

April 29, 2013

Los Angeles City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, CA 90012

LAX
LA/Ontario
Van Nuys
City of Los Angeles

RE: REVIEW OF COMMENTS RECENTLY RECEIVED ON THE LAX SPECIFIC PLAN AMENDMENT STUDY (COUNCIL FILE NO. 13-0285 and COUNCIL FILE NO. 13-0285-S1)

Honorable City Council:

Antonio R. Villaraigosa
Mayor

Board of Airport Commissioners

Michael A. Lawson
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Robert D. Beyer
Ann M. Hollister
Fernando M. Torres-Gil

Gina Marie Lindsey
Executive Director

Over the past several months, the City of Los Angeles has received a number of letters, e-mails, other written materials, and oral testimony pertaining to the LAX Specific Plan Amendment Study (SPAS). The aforementioned materials and testimony are in addition to the written comments and public meeting testimony received during the 75-day public review period for the SPAS Draft Environmental Impact Report (EIR), all of which have been addressed in the written responses to comments contained within the SPAS Final EIR that was distributed on January 25, 2013.

Los Angeles World Airports (LAWA) has carefully reviewed the written materials and the oral testimony received after the close of the Draft EIR review period. These materials and testimony do not contain any new issues or significant new information. They primarily reiterate, either verbatim or in essence, many of the same comments received during the SPAS Draft EIR review period. Nevertheless, LAWA staff would like to clarify and amplify certain points in response to these new comments. None of the information provided below constitutes "significant new information" as defined in Section 15088.5 of the State California Environmental Quality Act Guidelines, and, therefore, this information does not require recirculation of the EIR.

Background

The City entitlement process for SPAS began in early January and has consisted of the following steps:

- On January 8, 2013, the Los Angeles Department of City Planning held an open house/public hearing regarding proposed amendments to the LAX Plan, LAX Specific Plan, and Related General Plan Amendments.
- LAWA published the SPAS Final EIR on January 5, 2013.
- The Board of Airport Commissioners (BOAC) held a Special Meeting on January 31, 2013 to allow members of the public to provide testimony concerning SPAS and the SPAS EIR.



- On February 5, 2013, among other actions, BOAC certified that the SPAS EIR has been completed in compliance with the California Environmental Quality Act (CEQA) and the State and City of Los Angeles CEQA Guidelines, and selected the Staff-Recommended Alternative, including the proposed amendments to Section 7.H of the LAX Specific Plan and all amendments to the City of Los Angeles General Plan, including the LAX Plan, and the LAX Specific Plan, as the best alternative to the problems that the Yellow Lights Projects were designed to address, subject to future detailed planning, engineering, and project-level environmental review, such as project-level review of individual improvements under CEQA and the evaluation and approval processes of the Federal Aviation Administration (FAA). Approval of the SPAS Staff-Recommended Alternative would provide the platform from which the specific details of the proposed improvements would be further defined and evaluated in connection with current and future FAA standards, among other actions. At the meeting, BOAC recommended that the Los Angeles City Council take a series of actions pertaining to SPAS, as set forth in Resolution No. 25022 (see City Council File).
- On February 14, 2013, the City Planning Commission, among other actions, recommended approval of the proposed plan amendments, reviewed and considered the EIR, and made recommendations to the Mayor and to the City Council concerning SPAS as set forth in its Determination dated March 8, 2013 (see City Council File).
- On April 9, 2013, the Trade, Commerce, and Tourism Committee and the Planning and Land Use Management Committee of the Los Angeles City Council held a joint meeting at which they considered SPAS and the SPAS EIR, and made recommendations to the City Council concerning SPAS (see City Council File 13-0285 and City Council File 13-0285-S1).

Contents of this Package

This package consists of the following:

- Attachment A: letters and other written materials submitted to the City of Los Angeles during the SPAS entitlement process
- Attachment B: written responses to the materials identified in Attachment A
- Attachment C: written responses to other issues raised

The letters and other written materials addressed are identified in the matrix below.

Attachment	Author Last Name	Author First Name	Author Agency/Org	Recipient	Recipient Agency	Date
A-1/B-1	Schneider	Denny	ARSAC	Shawn Kuk	Department of City Planning	1/8/2013
A-2/B-2	Weissman	Andrew	City of Culver City	William Roschen	Los Angeles City Planning Commission	2/13/2013
A-3/B-3	Schneider	Denny	ARSAC		Los Angeles City Planning Commission	2/13/2013
A-4/B-4	Lichman	Barbara	Buchalter Nemer	Diego Alvarez	Los Angeles World Airports	3/8/2013
A-5/B-5	Watson	Dianna	Caltrans, District 7	Diego Alvarez	Los Angeles World Airports	3/15/2013
A-6/B-6	Kelly	John	Los Angeles County Department of Beaches & Harbors	Diego Alvarez	Los Angeles World Airports	3/28/2013
A-7/B-7			ARSAC		TCT and PLUM Committees	4/9/2013
A-8/B-8			SEIU		TCT and PLUM Committees	4/9/2013
A-9/B-9	Hanscom	Marcia	Land Protection Partners		TCT and PLUM Committees	4/9/2013

For further information regarding SPAS or the SPAS EIR, please feel free to contact Diego Alvarez, SPAS Program Director, at (424) 646-5179.

Sincerely,



Gina Marie Lindsey
 Executive Director

GML:DA

Attachments

ATTACHMENT A

Comment Letters

Attachment A-1

January 8, 2013 Comment Letter from ARSAC to
Shawn Kuk, Department of City Planning



Alliance for a Regional Solution to Airport Congestion
322 Culver Boulevard, #231 Playa del Rey, CA 90293
info@regionalsolution.org

January 8, 2013

Shawn Kuk, Department of City Planning
City of Los Angeles
200 N Spring Street, Room 667
Los Angeles, CA 90012

Re: CPC-2012-3357-GPA-SP - LAX Specific Plan Amendment Study

Dear City Planning Department:

ARSAC, the Alliance for a Regional Solution to Airport Congestion, submits these comments in response to proposed changes to LAX Plan and the LAX Specific Plan.

ARSAC appreciates your consideration in incorporating these recommended changes into the revised LAX Plan and LAX Specific Plan.

As we have indicated in previous correspondence on this issue, we may send you additional comments.

ARSAC objects to the use of the word, "appropriate" with regards to mitigations. The word "appropriate" is not defined in the context of these documents and could limit mitigations which are feasible under the California Environmental Quality Act (CEQA) and/or the National Environmental Quality Act (NEPA).

ARSAC also calls for better accountability and transparency on the part of LAWA. The LAX Plan and LAX Specific Plan need stronger controls ensure LAWA does a better job of public outreach with regards to its plans and projects. The lack of the publicity for the January 8 public hearing is a good example. Only property owners who are within 500 feet of LAX property were notified by mail. LAWA has many lists of names and addresses of people who have attended previous public hearings and/or have signed up to receive information about LAX Master Plan activities. The City Planning Commission should use LAWA mail lists for the City Planning Commission meeting scheduled for February 14, 2013.

All documentation provided by the Planning Department to date has been draft versions containing sections that include uncompleted text. We respectfully request that final draft versions be provided to the public two weeks in advance of any approval hearing and that public comments be accepted at that hearing.

LAX Plan recommended changes:

1. Section 2, Goals and Objectives, Goal 1, Policy 3. Remove the wording "long-haul domestic". (Comment: No passenger airlines in the United States have ordered New Large Aircraft (NLA) such as the Airbus A380 and the Boeing 747-8. Since the 1970's, US airlines

have downsized aircraft for long-haul domestic travel from 747's to DC-10's and L-1011's in the mid-1970's and then to 767's and 757's in the 1980's and finally to narrow body 737's and Airbus A320's in the 21st Century. The Boeing 787 Dreamliners, Airbus A330 and A350 XWB ordered by US airlines will be deployed mainly on international routes.)

2. Section 2, Goals and Objectives, Goal 1, Policy 4. Delete the wording, "that is not essential to LAX's international gateway role." (Comment: LAX cannot and should not prevent regional competition for international flights. Airports such as Ontario International [owned by LAWA] and John Wayne Airport should be encouraged by LAX to take on additional international flights. LAX will run out of capacity and will need to redirect passengers who should be using Ontario and John Wayne back to those airports. LAX cannot absorb forever the "leakage" of passengers that should be flying out of their nearest airport. Due to recent US Government policy of "Open Skies" aviation agreements with most countries in the world, any US airport with Federal Inspection Services (FIS- e.g. Customs, Immigration, Agriculture) can offer international airline service. With the implementation of "Open Skies", LAX no longer has the nearly monopoly rights to international flights that aviation bilateral agreement provided. John Wayne Airport and Ontario airports both have FIS facilities. John Wayne offers flights to Canada and Mexico. Ontario has one flight to Mexico and could and should handle long-haul flights for Inland Empire and Orange County residents and visitors. This is a more realistic approach than to attempt to "tax" Orange County residents for using LAX.)

3. Section 2, Goals and Objectives, Goal 4, Policy 3. No change to this policy is needed.

4. Section 2, Goals and Objectives, Goal 5. Add a new Policy 2, "Prohibit moving runways closer to residential uses." (Comment: This statement is to put LAWA back in compliance with LAWA's commitment to Westchester/Playa del Rey that when Runway 24 Right was built in the 1960's that future airport expansion would occur in Palmdale. LAWA has not and should fulfill this commitment. Not moving 24 Right to the north will also eliminate the possibility of litigation which would stall LAX modernization for at least two years before a court date could be set.)

5. Paragraph 3.1.1, Safety, Policy 3. Change sentence to, "Construct center taxiways on the south airfield to reduce the possibility of runway incursions." (Comment: The wording change is necessary to keep open the possibilities of keeping an improved, existing north airfield configuration or a single, safe runway for the north airfield. Only the single runway solution fully meets Group VI standards and is the only the design that eliminates runway crossings which are one of the leading causes of runway incursions. Also, please see ARSAC's DEIR comments with regards to problems of aircraft taking off and landing on taxiways.)

6. Paragraph 3.1.1, Safety- add additional policies related to airfield safety:

P11- Complete the installation of Runway Status Lights (RWSL) on all runway entrances to ensure full safety benefit of the successful RWSL system.

P12- Deploy additional airfield safety technologies such as Final Approach Runway Occupancy Signal (FAROS) to add multiple layers of airfield situational awareness for pilots, controllers and vehicle drivers.

P13- Work with the Federal Aviation Administration to ensure that the LAX air traffic control tower is fully staffed with highly-experienced controllers and that controllers are not being overworked with mandatory overtime.

P14- Work with the FAA to identify a site and build a new air traffic control tower that has a complete unobstructed view of the LAX airfield. (Comment- the current LAX tower does not have visibility behind the west side of the Tom Bradley International Terminal. Either a taller tower will be needed to allow for controllers to see the entire airfield, or a second tower to the west of the Tom Bradley International Terminal to give controllers a better view of the Tom Bradley terminal apron.)

P15- Form a Runway Safety Action Team, as recommended by the FAA, to maintain ongoing awareness of airfield safety issues for pilots, controllers and vehicle operators.

7. Paragraph 3.1.2, Security- add additional policy P6: "Provide police services to the remaining residents in Manchester Square and Belford Square." (Comment: We have heard complaints from residents in these areas that they have been frequent crime victims and that their neighborhoods are under-policed. There needs to be a better effort between LAWA PD and LAPD to police these areas where Voluntary Residential Acquisition programs are in effect.)

8. Section 3.2 Land Use, Paragraph 3.2.1 Airport Airside, Policy 1. This policy should be eliminated as the two airfields can never be fully balanced 50/50. The north airfield only has 3 terminals on one side of the runways while the south airfield has 5 terminals and maintenance areas on one side and cargo terminals on the other side of the runways. Current operations ratios are about 47% north and 53% south. This is mainly accomplished through long taxi runs between the two airfield complexes.

9. Section 3.6, Noise, add new policies:

P13- "Complete the installation of ground electrical power for all aircraft at passenger gates ("gate electrification"), cargo ramps, maintenance facilities and other aircraft parking areas." (Comment: This policy is to discourage the use of noisy Auxiliary Power Units (APU's) which generate excessive noise. LAWA also has committed under its LAX Master Plan Mitigation Plan and another agreement with various LAX area groups to complete gate electrification at passenger gates and cargo ramps.)

P14- Study and publish Single-Event Noise impacts.

P15- Publicize noise violations in a monthly report on the LAWA website.

P16- Minimize aircraft engine testing noise through construction and use of a fully enclosed run-up enclosure (i.e. "hush house"- hangar like structure in use at Tokyo Narita Airport).

P17- Encourage the FAA to adopt the LAX Preferential Runway Use Policy as their own to ensure takeoffs only on the inboard runways and landings only on the outboard runways for noise mitigation purposes.

10. Section 3.7 Air Quality, add a new policy P3 and re-number subsequent policies:

P3- Complete the Air Apportionment Study required by various legal agreements (i.e. Community Benefits Agreement, Stipulated Settlement Agreement) to determine the sources, types and quantities of air pollution coming from LAX operations and surrounding uses. (Comment- LAWA, the Planning Department and City Council should have the results of this study before proceeding with any approval of the LAX SPAS EIR. The results of this study may change the analysis on the various alternatives which may affect the environmental impact, feasible mitigations, viability and costs of the different alternatives.)

11. Section 3.10 Construction Phasing, add a section:

"LAX Master Plan and Specific Plan Amendment Study projects shall be phased with any work on the North Airfield being started last. This phasing requirement will not apply to work on the North Airfield connected to the proposed Interim Taxiway Safety Improvement Project which does not move runways." (Comment: There may be litigation in response to any proposals to move the north runway closer to Westchester/Playa del Rey. LAX should be able to move forward on other improvement projects that are not controversial. The phasing will be able to provide a time cushion for resolving any legal disputes over the North Airfield.)

LAX Specific Plan recommended changes

1. Section 5, Definitions, Run-up Enclosure. Change wording to read, "Specialty fully enclosed facility (i.e. "hush house") used to test aircraft engines and contain sound to reduce noise impacts on surrounding communities."

2. Section 7, LAX Plan Compliance Review, Paragraph 3, Notice Requirements for BOAC Hearing; Sub-paragraph b. Retain Department of Neighborhood Empowerment. After Neighborhood Councils, add in "County of Los Angeles, cities of Culver City, El Segundo, Inglewood, Alliance for a Regional Solution to Airport Congestion, LAX Area Advisory Committee, LAX/Community Noise Roundtable, Westchester Vitalization Corporation, Westchester Association, Westchester Neighbors Association, Westchester Town Center Business Improvement District, Gateway to LA Business Improvement District." Change Westchester/LAX/Merina del Rey Chamber of Commerce to LAX Coastal Chamber of Commerce.

3. Section 7, LAX Plan Compliance Review, Paragraph 5, City Council Determination. Eliminate the second paragraph. (Comment: This second paragraph may violate the City Charter as the City Council appears to give away some of its power if it does not act within 30 days from receiving an LAX Plan Determination from BOAC. The wording in the second paragraph is also too restrictive on the City Council.)

4. Section 7, LAX Plan Compliance Review; Paragraph H, Additional Study Requirements, Sub-sentence 1a- add new sentence: "The annual traffic generation report will be posted on the LAWA website within 90 days of the end of the calendar year." (Comment: LAWA is posting reports almost a year after the data was collected. This is not acceptable for public disclosure, especially when there are legal requirements on trip caps and airline passenger caps.)

5. Section 7, LAX Plan Compliance Review; Paragraph H, Additional Study Requirements, add a new sub-area 3 for LAX International Passenger and Airline Market

Survey/Study. The wording should generally duplicate that of the domestic passenger survey. LAX cannot make complete assessments of its future passenger mix by studying only domestic passengers.

"3. LAX International Passenger and Airline Market Survey/Study. LAWA shall initiate an LAX International Passenger Survey/Study and corresponding Airline Survey/Study, if the annual aviation activity analysis required in Section G 1 above forecasts that the annual passengers for that year are anticipated to exceed 75 million.

"(a) LAX International Passenger Survey and Study. LAWA shall conduct a survey and study of LAX international passengers (those flying internationally or connecting to international flights) designed to identify, at a minimum, (i) those LAX international passengers with origination or destination locations closer to other commercial airports in the region, (ii) why those international passengers chose to fly out of, or into, LAX rather than another commercial airport closer to their location of origin or destination and (iii) what actions, consistent with federal, states and local laws, LAWA could take to encourage those international passengers to use an airport closer to their location of origin or destination for international flights.

"(b) Airline Survey and Study. Upon completion of the LAX International Passenger Survey and Study described in 3(a) above, LAWA shall conduct a survey and study of all airlines offering international services designed to identify which action(s), consistent with federal, states and local laws, LAWA could take to encourage those airlines to provide increased international service at other airports in the region, particularly those owned or operated by LAWA."

6. Section 13, Parking Regulations, Paragraph A; Sentence 1- Retain the off-street parking requirement for 35,712 spaces. Los Angeles is notoriously short on parking.

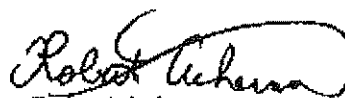
If you have any questions on these recommended changes, than please contact ARSAC President Denny Schneider at (213) 676-1817 or ARSAC Vice President Robert Acherman at (310) 927-2127.

Sincerely,



Denny Schneider

President



Robert Acherman

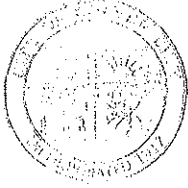
Vice President

cc:

Los Angeles Mayor Antonio Villaraigosa
Los Angeles City Council
Los Angeles County Board of Supervisors
US Senator Barbara Boxer
US Senator Dianne Feinstein
Congresswoman Maxine Waters
Congressman Henry Waxman
Board of Airport Commissioners
LAWA Executive Director Gina Marie Lindsey

Attachment A-2

February 13, 2013 Comment Letter from the City of Culver
City to William Roschen, City Planning Commission



CITY OF CULVER CITY

9770 CULVER BOULEVARD
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-6000
FAX (310) 253-6010

ANDREW WEISSMAN
MAYOR

VICE MAYOR
JEFFREY COOPER

COUNCILMEMBERS
JIM B. CLARKE
MICHEÁL O'LEARY
MEGHAN SAHLI-WELLS

February 13, 2013

Mr. William Roschen, FAIA, President
Los Angeles City Planning Commission
200 N. Spring Street, Room 532
Los Angeles, CA 90012-4801

Subject: Item #6, Case #CPC-2012-3357-GPA-SP (LAX Public Hearing--2-14-13)

Dear President Roschen and Members of the City Planning Commission:

On behalf of the City Council of the City of Culver City, I thank you for your consideration of the proposed Amendments, Plans and EIR relating to the proposed expansion of LAX. For many years, the City of Culver City has been extremely concerned about the impact on Culver City residents and businesses from the proposed LAX expansion Project, including impacts on air quality, noise, overflights and traffic. As such, the City's elected officials and staff have been active participants from the beginning of LAWA's process, including submitting numerous related responsive comments and documents. I am submitting the following comments for your consideration, in addition to the City's prior submittals.

MAJOR ISSUES FOR CULVER CITY

Issue 1 – Culver City thanks LAWA for its willingness to join with Culver City in mitigating the SPAS Project's traffic impacts on the intersections of Overland/Sawtelle and Washington/Walgrove by making a fair share contribution to their signalization. However, the impacts on these two intersections are merely symptomatic of the Project's larger impact on traffic in Culver City. It is beyond dispute that large numbers of airport passengers use the traffic arteries in Culver City as conduits to the Airport. It is also beyond dispute, as disclosed in the EIR, that the number of aircraft, and, thus, the number of passengers, is expected to grow substantially by the horizon year of 2025. Therefore, it is entirely predictable that the component of LAX passenger impact on Culver City intersections will also grow.

Issue 2 – While Culver City is not located within LAX's 65 dB CNEL noise contour, its location does not foreclose overflight impacts on Culver City citizens. With the movement of Runway 6L/24R 260 feet north and expected increase of 400 single-event aircraft operations by the horizon year 2025, of which 200 will be heavy jets, this impact can only increase.

Issue 3 – As the SPAS component projects, such as the North Runway, have not yet undergone individual, in-depth environmental review in the context of the current "Program" EIR, even more serious impacts may be discovered, after the "Program" has been approved, which require even greater mitigation, and of which the public is not yet aware.

Issue 4 – Culver City notes that the Project’s air quality impacts are significant for such pollutants as sulfur dioxide, PM₁₀ and PM_{2.5}. Given Culver City’s location and the prevailing wind direction, Culver City will fall squarely on the receiving end of those increased impacts.

RECOMMENDED SOLUTIONS

The following are the actions by LAWA that Culver City believes would help to relieve it of the burdens it will bear from implementation of the Project.

Solution 1 – LAWA’s commitment to immediately mitigate the projected traffic impacts, even if the impacts are related to intersections partially or nominally located within Culver City’s jurisdiction, and even if the cost of mitigation must come from LAWA’s funds.

Solution 2 – LAWA’s coordination of the implementation of the SPAS with implementation of mitigation activities.

Solution 3 – LAWA’s further consideration of single-event noise impacts on Culver City, both as a gesture of cooperation and in the interest of full disclosure.

Solution 4 – LAWA’s agreement to extend and enhance the existing “Stipulated Settlement” provisions that have not yet been fully implemented, including, but not limited to: (1) the Air Source Apportionment Study addressing toxic air contaminants and criteria air pollutants from airport related sources; and (2) funding for traffic mitigation as necessary, including, but not limited to, the intersections specified by Culver City for study in the SPAS, in accordance with the Stipulated Settlement, § V.G.

Solution 5 – Development and implementation of a legally supportable plan for regionalization of air traffic among LAWA’s airports to provide a safety valve for noise and traffic impacts on citizens of the communities surrounding LAX, including Culver City residents and businesses.

CONCLUSION

While Culver City certainly wishes to be a good neighbor to LAX, its principal goal is to maintain the quality of life for its residents and continue to allow businesses to thrive, despite increasing, serious impacts from LAX’s operation on the City’s land uses and its citizens. Culver City is anxious to work with LAWA toward improvement of airport service, but only if it is coupled with LAWA’s implementation of vital measures that mitigate impacts on the welfare of LAX’s surrounding communities.

Sincerely,



Andrew Weissman
Mayor

cc: The Honorable Members of the City Council
John M. Nachbar, City Manager
Carol A. Schwab, City Attorney

Attachment A-3

February 13, 2013 Comment Letter from ARSAC to
City Planning Commission



ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

February 13, 2013

City Planning Commission
City of Los Angeles
200 N Spring St, Room 525
Los Angeles, CA 90012
Tel: (213) 978-1300
Fax: (213) 978-1275

Re: Case No. CPC-2012-3357-GPA-SP, LAX Specific Plan Amendment Study

Dear Planning Commission:

ARSAC, the Alliance for a Regional Solution to Airport Congestion, respectfully requests that the Planning Commission hold an additional hearing on the LAX Specific Plan Amendment Study and related documents after April 30, 2013 when the LAX Air Quality and Source Apportionment Study has been released. The Planning Commission should also wait until after April 30th so that following issues can be properly analyzed and addressed:

1. ARSAC letter to City Planning Department concerning proposed changes to the LAX Plan and LAX Specific Plan [see attached ARSAC letter dated January 8, 2013]
2. Conformity conflicts between LAX SPAS Alternative 1 as recommend by the Board of Airport Commissioners (BOAC) and LAX Noise Variance, LAX Plan, and LAX Specific Plan
3. California Environmental Quality Act (CEQA) compliance issues which require recirculation of the Environmental Impact Report (EIR) [see attached letters from ARSAC's attorney, Doug Carstens of Chatten-Brown & Carstens]
4. Highly risky construction issues including, but not limited to:
 - a. Re-alignment of Lincoln Boulevard, California Highway 1 [see attached ARSAC WHITE PAPER- PROGRAM LEVEL VS PROJECT LEVEL EIR ANALYSIS RE: THE LINCOLN BLVD. TUNNEL PROJECT]
 - b. Interference with two of three mainline sewers going under Lincoln Boulevard to the Hyperion Sewage Treatment Plant [see attached September 14, 2012 letter from Ali Pootsi, LA City Bureau of Sanitation]
 - c. Disturbance of other utilities and oil pipelines, especially at the intersection of Lincoln and Sepulveda
 - d. Filing in of a large road tunnel underneath Runway 24 Right
 - e. Proposed re-location of Runway 24 Right (north runway) onto wetlands
 - f. Conversion of the Argo Ditch into a concrete box culvert with a new runway on top with a water permeable surface
5. Release of the LAX Air Quality and Source Apportionment Study scheduled for by LAWA on April 30, 2013.

ARSAC supports a safe, secure, modern and convenient LAX so long as LAX impacts are not moved out into the surrounding airport communities. ARSAC strongly supports the Environmental Superior Alternative, Alternative 2 that provides important safety upgrades to the north airfield taxiway system. In addition, ARSAC strongly supports Alternative 9 with the Automated People Mover (APM), Consolidated Rental Car (ConRAC)



ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

garage at Manchester Square and a Metrorail station in the Central Terminal Area (CTA). LAX cannot be a modern, world-class airport without an APM, ConRAC and rail reaching the passenger terminals in the CTA. We have also attached our letters to the Board of Airport Commissioners regarding LAX SPAS.

1. Suggested changes to LAX Plan and LAX Specific Plan

Please see attached letter to Planning Department.

2. Conformity conflicts with Alternative 1 and LAX Noise Variance, LAX Plan and LAX Specific Plan

Alternative 1 conflicts with the LAX Noise Variance, LAX Plan and LAX Specific Plan by proposing to move the north runway, 24 Right, 260 feet to the north. This runway move will move the LAX noise further north impacting more homes, businesses, schools and churches in Westchester and Playa del Rey. The proposed runway move will also permanently move the flight path over newly affected homes in South Los Angeles and the City of Inglewood. All of these homes and other buildings will be more impacted not only by aircraft noise, but also vibration, pollution and aircraft safety issues. Some of the newly affected neighborhoods are in low-income minority areas; this therefore becomes an environmental justice issue.

New aircraft are not as quiet as one might be led to believe. We have attached a map of noise contours from various Boeing and Airbus aircraft. Note that the noise contours do not shrink on the sides of the airplane- only under the takeoff path. Keep this in mind as proposals to move the north Runway 24 Right to the north will move the noise footprint closer to populated areas.

Alternative 1 and the other Alternatives that include proposals to move Runway 24 Right to the north conflict with the LAX Noise Variance. LAX operates under a Noise Variance issued by CalTrans. [See attached LAX Noise Variance issued in 2010]. LAX is required by State Law to reduce airport noise. Alternative 1 increases the LAX noise contour to newly affected neighborhoods.

Alternative 1 and the other Alternatives that include proposals to move Runway 24 Right to the north conflict with the following in the LAX Plan (emphasis on underlined text):

Section 1.2 Vision

Los Angeles World Airports (LAWA) subsequently embarked on a Specific Plan Amendment Study (SPAS) to, consistent with previous local and federal approvals, identify Specific Plan amendments that plan for the modernization and improvement of LAX in a manner that is designed for a practical capacity of 78.9 million annual passengers (MAP), while enhancing safety and security, minimizing environmental impacts on the surrounding communities, and creating conditions that encourage airlines to go to other airports in the region, particularly those owned and operated by LAWA. The SPAS focused on potential alternative designs, technologies and configurations for the LAX Master Plan Program that would provide solutions to the problems that certain Master Plan improvements were designed to address consistent with a practical capacity of 78.9 MAP.



ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

Goals

Goal 4: Recognize the responsibility to minimize intrusions on the physical environment.

O1. Minimize negative impacts to the Los Angeles Airport/El Segundo Dunes and protect plant and animal species, to the extent practical for safe airport operation.

O2. Where feasible, implement measures to improve air quality or limit the extent to which air quality is degraded by auto, aircraft, and construction equipment emissions.

O3. Incorporate applicable mitigation measures and master plan commitments from LAX Master Plan environmental analyses into project design and operation.

Goal 5: Acknowledge neighborhood context and promote compatibility between LAX and the surrounding neighborhoods.

O1. Minimize negative impacts to surrounding residential land uses.

Section 3.2.1 Airport Airside

P4. Locate airport uses and activities with the potential to adversely affect nearby residential land uses through noise, light spillover, odor, vibration, and other consequences of airport operations and development, as far from them as feasible.

Section 3.2.2 Airport Landside

Development of Airport Landside is governed by the following policies and programs:

P1. Ensure that the scale and activity level of airport facilities appropriately relates to any abutting neighborhood edges.

P6. Locate airport uses and activities with the potential to adversely affect nearby land uses through noise, light spill-over, odor, vibration, and other consequences of airport operations and development as far from, or oriented away from adjacent residential neighborhoods as feasible.

3.6 Noise

Noise control is one of the most important environmental considerations in airport planning. LAX has a long history of addressing aircraft noise impacts through noise source control and noise mitigation for certain land uses (residences, schools, hospitals, churches, and libraries) that are rendered incompatible due to airport noise impacts.



ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

Also, LAX enjoys the unique advantage of being located adjacent to the Pacific Ocean, benefiting from the ability to conduct operations over the ocean, greatly reducing takeoff noise impacts on residential communities.

The following policies and programs shall be implemented to limit the noise impacts that result from LAX operations, including noise from aircraft, roadways, and construction:

P1. Maintain and enhance applicable elements of the current Aircraft Noise Abatement Program that pertain to aircraft noise.

P3. Minimize the impacts of aircraft and airport noise through runway orientation.

P4. Move nighttime noise-creating activities to the interior of the airfield and away from noise-sensitive areas situated north and south of the airport.

P9. Locate airport uses and activities with the potential for noise impacts as far from adjacent residential neighborhoods as feasible.

Alternative 1 and the other Alternatives that include proposals to move Runway 24 Right to the north conflict with the following in the LAX Specific Plan (emphasis on underlined text):

Section 2- Purposes

7. Recognize the important relationship between LAX and its neighbors and avoid development impacts to the extent practical and feasible;

8. Protect airport-related and community businesses by providing regulatory controls and incentives consistent with these goals; and

9. Ensure on-going participation in improvements to LAX by appropriate stakeholders – business, labor, community, airline industry trade groups, government – through consultation with stakeholders.

Section 3.9 Design

P2. Appropriately relate those airport facilities that are adjacent to community land uses to the scale and level of activity of those uses.

3. CEQA compliance issues

Please see our letters from Doug Carstens, attorney for ARSAC.



ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

4. Highly risky construction issues

To date, LAWA did not receive a response to the LAX SPAS Draft EIR from CalTrans. ARSAC has made several inquiries to CalTrans to determine why they did not comment. No response has been received. As Lincoln Boulevard is a state highway, California 1, CalTrans will need to be involved with any re-alignment of Lincoln Boulevard.

- a. Re-alignment of Lincoln Boulevard, California Highway 1 [see attached ARSAC WHITE PAPER- PROGRAM LEVEL VS PROJECT LEVEL EIR ANALYSIS RE: THE LINCOLN BLVD. TUNNEL PROJECT]
- b. Interference with two of three mainline sewers going under Lincoln Boulevard to the Hyperion Sewage Treatment Plant [see attached September 14, 2012 letter from Ali Pootsi, LA City Bureau of Sanitation]
- c. Disturbance of other utilities and oil pipelines, especially at the intersection of Lincoln and Sepulveda.
- d. Filing in of a large road tunnel underneath Runway 24 Right. LAWA contents that this project will cost \$15 million to fill in what was to be a six-lane access tunnel from Lincoln Boulevard to the west end of what is now the Tom Bradley International Terminal. ARSAC contents that the price estimate is too low.
- e. Proposed re-location of Runway 24 Right (north runway) onto wetlands. There is 1.33 acres of wetlands in the Argo Ditch where the new runway will be located.
- f. Conversion of the Argo Ditch into a concrete box culvert with a new runway on top with a water permeable surface. The Planning Commission needs to examine the safety issues of this proposal. ARSAC is unaware of any runway built on top of a drainage ditch. Almost two miles of runway and concrete box culvert is being proposed. If an aircraft were to crash on the runway or veer off of the side of the runway, will crash survivors be able to safely evacuate without falling into the concrete box culvert?

5. LAX Air Quality and Apportionment Study

ARSAC has just learned that the LAX Air Quality and Apportionment Study will be released to the public on April 30. This study was started several years ago and LAWA has sat on the data. This aging process on the data may affect the EIR. In addition, what data is learned may affect the EIR and may change the characteristics of the various LAX SPAS EIR Alternatives. The Planning Commission should wait to make a decision on the LAX SPAS EIR after the LAX Air Quality and Apportionment Study has been released and properly analyzed.

CONCLUSION

Does it make sense to expand airport operations in the middle of an urban area? We don't think so. However, with Alternatives 2 and 9, LAX can be made into a modern, world class airport that does not increase impacts into surrounding airport neighborhoods. We would be happy to answer any questions you may have and to have a dialogue with you on any LAX issues.



ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

Sincerely,

Denny Schneider
President
denny@welivefree.com
(213) 675-1817

Robert Acherman
Vice President
racherman@netvip.com
(310) 927-2127

ATTACHMENTS:

1. ARSAC letter dated January 8, 2013 to City Planning Department
2. LAX Noise Variance
3. CEQA letters from ARSAC's attorney, Doug Carstens
4. Cost Estimate by LA Sanitation dated September 14, 2012
5. ARSAC letter to Board of Airport Commissioners dated January 31, 2013



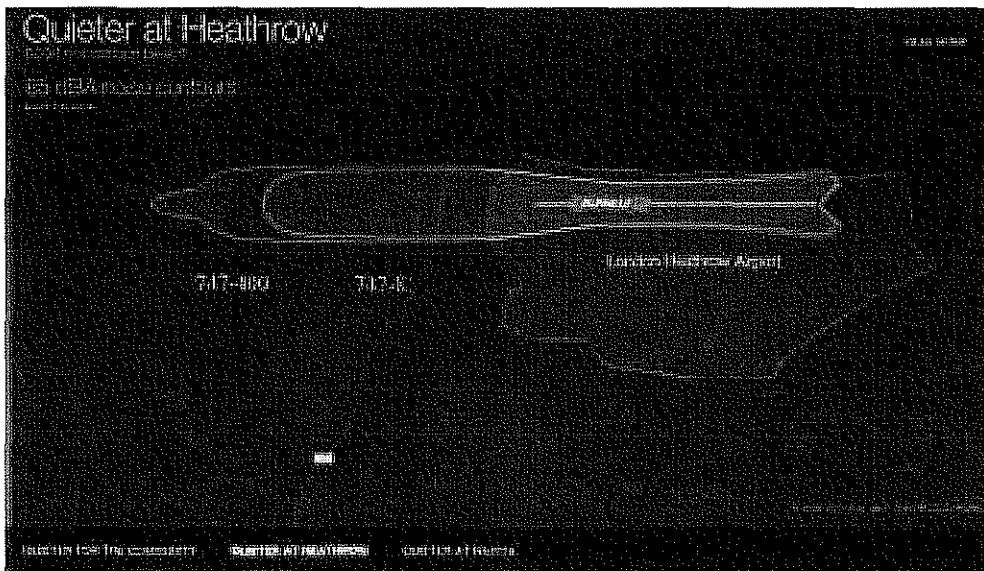
ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

Noise footprints- Boeing and Airbus widebody jets

Boeing aircraft as seen on www.newairplane.com

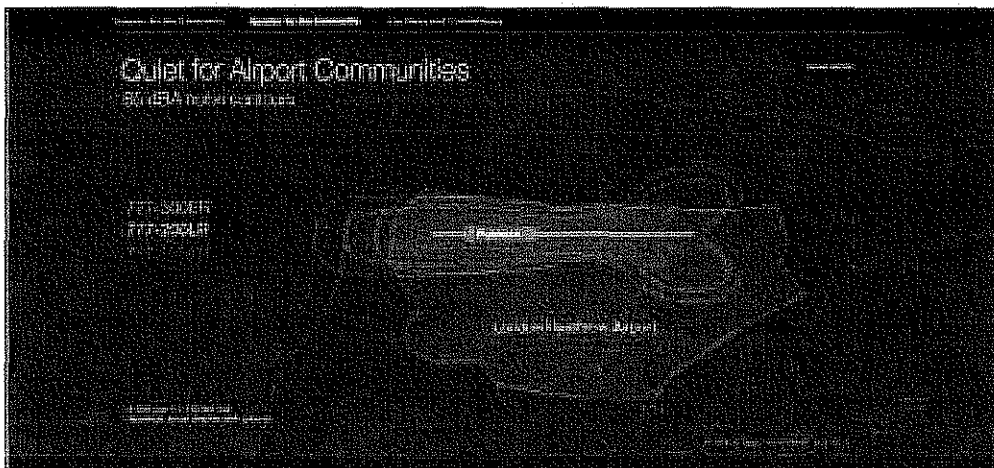
Boeing 747 series

Boeing 747-8 Intercontinental (in service 2012-present) versus Boeing 747-400 (built 1989-2010). Take-off noise contours from London Heathrow Airport. Note how the noise contours on the sides of the aircraft do not shrink. Noise footprint shrinks only under the take-off area.



Boeing 777 series

Note the thrust patterns of the Boeing 777 series at the right side of the graphic below. The 777-200LR (operated by Delta Air Lines at LAX) has the smallest noise footprint. The 777-200ER (operated by American, United, Air France and Thai International at LAX) has the next largest noise footprint. The 777-300ER (operated by many foreign airlines at LAX- ANA, Japan Airlines, Cathay Pacific, Air New Zealand, Virgin Australia) has the largest noise footprint.

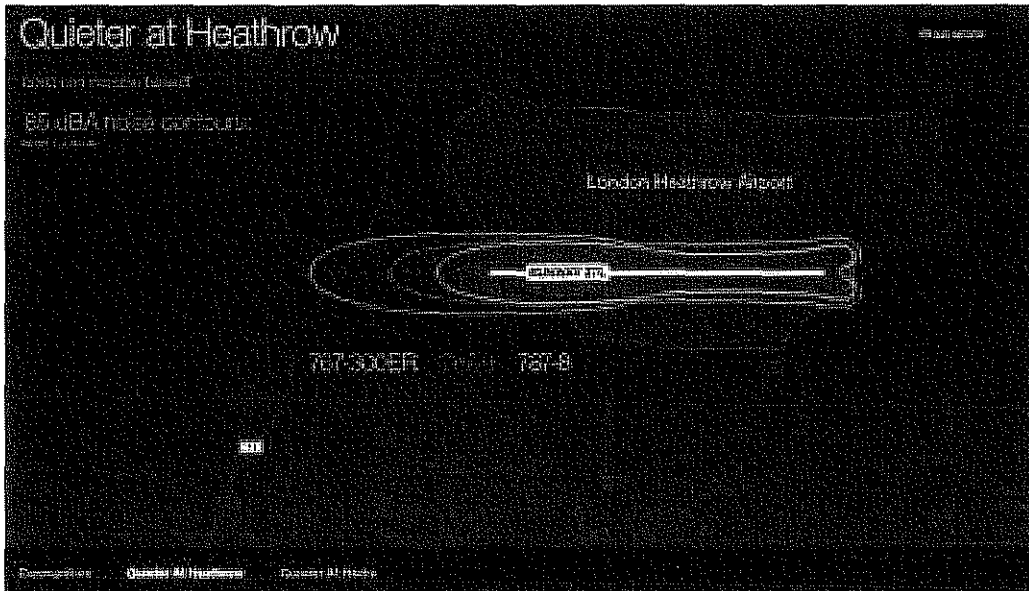




ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

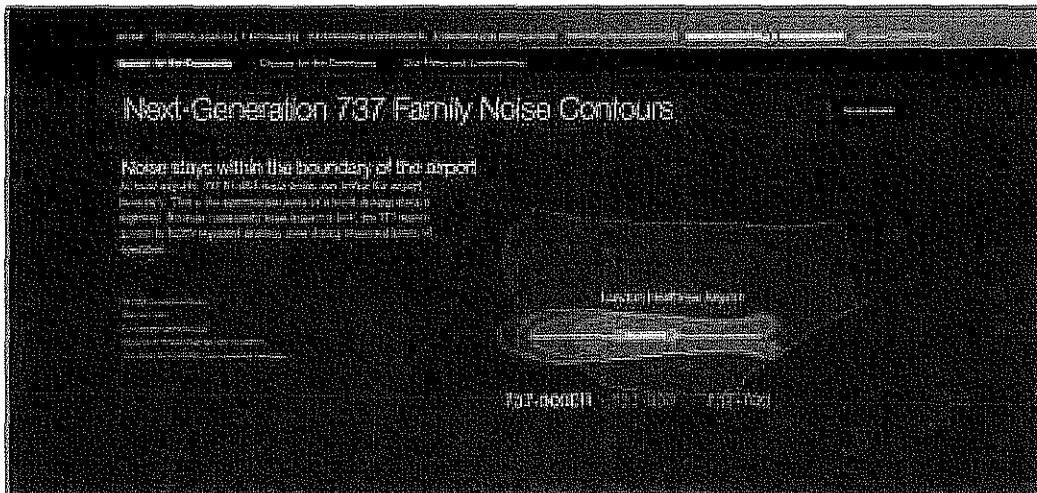
Boeing 787 Dreamliner

The Boeing 787 Dreamliner has a smaller noise footprint than the Boeing 767. The 787 is intended to replace the 767.



Boeing 737 Next Generation and 737 MAX series

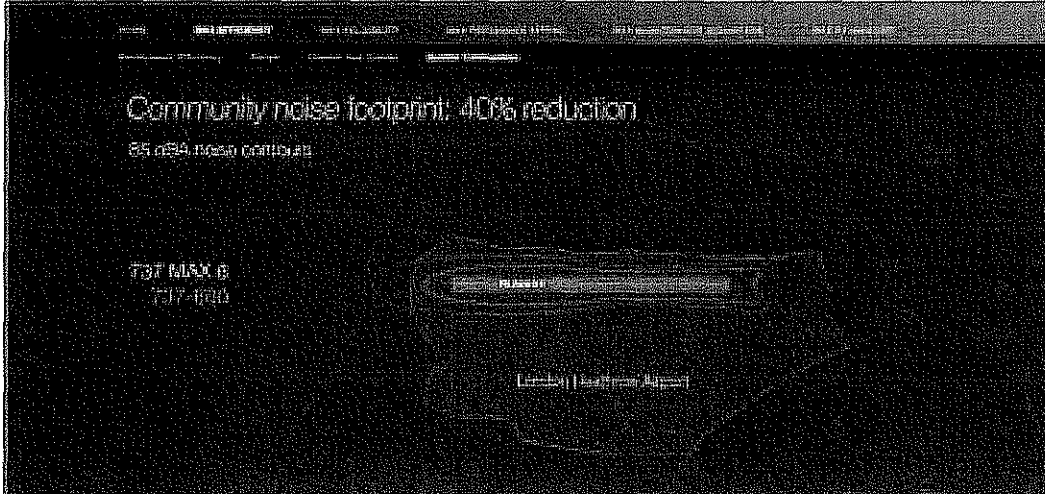
Boeing 737-700, -800 and -900ER are the Boeing 737 Next Generation series





ARSAC Alliance for a Regional Solution to Airport Congestion
322 Culver Blvd., #231 Playa del Rey, CA 90293
www.regionalsolution.org 310-641-4199

737 MAX is next evolution of the highly successful Boeing 737 family



Airbus A380

Graphic from Airbus "A380 New Generation Experience" leaflet on www.airbus.com

Note that the A380 side noise shrinks little. Most of the noise reduction has to do with the area underneath the takeoff path.

A380 vs. 747-400 noise footprint
London Heathrow airport 5,000nm mission,
same reference conditions





Alliance for a Regional Solution to Airport Congestion
322 Culver Boulevard, #231 Playa del Rey, CA 90293
info@regionalsolution.org

January 8, 2013

Shawn Kuk, Department of City Planning
City of Los Angeles
200 N Spring Street, Room 667
Los Angeles, CA 90012

Re: CPC-2012-3357-GPA-SP - LAX Specific Plan Amendment Study

Dear City Planning Department:

ARSAC, the Alliance for a Regional Solution to Airport Congestion, submits these comments in response to proposed changes to LAX Plan and the LAX Specific Plan.

ARSAC appreciates your consideration in incorporating these recommended changes into the revised LAX Plan and LAX Specific Plan.

As we have indicated in previous correspondence on this issue, we may send you additional comments.

