Compton commented that no consistent format or significance criteria were presented in the EIS. There is no EIS regulatory format; however, FHWA uses the Technical Advisory T6640.8A dated October 30, 1987 as guidance for preparing and processing environmental and Section 4(f) documents. Threshold standards for "significance" are not required by NEPA, although CEQA requires it. NEPA requires discussions on the context and intensity of the impact. An EIS is prepared when the project, overall, causes a significant impact.

Compton has found insufficient reference to representatives of either FHWA or FRA in the "List of Preparers" section of the EIS. FHWA and FRA conduct an interdisciplinary team review of the EIS. The project manager from each agency has been identified as the main contact person.

Compton claimed that an impact analysis is needed for rail lines other than the SP San Pedro Branch. The reference noted in the comment refers to the use of other rail lines in the event of a closure of the Alameda Corridor for some emergency, and not on a daily basis. Such an impact analysis for other rail lines is beyond the scope of the NEPA review of the Alameda Corridor project.

Compton stated that no information is presented in the final EIS to support the assertion that the proposed project would reduce adverse effects on schools. The No Build alternative would leave schools along the Corridor with congested traffic conditions by the year 2020. Alameda street improvements and grade separation would improve access to area schools as well as student access across track areas. See the text on page 4-59 of the final EIS.

Compton asked whether any significant encroachment on a floodplain would occur and if section 4(f) is applicable. There are no significant floodplain encroachments on the Alameda Corridor Project and because there is no use of any land from significant publicly owned parkland, recreation, wildlife refuge or historic site, section 4(f) documentation is not required. See pages 4-24 and 4-26 in the final EIS.

Compton stated that reference to the Historic Property Survey Report (HPSR) is not provided in the final EIR or EIS. Reference to the HPSR was erroneously omitted from the final EIS Appendix, but the report is referenced on final EIS page 3-14. The HPSR is not referenced in the EIR since this is an NEPA requirement only.

Compton claimed that impacts from construction of a box culvert in Compton Creek were not adequately addressed. As stated on page 4-36 of the final EIS, the section 404 and 1601 permits will be necessary for the stream crossings and will be obtained prior to construction. Mitigation for impacts to the disturbed wetland will be replaced at a minimum 1:1 ratio.

Compton stated that insufficient geotechnical studies have been conducted to address seismic issues. Pages 4-5 to 4-15 of the EIR discuss seismicity in the project area. No surface evidence of faults or fault-associated features has been identified in the immediate vicinity of the Corridor during field reconnaissance conducted for the project. Based on a Law/Crandall Associates study, the possibility of surface rupture occurring along the segment of the Newport-Inglewood fault zone that traverses the Corridor during construction of the project is low. Further geotechnical studies, necessary to support engineering final design decisions regarding structural support for the project, will be undertaken.

Compton stated that parking removal and transit reroutings should be discussed in the final EIS. The parking which was anticipated to be lost under Alternative 2.1A will not be lost under Alternative 2.1B. Under Alternative 2.1B, East Alameda ("Little Alameda") Street will remain discontinuous which will maintain current availability of parking. Transit rerouting for one RTD bus line under Alternative 2.1A will no longer be needed for Alternative 2.1B. Since these parking and rerouting impacts would not occur with Alternative 2.1B, they were not discussed in the EIS.

Compton claimed that no information is presented to support the assertion that the locally preferred alternative promotes economic development near and along the Corridor. A discussion of such benefits is found in EIR section 5.9.3 and on page 4-74 of the final EIS. As the Port expansion progresses, an improved business climate is expected for the businesses in proximity to

the Port and in the region as a whole. Also, enhanced access to local businesses is expected due to improved circulation and traffic flow on Alameda Street.

Compton stated that the EIS discussion of potential impacts on individual communities is insufficient, while region-wide impacts are stressed. Potential impacts on local communities such as displacement, noise, construction, and social and economic are acknowledged throughout the EIS. The region-wide impacts focus primarily on air, land use, hydrology and energy.

Compton reiterated its belief that specific mitigation measures for project related impacts on schools and churches have not been addressed. Such mitigation measures are addressed in the final EIS, under "Noise" and "Construction" above, and in response to comments from the Los Angeles Unified School District.

Compton stated that the impacts associated with rail electrification should be included in the final EIS. The corridor is not intended for electrification at the present time, but because of the high cost of rebuilding this infrastructure, it is being designed with appropriate clearances to allow for future installation of the electrification equipment should it ever be proposed. There is no indication that electrification would become sufficiently cost effective in the foreseeable future for its installation to be assumed for purposes of impact analysis in this document. There will be no electromagnetic fields effects associated with this project. If electrification is ever proposed, appropriate environmental documentation will be prepared by the implementing authority.

By a third letter dated April 10, 1996, John D. Schlotterbeck of Burke, Williams & Sorensen, representing the City of Compton, requested that the special mitigation measures agreed upon in September 1995 for Compton's Central Business District be included in the ROD. He also was concerned about truck traffic along Alameda Street and questioned whether the SCAG study sufficiently addresses the project's impact on truck traffic.

Response: The special mitigation measures for Compton's Central Business District (Enhanced Option 4) are included above under "Aesthetics." Truck traffic concerns are addressed above, under "Socio-Economic" and "Increased Traffic." Compton should address its additional concerns about Alameda Street truck traffic through its participation in the SCAG study.

GROUPS AND ORGANIZATIONS

Texaco Corporation

By letter dated March 13, 1996, John H. Pugh, Attorney, requested that a Record of Decision be postponed until a Supplemental EIS is prepared to address the impacts of the Pacific Coast Highway and the Ports Access Demonstration Projects.


Response: The final EIS does not include the Pacific Coast Highway (PCH) plans because these plans are part of the Ports Access Demonstration Projects which cleared a separate environmental process and are considered to have independent utility. The PCH Project is under final design and will be completed prior to the Alameda Corridor Project. The Ports Access Demonstration Projects have been considered in the cumulative impacts discussion of the Alameda Corridor final EIS. See pages 4-70 to 4-74 in the final EIS.

CONCLUSION

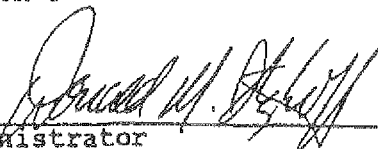
For the reasons outlined above and based on the careful consideration of all the social, economic and environmental evaluations contained in the final EIS; plus the input received from other agencies, organizations, and the public; it is the decision of the Federal Highway Administration and the Federal Railroad Administration to select Alternative 2.1B, the Depressed Trainway with Reconstruction of Existing Alameda Street in Los Angeles County, California. This selected alternative was identified as the preferred alternative in the final EIS, approved on January 25, 1996. This alternative will meet the needs of the project and is the environmentally superior alternative as required by 40 CFR 1505.2(b).

RECORD OF DECISION APPROVAL

5/2/96
Date


Director, Office of Program Development
Federal Highway Administration
Region 9

5/3/96
Date


Administrator
Federal Railroad Administration