ARSAC objects to the use of the word, "appropriate" with regards to mitigations. The word "appropriate" is not defined in the context of these documents and could limit mitigations which are feasible under the California Environmental Quality Act (CEQA) and/or the National Environmental Quality Act (NEPA).

ARSAC also calls for better accountability and transparency on the part of LAWA. The LAX Plan and LAX Specific Plan need stronger controls ensure LAWA does a better job of public outreach with regards to its plans and projects. The lack of the publicity for the January 8 public hearing is a good example. Only property owners who are within 500 feet of LAX property were notified by mail. LAWA has many lists of names and addresses of people who have attended previous public hearings and/or have signed up to receive information about LAX Master Plan activities. The City Planning Commission should use LAWA mail lists for the City Planning Commission meeting scheduled for February 14, 2013.

All documentation provided by the Planning Department to date has been draft versions containing sections that include uncompleted text. We respectfully request that final draft versions be provided to the public two weeks in advance of any approval hearing and that public comments be accepted at that hearing.

LAX Plan recommended changes:

1. Section 2, Goals and Objectives, Goal 1, Policy 3. Remove the wording "long-haul domestic". (Comment: No passenger airlines in the United States have ordered New Large Aircraft (NLA) such as the Airbus A380 and the Boeing 747-8. Since the 1970's, US airlines have downsized aircraft for long-haul domestic travel from 747's to DC-10's and L-1011's in the mid-1970's and then to 767's and 757's in the 1980's and finally to narrow body 737's and

Airbus A320's in the 21st Century. The Boeing 787 Dreamliners, Airbus A330 and A350 XWB ordered by US airlines will be deployed mainly on international routes.)

2. Section 2, Goals and Objectives, Goal 1, Policy 4. Delete the wording, "that is not essential to LAX's international gateway role." (Comment: LAX cannot and should not prevent regional competition for international flights. Airports such as Ontario International [owned by LAWA] and John Wayne Airport should be encouraged by LAX to take on additional international flights. LAX will run out of capacity and will need to redirect passengers who should be using Ontario and John Wayne back to those airports. LAX cannot absorb forever the "leakage" of passengers that should be flying out of their nearest airport. Due to recent US Government policy of "Open Skies" aviation agreements with most countries in the world, any US airport with Federal Inspection Services (FIS- e.g. Customs, Immigration, Agriculture) can offer international airline service. With the implementation of "Open Skies", LAX no longer has the nearly monopoly rights to international flights that aviation bilateral agreement provided. John Wayne Airport and Ontario airports both have FIS facilities. John Wayne offers flights to Canada and Mexico. Ontario has one flight to Mexico and could and should handle long-haul flights for Inland Empire and Orange County residents and visitors. This is a more realistic approach than to attempt to "tax" Orange County residents for using LAX.)

3. Section 2, Goals and Objectives, Goal 4, Policy 3. No change to this policy is needed.

4. Section 2, Goals and Objectives, Goal 5. Add a new Policy 2, "Prohibit moving runways closer to residential uses." (Comment: This statement is to put LAWA back in compliance with LAWA's commitment to Westchester/Playa del Rey that when Runway 24 Right was built in the 1960's that future airport expansion would occur in Palmdale. LAWA has not and should fulfill this commitment. Not moving 24 Right to the north will also eliminate the possibility of litigation which would stall LAX modernization for at least two years before a court date could be set.)

5. Paragraph 3.1.1, Safety, Policy 3. Change sentence to, "Construct center taxiways on the south airfield to reduce the possibility of runway incursions." (Comment: The wording change is necessary to keep open the possibilities of keeping an improved, existing north airfield configuration or a single, safe runway for the north airfield. Only the single runway solution fully meets Group VI standards and is the only the design that eliminates runway crossings which are one of the leading causes of runway incursions. Also, please see ARSAC's DEIR comments with regards to problems of aircraft taking off and landing on taxiways.)

6. Paragraph 3.1.1, Safety- add additional policies related to airfield safety:

P11- Complete the installation of Runway Status Lights (RWSL) on all runway entrances to ensure full safety benefit of the successful RWSL system.

P12- Deploy additional airfield safety technologies such as Final Approach Runway Occupancy Signal (FAROS) to add multiple layers of airfield situational awareness for pilots, controllers and vehicle drivers.

P13- Work with the Federal Aviation Administration to ensure that the LAX air traffic control tower is fully staffed with highly-experienced controllers and that controllers are not being overworked with mandatory overtime.

P14- Work with the FAA to identify a site and build a new air traffic control tower that has a complete unobstructed view of the LAX airfield. (Comment- the current LAX tower does not

have visibility behind the west side of the Tom Bradley International Terminal. Either a taller tower will be needed to allow for controllers to see the entire airfield, or a second tower to the west of the Tom Bradley International Terminal to give controllers a better view of the Tom Bradley terminal apron.)

P15- Form a Runway Safety Action Team, as recommended by the FAA, to maintain ongoing awareness of airfield safety issues for pilots, controllers and vehicle operators.

7. Paragraph 3.1.2, Security- add additional policy P6: "Provide police services to the remaining residents in Manchester Square and Belford Square." (Comment: We have heard complaints from residents in these areas that they have been frequent crime victims and that their neighborhoods are under-policed. There needs to be a better effort between LAWA PD and LAPD to police these areas where Voluntary Residential Acquisition programs are in effect.)

8. Section 3.2 Land Use, Paragraph 3.2.1 Airport Airside, Policy 1. This policy should be eliminated as the two airfields can never be fully balanced 50/50. The north airfield only has 3 terminals on one side of the runways while the south airfield has 5 terminals and maintenance areas on one side and cargo terminals on the other side of the runways. Current operations ratios are about 47% north and 53% south. This is mainly accomplished through long taxi runs between the two airfield complexes.

9. Section 3.6, Noise, add new policies:

P13- "Complete the installation of ground electrical power for all aircraft at passenger gates ("gate electrification"), cargo ramps, maintenance facilities and other aircraft parking areas." (Comment: This policy is to discourage the use of noisy Auxiliary Power Units (APU's) which generate excessive noise. LAWA also has committed under its LAX Master Plan Mitigation Plan and another agreement with various LAX area groups to complete gate electrification at passenger gates and cargo ramps.)

P14- Study and publish Single-Event Noise impacts.

P15- Publicize noise violations in a monthly report on the LAWA website.

P16- Minimize aircraft engine testing noise through construction and use of a fully enclosed run-up enclosure (i.e. "hush house"- hangar like structure in use at Tokyo Narita Airport).

P17- Encourage the FAA to adopt the LAX Preferential Runway Use Policy as their own to ensure takeoffs only on the inboard runways and landings only on the outboard runways for noise mitigation purposes.

10. Section 3.7 Air Quality, add a new policy P3 and re-number subsequent policies:

P3- Complete the Air Apportionment Study required by various legal agreements (i.e. Community Benefits Agreement, Stipulated Settlement Agreement) to determine the sources, types and quantities of air pollution coming from LAX operations and surrounding uses. (Comment- LAWA, the Planning Department and City Council should have the results of this study before proceeding with any approval of the LAX SPAS EIR. The results of this study may change the analysis on the various alternatives which may affect the environmental impact, feasible mitigations, viability and costs of the different alternatives.)

11. Section 3.10 Construction Phasing, add a section:

"LAX Master Plan and Specific Plan Amendment Study projects shall be phased with any work on the North Airfield being started last. This phasing requirement will not apply to work on the North Airfield connected to the proposed Interim Taxiway Safety Improvement Project which does not move runways." (Comment: There may be litigation in response to any proposals to move the north runway closer to Westchester/Playa del Rey. LAX should be able to move forward on other improvement projects that are not controversial. The phasing will be able to provide a time cushion for resolving any legal disputes over the North Airfield.)

LAX Specific Plan recommended changes

1. Section 5, Definitions, Run-up Enclosure. Change wording to read, "Specialty fully enclosed facility (i.e. "hush house") used to test aircraft engines and contain sound to reduce noise impacts on surrounding communities."

2. Section 7, LAX Plan Compliance Review, Paragraph 3, Notice Requirements for BOAC Hearing; Sub-paragraph b. Retain Department of Neighborhood Empowerment. After Neighborhood Councils, add in "County of Los Angeles, cities of Culver City, El Segundo, Inglewood, Alliance for a Regional Solution to Airport Congestion, LAX Area Advisory Committee, LAX/Community Noise Roundtable, Westchester Vitalization Corporation, Westchester Association, Westchester Neighbors Association, Westchester Town Center Business Improvement District, Gateway to LA Business Improvement District." Change Westchester/LAX/Marina del Rey Chamber of Commerce to LAX Coastal Chamber of Commerce.

3. Section 7, LAX Plan Compliance Review, Paragraph 5, City Council Determination. Eliminate the second paragraph. (Comment: This second paragraph may violate the City Charter as the City Council appears to give away some of its power if it does not act within 30 days from receiving an LAX Plan Determination from BOAC. The wording in the second paragraph is also too restrictive on the City Council.)

4. Section 7, LAX Plan Compliance Review; Paragraph H, Additional Study Requirements, Sub-sentence 1a- add new sentence: "The annual traffic generation report will be posted on the LAWA website within 90 days of the end of the calendar year." (Comment: LAWA is posting reports almost a year after the data was collected. This is not acceptable for public disclosure, especially when there are legal requirements on trip caps and airline passenger caps.)

5. Section 7, LAX Plan Compliance Review; Paragraph H, Additional Study Requirements, add a new sub-area 3 for LAX International Passenger and Airline Market Survey/Study. The wording should generally duplicate that of the domestic passenger survey. LAX cannot make complete assessments of its future passenger mix by studying only domestic passengers.

"3. LAX International Passenger and Airline Market Survey/Study. LAWA shall initiate an LAX International Passenger Survey/Study and corresponding Airline Survey/Study, if the annual aviation activity analysis required in Section G 1 above forecasts that the annual passengers for that year are anticipated to exceed 75 million.

"(a) LAX International Passenger Survey and Study. LAWA shall conduct a survey and study of LAX international passengers (those flying internationally or connecting to international flights) designed to identify, at a minimum, (i) those LAX international passengers with origination or destination locations closer to other commercial airports in the region, (ii) why


those international passengers chose to fly out of, or into, LAX rather than another commercial airport closer to their location of origin or destination and (iii) what actions, consistent with federal, states and local laws, LAWA could take to encourage those international passengers to use an airport closer to their location of origin or destination for international flights.

“(b) Airline Survey and Study. Upon completion of the LAX international Passenger Survey and Study described in 3(a) above, LAWA shall conduct a survey and study of all airlines offering international services designed to identify which action(s), consistent with federal, states and local laws, LAWA could take to encourage those airlines to provide increased international service at other airports in the region, particularly those owned or operated by LAWA.”

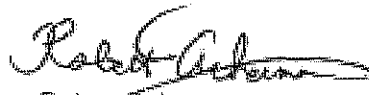
6. Section 13, Parking Regulations, Paragraph A; Sentence 1- Retain the off-street parking requirement for 35,712 spaces. Los Angeles is notoriously short on parking.

If you have any questions on these recommended changes, then please contact ARSAC President Denny Schneider at (213) 675-1817 or ARSAC Vice President Robert Acherman at (310) 927-2127.

Sincerely,



Denny Schneider
President



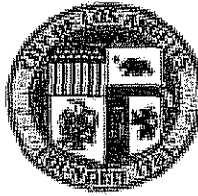
Robert Acherman
Vice President

cc:

Los Angeles Mayor Antonio Villaraigosa
Los Angeles City Council
Los Angeles County Board of Supervisors
US Senator Barbara Boxer
US Senator Dianne Feinstein
Congresswoman Maxine Waters
Congressman Henry Waxman
Board of Airport Commissioners
LAWA Executive Director Gina Marie Lindsey

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

September 14, 2012

DEPARTMENT
PUBLIC WORKS

COMMISSIONERS

ANDREA A. ALARCÓN
PRESIDENT

JERILYN LÓPEZ MENDOZA
VICE PRESIDENT

CARRI W. MADDOX
COMMISSIONER

STEVEN T. NUTTER
COMMISSIONER

VALERIE LYNN SHAW
COMMISSIONER

BUREAU OF SANITATION

ENRIQUE C. ZALDIMAR
DIRECTOR

TRACI J. MENANDE
DEPUTY DIRECTOR

VAROJ S. AIBKIAN
ADEL H. HAGEMALLIL
ALEXANDER E. HIELOU
ASSISTANT DIRECTOR

NEL M. GUBLINGO
ACTING DEPUTY DIRECTOR

WASTEWATER ENGINEERING SERVICES DIV
2714 REDIN CENTER DRIVE
LOS ANGELES, CA 90008
PHONE: (323) 342-8210 OR 342-8211

File: SC.CE.

Denny Schneider
7929 Breen Ave
Los Angeles, CA 90045

Dear Mr. Schneider:

LAX Specific Plan Amendment – Request for Sewer Relocation Cost Estimate

This is in response to your September 5, 2012 letter requesting a cost estimate for sewer impact based on the proposed Los Angeles World Airport's Specific Plan Amendment Study (SPAS). The Bureau of Sanitation, Wastewater Engineering Services Division (WESD), has conducted a preliminary evaluation of the potential impacts to the wastewater system for the proposed project.

The attached Project Construction Cost Estimate summarizes unit cost of sewer relocations including excavation, construction of maintenance hole appurtenances and reconnection of house connections, and overhead contingencies. As the scope of work is not well defined, a conservative estimate is used for contingencies to relocate the 8-inch, 15-inch, and 18-inch sewers due to Lincoln Blvd relocation to between Loyola Blvd and Sepulveda Blvd. The unit costs were obtained from the latest unit price of the Secondary Sewer Renewal Program and the Bureau of Engineering's Cost Estimator.

The limits of the work are approximate and are based on Alternative 1, Figure 1-5 of the Draft EIR. The sewer information was obtained from NavLA and was not cross checked with as-built plans. Per a telephone conversation with Mr. Herb Glasgow of LAWA's SPAS Program, the NCOS, NORS, and NORS Diversion outfall sewers which are the three (3) large diameter pipes running close to or on the airport property will not be relocated as LAWA is fully aware of the economic impact this will have on their budget. Some of these pipes are located at over sixty-five feet (65 ft) below the surface.



Denny Schneider
LAX Specific Plan Amendment – Request for Sewer Relocation Cost Estimate
September 14, 2012

Page 2 of 2

Also, in order for the Bureau of Sanitation to permit any entity to relocate a sewer structure interfering with a proposed development project, a minimum of two conditions must be fulfilled. Firstly, the conveyance capacity including the operation and maintenance cannot be compromised and secondly the proposer will pay for one hundred percent (100%) of the cost of such activity.

If you have any questions, please call Kwasi Berko of my staff at (323) 342-1562.

Sincerely,



Ali Poosti, Division Manager for
Wastewater Engineering Services Division
Bureau of Sanitation

Attachments:
Project Construction Cost Estimate

cc: Fernando Gonzalez, WESD
Doug Walters, WESD
Abdul Danishwar, WESD
Adel Hagekhalil, BOS

**BUREAU OF ENGINEERING
WASTEWATER CONVEYANCE ENGINEERING DIVISION (WCED)
PROJECT CONSTRUCTION COST ESTIMATE**

FOR INTERNAL USE: REFERENCE ONLY

Project Title: **LAX SPAS POSSIBLE SEWER RELOCATIONS**

Scope: Relocate 8-inch, 15-inch, and 18-inch sewers due to Lincoln Blvd relocation between Loyola Blvd and Sepulveda Blvd construct MH appurtenances, and reconnected house connections.

Work Order: **NONE** Client Dept.: **Bureau of Sanitation**

Project Manager: **Hortensia Alonso** Project Engineer: **NONE**

Type of Estimate: Class "A" Class "C" Class "D"

Description	Unit	Quantity	Unit Price	Item Total
Shoring of Open Excavation	LF	4,000	\$10	\$40,000
Relocate 8" sewers, Case 1 Bedding	LF	450	\$110	\$51,750
Relocate 15" sewers, Case 1 Bedding	LF	300	\$250	\$75,000
Relocate 18" sewers, Case 1 Bedding	LF	4,050	\$260	\$1,117,500
Install Maintenance Hubs, including Frame/Cover	EA	30	\$10,000	\$300,000
Reconnect Existing HC Sewer	EA	21	\$275	\$5,775
Subtotal (1)				\$1,872,225
Mobilization - 6% of Subtotal (1). (6% was used)				\$112,335
Permits - (Assume \$5,000 - Deduct this amount if no permits are required)				\$5,000
Allowances - 4% of Subtotal (1)				\$74,880
Subtotal (2)				\$2,064,475
Estimating Contingency - 5% to 40% of Subtotal (2). (40% was used)				\$825,780
Subtotal (3)				\$2,890,255
Escalation - 3% per year of Subtotal (3). Assumed 5 years				\$433,540
Subtotal (4)				\$3,323,805
Construction Contingency - 20% of Subtotal (4)				\$664,761
Subtotal				\$3,988,566
Total Estimated Project Cost				\$4,000,000

Assumptions: The limits of the work are approximate based on Alternative 1, Figure 1-5. The sewer information was obtained from MapLA and was not cross checked with as-built plans. Per a telephone conversation with Mr. Herb Glasgow of LAMA's SPAS Program the NCRS, NCRS, and NCRS Diversion outfall sewers will not be relocated as LAMA is fully aware of the economic impact this will have on their budget. The unit cost were obtained from the latest unit price of the Secondary Sewer Renewal Program. If none was available the cost was obtained from BOE's Cost Estimator.

Prepared by: **H. Alonso** Date: **9-11-12**
 Checked by: _____ Date: _____
 Approved by: _____ Date: _____
 Client Approval: _____ Date: _____

CHATTEN-BROWN & CARSTENS LLP

2200 PACIFIC COAST HIGHWAY

SUITE 318

HERMOSA BEACH, CALIFORNIA 90254

www.cbccearthlaw.com

TELEPHONE (310) 314-8040

FACSIMILE (310) 314-3050

E-MAIL:

DPC@CBCCASJLLP.COM

February 4, 2013

Board of Airport Commissioners
Los Angeles World Airports
One World Way
Los Angeles, CA 90045-5803

Re: Comments on Final Environmental Impact Report for Specific Plan
Amendment Study, SCH 1997061047

Honorable Commissioners:

On behalf of the Alliance for a Regional Solution for Airport Congestion (ARSAC), we appeared at your special hearing on Thursday, January 31, 2013 to present our views regarding the inadequacies of the Final Subsequent Environmental Impact Report (FEIR) prepared for the Specific Plan Amendment Study ("SPAS" or "Project"), the need to re-circulate it, and the superiority of choosing Alternatives 2 and 9 rather than Alternatives 1 and 9. Alternates 2 and 9 (with APM, ConRAC and Metrorail into Central Terminal Area) should also be selected as the Preferred Alternative.

We were surprised and dismayed to discover critical documents not made available to the public on LAWA's website (<http://www.lawa.org/laxspas/Reports.aspx>) until Friday, February 1, the day after the public hearing on January 31. It appears that these documents were prepared long ago, but were not posted until Friday. Additionally, the Final SPAS Report was finalized and posted without review by petitioners including ARSAC. We find it incomprehensible why LAWA would choose to post these documents the day *after* the hearing rather than the day *before*, or better yet *well in advance of*, the public hearing so members of the public and other public agencies could review and comment about them. These recently-posted documents include the following:

Document	Pages	Initial Date(s)	Last Date
SPAS Final EIR Mitigation Monitoring and Reporting Program	148	1/31/2013	1/31/2013 4:33pm
SPAS Final EIR Statement of Overriding Considerations	7	1/31/2013	1/31/2013 3:55pm
SPAS Final EIR CEQA Findings	162	1/29/2013	1/29/2013 8:16am
SPAS Proposed Plan Amendments	72	1/17/2013, 1/24, 1/30	2/1/2013 9:15am

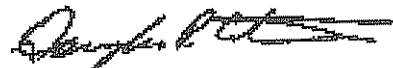
Board of Airport Commissioners
Los Angeles World Airports
February 4, 2013
Page 2 of 2

Furthermore, we understand that LAWA has taken advantage of the Internet to mail out notices to certain individuals who have added their email addresses to LAWA's lists, but has not physically mailed hearing notices. We do not believe electronic mail is a substitute for LAWA mailing notice to interested parties by traditional means who have commented on the draft EIR. Such notices are necessary about the availability of the Final EIR and the Board of Airport Commissioner hearings about it. There are numerous people who either do not have email or do not receive LAWA's email messages regarding the FEIR and hearings.

Finally, we note that, as observed by Commissioner Velasco during the hearing on Thursday, January 31, there were about 100 people who attempted to attend the hearing that were turned away because of the lack of available room capacity, even with the overflow room in LAWA's Administration Building filled to capacity [approximately 200 people]. We believe LAWA should have better anticipated the number of people that would have liked to attend the hearing, in view of the fact that the Los Angeles City Planning Commission hearing regarding LAX modernization plans at the Proud Bird Restaurant on January 8, 2013 apparently drew over 539 people.¹

Again, we repeat our request that LAWA re-circulate the FEIR and associated proposed Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program, Final EIR CEQA Findings, and SPAS Proposed Plan Amendments in order to give the public and public agencies a fair chance to review and comment on this important modernization proposal. The review period should be a minimum of 60 days.

Sincerely,



Douglas P. Carstens

¹ The Planning Commission staff report noted 539 people signed in. Estimates were over 700 people attended because an additional ballroom was opened at the Proud Bird to handle the overflow crowd.

CHATTEN-BROWN & CARSTENS LLP

2200 PACIFIC COAST HIGHWAY

SUITE 318

HERMOSA BEACH, CALIFORNIA 90254

www.chcearthlaw.com

TELEPHONE: (310) 314-8040

FACSIMILE: (310) 314-8090

E-MAIL:

DFC@CHCBARTLAW.COM

January 31, 2013

By Hand

Board of Airport Commissioners
Los Angeles World Airports
One World Way
Los Angeles, CA 90045-5803

Re: Comments on Final Environmental Impact Report for Specific Plan
Amendment Study, SCH 1997061047

Honorable Commissioners:

On behalf of the Alliance for a Regional Solution for Airport Congestion (ARSAC), we provide these comments on the Final Subsequent Environmental Impact Report (FEIR) prepared for the Specific Plan Amendment Study ("SPAS" or "Project") at Los Angeles International Airport (LAX). Upon review of the FEIR's responses to our comments and those of others, we conclude that LAWA may not legally approve the proposed Project on the basis of the FEIR and a statement of overriding considerations. The FEIR remains deficient in a number of areas and its responses to public comments.¹ Now that LAWA has identified a proposed project other than the environmentally superior Alternative 2, the EIR must be recirculated so the public and public agencies reviewing it can focus their comments on the proposed combination of Alternatives 1 and 9 that is recommended by staff.

Even if the FEIR were improved to legally sufficient standards, and were recirculated, LAWA may not approve a project that includes Alternative 2 rather than Alternative 1 on the basis of a statement of overriding considerations. Alternative 2 is feasible and avoids significant environmental impacts associated with Alternative 1 including significant impacts to air quality, exposure of people to significant noise, and avoidable biological resource and land use impacts associated with condemning properties north of the airport for northward runway movement.

For these reasons, we urge you to recirculate the EIR, to obtain and provide

¹ Due to the short time available to review the lengthy FEIR since it was released last week, we incorporate all of our previous objections and do not waive any because they are not be mentioned in this letter.

adequate information about the various impacts associated from the proposed project, including air quality, traffic, noise, biological resources, land use impacts, and the Lincoln Boulevard realignment including coordinating with Caltrans, and to choose Alternative 2, rather than Alternative 1, in combination with Alternative 9.

I. Recirculation is Required Now that a Proposed Project Has Been Identified That is Not the Environmentally Superior Alternative 2.

ARSAC objected that LAWA's failure to designate a single proposed project deprived the public of its ability to meaningfully review and comment on the draft EIR. (FEIR, p. 4-441.) The FEIR states that the staff recommended project, and therefore, the proposed project that is the subject of environmental review, includes the movement of the northern runway 260 feet to the north (260 North Alternative-Alternative 1). (FEIR, p. 2-1). Identification of the specific proposed project at this late date in the Final EIR rather than the Draft EIR defeats the purpose of CEQA to involve the public in a meaningful way in project review and modification to mitigate environmental damage.

An EIR is supposed to be an environmental "alarm bell" whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached the point of no return. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.)

LAWA's process of failing to designate a specific proposed project stifled the alarm bell and deprived the public of the ability to focus their comments on the proposed project earlier in the process. In early meetings about the Project, the public was not advised that LAWA was likely to choose the 260 North Alternative.² Attendance at meetings was low, though not sparse. However, after LAWA designated the 260 North as its preferred alternative, hundreds of people became aware of the actual nature of the proposed project and turned out to object to it. At the meeting held on January 8, 2013 at the Proud Bird, approximately 800 people attended, with "scores of residents" expressing opposition to the proposal that was made clear at that point, but had not been clear earlier when the DEIR was released. (<http://latimesblogs.latimes.com/lanow/2013/01/lax-neighbors-question-north-runway-separation-plan.html>.)

² There is considerable evidence that LAWA staff knew that its recommendation would be the 260 North Alternative all along. The progression to the 260 feet north alternative is evident in PowerPoint presentations given by staff to BOAC. For LAWA to make a precommitment to a particular proposal prior to completing environmental review (as opposed to merely preferring a particular project), and not to identify its preferred project to the public until the FEIR, violates CEQA.

The FEIR claims that the analysis of nine alternatives instead of a single proposed project comports with CEQA's requirements. (FEIR, p. 4-441.) However, this process defeated the public's ability to meaningfully participate in commenting on a single, identifiable, proposed project. LAWA claims that its process of giving what it calls a component approach in a project description was upheld in *California Oak Foundation v. Regents of the University of California* (2010) 188 Cal.App.4th 227. (FEIR, p. 4-171, RTC SPAS-AL00007-6). However, *California Oak* is significantly different since in that case, the public agency proposing the project disclosed the seven discrete projects that were proposed. Each of them would eventually be built in turn, with a stadium occurring first. They were not mixed and matched in the sense that one component might substitute for a different component, as LAWA's mix and match of alternatives would do here. While the EIR in that case did not disclose the material that would be used to build the buildings, their environmental impacts were still understandable and identifiable from the information given. Here, on the other hand, LAWA's description of nine different alternatives without any indication of which the public should focus attention and comments on was distracting and confusing. Not all the alternatives would be built, so without LAWA's identification of the most likely proposal or combination to be approved (i.e., the "proposed project"), meaningful public participation in reviewing the draft EIR was precluded.

CEQA Guideline section 15088.5 requires that an EIR be recirculated when significant new information is added such as "a new significant environmental impact would result from the project" or "The draft EIR was so fundamentally and basically inadequate . . . that meaningful public review and comment were precluded." (CEQA Guidelines s. 15088.5.) To the extent the public could have believed LAWA would choose the less impactful and designated Environmentally Superior Alternative 2 (DEIR Table 4.7-2-8), possibly in combination with Alternative 9, rather than choosing the 260 North Alternative, the FEIR contains new information of new significant impacts which would result from the choice of the 260 North Alternative. Additionally, the draft EIR was fundamentally and basically inadequate in failing to identify a single proposed project so that meaningful public review and comment were precluded. Therefore, recirculation of the EIR is required.

II. LAWA Would Violate the Settlement Agreement and CEQA by Rejecting Environmentally Superior Alternative 2.

ARSAC objected that the DEIR contradicted the Settlement Agreement signed in 2006 between LAWA and various petitioners including ARSAC because it emphasized north runway movement, while failing to address traffic and other consequences, rather

than focusing on alternatives that would provide solutions to the problems that the Yellow Light Projects were designed to address. (FEIR, p. 4-442.) Specifically, the Settlement Agreement stated

- . . . LAWA will focus the LAX Specific Plan Amendment Study on the following:
1. Potential alternative designs, technologies, and configurations for the LAX Master Plan that would provide solutions to the problems that the Yellow Light Projects were designed to address consistent with a practical capacity of 78.9 million annual passengers (the "Alternative Projects"). . . .
 2. Security, traffic and aviation activity of such alternatives designs, technologies, and configurations for the Alternative Projects.
 3. Possible environmental impacts that could result from replacement of the Yellow Light projects with the Alternative Projects, and potential mitigation measures that could provide a comparable level of mitigation to that described for the Yellow Light Projects in the LAX Master Plan Program EIR.

(Stipulated Settlement Agreement, Section V [LAX Specific Plan Amendment Process], Paragraph D, p. 9.)

The FEIR asserts that the combination of Alternative 1 and Alternative 9 provides mitigation measures to reduce or eliminate significant impacts. (FEIR, p. 4-442.) However, the choice of Alternative 1 rather than Alternative 2 creates significant additional impacts that could be avoided by the choice of Alternative 2. These impacts would be on noise, vibration, air and water pollution, and aircraft safety hazards. (FEIR, p. 4-443.) The FEIR responds that such impacts would be created under all alternatives. (FEIR, p. 4-443.) However, they would be less under Alternative 2 compared to Alternative 1. Hence, Alternative 2 was correctly designated in the DEIR as the environmentally superior alternative.

Alternative 2 was identified in the Draft EIR as the Environmentally Superior Alternative. (DEIR, p. 1-103 to 1-104.) It would eliminate the same Yellow-Light projects as Alternative 1 would, but would not require northerly movement of a runway, as Alternative 1 would. (DEIR, p. 2-14.) It was considered superior to the other alternatives, including Alternative 1, because it would result in fewer construction and operation-related air quality impacts, including greenhouse gas emissions; it would result in no biological resource impacts that would occur in connection with movement of the Argo channel associated with Alternative 1 and others; and it would result in fewer people being exposed to significant noise levels. (DEIR, p. 1-104.) Although not identified in this section of the DEIR, Alternative 2 would also avoid the potentially significant land use impact of requiring existing structures to be removed from the

Runway Protection Zone (RPZ) that is associated with Alternative 1. (DEIR, p. 4-522 [stating FAA may require existing structures to be removed]; FEIR, p. 4-444 [ARSAC objection to northward expansion requiring demolition of existing homes or businesses³].)

The environmentally superior alternative 2 is feasible and it is preferable since it avoids impacts associated with Alternative 1. Therefore, LAWA may not approve Alternative 1 on the basis of a statement of overriding considerations.

CEQA requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives (such as Alternative 2) or feasible mitigation measures can substantially lessen such effects. (Pub. Resources Code § 21002; *Sierra Club v. Gilroy City Council* (6th Dist. 1990) 222 Cal.App.3d 30, 41.) The Legislature has stated:

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .

(Pub. Resources Code § 21002.) CEQA mandates that:

Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the Project is approved or carried out unless both of the following occur:

(a) . . . (3) Specific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Pub. Resources Code § 21081.) The Guidelines that implement CEQA restate this requirement. (Guidelines § 15091 (a)(3).) Therefore, LAWA may not legally approve Alternative 1 rather than Alternative 2 because the LAWA cannot substantiate the findings required by Public Resources Code section 21081 for the lack of a feasible, environmentally superior alternative.

³ The FEIR asserts that the westward movement of the RPZ would mean homes are no longer in the RPZ, but it does not address the potential demolition of existing businesses. (FEIR, pp. 4-444 to 4-445.)

III. Several Significant Impacts Could Be Mitigated or Avoided by Alternative 2, But Not Alternative 1.

A. Impacts on Communities East of LAX Will be More Severe Under Alternative 2 Than Under Alternative 1.

ARSAC objected that significant impacts would affect communities located east of LAX. (FEIR, p. 4-445, comment SPAS-PC00130-6.) The FEIR responded that "some or all SPAS alternatives would result in significant impacts after mitigation." (FEIR, p. 4-445.) However, the FEIR does not acknowledge that, as stated in the DEIR, several impacts including air quality impacts would be more severe under Alternative 1 than they would be under Alternative 2. (DEIR, p. 1-104.)

B. More Detailed Analysis of the Impacts of Lincoln Boulevard Realignment Is Required.

ARSAC noted that runway movement northward as would occur with Alternative 1 would require relocation and potential tunneling of the busy Lincoln Boulevard (California State Highway 1), with widespread traffic impacts. (FEIR, p. 4-445.)

The FEIR evades answering questions about the planned realignment of Lincoln Boulevard by asserting that detailed analysis will be disclosed in a future project level environmental review and that the draft EIR is "a program-level document." (FEIR, p. 4-59 to 4-60.) However, the fact that this EIR is labeled a "program" EIR rather than a "project" EIR matters little for purposes of the sufficiency of its analysis and informational value to the public. "The level of specificity of an EIR is determined by the nature of the project and the 'rule of reason' (*Laurel Heights [I]*, *supra*, 47 Cal.3d at p. 407 [253 Cal.Rptr. 426, 764 P.2d 278]), rather than any semantic label accorded to the EIR." (*Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 741-742; see also Guidelines, § 15146.) Here, the nature of the project includes a planned runway realignment. Since sufficient specific information is available about the planned realignment including its approximate length of 540 linear feet, its location, and approximate depth of 30 feet (FEIR, p. 4-59), specific analysis should also have been included in the EIR, not deferred to a future process. "An agency must use its best efforts to find out and disclose all that it reasonably can." (CEQA Guidelines § 15145.)

LAWA may not evade review of the Lincoln Boulevard Realignment or responding to public questions about it by deferring to possible, but uncertain, future

CEQA review. Additionally, LAWA does not commit to a future EIR for the Lincoln Boulevard Realignment but rather vaguely refers to "project-specific CEQA review" that might be done by LAWA or by Caltrans, depending upon who has responsibility for ownership and control of that portion of road in the future. (FEIR, p. 4-61.) This is a vague deferral to an unspecified future form of environmental review by an undetermined agency. Such future review might result in a negative declaration or claim of exemption from CEQA. Thus, the FEIR's deferral of analysis does not meet CEQA's requirements for full disclosure of meaningful information.

C. Air Apportionment Analysis Must Be Included in the FEIR.

ARSAC objected to the inadequate air quality analysis in the DEIR. An adequate air quality analysis was part of the Settlement Agreement between LAWA and petitioners including ARSAC. (Settlement Agreement, Exhibit A, para. E.) In its comment letter on the draft EIR, the Southern California Air Quality Management District (SCAQMD) stated that the results of a monitoring and air quality apportionment study for "a diverse suite of pollutants" including black carbon and ultrafine particles should have been included in the EIR, but that staff could not locate any discussion of it. (FEIR, p. 4-114, comment AR00002-45.) SCAQMD also referred to a black carbon and ultrafine particle study that was posted on the Air Resources Board's website. (<http://arb.ca.gov/research/apr/past/04-325.pdf>.) That study is incorporated in our comments by reference. SCAQMD rightly pointed out "As both of these studies were conducted to help the public and decisionmakers for this project evaluate potential air quality impacts from this facility, a robust description should be included in the Final EIR." (FEIR, p. 4-114.) Instead of complying with SCAQMD's clear recommendation, LAWA responded that it is committed to publishing a study in the Spring of 2013. The FEIR should not be approved until the results of both studies referenced by SCAQMD are included in the EIR and circulated to the public.

D. Biological Resource Impacts Would Be More Significant Under Alternative 1 Than Alternative 2.

ARSAC objected that sensitive biological resources could be impacted by the relocation of navigational aids to support the relocated runway. (FEIR, p. 4-445.) The FEIR responded that such impacts would be mitigated with implementation of various measures. (FEIR, p. 4-445.) However, the effectiveness of the mitigation measures is not clear, and the impacts could be avoided altogether by the choice of Alternative 2. Additionally, the FEIR admits that Alternative 1 would create significant biological resource (ACOE jurisdictional waters and wetlands, and CDFG streambed and riparian habitat) impacts associated with the modification of the Argo Drainage Channel that

would not occur under Alternative 1. (DEIR 1-104.) Although the EIR claims these impacts would be mitigated by acquisition or creation of wetlands and habitat elsewhere, no such mitigation would be required for Alternative 2.

E. Wastewater Treatment Line and Water Seepage Issues Would be Avoided Under Alternative 2 But Not Alternative 1.

ARSAC noted that tunneling that would be required under Alternative 1 would give rise to issues with wastewater treatment line relocation and water seepage. (FEIR, p. 4-445.) However, the FEIR avoids confronting these issues in Topical Response TR-SPAS-LR-1 by deferring them to a future analysis. Deferral of this analysis, as with deferral of analysis and mitigation for other impacts, violates CEQA. The FEIR denies that the project would impact the North Outfall Replacement Sewer (NORS) and the North Central Outfall Sewer (NCOS) because of their depth at 60 feet under the surface. (FEIR, p. 4-70.) However, the FEIR admits "LAWA has not identified other major utilities, including oil pipelines, in the vicinity of the Lincoln Boulevard realignment." (FEIR, p. 4-70.) LAWA anticipates there will be numerous utility lines such as sewers, water lines, storm drains, electrical lines, pipelines, and other utilities, but relies on a yet-to-be-developed utility relocation program to minimize impacts. (FEIR, p. 4-71.) This is impermissible deferral of analysis and mitigation for a foreseeable impact that is already planned under Alternative 1. LAWA must either choose Alternative 2 to avoid these impacts, or find out and disclose all that it can about them before approving Alternative 1.

F. Airspace Redesign Information Should Have Been Supplied.

We requested information on the potential airspace redesign about LAX. (FEIR, 4-456.) The FEIR referred to its answer to comment SPAS-PC00130-301. The FEIR states no proposed airspace designs or alternatives have yet been proposed. However, the FEIR should describe what designs were studied in the August 2011 preliminary study mentioned in the FEIR.

IV. Joinder in Other Public Comments And Request for Notification.

We join in the comments submitted by Barbara Lichman on behalf of the City of Inglewood, Culver City, and Ontario, and County of San Bernardino, the comments of William T. Fujioka on behalf of the County of Los Angeles Chief Executive Office Operations and Budget; Drollinger Properties; and other comments raising issues identified in our various letters. These comments include, but are not limited to, objections to the analysis regarding traffic congestion, air pollution, hazardous materials, public safety, noise, land use, and other impacts. We also request notification of any

Board of Airport Commissioners
Los Angeles World Airports
January 31, 2013
Page 9 of 9

future hearings and notices pursuant to Public Resources Code section 21092.2.

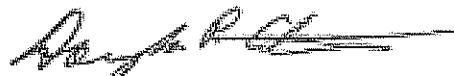
V. CONCLUSION.

ARSAC urges you to provide the additional information and responses to comments identified in our letter and other comments on the draft EIR. After that, we request that you recirculate the EIR with its recent identification of a particular proposed project so that members of the public can meaningfully review and provide comments on it. The process of approval of such an important expansion of LAX deserves compliance with the letter and spirit of California's environmental laws and the Settlement Agreement reach between LAWA and petitioners in 2006.

Finally, after the procedural requirements of CEQA are observed, we ask you select Alternative 2 rather than Alternative 1, as Alternative 2 would be most protective of the environment while still achieving most of LAWA's project objectives. Choosing Alternative 1 would be a disservice to the community and all others who hope to see approval of environmentally and fiscally responsible plans for LAX. As we have stated, the Settlement Agreement is based on a good faith effort to reach a workable solution for everyone, and ARSAC is disappointed with the results of that agreement thus far. Even so, ARSAC remains committed to working with LAWA to improve and modernize LAX.

Thank you for your time and consideration of these comments.

Sincerely,



Douglas P. Carstens

ARSAC WHITE PAPER-
PROGRAM LEVEL VS PROJECT LEVEL EIR ANALYSIS
RE: THE LINCOLN BLVD. TUNNEL PROJECT

INTRODUCTION AND SUMMARY

The SPAS Report and DEIR recently released by LAWA purports to be a Program Level EIR, not a Project Level EIR, despite the fact that numerous specific projects are identified including an automated people mover, consolidated rental car facility, movement of taxiways and runways on the airfield and modernization of terminals.

This white paper is written to examine one of the projects specifically identified in the documents in the context of the Program versus Project Level EIR debate.

The specific project considered herein is the realignment of Lincoln Boulevard to accommodate the move northward of the outboard runway of LAX. This project will in effect swing Lincoln Boulevard, California State Route 1, on a wider arc around the airfield, bringing it much closer to homes, businesses, churches, schools and other sensitive uses in the Westchester community. It will also require that Lincoln be depressed below grade into a tunnel of a length that will depend on the extent of the runway move. A cost estimate in the SPAS Report puts the cost of this project in excess of \$1 billion with many elements admittedly not included. A cost figure three or four times larger would be more realistic.

This white paper does not undertake to study all aspects of the runway move. A similar white paper could be written about the implications of converting the Argo Trench to a box culvert or the elimination of the old tunnel that still exists under the north airfield.

Three of the alternatives proposed by LAWA would involve extending the perimeter fence of LAX hundreds of feet into the community and realigning and tunneling Lincoln Boulevard, California State Route 1. All would involve realigning and tunneling Lincoln Blvd.

Alternative 1 relocates runway 6L/24R, the outboard runway of the north airfield, 260 feet to the north; Alternative 5 relocates this runway 350 feet to the north; and Alternative 6 relocates this runway 100 feet to the north. Each of these alternatives requires that 6080 feet of Lincoln Blvd. be realigned and each would require that it be depressed into a tunnel. In the case Alternative 1, the tunnel would be 252 linear feet; Alternative 5 would require a 765-foot tunnel; and Alternative 6 would require a 540-foot tunnel.

In contrast to Alternatives 1, 5 and 6, Alternative 2 would not require moving the LAX perimeter fence or realigning and tunneling Lincoln Blvd.

The subject of Program Level versus Project Level EIR's is dealt with the California's CEQA Guidelines. Under the regulations stated therein, a Program Level EIR may be used to adopt a general plan for the conceptual planning of a district or area. It is designed to provide some level of analysis of "future and unspecified development" (CEQA Guideline 15146(b)).

In summary, this white paper demonstrates that the realignment and tunneling of Lincoln Blvd. is a specific, tangible, identified project, not a “future and unspecified” project. A high level of technical analysis has been performed on the project, far more than the “conceptual planning” sanctioned by the Guidelines for a Program Level EIR.

The DEIR and SPAS Report analyze the Lincoln Blvd. project in significant detail including its alignment, length of tunneling and sloping, and cost. Doing so reveals that a “project”, not a “program” is being proposed. Having opened the door of technical analysis, LAWA is obligated to perform the analysis completely and accurately. LAWA cannot escape the effects of faulty, incomplete, misleading and inaccurate analysis by claiming only a “program level” analysis is required.

The opinion expressed herein is that LAWA cannot have its cake and eat it too. It cannot disclose innocuous or general details and conceal specific details that reveal serious flaws. It cannot calculate and state the costs of a project without including all of the costs. And it cannot identify some of the impacts of the project without revealing all of the impacts.

One does not need to be a civil engineer to discern that if LAWA is able to calculate the exact length of the tunnel required for the realigned Lincoln Blvd., then it must know Lincoln’s proposed path including how much closer it will be to residences, businesses, schools, churches and other sensitive uses. It must also know how deep below surface level the tunnel must be placed including the extensive web of oil and gas pipelines, outfall sewers, water, electrical, fiber optic and other subsurface facilities which will have to be identified, located, and relocated as a result of the project. None of these factors are addressed in the DEIR or SPAS Report.

Having clearly revealed that it has taken the Lincoln Boulevard realignment project past conceptual planning and into preliminary engineering, LAWA must be forced by either community outcry or by court decree to treat the outward expansion of the LAX perimeter fence and the realignment and tunneling of Lincoln Boulevard as a project which can only be entitled by means of a project level EIR.

During the scoping phase of the SPAS process, numerous comments were offered asking that the subsurface structures below Lincoln and Sepulveda boulevards be studied. The failure to do so, or the failure to disclose the result of doing so, constitutes a fatal flaw in the DEIR.

A word about the real-world context of this program versus project level debate: Gina Marie Lindsey and other advocates for moving the north runway 24 Right to the north are openly and repeatedly refusing to defer the issue of the movement of the runway to a later time when more is known about LAX’s passenger levels and the success or failure of the New Large Aircraft which the runway move is designed to accommodate. They are declaring that no other projects at LAX can be planned or implemented until the location of the runway is established. Clearly, this statement reveals that a program level EIR is simply not what LAWA needs at this time. At this time LAWA needs and should produce a Project Level EIR to move the runways. If LAWA has determined that the runway move and the attendant realignment and tunneling of Lincoln Blvd. is the lynchpin for all other LAWA projects, then it should withdraw the Program Level EIR,

isolate the runway/Lincoln Blvd. project, study it thoroughly and circulate a project level DEIR which discloses and adequately studies all elements of the project.

WHITE PAPER METHODOLOGY

At page 4-3 of the DEIR LAWA quotes CEQA Guideline 15146(b) to the effect that a program level EIR should “provide an effective means of delineating and comparing and contrasting the overall characteristics, performance levels and environmental impacts of each alternative.”

With respect to the runway relocation proposed for the LAX north airfield, this means that sufficient information must be given to compare and contrast Alternatives 1, 5 and 6 which would move the runway to Alternative 2 that would not.

This whitepaper will review both the SPAS Report and the DEIR on this issue. It will identify both what LAWA has disclosed and what it has not disclosed about the Lincoln Blvd. realignment and tunnel project.

The SPAS Report will be considered first. The SPAS Report states the study requirements agreed to by LAWA in the settlement agreement and gives background information and data which are a useful as a starting point for the consideration of the legally mandated and court enforced Environmental Impact Report.

The DEIR is organized, as required by the Guidelines, in terms of thirteen categories of environmental impact such as Aesthetics, Air Quality, etc. Within each such category the DEIR gives general background followed by a specific discussion of each of the nine alternatives. Within the discussion of each alternative there is a heading “Northern Boundary” within which the Lincoln Blvd. realignment is discussed. Within the “Northern Boundary” discussion is a section dealing with impact during operation and impact during construction. Hence each of the thirteen areas of environmental impact is outlined as follows:

- Environmental Impact category
 - General background
 - Specific alternative
 - Northern Boundary issues
 - Operational impacts
 - Construction impacts

The balance of this white paper will review and discuss LAWA’s treatment of the Lincoln Blvd. realignment and tunnel project.

REVIEW OF THE “PRELIMINARY LAX SPECIFIC PLAN AMENDMENT STUDY REPORT”

At pages 1-4 through 1-16 SPAS Report basic descriptions of the nine alternatives are given together with diagrams of each. For Alternatives 1, 5 and 6, the “distinguishing airfield improvement feature” is said to be the northward movement of runway 6L/24R 260 feet, 350 feet and 100 feet respectively.

The narrative description of these three alternatives gives no indication that a necessary element of the runway move is the expansion of the airfield and the realignment and tunneling of Lincoln Blvd. Only in a small note on the diagrams is this revealed. A member of the public trying to understand LAWA’s intentions would reasonably believe that the narrative would accurately describe the project and would not omit such a significant component as the complete realignment of Lincoln Boulevard, California State Highway 1.

After an extended review of the history of the LAX Master Plan and the SPAS process, Section 5.5 of the Report begins the discussion of the current, on-the-ground situation as LAX. This section, which begins at page 5-79, is entitled Refinement Of Second Iteration of SPAS Concepts.

At page 5-105 the following passage concerning Lincoln Boulevard appears:

Lincoln Boulevard

Similar to the Argo Drainage Channel, relocation of Runway 6L/24R to the north would place portions of Lincoln Boulevard within the RSA and/or OFA. Consequently, new alignments of Lincoln Boulevard were developed (including covered and below grade sections) in order to comply with FAA standards. Concepts with greater runway separation would require portions of the alignment to be covered and below grade.

The conceptual alignments are provided in Section 5.6 beginning at page 5-110. Major elements of each of the nine alternatives are placed into one of three categories: “airfield improvements,” “terminal improvements” or “ground access improvements.” The Lincoln Blvd. realignment is placed in the “airfield improvements” category and the issue is framed thus:

The extent to which the Lincoln Boulevard and the Argo Drainage Channel would have to be modified in order to accommodate a northerly shift in the alignment of Runway 6L/24R;

A strong argument can be made that it is highly misleading to characterize tunneling and realigning more than a mile of Lincoln Blvd. thereby taking it hundreds of feet closer to sensitive uses as a “modification.”

Section 5.7 of the Report sets forth numerous alternatives that were “rejected” and not carried forward in SPAS. The fact that many of those alternatives had great potential for achieving the purposes of SPAS with less community impact than expanding the LAX fence line and realigning Lincoln is not the subject of this whitepaper, but should be noted.

Section 6, SPAS ALTERNATIVE PROJECTS, constitutes the real substance of the Report.

The three goals of SPAS are recited at page 6-1, one of which is to achieve 78.9 million annual passengers. At page 6-3 passenger counts for the years 2007 through 2011 are given.

Discussion of Alternative 1 begins at page 6-12. At page 6-13 the following appears:

Relocate Lincoln Boulevard northward between Sepulveda Boulevard and Westchester Parkway, and depress the eastern portion of the road segment to be compatible with the object free area requirements for the east end of Runway 6L/24R, which would require approximately 540 linear feet of the road segment to be tunneled.

Discussion of Alternative 5 begins at page 6-51, and the following appears at page 6-52:

Relocate Lincoln Boulevard northward between Sepulveda Boulevard and Westchester Parkway and depress the eastern and western portions of the road segment to be compatible with the object free area requirements for Runway 6L/24R, which would require approximately 765 linear feet of the eastern portion of the road segment to be tunneled.

The following appears at page 6-52:

With the combination of the runway improvements (including the easterly extension of Runway 6R/24L and improvements to 6L/24R), associated improvements to Lincoln Boulevard and the Argo Drainage Channel, and establishment of displaced thresholds, the Alternative 5 north airfield configuration would be fully compliant with FAA RSA standards for Runways 6L/24R and 6R/24L, addressing hazards relating to the potential for aircraft to overshoot, undershoot, or experience excursions from the runways.

Just as it is a misrepresentation for LAWA to characterize realigning Lincoln Blvd. for more than a mile and tunneling it for more than 750' as a "modification," so too is characterizing this very large project as a mere "improvement."

A serious question will be whether Caltrans will consider the conversion to a tunnel and the realignment of California State Route 1 by more than a mile to be a minor street "modification" or "improvement." Apparently LAWA considers the permitting of the "Lincoln Boulevard Realignment and Tunnel Project" to be a mere detail to be handled by staff at a later date.

Discussion of Alternative 6 begins at page 6-57, and the following appears at page 6-58:

Relocate Lincoln Boulevard northward between Sepulveda Boulevard and Westchester Parkway and depress the eastern and western portions of the road segment to be compatible with the object free area requirements for Runway 6L/24R, which would require approximately 252 linear feet of the eastern portion of the road segment to be tunneled

As was the case in its discussion of Alternative 1 and 5, the realignment and tunneling of Lincoln Blvd. is labeled “an improvement.”

In stark and simple contrast to the expand-the-airfield, tunnel-and-realign-Lincoln approach of Alternatives 1, 5 and 6, the following is stated about Alternative 2 at page 6-34:

Improvements associated with Runway 6L/24R under this alternative, including connecting taxiways, are different than Alternative 1. Because there would be no northerly relocation of Runway 6L/24R under Alternative 2, it does not require the modifications to the Argo Drainage Channel (other than those required under existing conditions to meet federal RSA requirements) and Lincoln Boulevard described above for Alternative 1.

For purposes of this whitepaper this ends the relevant narrative discussion of the SPAS alternatives (although Report Chapter 8 on dollar costs awaits), and the question can be posed, has LAWA fairly described the alternatives and allowed a member of the public who simply wants to understand this important infrastructure project to compare and contrast the alternatives? Asked in another fashion, does characterizing the realignment of Lincoln Boulevard by hundreds of feet and its depression into a tunnel for as much as 765 linear feet as a “modification” or an “improvement” accurately portray what LAWA intends to do? The question answers itself.

The financial underpinnings of LAWA’s much desired expansion is strategically placed where LAWA obviously wants it, at the very end before which most members of the public will long since have given up. In fact, Chapter 8, Financial Analysis, is exceptionally informative and, not surprisingly, misleading.

Sections 8.1 through 8.3 provide discussion of LAWA’s governance structure, accounting and cost center structure, governing bond documents, and key business agreements. Section 8.4 sets forth key assumptions. All make for interesting reading.

However it is Section 8.5, Estimated Alternative Costs, Section 8.6, Approximation of Funding Sources”, and their associated Table 8-1 that are of interest herein.

Section 8.5 incorporates an earlier discussion about the dollar cost of other, non-SPAS planned projects at LAX. A total of \$6.5 billion is planned to be spent at LAX on non-SPAS projects. Of this amount \$2.1 billion is currently in construction with \$4.4 billion in the planning phase. Examples of projects in planning are the Midfield Satellite Concourse, renovations to existing terminals and the ongoing soundproofing program.

Now, on to the cost of SPAS and the Lincoln Blvd. Realignment and Tunnel Project:

To review the Report’s analysis of the cost of SPAS one must turn his or her laptop a quarter turn clockwise and rest it on its right side because Table 8-1 is in landscape, not portrait, format and LAWA has made precious few hard copies available. For one reviewing the report on a

desktop computer, you will need to rest your left ear on your desk and just do the best you can. The fact the font is nearly invisible and the size is in the 2 to 3 range does not help.

Table 8.1 is a summary of costs associated with each of the SPAS alternatives. Directing attention to the table for Alternative 5, one learns the following. The cost of the airfield component of Alternative 5, which is the component that includes expanding the airfield and realigning and tunneling Lincoln is said to be \$808,660,000 in 2010 dollars or \$1,099,792,000 in escalated dollars. Rounded that is \$800 million if the projects had been built two years ago and \$1.1 billion if the projects broke ground this year. Of course it is impossible to predict what it will cost if the work commences in 2025, the earliest year it is predicted LAX will actually reach 78.9 MAP, so we will work with \$1.1 billion.

Table 8.1 states that the total escalated cost of Alternative 5 including terminal and ground access improvements to be \$9,091,629,000 and the total identified funds available to be \$3,601,629. The wisdom of undertaking a program that is underfunded by two-thirds is beyond the scope of this whitepaper, but is alarming.

In clear contrast to the cost estimates for Alternative 5, airfield improvements for Alternative 2 are estimated to be \$205,200,000 in 2010 dollars and \$279,760,000 in escalated dollars. Thus, the cost of Alternative 2 is approximately three percent (3%) of Alternative 5.

What follows in Chapter 8 is a number of charts and graphs that provide visual representations of the costs of various alternatives with and without various other alternatives concluded. Each is based on the specific dollar figures previously stated.

Where did these specific dollar figures come from? The answer to that question is buried even deeper in the Report in Appendix G, Preliminary Rough Order of Magnitude Cost Estimates. (On your way to Appendix G be sure and stop off at Appendix F that shows that LAWA achieves NO significant operational efficiencies by any of its proposed airfield modifications.)

Table AF-1 of Appendix G purports to summarize cost of the airfield improvements of the various alternatives. The cost of realigning and tunneling Lincoln is explicitly not included but the cost of removing the abandoned tunnel under the north runway and the cost of converting the unlined Argo Trench to a concrete box culvert are included. The cost of airfield improvements for Alternative 5 is placed at \$716,700,000. The cost of airfield improvements for Alternative 2 is stated to be \$205,200,000.

Parenthetically it can be noted that in addition to the cost of realigning and tunneling Lincoln, the following costs are identified in a footnote as not included in these estimates: site clearing, roadway work and facility demolition in support of Taxiway D and E work; security fence and guard post costs; right-of-way and land acquisition costs; costs of the Community Benefit Agreement or costs for the Mitigation Monitoring Plan; project phasing costs; tenant relocation costs; off-airport property acquisition and relocation costs; or mitigation costs of for the Lincoln (Park West) Apartments or 8939 S. Sepulveda office building. Cost of these items is left to the public's imagination.

Following summary Table AF-1 is seven pages of tightly constructed and very detailed estimates of the cost of moving runway 6L/24R. Examples of the level of detail achieved in the underlying cost estimate are “Removal of runway concrete pavement 19” thick”, “Removal of shoulder asphalt 4” thick” and “Removal of Econocrete 12” thick.”

Following the detailed seven page estimates to move the runway is our target prize: The estimated costs to realign and tunnel Lincoln Blvd.

Table AF-3 summarizes the cost to realign and tunnel Lincoln Blvd. as follows:

- Alternative 1 - \$61,210,000
- Alternative 5 - \$89,960,000
- Alternative 6 - \$45,290,000

The cost to realign and tunnel Lincoln Blvd. for Alternative 2 is zero of course.

Following summary Table AF-3 are five pages of detailed estimates for the specific cost items of realigning Lincoln Blvd. including such items as “water for compaction” (\$15,000), “base course 8” thick” (\$208,000), and “subbase course 12” thick” (\$216,000).

At this point the question posed at the very top of this whitepaper can be restated: Can it be fairly said that LAWA is only engaged in “conceptual planning” when it has obtained an estimate for 8” thick course base at \$208,000 and for 12” thick subbase at \$216,000. It is a remarkable “program level” EIR which includes an estimate for the precise amount of subbase required.

Table AF-4 is similarly illuminating of the level of project work completed by LAWA to date. This table states quite precisely the exact number of feet that will be flat, sloped, depressed and in a tunnel for all of the potential runway moves. For example, Table AF-4 indicates that if runway 6L/24R is moved 300 feet, then 6080 feet (more than a mile) of Lincoln Blvd. will be rerouted of which 350’ will be in a tunnel, 600’ will be “sloped” and 280’ will be depressed and 4,850’ will be flat. (It might be noted that the tunnel lengths listed in Exhibit G, Table AF-4 seems to be far off from the tunnel lengths listed in the body of the Report).

Is LAWA simply engaged in “conceptual planning?” Hardly.

Exhibit G in total is 56 pages of tightly constructed estimates for very specific projects pertaining to airfield modifications, terminal improvements, and ground access improvements including the Automated People Mover (APM) and the Consolidated Rental Car Facility (CONRAC).

“Conceptual planning” for a master plan involves favoring bike paths and housing near transit stations. It does not include a calculation the cost of concrete subbase 12” thick.

**CONCLUSIONS TO BE DRAWN FROM CONSIDERATION OF THE
PRELIMINARY LAX SPECIFIC PLAN AMENDMENT STUDY REPORT**

Simply stated, LAWA has placed itself uncomfortably on the horns of a dilemma. Otherwise stated, it has hoisted itself on its own petard.

It has claimed that what it seeks is a “Program Level” EIR such as would occur in a community’s broad general or zoning plan at the “conceptual planning” stage. And yet it is quite clear that it has gone far, far past “conceptual planning” and is deeply into preliminary engineering on a specific, project-by-project basis.

In recent conversations with Westchester and Playa del Rey community members, LAWA Executive Director Gina Marie Lindsey has been asked whether she would be willing to move forward with the terminal modernization projects and the ground access projects before LAWA proceeds with the airfield projects. Considering the limited acceptance and safety problems faced by the New Large Aircraft (NLA), the sluggish world economy and the “restrained” at best growth in traffic at LAX, such a question is justified.

Ms. Lindsey’s response has been clear, unambiguous and simple: No, we can’t move forward without knowing what is going to happen with the north airfield.

The community’s response to Ms. Lindsey should be equally clear, unambiguous and simple. We believe it is the same answer she will receive in Court: If you want a specific project such as moving the runway and realigning and tunneling Lincoln Boulevard, then do a Project Level EIR. If the world of LAX revolves around one project, that being moving the runway, then all other projects should be put aside and the runway project should be resolved. Don’t try to obtain a backdoor approval or confuse the public by throwing in community-serving projects which you have no intention of delivering. Withdraw the “program level” DEIR and prepare a “project level” EIR forthrightly stating that you seek to move the runway and realign and tunnel Lincoln.

Perhaps the expression that should be used in characterizing the Report should not refer to dilemmas or petards. What it is, is “neither fish nor fowl.” It is far too detailed and advanced to be considered as a program level EIR and yet it falls far short of what would be necessary to be approved as a project level EIR.

**POSTSCRIPT TO CONCLUSIONS TO BE DRAWN FROM CONSIDERATION OF
THE PRELIMINARY LAX SPECIFIC PLAN AMENDMENT STUDY REPORT**

Back to Exhibit G, Table AF-3, the cost breakdown to reroute Lincoln.

The Sepulveda Boulevard right of way is an old and historic one in Los Angeles. It was not always as urbanized as it is now. For many years it was the main route for subsurface pipelines to transport oil from the oilfields in the Baldwin Hills to the refineries in the South Bay including the Chevron refinery in El Segundo and the Mobil refinery in Torrance. It is still in use today for that purpose.

In more recent years one of the City of Los Angeles most important facilities was constructed and recently modernized, that being the Hyperion waste treatment plant in Playa del Rey immediately south and west of LAX. Fed by outfall sewers as much as 20' in diameter, Hyperion treats and disposes of tons of raw and treated sewage daily. The path of the outfall sewers: through Culver City and Westchester intersecting Sepulveda and Lincoln boulevards around LAX.

The major underground pipelines are all in addition to the innumerable public utility and private entity cables and pipes under the Sepulveda corridor at its intersection with Lincoln.

The spider web of pipes under Sepulveda Boulevard has been well known to the community for many years. Longtime Sepulveda property owner and civic activist Howard Drollinger knew it well and spoke of it often.

LAWA steps onto a very slippery slope when it undertakes to expand its campus and depress Lincoln Blvd. into a tunnel in this area, particularly considering that when it moved the southernmost runway it discovered a runway ON ITS OWN CAMPUS that it had no record of. This runway was a north-south runway that had existed behind the west side of the Tom Bradley International Terminal. Westchester Golf Course was the Runway Protection Zone (RPZ) for this former runway.

Not one word in the SPAS Report concerning the realignment and tunneling of Lincoln indicates that the underground situation around the Lincoln/Sepulveda intersection has been carefully studied. And the estimates to reroute Lincoln set forth in Exhibit G, Table AF-3 give no comfort, it appearing that the estimate contains no allowance for the discovery or relocation of such facilities. Third-party agreements are a major cost item for such projects and yet Table AF-1 specifically indicates that costs for right of way and land acquisition are NOT included in the cost estimates.

The fundamental purpose of the Scoping process is to advise the project sponsor of items which must be carefully studied. If by some stretch of the imagination LAWA didn't know that it needed to study facilities under Lincoln and Sepulveda boulevards, it was certainly advised to do so in many comments and written correspondence during the Scoping process.

During the scoping phase of the CEQA effort numerous individuals and entities, including ARSAC requested that the subsurface conditions and structures in the Lincoln/Sepulveda intersection area should be carefully studied. The SPAS Report fails to show that this has been done. Nevertheless, Appendix G purports to give a cost estimate to realign and tunnel Lincoln Blvd. Having opened the door to a consideration of cost, LAWA cannot omit from consideration an element so important and costly and utility identification and relocation. To fail to study

and/or disclose this cost item is to mislead and indeed deceive the public and public policy officials. While the question of whether this misrepresentation is intentional or inadvertent may be open to debate, the FACT that it IS a misrepresentation is not.

LAWA has either not studied a significant environmental issue or it has intentionally withheld the results of the study from the public. In either case, the DEIR should be withdrawn, re-scoped, properly prepared and re-circulated.

REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

The preceding sections of this white paper, with a few digressions, dealt with two questions:

First, can the mistakes and omissions in the two documents LAWA is currently circulating be overlooked because it is only a "program level" efforts. As demonstrated, LAWA is pursuing a very specific project, namely the movement of the northernmost runway 350' north and the realignment and tunneling of Lincoln Boulevard. For this project precise dimensions and costs have been calculated. A project level EIR should and must be done for this project.

Second, has LAWA met its obligations to study all relevant and significant issues raised in the Scoping sessions for the project? Using as a test case the issue of subsurface structures under Lincoln and Sepulveda boulevards where LAX would be tunneling, this obligation has not been met and LAWA's effort is flawed at least based on a review of the Preliminary LAX SPAS Report. Having failed to consider the cost of identifying and relocating major subsurface facilities and structures, LAWA's cost estimates, already gruesomely underfunded, become laughably worthless.

The question now presented is simple: Having failed in the Report to show that this significant topic was studied, does the DEIR go further or otherwise indicate that the issue has been considered by LAWA? The answer is no, and as a result the DEIR itself is fatally flawed.

WHITE PAPER METHODOLOGY RE DRAFT EIR

If the challenge in this section of the white paper is to determine whether LAWA has studied the subject of subsurface structures and facilities below Sepulveda and Lincoln boulevards, then perhaps the most direct approach would be to do a word search for such terms as "oil and gas," "petroleum pipelines," "outfall sewer," "Hyperion," "fiber optic cable," and "Dig Alert (811 service or Underground Service to locate underline pipelines and cables before digging into the ground)." This was not possible because LAWA did not enable the public to word searches on the online or disk versions of the Draft EIR and SPAS Report.

CEQA requires the EIR sponsor to specifically consider each of thirteen designated topics for each project alternative presented. Chapter 4 of the DEIR is LAWA's effort to meet this

requirement. For each of the thirteen areas LAWA gives an Introduction, discussions of Methodology, Existing Conditions, Thresholds of Significance, and Master Plan Commitments and Mitigations followed by a review of each of the nine alternatives. The DEIR further divides each topic into a discussion of construction impacts and operational impacts once the project is completed.

If LAWA studied and reported on the impact of subsurface structures under the Lincoln/Sepulveda intersection then one would certainly think that it would be revealed in its comments about Alternative 5 which would relocate runway 6L/24R 350' north. Hence, the methodology used herein is to review LAWA's discussion of each of the thirteen study areas focusing on the Alternative 5 portion of the discussion. Particular attention is given to the Transportation (4.12) and Utilities (4.13) sections that would seem to be the logical locations for consideration rerouting and tunneling Lincoln Blvd.

REVIEW OF ALTERNATIVE 5 DISCUSSION IN DEIR

AESTHETICS, Section 4.1 of the DEIR

The discussion of the impact of the nine alternatives on area Aesthetics commences on page 4-6 and limits itself to consideration of "aesthetic qualities, views and lighting conditions at LAX and surrounding areas." Certainly one would assume that Caltrans would require Lincoln Blvd., California State Route 1, to have very bright overhead lighting at all times. Further, impacts of a major construction site including staging and laydown areas could be expected to be significant. Hence, one would assume moving Lincoln Blvd. 350' closer to the residential community would have significant implications for light and glare.

Discussion of the impacts of Alternative 5 begins at page 4-63 with the light and glare impacts beginning at page 4-65. At page 4-66 the following appears:

Therefore, these improvements would not result in a change in lighting or lighting intensity such that light would spill off and affect light-sensitive areas, and would not result in a substantial new source of glare which would adversely affect nighttime views in adjacent areas sensitive to glare, and thus associated light and glare impacts along the northern boundary would be less than significant.

Increases in light and glare from rerouting more than a mile of Lincoln Blvd. and constructing a tunnel are similarly brushed off with:

Construction Fencing, impacts associated with light and glare during construction would not result in a change in lighting or lighting intensity such that light would spill off and affect light-sensitive areas, and would not result in a substantial new source of glare which would adversely affect nighttime views in adjacent areas sensitive to glare. Therefore, construction light and glare impacts would be less than significant.

Thus, the Aesthetic impact, including light and glare impacts of rerouting more than a mile of Lincoln Blvd. including relocating oil and gas pipelines, utilities and a major sewer structure are viewed as less than significant.

AIR QUALITY, Section 4.2 of the DEIR.

The discussion of Air Quality impacts begins at page 4-83 of the DEIR. Two Air Quality impacts seem obvious for study, those being (1) the impact of routing Lincoln Blvd. 350' or more closer to homes, business, schools and churches, and (2) the impact of using very heavy construction equipment to unearth and expose oil and gas pipelines, utilities and sewer facilities.

The complete failure of the DEIR to study and report on the implications of realigning Lincoln for more than a mile and tunneling for 765' can be seen at page 4-88 where the following elements of the program are identified as studied:

Construction activities were assumed to be located on the north airfield and at the north terminals, in the Central Terminal Area (CTA), at Manchester Square, in the current Parking Lot C, at the proposed Intermodal Transportation Facility (ITF) site just south of Lot C, on the east side of Aviation Boulevard south of Century Boulevard, on the Automated People Mover (APM) routes along Century Boulevard and 98th Street, and on the west side where batch plant operations permitted by the SCAQMD and USEPA and project support activities could occur. The analysis was conducted using normalized emissions rates (1 gram per second) for each construction source area to determine the concentration-to-emission ratio (X/Q) at each receptor for each source or source group. This X/Q ratio for a given source or source group were multiplied by the estimated emissions for a specific pollutant to obtain that pollutant's concentration at each receptor for the given source or group. The results for all sources in a given alternative were summed for each pollutant to obtain the project's construction activity contribution to ambient concentrations.

Quite apparently the large, high risk rerouting of Lincoln and extensive subsurface work in an area known to include high volume sewer lines and oil and gas transport lines in addition to large amount of standard subsurface utilities in a street in use for decades has not been studied in terms of Air Quality.

The discussions of Air Quality implications of Alternative 5, the most significant in terms of displacement of Lincoln and subsurface work appears at page 4-112 for post-construction air pollution and at page 4-118 for construction air pollution. In neither are the Air Quality implications of rerouting Lincoln for more than a mile even mentioned in passing.

BIOLOGICAL RESOURCES, Section 4.3 of the DEIR.

Discussion of the impact of the nine alternatives on Biological Resources begins on page 4-163, and the discussion of Alternative 5 on page 4-250.

While the DEIR discussion of the impacts of Alternative 5 at the west end of the airfield adjacent to Pershing Drive, no significant discussion appears about the impacts at the east end of the airfield near the Lincoln/Sepulveda intersection.

COASTAL RESOURCES, Section 4.4 of the DEIR.

Discussion of the impact of the nine alternatives on Coastal Resources begins at page 4-299, and the discussion of Alternative 5 on page 4-325.

While there could be storm water runoff impacts or other impacts on Coastal Resources from major construction at Lincoln and Sepulveda, other impacts are certainly far greater.

CULTURAL RESOURCES, Section 4.5 of the DEIR.

Discussion of the impact of the nine alternatives on Cultural Resources begins at page 4-337. Impacts of Alternative 5 with Historic implications appear on page 4-370. Impacts with Archeological implications appear on page 4-376.

As is the case in so many other sections of the DEIR, the Cultural Resource issue is dealt with as if the rerouting of Lincoln Blvd. swinging it further north towards many sensitive uses is ignored. It is as if LAWA failed to advise its CEQA consultants it was part of the project. Buildings older than 45 years must at minimum be inventoried. While the report makes mention of the Union Savings and Loan Building at 9800 Sepulveda, it makes no mention of numerous buildings along Sepulveda that are older than 45 years. If such nearby buildings are outside the technical boundaries of the study area such could be noted. Simply failing to even make mention of such buildings adds to the implication that LAWA is seeking to conceal the impacts of its massive, billion dollar-plus Lincoln/Sepulveda realignment and tunneling project.

GREENHOUSE GAS EMISSIONS, Section 4.6 of the DEIR.

Discussion of Greenhouse Gas impacts begins on page 4-385, and the discussion of impacts of Alternative 5 appears on page 4-407.

Because the methodology used to calculate Greenhouse Gas Emissions in the DEIR combines the impact of operations with the impact of construction and further combines airfield modifications with terminal and ground access impacts, isolating the effects of the Lincoln Blvd. realignment and tunneling project is virtually impossible.

Still, it would seem unearthing, opening and relocation of decades old petroleum lines would release significant greenhouse gas, both by the heavy equipment used in the process and by the pipeline and surrounding contaminated soil. Though not as old of construction, the same can be said for the major sewer lines in the area running to the Hyperion treatment plant.

This is a subject which LAWA should have studied, was asked to study, but apparently didn't study.

HAZARDS AND HAZARDOUS MATERIALS, section 4.7 of the DEIR.

Discussion of Hazards and Hazardous Materials begins on page 4-423, and the discussion of impacts of Alternative 5 appear on page 4-452.

The discussion in this section of the DEIR focuses primarily on the production of Toxic Air Contaminants (TAC) and the rate of cancer that results. This section of the DEIR uses two tricks used throughout to conceal and explain away the impact of locating, opening and relocating major petroleum, sewer and other underground facilities despite the apparent risk of release of toxic substances including explosive gases.

The first trick used is to hide behind the screen that “this is only a program level EIR.”

Construction of any SPAS alternative is projected to take about 11 years. A detailed evaluation of TAC emissions during the construction phase cannot be accomplished until project-level information on construction staging is available. For purposes of the program-level evaluation in this EIR, possible construction emissions are estimated generically based on projected costs for the various alternatives. This approach provides sufficient information on the relative impact of construction emissions to analyze how important these emissions might be to incremental impacts of the SPAS alternatives. Detailed evaluation of construction impacts at the project level will be completed to help judge how construction impacts might vary from year-to-year as construction starts and moves through different phases across the airport.

If then LAWA is contending it can predict risk of exposure to cancer based on the “projected costs for the various alternatives”, then those cost projections must be accurate. Refer to the sections of this white paper on the cost of the Lincoln Blvd. realignment and tunnel project in which numerous cost factors were declared to have been omitted intentionally and with other apparently simply “missed.”

The second trick used is to combine cancel out the deleterious effects of air pollution caused by projects which LAWA intends to construct at any cost with the beneficial effects of ground transportation projects which LAWA has little if any intention or funds to construct.

In the discussion of health risks caused by Alternative 5, at page 4-452 it is claimed that the health risks constructing and operating State Route 1, Lincoln Blvd., 350 feet or more closer to residences, business, churches and schools is overcome by purported efficiencies in airfield operation, vehicle mix and transit facilities that are unfunded and probably will not be constructed.

And the public certainly should not ask for more information or detail. Recall, this is a program level, not a project level EIR.

Section 4.7.3 beginning at page 4-574 deals with Hazardous Materials, especially those that pose a risk to the personal safety of workers or the public or which risk groundwater contamination. At page 4-575 the following appears:

There are 32 sites at LAX where hazardous materials releases have resulted, or may have resulted, in groundwater and/or soil contamination. Of these 32 sites, seven have significant soil and/or groundwater contamination and are undergoing remediation activities under LAFD or RWQCB supervision.

This passage represents further proof, that while LAWA may have studied environmental issues on its own airfield in support of SPAS, it has not put forth a similar level of effort to study environmental issues, including hazardous materials, on the property that will be used for the realignment and tunneling of Lincoln. For this DEIR to be credible LAWA must have as much knowledge about subsurface problems under Lincoln Blvd. and Sepulveda Blvd. as it knows about subsurface problems under the Central Terminal Area. LAWA has either not studied such subsurface conditions or it has studied them but is withholding the information. In either event, this DEIR is fatally flawed as a result.

Proof positive for this proposition appears at pages 4-592 and 4-593 where Hazardous Materials is discussed in the context of Alternative 5. While there is discussion of the construction in and around Terminals 1 and 2 and Taxilanes O and D, there is not one word about Lincoln and Sepulveda Blvds. and yet the construction in that area is the lynchpin of Alternative 5 and has a far higher cost factor than the taxilane work.

HYDROLOGY AND WATER, section 4.8 of the DEIR.

Discussion of Hydrology and Water begins on page 4-599. This introduction to the Hydrology section states its purpose as follows:

The hydrology analysis below addresses the potential for flooding to occur as a result of actions under any of the SPAS alternatives. The water quality analysis below addresses impacts to the quality of storm water runoff and dry weather flows as a result of actions under any of the SPAS alternatives.

Surely this is an excellent topic to study. What areas are then studied to learn this important information?

To compare baseline conditions with conditions under the SPAS alternatives, a single HWQSA was used. The HWQSA for this analysis includes the existing LAX property, the Manchester Square area, which is part of a voluntary property acquisition under LAWA's Aircraft Noise Mitigation Program, 413 and areas adjacent to LAX that would be acquired under certain of the SPAS alternatives (see Section 2.3.1.11 for description of acquisition areas).

By LAWA's own admission then the areas studied on the important subject of worker safety and groundwater contamination are the existing airport property, Manchester Square and properties identified in 2.3.1.11 which reads in full:

2.3.1.11 Acquisition

The alternatives would require the acquisition of properties located east of the airport. The parcels to be acquired vary with the different alternatives. **Table 2-4** lists the properties that may be affected and provides information pertaining to each parcel. A composite map of all of the acquisition properties is provided in **Figure 2-11**. The parcels that would be acquired under each alternative are identified in **Table 2-5** and illustrated in **Figures 2-12** through **2-14**. Following acquisition, the uses would be demolished and replaced with SPAS-related improvements.

The intersection of Lincoln and Sepulveda Blvds. is not on Figure 2-11, is not to be acquired by LAWA, and hence was not studied on the subject of Hazards. In fact it was pushed under the rug and ignored in preparation of the DEIR.

LAND USE/ PLANNING, section 4.9 of the DEIR.

Discussion of Discussion of Land Use/Planning begins on page 4-641.

Discussion of Alternative 5 begins at page 4-738. An extended discussion of the numerous land use and planning maps in the LAX area is beyond the scope of this white paper. One sentence on page 4-739 is worth noting. It simply states:

Alternative 5 only includes airfield and terminal improvements.

A multi-billion dollar project to reroute and tunnel Lincoln Blvd. is dismissed as "only an airfield improvement."

NOISE, section 4.10 of the DEIR.

Discussion of the Noise component of CEQA begins at page 4-779.

Discussion of Road Traffic Noise impacts begins on page 4-935. Much technical data is presented. Alternative 5 is not even commented upon. Whatever technical processes and evaluations were performed, they apparently did not include the impact of having Lincoln Blvd. 350' or more closer to ones home, business, school or church.

Construction Noise is discussed beginning at page 4-945. The impact of construction noise under Alternative 5 is discussed at page 4-963. Here is it acknowledged that at various sound receptors in West Westchester, the impact of Alternative 5 would be significant including at St. Bernard's High School, along the 91st St. community border and at Park West Apartments.

It is telling that in the sole area where the impact of the Lincoln Blvd. project is considered, a finding of significant impact has been made. The question that needs to be asked and answered

by LAWA is what other impacts would be revealed if the Lincoln Blvd. project had been thoroughly studied in all CEQA areas?

Truer to form, the DEIR did not measure the impact of Alternative 5 for Transit Vibration at page 4-988.

PUBLIC SERVICES, section 4.11 of the DEIR.

Discussion of the impact of the SPAS projects on Public Services begins on page 4-993. Impact on Fire Services and Law Enforcement Services.

As can be clearly seen throughout the SPAS Report and the DEIR, the magnitude of the billion dollar-plus Lincoln Blvd. project simply is not appreciated or understood by LAWA. It is California State Route 1 that is being moved. Massive disruption around one of the busiest intersections in Los Angeles will occur. The Lincoln/Sepulveda intersection is the pivot point between the South Bay and the Westside of Los Angeles. At page 4-1013 it is admitted that construction of the project has “the potential to hamper or delay emergency response”. This delay in emergency response is shrugged off however by saying a “coordination office” will be established. This is a serious risk to the public and deserves more study than saying an office will be created in the future.

The impact of SPAS on Law Enforcement is discussed beginning at page 4-1019. At page 4-1035 the DEIR states:

As with Alternative 1, traffic congestion from construction activities would have the potential to hamper or delay response times and increase traffic patrol and other law enforcement activities.

This serious negative impact of Alternative 5 construction is similarly dismissed by the recitation of certain numbered “LAX Master Plan Commitments.”

TRANSPORTATION, section 4.12 of the DEIR.

Perhaps nowhere in the DEIR is the failure to study the realignment of Lincoln Blvd. for more than a mile, more than 2000’ feet of which would be depressed below surface grade and 765’ of which would be in a tunnel more glaring than in the treatment of “Off Airport Transportation at page 4-1281 of the DEIR.

Treating it as if it were a curb and gutter project, the DEIR state shrugs of the realignment of California State Route 1 at page 4-1282 with the following:

In addition to potential disruption of local traffic conditions due to the addition of construction-related vehicle trips, there is the potential for additional disruption in the event a project-related improvement requires temporary closure of at least one lane adjacent to its site. Closures of key roadways and intersections could cause delays, except if done for short durations during periods of very low vehicular volumes.

One marvels at the naiveté of LAWA to think it can accomplish the realignment of Lincoln Blvd. by single-lane closures on off-peak hours.

The treatment of Off-Airport Transportation reveals LAWA's strategy for gaming the CEQA process and obtaining the backdoor approval of rerouting Lincoln. At page 4-1281 the DEIR states:

The nine alternatives currently being considered for the SPAS project are only at a conceptual level of planning. No construction plans, programs, or schedules have been formulated for any of the alternatives. As such, it would be speculative to estimate construction-related vehicle trip generation and distribution onto the local roadway network in order to evaluate traffic impacts on specific streets and intersections during peak and non-peak traffic periods.

As appears throughout the DEIR and SPAS Report, it is clear LAWA is currently hiding behind the skirts of the "Program Level DEIR" to prevent a full and complete disclosure to the public and to the elected officials who will be voting on the DEIR by saying that only "conceptual planning" need be done.

UTILITIES, section 4.13 of the DEIR.

Discussion of the impact on Utilities begins at page 4-1327. Despite what could be significant disruption from relocating utilities currently under Lincoln and Sepulveda Blvd. this section deals with energy use at the airport. The impact of the Lincoln Blvd. realignment and tunneling project is not discussed.

CONCLUSIONS TO BE DRAWN FROM CONSIDERATION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Simply stated, the Lincoln Boulevard realignment and tunnel project is not adequately studied in the Draft Environmental Impact Report. In view of the fact that moving runway 6L/24R northward by up to 350' is LAWA's most important project and realigning Lincoln Blvd. is non-negotiable and critical to moving the runway, this failure must be viewed as fatal.

The DEIR must be withdrawn from circulation, the Lincoln Blvd. realignment project must be adequately studied and the DEIR circulated, preferably as a project level EIR that can receive full, detailed public scrutiny.

Attachment A-4

March 8, 2013 Comment Letter from Buchalter Nemer on behalf of City of Inglewood, City of Culver City, City of Ontario, and County of San Bernardino to Diego Alvarez, Los Angeles World Airports

March 8, 2013

VIA E-MAIL (SPASEIRCOMMENTS@LAWA.ORG; DALVAREZ@LAWA.ORG)

Los Angeles World Airports
Facilities Planning Division
Attn: Diego Alvarez
1 World Way
Los Angeles, CA 90045-5803

Re: Final Environmental Impact Report for the Los Angeles International Airport
Specific Plan Amendment Study - Comments of City of Inglewood, City of
Culver City, City of Ontario and County of San Bernardino

Dear Mr. Alvarez:

The following constitutes the comments of the City of Inglewood, City of Culver City, City of Ontario and County of San Bernardino (collectively "Cities/County") concerning the "LAX Specific Plan Amendment Study Final EIR" ("FEIR"), purporting to document the environmental impacts of the choice of Alternative 1 from the Draft Environmental Impact Report ("DEIR"), calling for various airfield and groundside changes to the Central Terminal Area, including, but not limited to, the movement of Runway 6L/24R 260 feet to the north ("Project").

At the outset, Cities/County wish to point out that the array of impacts resulting from implementation of the Project, and reported in the FEIR are real, not theoretical. In Inglewood alone, almost 12,000 citizens, 4,600 housing units, 400 acres of land, 15 schools and 21 churches will be newly and significantly impacted by the expanded 65 CNEL noise contour, and/or a 1.5 dB increase in noise within the existing 65 dB CNEL significant noise contour. FEIR, Tables 2.3.9-2, p. 2-147; 2.3.9-3, p. 2-148. Culver City too will suffer from a certain increase in overflights resulting from the projected increase of almost 500 average daily jet operations in 2025, of which 200 will be "heavy," and, thus, certainly, noisier. FEIR, § 2.3.10, Table SRA-2.3.10.1-1, pp. 2-150-151. Despite that enormous increase in noise impacts (falsely minimized by the seemingly small shifts in the size and location of the contours in the FEIR's graphics, e.g., Figures SRA-2.3.9-1, SRA-2.3.10.1-2, and other soothing reassurances in the text of the FEIR), "[b]ecause the land use mitigation measures would take several years to fully implement, it is possible that significant noise impacts would be experienced in the area after implementation of the LAWA Staff-Recommended Alternative but before the mitigation measures are fully

implemented. Thus, significant and unavoidable interim noise impacts would be experienced over an indeterminate period of time." FEIR, § 2.3.10.1.3, p. 2-167.

In addition, communities to the east of the airport, including Culver City, will be subjected to inadequately analyzed air emissions impacts from aircraft operations, construction, and vehicle emissions, the last of which are exacerbated by similarly incomplete analyses of the Project's surface traffic impacts. For all these reasons, as well as those set forth below, the FEIR, like the DEIR before it, provides an incomplete, although already bleak, picture of the Project's potential impacts, leaving the affected communities to guess at their full scope, and rendering the FEIR, like the DEIR before it, inadequate.

I. THE COMMITMENT PROVIDED IN THE FEIR IS INADEQUATE TO MITIGATE THE PROJECT'S EXTREME NOISE IMPACTS

The extreme scope and significance of the Project's noise impacts on surrounding communities could theoretically be mitigated by a massive commitment to an Airport Noise Mitigation Program ("ANMP"), providing sound insulation for all residences significantly impacted by noise from the Project. In this case, however, that commitment is vitiated by: (1) the apparently "indeterminate" period before implementation of mitigation; and (2) the Federal Aviation Administration's ("FAA") Program Guidance Letter 12/09, purporting to amend FAA Order 5100.38C, which has drastically changed the way in which eligibility for sound insulation is calculated.

First, while the FEIR appears to set forth tangible conditions for implementation of mitigation measure MM-LU-1, Implement Revised Aircraft Noise Mitigation Program, and provides that "LAX Master Plan Mitigation Measure MM-LU-1 . . . would incorporate all eligible dwellings and non-residential noise-sensitive facilities that are newly exposed to noise levels 65 CNEL or higher into the Aircraft Noise Mitigation Program (ANMP) to mitigate the significant noise impact described in Table SRA-2.3.10.1-9," FEIR, § 2.3.10.1.3, p. 2-166, it also maintains that, despite these "revised" measures, "significant and unavoidable interim noise impacts would be experienced over an indeterminate period of time," FEIR, § 2.3.10.1.3, p. 2-167. CEQA, however, mandates that, to be "feasible," a mitigation measure must be "capable of being accomplished in a successful manner within a reasonable period of time." Cal. Pub. Res. Code § 21061.1 [emphasis added]. While the formulation of the ANMP as a mitigation measure does not appear to have been improperly deferred, the unspecified period for its implementation does not satisfy CEQA's requirement that the lead agency have "committed itself to a specific performance standard," *Gray v. County of Madera*, 167 Cal.App.4th 1099, 1119 (2008).

LAWA argues that "the performance standard for this noise insulation measure is 45 CNEL; therefore, any homes that have achieved this interior noise level are considered less than significant under CEQA." Response to Comment SPAS-AL00007-30, p. 4-195. The 45 dB level is not, however, a "specific performance standard," or specific means for achieving a certain noise level, analogous to the creation of a specific water supply mechanism in *Gray*,

BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 3

supra, at 1119, but rather “a specific mitigation goal,” *Id.*, analogous to the “replacement of water lost by neighboring landowners.” *Id.*

Moreover, Program Guidance Letter 12-09 specifies a somewhat different standard. It requires that, to be eligible for noise insulation, the impacted structure must be below “an average of 45 dB interior noise across all habitable rooms,” [emphasis added]. The FEIR, however, is unclear as to the standard that LAWA plans to apply in measuring achievement with the average 45 dB standard – (1) below 45 dB in any given room, or (2) on the basis of an average across the entire dwelling. And if the latter, the FEIR fails to specify: (1) the way in which such an average will be calculated, *i.e.*, by square footage, number of rooms, or other standards; and (2) how varying noise levels throughout the day will affect that average.

Given the 12,000 residents of Inglewood alone who will be immediately, significantly and adversely impacted by noise from the Project, not to mention the thousands of additional residents within the jurisdictions of other surrounding communities, the mitigation goal of 45 dB average internal noise proposed to be accomplished at some unspecified time in the distant future cannot be considered either feasible, or sufficiently specific in the establishment of a performance standard to withstand judicial scrutiny.

II. THE FEIR FAILS TO REMEDY THE INADEQUACIES IN THE DEIR'S AIR QUALITY ANALYSIS

Although discussed exhaustively in Cities/County's comments on the DEIR, the FEIR still fails to address salient issues brought up in those comments.

A. The FEIR Still Fails to Account for the Impacts of Reverse Thrust Emissions

In comment SPAS-AL00007-13, Cities/County observe that reverse thrust emissions continue to be excluded from LAX emissions analysis. In response, LAWA quotes from the FAA's Emissions and Dispersion Modeling System (“EDMS”) (FAA's aircraft emissions estimation model) User's Manual, which states that aircraft activity estimation during taxi-in operations includes the “landing ground roll segment (from touchdown to the runway exit) of an arriving aircraft, INCLUDING REVERSE THRUST [emphasis in original], and the taxiing from the runway exit to gate,” Federal Aviation Administration, *Emissions and Dispersion Modeling System (EDMS) User's Manual*, FAA-AEE-07-01, Rev. 7 - 11/06/09, prepared by CSSI, Inc., Washington, D.C., November 2009. The real question, however, is not whether EDMS claims to model reverse thrust emissions, but whether it actually does so.

Figures 1a and 1b below depict the NO_x emissions rates for the five operational modes for which EDMS estimates emissions.

Figure 1a. Example EDMS (B747-400) Emission Rates by Operational Mode

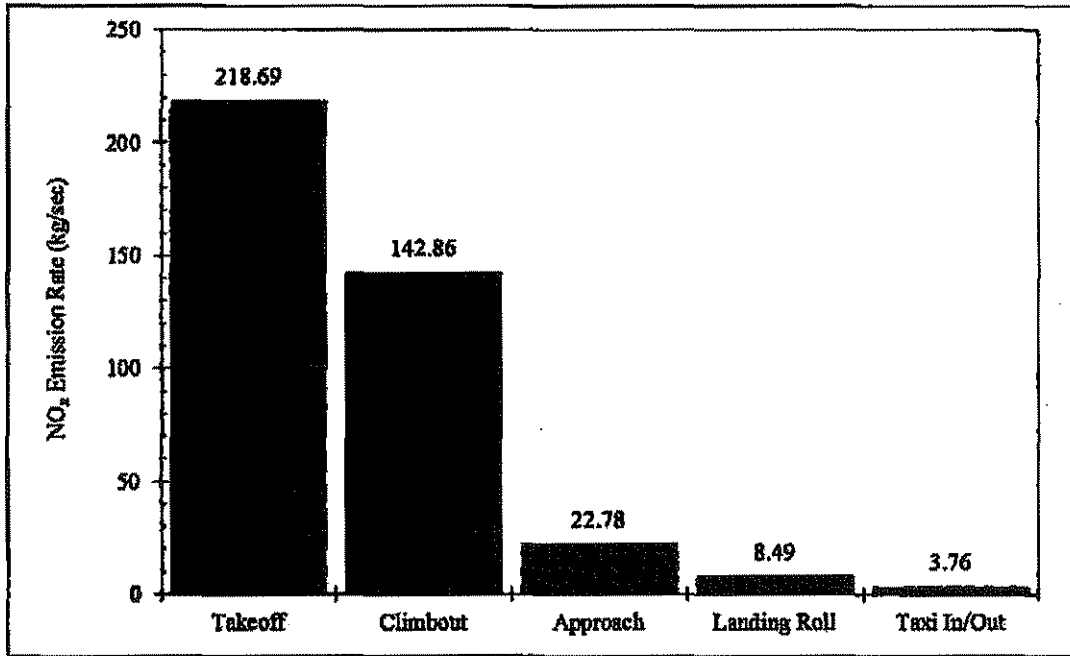
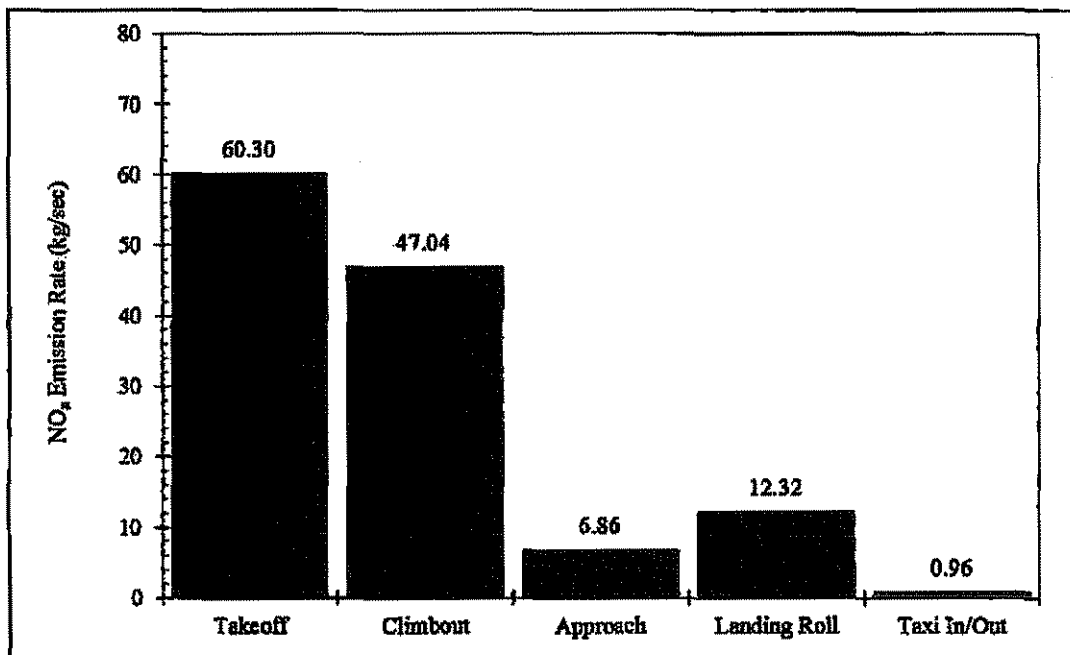


Figure 1b. Example EDMS (B737-800) Emission Rates by Operational Mode



BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 5

As expected, NO_x emissions are directly related to thrust, being highest during takeoff and declining with thrust through the other modes. The exception is for the landing roll operational mode within which the FAA (through the EDMS User's Manual) claims to include reverse thrust operations. Such operations are high thrust and should reflect a relatively high NO_x emission rate, similar in magnitude to that of takeoff and climbout operations.

For the B747, Figure 1a indicates that landing roll NO_x reflects nothing more than a power-down transition from approach thrust to engine taxi. It might be possible that the reverse thrust portion of the landing roll mode is simply being "averaged down" with non-reverse thrust portions of the same mode. Figure 2a and 3a, however, seem to indicate that this is not the explanation.

Figure 2a. Example EDMS (B747-400) Operational Mode Durations

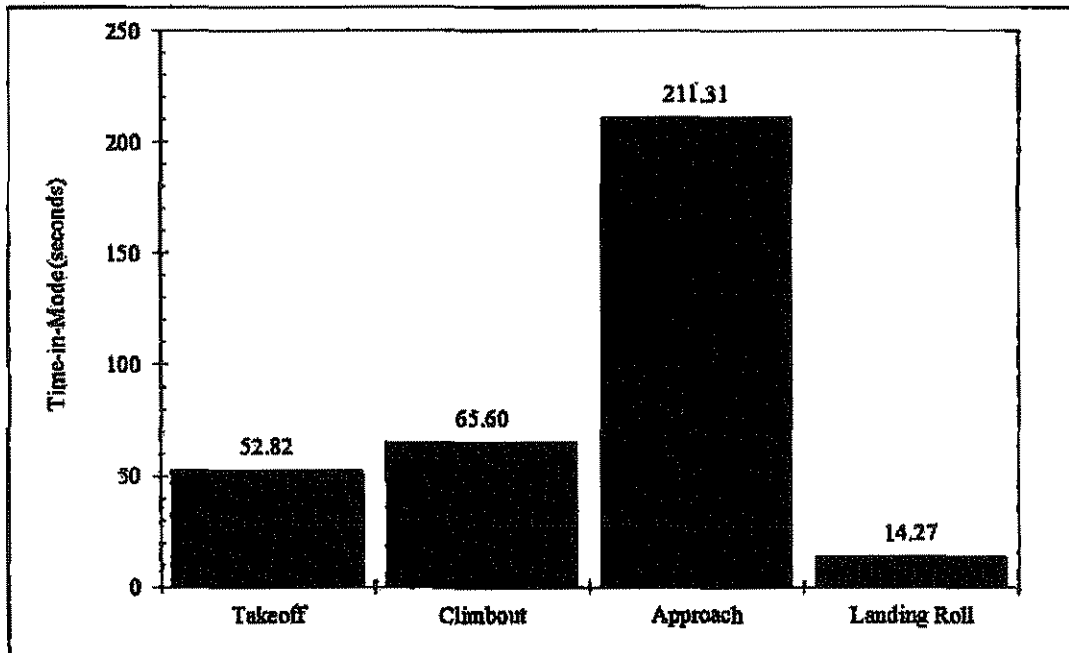


Figure 3a. Example EDMS (B747-400) Emission Rates by Second

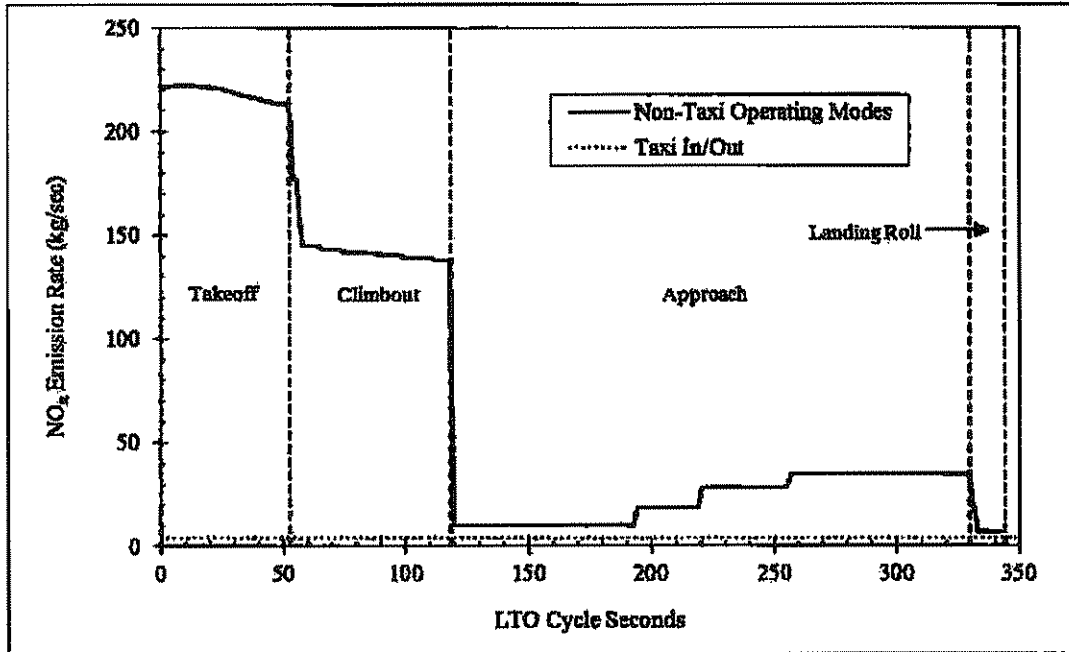


Figure 2a demonstrates that the duration of the entire landing roll operational mode is less than 15 seconds. The reverse thrust operation alone would generally endure for that entire period. Moreover, in Figure 3a, which depicts the second-by-second data for the aircraft operating modes, the transition from approach to landing roll operations clearly reflects the absence of any NO_x spike of any duration associated with the B747 landing roll.

The results are somewhat different for the B737. Figure 1b demonstrates a minor increase in landing roll NO_x from approach thrust, but this increase is far lower than the high thrust operations that would normally be expected from reverse thrust.

Figure 2b. Example EDMS (B737-800) Operational Mode Durations

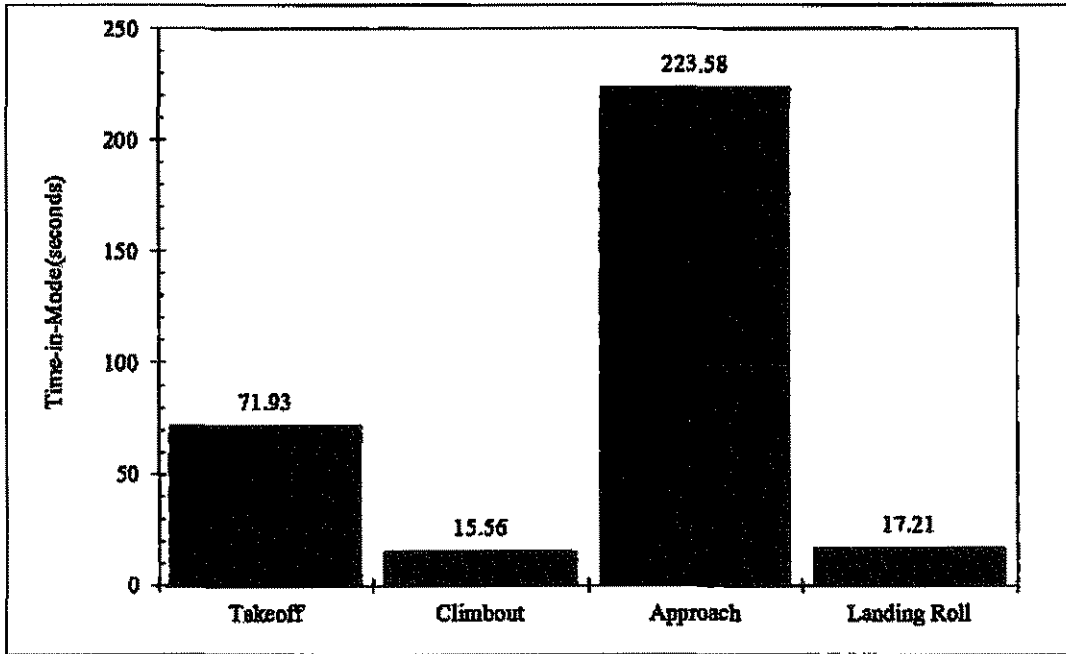
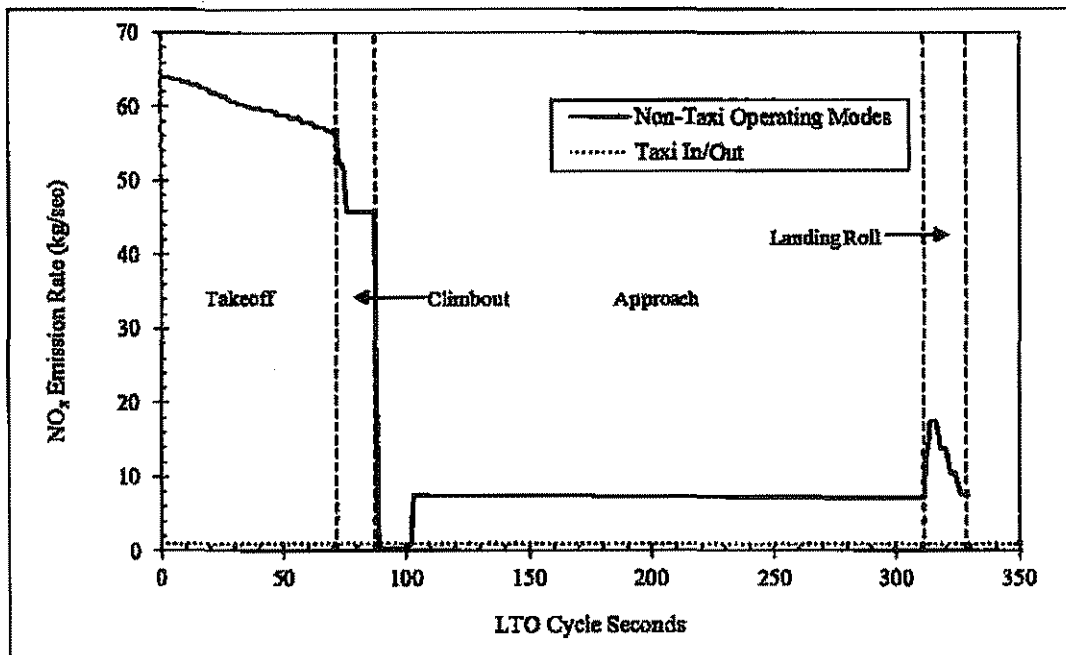


Figure 3b. Example EDMS (B737-800) Emission Rates by Second



BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 8

Figures 2b and 3b show that, as was the case for the B747 example, the “muted” effect does not result from any landing roll averaging. In fact, the thrust increase is fairly constant across the complete 17 second landing roll, as depicted in Figure 4b.

Figure 4a. Example EDMS (B747-400) Relative Thrust (as NO_x) by Mode

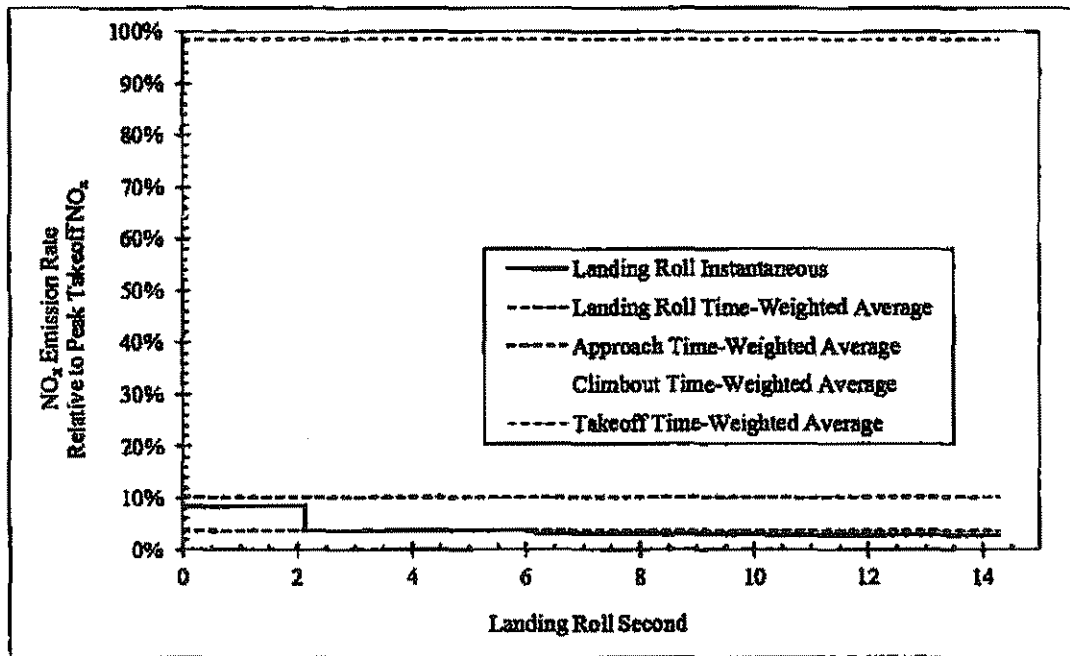
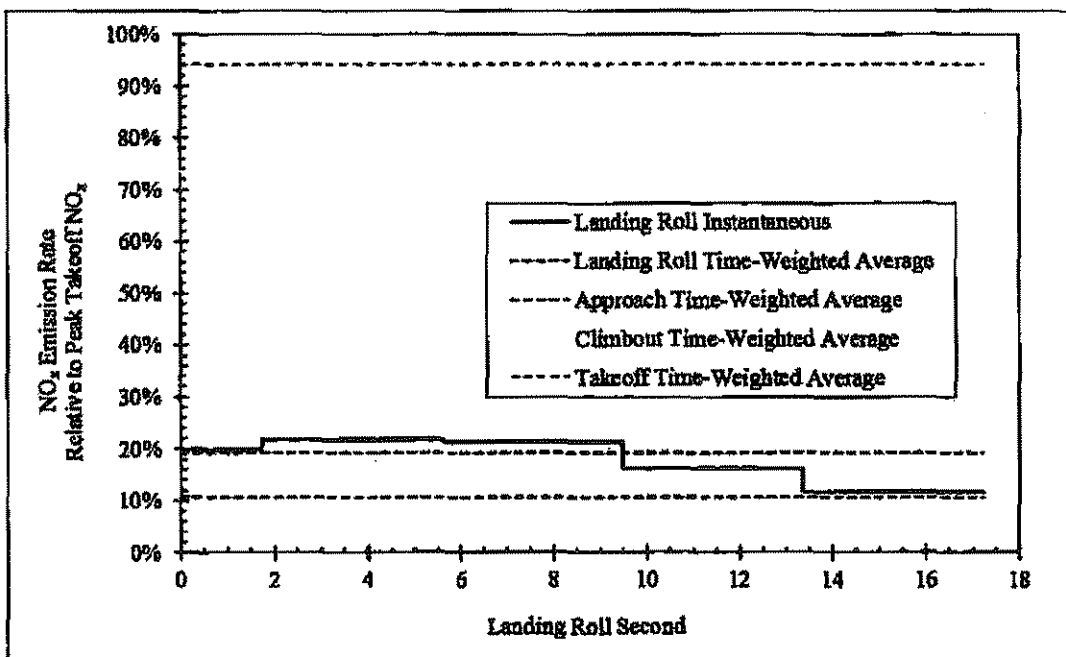


Figure 4b. Example EDMS (B737-800) Relative Thrust (as NO_x) by Mode



BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 9

Figures 4a and 4b summarize the example results in terms of relative NO_x emissions rates across the four non-taxi operating modes. For these figures, mode specific NO_x is compared to peak takeoff NO_x on the premise that NO_x emissions rates are a reasonable surrogate for engine thrust conditions. As expected, takeoff and climbout thrusts are significant fractions of peak takeoff thrust. For the B747, Figure 4a demonstrates no reverse thrust operation during the landing roll. For the B737, Figure 4b, landing roll thrust is increased as would be expected during reverse thrust operations, but by a relatively modest amount.

From these calculations, it does not appear that EDMS properly accounts for reverse thrust operations. Accomplishing that task requires more than a User's Manual statement. Only a full review of the model algorithms and data sets would allow for any definitive determination of the EIR's analytic integrity. From the examples set forth above, it can be definitively stated that, if EDMS is modeling reverse thrust, the associated emissions are far lower than would be expected under FAA's guidelines for such modeling. As stated in FAA's *"Air Quality Procedures for Civilian Airports and Air Force Bases,"* Appendix D, p. D-5, "[r]everse thrust is now considered by EPA as an official mode and should be included in calculation procedures as a sixth operating mode when applicable. Since reverse thrust engine operating conditions are similar to takeoff, time spent in reverse thrust should be combined with takeoff mode emissions indices and fuel flow as a means of accounting for reverse thrust mode emissions. Aircraft reverse thrust typically is applied for 15-20 seconds on landing." That these rules are not reflected in the EIR analysis calls into question the integrity of the EIR emissions calculations.

B. The Continuing Absence of Aircraft Engine Assignments From the FEIR Renders Its Air Quality Analysis, Like That in the DEIR, Incomplete

In its Response to Comment SPAS-AL00007-14, which addressed the absence of aircraft engine assignments in the DEIR's emissions estimation protocol, LAWA asserts that: (1) the data was provided in a list of applicable tables; and (2) EDMS provides "default engine selections for most aircraft types, and these defaults were used in the air quality impact analysis" [emphasis added]. This response is manifestly deficient for the following reasons.

First, the referenced tables provided in the DEIR list aircraft assumed in the analysis, not the engines associated with those aircraft. While the response states that "engine types used in the air quality impact analysis are directly tied to the aircraft fleet mixes," a statement of the obvious, it is actually an incomplete response. That is because each aircraft may use a variety of different engines, and the emissions profiles of each of those different engines may also differ dramatically. Therefore, a simple reference to aircraft type, without reference to the specific engine used on the aircraft, is an insufficient basis for calculating aircraft operating emissions.

Second, even if LAWA's statement were taken at face value, the public at which environmental review is aimed does not keep a spare copy of the EDMS lying around. If neither the DEIR nor FEIR provides the requisite information, the EIR's analysis cannot meet CEQA's

BuchalterNemer

Los Angeles World Airports
March 8, 2013
Page 10

basis purpose of providing "sufficient information . . . to allow meaningful evaluation, analysis, and comparison with the proposed project." CEQA Guidelines § 15126.6(d).

Third, the EIR does not specifically designate the engines used where no default engine assignment is made. Fourth, even where default engine selection is specified, neither the DEIR nor FEIR provides sufficient information to allow the public to ascertain if the engine assignments used remain appropriate in the face of continuing technological development. This is especially important as FAA voluntarily withdrew EDMS from the United States Environmental Protection Agency ("USEPA") list for guideline models for air quality analysis in November, 2005, 70 Fed.Reg. 68,218. Therefore, since that time, EDMS has not been required to undergo non-FAA review and critique.

Finally, this absence of outside verification is evidenced in at least two errors in the EDMS model itself. First, startup emissions (for which EDMS estimates only hydrocarbon-based emissions) are underestimated because the model algorithm apparently does not account for the fact that startup emissions apply to more than one engine at a time. For the four engine B747, startup emissions are underestimated by 75%. For the two engine B737, startup emissions are underestimated 50%. Second, EDMS produces non-methane hydrocarbon ("NMHC") emissions estimates that are greater than total hydrocarbon ("THC") emissions. Since the former is a subset of the latter, this is not physically possible. Similar inconsistencies affect NMHC versus volatile organic compounds ("VOC") emissions (NMHC is greater, which is also not possible), and NMHC versus total organic gas ("TOG") emissions (NMHC is equal to TOG, which is not possible).

In short, given the palpable errors in the EDMS model, absent public scrutiny of the EDMS algorithms used in developing the emissions estimates in the EIR and the data resulting from the use of those algorithms, the results of the EIR's analysis of operational emissions, entirely dependent upon broad references to EDMS, is, at best, inadequate.

C. The FEIR Similarly Omits Relevant Data Related to GSE and APU Emissions Estimation

The FEIR fills in some of the blanks left in the DEIR Ground Support Equipment ("GSE") and Auxiliary Power Unit ("APU") emissions estimates. What notably remains missing, however, is not the results of the GSE and APU emissions estimates, but the data and methodology used to arrive at these results. For example, the FEIR cites two California non-road emissions models (OFFROAD2011 and OFFROAD2007), yet provides no exemplar of the types of equipment assumed, the resulting emissions factors, or why associated emissions factors from the EDMS model are not used. In summary, the GSE and APU portions of the emissions analysis remains substantially under documented.

III. THE PROJECT'S SURFACE TRAFFIC IMPACTS ARE NOT FULLY EVALUATED OR DISCLOSED IN THE EIR

The FEIR's surface traffic analysis suffers from the same inadequacies as the analysis in the DEIR. For example, no effort was made to account for the fact that the geographic scope of the traffic analysis was determined only through a Memorandum of Understanding with the City of Los Angeles Department of Transportation, DEIR, p. 4-1184. The FEIR sets forth no supplement or addition to the MOU establishing that LAWA consulted with other surrounding jurisdictions such as Culver City or Inglewood in developing the scope of the EIR's surface traffic analysis.

Second, and perhaps as a consequence of LAWA's failure to consult with surrounding jurisdictions, the FEIR's, like the DEIR's, designated study area omits parts of Culver City northeast from Duquesne Avenue and does not include a substantial number of intersections along the northwestern portion of Culver City and western edge of Inglewood where these Cities intersect with the City of Los Angeles and the County of Los Angeles. Also due to the configuration of the study area, at least one substantial development project, the Metro Expo Line Extension roughly paralleling the arbitrary north boundary of the study area is not included in the analysis. Moreover, the part of Culver City that has been omitted is a critical transportation corridor where the current Expo Line terminal, Washington Boulevard, La Cienega Boulevard, Fairfax Avenue and Interstate 10 all come within close proximity.

Third, Culver City, like Inglewood, has prioritized the pedestrian infrastructure throughout the City. Increased traffic volumes at intersections within both Cities may create significant impacts to pedestrian access and safety, which issue is not addressed in the EIR's surface traffic analysis.

Further, LAWA's Response to Culver City's DEIR Comment SPAS-AL00007-33 concerning the absence of requisite mitigation of the Project's traffic impacts on Culver City is, at best, incomplete. While LAWA contends that ". . . a vote was taken to retain Culver City's existing thresholds of significance, rather than adopt the standard used by the City of Los Angeles," LAWA omitted the determination of the Culver City Planning Commission that "development projects outside Culver City shall use the thresholds for significant impact of other jurisdiction(s) when analyzing intersections in Culver City." Culver City Traffic Study Criteria, § 3(F), p. 15. This determination amounts to nothing more than that the standards of the jurisdiction in which the development is taking place, in this case Los Angeles, should be used where the impacts of development in Los Angeles cross jurisdictional lines and impact intersections in other communities, in this case Culver City.

Moreover, LAWA's reliance on the cited authority is misplaced. While CEQA Guidelines § 15064(b) assigns substantial discretion to the lead agency to determine standards of significance for environmental impacts, it does not empower that agency to ignore the standards applicable in affected jurisdictions. Similarly, in *Mira Mar Mobile Community v. City of Oceanside*, 119 Cal.App.4th 477, 493 (2004), the court affirmed the lead agency's authority to

BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 12

determine significance “depending on the nature of the area affected.” *Id.* The “nature of the area affected” necessarily encompasses the standards applicable within that “affected area.”

In addition, LAWA’s commitment to mitigate the traffic impacts on Culver City is seemingly reluctant, and, ultimately, inadequate. For instance, even though Culver City commented extensively on the Project’s impacts on the intersections of Overland/Sawtelle and Washington/Walgrove and the enhanced need for traffic signalization at those two locations, LAWA responded that it is “willing to pay a fair share contribution; however, there is an insufficient nexus to require LAWA to pay for the entire improvement, nor would such payment be roughly proportional to the impact caused by the SPAS alternatives.” LAWA goes on to claim that the impacts on the two intersections are a “cumulative impact” of the Project and that “[t]he majority of this cumulative impact is not caused by this SPAS alternative,” Response to Comment SPAS-AL00007-33, p. 4-198. It is Culver City’s position, however, that LAWA’s reliance on the assumption that the bulk of the impact would have occurred as a result of ambient growth in the region is unsupported by any evidence, let alone substantial evidence, Response to Comment SPAS-AL00007-33, p. 4-198; and therefore LAWA should pay its fair share for at least the costs of design, administration and construction of traffic signals and the required interconnection based on an assessed high percentage of increased traffic generated by the SPAS Project at each of those intersections.

Finally, LAWA is similarly reluctant to provide mitigation for the admittedly impacted intersections at Lincoln and Washington Boulevards. Culver City pointed out in its comments on the DEIR that an appropriate mitigation measure would be the contribution of funding to the SR90 connector road to Admiralty Way project which would serve as a “relief valve” to Lincoln Boulevard when it reaches capacity, and, thus, effectively mitigate the impacts of the SPAS Project on that intersection. LAWA responds, however, that because “[t]he necessary approvals [for the SR90 connector road to Admiralty Way project] from Caltrans and the City of Los Angeles have not been obtained,” Response to Comment SPAS-AL00001-1, p. 4-121, the SR90 connector is not an adequate mitigation measure. Contrary to LAWA’s supposition, however, the County of Los Angeles, which administers the SR90 connector road to Admiralty Way project, considers the connector road to be an active project as described on pages 11-10 and 11-11 of the Marina del Rey Land Use Plan, February 8, 2012. Caltrans has approved the project’s study report for the project. Therefore, at this point in time, the project is active pending availability of funds, and should be designated as a reasonable and feasible mitigation measure for the demonstrable impacts of the SPAS Project.

IV. THE PROJECT DEFINITION REMAINS NONSPECIFIC

LAWA admits that it did not define a “single proposed project in the SPAS Draft EIR,” Response to Comment SPAS-AL00007-6, p. 4-172, but argues, nonetheless, that its treatment of “alternatives” as projects is consistent with CEQA, because “the SPAS Draft EIR identifies the ‘whole of an action’ that would be associated with each alternative.” Response to Comment SPAS-AL00007-6, p. 4-172, quoting CEQA Guidelines § 15378.

BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 13

As Cities/County previously discussed in detail in their comments on the DEIR, and as is illustrated by the "hybrid" of Alternative 1 initially chosen as the Preferred Alternative, identifying the "whole of an action" is precisely what the DEIR and FEIR do not do. Nowhere in either document was there an independent discussion of the potential impacts of combined Alternatives 1 and 9. Nor is there any discussion or analysis of the differential impacts of eliminating the bus routes originally contemplated under Alternative 1, and replacing them with a rail line as contemplated in Alternative 9. The synergistic impacts may be greater or less, but, in either event, must be disclosed.

Nor does the case of *California Oak Foundation v. Regents of University of California*, 188 Cal.App.4th 227 (2010) support LAWA's position. In that case, the University of California designated the "integrated projects," consisting of seven independent projects on the southeast quadrant of the University's Berkeley campus as the "project" to be analyzed under CEQA. *Id.* at 241. It also designated five proposed alternatives, each of which contains some, but not all, of the components of the "integrated projects." *Id.* at 274-275. Contrary to LAWA's claim, the court upheld the University's "'integrated' approach, comparing each alternative, including all of its components, to the Integrated Projects as a whole." *Id.* at 276 [emphasis added]. In other words, while the alternatives may have varied in their composition, the project never did.

Here, on the other hand, what is now the designated Project, the combination of Alternatives 1 and 9, was never discussed in combination in the DEIR (apparently on the pretext that NEPA does not require the disclosure of a preferred alternative in a DEIR), let alone "in detail sufficient [to enable] the public to discern from the [EIR] the 'analytic route the . . . agency traveled from evidence to action.'" *Id.* at 262, quoting *Topanga Assn. for a Scenic Community v. County of Los Angeles*, 11 Cal.3d 506, 515 (1974). For instance, it is impossible to discern from the discussions in either the DEIR or FEIR the differential impacts that will result from the changes to the ground transportation system, including the potential air quality impacts of the construction.

For all the above reasons, Cities/County continue to maintain that further environmental review of the combined Alternatives 1 and 9, the newly designated project, is required to fulfill CEQA's mandate.

V. THE FEIR, LIKE THE DEIR, FAILS TO ADEQUATELY ANALYZE THE IMPACTS OF THE FULL RANGE OF ALTERNATIVES

The FEIR, like the DEIR, omits simulation modeling ("SIMMOD") for Alternatives 5 through 7, on the ground "that the modeling results for Alternatives 5 through 7 would likely either fall within the range of, and/or be generally comparable to, the results for Alternatives 1 through 4." Response to Comment SPAS-AL00007-8, p. 4-177. To support its position, LAWA cites CEQA Guidelines § 15151 to the effect that "evaluation of the environmental effects of a proposed project need not be exhaustive," and "the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible."

BuchalterNemer

Los Angeles World Airports

March 8, 2013

Page 14

LAWA conveniently forgets to mention CEQA Guideline § 15126.6(d), requiring, among other things, that “[t]he EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” Instead, LAWA based its analysis on the purported similarity between Alternative 1 (proposing to move Runway 6L/24R 260 feet to the north) and Alternative 5 (proposing to move the runway 350 feet north). However, given the enormous increase in noise impacted population disclosed in the FEIR, as resulting from the Preferred Alternative, it is also reasonable to assume that moving the runway an additional 90 feet north would bring about some cognizable increase in the noise affected population which has not yet been disclosed, let alone analyzed. Moreover, Alternative 6 (movement of the runway only 100 feet north), was a recommendation made by Petitioners as part of the settlement of *City of El Segundo, et al. v. City of Los Angeles, et al.*, Riverside County Superior Court Case No. RIC426822, and was studied in depth during the early part of the SPAS process. It is hardly plausible that sufficient data does not already exist to make “reasonably feasible” a discussion of Alternative 6’s actual impacts instead of a mere second hand “conclusion” about them.

In short, while “the range of alternatives required in an EIR is governed by a ‘rule of reason,’” CEQA Guidelines § 15126.6(a) and (f), for those alternatives that are presented, which in this case also include Alternatives 5 through 7, “[t]he EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” CEQA Guidelines § 15126.6(d). [Emphasis added.] That information is absent here, making the FEIR’s alternatives analysis as deficient as that of the DEIR.

VI. THE FEIR OBFUSCATES THE PROJECT'S LACK OF CONSISTENCY WITH THE LOS ANGELES COUNTY AIRPORT LAND USE PLAN

While the FEIR ultimately concludes that “[t]he LAWA Staff-Recommended Alternative would be consistent with the objectives of the Caltrans Handbook,” and, therefore, “impacts would be less than significant,” FEIR, § 2.3.9.1, p. 2-140, that conclusion is belied by the FEIR’s disclosures.

First, the FEIR claims that “[t]he proposed airfield improvements would be designed in conformance with FAA safety requirements, as set forth in FAR Part 77, and would be consistent with ALUP policies that address RPZs and limit uses within these zones.” FEIR, § 2.3.9.1, p. 2-139. However, the FEIR also discloses that “[t]he proposed relocation of Runway 6L/24R 260 feet northward would shift the associated RPZ northward by the same amount, which would extend over existing developed uses near the east end of the runway that are not currently within the existing RPZ,” FEIR, § 2.3.7.2.1, p. 2-111. In another turnaround, the FEIR further claims that while “[t]he presence of such uses . . . may be considered incompatible with FAA design recommendations that RPZ areas be clear of all obstructions and occupied uses; however, it is not considered to pose a significant safety hazard compared to baseline conditions.” FEIR, § 2.3.7.2.1, p. 2-117.

BuchalterNemer

Los Angeles World Airports
March 8, 2013
Page 15

LAWA conveniently forgets both state and Federal law governing the areas around airports. FAA's Advisory Circular 150/5300-13A specifically sets forth rules governing permitted uses within RPZs. "It is desirable to clear the entire RPZ of all above-ground objects. Where this is impractical, airport owners, as a minimum, shall maintain the RPZ clear of all facilities supporting incompatible activities." Advisory Circular 150/5300-13A, §310.a(2), p. 70. Incompatible activities include, but are not limited to, those which lead to an assembly of people. Advisory Circular 150/5300-13A, §310.a(2), p. 70, citing FAA Memorandum, Interim Guidance on Land Uses Within a Runway Protection Zone, dated 9/27/2012. Incorporating this standard into state law, Cal. Pub. Util. Code § 21001, *et seq.*, ("State Aeronautics Acts"), which governs and structures all airport land use plans within the state, including that of Los Angeles County, explicitly recognizes the preemptive authority of Federal law in the area of aviation safety. "This state recognizes the authority of the federal government to regulate the operation of aircraft and to control the use of the airways, and nothing in this act shall be construed to give the department the power to so regulate and control safety factors in the operation of aircraft or to control use of the airways." Cal. Pub. Util. Code § 21240. As the RPZ is "primarily for the purpose of safety and convenience of people on the ground," Advisory Circular 150/5300-13A, § 310.a(1), p. 70, its uses are determined entirely by Federal regulation.

Despite these clear legal mandates, the FEIR anticipates adding to the RPZ at least 40 land uses, FEIR, Table SRA-2.3.7.2-2, more than one-half of which implicate "assemblies of persons." Moreover, the new approach surface for Runway 24R mandated in FAA's regulation, 14 C.F.R. Part 77, and incorporated into the ALUP by reference, includes "the upper portion [of an] existing 5-story office building located at the northwest corner of Sepulveda Boulevard and Westchester Parkway," FEIR, § 2.3.7.2.1, p. 2-110. Nevertheless, the FEIR postpones determination of the necessary mitigation of this clearly substantial safety impact. "The need, if any, for acquisition or other appropriate measures associated with changes in the RPZs will be determined by the FAA in later stages of planning and therefore are not addressed in this EIR." FEIR, § 2.3.9.1, p. 2-140. This nonspecific mention of potential mitigation does not create consistency with Federal law, the Public Utilities Code or CEQA, and does nothing to eliminate the Project's manifest inconsistency with the derivative requirements of the Los Angeles County Airport Land Use Plan.

Cities/County appreciate this opportunity to comment and look forward to LAWA's serious consideration of, and action in response to, the above comments.

Sincerely,

BUCHALTER NEMER
A Professional Corporation

By 

Barbara Lichman

Attachment A-5

March 15, 2013 Comment Letter from Caltrans to
Diego Alvarez, Los Angeles World Airports

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF TRANSPORTATION PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337



*Flex your power!
Be energy efficient!*

March 15, 2013

Mr. Diego Alvarez
Los Angeles World Airports
Planning Division
1 World Way
Los Angeles, CA, 90045

Re: Los Angeles International Airport (LAX)
Specific Plan Amendment Study (SPAS)
Final Environmental Impact Report (FEIR)
SCH#1997061047 IGR#120734/EA
Vic: LA/405/19.00-25.00, LA/105/0.50-5.00

Dear Mr. Alvarez:

The California Department of Transportation (Caltrans) hereby acknowledges receipt of the Draft Environmental Impact Report (DEIR) prepared for the proposed LAX Specific Plan Amendment. Caltrans' District 7 did not receive a copy of the Final Environmental Impact Report (FEIR). We are aware the official comment period of the environmental review has expired. However, in the interest of mutual cooperation through the buildout of LAX Master Plan, we offer the following comments.

- As stated during the Notice of Preparation of the DEIR, if an alternative that requires the realignment of Lincoln Boulevard along the north side of LAX is chosen, Caltrans recommends that City of Los Angeles initiate proceedings to take control of State Route 1 (SR-1). For your information, the City of Santa Monica has already taken control of the segment of Lincoln Boulevard within its boundary. We note the staff recommended alternative in the FEIR does propose to realign Lincoln Boulevard south of Westchester Parkway. This roadway work will need an encroachment permit from Caltrans. Early coordination is recommended, as a Project Initiation Document (PID) report may be necessary.
- The DEIR for the SPAS is intended to address potential environmental impacts resulting from any physical developments to fulfill the Specific Plan objectives. The Specific Plan objectives include: provide north airfield improvements, to improve the ground access system, enhance safety and security, and minimize environmental impacts on the surrounding communities. Per your telephone conversation with Elmer Alvarez on March 6, 2013, the DEIR is a program-level type of document, which means that subsequent environmental reviews will be performed for the different components of the plan's chosen alternative. Each component of the Specific Plan will address cumulative transportation impacts associated with the entire plan and proposed appropriate mitigation measures. Caltrans, as the agency with jurisdiction over State highway facilities requests to be involved in the process to determine potential impacts and necessary mitigation improvements to them. Caltrans requests involvement in any studies that may be

undertaken to enhance access to and from LAX facilities. Please contact the undersigned as soon as project specific studies commence.

- The freeway analysis based on Los Angeles County's Congestion Management Program (CMP) methodologies and impact criteria determined that none of the 9 alternatives of Specific Plan would have a significant impact on nearby freeways I-405, I-105, and I-10. According to the traffic study, the closest segment of I-405 to be impacted is south of I-110. Caltrans does not concur. As a reminder, Caltrans does not consider CMP significant impact criteria to be appropriate for freeway facilities that are already deficient and in need of improvements. The CMP threshold of significant fails to consider existing operating conditions as is required by the California Environmental Quality Act (CEQA). Table 11 in Appendix K2-7, shows that I-405 existing (2010) level of service is F(0) to F(2) at the closest monitoring stations north of La Tijera Boulevard and Venice Boulevard. Future traffic associated with LAX operations would be added to these operating conditions, therefore, it is our opinion that buildout of the Specific Plan would contribute to significant direct and cumulative transportation impacts to nearby segments of I-405. Caltrans requests that the plan perform additional, more detailed, operational studies according to Highway Capacity Manual (HCM) methodologies of I-405 in the vicinity of LAX to identify deficiencies and improvements. A vehicle-queue analysis is requested for I-405 off-ramps at Century Boulevard, Arbor Vitae, La Tijera Boulevard, Manchester Boulevard, Imperial Boulevard, El Segundo Boulevard, and Rosecrans Boulevard. In addition, I-105 ramps to Sepulveda Boulevard should be studied in more detail to identify comprehensive improvements.
- Caltrans acknowledges proposed mitigation improvements on Lincoln Boulevard, Sepulveda Boulevard (SR-1), and ramp improvements at southbound I-405 off-ramp to La Cienega Boulevard north of Century Boulevard. Caltrans will cooperate with the lead agency and its engineers to implement partial or full mitigation improvements. Improvements should not be considered infeasible due to the fact that they require Caltrans' approval.

Caltrans staff is available for consultation meetings to expedite the review process and to assure that potential transportation impacts to state highway facilities are adequately addressed without affecting the schedule of the proposed project. If you have any questions regarding these comments or would like to schedule a meeting, please contact Elmer Alvarez, project coordinator, at (213) 897- 6696 or by e-mail at Elmer_Alvarez@dot.ca.gov. Please refer to Caltrans internal record number 120734/EA.

Sincerely,



DIANNA WATSON
IGR/CEQA Program Manager
Caltrans, District 7

Attachment A-6

March 28, 2013 Comment Letter from Los Angeles County
Department of Beaches & Harbors to
Diego Alvarez, Los Angeles World Airports



To enrich lives through effective and caring service



March 28, 2013

Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

Gary Jones
Deputy Director

Mr. Diego Alvarez
Facilities Planning Division
Los Angeles World Airports
1 World Way, Rm. 218
Los Angeles CA 90045-5303

Dear Mr. Alvarez:

**LAX SPECIFIC PLAN AMENDMENT STUDY (SPAS)
FINAL EIR JANUARY 2013**

The Los Angeles County Department of Beaches and Harbors has the following comments on the Final Environmental Impact Report (EIR) for the Los Angeles International Airport (LAX) Specific Plan Amendment Study (SPAS):

SPAS-AL00001-1

Los Angeles World Airport's (LAWA)'s DEIR indicated that the SPAS would have a significant impact at the intersection of Lincoln Boulevard and Washington Boulevard in the City of Los Angeles, but that mitigation was infeasible. We indicated that Costco, a development in Culver City, was required to contribute \$1.5 million towards the SR90 Connector Road to Admiralty Way project to mitigate their impact at the intersection of Lincoln Boulevard and Washington Boulevard. LAWA's response on Page 4-121 states, "...without an actual plan and commitment, a fair-share fee is not an adequate mitigation measure." The response also states, "The necessary approvals (for the SR90 Connector Road to Admiralty Way project) from Caltrans and the City of Los Angeles have not been obtained." The County of Los Angeles administered the SR90 Connector Road to Admiralty Way project. Caltrans approved the Project Study Report (PSR) for the project. As described on Pages 11-10 and 11-11 of the Marina Del Rey Land Use Plan, dated February 8, 2012 (attached), the County of Los Angeles' position is that the SR90 Connector Road to Admiralty Way project is an active project. At this point in time the project is pending availability of funds. Therefore, LAWA should contribute its fair-share toward the implementation of the SR90 Connector Road to Admiralty Way project.

The SPAS's impact on the intersection of Lincoln Boulevard and Washington Boulevard can also be reduced or mitigated by the Admiralty Way/Via Marina Intersection

Improvement Project. The northbound Lincoln Boulevard to eastbound Washington Boulevard left turn is a critical move at the intersection contributing to the poor level of service at the intersection. The northbound Lincoln Boulevard/Fiji Way/Admiralty Way/Via Marina/Washington Boulevard route is an alternative route acting as a "relief valve" when Lincoln Boulevard is highly congested, especially in the afternoon peak hour. The Marina Del Rey Land Use Plan states on Page 11-15, "A significant amount of the daily traffic in the marina is "bypass traffic," i.e. traffic that passes through the Marina without an origin or destination in the Marina." It also states, "Historically, bypass traffic in the evening peak constitutes approximately eight to nine percent of the peak period and peak-hour traffic volumes on major segments of Admiralty Way and Via Marina." The improvement of the Admiralty Way/Via Marina intersection will facilitate traffic along the alternate route, thereby reducing the traffic demand at the Lincoln Boulevard/Washington Boulevard intersection during peak periods. This project is also shown as an "Active" project on Page 11-10 of the Marina Del Rey Land Use Plan. The County Department of Public Works will release the DEIR for this project in a few months. Therefore, LAWA should contribute its fair-share toward the implementation of this project.

SPAS-AL00008-41

LAWA's comment regarding Intersection 119, Ocean Avenue/Via Marina & Washington Boulevard: Because of physical constraints, the finding of "economic infeasibility" would appear to be realistic. Mitigation would require some form of system approach for the Marina Del Rey area, with potential participation by the project.

Although no physical improvements are identified to mitigate the impact at the intersection of Ocean Avenue/Via Marina & Washington Boulevard, the County of Los Angeles Department of Public Works has identified an improvement at the nearby intersection of Washington Boulevard and Palawan Way that would mitigate the impact of developments at the intersection of Washington Boulevard and Via Marina. The improvement at the intersection of Washington Boulevard and Palawan Way consists of a new traffic signal with dual left-turn lanes from northbound Palawan Way to westbound Washington Boulevard. The improvement would provide an additional means of accessing westbound Washington Boulevard from westbound Admiralty Way, reducing the existing high northbound volumes of Via Marina approaching Washington Boulevard. The County of Los Angeles Department of Public Works prepared an analysis recommending this mitigation measure and a plan to modify the intersection of Washington Boulevard and Palawan Way. The City of Los Angeles Department of Transportation, which shares jurisdiction with the County at both intersections approved the analysis and the recommended improvements at the intersection of Washington Boulevard and Palawan Way. The County has required developments that impact the

Mr. Diego Alvarez

March 28, 2013

Page 2

intersection of Washington Boulevard and Via Marina to contribute their fair share towards the improvement of the Washington Boulevard and Palawan Way. Therefore, LAWA should contribute its fair-share toward the implementation of the improvement at Washington Boulevard and Palawan Way.

If you have any questions, please call Barry Kurtz at (310) 821-0793.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Kelly", written over the typed name below.

JOHN KELLY, DEPUTY DIRECTOR

JK:BK:ym

Attachments (3)

c: Dean Lehman, Los Angeles County Department of Public Works
John Walker, Los Angeles County Department of Public Works

Marina del Rey Land Use Plan

A component of the
Los Angeles County Local Coastal Program

Certified by the California Coastal Commission
February 8, 2012

County of Los Angeles
Department of Regional Planning
Richard J. Bruckner, Director

Los Angeles County Board of Supervisors
Gloria Molina, First District
Mark Ridley-Thomas, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

Chief Executive Officer
William T Fujioka

terms of "Active" or "Not Active." A project is described as "Active" if the Department of Public Works is actively pursuing the project, or if the project is on hold pending availability of funds or is pending redevelopment of an adjacent parcel. A project is described as "Not active" if the Department of Public Works is not pursuing the project and there are no plans to pursue the project.

FIGURE 11: STATUS OF DKS RECOMMENDED TRANSPORTATION IMPROVEMENTS

Project	General Purpose	Status
Category 1		
Admiralty Way Five-Lane	Increase Admiralty Way roadway capacity from Via Marina to Fiji Way	Active (Down-scoped under the revised set intersection Improvement Projects, see Policies and Actions)
Via Marina at Admiralty Way	Increase capacity of the intersection by adding a third left-turn lane to westbound Admiralty Way.	Active
Palawan Way northbound & southbound at Admiralty Way	Northbound-Restripe to provide right-turn approach lane to Admiralty Way. Southbound- second left-turn lane onto Admiralty Way	Active
Lincoln Boulevard southbound at Bali Way	Widen west side of Bali Way to provide a right-turn lane	Not Active
Lincoln Boulevard northbound at Mindanao Way	Widen west side of Mindanao Way, relocate narrow median island to provide right-turn lane at Mindanao Way	Complete
Admiralty Way northbound at Mindanao Way	Widen east side south from Mindanao Way to provide a right-turn approach lane	Active
Admiralty Way southbound at Fiji Way	Widen west side north from Fiji Way to provide for three through lanes	Not Active
Fiji Way eastbound at Lincoln Boulevard	Widen the south side of Fiji to accommodate an additional eastbound left turn lane	Not Active
Category 3		
Installation of Automated Traffic and Surveillance & Control (ATSAC)	Traffic signal interconnection and complete computerized traffic synchronization of intersections within the Marina and on the regional transportation system	Complete
Admiralty Way/Via Marina intersection Redesign	Assess preferred alternative: 1) Triple Left-Turn alternative or 2) Admiralty Way/Via Marina Intersection Reconfiguration	Active
Shuttle Systems	Enhance coastal access	Seasonal Shuttle Complete, Year-round Shuttle Active

Periphery parking lots	Provide additional peak-period parking	Not Active
SR 90 Connector Road to Admiralty Way	Connect Route 90 to Admiralty Way, widen Admiralty Way to connect with Washington Boulevard.	Active
Other coastal access/public transportation improvements	Promote transit usage	Active
Lincoln Blvd. people-mover system between Westchester & Santa Monica.	Improved transit along the Lincoln Boulevard corridor, including a people mover	Active
Light rail line from Westchester/LAX to Venice.	Light rail transit along the Lincoln Boulevard corridor	Active

Summary of Analysis Scenarios by Raju Associates

Any assessment of the effects of land use change and development upon a given circulation system must consider how travel demands affect transportation infrastructure in the broader context. Traffic conditions in and around Marina del Rey are predominantly affected by development and land use changes occurring in the incorporated communities surrounding the Marina. While development activity and the potential to further develop outside the Marina are extensive, possibilities within the Marina are finite and established by the entitlements allowed in the LCP.

The capacity of the circulation system and the ability to add additional capacity are the predominant factors which will determine what levels of development are appropriate. The Raju Associates' Traffic Study assessed traffic conditions under a number of scenarios to determine how the Pipeline Projects and the full build-out of the Marina would affect the transportation infrastructure under various transportation improvement options, described in the Policies and Actions section of this chapter. The result of this assessment is a Revised Set of Intersection Improvement Projects to improve access to the Marina in conjunction with Marina del Rey redevelopment.

The Raju Associates Traffic Study found that current (2009) levels of traffic congestion at all of the 20 intersections analyzed are equivalent to or better than the base conditions projected in the 1991/1994 DKS traffic studies. Overall, current traffic counts have decreased by 5% and 8% during the morning and evening peak hours, respectively. This finding, which is supported by other traffic studies, shows that the amount of ambient traffic growth projected in the DKS Traffic Study has not occurred in this region. Therefore, baseline traffic data for all scenarios tested were found to be less than DKS Traffic Study projections for the year 2010.

The proposed five Pipeline Projects would result in a total of approximately 1,163 trips (610 inbound, 553 outbound) during the evening peak hour. The Pipeline Projects account for approximately 46% of the overall remaining trip generation within the Marina. In 2020, the Revised Set of Intersection Improvement Projects would provide sufficient additional capacity at all intersections in the Marina to fully accommodate the

Attachment A-7

Presentation by ARSAC at TCT/PLUM
Joint Committee Meeting, April 9, 2013

LAX Specific Plan EIR

Presented to LA City Council
TCT and PLUM Committees
April 9, 2013

Robert Acherman, Vice President
Alliance for a Regional Solution to Airport Congestion
Alliance for a Regional Solution to Airport Congestion
(310) 927-2127

What is ARSAC?

- Alliance for a Regional Solution to Airport Congestion, www.arsac.org
- Grassroots community organization, 1995
- Supports expanding outlying regional airports such as Ontario and Palmdale to meet Southern California's airport capacity needs
- Opposes LAX expansion, however, supports modernizing LAX without moving runways or airport impacts closer to LAX neighborhoods

What is Regionalism?

- Not a NIMBY issue, but a public policy issue
 - Regionalism is a "proactive redistribution of a portion of Southern California's aviation demand to unconstrained airports in the Southern California region, other than LAX, in order to achieve a more equitable and proportional allocation of airport growth and airport operations among the airports, reduce congestion, increase safety, minimize vehicle miles traveled, with consequent benefits to the environment and the economy."

Letter to LAWA Executive Director Gina Marie Lindsey from ARSAC, Culver City and Inglewood, April 15, 2011

Benefits of regionalism

- Builds airport capacity where it is needed and wanted for now and in the future
- Provides redundancy in case of emergency
- Helps reduce ground traffic congestion
- Provide better equity of burden sharing of airport operations and economic benefits
- Environmental Justice
- Quality of Life

The sky is not falling at LAX

- LAX has been the #3 busiest airport in the USA since the 1960's to the present
- LAX is the world's busiest origin-and-destination airport
- LAX has the most A380 flights in the USA
- LAX continues to add new international destinations: Berlin, Dubai, Istanbul
- LAX is not losing flights to other airports
 - San Francisco lost its Qantas flight to Dallas

Other red herrings

- Safety
 - North Airfield Safety Study- north airfield is safe
 - Increased runway separation- negligible safety benefit
- Efficiency
 - Up to 4 additional takeoffs per peak hour; may be offset by reduction in arrivals (no net benefit)
- Competition
 - World air traffic doubles about every 20 years
 - Runway separation is not a factor, profits are!
 - Cannot stop airline alliances hub-to-hub trend

More red herrings

- The Poll
 - Incomplete information given- 260 feet north not studied in North Airfield Safety Study
- LAX was there first
 - Surrounding communities pre-date LAX
- People living next to an airport
 - City promised to expand at Palmdale after Runway 24 Right was built in the late 1960's
- New aircraft are quieter
 - Only under the takeoff noise contour

LAX safely handles the A380

- A380 in operation at LAX since October 2008
- A380 is FAA certified to operate on LAX's 150 foot wide runways and 75 foot wide taxiways
- North airfield meets current FAA requirement of 700 feet of runway separation between runways
- FAA tower regulations require adjacent parallel runway to be shut down due to A380 wake turbulence if runways are less than 2,500 feet apart
- A380 will always require special handling as LAX airfield will never be made fully Group VI compliant
- Existing north airfield provides best wingtip separation to prevent wingstrikes between aircraft

Stipulated Settlement Agreement Provisions

- "The LAX Specific Plan Amendment Study will, consistent with previous local and federal approvals, identify Specific Plan amendments that plan for the modernization and improvement of LAX in a manner that is designed for a practical capacity of 78.9 million annual passengers while enhancing safety and security, minimizing environmental impacts on the surrounding communities, and creating conditions that encourage airlines to go to other airports in the region, particularly those owned and operated by LAWA."

Why Alternatives 2 and 9

- Alternative 2- the Environmentally Superior Alternative!
 - Rated most operationally efficient due to taxiway fixes
 - Has Group VI taxiway near terminals to avoid wingstrikes
 - More quickly constructed and creates jobs sooner
 - Substantially reduces unanticipated construction cost increases and construction delays
 - Least impacting on surrounding communities
 - Costs less than Alternative 1 (Alt 1 may be "low balled")
 - Creates the most jobs for dollars spent
- Alternative 9- Everyone agrees on this one!
 - Consolidated Rental Car Garage (CONRAC)
 - Automated People Mover (APM)
 - Brings Metrorail into the Central Terminal Area (CTA)

Support for Alternatives 2 & 9

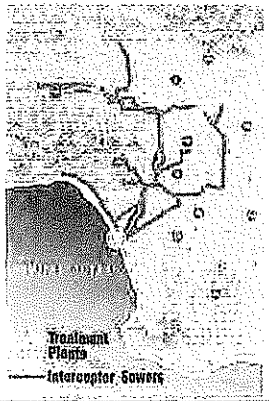
- Elected Officials: Congresswoman Maxine Waters, Council Members Bill Rosendahl and Eric Garcetti
- Neighborhood Councils: Westchester/Playa, Venice, Westside Regional Coalition plus more...
- Organizations: ARSAC, Citizens for a Modern LAX, Westchester Democratic Club, Westchester Vitalization Corporation, Westchester Town Center BID and many more...

Problems with Alternative 1

- Two Group V taxiways are less efficient
- Moves noise contour to the north thereby newly exposing over 13,000 homes, businesses, schools and churches to aircraft noise, vibration, pollution, and safety issues in Westchester / Playa del Rey, Inglewood and South L.A.
- Building a runway on a wetland and over the Argo Drainage ditch
- Closure and re-alignment of Lincoln Boulevard
- Taxiway take-off and landings

Sewers

- 2 of 3 main sewers feeding Hyperion Treatment Plant go under Lincoln
- Per LA Bureau of Sanitation letter dated September 14, 2012, LAWA would have to pay costs to relocate sewers



Centerfield taxiway risks

- Allows for "stacking" of aircraft between runways leading to more airfield congestion
- South airfield incursions still higher than north
- Reduces wingtip-to-wingtip separation of aircraft which could result in a wingstrike
- Pilots have been known to accidentally take-off and land on taxiways
 - Problems at Seattle-Tacoma, Las Vegas and Palm Springs prompted NTSB to make taxiway markings a top priority in 2004; FAA responded in 2011
 - One aborted taxiway landing at LAX on south complex
 - Worldwide problem- Amsterdam, Hong Kong, Oslo, etc.

The bottom line

- ARSAC supports Alternatives 2 and 9
- ARSAC opposes any runway moves north
- LAWA is in violation of CEQA and the Stipulated Settlement Agreement
- Air Quality Study needs to be completed now
- LAWA must make regionalism a reality
- ARSAC requests that the City Council support Alternatives 2 and 9 to fix LAX now!
- ARSAC is willing to negotiate or we will sue

Thank you!

Back up materials

History of LAX- People first!

- Gabrieleno / Tongva people
- Spanish land grants
- Communities around LAX established before 1928 lease of 640 acres on Bennett Ranch
- 1946- "Big Five" move from Burbank to LAX
 - American, United, TWA, Western and Pan Am
- 1959- First jet flight at LAX- American B-707
- 1961- "Jet Age" terminal complex opens

History of LAX- People first!

- 1960's- approximately 14,000 people displaced and 4,800 homes taken due to jet noise
- 1960's- City promises future expansion in Palmdale when Runway 24 Right is built
- 1960's- numerous lawsuits against LAX
- 1970's- Westchester business district decimated
- 1984- "New LAX" ready for Olympic Games
- 1988- "LAX 2000" Master Plan stalled
- 1995- LAX 2015 Master Plan announced

History of LAX- People first!

- 1995 to present- Westchester Central Business District renaissance
- 2001- 9/11 terrorist attacks. Mayor James K. Hahn orders new "Safety and Security" alternative, Alternative D
- 2004- LA City Council approves Alternative D
- 2005- ARSAC, County of Los Angeles and cities of El Segundo, Culver City and Inglewood (Petitioners) sue
- 2006- Stipulated Settlement Agreement signed

History of LAX- People first!

- 2008- North Airfield Safety Study started
- 2010- North Airfield Safety Study concludes that LAX north airfield is extremely safe and that increased runway separation cannot be justified for safety reasons alone
- 2010- LAX Specific Plan Amendment Study (SPAS) Notice of Preparation released
- 2012- LAX SPAS Final EIR released and approved by Board of Airport Commissioners and City Planning Commission

A380 factoids

- Only 262 A380's on order
 - 110 orders for the Boeing 747-8 (40 Passenger, 70 Freighter)
 - 890 orders for the Boeing 787 Dreamliner (smaller than 747)
 - 617 orders for the Airbus A350-900 (777 and 787 competitor)
 - Airlines are downsizing from 747-400 to 777; 777 to 787; 767 & 757 to 737 & A321, etc.
- No US airlines have orders for the A380
- By 2031, only 3% of worldwide commercial fleet will be Very Large Aircraft (e.g. A380 and Boeing 747-8)
 - Source: Boeing Commercial Outlook 2012
- A380 operations at LAX by 2025 should be about 12 daily flights and 10 Boeing 747-8 daily flights (ARSAC estimate)
 - Group VI will account for about 1% of daily operations

USA A380 airports per GAO

- | | |
|--|--|
| <ul style="list-style-type: none">◦ A380 service today<ul style="list-style-type: none">- Los Angeles- New York- JFK- Atlanta- Washington- Dulles- Houston- Intercontinental- San Francisco (summer only- same A380 as Miami)- Miami (winter only) | <ul style="list-style-type: none">◦ No A380 service<ul style="list-style-type: none">- Ontario, California- Anchorage***- Chicago O'Hare- Dallas/Fort Worth- Denver- Fort Worth Alliance***- Indianapolis***- Louisville***- Memphis*** <small>2010 Airbus plan to upgrade to Everett Group V1- A350</small>- Orlando- Philadelphia***- Tampa |
|--|--|

*** Highly unlikely to see service due to FedEx & UPS canceling A380 Freighters

A380 will not overfly LAX

- Only 7 airports in USA are handling the A380
- 68 USA airports approved for 747-8 per Boeing
- LAX has 3 A380 gates, 9 by 2013; SFO has only 3
- A380 requires very large passenger volumes
 - Large metro areas such as Los Angeles and New York
 - US airline hubs for alliance partners
 - One World- American Airlines- LAX (Qantas)
 - SkyTeam- Delta Airlines- Atlanta (Korean Air)
 - Star Alliance- United Airlines- Houston (Lufthansa)
- Some airports cannot support year-round A380 service (e.g. Miami, San Francisco)

Las Vegas cannot handle A380

- McCarran International Airport Emergency Contingency Plan:
 - "3) Unable to accept the A380 aircraft"
- Las Vegas Sun, 2/1/2008:
 - "Not only is McCarran International Airport not planning modifications to accommodate the A380, but Walker says the plane would not be welcome."
- Las Vegas Review-Journal, 6/24/2012:
 - "You're not going to get Air France suddenly decide to fly from Paris to Las Vegas because of a new terminal," said airline consultant Jack Ready of Playa del Rey

Phoenix cannot handle A380

- Phoenix Sky Harbor Airport Tarmac Delay Plan:
 - "PHX has approximately 40 remote parking spaces...approximately 15 are capable of supporting larger aircraft, up to design group 5."
- PHX Sky Train (wikipedia.org):
 - Sky Train features a 100-foot-tall (30 m) bridge over one of the taxiways which connect the north and south runways (Taxiway R), the first location in the world where a train will pass over an airplane on an active taxiway. The bridge is tall enough to accommodate a Boeing 747, but not an Airbus A380.

LAX is top A380 city in USA

San Francisco - Summer only service / Winter - Winter only service

Atlanta service begins in August

LAX service begins 1B/1B/13

Destinations: Singapore, China So., Air France, Korean Air, Korean Air, Lufthansa, Emirates, Atlanta, Houston, Dulles, SFO/Miami, San Francisco

Airline alliances: **OneWorld**, SkyTeam, Star, **United**

Future A380 service at LAX

Likely	Possibly	Unlikely
<ul style="list-style-type: none"> Qatar - Doha British Air - London Emirates - Dubai 	<ul style="list-style-type: none"> Asiana - Seoul Kingdom Holding Virgin Atlantic - London Saudi Royal Family - 2X year 	<ul style="list-style-type: none"> Qatar - Doha Air Austral - Africa SkyStar - Japan Malaysia Thai - Bangkok HK Air - Hong Kong Kingfisher - India

A380 weight reduction needed to handle full load

No A380's delivered, Delta now owns 49%, may cancel order of 8

No A380's delivered, may trade A380 orders for A330's

No A380's delivered, airline grounded due to financial problems

A380 gate use at LAX - Q1 2013

Period of CF LAX MK 51418

Peak amp 11:00

Legend: VSL, NVR, KCR, ICR, TAT, FOO, IAG, BNE, IHR, IAT, DED

How to make LAX safer

- Have a fully staffed air traffic control tower with 47 highly experienced controllers
- Build a new air traffic control tower to give controllers a fully unobstructed view of the airfield. Bradley West is a non-visibility area.
- Complete the installation of Runway Status Lights (RWSL) at all runway entrances
- Install additional technology such as Final Approach Runway Occupancy Signal (FAROS) currently in test at Long Beach Airport

Attachment A-8

**Materials from SEIU Submitted at
TCT/PLUM Joint Committee Meeting, April 9, 2013**

Item #1

Good morning. **My name is Robin Wilson and I am here on behalf of SEIU United Service Workers West today.** I work for G2 Secure Staff as a security officer. I have worked at LAX for 10 years. **SEIU-USWW urges you to recommend that the City Council vote "No" on LAX expansion.**

- We are not against modernizing LAX, but we believe that the City of Los Angeles and LAWA have a responsibility to the public and to workers at the airport.
- BOAC and LAWA leadership have shown that they are not interested in that responsibility. The City Council needs to delay this decision until that situation is fixed.
- As airport workers, we agree with the community and the environmental groups when they say that expansion will be bad for the environment, because we experience this every day.
 - We work outside, breathing in the polluted air, and many of us workers have asthma.
 - We have asthmatic children born to our members at an alarming rate.
- But LAWA and BOAC are not worried about that at all.
 - This is the same BOAC that passed a new set of standards for airline contractors, and then said that they will not enforce worker safety until irresponsible contractors have lost every single appeal, including going to the Supreme Court.
 - This is the same BOAC with one commissioner who said he did not believe us when we told him that an airplane nearly crashed into one of our members on the tarmac.
 - This is the same LAWA that made almost no effort to spread out air traffic across Southern California, even though LAWA signed an agreement that legally required them to do so.
 - This is the same LAWA that dragged its feet on a mandatory study of the effect LAX has on air quality, and now plans to expand the airport before releasing that information to the public and allowing the public to review and comment on it.
- We are standing with the community in opposing LAX expansion. We believe that expansion will harm the community, and that it will harm us as workers at LAX. The current airport leadership has shown that they do not care about the harm they are doing.

**United Service
Workers West**



**Local 1877
SOULA 2006
Local 24/7
Local 2007**

**Southern California
Headquarters**
828 W. Washington Blvd.
Los Angeles, CA 90015
(213) 284-7705
(213) 284-7725 fax

Orange County office
1200 N. Main Street
Suite 900
Santa Ana, CA 92701
(714) 245-9700
714-245-9710 fax

San Diego office
4265 Fairmount Ave.
Suite 260
San Diego, CA 92105
(619) 727-5703

**Northern California
Headquarters**
3411 East 12th Street
Suite 200
Oakland, CA 94601
(800) 772-3326
(510) 261-2039 fax

San Francisco office
45 Polk Street
San Francisco, CA 94102
(415) 552-1301
(415) 552-1307 fax

San Jose office
1010 Ruff Drive
San Jose, CA 95110
(408) 280-7770
(408) 280-7804 fax

Stanford office
42 Arguello Way
P.O. Box 19152
Stanford, CA 94309
(650) 723-3680
(650) 723-3650 fax

Sacramento office
1401 21st Street
Suite 310
Sacramento, CA 95811
(916) 498-9505
(916) 497-0806 fax

Item #1

My name is David Huerta. I am Secretary Treasurer of SEIU-United Service Workers Wes and I am here today on behalf of thousands of LAX service workers.

Although we have many serious objections to the proposed airport expansion currently under consideration, we want to make clear that we share the goal of modernizing LAX - to the benefit not only of airlines and business interests - but also workers and the communities impacted by airport operations.

We are for modernization but *NOT* at the cost of workers and surrounding neighborhoods:

We believe modernization must include good, middle class jobs for those who build AND those who provide services at the airport.

Long after construction jobs created by the expansion are gone, thousands of workers will still be pushing wheelchairs, loading bags and unloading cargo at LAX.

These are the jobs that can not only lift up the regional economy - they will keep our economy moving forward.

We believe the City elected leaders also must correct the failures of the current leadership that has broken so many of its promises. These include:

- A failure to adequately address the many environmental hazards raised in comments on the expansion made by the County Board of Supervisors' staff as well as the regional smog control agency.
- A failure to deliver on promised community benefits from the last expansion round...including a timely air quality study and improved medical care for LAX's neighbors most at risk of illness resulting from airport pollution.
- A failure to not only enact but also ENFORCE worker retention, living wage and contractor responsibility standards.
- And a failure to pursue meaningful regionalization despite legal obligations imposed in a court settlement.

We see a lack of leadership by the current Mayor, Airport Commission and Airport Director in their failure to hear and address these concerns. Instead, we see a cynical attempt to rush this approval process through on the eve of City elections.

The Council has some serious decisions to make about the largest development project the region has ever seen and one that will impact all Angelenos for decades to come.

With weeks to go before the elections, this Council should NOT be the body that decides while so much remains unresolved. The RIGHT thing to do is to allow the next Administration, which will have to carry out the expansion plan, to make a careful, fully informed decision that protects the shared interest that we all have in the future of LAX.



Los Angeles County Asthma Profile

May 2011

In Los Angeles County, approximately 1,250,000 children and adults have been diagnosed with asthma.

Lifetime Asthma Prevalence,² 2009

People who have ever been diagnosed with asthma by a health provider.

	Age	Los Angeles County	California
Children	0-4	7.8 (5.2-10.4)	7.7 (6.2-9.2)
	5-17	15.5 (12.6-18.5)	16.2 (14.9-17.6)
Adults	18-64	12.2 (10.4-14.0)	13.8 (12.9-14.7)
	65+	11.2 (9.3-13.0)	11.8 (11.0-12.7)
Totals:	0-17	13.0 (11.4-15.1)	14.2 (13.1-15.3)
	18+	12.0 (10.5-13.6)	13.5 (12.8-14.3)
	All Ages	12.5 (11.2-13.8)	13.7 (13.1-14.3)

Data Source: California Health Interview Survey (CHIS), 2009

Active Asthma Prevalence,⁴ 2007

People who have been diagnosed with asthma and still have asthma.

	Age	Los Angeles County	California
Children	0-4	6.4 (4.0-8.8)	6.3 (5.1-7.4)
	5-17	9.9 (8.1-11.7)	10.2 (9.3-11.1)
Adults	18-64	6.4 (5.6-7.2)	7.8 (7.3-8.2)
	65+	6.9 (5.7-8.1)	7.4 (6.8-8.1)
Totals:	0-17	9.0 (7.5-10.6)	9.1 (8.4-9.9)
	18+	6.5 (5.8-7.2)	7.7 (7.3-8.1)
	All Ages	7.2 (6.5-7.8)	8.1 (7.7-8.4)

Data Source: California Health Interview Survey (CHIS), 2007

Work-Related Asthma⁵

Studies show that asthma is commonly caused or triggered by workplace exposures, but work-related asthma is under-recognized and under-diagnosed. Research confirms that 15-30% of current adult asthma was initiated by work exposures, meaning that an estimated 71,400-142,800 adults in Los Angeles County have asthma caused by work.⁶

Data Source: CHIS, 2007

Asthma Management Plans

National guidelines recommend that health care providers give all patients with asthma a written self-management plan. In Los Angeles County, 24.1% (95% CI 22.0-26.1) of people with asthma have NOT received an asthma management plan from a health care provider.

Data Source: CHIS, 2009

Asthma Risk Factors, 2009

Los Angeles County Risk Factors	
Risk Factor	Percent (95% Confidence Interval)
Percent of adults who are current smokers	13.2 (11.5-14.9)
Percent of adults and children exposed to second-hand smoke in the home	6.8 (5.7-7.8)
Percent of adults who are obese ⁷ (BMI >= 30)	24.1 (22.0-26.1)
Percent of people below the Federal Poverty Level	15.4 (NA)
Unemployment Rate	11.5 (NA)

Data Source: CHS, 2009⁸

Asthma Deaths,⁹ 2008-2010

Number of Deaths Due to Asthma (N) and Age-Adjusted Rate (per 100,000 residents)					
Age	Los Angeles County		California		Rate
	N	Rate	N	Rate	
Children 0-17	14	1.7	57	1.8	
Adults 18+	318	14.3	1,198	14.3	
Totals All Ages	332	11.0	1,255	11.1	

Data Source: California Death Statistical Master Files, 2008-2010

Asthma Emergency Department Visits,¹⁰ 2010

Number of ED Visits Due to Asthma (N) and Age-Adjusted Rate (per 10,000 residents)					
Age	Los Angeles County		California		Rate
	N	Rate	N	Rate	
Children	0-4	8,164	113.7	30,344	109.7
	5-17	11,873	60.7	42,112	59.0
Adults	18-64	22,551	33.9	90,989	36.8
	65+	4,419	38.1	16,527	37.6
Totals:	0-17	19,977	74.9	72,456	72.6
	18+	26,970	34.6	107,516	36.9
All Ages	46,947	45.0	179,972	46.1	

Data Source: Office of Statewide Health Planning and Development (OSHPD), 2010

Asthma Hospitalizations,¹¹ 2010

Number of Hospitalizations Due to Asthma (N) and Age-Adjusted Rate (per 10,000 residents)					
Age	Los Angeles County		California		Rate
	N	Rate	N	Rate	
Children	0-4	1,565	22.1	6,187	22.3
	5-17	1,421	7.3	4,884	6.9
Adults	18-64	4,757	6.9	14,671	5.7
	65+	3,088	26.6	9,054	20.7
Totals:	0-17	3,006	11.3	11,071	11.0
	18+	7,845	10.2	23,725	8.3
All Ages	10,851	10.5	34,796	9.0	

Data Source: Office of Statewide Health Planning and Development (OSHPD), 2010

Expected Source of Payment for Asthma ED Visits		
Payment Source	Los Angeles County	California
Medicare	11.3%	12.6%
Medi-Cal	37.9%	37.1%
Private	31.9%	31.1%
Other	18.9%	18.3%

Data Source: Office of Statewide Health Planning and Development (OSHPD), 2010

Average Charges Per Asthma Hospitalization			
Age	Los Angeles County	California	
Children 0-17	\$19,195	\$19,508	
Adults 18+	\$40,374	\$40,853	
Total All Ages	\$34,499	\$33,749	

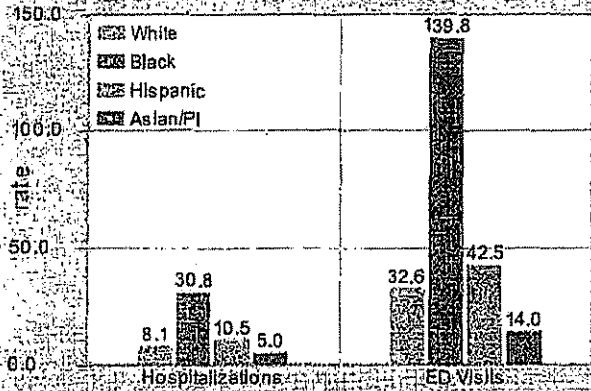
Data Source: Office of Statewide Health Planning and Development (OSHPD), 2010

Expected Source of Payment for Asthma Hospitalizations		
Payment Source	Los Angeles County	California
Medicare	30.5%	29.4%
Medi-Cal	38.9%	35.7%
Private	21.6%	24.9%
Other	8.9%	10.0%

Data Source: Office of Statewide Health Planning and Development (OSHPD), 2010

Asthma Disparities

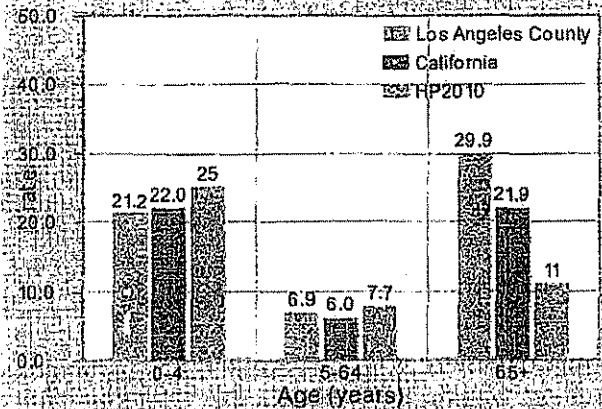
Age-Adjusted Asthma Hospitalizations and ED Visits per 10,000 Los Angeles County Residents by Race/Ethnicity, 2010



Data Source: Office of Statewide Health Planning and Development (OSHPD), 2010

Healthy People 2011¹⁴

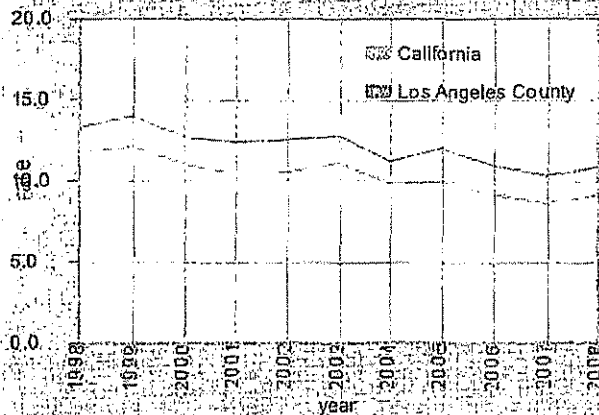
Asthma Hospitalizations per 10,000 Residents by Age Compared to HP2010 Targets, California and Los Angeles County, 2008



Data Source: Office of Statewide Health Planning and Development (OSHPD), 2008

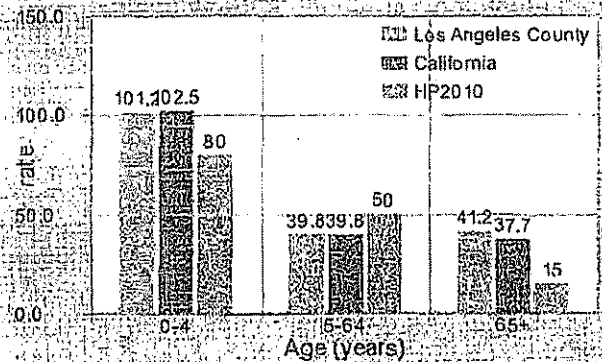
Hospitalization Rates Over Time

Age-Adjusted Asthma Hospitalizations per 10,000 Residents, Los Angeles County and California, 1998-2008



Data Source: Office of Statewide Health Planning and Development (OSHPD), 1998-2008

Asthma ED Visits per 10,000 Residents by Age, Compared to HP2010 Targets, California and Los Angeles County, 2008



Data Source: Office of Statewide Health Planning and Development (OSHPD), 2008

Notes

1. PI = Pacific Islander; Please see technical notes for more information on race/ethnicity categorizations.
2. Lifetime asthma prevalence is the proportion of people in the population who have ever been diagnosed with asthma by a health provider.
3. The 95% confidence interval (CI) is a range that expresses a level of certainty about an estimate based on the margin of error.
The 95% CI means that we are 95 percent confident that this range contains the true population percent. A narrow CI means that there is less variability in the estimate and/or there is a larger sample size. A wide CI indicates more variability and/or a smaller sample size.
4. Active asthma prevalence is the proportion of people in the population who have ever been diagnosed with asthma by a health provider and report that they still have asthma and/or report that they had an episode or attack within the past 12 months.
5. Work-related asthma is asthma that is caused or triggered by conditions or substances in the workplace.
6. Barnes J, Becklake M, Blanc P, et al. Environmental and Occupational Health Assembly, American Thoracic Society. American Thoracic Society Statement: Occupational Contribution to the Burden of Airway Disease. *Am J Respir Crit Care Med.* 2003;167:787-797; Lutzker L, Raftery A, Brunner W, et al. Prevalence of Work-related Asthma in Michigan, Minnesota, and Oregon. *Journal of Asthma.* 2010;47:166-161.
7. Obesity is defined as a body mass index (BMI) of 30 or greater.
8. Data Sources for Asthma Risk Factors: Smoking — CHIS, 2009; Obesity — CHIS, 2009; Poverty Level — American Community Survey, 2007-2009; Unemployment Rate — State of California Employment Development Department, 2009
9. An asthma death is a death where asthma was indicated as the underlying cause on the death certificate. The rate of asthma deaths is the number of deaths per 1,000,000 residents, age-adjusted to the 2000 U.S. population.
10. An asthma ED visit is an admission to a licensed ED in California with the primary diagnosis of asthma. The rate of asthma ED visits is the number of visits per 10,000 residents, age-adjusted to the 2000 U.S. population.
11. Population denominators for rates are from the California Department of Finance. All rates are age-adjusted to the 2000 U.S. population. Age-adjusted rates are modified to eliminate the effect of different age distributions in different populations. Rates based on numbers <20 are not reported.
12. An asthma hospitalization is a discharge from a licensed acute care hospital in California with the primary diagnosis of asthma. The rate of asthma hospitalizations is the number of hospitalizations per 10,000 residents, age-adjusted to the 2000 U.S. population.
13. Charges for asthma hospitalizations are the only type of data available to assess the costs of asthma in California counties. However, there are many other costs associated with asthma, including other types of health care utilization, medications, and indirect costs due to factors such as school and work missed.
14. Healthy People 2010 (HP2010) is a set of national benchmarks for a wide range of health topics, including asthma. For more information on HP2010, visit www.healthypeople.gov.
15. Outdoor air quality data—including exposures such as PM2.5, PM10, ozone, and traffic pollution—can be found online through the California Environmental Health Tracking Program's Air Quality Data Query or on the California Air Resources Board website.

Further details about the data presented in this report can be found in the accompanying Technical Notes document.

<http://www.californiabreathing.org> -- Los Angeles County Asthma Profile, 2011
Last Updated on Thursday, 09 August 2012 10:57

Date: 4/9/13
Submitted in PLUM/ACT Committee
Council File No: 13-0285
Item No: 1
Deputy: Common from Public

Attachment A-9

**Materials Submitted by Marcia Hanscom at
TCT/PLUM Joint Committee Meeting, April 9, 2013**



Land Protection Partners

P.O. Box 24020, Los Angeles, CA 90024-0020
Telephone: (310) 276-2306

Review of Biological Resources Analysis in Supplement to Draft Environmental Impact Statement/Environmental Impact Report for LAX Master Plan

Travis Longcore, Ph.D.
Catherine Rich, J.D., M.A.

October 20, 2003

Date: 4-9-13

Submitted in PLUM/TEI Committee

Council File No: 13-0285

Item No.: 1

Deputy Communication from Council member
Rosendahl

Review of Biological Resources Analysis in Supplement to Draft Environmental Impact Statement/Environmental Impact Report for LAX Master Plan

This review pertains to the Federal Aviation Administration/Los Angeles World Airports Supplement to Draft Environmental Impact Statement/Environmental Impact Report ("SDEIS/EIR") for the LAX Master Plan. The scope of this review is limited to biological resources, and consequently addresses Sections 4.10 (Biotic Communities), 4.11 (Endangered and Threatened Species of Flora and Fauna), 4.12 (Wetlands), 4.14 (Coastal Zone Management and Coastal Barriers), and 4.18 (Light Emissions). The review was prepared by Dr. Travis Longcore and Catherine Rich, who are experts in the ecology and history of the natural communities that would be affected by the proposed airport expansion and in the assessment of environmental impacts under the California Environmental Quality Act, National Environmental Policy Act, and California Coastal Act. Dr. Longcore has co-authored several peer-reviewed scientific articles on the El Segundo dunes and the Los Angeles coastal prairie (including its vernal pools),¹ which both would be adversely affected by the proposed project.

The SDEIS/EIR complements, but does not replace, the original Draft Environmental Impact Statement/Environmental Impact Report ("DEIS/EIR") for the LAX Master Plan. The SDEIS/EIR does nothing to improve the fatally flawed assessment methodology for direct impacts to sensitive biological resources that was presented in the DEIS/EIR. Rather, the SDEIS/EIR provides only a trivial and meaningless change in the name of the methodology from "modified Habitat Evaluation Procedure" to "Mitigation Land Evaluation Procedure" ("MLEP"). The SDEIS/EIR attempts to improve the analysis of indirect impacts on biological resources, including the effects of light, noise, and air pollution, but the analysis is illogical and unsupported by the literature. Finally, the SDEIS/EIR presents impact analysis for the newly-formulated Alternative D.

With the exception of the analysis of Alternative D, which triggered the preparation of a Supplement, the new biological resources analysis appears to consist primarily of responses to comments on the DEIS/EIR, including those of the resources agencies and perhaps our own.² In our 2001 review, we noted the failure of the DEIS/EIR to provide an adequate assessment of the effects of light and noise on biological resources, illustrated the gross inadequacy of the "modified Habitat Evaluation Procedure," and identified contradictions in the project description. Because many of the problems that we identified in our 2001 review have not been addressed in the SDEIS/EIR, we incorporate our earlier comments by reference (see attached without appendices). This review evaluates the updated analysis of biological impacts and associated mitigation measures presented in the SDEIS/EIR.

-
1. Mattoni, R., T. Longcore, C. Zonneveld, and V. Novotny. 2001. Analysis of transect counts to monitor population size in endangered insects: the case of the El Segundo blue butterfly, *Euphilotes bernardino allynii*. *Journal of Insect Conservation* 5(3):197-206. Longcore, T., R. Mattoni, G. Pratt, and C. Rich. 2000. On the perils of ecological restoration: lessons from the El Segundo blue butterfly. Pp. 281-286 in J.E. Keeley, M. Baer-Keeley, and C.J. Fotheringham (eds.) *2nd Interface Between Ecology and Land Development in California*. U.S. Geological Survey, Sacramento, California. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445-452. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles coastal prairie, a vanished community. *Crossosoma* 26(2):71-102.
 2. Longcore, T., and C. Rich. 2001. Review of biological resources analysis in LAX Master Plan Draft Environmental Impact Statement/Environmental Impact Report. Land Protection Partners, Los Angeles. 27 pp. + appendices.

1.0 Project Description

The maps of land use for the airport properties are updated in the Supplement to depict the four Alternatives. These maps are somewhat clearer than those in the DEIS/EIR about the land use of the ~100 acres of El Segundo dunes not included in the Habitat Restoration Area. While the DEIS/EIR included maps depicting this area as a golf course or resort hotels,³ the SDEIS/EIR identifies that area as "Airfield/Airport Open Space."⁴ The description of Alternatives does not, however, provide conclusive details about the long-term disposition of this biologically important area.⁵ The long-term plans for this property are important to the analysis of mitigation measures because the SDEIS/EIR contemplates that some habitat mitigation activities will occur in this area, outside of the ~200-acre Habitat Restoration Area.⁶

We note that the depiction of the 100 acres of El Segundo dunes north of the Habitat Restoration Area as "Airfield/Airport Open Space" diverges from the previous positions articulated by the City of Los Angeles. In the staff report for issuance of a Coastal Development Permit for landscaping along Waterview Street at the northern end of this area, the City in 2001 wrote, "The Project, a narrow, landscaped area along the streets, would provide a buffer between the golf course and residential areas...."⁷ As we noted in our previous comments, the zoning for the parcels in the dunes was set at [Q]OS-1-XL in 1994, which disallows development in the dunes habitat preserve and restricts use of the remainder of the property to "a nature preserve and accessory uses only."⁸ In the Land Use section of the SDEIS/EIR, while the entire 300 acres of the El Segundo dunes are designated as "Open Space," the map refers to the "Los Angeles Airport/El Segundo Dunes Specific Plan" as the descriptor.⁹ This Specific Plan has been superseded by the 1994 zoning update, but this fact is not reflected in the various maps in the SDEIS/EIR. The restriction of the northern 100 acres of the dunes to "nature preserve and accessory uses" should be clarified in the Final EIS/EIR.

2.0 Direct Impacts

2.1 Mitigation Land Evaluation Procedure (formerly "modified Habitat Evaluation Procedure")

The modified Habitat Evaluation Procedure presented in the DEIS/EIR has been renamed the Mitigation Land Evaluation Procedure in the SDEIS/EIR.¹⁰ This methodology was rejected outright by the U.S. Fish and Wildlife Service ("USFWS") and the California Department of Fish and Game ("CDFG") in comments on the DEIS/EIR, but the SDEIS/EIR retains the methodology while simply changing the name, "to eliminate confusion associated with a similarity in the designation to an unrelated methodology developed by the USFWS."¹¹ This change in terminology does not correct the faulty

3. DEIS/EIR, Appendix J1. Biological Assessment Technical Report, Figures 8, 11, 14.

4. SDEIS/EIR, Figures S3-2, S3-4, S3-5, S3-6, S3-7, S3-8.

5. SDEIS/EIR, Section 3. Alternatives (Including Proposed Action).

6. SDEIS/EIR, MM-BC-4 through MM-BC-8, MM-BC-10 through MM-BC-13.

7. City of Los Angeles 2001. Coastal Development Permit Application No. 00-05 Final Staff Report, p. 3.

8. City of Los Angeles. Ordinance No. 169,767, effective June 12, 1994.

9. SDEIS/EIR, Figures 4.2-6, 4.2-9, 4.2-12, 4.2-15.

10. SDEIS/EIR, p. 4-449.

11. *Id.*

assumptions of the underlying method, and does nothing to correct the deficiencies in this method that were identified by the USFWS, CDFG, and our previous review.

The SDEIS/EIR uses the Mitigation Land Evaluation Procedure to determine impacts to sensitive vegetation types and to quantify impacts to habitats of sensitive species.¹² The name change is a *de facto* confirmation that the "methodology" is not based on an accepted technique, the "Habitat Evaluation Procedures" ("HEP")¹³ developed by the U.S. Fish and Wildlife Service, but rather was invented for this analysis. While the HEP is an established method with a history of usage,¹⁴ the MLEP is not a recognized method for the evaluation of impacts to sensitive species or vegetation types, or the determination of mitigation ratios for such impacts. Because the SDEIS/EIR does not reprint the methodology it has renamed MLEP, further discussion of the MLEP must refer to the DEIS/EIR.

The MLEP sets habitat evaluation standards based on an "optimal" site with "a multitude of floral and faunal species."¹⁵ One would expect that each vegetation type would be compared against an optimal site of that same vegetation type, but this is not the case. Rather, the MLEP inexplicably compares all vegetation types against a valley needlegrass grassland/vernal pool complex. One might also expect that the habitat evaluation for each species would incorporate features relevant to that species' survival. This is not true either, because the habitat evaluation standards bear no relation to species requirements. For example, we compared the habitat evaluation standards in the MLEP to the habitat requirements of loggerhead shrike (*Lanius ludovicianus*) and black-tailed jackrabbit (*Lepus californicus bennettii*) (Table 1),¹⁶ and found no nexus. The MLEP assigns low values of 0.25 for vegetation types that are occupied by these species (non-native grassland/ruderal), even though this vegetation is quite good habitat for both species. Furthermore, because the MLEP compares all vegetation types against one vegetation type, the MLEP results in the false conclusion that habitat values lost by destruction of one vegetation type can be mitigated by enhancing a completely different vegetation type.

This critical failure bears repeating. The single set of standards used to evaluate all vegetation types does not reflect ecological value, either to sensitive species or as vegetation communities. This problem derives from the physical and biological criteria used to evaluate habitat and the so-called "ecosystem functional integrity" components of the analysis. Rather than developing criteria for each vegetation type, the MLEP evaluates all vegetation types against the characteristics found in a "reference site." The vegetation type chosen for this standard is that of valley needlegrass grassland/vernal pool complex.¹⁷ For some inexplicable reason, all vegetation types are measured against this standard, including southern foredune, southern dune scrub, and disturbed dune scrub/foredune. Dune vegetation does not exhibit many features found in a valley needlegrass grassland/vernal pool complex. Because dune vegetation does not have vernal pools and associated species, these vegetation dune types are assigned lower

12. DEIS/EIR, p. 4-615. SDEIS/EIR, p. 4-449.

13. U.S. Fish and Wildlife Service. 1996. Fish and Wildlife Service manual, 870 FW 1, Habitat Evaluation Procedures. [online at <http://policy.fws.gov/870fw1.html>]. U.S. Fish and Wildlife Service. 1980. Habitat as the basis for environmental assessment, 101 ESM. U.S. Fish and Wildlife Service. 1980. Habitat Evaluation Procedures (HEP), 102 ESM.

14. Johnson, T.L., and D.M. Swift. 2000. A test of a habitat evaluation procedure for Rocky Mountain bighorn sheep. *Restoration Ecology* 8(4S):47-56.

15. DEIS/EIR, p. 4-616.

16. Because the MLEP is the "modified HEP" with a different name, our analysis is the same as provided in our 2001 comments.

17. DEIS/EIR, p. 4-615.

“habitat” values — 0.35 for both southern dune scrub and disturbed dune scrub/foredune, and 0.45 for southern foredune. This ranking merely illustrates that dune scrub is not good valley needlegrass grassland/vernal pool complex, but it says nothing about whether it is good dune scrub.

Table 1. Relevance of Mitigation Land Evaluation Procedure Standards to Two Sensitive Species

MLEP Standards	Relevance to value of area as black-tailed jackrabbit habitat	Relevance to value of area as loggerhead shrike habitat
TOPOGRAPHY		
Mound-depression microrelief	None. Species occurs in a variety of topographic conditions.	None
Native soils w/ slope <10%	None	None
Areas w/ period of inundation ≥ 30 days	None. Can serve as vectors for seed dispersal between vernal pools, but not necessary for habitat. ¹⁸	None
Summer desiccation	None	None
FLORA		
>10% vegetative cover	Some. Forage and cover must be present.	Some. Vegetation must support prey populations.
Native grasses >10%	None. Will forage on all manner of grasses, forbs, and shrubs. ¹⁹	None
Vernal pool associated species	None	None
Listed vernal pool associated species	None	None
FAUNA		
Domination of native fauna (reproducing)	None	None
Grassland associated species (reproducing)	None	None
Sensitive vernal pool associated species	None	None
Listed vernal pool associated species	None	None
ECOSYSTEM FUNCTIONAL INTEGRITY		
Contiguity w/ wetland and State-designated sensitive terrestrial habitat	None	None
Designated sensitive terrestrial habitat Under regulatory conservation	None	None
Variety of pollinator/dispersal mechanisms present (wind, wildlife)	None. Is itself a dispersal agent.	None
Contiguous native habitat > 40 acres	Potentially important. Size of habitat, whether native or not, is important.	Potentially important. Size of habitat, whether native or not, is important.

18. Zedler, P.H., and C. Black. 1992. Seed dispersal by a generalized herbivore: rabbits as dispersal vectors in a semiarid California vernal pool landscape. *The American Midland Naturalist* 128(1):1-10. (Jackrabbits play a similar role in the vernal pool landscape.)
19. Johnson, R.D., and J.E. Anderson. 1984. Diets of black-tailed jack rabbits in relation to population density and vegetation. *Journal of Range Management* 37(1):79-83. MacCracken, J.G., and R.M. Hansen. 1982. Herbaceous vegetation of habitat used by blacktail jackrabbits and Nuttall cottontails in southeastern Idaho. *American Midland Naturalist* 107(1):180-184. Jameson, E.W., Jr., and H.J. Peeters. 1988. *California mammals*. University of California Press, Berkeley.

The portion of habitat value deriving from "ecosystem functional integrity" is another wholesale creation of the DEIS/EIR, and by extension the SDEIS/EIR. The choice of standards is arbitrary, with little to do with the sensitive species and vegetation types under analysis. Whether a site is "under regulatory conservation" does not necessarily have anything to do with the ecological value of its vegetation type for sensitive species. Similarly, "contiguity with state-designated habitat" is not an ecological criterion. "Variety of pollinator/dispersal mechanisms present" is oriented toward vernal pool vegetation, and the choice of "contiguous native habitat >40 acres" is arbitrary.

The MLEP fundamentally obscures the reality that sensitive plants and wildlife utilize vegetation that is not dominated by native species. Loggerhead shrikes forage in ruderal and non-native grasslands as well as in dune scrub. Jackrabbits are thriving in an area with little native plant component. Furthermore, the MLEP asserts that landscaped areas within the airport grounds contain "habitat units," even though these areas support neither sensitive vegetation communities nor sensitive species. The MLEP is therefore of no use in evaluating the impacts to native wildlife, or in devising mitigation schemes for those impacts. The MLEP is so flawed that it completely fails to establish the nexus for mitigation of impacts.

We are not saying that it would be impossible to develop a scheme to assess vegetation communities that assigns lower area equivalence to degraded vegetation. Indeed, the suggestion by CDFG that non-native grasslands be mitigated at a 0.5:1 ratio is implicit recognition of such an approach. A preliminary effort to develop a "habitat hectares" scheme has been published in the scientific literature, but it is fundamentally different from the MLEP.²⁰ A valid "habitat area" approach should include the following features: 1) incremental values of habitat areas are assigned strictly on biological criteria, 2) these criteria are developed separately for each vegetation type, and 3) the results are not applied as proxies for the habitat requirements of individual wildlife species.²¹ The MLEP violates all three of these conditions. (Technically, this type of approach should not be called a "habitat area" approach, because "habitat" is a specific term that is defined relative to an individual species.²²)

2.2 Alternative D

The SDEIS/EIR discloses that the new, preferred Alternative D would result in direct destruction of 1.53 acres of sensitive habitat for the construction of navigational aids and associated service roads within the El Segundo dunes, both inside and outside the Habitat Restoration Area. This would include removal of 0.8 acres of disturbed foredune, 0.5 acres of disturbed grassland, and 0.2 acres of foredune.²³ The acreage may sound minimal to the casual reader, but the raw acreage does not reveal the true extent of project impacts because it conceals the spatial configuration of the development. The Biotic Communities analysis fails to reveal the geographic arrangement of the proposed construction, and does not consider this critical information in the assessment of impacts. This information about configuration is important because if the navigational aids are scattered, a greater area will be subjected to "edge effects" from adjacency to the new infrastructure and the construction. If they are clustered, then

20. Parkes, D., G. Newell, and D. Cheaf. 2003. Assessing the quality of native vegetation: the "habitat hectares" approach. *Ecological Management and Restoration* 4:S29-S38.

21. *Id.*

22. Hall, L.S., P.R. Krausman, and M.L. Morrison. 1997. The habitat concept and a plea for standard terminology. *Wildlife Society Bulletin* 25:173-182.

23. SDEIS/EIR, Table S4.10-4.

impacts will be lessened. Clustering of development is one of the basic tenets of conservation planning. Every site of disturbance within the dunes habitat is an area that is more easily invaded by exotic plants and arthropods. It is therefore troubling that the SDEIS/EIR contains no assessment of the configuration of this development footprint.

Configuration of the navigational aids on the dunes is found only in the Coastal Zone Management and Coastal Barriers section. A figure in that section reveals that the navigational aids will be installed at no fewer than 23 separate locations in two lines extending two thirds of the way across the dunes from east to west.²⁴ In addition, existing navigational aids will be removed from 12 other locations both in and out of the Habitat Restoration Area. Each new navigational aid will be 9 feet square, within a 15-foot service buffer. The total area of the new navigational aids is 0.2 acres, so the remaining 1.4 acres of identified disruption must be from new roads or other construction impacts. Therefore, from the new navigational aids alone, nearly 1,300 feet of new habitat edges will be introduced into the El Segundo dunes. It is furthermore unclear if habitat disruption from removal of existing navigational aids has been evaluated.

The impact analysis for Alternative D uses the flawed MLEP to calculate "habitat units" that will be lost for various sensitive species. These habitat units are essentially meaningless; the actual acres of lost habitat should be the basis for impact assessment. According to the SDEIS/EIR the following sensitive species will experience habitat loss in the following amounts: black-tailed jackrabbit, 23.76 acres; western spadefoot toad (*Spea hammondi*), 8.97 acres; loggerhead shrike, 83.25 acres.

The area of impacts to black-tailed jackrabbit is actually much larger than 23.76 acres. The area currently occupied by this species will be used as a construction staging area, which will eliminate far more habitat than the parking garage.²⁵ In addition, the mitigation measure for this species proposes relocating all of the jackrabbits to the El Segundo dunes. The resulting total loss of habitat is therefore closer to the 118.75 acres described for the other Alternatives.

Loss of habitat for jackrabbits, loggerhead shrikes, and western spadefoot toads constitutes a significant impact because the losses would appreciably diminish the ranges of these rare species. LAX supports the only population of jackrabbits in west Los Angeles and indeed, in most of the Los Angeles basin. LAX also supports one of the last western spadefoot toad populations in the Los Angeles basin. Surveys in 2003 for breeding loggerhead shrikes recorded fewer than six pairs within the Los Angeles basin (Kimball Garrett, Los Angeles County Museum of Natural History, pers. comm.), and the species has disappeared in recent years from regularly surveyed sites at Holy Cross Cemetery, Madroña Marsh, and other Los Angeles locations (Professor Hartmut Walter, UCLA Department of Geography, pers. comm.). All three of these species are on the verge of extirpation within a large cismontane geographic area, making any impacts to the populations at LAX highly significant. Cumulative impacts to these species, from the proposed project and other projects in the area, including the Catellus West Bluffs development, are highly significant.

The impact analysis for Alternative D (and the other Alternatives) does not address the "bomb disposal site" located within the Habitat Restoration Area. Consultants to LAX previously recommended that

24. SDEIS/EIR, Figure S4.14-1.

25. SDEIS/EIR, Figure S4.20-1.

this site be moved as part of the Master Plan process so that the ongoing adverse impacts to sensitive habitats (including scraping of restored areas, and disposal of debris within restored areas) could be avoided.²⁶

The impact analysis does not provide a sufficient discussion of chemicals that would be used for dust suppression. The SDEIS/EIR suggests the use of "nontoxic" soil binders to reduce dust, but the compatibility of these chemicals with habitat restoration and biological communities is unknown or not reported, and so cannot be evaluated.

3.0 Indirect Impacts

The SDEIS/EIR provides additional discussion of the effects of light and noise on biological resources. While presenting marginally more information, the analysis and conclusions on both these topics are lacking in logic and scientific support.

3.1 Artificial Night Lighting and Wildlife

Discussion of the impacts of artificial night lighting on wildlife is hampered by the confusing use of terminology in the SDEIS/EIR. The issue is routinely described as an analysis of "light emissions," and the magnitude of lighting is described in foot-candles ("fc"). The difficulty with this is that foot-candles (or the SI equivalent lux) are measures of illumination within an area, not the emission of light from a source. Light emissions should be described in terms of luminance. Both illumination and luminance are relevant to assessment of the biological impacts of artificial lighting. Luminance is primarily associated with attraction and repulsion of animals, while illumination primarily results in orientation and disorientation.²⁷ Analysis of lighting should therefore clearly distinguish between illumination and luminance in considering impacts to wildlife.

The analysis of lighting impacts from all Alternatives lacks relevant spatial information to reach meaningful conclusions. For example, the baseline conditions within the dunes Habitat Restoration Area are described as ranging from 0.004 fc to 0.26 fc.²⁸ For all build scenarios, the SDEIS/EIR predicts that illumination will increase by 0.34 fc. The spatial distribution of this increase is not described, which makes it difficult to discern how large an area will be subjected to increased lighting from the project.

The SDEIS/EIR tries to reach the conclusion that current lighting levels have no adverse influence on wildlife. This conclusion is not supported by the facts. First, all lighting levels within the dunes were recorded during a night with a clear sky. Light reflected by clouds or fog is at a minimum on clear nights; ambient illumination may increase substantially on overcast or foggy nights.²⁹ The

26. DEIS/EIR, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 509.

27. Health Council of the Netherlands. 2000. *Impact of outdoor lighting on man and nature*. Health Council of the Netherlands, The Hague.

28. SDEIS/EIR, p. 4-452.

29. Moore, M.V., S.M. Pierce, H.M. Walsh, S.K. Kvalvik, and J.D. Lim. 2000. Urban light pollution alters the diel vertical migration of *Daphnia*. *Verhandlungen der Internationalen Vereinigung für Theoretische und Angewandte Limnologie* 27:779-782.

characterization of the baseline conditions does not therefore adequately represent lighting impacts, given the frequency of these meteorological conditions along the coast.

Second, the biological analysis asserts that only nocturnal and crepuscular species could be affected by artificial night lighting. This conclusion reveals a failure to understand basic ecology and an ignorance of the scientific literature. One of the common effects of artificial night lighting is to extend the activity period of a diurnal species into the nighttime hours. This has been well documented for birds,³⁰ and is so notable in reptiles that animals exhibiting such behavior have been characterized as using the "night light niche."³¹ In another example, seals extended foraging time on salmon by using the lights from a bridge overhead.³² Extended activity times for diurnal species results in disruption of interactions with other species. Species with extended activity periods may 1) subject other species to increased predation, 2) increase competition with nocturnal and crepuscular species, and 3) be subject to additional predation. The outcome of these altered species interactions will be positive, neutral, and negative for different members of the community, be they diurnal, crepuscular, or nocturnal. One experimental investigation reports the outcome of increased foraging time allowed by artificial lighting for butterfly larvae. The higher growth rate associated with longer photoperiod was offset by significantly higher predation on the butterfly larvae from the primary parasitoid species.³³ The SDEIS/EIR errs dramatically in claiming that diurnal species would not be affected by artificial night lighting.

Third, the SDEIS/EIR does not discuss the relevant literature to develop thresholds to determine adverse impacts from lighting. Rather, it draws on the rather illogical statement that because sensitive species are present in the dunes area with existing light levels, the light does not adversely affect these species.³⁴ Presence of a species in a degraded habitat does not mean that the habitat is not degraded. The conclusion of no impact from existing lighting cannot be drawn without knowing the density of sensitive species in the absence of artificial night lighting. Even using the measurements taken on a clear night for the SDEIS/EIR, artificial illumination on the dunes reaches 0.26 fc (2.8 lux), which is an order of magnitude greater than that provided by a full moon (~0.1 lux). The claim that illumination of this magnitude does not affect wildlife is untenable, given the known influences of lunar cycles on wildlife behavior. For example, scorpions stay closer to their burrows during the full moon.³⁵ Other animals,

-
30. Goertz, J.W., A.S. Morris, and S.M. Morris. 1980. Ruby-throated hummingbirds feed at night with the aid of artificial light. *Wilson Bulletin* 92:398-399. Freeman, H.J. 1981. Alpine swifts feeding by artificial-light at night. *British Birds* 74(3):149. Hill, D. 1990. The impact of noise and artificial light on waterfowl behaviour: a review and synthesis of the available literature. British Trust for Ornithology Report No. 61, Norfolk, United Kingdom. Frey, J.K. 1993. Nocturnal foraging by scissor-tailed flycatchers under artificial light. *Western Birds* 24(3):200. Negro, J.J., J. Bustamante, C. Melguizo, J.L. Ruiz, and J.M. Grande. 2000. Nocturnal activity of lesser kestrels under artificial lighting conditions in Seville, Spain. *Journal of Raptor Research* 34(4):327-329. Thurber, W.A., and O. Komar. 2002. Turquoise-browed motmot (*Eumomota superciliosa*) feeds by artificial light. *Wilson Bulletin* 114(4):525-526.
 31. Schwartz, A., and R.W. Henderson. 1991. *Amphibians and reptiles of the West Indies: descriptions, distributions, and natural history*. University of Florida Press, Gainesville.
 32. Yurk, H., and A.W. Trites, 2000. Experimental attempts to reduce predation by harbor seals on out-migrating juvenile salmonids. *Transactions of the American Fisheries Society* 129(6):1360-1366.
 33. Gotthard, K. 2000. Increased risk of predation as a cost of high growth rate: an experimental test in a butterfly. *Journal of Animal Ecology* 69(5):896-902.
 34. SDEIS/EIR, p. 4-453.
 35. Skutelsky, O. 1996. Predation risk and state-dependent foraging in scorpions: effects of moonlight on foraging in the scorpion *Buthus occitanus*. *Animal Behaviour* 52(1):49-57.

including snakes,³⁶ small mammals,³⁷ lagomorphs,³⁸ and bats,³⁹ similarly avoid foraging during the full moon to avoid the increased predation risk. With areas of the dunes subjected permanently to illumination brighter than that of a full moon, the conclusion that this baseline condition causes no impacts is not supported by scientific evidence. Even the dimmest illumination found in the baseline conditions at the dunes (0.004 fc = 0.043 lux) is still greater than the light of a quarter moon (0.01 lux), let alone a moonless clear night (i.e., starlight only with no light pollution; 0.001 lux), or a moonless overcast night (i.e., no starlight with no light pollution; 0.0001 lux).

With these natural illumination levels in mind, it becomes evident that impacts from additional light created by the project will be significant to wildlife. All project Alternatives would increase illumination within the Habitat Restoration Area so that illumination would range from 0.344–0.6 fc (3.7–6.5 lux). This illumination is 37 to 65 times brighter than that of a full moon. Given that the wildlife species of the dunes evolved for hundreds of thousands of years with, and are adapted to, a natural light regime with a maximum illumination of the full moon, and some wildlife species may detect and respond to illuminations below 0.01 or even 0.0001 lux,⁴⁰ an increase of 0.34 fc (3.6 lux) constitutes a significant adverse impact.

3.2 Noise and Wildlife

In our 2001 comments on the DEIS/EIR, we requested that the impact of noise on wildlife be analyzed. The SDEIS/EIR presents an analysis, but it is lacking in scope and logic.

The scope of the analysis of noise impacts is limited in the SDEIS/EIR to sensitive species only. While these impacts are important, this scope is unduly narrow, because it ignores impacts to wildlife species not designated as "sensitive" that are found in rare natural communities (also called "sensitive habitats"). Rare natural communities, such as southern foredune, dune scrub, and valley needlegrass grassland, are important for both their flora and fauna. It would defeat the purpose of protecting such sensitive habitats if impacts to the wildlife in those habitats are not analyzed. The noise analysis should therefore be expanded to consider impacts to the wide range of wildlife found in the sensitive habitats at LAX, and not limited to only those individual species designated as sensitive.

The logic of the noise analysis is also flawed. This is exemplified by the conclusion that, "Based on the analysis of existing noise levels at locations occupied by sensitive species, and the presence of sensitive species within these areas, it appears that current noise conditions do not adversely affect sensitive species at LAX."⁴¹ Again, as is the case with the analysis of artificial night lighting, insufficient information is available in the SDEIS/EIR to draw this conclusion. If the density of sensitive species

36. Clarke, J.A., J.T. Chopko, and S.P. Mackessy. 1996. The effect of moonlight on activity patterns of adult and juvenile prairie rattlesnakes (*Crotalus viridis viridis*). *Journal of Herpetology* 30(2):192–197. Klauber, L.M. 1939. *Rattlesnakes: their habits, life histories, and influence on mankind*. Second edition. Vol. 1. University of California Press, Berkeley.

37. Lima, S.L. 1998. Stress and decision making under the risk of predation: recent developments from behavioural, reproductive, and ecological perspectives. *Advances in the Study of Behavior* 27:215–290.

38. Gilbert, B.S., and S. Boutin. 1991. Effect of moonlight on winter activity of snowshoe hares. *Arctic and Alpine Research* 23(1):61–65.

39. Rydell, J. 1992. Exploitation of insects around streetlamps by bats in Sweden. *Functional Ecology* 6:744–750.

40. Tarano, Z. 1998. Cover and ambient light influence nesting preferences in the Tungara frog *Physalaemus pustulosus*. *Copeia* 1998(1):250–251.

41 SDEIS/EIR, p. 4-453.

without elevated noise levels were known, and those densities remained the same with elevated noise, then perhaps a conclusion of no impact could be reached. But the SDEIS/EIR does not report density of occupation by any sensitive species (except El Segundo blue butterfly, *Euphilotes bernardino allyni*) and presents no comparison to suggest that densities would be the same in the absence of the noise associated with the fourth largest airport in the United States. Without these critical parts of a logical argument, the conclusion that existing noise does not affect sensitive species at LAX is unfounded.

Beyond the faulty conclusion that *current* noise levels do not affect sensitive species at LAX, the SDEIS/EIR also asserts that *increased* noise would not affect sensitive species. This conclusion is a result of the inappropriately narrow scope of the analysis and a failure to consider reasonable thresholds for noise effects. A rather exhaustive body of literature is referenced, but glossed over by the SDEIS/EIR, that illustrates the adverse impacts of airport noise on vertebrates, even at levels far below the thresholds in the SDEIS/EIR. Chronic noise, even at low levels, is associated with elevated stress hormone levels, higher blood pressure, faster heart rates, and other physiological effects.⁴² As a result, birds, mammals, and other vertebrates may show anatomical differences (smaller body size, enlarged adrenal glands) from prolonged exposure to noise.

A study of the influence of aircraft overflights on birds is cited in the SDEIS/EIR, noting that "there were no major differences in the nesting productivity of the most abundant species, and the nesting success was high and similar for both the control site and the test site."⁴³ This reference is rather disingenuous, because it neglects to inform the reader that the Alaska study site experienced L_{max} below 70 dB(A) while the L_{max} at LAX ranges 90–140 dB(A) under the various Alternatives. This represents a considerable difference, because decibels are measured on a logarithmic scale.

Road noise, which is several orders of magnitude quieter than aircraft noise, has been documented to exert an adverse impact on breeding birds. Of 45 bird species investigated in woodlands in The Netherlands, 33 showed significantly depressed breeding density in response to increased noise levels near roads. All species in the small passerine families Sylviidae, Fringillidae, and Emberizidae were affected by noise.⁴⁴ Empirical measurement of the threshold value triggering decreased density in woodlands shows that for all bird species combined the threshold value is 42–52 dB(A), with individual species exhibiting thresholds as low as 36 dB(A) and as high as 58 dB(A).⁴⁵ Furthermore, years with overall low population densities showed lower threshold levels. Similar research has been conducted for

42. Manci, K.M., D.N. Gladwin, R. Vilella, and M.G. Cavendish. 1988. Effects of aircraft noise and sonic booms on domestic animals and wildlife: a literature synthesis. U.S. Fish and Wildlife Service National Ecology Research Center, Ft. Collins, Colorado. NERC-88/29. 88 pp.

43. Rozell, K.B. 2001. Effects of military overflights on nesting neotropical migrant birds. Alaska Bird Observatory, Fairbanks.

44. Reijnen, R., R. Foppen, and G. Veenbaas. 1997. Disturbance by traffic of breeding birds: evaluation of the effect and considerations in planning and managing road corridors. *Biodiversity and Conservation* 6:567–581.

45. Reijnen, R., R. Foppen, C. ter Braak, and J. Thisson. 1995. The effects of car traffic on breeding bird populations in woodland. III. Reduction of density in relation to the proximity of main roads. *Journal of Applied Ecology* 32:187–202. Reijnen, R., and R. Foppen. 1995. The effects of car traffic on breeding bird populations in woodland. IV. Influence of population size on the reduction of density close to a highway. *Journal of Applied Ecology* 32:481–491. Reijnen, R., R. Foppen, and H. Meeuwssen. 1996. The effects of traffic on the density of breeding birds in Dutch agricultural grasslands. *Biological Conservation* 75:255–260.

grasslands. Overall, this research shows that breeding bird habitat is degraded at noise levels as low as 36 dB(A).⁴⁶

Mammals are likewise vulnerable to impacts from chronic airport noise:

Only a few studies of the physiological effects of noise on rodents have involved wild animals. A field study by Chesser et al. (1975) involved two populations of house mice near the end of a runway at Memphis International Airport. Adult mice also were collected from a rural field 2.0 km from the airport field. Background noise levels at both fields were 80–85 dB. Noise levels of incoming and outgoing aircraft at the airport field averaged 110 dB, with the highest reading reaching 120 dB. Total body weights and adrenal gland weights of mice from the fields were measured. Additional mice were captured from the rural field, placed in the laboratory, and exposed to 1 minute of 105-dB recorded jet aircraft noise every 6 minutes to determine if noise was the causative factor. Control mice were not subjected to noise. After 2 weeks, the adrenals were removed and weighed. Adrenal gland weights of male and female mice from the airport field were significantly greater than those of mice from the rural field. The noise-exposed mice in the laboratory study had significantly greater adrenal gland weights than the control mice. After ruling out stress factors, such as population density, Chesser et al. (1975) concluded that noise was the dominant stressful factor causing the adrenal weight differences between the two feral populations.⁴⁷

While house mice are of no regulatory concern, native small mammals on the El Segundo dunes include harvest mouse, *Reithrodontomys megalotis*, and desert wood rat, *Neotoma lepida*, which are locally significant. But again, the SDEIS/EIR does not analyze these impacts because it concentrates only on sensitive species, and not on the full range of wildlife species in sensitive habitats.

The scientific literature provides ample evidence to conclude that the sensitive habitats at LAX are degraded by noise from airport operations and that increased noise would constitute a significant adverse impact.

4.0 Mitigation Measures

The SDEIS/EIR, because it relies on the MLEP to formulate mitigation measures for impacts to sensitive species and biotic communities, contains deeply flawed mitigation measures.

The SDEIS/EIR reports that all of the proposed project Alternatives will destroy four seasonal ponds occupied by western spadefoot toads on the south airfield. These populations number at least several hundred adults and all sites would be destroyed by the various project Alternatives. The SDEIS/EIR estimates occupied area as 8.97 acres of ephemerally wetted areas and adjacent upland habitats. Spadefoot toads require upland habitats surrounding their aquatic habitat.⁴⁸ It is unclear how upland habitats were measured for the SDEIS/EIR. Critically important in the analysis is that the species is found in four separate areas. Even though the areas are close to each other, the existing configuration of

46. Reijnen, R., R. Foppen, and H. Meeuwssen. 1996. The effects of traffic on the density of breeding birds in Dutch agricultural grasslands. *Biological Conservation* 75(3):255–260. Reijnen, R., R. Foppen, and G. Veenbaas. 1997. Disturbance by traffic of breeding birds: evaluation of the effect and considerations in planning and managing road corridors. *Biodiversity and Conservation* 6(4):567–581.

47. Mancí, K.M., D.N. Gladwin, R. Villella, and M.G. Cavendish. 1988. Effects of aircraft noise and sonic booms on domestic animals and wildlife: a literature synthesis. U.S. Fish and Wildlife Service National Ecology Research Center, Ft. Collins, Colorado. NERC-88/29. 88 pp.

48. Ruibal, R., L. Trevis, and V. Roig. 1969. The terrestrial ecology of the spadefoot toad *Scaphiopus hammondi*. *Copeia* 572–584.

habitat patches is important to reduce risk to the species from a catastrophic event (e.g., chemical spill). Depending on the separation of the pools, there may still be genetic exchange among the populations in each. These risk dynamics should be considered when evaluating the impact on the species and potential mitigation measures.

Loss of the LAX population of western spadefoot toads would cause a significant restriction of the range of the species. Because of the significance of the LAX population to the range of the species, mitigation areas should be as close as possible to the existing sites. The first choice should be within the 100 acres north of the Habitat Restoration Area where vernal pools were found historically.⁴⁹ This site would not require land acquisition and would be consistent with achieving other mitigation goals within this area. Furthermore, the biological consultants for the LAX Master Plan recommend that this site be restored with vernal pools.⁵⁰ The second priority for creation of habitat and reintroduction of western spadefoot toad is the West Bluffs site. While this site is currently graded for development, the owner is willing to sell the property, which historically supported appropriate vernal pool habitat. The area of the reintroduction site must at least equal the area occupied at LAX. Given the difficulty of restoring habitat and establishing rare species, a 3:1 mitigation ratio for pool surface area would be more appropriate. This surface area must be accompanied by surrounding upland habitat at a ratio of 10 to 15 acres for each acre of pool surface area. Ideally the mitigation pool surface area would be divided among at least three pools to minimize the effects from a possible catastrophic event.

Mitigation for impacts to Riverside fairy shrimp (*Branchinecta sandiegoensis*) should use the same pool system as developed for the western spadefoot toad.

The SDEIS/EIR suggests that the impact of destroying at least 83 acres of habitat for loggerhead shrike can be mitigated by enhancing habitat within the El Segundo dunes. As proposed, this mitigation measure will not be successful. It suggests that the loss of 83 acres of habitat can be offset by enhancing habitat within 300 acres of existing, occupied habitat. The SDEIS/EIR presents no evidence that the 300 acres of the El Segundo dunes could support a greater density of shrikes. Surveys of the El Segundo dunes in 1995 and 1998 showed this area to be occupied by breeding shrikes.⁵¹ An average of six individuals per survey were seen within the Habitat Restoration Area in 1995.⁵² Territory size for loggerhead shrikes on the Channel Islands is large, 34 ha (~84 acres),⁵³ while mainland territories are somewhat smaller, 4.4–16.0 ha (~10.9–39.5 acres).⁵⁴ Assuming the Habitat Restoration Area supports three pairs of breeding shrikes, the territory size would be ~27 ha (~66.7 acres). Experts familiar with shrikes and the El Segundo dunes doubt that the mitigation measure would be successful in increasing shrike density in this occupied habitat (Professor Hartmut Walter, UCLA Department of Geography, pers. comm.).

49. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles coastal prairie, a vanished community. *Crossosoma* 26(2):71–102.

50. DEIS/EIR, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 508.

51. DEIS/EIR, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 227.

52. DEIS/EIR, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, pp. 469–483.

53. Scott, T.A., and M.L. Morrison. 1990. Natural history and management of the San Clemente loggerhead shrike. *Proceedings of the Western Foundation for Vertebrate Zoology* 4:23–57.

54. Miller, A.H. 1931. Systematic revision and natural history of the American shrikes (*Lanius*). *University of California Publications in Zoology* 38:11–242.

Only one of the three proposed enhancement activities (removal of roads) could be conducted within the Habitat Restoration Area. The other enhancement activities would be conducted outside the Habitat Restoration Area. If enhancement will occur outside the Habitat Restoration Area, then the mitigation measure must establish that restored areas will be protected permanently as natural habitat. The SDEIS/EIR fails to state that mitigation areas outside of the Habitat Restoration Area will be permanently protected.

Enhancement to improve habitat for loggerhead shrikes might also have adverse consequences on other species. Shrikes are fond of Jerusalem crickets as forage.⁵⁵ The Jerusalem cricket found at the El Segundo dunes is a sensitive endemic species.⁵⁶ This is meant only to illustrate that artificially increasing the density of one species is not necessarily consistent with management for other species or for maximum biological diversity. Similarly, as discussed below, enhancement to support a large population of jackrabbits would conflict with the provision of habitat for El Segundo blue butterflies.

The proposed mitigation for impacts to black-tailed jackrabbits involves relocation from a ruderal grassland to the Habitat Restoration Area, which contains southern dune scrub and foredune scrub vegetation. It is likely that this mitigation measure will not succeed. First, the 200 acres (81 ha) of the Habitat Restoration Area will support a lower density of jackrabbits than the open grassland they now inhabit. Black-tailed jackrabbits are generalist herbivores, and therefore can survive in a range of vegetation types. The density of jackrabbits differs, however, with the composition of the vegetation. Sites that have very high grass cover relative to shrubs and forbs support far greater densities. For example, a steppe habitat with 59% grass, 10% forb, and 31% shrub cover supported 18.4 jackrabbits per ha, and density decreased with increasing shrub cover to 1.4 individuals per ha at 91.0% shrub cover.⁵⁷ Because the Habitat Restoration Area is intended to support scrub habitats, jackrabbits could only persist at a far lower density than they do in their current habitat at the Airport Operations Area, meaning a much larger area would be required to support the population. Furthermore, the SDEIS/EIR does not consider the possible reasons that black-tailed jackrabbits are no longer present on the dunes, even though they were present historically. For some reason the population was extirpated, and unless the forces that caused the extirpation are removed, the mitigation will fail. We see two possible explanations. First, the small population size within the Habitat Restoration Area was vulnerable to random events simply because it was small. If this is true, then the relocation will eventually fail unless the dunes are managed to maintain a larger population size to the detriment of other sensitive species on the dunes, including El Segundo blue butterfly. A second possible explanation for the disappearance of jackrabbits from the dunes can be deduced from the timing of their extirpation. According to surveys in the DEIS/EIR, jackrabbits died out (or were killed) sometime between surveys in 1978 and 1988.⁵⁸ The other major change in the mammal fauna between 1978 and 1988 was the appearance of the non-native red fox as a breeding resident on the dunes. Red fox are recorded predators of black-tailed jackrabbits, so the invasion and success of this predator may have resulted in the elimination of jackrabbits. If this is true, any jackrabbit relocation program must be accompanied by a humane red fox (and feral cat/dog) control program.

55. Myers, H.W. 1922. *Western birds*. The Macmillan Company, New York, p. 249.

56. Mattoni, R.H.T. 1990. Species diversity and habitat evaluation across the El Segundo sand dunes at LAX. Los Angeles Department of Airports, Los Angeles.

57. Johnson, R.D., and J.E. Anderson. 1984. Diets of black-tailed jack rabbits in relation to population density and vegetation. *Journal of Range Management* 37(1):79-83.

58. DEIS/EIR, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 493.

Mitigation for Lewis' evening primrose (*Camissonia lewisii*) does not ensure that a replacement population of the species will be created, only that more individuals will be grown on the El Segundo dunes, where the species is already found. In addition to establishing a numerical goal for the number of individuals to be replaced, mitigation should ensure that the area occupied by the species will increase by at least the 2.5 acres that would be lost. Because there is a risk-spreading benefit in the disjunct configuration of the impacted population, the mitigation site should be geographically distinct from currently occupied sites.

Mitigation Measure MM-ET-4 describes actions to mitigate impacts to El Segundo blue butterfly from Alternative D. It contains the following provisions, summarized and quoted from here, that deserve comment based on our previous experience⁵⁹ with such mitigation efforts: 1) avoid flight season for construction, such that construction occurs between October 1st and May 31st, 2) mitigate the number of plants of coast buckwheat at 1:1 ratio, 3) "salvage existing coast buckwheat plants and any larvae on the plant or in the soil below the plant that would be removed," and 4) salvage any El Segundo blue butterfly larvae from plants that are not salvaged.⁶⁰ While it may seem intuitive to avoid construction during the adult flight season, the species may indeed be more vulnerable at other times because individuals are in diapause as pupae in the sand beneath the plants. While flying adults can escape physical disturbance in the environment, pupae cannot move to avoid being crushed. If the Section 7 consultation with USFWS results in a "no jeopardy" determination, the following strategy would reduce impacts to the butterfly. Plants that will be impacted should be carefully removed in the late Spring before adult butterflies eclose by cutting them at the surface of the sand. This minimizes disturbance to pupae in the duff and sand below. Then construction should be delayed until after the ensuing flight season. Butterflies that emerge to find their plants gone will be forced to emigrate to nearby habitat. If desired, the affected areas can be searched for pupae after the flight season to locate any pupae in multiple-year diapause. Relocation of mature coast buckwheat plants is not a cost efficient means of mitigation. Most plants will die, and the butterfly would be better served by restoring more habitat with container plants. Given the timing of the construction phase, the existing measure incorrectly refers to salvage of larvae at a time when only pupae would be found. Finally, mitigation at a 1:1 ratio for plants is insufficient. The mitigation ratio for direct impacts to this rare natural community should be at a 5:1 ratio on an area basis rather than a per plant basis. The impacts to 0.24 acres of occupied El Segundo blue butterfly habitat (which will be scattered across the Habitat Restoration Area) should be mitigated by restoration of 1.25 acres of the vegetation type in similar topoclimatic configuration. Impacts to backdune areas should be mitigated by restoring backdune vegetation, not by planting a remote foredune area as contemplated by the mitigation measure.

5.0 Conclusion

The full DEIS/EIR, including the new Supplement, fails to provide a realistic assessment of the impacts of the proposed project on biological resources, including sensitive species and rare natural communities. The centerpiece of the analysis of direct impacts is a fatally flawed methodology. This methodology confuses the distinction between habitat and vegetation type, and even fails to account for

59. Longcore, T., R. Mattoni, and A. Mattoni. 2003. Final report for Palos Verdes blue butterfly pupal salvage on Palos Verdes and San Pedro housing, San Pedro, California. The Urban Wildlands Group, Los Angeles (Department of the Navy Letter Agreement # N68711-02-LT-C3001). 9 pp.

60. DSEIS/EIR, p. 4-494.

differences between vegetation types. The assessment of indirect impacts relies on illogical assertions (e.g., if a habitat is degraded for a species then further degradation will have no adverse impact), and fails to consider the scientific literature and its application to the impact analysis.

The magnitude of the LAX Master Plan development and its impacts to wildlife habitat for all four Alternatives, combined with the regional setting and cumulative impacts from development in the City of Los Angeles, lead to the conclusion that implementation of the Master Plan will have significant adverse impacts on biological resources. The mitigation measures proposed to offset these impacts are wholly insufficient to reduce these impacts to a less than significant level.

Appendix A

**Review of Biological Resources Analysis in LAX Master Plan
Draft Environmental Impact Statement/Environmental Impact Report**



Land Protection Partners

P.O. Box 24020, Los Angeles, CA 90024-0020

Telephone: (310) 276-2306

Review of Biological Resources Analysis in LAX Master Plan Draft Environmental Impact Statement/Environmental Impact Report

August 8, 2001

**Travis Longcore, Ph.D.
Catherine Rich, J.D., M.A.**

Review of Biological Resources Analysis in LAX Master Plan Draft Environmental Impact Statement/Environmental Impact Report

This review pertains to the Federal Aviation Administration and Los Angeles World Airports Joint Draft Environmental Impact Statement/Environmental Impact Report ("EIS/R"). It addresses Sections 4.10 (Biotic Communities), 4.11 (Endangered and Threatened Species of Flora and Fauna), 4.12 (Wetlands), 4.14 (Coastal Zone), and 4.18 (Light Emissions). The review was prepared by Dr. Travis Longcore and Catherine Rich, who are experts in the ecology and history of the natural communities that would be affected by the proposed airport expansion. Dr. Longcore has co-authored several peer-reviewed scientific articles on the El Segundo Dunes and the Los Angeles Coastal Prairie (including its vernal pools),¹ which both would be adversely affected by the proposed project.

The presentation of information in the EIS/R about biological resources is segmented into several sections. For the purpose of this review, however, all biological resource issues are treated together, because mitigation measures for biological impacts are largely the same.

1.0 Project Description

For the purpose of discussing the impacts to biological resources, the EIS/R does not provide a complete project description. Within the extent of the Master Plan boundaries, it is unclear what the disposition of certain areas of biologically significant property will be. In maps of the various project alternatives, the legend indicates useless designations such as "Airport Related."² There is no way to ascertain with certainty what the use of such land will be under the various alternatives.

1.1 Failure To Analyze Northside/Southside Project

The EIS/R describes the LAX Northside Project as "Collateral Development" that previously has been entitled through the CEQA process.³ Reliance on old CEQA documentation is problematic, and development of this project would seem to require a reopening of the environmental review, especially given the changed conditions since the approval in 1983. However, the real difficulty is that the EIS/R replaces the LAX Northside Project with the Westchester Southside Project in each of the three build alternatives for the Master Plan. These projects are not the same, and even if the CEQA documentation for the Northside Project is deemed adequate, the Southside Project must be fully analyzed under CEQA. The EIS/R does not completely describe or analyze the biological impacts of the Southside Project.

-
1. Mattoni, R., T. Longcore, C. Zonneveld, and V. Novotny. 2001. Analysis of transect counts to monitor population size in endangered insects: the case of the El Segundo blue butterfly, *Euphilotes bernardino allyni*. *Journal of Insect Conservation* 5(3):197-206. Longcore, T., R. Mattoni, G. Pratt, and C. Rich. 2000. On the perils of ecological restoration: lessons from the El Segundo blue butterfly. Pp. 281-286 in J.E. Keeley, M. Baer-Keeley, and C.J. Fotheringham (eds.) *2nd Interface Between Ecology and Land Development in California*. U.S. Geological Survey, Sacramento, CA. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445-452. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles Coastal Prairie, a vanished community. *Crossosoma* 26(2):71-102.
 2. EIS/R, Figures 3-6, 3-11, 3-15.
 3. EIS/R, pp. 3-20, 3-29.

The Westchester Southside Project, as depicted in the EIS/R,⁴ would include the conversion of 100 acres of the El Segundo Dunes to a golf course. (Several figures in the EIS/R appendices map this area at the northern portion of the dunes as "golf course/open space" and include "Resort Hotels" within the same color designation. At a minimum the maps indicate some level of development of the dunes as part of the Westchester Southside Project.) The dunes golf course/open space development was not included in the CEQA analysis for the LAX Northside Project, and remains unanalyzed for compliance with any environmental laws (CEQA, NEPA, California Coastal Act). It is inappropriate for the EIS/R to rely on the Westchester Southside Project — which is a site for relocation of displaced businesses⁵ — for mitigation, and not to evaluate the full impacts of the development. While all of the El Segundo Dunes are within the Master Plan area, and the alternatives themselves show no development on the 100 acres at the northern end of the dunes, the result of adopting any of the three project alternatives is to develop 100 acres of dunes in association with "Resort Hotels" and "golf course/open space."⁶ The resource value of this area is discussed later, but the analysis of the Westchester Southside Project should not be piecemealed. Currently, the biological impacts of the Westchester Southside Project do not seem to be analyzed fully, nor are they included in the discussion of cumulative impacts for the project. Even if one accepts the premise of the EIS/R that the project will proceed absent approval of the Master Plan, the Westchester Southside Project is "reasonably foreseeable" — in fact relied upon for mitigation — and all of its impacts must be disclosed and mitigated as part of the Master Plan EIS/R.

The decision not to address the biological impacts of the Westchester Southside Project can be interpreted as a strategic choice to avoid disclosure of the full impacts of the airport expansion project. From a biological standpoint, the Westchester Southside Project, even though it would involve fewer square feet of built space than the LAX Northside Project (2.6 million square feet vs. 4.5 million square feet), it has a larger geographic footprint and greater biological impact. Any of the three build alternatives plus the Westchester Southside Project would be a catastrophe for the biological resources found at LAX.

1.2 Previous Failure To Disclose Impacts of Development on El Segundo Dunes

Los Angeles World Airports ("LAWA") has previously failed to disclose impacts of development on the El Segundo Dunes. In 1999, a newspaper story announced that LAWA was planning to install landscaping on the northern end of the El Segundo Dunes, along Waterview, Rindge, and Napoleon streets. The Urban Wildlands Group, a Los Angeles-based nonprofit whose board includes the authors of this letter, contacted LAWA to inform project managers of the sensitive resources present and request that the project not include invasive plants that would degrade the dunes. LAWA promised, but then failed to provide, the plant list for the project. LAWA proceeded to implement the project, but failed to secure the proper permits from the City of Los Angeles as required under the California Coastal Act. After installing a new walkway and over 90 mature, non-native palm trees in a sensitive habitat area,⁷

4. EIS/R, Appendix J1. Biological Assessment Technical Report, Figures 8, 11, 14.

5. EIS/R, pp. 3-33, 3-47, 3-56.

6. City of Los Angeles Ordinance 169,767 restricts use of the northern 100 acres of the El Segundo Dunes at LAX to "nature preserve and accessory uses only." This ordinance was passed unanimously by the City Council on April 6, 1994 as part of the General Plan/Zoning Consistency Program. Given this unequivocal direction from the City, it is unclear why the Master Plan is ambiguous about the disposition of this area, unless the intention is to attempt to remove the development conditions from the property and seek another use as part of the Westchester Southside Project.

7. Installation of palm trees is damaging ecologically, and also provides sites for birds to perch, potentially increasing bird strikes with aircraft. Consultants for the airport report that "[t]he El Segundo Dunes provides relatively few attractants

(cont'd)

LAWA was instructed to stop work by the California Coastal Commission, told that it must obtain a permit, and subsequently applied for a permit from the City. The Urban Wildlands Group opposed the permit application for the partially implemented project because it would significantly disrupt habitat values of an environmentally sensitive habitat area ("ESHA"), as defined under the California Coastal Act.⁸ The City analysis of the project also agreed that the site was an ESHA.⁹ The appeal of the permit was denied by the City of Los Angeles Board of Public Works with the stipulation that LAWA resolve the issue in consultation with The Urban Wildlands Group and those residents opposed to the palm trees. This has not yet happened.

LAWA steadfastly maintains that the 100 acres outside of the El Segundo Blue Butterfly Preserve is not part of the El Segundo Dunes and that it will be developed as a golf course.¹⁰ The area, however, is within the jurisdiction of the California Coastal Commission, and no approved Local Coastal Plan has been produced that would allow for a golf course. The EIS/R provides even more information to join previously published sources¹¹ showing that the area is an environmentally sensitive habitat area and therefore protected by Section 30240(a) of the California Coastal Act. For example, the EIS/R itself discloses that El Segundo blue butterflies (*Euphilotes bernardino allyni*) occupy one subsite,¹² sensitive Lewis' evening primrose (*Camissonia lewisii*) occupies seven subsites,¹³ and the area is occupied by sensitive species such as silvery legless lizard (*Anniella pulchra*), San Diego horned lizard (*Phrynosoma coronatum blainvillei*),¹⁴ loggerhead shrike (*Lanius ludovicianus*; breeding),¹⁵ and Dorothy's sand dune weevil (*Trigonoscuta dorothea dorothea*).¹⁶ The golf course or other development on the dunes should either be analyzed as part of the Master Plan EIS/R for conformance with applicable laws, including the California Coastal Act, or be explicitly deleted from the plans for the area. The EIS/R should offer some certainty about what development will take place within the Master Plan boundaries and disclose the impacts of that development.

to birds which may partially account for the significantly lower percentage of strikes occurring over this area than over the approach area. The El Segundo Dunes naturally supports very few trees — the only trees present are non-native trees that have been planted...." (EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 341). Without complete environmental review, LAWA planted more attractants for birds in the form of palm trees. The EIS/R also reports that the native birds of the dunes are not involved in bird strikes, while species promoted by urban development, such as pigeons and gulls, are involved in the most strikes.

8. California Public Resources Code §§ 30107.5, 30240.
9. City of Los Angeles. 2001. Coastal Development Permit Application No. 00-05 Final Staff Report, p. 5, "Consequently, for Coastal Act analysis purposes, the Project site is within an environmentally sensitive habitat area...."
10. Personal communication with Steve Crowther, LAWA Environmental Management Bureau, March 9, 2000, by telephone with Dr. Travis Longcore. City of Los Angeles 2001. Coastal Development Permit Application No. 00-05 Final Staff Report, p. 3, "The Project, a narrow, landscaped area along the streets, would provide a buffer between the golf course and residential areas...."
11. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445-452.
12. EIS/R, Appendix J1. Biological Assessment Technical Report, Figure 20.
13. EIS/R, Figure 4.10-2.
14. EIS/R, Figure 4.10-4.
15. EIS/R, Figure 4.10-5. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 244.
16. EIS/R, Appendix J1. Biological Assessment Technical Report, p. 214.

2.0 Current Conditions

The description of current conditions of the biological resources within the Master Plan boundaries is biased toward underestimating the value of the habitats that will be impacted.

2.1 Surveys

A great deal of effort was expended surveying the insects of the El Segundo Dunes, especially within the El Segundo Blue Butterfly Preserve, even though this area is not targeted for direct development. Surveys for areas that would be subject to significant direct impacts were inadequate. It appears that only one type of survey — sweep netting — was conducted east of Pershing Drive in the areas that would be most affected by development. This single method would not detect all of the sensitive species that might occur in the area. For example, the El Segundo Jerusalem cricket (*Stenopelmatus* sp.), a burrowing insect, would not be detected with sweep netting. Pitfall trapping would be required to ascertain its presence, and should be performed in the areas of project impacts east of Pershing Drive. Other survey methods, including black lighting and malaise trapping, were conducted only west of Pershing Drive on the El Segundo Dunes, not in the areas of direct project impacts.

While the extensive surveys conducted on the El Segundo Dunes may be useful for evaluating the impacts of the Westchester Southside Project, which the EIS/R does not do, they offer little information to understand the biological communities supported in the open spaces that would be developed under the three development alternatives. For example, the EIS/R provides no summary of the bird surveys conducted at the ephemeral wetlands and open spaces found in the western area of the airport, and provides only handwritten notes buried in the appendices.¹⁷ A summary would be useful to understand the character of the biotic communities in these areas. Species of local conservation concern such as Costa's hummingbird (*Calypte costae*), western meadowlark (*Sturnella neglecta*), and common yellowthroat (*Geothlypis trichas*) were recorded in these areas, yet no complete description of the communities is provided in the text of the document. The biological consultants for the EIS/R report that the ephemeral wetland area at the west end of the airport "provides resting and foraging habitat for numerous resident and migratory bird species,"¹⁸ but the EIS/R provides no summary of these observations or description of the impact of development on these species.

For the El Segundo Dunes, an extensive list of birds is found, complete with species that are almost certainly not present at all. The "Floral Compendium" and "Faunal Compendium" include "species observed or expected to occur on or in the immediate vicinity of the site."¹⁹ On this list are found species that are highly unlikely to be present on the dunes or even near the dunes. For example, acorn woodpecker (*Melanerpes formicivorus*) is not likely to be found on the El Segundo Dunes now or in recent history. Acorn woodpeckers in Los Angeles would be associated with coast live oaks, which are found nowhere on the El Segundo Dunes or the Los Angeles Coastal Prairie. The rather excessive bird list in the Faunal Compendium is made ever more curious by the statement elsewhere by the biological

17. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, pp. 224 (Memo-Results of Directed Surveys for American Peregrine Falcon, et al., 1998), 292 (Memo-Results of Spring Directed Surveys for Burrowing Owl, 1998), 311 (Memo-Results of Winter Directed Surveys for Burrowing Owl, 1998), 416 (Memo-Wildlife Survey of the Argo Ditch, 1997).

18. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 340 (Memo-Aircraft Bird Strike Literature Review).

19. EIS/R, Appendix J1. Biological Assessment Technical Report, Appendix A, pp. 1-5.

consultants for the EIS/R that "the Dunes does not support a large resident bird population."²⁰ It is odd to include these ambitious lists, because the biological analysis does not evaluate the impacts of the three alternatives on the species of wildlife in them.

2.2 "Determined Absent"

The summary table for sensitive species provided in Section 4.10 of the EIS/R is misleading. For many species, the table indicates that they have been "determined absent" from the Master Plan boundaries based on directed surveys. When dealing with small arthropods that are difficult to capture, persist at low numbers, and may have large annual variation in numbers, one cannot conclude that a species is "determined absent." All that can be done is to state that the species was not found during a certain duration and intensity of searching. It is likely that the survey methodology did not possess sufficient statistical power to detect the species.²¹ Presence may be determined conclusively, but absence cannot, especially for cryptic (i.e., small or camouflaged) species. Some degree of certainty about absence could be derived if one had knowledge of the population size, yearly variation in population size of the species, and the trapping efficiency of the survey methods. This information is not available, and therefore no statistically defensible declaration of absence can be made about the sensitive arthropod species.

In other instances, the declaration of absence is contradicted by the reports upon which the section is based. For example, Table 4.10-2 claims that the following species are absent from the Master Plan boundaries: Henne's ecosman moth (*Eucosa hennei*), Rivers' dune moth (*Euxoa riversii*), Ford's sand dune moth (*Psammobotrys fordii*), El Segundo scythrid moth (*Scythris new sp.*), lesser dunes scythrid moth (*Scythris new sp.*), El Segundo goat moth (*Comadia intrusa*), and Santa Monica dunes moth (*Copeblepharon sanctamonicae*). However, in the underlying report, Frank Hovore, the surveyor, writes:

Sensitive moth species (general *Comadia*, *Copeblepharon*, *Euxoa*, *Psammobotrys* [sic], *Scythris*) — A wide variety of moth specimens, including some possibly representing all of these species except *Psammobotrys* [sic], were taken in light traps, but moths in the traps were rendered unidentifiable by the combination of alcohol and churning actions of other species. All of the moth species previously known to occur on the dunes probably persist, because all of the known larval hosts are present. For most moth species, focused light collecting would be necessary to determine presence and distribution, using dry traps or light sheets. Very large numbers of *Psammobotrys* [sic] were collected on the dunes historically (LACM collection), and it is assumed that this species is present, but is highly seasonal and difficult to collect without sustained and focused field efforts.²²

The text presented in Table 4.10-2 of the EIS/R contradicts the surveys that were conducted. Far from being absent, as maintained in Table 4.10-2, a qualified surveyor determined that the methodology was insufficient to determine presence of these moth species, but that the species were indeed probably

20. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 342 (Memo-Aircraft Bird Strike Literature Review).

21. Gibbs, J.P., S. Droege, and P. Eagle. 1998. Monitoring populations of plants and animals. *Bioscience* 48(1):935-940.

22. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 214 (Memo-Results of Spring Surveys for Gastropods and Arthropods, 1998).

present. Mischaracterization such as this undermines the credibility of the description of current conditions presented in the EIS/R.

2.3 Terminology

The EIS/R is inconsistent in its use of terminology describing the 100 acres north of the El Segundo Blue Butterfly Preserve. This area, along with the preserve, is part of the El Segundo Dunes.²³ It has been degraded through residential construction and intrusion of exotic plant species, but it remains of significant biological value and is itself a sensitive habitat (see above, Section 1.2). In various places in the EIS/R, this area is referred to as "dunes and adjacent landforms," "non-restructured dunes,"²⁴ "100 acres north of Sandpiper Street,"²⁵ and "the 100-acre open space north of the preserve."²⁶ Implicit in the choice of terminology for this area is perhaps the intention to construct a golf course upon it. The Los Angeles Airport/El Segundo Dunes Specific Plan, adopted in 1992, incorrectly claims that "approximately 100 acres of the Dunes ... do not contain significant habitat resources."²⁷ The Specific Plan requires the proposed golf course to provide revenue for the upkeep of the dunes habitat preserve,²⁸ thereby lifting that burden from LAWA, which perhaps partially explains LAWA's enthusiasm for the idea. However, existing zoning for the area — established more recently than the Specific Plan — is as a nature preserve. EIS/R maps should be consistent with the existing "nature preserve" zoning and should consistently acknowledge this area as part of the El Segundo Dunes.

The EIS/R also exhibits some difficulty with terminology to describe the habitat that formerly was found throughout the entire project area inland of the El Segundo Dunes. In a published article, Mattoni and Longcore describe this area as the Los Angeles Coastal Prairie, and document the historic plant diversity and the presence of extensive vernal pools.²⁹ The article has been commended as an exemplar of the practice of historical ecology in *The Historical Ecology Handbook: A Restorationist's Guide to Reference Ecosystems*.³⁰ For some reason, the EIS/R avoids using the Mattoni and Longcore article where it could be useful. For example, Mattoni and Longcore provide documentation of many sensitive species historically present within the study area from herbarium label texts. This includes a full list of vernal pool species historically found in the area, as well as upland forbs, grasses, and shrubs. Instead, the EIS/R chooses to classify the site as Valley Needlegrass Grassland. The historic evidence does not support the assumption that this area was dominated by perennial grasses; rather it was dominated by forbs. This is an important conclusion of Mattoni and Longcore's research that the EIS/R neither accepts nor attempts to dispute.

23. Mattoni, R.H.T. 1992. The endangered El Segundo blue butterfly. *Journal of Research on the Lepidoptera* 29(4):277-304. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles Coastal Prairie, a vanished community. *Crossosoma* 26(2):71-102. U.S. Fish and Wildlife Service. 1998. *Recovery plan for the El Segundo blue butterfly (Euphilotes battoides allyni)*. U.S. Fish and Wildlife Service, Portland, Oregon, 67 pp.

24. EIS/R, p. 4-619.

25. EIS/R, p. 4-614 (this is listed separately from "the Los Angeles/El Segundo Dunes").

26. EIS/R, p. 3-20.

27. City of Los Angeles General Plan, Los Angeles Airport/El Segundo Dunes Specific Plan. Ordinance No. 167,940. June 28, 1992.

28. *Id.* at 6.

29. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles Coastal Prairie, a vanished community. *Crossosoma* 26(2):71-102.

30. Egan, D., and A. Howell. 2001. Introduction. Pp. 1-23 in D. Egan and A. Howell (eds.) *The Historical Ecology handbook: a restorationist's guide to reference ecosystems*. Washington, D.C.: Island Press.

2.4 Disturbed Dune Scrub/Foredune

Concurrent with the changing terminology about the portion of the El Segundo Dunes not found within the habitat preserve is the decision to classify all dune scrub/foredune outside of the preserve area as disturbed dune scrub. While it is true that the dunes area outside the habitat preserve has a heavier exotic species load, and does not support coast buckwheat (*Eriogonum parvifolium*), it nevertheless has more biological value than is implied by the description. For example, this area supports sensitive plants (Lewis' evening primrose, *Camissonia lewisii*), birds (loggerhead shrike, *Lanius ludovicianus*), and arthropods (see above, Section 1.2). Mattoni et al. describe the ex-residential area in their 2000 article:

Removal of the residences in the 1970s was superficial, leaving some foundations, substantial rubble, foreign soil, roads, and other infrastructure. Vegetation regenerated without assistance, producing a cover of predominately iceplant (*Carpobrotus edulis*) and acacia (*Acacia cyclopsis*) with patches of a few highly dispersive dune shrub species.³¹

However, not all ex-residential sites supported the same arthropod communities. Some sites within the ex-residential area supported terrestrial arthropod communities (including rare and sensitive species) that were similar to those found on undisturbed foredune and undisturbed backdune sites.³² This variation in the vegetation and associated wildlife across the 100 acres should be reflected in the EIS/R. The wholesale characterization of the area as "disturbed dune scrub/foredune" is misleading in terms of its value to the dune system and proper statutory designation as an ESHA.

2.5 El Segundo Blue Butterfly

Much ado is made over the population size of the El Segundo blue butterfly ("ESB"). However, the methodology used to calculate population size by LAWA is flawed and overestimates population size by at least 400%. While many methods to track trends in butterfly population size exist in the scientific literature,³³ when LAWA hired consultants in 1994 to prepare the EIS/R, they inexplicably used none of the established methods. While consultants continued walking a transect to count butterflies established by Mattoni in 1984, they stopped conducting surveys throughout the entire season. It is absolutely

31. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445-452, at 446.

32. *Id.* at Table 1, Figure 2.

33. Pollard, E., D.O. Elias, M.J. Skelton, and H.A. Thomas. 1975. A method of assessing the abundance of butterflies in Monks Wood National Nature Reserve in 1973. *Entomologist's Gazette* 26:79-88. Pollard, E. 1977. A method for assessing change in the abundance of butterflies. *Biological Conservation* 12:115-132. Pollard, E. 1984. Synoptic studies of butterfly abundance. Pages 59-61 in R.I. Vane-Wright and P.R. Ackery (eds.) *The biology of butterflies*. Academic Press, London. Pollard, E. 1988. Temperature, rainfall and butterfly numbers. *Journal of Applied Ecology* 25(3):819-828. Zonneveld, C. 1991. Estimating death rates from transect counts. *Ecological Entomology* 16:115-121. Moss, D., and E. Pollard. 1993. Calculation of collated indices of abundance of butterflies based on monitored sites. *Ecological Entomology* 18(1):77-83. Pollard, E., D. Moss, and T.J. Yates. 1995. Population trends of common British butterflies at monitored sites. *Journal of Applied Ecology* 32(1):9-16. Van Strien, A.J., R. Van De Pavert, D. Moss, T.J. Yates, C.A.M. Van Swaay, and P. Vos. 1997. The statistical power of two butterfly monitoring schemes to detect trends. *Journal of Applied Ecology* 34(3):817-828. Brown, J.A., and M.S. Boyce. 1998. Line transect sampling of Karner blue butterflies (*Lycæides melissa samuelis*). *Environmental and Ecological Statistics* 5(1):81-91. Royer, R.A., J.E. Austin, and W.E. Newton. 1998. Checklist and "Pollard walk" butterfly survey methods on public lands. *American Midland Naturalist* 140(2):358-371. King, R.S. 2000. Evaluation of survey methods for the Karner blue butterfly on the Necedah wildlife management area. *Transactions of the Wisconsin Academy of Sciences Arts and Letters* 88:67-75.

essential to survey throughout the flight season of the butterfly to obtain an estimate of total population size. Furthermore, rather than using an established method to analyze transect counts, Dr. Andrew Huang, an engineer at LAWA, constructed his own method to estimate population size. This method is flawed, and these flaws were explained by Dr. Travis Longcore to Dr. Huang in an email earlier this year, portions of which bear repeating here. The message describes methods used to estimate population size of the ESB by Longcore and others in a scientific article that was at that time in review and has subsequently been accepted for publication in an international scientific journal, the *Journal of Insect Conservation*.

The first method [of calculating population size] was the Pollard Index, which is quite straightforward and about which there can be no argument. There is not a lot of latitude in summing the average weekly count over the course of the season.

The second method is essentially the same as your numerical approximation. This method is first used, albeit with different data sources, by Watt et al in 1977 (Watt, Ward B., Frances S. Chew, Lee R. G. Snyder, Alice G. Watt, and David E. Rothschild. 1977. Population structures of Pierid butterflies I. Numbers and movements of some montane *Colias* species. *Oecologia* 27:1-22.) Watt et al. estimated "total animals [butterflies] present in the brood" by estimating daily butterfly numbers through MRR and extrapolation, summing them to calculate total animal-days, and multiplying this number by the death rate (determined by MRR). Dividing by the longevity (or residence time) would yield the same result. This is what we did, using Arnold's 1979 residence time estimates (ave 6.1 days). Your model does not divide by average longevity, but rather another figure. This is what I don't understand. What is wrong with the logic (used by Watt et al. as well) that the total brood size is equal to the total number of butterfly-days divided by the average butterfly longevity?

$$\frac{\text{butterfly-days}}{\text{longevity (days)}} = \text{butterflies}$$

Your model does something similar, calculating total butterfly days by integrating under the curve (gaussian or not) and dividing by a figure. The question, and the crux of the differences in our results, is the number that you divide by, which is 1.59. You get your number by parameterizing based on the recapture rates. I think the difficulty with this is that you do not know the age of the butterflies that were initially captured. Your method would work if all of the butterflies captured by Arnold on the first day were freshly eclosed adults. However, they cannot be. Some of them will be one, two, or more days old. Failure to account for this will skew your estimate of longevity downwards, and your total population estimate upwards. Now, I am going to guess that you will say that 1.59 days is not the longevity. But if it is not, what is it? Can you see a flaw in the logic of the Watt et al. method or otherwise reconcile it with your method?

One last thing on this method. Our application of it gave a population estimate for 1984 at LAX of 432, while Arnold's MRR estimate was 664, and the Zonneveld model estimated 910. Application of your method would give an estimate of 1,658. (Note: in case you want to calculate these numbers, with the exception of Arnold's estimate, they include an adjustment for the number of flowerheads) (Arnold, R.A. (1986) Studies of the El Segundo blue butterfly - 1984. Inland Fisheries Administrative Report 86-4.)

The third method that we used was the Zonneveld model. What is interesting is that our estimates of death rate (3.3-5.9 days), which vary from year to year, are similar to those given by Arnold (2.3-7.3 days) from MRR. We followed the model as set out by Zonneveld in the 1991 paper. We did not doubt the magnitude of the results because of the correspondence with the Watt et al method, the Pollard index, and the reasonableness of the longevity estimates.³⁴

34. Longcore, T. 6 March 2001. Email to Dr. A. Huang.

Dr. Huang did not defend his method, stating in a response to Dr. Longcore, "You have raised many outstanding issues. ... I am very busy with a number of projects. I won't be able to respond to your questions for awhile."³⁵ To date, he has not provided a substantive response. The EIS/R should therefore be adjusted to reflect El Segundo blue butterfly population numbers that are calculated using the best available scientific methods. Three methods of evaluating the transect counts are given in the *Journal of Insect Conservation* paper, the proofs of which are appended to this report.³⁶

As is evident from the literature about butterfly population size estimation,³⁷ the block counts promoted in the EIS/R are useful only to determine presence of the butterfly, not to estimate population size. The most perplexing part of the discussion of ESB population size by LAWA, both in reports by its consultants and in the EIS/R, is that none of the relevant scientific literature is referenced. Butterflies are conspicuous organisms, and schemes were developed in the 1970s to track population size, yet these are ignored. Sometimes remaking the wheel can lead to innovation, but in this instance it has led to confusion and the propagation of the myth that there are 40,000–80,000 El Segundo blue butterflies on the LAWA property. For example, LAWA claims that in 1998 there were roughly 12,000 ESB along the transect,³⁸ while proper analysis of the data indicates a population of $3,356 \pm 805$ S.D.³⁹ Similarly extravagant claims for the period 1996–2000⁴⁰ should be revised.

The EIS/R discussion of the ESB population size provides a diversion from the real issues at hand. Recovery of the species and downlisting from endangered to threatened status requires securing all of the El Segundo Dunes, including that area not currently in the habitat preserve.⁴¹ The 200-acre preserve is still vulnerable to disease, adverse weather, fire, and other accidents. Long-term extinction risk for the butterfly can be minimized through increasing habitat area, not simply by relying on existing areas to provide spectacular numbers. Furthermore, concentration on the El Segundo blue butterfly draws attention away from the ten other endemic invertebrates found on the dunes whose continued persistence depends on habitat values beyond those needed to maintain the butterfly.⁴²

LAWA's persistent strategy has been to focus on the butterfly and the 200-acre preserve to the exclusion of all else. For example, in the above-described Waterview Street Landscaping Project, LAWA's main claim in support of the project was that it did not affect the butterfly preserve or the butterfly. None of the appellants had argued that the project directly affected the butterfly, and pointed instead to the other sensitive species and habitats found on the project site. This notwithstanding, there are legitimate impacts to the El Segundo blue butterfly that would result from the alternatives in the EIS/R.

35. Huang, A. 7 March 2001. Email to Dr. T. Longcore.

36. Mattoni, R., T. Longcore, C. Zonneveld, and V. Novotny. 2001. Analysis of transect counts to monitor population size in endangered insects: the case of the El Segundo blue butterfly, *Euphilotes bernardino allyni*. *Journal of Insect Conservation* 5(3):197–206.

37. *Id.*

38. Huang, A. November 25, 1998. Estimate of LAX El Segundo Blue Butterfly (ESB) Population (unpublished report).

39. Mattoni, R., T. Longcore, C. Zonneveld, and V. Novotny. 2001. Analysis of transect counts to monitor population size in endangered insects: the case of the El Segundo blue butterfly, *Euphilotes bernardino allyni*. *Journal of Insect Conservation* 5(3):197–206, at Table 2.

40. EIS/R, Appendix JI. Biological Assessment Technical Report, Table 4.

41. U.S. Fish and Wildlife Service. 1998. *Recovery plan for the El Segundo blue butterfly (Euphilotes battoides allyni)*. U.S. Fish and Wildlife Service, Portland, Oregon, 67 pp.

42. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445–452, at 450.

3.0 Assessment of Impacts

While the EIS/R identifies impacts to biological resources, its improper quantification of those impacts results in an underestimation of the actual biological consequences of the build alternatives and ultimately the incorrect conclusion that those impacts can be mitigated to a less than significant level.

3.1 Direct Impacts

The EIS/R uses what it calls a "modified Habitat Evaluation Procedure" to determine impacts on sensitive vegetation types and to quantify impacts to habitats of sensitive species.⁴³ This procedure is supposedly based on "Habitat Evaluation Procedures" ("HEP")⁴⁴ previously developed by the U.S. Fish and Wildlife Service that have some degree of scientific validity and history of usage.⁴⁵ However, the methodology employed in the EIS/R uses the name of this procedure without incorporating any of the essential elements of the analysis. By comparing existing habitat for sensitive species against an abstracted, ideal habitat type, the EIS/R argues that loss of up to 500 acres of habitat for sensitive species can be mitigated by "improving" 100 acres of land already in a nature preserve. This conclusion is not supported by any accepted methodology of impact assessment and seems to have been specifically designed to underestimate the actual impacts to sensitive species at LAX.

HEP was designed for use with target species by the U.S. Fish and Wildlife Service in the 1970s to provide a form of standardization and comparability for environmental analysis. In HEP implementation, the term "habitat" is defined as the biophysical requirements of an individual species (e.g., bald eagle habitat), not as a general term synonymous with vegetation type (e.g., grassland habitat). The U.S. Fish and Wildlife Service states this in the guiding policies for HEP implementation:

HEP is a species-habitat approach to impact assessment; and habitat quality for selected evaluation species is documented with an index, the Habitat Suitability Index (HSI). This value is derived from an evaluation of the ability of key habitat components to supply the life requisites of selected species of fish and wildlife.⁴⁶

The explicit species-based approach of the HEP is apparent in the manual describing the procedure:

HEP is a species-based assessment methodology. It is applicable only for the species evaluated and does not directly relate that species with other ecosystem components. HEP conceptually addresses only the issues of species populations and habitats.⁴⁷

The "modified" HEP in the EIS/R does not establish which species will be used to evaluate the value of the reference sites, nor does it create HSIs for them. Rather, it sets habitat evaluation standards based on an "optimal" site with "a multitude of floral and faunal species."⁴⁸

43. EIS/R, p. 4-615.

44. The EIS/R refers to a "Habitat Evaluation Procedure" in the singular form, while the U.S. Fish and Wildlife Service manual calls the method "Habitat Evaluation Procedures" in the plural form. We abbreviate both as "HEP" and treat the acronym as a singular noun indicating a methodology.

45. For example, see Johnson, T.L., and D.M. Swift. 2000. A test of a habitat evaluation procedure for Rocky Mountain bighorn sheep. *Restoration Ecology* 8(4S):47-56.

46. U.S. Fish and Wildlife Service. 1996. Fish and Wildlife Service manual, 870 FW 1, Habitat Evaluation Procedures. [online at <http://policy.fws.gov/870fw1.html>].

47. U.S. Fish and Wildlife Service. 1980. Habitat as the Basis for Environmental Assessment, 101 ESM.

The "modified" HEP does not provide information about the value of habitats within the subject site for several of the sensitive species found there. For example, it does not consider the habitat requirements of loggerhead shrike (*Lanius ludovicianus*) or black-tailed jackrabbit (*Lepus californicus bennettii*). It assigns values of 0.25 for vegetation types that are occupied by these species (Non-Native Grassland/Ruderal). By definition under a true HEP, occupied sites would score much higher. By "modifying" the HEP to address an abstract ideal habitat, actual habitat values to sensitive species are ignored (see below, Table 1).

In fact, the "modified" HEP resembles actual HEP implementation only superficially, in that values between 0 and 1 are assigned to certain arbitrary standards for vegetation types within the study area. None of the essential features of HEP are present in the modified method; the "modified" HEP therefore does not provide the basis for impact assessment in the project area.⁴⁹

Not only is the "modified" HEP quite different from the actual procedure, the standards used to evaluate habitats do not reflect ecological value. This problem derives from the physical and biologic criteria used to evaluate habitat and the so-called "ecosystem functional integrity" components of the analysis. Rather than using target species and HSIs to characterize vegetation types as required in HEP, the EIS/R evaluates whether each of the vegetation types in the project area meets the characteristics found in a "reference site." The habitat type chosen for this standard is that of Valley Needlegrass Grassland/Vernal Pool complex⁵⁰ (i.e., Los Angeles Coastal Prairie). For some inexplicable reason, all habitats are measured against this standard, including Southern Foredune, Southern Dune Scrub, and Disturbed Dune Scrub/Foredune. Of course these dune habitats do not have features found in a needlegrass grassland/vernal pool complex. Therefore, because of their failure to have vernal pools and associated species, these vegetation classifications are assigned lower habitat values, 0.35 for both Southern Dune Scrub and Disturbed Dune Scrub/Foredune, and 0.45 for Southern Foredune. These values are ludicrous, first because habitat values and "Habitat Units" are supposed to be relevant to individual species, and second because one vegetation type is measured by the features of another. *The analysis succeeds only in illustrating that dune habitats are not the same as vernal pool/grassland complexes.*

The portion of habitat value deriving from "ecosystem functional integrity" is another wholesale creation of the EIS/R. These standards are not part of HEP, and the choice of standards is arbitrary, with little to do with the sensitive species and vegetation types under analysis. Whether a site is "under regulatory conservation" does not necessarily have anything to do with the ecological value of its vegetation type to sensitive species. Similarly, "contiguity with state-designated habitat" is not an ecological criterion. "Variety of pollinator/dispersal mechanisms present" is oriented toward vernal pool habitats, and the choice of "contiguous native habitat >40 acres" is arbitrary. Throughout, the analysis avoids recognition that sensitive plants and wildlife utilize habitats that are not dominated by native species. Loggerhead shrikes forage in ruderal and non-native grasslands as well as in dune scrub. Jackrabbits are thriving in an area with little native plant component. A true HEP would calculate the value of the areas being utilized by carefully selected individual species and use those values to quantify impacts. The EIS/R's "modified" HEP is fatally flawed and must either be revised to follow established procedure, or be abandoned.

48. EIS/R, p. 4-616.

49. U.S. Fish and Wildlife Service. 1980. Habitat Evaluation Procedures (HEP), 102 ESM.

50. EIS/R, p. 4-615.

3.1.1 Sensitive Vegetation Types

With the exception of the ambiguous treatment of the 100 acres on the northern portion of the El Segundo Dunes, the EIS/R claims not to be proposing direct impacts to sensitive vegetation types. The vegetation types to be removed by the three build alternatives are 306–404 acres of Non-Native Grassland/Ruderal and 60–96 acres of Disturbed/Bare Ground. Although these are not sensitive vegetation types, they are used extensively by sensitive species. Whereas the impacts of removal are to sensitive species, the EIS/R proposes mitigation of abstract “Habitat Units” using the “modified” HEP. The result of the use of the “modified” HEP is to underestimate the effects on the species that use these habitats. The “modified” HEP does not evaluate the value of non-native grassland and disturbed areas to each of the species involved, but rather compares those habitats against an idealized habitat. This allows the EIS/R to state losses and to mitigate in “Habitat Units” instead of acres. *“Habitat Units” calculated in the HEP do not reflect the value of the habitats to the sensitive species.* The EIS/R considers these “Habitat Units” as fungible entities, and thereby proposes to mitigate effects to one vegetation type by enhancing another habitat type. Also, by ranking vegetation types on the dunes by comparing them with Valley Needlegrass Grassland/Vernal Pool complex, the EIS/R creates an artificial deficit of “Habitat Units” within the dunes area. The EIS/R then proposes to mitigate for the loss of Non-Native Grassland (occupied by sensitive species) by enhancing the habitat within the already-preserved and restored area of the El Segundo Dunes. If one accepts the logic of the EIS/R’s HEP and mitigation scheme, the loss of Non-Native Grassland can be mitigated by making the El Segundo Dunes more like a Valley Needlegrass Grassland/Vernal Pool complex. (The EIS/R actually claims to restore these areas to Southern Dune Scrub, but does not reconcile that the “deficit” in habitat values on the dunes was caused by the “failure” of dune scrub to have vernal pool/grassland characteristics.) So by the twisted logic of the “modified” HEP, the loss of 366–500 acres of vegetation types occupied by sensitive species putatively can be mitigated by “improving” roughly 100 acres already protected as a nature reserve or zoned as such.⁵¹ Because the “modified” HEP does not measure habitat values for the sensitive species involved, the description of impacts in terms of “Habitat Units” will drastically underestimate the impacts to those vegetation types. Again, it must be noted that the procedure used in the EIS/R *has no basis in scientific literature* and resembles the actual HEP in name only.

All alternatives propose the removal of sensitive habitats within the El Segundo Dunes to allow construction of navigational aids. These impacts range from 640–1,344 square feet. While this does constitute a significant impact, it is dwarfed in comparison to the other direct and indirect impacts proposed under the three build alternatives.

The discussion of acreage and “Habitat Units” lost under each alternative is not clear with respect to the Westchester Southside Project. Some impacts from the Westchester Southside Project are included (e.g., loss of mature trees), but the effects of the “Resort Hotels” and golf course/open space development are not discussed. The No Action/No Project Alternative explicitly includes the loss of habitat from the LAX Northside and Continental City projects. As mentioned above, this improperly assumes completion of the LAX Northside Project even though changed conditions should result in reopening of the environmental analysis. Inclusion of these speculative developments as part of the No Project alternative serves only to make the impacts of the Master Plan alternatives appear smaller.

51. While there are certainly adequate opportunities to enhance the habitat on the El Segundo Dunes through road/infrastructure removal and revegetation, the area available is simply inadequate to compensate for the loss of sensitive species habitat under the three build alternatives.

The EIS/R mentions but does not discuss adequately one impact of the Westchester Southside development: the removal of 300 mature trees that are used as "nursery" sites for raptors.⁵² The biological appendix contains no reference to this impact, or the abundance and species of raptors involved.⁵³ Neither is a description immediately apparent in the "Biological Resources Memoranda for the Record on Floral and Faunal Surveys."⁵⁴ The EIS/R should contain a full description of the species of raptors involved, their relative abundance, the location of the trees, and behaviors observed to allow a full evaluation of the impacts.

3.1.2 Sensitive Species

The faulty "modified" HEP results in the underestimation of impacts on sensitive species in the EIS/R. The statement of the impacts to populations are low, which results in improper conclusions about mitigation (see below, Section 4.0).

Lewis' evening primrose (*Camissonia lewisii*). All alternatives acknowledge direct impacts to Lewis' evening primrose. This is expressed in terms of the number of individuals that would be affected. While the number of individuals is important, the area that these individuals occupy is as important to the conservation of the species. However, the map showing the distribution of the species indicates locations only on the El Segundo Dunes west of Pershing Drive. No indication is given of the location of areas occupied east of Pershing Drive, which total 2.5 acres.⁵⁵ Populations separated from one another offer some degree of insurance against catastrophic losses at individual sites. The complete geographic distribution of the species at LAX should be provided in the EIS/R.

Belkin's tabanid dune fly (*Brennania belkini*). The EIS/R does not acknowledge the loss of habitat for the Belkin's tabanid dune fly, which is a sensitive species.⁵⁶ This species was recorded as present in the "north runway expansion area."⁵⁷ The report indicates that the species may disperse into suitable habitat areas. The presence of this dune-associated species and the sensitive Lewis' evening primrose in the north runway expansion area suggests that this area has a substrate suitable for dune obligate species. This may be the result of previous grading, but the value of this site to these and other sensitive species (e.g., potentially El Segundo crab spider, *Ebo* new sp.⁵⁸) should be noted.

San Diego black-tailed jackrabbit (*Lepus californicus bennettii*). The EIS/R acknowledges direct impacts to the habitat of this species, west of the southern runway, east of Pershing Drive. Each of the alternatives would result in the loss of 118.75 acres of occupied area, consisting of the entire population at LAX. The EIS/R maintains that these 118.75 acres equal 14.91 "Habitat Units," or roughly 15 acres of ideal vernal pool/grassland complex. As discussed above, this conversion to "Habitat Units" is misguided and wrong. Only two of the sixteen standards for calculating "Habitat Units" are even remotely related to the value of these areas to black-tailed jackrabbit.

52. EIS/R, pp. 4-657, 4-658, 4-663.

53. EIS/R, Appendix J1. Biological Assessment Technical Report.

54. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys.

55. EIS/R, p. 4-664.

56. California Department of Fish and Game Natural Diversity Database. 1999. Special Status Plants, Animals and Natural Communities of Los Angeles County. U.S. Fish and Wildlife Service. 1998. *Recovery plan for the El Segundo blue butterfly (*Euphilotes battoides allyni*)*. U.S. Fish and Wildlife Service, Portland, Oregon, 67 pp.

57. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 213.

58. *Id.* at 209.

Table 1. Relevance of "Modified" Habitat Evaluation Procedure Standards to Two Sensitive Species

HEP Standards	Relevance to value of area as black-tailed jackrabbit habitat	Relevance to value of area as loggerhead shrike habitat
TOPOGRAPHY		
Mound-depression microrelief	None. Species occurs in a variety of topographic conditions.	None
Native soils w/ slope <10%	None	None
Areas w/ period of inundation ≥ 30 days	None. Can serve as vectors for seed dispersal between vernal pools, but not necessary for habitat. ⁵⁹	None
Summer desiccation	None	None
FLORA		
>10% vegetative cover	Some. Forage and cover must be present.	Some. Vegetation must support prey populations.
Native grasses >10%	None. Will forage on all manner of grasses, forbs, and shrubs. ⁶⁰	None
Vernal pool associated species	None	None
Listed vernal pool associated species	None	None
FAUNA		
Domination of native fauna (reproducing)	None	None
Grassland associated species (reproducing)	None	None
Sensitive vernal pool associated species	None	None
Listed vernal pool associated species	None	None
ECOSYSTEM FUNCTIONAL INTEGRITY		
Contiguity w/ wetland and State-designated sensitive terrestrial habitat	None	None
Designated sensitive terrestrial habitat	None	None
Under regulatory conservation	None	None
Variety of pollinator/dispersal mechanisms present (wind, wildlife)	None. Is itself a dispersal agent.	None
Contiguous native habitat > 40 acres	Potentially important. Size of habitat, whether native or not, is important.	Potentially important. Size of habitat, whether native or not, is important.

The conversion of occupied area to "Habitat Units," based on the standards listed here, is a misapplication of HEP. The extent of habitat loss to the species is on the order of 119 acres. The use of improperly-defined "Habitat Units" to quantify this loss implies that 15 acres of ideal vernal pool/grassland could support as many black-tailed jackrabbits as 119 acres of non-native grassland.

59. Zedler, P.H., and C. Black. 1992. Seed dispersal by a generalized herbivore: rabbits as dispersal vectors in a semiarid California vernal pool landscape. *The American Midland Naturalist* 128(1):1-10. (Jackrabbits play a similar role in the vernal pool landscape.)

60. Johnson, R.D., and J.E. Anderson. 1984. Diets of black-tailed jack rabbits in relation to population density and vegetation. *Journal of Range Management* 37(1):79-83. MacCracken, J.G., and R.M. Hansen. 1982. Herbaceous vegetation of habitat used by blacktail jackrabbits and Nuttall cottontails in southeastern Idaho. *American Midland Naturalist* 107(1):180-184. Jameson, E.W., Jr., and H.J. Peeters. *California mammals*. Berkeley: University of California Press.

This is not possible; 15 acres is substantially smaller than the smallest recorded home range for the species (256 acres).⁶¹

Surveys determining the area occupied by black-tailed jackrabbit may underestimate the area currently occupied. Research indicates that jackrabbits may move from 2 to 10 miles during a day, from shrub cover where the species conceals itself during the day, to foraging habitat in the late afternoon and evening.⁶² The EIS/R does not provide sufficient survey information to establish if the grasslands and disturbed areas to the west of the southern runways provide only foraging habitat, and whether other locations (e.g., El Segundo Dunes) are already occupied at different times of the day. This is also suggested by studies of home range. In a study of big sagebrush and black greasewood, black-tailed jackrabbit ranges were larger (256–768 acres)⁶³ than the presumed occupied area at LAX (119 acres). This raises the question whether the species actually occupies a greater area at LAX, especially during the night and crepuscular periods when no surveys were undertaken.

Loggerhead shrike (*Lanius ludovicianus*). The same difficulties found quantifying habitat of black-tailed jackrabbit are found with description of impacts to loggerhead shrike. According to the EIS/R, the species currently occupies 171.86 acres that would be unusable following implementation of any of the project alternatives. (Such precision in habitat quantification is illusory; the EIS/R extrapolates occupied area by vegetation type, providing an *estimate* of habitat area that may differ from the area actually utilized.) Similarly, the EIS/R claims that this impact equals 22.88 "Habitat Units," suggesting that roughly 23 acres of optimum habitat could mitigate for the loss of 172 acres of occupied habitat. This is false, and grossly underestimates the impacts to the species. No data are provided that link vegetation type to shrike density, as would be necessary to support this claim. The HEP standards are no more relevant to loggerhead shrike than they are to black-tailed jackrabbit. Unless an actual Habitat Suitability Index is developed for loggerhead shrike, all discussion of direct impacts should refer to the area of occupied habitat destroyed, not to the hypothetical "Habitat Units." It is furthermore unclear whether the area of the Westchester Southside Project was surveyed, and whether these impacts are included.

Burrowing owl (*Athene cunicularia*). Surveys located burrowing owls within the project boundaries, though found no direct evidence of breeding. The EIS/R claims that the species "was determined not to breed within the Master Plan boundaries."⁶⁴ This contradicts the previous assessment made by EIS/R consultant Jim Jennings, who concluded that "there is the potential that they may still breed in the project area."⁶⁵ Because burrowing owl densities fluctuate from year to year, burrowing owls were observed in the project area, and potential burrow sites were found, the conservative approach would be to implement measures to ensure the conservation of the species. This species has recently lost much of its local habitat and if extirpated from the project site will disappear from west Los Angeles as a whole.

-
61. Smith, G.W. 1990. Home range and activity patterns of black-tailed jackrabbits. *Great Basin Naturalist* 50(3):249–256. This study found home ranges of 0.4–1.2 square miles for big sagebrush and black greasewood communities in northern Utah. Many factors may allow higher densities at LAX, such as more forage provided by dense non-native grasses and forbs, but there is no evidence that 15 acres of even the best habitats could compensate for the loss of 119 acres.
62. Dunn, J.P., J.A. Chapman, and R.E. Marsh. 1982. Jackrabbits: *Lepus californicus* and allies. Pp. 124–125 in J.A. Chapman, and G.A. Feldhamer (eds.). *Wild mammals of North America: biology, management and economics*. Baltimore: The Johns Hopkins University Press.
63. Smith, G.W. 1990. Home range and activity patterns of black-tailed jackrabbits. *Great Basin Naturalist* 50(3):249–256.
64. EIS/R, Tables 4.10-2, 4-630.
65. EIS/R, Technical Report 7. Biological Resources Memoranda for the Record on Floral and Faunal Surveys, p. 463.

Western spadefoot toad (*Spea hammondi*). The EIS/R reports that the proposed project alternatives will destroy four seasonal ponds occupied by western spadefoot toads on the south airfield.⁶⁶ These populations number at least several hundred adults and all would be destroyed by the various project alternatives. The EIS/R estimates occupied area as 8.97 acres of ephemeraally wetted areas and adjacent upland habitats. Spadefoot toads require upland habitats surrounding their aquatic habitat.⁶⁷ It is unclear how this area was determined for the EIS/R. Critically important in the analysis is that the species is found in four separate areas. Even though the areas are close to each other, the existing configuration of habitat patches is important to reduce risk to the species from a catastrophic event (e.g., chemical spill, disease). Depending on the separation of the pools, there may still be genetic exchange among the populations in each. These risk dynamics should be considered when evaluating the impact on the species and potential mitigation measures. Loss of the LAX population of western spadefoot toad would cause a significant restriction of the range of the species.

Riverside fairy shrimp (*Branchinecta sandiegoensis*). LAX represents the only known coastal population of Riverside fairy shrimp in Los Angeles County. Loss of this population, which is spread among nine sites on the western portion of the property, would be a significant impact. The EIS/R asserts that because the sites where fairy shrimp cysts were found do not have characteristic vernal pool plants, no suitable habitat is found for the species. This conclusion is false — fairy shrimp require vernal pool hydrology, not vernal pool plants, for their existence. This condition would exist, were the management practices at LAX to remove standing water in these pools. It is indeed LAWA's own management scheme that prevents Riverside fairy shrimp from completing its life cycle; LAWA, therefore, should incur liability for "take" of the species under the Endangered Species Act. LAWA fails to recognize that once the presence of fairy shrimp cysts was detected in the vernal pools at LAX, the airport should have ceased its activities that inhibited the life cycle of the species. Instead, the proposal is to destroy all of the areas currently occupied.

The description of acreage for this species does not seem to include the size of the cachmentments necessary to fill the "ephemeraally wetted areas." These areas are necessary to formulate appropriate mitigation measures and evaluate impacts.

The EIS/R is insistent that "there are no extant vernal pools within the [Airport Operations Area]."⁶⁸ This statement is meant within the definition of vernal pools as a vegetation type. However, the term "vernal pool" may be used to refer to pools with standing water during the winter and spring, regardless of the presence of certain plant species. As defined by the U.S. Fish and Wildlife Service, "a vernal pool is a natural habitat of the Mediterranean climate region of the Pacific coast covered by shallow water for extended periods during the cool season but completely dry for most of the warm season drought."⁶⁹ The definition of the term is hydrological, not botanical. The EIS/R should therefore explicitly disclose that the statement "no vernal pools" refers to a botanical definition. Given the near complete destruction of vernal pools in Los Angeles County,⁷⁰ even loss of sites with vernal pool

66. *Id.* at 248.

67. Ruibal, R., L. Trevis, and V. Roig. 1969. The terrestrial ecology of the spadefoot toad *Scaphiopus hammondi*. *Copeia* 572-584.

68. EIS/R, p. 4-691.

69. Zedler, P.H. 1987. *The ecology of southern California vernal pools: a community profile*. U.S. Fish and Wildlife Service Biological Report 85(7.11), p 1.

70. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles Coastal Prairie, a vanished community. *Crossosoma* 26(2):71-102.

hydrology and any remnant species (plant or invertebrate) represents a significant impact. The EIS/R emphasizes that Riverside fairy shrimp habitat is degraded through the presence of exotic plant species, presumably to suggest how much better mitigation sites will be than current conditions. However, the degradation of the habitat by exotic plant species is irrelevant to the quality of the pool as habitat for Riverside fairy shrimp. Other degradation to the habitat results directly from LAWA's management,⁷¹ this degradation is avoidable.

3.2 Indirect Impacts

As a whole, indirect impacts are not well described in the EIS/R. Those that are described are dismissed with little or no data offered in support, leaving the probability of much greater indirect impacts from the project alternatives than those disclosed.

3.2.1 Light

Night lighting has an effect on bird species composition in an area. A study in Sacramento showed that American crows (*Corvus brachyrhynchos*) roost in areas with high nighttime lighting levels.⁷² It is hypothesized that artificial lighting allows them to reduce predation from owls.⁷³ Crows are native, but they are also aggressive, and artificially increased population levels can be detrimental to other native bird species, including such sensitive species as loggerhead shrike. Artificial night lighting has also been shown to affect the behavior of nocturnal frogs, reducing their visual acuity and ability to consume prey, an impact that may befall those amphibians found within Master Plan boundaries.⁷⁴ Many larval forms of arthropods are positively phototactic (e.g., attracted to light, even artificial light), which poses a threat to the many sensitive insect species found on the El Segundo Dunes.⁷⁵ Artificial lighting results in increased mortality of moths and other nocturnal insects.⁷⁶ Night lighting can also affect kestrels as seen from observation of lesser kestrel (*Falco naumanni*), but also applicable to American kestrel (*Falco sparverius*), found on the El Segundo Dunes.⁷⁷ In fact, artificial night lighting affects singing and foraging time of many bird species.⁷⁸ Increased lighting even affects gastropods, which would include the sensitive Trask's snail (*Helminthoglypta traskii*).⁷⁹

71. EIS/R, p. 4-699.

72. Gorenzel, W.P., and T.P. Salmon. 1995. Characteristics of American Crow urban roosts in California. *Journal of Wildlife Management* 59(4):638-645.

73. Brody, J.E. 1997. The too-common crow is getting too close for comfort. *New York Times*, May 27.

74. Buchanan, B.W. 1993. Effects of enhanced lighting on the behaviour of nocturnal frogs. *Animal Behaviour* 45(5):893-899.

75. Summers, C.G. 1997. Phototactic behavior of *Bemisia argentifolii* (Homoptera: Aleyrodidae) crawlers. *Annals of the Entomological Society of America* 90(3):372-379.

76. Frank, K.D. 1988. Impact of outdoor lighting on moths: an assessment. *Journal of the Lepidopterists' Society* 42(2):63-93. Kolligs, D. 2000. Ecological effects of artificial light sources on nocturnally active insects, in particular on butterflies (Lepidoptera). *Faunistisch-Oekologische Mitteilungen Supplement*(28):1-136.

77. Negro, J.J., J. Bustamante, C. Melguizo, J.L. Ruiz, and J.M. Grande. 2000. Nocturnal activity of Lesser Kestrels under artificial lighting conditions in Seville, Spain. *Journal of Raptor Research* 34(4):327-329.

78. Outen, A. 1998. *The possible ecological implication of artificial lighting*. Hertfordshire, UK: Hertfordshire Biological Records Centre. Bergen, F., and M. Abs. 1997. Etho-ecological study of the singing activity of the blue tit (*Parus caeruleus*), great tit (*Parus major*) and chaffinch (*Fringilla coelebs*). *Journal fuer Ornithologie* 138(4):451-467.

Derrickson, K.C. 1988. Variation in repertoire presentation in northern mockingbirds. *Condor* 90(3):592-606. Hoetker, H. 1999. What determines the time-activity budgets of avocets (*Recurvirostra avosetta*)? *Journal fuer Ornithologie* 140(1):57-71.

Frey, J.K. 1993. Nocturnal foraging by Scissor-Tailed Flycatchers under artificial light. *Western Birds*

These effects may seem to be relatively innocuous, except that species that extend their activity periods into nighttime are often exposed to drastically increased predation threats. In a study of butterfly larvae, a higher growth rate associated with longer photoperiod (as would be caused by artificial light) resulted in significantly higher predation on the butterfly larvae from the primary parasitoid species.⁸⁰ Similar tradeoffs will likely occur for the El Segundo blue butterfly with increased lighting on the El Segundo Dunes. While the increased light may increase larval development, the time of activity may also increase predation and parasitism.

The conclusion in the EIS/R that the increased levels of night lighting will have no effect on the El Segundo blue butterfly is completely unsupported by current scientific knowledge of the mechanisms of such effects on ecological systems. The EIS/R concentrates on the adult form of the El Segundo blue butterfly, which only constitutes a minute fraction of the lifecycle of the organism, and ignores published scientific literature documenting the tradeoffs of increased lighting on larval forms of butterflies. Furthermore, the EIS/R includes no discussion of bat species that may forage on the El Segundo Dunes. Many bat species found in Los Angeles County are considered sensitive species, and their foraging patterns are affected by lighting levels. Some faster-flying species congregate at streetlights, while slower-flying species avoid them.⁸¹ The EIS/R should document the bat species foraging within the project site and evaluate the impacts of lighting and other development on them.

The increased nighttime light levels on the El Segundo Dunes constitute a significant adverse impact, and should be avoided. One method to decrease the impacts of nighttime lighting is to use low pressure sodium lamps in place of other lighting types. Yellow light from these sources has less ecological impact. Other possible mitigation measures include using full cut-off lighting fixtures and mandating operational controls.

3.2.2 Noise

The effects of airport noise on the fauna of the project area are not considered at all. Perhaps this results from the noise analysis, which improperly chooses 1996 — prior to the introduction of quieter airplanes — as the baseline for noise impacts, rather than what noise conditions would be in the absence of the proposed project. Through this careful choice of baseline, the EIS/R argues that there would be virtually no change in the noise levels on the El Segundo Dunes. However, this is not the case. Noise would be more constant under increased passenger capacity — more planes would be traveling in and out of the airport. Increased noise levels on the El Segundo Dunes will have significant adverse effects on the wildlife found there, effects that are evident from the available scientific literature.

The use of a weighted average to describe noise levels (CNEL) precludes and obfuscates analysis of actual noise impacts. From the standpoint of wildlife, and indeed human physiological responses, it is relevant to know what maximum noise levels are experienced, and at what duration. While the average noise levels described in the EIS/R offer some indication of which areas are louder than others,

24(3):200. Hill, D. 1992. *The impact of noise and artificial light on waterfowl behavior: a review and synthesis of available literature*. British Trust for Ornithology Research Report No. 61.

79. Lamiot, F. 1998. Impacts écologiques de l'éclairage nocturne. Premier Congrès européen sur la protection du ciel nocturne, June 30–May 1, Paris.

80. Gotthard, K. 2000. Increased risk of predation as a cost of high growth rate: an experimental test in a butterfly. *Journal of Animal Ecology* 69(5):896–902.

81. Rydell, J., and H.J. Baagoe. 1996. Bats & streetlamps. *Bats* 14(4):10–13.

maximum noise levels are necessary to evaluate potential hearing loss, startle reactions in animals, barriers to vocal communication, and other significant impacts to the fauna of the El Segundo Dunes.

The body of research on the effects of noise on vertebrates shows that chronic noise, even at low levels, is associated with elevated stress hormone levels, higher blood pressure, faster heart rates, and other physiological effects.⁸² As a result, birds, mammals and other vertebrates may show anatomical differences (smaller body size, enlarged adrenal glands) from prolonged exposure to noise. Species that use vocalizations to communicate may be excluded altogether from noisy areas. The effects of noise on birds and mammals in particular are relevant to the EIS/R.

Birds. Of 45 bird species investigated in woodlands in The Netherlands, 33 showed significantly depressed breeding density in response to increased noise levels near roads. All species in the small passerine families Sylviidae, Fringillidae, and Emberizidae were affected by noise.⁸³ This research also showed that noise effects followed a threshold model.⁸⁴ This means that up to a certain noise level, no decrease in density is observed. When noise increases beyond that threshold level, bird density decreases dramatically in the area between the location at which that threshold is met and the road. The decreased density over the area with noise greater than the threshold level ranges from 30% to 100% and is known as the "decrease factor."⁸⁵

These two variables, the threshold value and the decrease factor, describe the impact of noise on breeding birds. Empirical measurement of the threshold value in woodlands shows that for all bird species combined the threshold value is 42–52 dB(A), with individual species exhibiting thresholds as low as 36 dB(A) and as high as 58 dB(A).⁸⁶ Furthermore, years with overall low population densities showed lower threshold levels.

Similar research has been conducted for grasslands. Overall, this research shows that breeding bird habitat is degraded at noise levels as low as 36 dB(A). Minimum noise levels on the El Segundo Dunes are 70 dB(A) CNEL,⁸⁷ a quantification that does not even provide maximum noise levels. There is no question therefore that noise from LAX operations affects breeding bird densities on the El Segundo Dunes.

-
82. Mancj, K.M., D.N. Gladwiiu, R. Villella, and M.G. Cavendish. 1988. Effects of aircraft noise and sonic booms on domestic animals and wildlife: a literature synthesis. U.S. Fish and Wildlife Service National Ecology Research Center, Ft. Collins, Colorado. NERC-88/29. 88 pp. Such effects are found in humans too; children exposed to chronic noise greater than 60 dB "experienced marginally higher resting systolic blood pressure, greater heart rate reactivity to test, and higher overnight cortisol levels, which are signs of modestly elevated physiological stress" (Environmental News Network. 24 May 2001. Noisy neighborhoods harmful to childrens' health).
83. Reijnen, R., R. Foppen, and G. Veenbaas. 1997. Disturbance by traffic of breeding birds: evaluation of the effect and considerations in planning and managing road corridors. *Biodiversity and Conservation* 6:567–581.
84. Reijnen, R., R. Foppen, C. ter Braak, and J. Thissen. 1995. The effects of car traffic on breeding bird populations in woodland. III. Reduction of density in relation to the proximity of main roads. *Journal of Applied Ecology* 32:187–202.
85. *Id.*, at 192.
86. Reijnen, R., R. Foppen, C. ter Braak, and J. Thissen. 1995. The effects of car traffic on breeding bird populations in woodland. III. Reduction of density in relation to the proximity of main roads. *Journal of Applied Ecology* 32:187–202. Reijnen, R., and R. Foppen. 1995. The effects of car traffic on breeding bird populations in woodland. IV. Influence of population size on the reduction of density close to a highway. *Journal of Applied Ecology* 32:481–491. Reijnen, R., R. Foppen, and H. Meeuwssen. 1996. The effects of traffic on the density of breeding birds in Dutch agricultural grasslands. *Biological Conservation* 75:255–260.
87. EIS/R, Figures 4.2-15, 4.2-19, 4.2-23.

Mammals. Chronic noise is a problem for native mammals on the El Segundo Dunes, as it is for humans in surrounding neighborhoods. The description of one study on the effect of airport noise on a small mammal illustrates one example of this problem:

Only a few studies of the physiological effects of noise on rodents have involved wild animals. A field study by Chesser et al. (1975) involved two populations of house mice near the end of a runway at Memphis International Airport. Adult mice also were collected from a rural field 2.0 km from the airport field. Background noise levels at both fields were 80–85 dB. Noise levels of incoming and outgoing aircraft at the airport field averaged 110 dB, with the highest reading reaching 120 dB. Total body weights and adrenal gland weights of mice from the fields were measured. Additional mice were captured from the rural field, placed in the laboratory, and exposed to 1 minute of 105-dB recorded jet aircraft noise every 6 minutes to determine if noise was the causative factor. Control mice were not subjected to noise. After 2 weeks, the adrenals were removed and weighed. Adrenal gland weights of male and female mice from the airport field were significantly greater than those of mice from the rural field. The noise-exposed mice in the laboratory study had significantly greater adrenal gland weights than the control mice. After ruling out stress factors, such as population density, Chesser et al. (1975) concluded that noise was the dominant stressful factor causing the adrenal weight differences between the two feral populations.⁸⁸

While house mice are of no regulatory concern, native mammals on the El Segundo Dunes include some native small mammals (harvest mouse, *Reithrodontomys megalotis*, desert wood rat, *Neotoma lepida*) which are locally significant. Impacts of noise to the habitat quality of the El Segundo Dunes for native mammals should be evaluated.

Reptiles and Amphibians. Spadefoot toads may be induced to emerge from their burrows in response to loud noises (95 dB(A) recordings of motorcycle noise in one experiment).⁸⁹ Fringe-toed lizards are rendered deaf after 9 minutes exposure to 95 dB(A) noise in the same study. Some snakes will show alert behavior in response to airplanes flying overhead.⁹⁰

The EIS/R should evaluate the effects of noise on the biota of the El Segundo Dunes. It is likely that if the noise baseline were set at current conditions rather than before the implementation of quieter planes, this analysis would reveal significant impacts on the ability of the El Segundo Dunes to support populations of some species of birds, mammals, and other vertebrates. Such significant impacts should be identified and mitigated.

88. Manci, K.M., D.N. Gladwin, R. Villella, and M.G. Cavendish. 1988. Effects of aircraft noise and sonic booms on domestic animals and wildlife: a literature synthesis. U.S. Fish and Wildlife Service National Ecology Research Center, Ft. Collins, Colorado. NERC-88/29. 88 pp.

89. Brattstrom, B.H., and M.C. Bondello. 1983. Effects of off-road vehicle noise on desert vertebrates. Pp. 167–206 in R.H. Webb and H.G. Wilshore, eds. *Environmental effects of off-road vehicles. Impacts and management in arid regions*. New York: Springer-Verlag.

90. Yahya, S.A. 1978. Hearing ability of brown tree snake (*Oendrelaphis tristis*). *Journal of the Bombay Natural History Society* 75:930–931.

3.2.3 Pollution

The discussion in the EIS/R about pollution effects on the El Segundo blue butterfly deserves comment. The EIS/R makes the statement, "Monitoring results indicate that current levels of vanadium are not adversely affecting the El Segundo blue butterfly population at the Habitat Restoration Area since counts for the year 2000 showed a significant increase in the population when compared to 1999."⁹¹ Many factors influence butterfly abundance from year to year; changes from 1999 to 2000 provide no information about the effect of pollution on the butterfly. This statement is indicative of a fundamental misunderstanding of the process of deductive reasoning. The reality is that we have no idea what effect pollution has on the populations of sensitive species on the El Segundo Dunes, including the El Segundo blue butterfly. Population trends cannot be derived from two years of data, and are even difficult with ten years of measurements.⁹²

3.2.4 Landscaping

The EIS/R does not assess the detrimental impacts of landscaping adjacent to the El Segundo Dunes. LAWA has planted invasive exotic species as landscape plants in the past, resulting in a greater load of exotic seed rain on the El Segundo Dunes.⁹³ Exotic landscaping material, and associated irrigation, can cause significant adverse effects on the biological resources of the El Segundo Dunes.

Installation of permanent irrigation in new areas along Pershing Drive would result in an expansion of the invasive exotic arthropod community on the El Segundo Dunes. Water sources promote population increases of non-native Argentine ants (*Linepithema humile*), European earwigs (*Forficula auricularia*), and other exotic species, which displace native insect species, an effect that has recently been documented to extend 200 m into native habitats.⁹⁴ Argentine ants are found on the El Segundo Dunes already, but the explosion in numbers associated with permanent irrigation will wreak havoc on native arthropod communities. This is shown by consistent decreases in native arthropod diversity in response to increased Argentine ant abundance.⁹⁵ Argentine ants would displace native ants surrounding the project site. This extirpation reverberates up the food chain, as some native reptiles (e.g., coast horned

91. EIS/R, Appendix J1. Biological Assessment Technical Report, p. 91.

92. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445-452.

93. Kowsky, K. 24 April 1995. Plant-life dispute blooms at airport; environmentalist sees exotic plants at LAX as threat to survival of endangered butterfly. *Los Angeles Times*, B-1. Gregor, I. 1 April 2000. Seeds of trouble: airport landscaping project has environmental groups up in arms. *Daily Breeze*, B-1.

94. Holway, D.A. 1998. Factors governing rate of invasion: a natural experiment using Argentine ants. *Oecologia* 115(1-2):206-212. Suarez, A.V., D.T. Bogler, and T.J. Case. 1998. Effects of fragmentation and invasion on native ant communities in coastal southern California. *Ecology* 79(6):2041-2056.

95. Erickson, J.M. 1971. The displacement of native ant species by the introduced Argentine ant *Iridomyrmex humilis* (Mayr). *Psyche* 78:257-266. Cole, B.J. 1983. Assembly of mangrove ant communities: patterns of geographic distribution. *Journal of Animal Ecology* 52:339-348. Human, K.G., and D.M. Gordon. 1996. Exploitation and interference competition between the invasive Argentine ant, *Linepithema humile*, and native ant species. *Oecologia* 105(3):405-412. Human, K.G., and D.M. Gordon. 1997. Effects of Argentine ants on invertebrate biodiversity in Northern California. *Conservation Biology* 11(5):1242-1248. Holway, D.A. 1998. Effect of Argentine ant invasions on ground-dwelling arthropods in northern California riparian woodlands. *Oecologia* 116(1-2):252-258. Kennedy, T.A. 1998. Patterns of an invasion by Argentine ants (*Linepithema humile*) in a riparian corridor and its effects on ant diversity. *American Midland Naturalist* 140(2):343-350. Longcore, T.R. 1999. Terrestrial arthropods as indicators of restoration success in coastal sage scrub. Ph.D. Thesis, Department of Geography, University of California, Los Angeles.

lizard, *Phrynosoma coronatum*, found on the El Segundo Dunes) preferentially feed on native ants and decline in their absence.⁹⁶

The EIS/R should require as a mitigation measure that in areas adjacent to the El Segundo Dunes, all landscaping plants be limited to locally native species, and that irrigation be limited to winter only.

3.3 Cumulative Impacts

The analysis of cumulative impacts is woefully inadequate and is inconsistent with previous conclusions reached by the City of Los Angeles in environmental impact reports. The discussion of cumulative impacts in Sections 4.10 and 4.11 of the EIS/R consists of a description of the Master Plan area and the following statement:

Areas surrounding the study area consist largely of developed areas with little or no habitat value. However, two biologically significant open spaces, the Ballona Wetlands and the Ballona Bluffs, remain extant within the vicinity of the study area.⁹⁷

However, in the Final Environmental Impact Report for the West Bluffs Project — a project to build residences on the last open space on the Ballona Bluffs — the City of Los Angeles found:

The contribution of the proposed project to impacts on plant and animal life from ongoing development in the region is not considered to be significant, due to the disturbed nature and correspondingly low resource value of the project site.⁹⁸

The current EIS/R is inconsistent with the above statement. To the contrary, the current EIS/R states that:

The cumulative impacts on biotic communities from development of the LAX Master Plan Improvements, and other proposed projects in the area, most notably the Playa Vista Master Plan Project and the Catellus residential proposal on the Ballona Bluffs, are considered significant due to the limited amount of extant natural habitat in the vicinity of the study area, particularly wetlands.⁹⁹

The EIS/R then argues that implementation of the LAX Master Plan will not contribute to these cumulative impacts. The City of Los Angeles seems to claim that whichever project is under review does not contribute to cumulative impacts, yet once approved, the City's subsequent environmental review documents acknowledge that projects did contribute to cumulative impacts. The reality is that both the Catellus West Bluffs Project and the LAX Master Plan will contribute to significant cumulative impacts on natural resources.

Upland foraging habitat for grassland songbirds and raptors will be nearly eliminated by the combination of the LAX Master Plan, the West Bluffs Project, Playa Vista Phase I, and the potential

96. Suarez, A.V., J.Q. Richmond, and T.J. Case. 2000. Prey selection in horned lizards following the invasion of Argentine ants in southern California. *Ecological Applications* 10:711-725.

97. EIS/R, pp. 4-663, 4-706.

98. City of Los Angeles. October 1998. EIR No. 91-0675. West Bluffs Project Section IV.D.3.

99. EIS/R, p. 4-664.

Playa Vista Phase II. The Ballona Creek watershed (with the exception of the Baldwin Hills) will no longer support many bird species as a result of the cumulative impacts of these developments. Western meadowlark, white-tailed kite, California horned lark, loggerhead shrike, sharp-shinned hawk, northern harrier, Cooper's hawk, and American kestrel will experience significant declines in suitable habitat as a result of these cumulative impacts. Peregrine falcon will experience significant losses of foraging habitat. Many birds associated with the Ballona Wetlands forage in upland habitats, especially during the winter and spring rains. For example, great blue heron and snowy egret forage in the ephemeral wetlands at LAX and the West Bluffs site. If all of these projects are completed, all remnants of vernal pools in the northern portion of the former Los Angeles Coastal Prairie will be obliterated. Vernal pool hydrology at the West Bluffs site and at LAX would be destroyed, yet the EIS/R claims that no significant cumulative impacts will result from the project.

This is the end of the line for open space in west Los Angeles. The City of Los Angeles must recognize that the current project, plus the others previously approved by the City, have significant, irreversible, cumulative impacts on biological resources.

4.0 Mitigation Measures

The mitigation measures that rely on the "modified Habitat Evaluation Procedure" are insufficient to offset the significant impacts that would result from the build alternatives. The use of "Habitat Units" in mitigation measures MM-BC-2, MM-BC-4, MM-BC-5, MM-BC-6, and MM-BC-7 is fundamentally flawed.

The all-purpose mitigation measure "Conservation of Faunal Resources" (MM-BC-4) is completely inadequate to address impacts to sensitive species from the project alternatives. The conversion to "Habitat Units" is spurious; all mitigation must replace lost habitat with an equal or greater area.

4.1 Lewis' Evening Primrose

Mitigation for Lewis' evening primrose does not ensure that a replacement population of the species will be created, only that more individuals will be grown on the El Segundo Dunes, where the species is already found. In addition to establishing a numerical goal for the number of individuals to be replaced, mitigation should ensure the area occupied by the species will increase by at least the 2.5 acres that would be lost. Because there is a risk-spreading benefit in the disjunct configuration of the impacted population, the mitigation site should be geographically distinct from currently occupied sites.

4.2 Western Spadefoot Toad

Mitigation for the western spadefoot toad ignores the geographic configuration of the impacted population(s). These toads are found in four distinct ephemerally wet areas on the LAX property, all of which would be destroyed by the build alternatives. Division of the population into separate, hydrologically distinct pools with different cachements is a benefit to the population. Mitigation for these losses cannot be achieved through creation of 1.24 acres of ideal habitat (the "Habitat Units"), but rather must consist of four separate pools and associated cachements of at least 9 acres.

The choice of mitigation location is important as well. The top choice would be on the areas of the former Los Angeles Coastal Prairie west of Pershing Drive. However, the EIS/R claims that allowing a vernal pool in this area would encourage bird life as well, and would therefore pose a hazard to aircraft.

If off-site mitigation is necessary, the first choice should be the West Bluffs property, currently subject to development by the Catellus Corporation. The West Bluffs site has vernal pool hydrology and is the only candidate site within a reasonable distance of LAX. Distant sites such as Madrona Marsh and potentially California State University Dominguez Hills (where spadefoot toads possibly persist in a vernal pool but are subject to imminent extirpation from construction), should be utilized only in addition to a more proximate site. If no proximate sites are secured (e.g., the West Bluffs property is unobtainable), then the conclusion of the EIS/R must be that the impacts to the species cannot be mitigated to a less than significant level. Without the LAX population, or a possible West Bluffs replacement, the range of the species in the region will be significantly diminished, even with more distant offsite mitigation.

4.3 Riverside Fairy Shrimp

A similar analysis applies to the proposed mitigation for the loss of habitat for the Riverside fairy shrimp. The species is currently found in at least nine areas affected by the build alternatives. The proposed mitigation is for "no more" than 1.3 acres of replacement habitat.¹⁰⁰ To the contrary, loss of this occupied habitat should be mitigated by provision of nine pools with associated upland catchment areas to support vernal pool hydrology. While the mitigation measure suggests one location with 0.75 habitat value (i.e. restoration of vernal pool plants and other vernal pool characteristics), it is more important to the fairy shrimp that multiple locations be acquired. Population models for species found in habitat patches (e.g., metapopulations) show that persistence is enhanced not by density at a single site — although patch size is important — but by maximizing the number of occupied patches.¹⁰¹ To trade occupied sites for other biological values such as presence of sensitive plant species decreases the long-term persistence possibilities for the fairy shrimp. Certainly full vernal pool restoration would be a noble conservation goal, but it does not mitigate the impacts to the Riverside fairy shrimp. The potential mitigation sites should be chosen by proximity to LAX. The West Bluffs site could provide one, possibly two pools. Additional pools should be identified to mitigate fully the impacts to the species.

4.4 San Diego Black-tailed Jackrabbit

As discussed above, the proposed mitigation for the San Diego black-tailed jackrabbit is insufficient to offset the losses to the species. The loss of 119 acres of occupied habitat must be offset by the provision of at least 119 acres of additional habitat. The EIS/R provides no evidence to show that the species can be supported at similar densities in the Habitat Restoration Area on the dunes, nor that the "Habitat Units" of restoration on the dunes will make the area more suitable for jackrabbits. Black-tailed jackrabbits require mixed grasses, forbs, and shrubs for food; dune scrub may provide less preferred forage than exotic grassland. The Habitat Restoration Area therefore may support lower densities of the species than currently occupy the 119 acres of exotic grassland. Furthermore, the EIS/R provides no estimate of the size of the population to be impacted, or the diel¹⁰² patterns of movement exhibited by the species, information that is necessary to formulate an effective mitigation measure. Any release program on the El Segundo Dunes must be accompanied by a humane control program for the exotic red fox (*Vulpes vulpes*).

100. EIS/R, p. 4-708.

101. Hanski, I. 2000. *Metapopulation ecology*. London: Oxford University Press.

102. "Diel" refers to a 24-hour period, a full day and night.

4.5 Loggerhead Shrike

The EIS/R proposes to mitigate for loss of occupied loggerhead shrike habitat (172 acres) with restoration on the El Segundo Dunes in the form of 22.88 "Habitat Units." Implicit in this proposal is the assumption that the density of loggerhead shrikes on the El Segundo Dunes can be increased to accommodate those displaced by the loss of 172 acres of occupied habitat. The EIS/R provides no information about densities of loggerhead shrike to support this implicit assumption. To the contrary, because the El Segundo Dunes are already occupied with breeding loggerhead shrikes, and the shrike's use of habitat is not tied to whether the vegetation is native or not (or to the arbitrary habitat standards of the HEP), restoration on the El Segundo Dunes is not likely to appreciably increase the density of shrikes found there. Mitigation for this impact must be found elsewhere, in the form of 172 acres of shrike habitat. Loggerhead shrike are found at the West Bluffs site, but the site is only 44 acres and so could only offer partial mitigation for impacts at LAX. Other additional mitigation sites include properties covered under the Playa Vista master plan, or in the Baldwin Hills. However, if 172 acres of shrike habitat in addition to the El Segundo Dunes cannot be identified and acquired as mitigation, then the significant impact to this species cannot be mitigated to a less than significant level. The impacts are certainly not mitigated by the proposal to provide 23 extra "Habitat Units" in currently occupied habitat.

4.6 Los Angeles Coastal Prairie

Prescriptions for restoration of Valley Needlegrass Grassland described in MM-BC-5, MM-BC-6, and MM-BC-7 are not consistent with evidence of the historic vegetation in the area, which Mattoni and Longcore have described as Los Angeles Coastal Prairie. The prescription is for a needlegrass dominated habitat, with four common subshrubs. First, five plant species are insufficient to restore this habitat type; the actual plant diversity of the habitat was significantly higher. Second, the relative abundance of species is nothing approaching historical conditions. A transect along a historic photograph of the Coastal Prairie (or "meadow" as described by Pierce¹⁰³), shows the following coverage: *Lupinus bicolor* (39%), *Comissonia bistorta* (18%), *Phacelia stellaris* (14%), *Lotus strigosus* (8%), *Festuca megalura* (4%), *Cryptantha intermedia* (1%), and open (16%).¹⁰⁴ A mitigation measure should bear at least some resemblance to the vegetation type that it proposes to emulate. Furthermore, the standard of 10% native cover for successful restoration is outrageous. The claim that this is defensible because 10% is deemed significant for the identification of a native grassland by the California Department of Fish and Game is equally stunning. Ten percent cover represents the most degraded grasslands, not a standard to achieve in restoration. If the success criterion for grassland mitigation were followed, the vegetation created would score very low on the "modified" HEP touted in the EIS/R.

4.7 Restoration Performance Criteria

The performance criteria for the restoration efforts are all exceedingly weak. The only quantifiable standard for revegetation performance is attainment of native cover, the highest of which is 45%. Ecologists have developed many measures of habitat quality that are available to define performance

103. Pierce, W.D. 1938. The fauna and flora of the El Segundo sand dunes: 1. General ecology of the dunes. *Bulletin of the Southern California Academy of Sciences* 37(3):93-97.

104. Mattoni, R., and T.R. Longcore. 1997. The Los Angeles Coastal Prairie, a vanished community. *Crossosoma* 26(2):71-102, at 87.

standards for revegetation, including many measures of plant diversity and plant structure.¹⁰⁵ Wetland mitigation must meet stringent standards quantifying wetland functions and values.¹⁰⁶ Terrestrial arthropods have been used to assess the performance of revegetation in re-creating native habitats.¹⁰⁷ The performance criteria for restoration should provide more ecological information than simply percent native cover, especially when so many measures are readily available. Without true ecological assessment of restored areas, the success of the mitigation will be forever unknown.

4.8 Raptor "Nursery Sites"

Insufficient information about the impact to raptors using mature trees is provided to allow assessment of whether the mitigation measure (MM-BC-3) would be effective for replacement of mature trees. The location of this mitigation would be important, and the destruction of nearly all of the open space used for foraging by raptors may render "nursery sites" extraneous, with no raptors to use them.

5.0 California Coastal Act

None of the build alternatives in the Master Plan would be consistent with the California Coastal Act. First, there would be many impacts to the environmentally sensitive habitat area on the El Segundo Dunes through the indirect effects of increased construction, light, landscaping, pollution, and road construction. The mitigation measures proposed are insufficient to mitigate for these significant disruptions of habitat values. Even though the development is designed to occur outside the coastal zone boundary, Section 30240(b) of the Coastal Act provides that:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.¹⁰⁸

Second, the EIS/R does not discuss impacts to marine biological resources, which could occur as a result of runoff into and jet fuel dumping over the ocean. Impacts to marine biological resources should be described and appropriate changes implemented before preparation of a final EIS/R.

-
105. Magurran, A.E. 1988. *Biological diversity and its measurement*. Princeton: Princeton University Press, 179 pp.
106. Rheinhardt, R.D., M.M. Brinson, and P.M. Farley. 1997. Applying wetland reference data to functional assessment, mitigation, and restoration. *Wetlands* 17(2):195-215.
107. Mattoni, R., T. Longcore, and V. Novotny. 2000. Arthropod monitoring for fine scale habitat analysis: a case study of the El Segundo dunes. *Environmental Management* 25(4):445-452. Bisevac, L., and J.D. Majer. 1999. Comparative study of ant communities of rehabilitated mineral sand mines and heathland, Western Australia. *Restoration Ecology* 7(2):117-126. Holl, K.D. 1996. The effect of coal surface mine reclamation on diurnal lepidopteran conservation. *Journal of Applied Ecology* 33(2):225-236. Longcore, T.R. 1999. Terrestrial arthropods as indicators of restoration success in coastal sage scrub. Ph.D. Thesis, Department of Geography, University of California, Los Angeles.
- Parmenter, R.R., and J.A. Macmahon. 1987. Early successional patterns of arthropod recolonization on reclaimed strip mines in southwestern Wyoming [USA]: the ground-dwelling beetle fauna (Coleoptera). *Environmental Entomology* 16(1):168-177. Wheeler, C.P., W.R. Cullen, and J.R. Bell. 2000. Spider communities as tools in monitoring reclaimed limestone quarry landforms. *Landscape Ecology* 15(5):401-406. Williams, K.S. 1993. Use of terrestrial arthropods to evaluate restored riparian woodlands. *Restoration Ecology* 1:107-116. Williams, K.S. 1997. Terrestrial arthropods as ecological indicators of habitat restoration in southwestern North America. Pp. 238-258 in K.M.N.R.W. Urbanska and P.J. Edwards (eds.). *Restoration ecology and sustainable development, First International Conference, Zurich, Switzerland*. Cambridge: Cambridge University Press.
108. California Public Resources Code § 30240(b).

6.0 Conclusion

The EIS/R treatment of biological resources represents the result of significant effort and expenditure on the part of the preparers. Unfortunately, the resulting analysis is deeply flawed, unscientific, and improperly reaches the conclusion that the mitigation measures would reduce impacts to a less than significant level. To the contrary, implementation of any of the three build alternatives would be catastrophic for the biological resources on the project site and result in a significant local and cumulative impact on sensitive species. If approved and implemented, the Master Plan will permanently degrade the diversity and abundance of native wildlife in west Los Angeles. The last refuges of birds and mammals depending on large open spaces will be erased from the landscape.

Task Order Number 6.

PARSONS BRINCKERHOFF

12/14/0754/06

February 14, 2013

Attn: Francois T. Bijotat
Managing Consultant
Ricondo & Associates, Inc.
1917 Palomar Oaks Way, Suite 350
Carlsbad, CA 92008

RECEIVED
FEB 14 2013
FR
RICONDO & ASSOCIATES

505 South Main Street
Suite 900
Orange, CA 92868

www.pbworld.com

RE: WMS EIR PROGRAM MANAGEMENT TASK ORDER
Project #: 174909A Inv Seq # 01 AR # AR 508639
Covering the period: January 1, 2013 to January 31, 2013

Dear Mr. Bijotat:

Attached is our Invoice for labor and expenses rendered during the above referenced period.


Please remit your payment to:

PB America's, Inc.
PO Box 51615
Los Angeles, California 90051-5915

To ensure proper credit of your remittance, please return the duplicate copy of this invoice cover letter along with your check.

Should you have any questions, please feel free to call our office at (714) 564-2768 and ask for Laurie Ruscitto.

Very truly yours,
Parsons Brinckerhoff, Inc.



Arnold I. Rosenberg
Project Manager

cc: Project File, Orange County

96263

PARSONS BRINCKERHOFF

Parsons Brinckerhoff
LAWA On-Call Airside Planning Professional Services
LAX WMA EIR Program Management and Peer Review

Date: 2/14/13
Invoice No.: AR 508639

Contract No. DA-4700
R&A Purchase Order No. 1705 //
Sub Consultant - Direct Labor Cost

Direct Labor Cost Details Table

Task/Phase No.	Employee's Name	Labor Category	Hours (a)	Rate (b)	Sub Total (c) (a*b*c)	Multiplier (X.XX)	Billed Labor Amount
06	Arnold Rosenberg	Officer	8.00	137.14	1,097.12	2.85	3,126.79
06	Laurie Ruscito	Task Administration	5.00	32.40	162.00	2.85	461.70
			13.00				
Direct Labor Sub-Total:							\$3,588.49

Reimbursable Cost Details Table

Task/Phase No.	Employee's Name	Labor Category	Billed Amount
06			
06			
Reimbursable Sub-Total:			\$0.00

Summary Table

Task/Phase No.	Task/Phase Name	Current Billing	Previous Billing	Authorized Budget	Remaining Budget	Percentage Earned to Date
06	LAX WMA EIR Program Management and Peer Review	\$3,588.49		101,347.00	97,758.51	3.5%
Billing Total		\$3,588.49	\$0.00	\$101,347.00	\$97,758.51	3.5%



Parsons Brinckerhoff
Timecard Details For 25-JAN-2013

PBUS

Employee Name & Number: RUSCITTO, Ms. LAURIE E. 018902

Organization : 9623 WEST PAS

Approval Status : APPROVED, 24-JAN-2013 08:07 PM

Approved By : LONG, VICTORIA A (VICKI)

Comments :

Type Of Entry	Project Number	Project Name	Task Number	Task Name	Type	FR/PM	Sat	Sun	Mon	Tue	Wed	Thu	FR/AM	Total
						Jan 18	Jan 19	Jan 20	Jan 21	Jan 22	Jan 23	Jan 24	Jan 25	
A	11988U		01.02	AP 1035-0140 HO	REG		1.00							1.00
A	11888U		01.02	AP 1035-0140 HO	REG						4.00			4.00
T	174908A	LAX WMA EIR SUPPORT SERVICES	PAR-754-001 LABOR	PAR-754-001 LABOR	REG		0.50			0.50				1.00
T	HOLIDAY	HOLIDAY	HOME	HOME	REG				8.00					8.00
T	PROJECT ADMINISTRATIO N US		HOME	PROJECT ADMINISTRATI	REG		2.50			6.50	5.00	9.00		25.00
T	PTO	PTO	VACATION	VACATION	REG				1.00					1.00
					Reg Hrs	0.00	4.00	0.50	8.00	9.00	9.00	9.00	9.00	48.00
					PTO Hrs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
					Total	0.00	4.00	0.50	8.00	9.00	9.00	9.00	9.00	48.00



Parsons Brinckerhoff
Timecard Details For 01-FEB-2013

PBUS

Employee Name & Number: ROSENBERG, ARNOLD J. 008418

Organization : 9205 CS AVIATION

Approval Status : APPROVED, 01-FEB-2013 07:38 AM

Approved By : NUNES, GARRY E

Comments :

Type Of Entry	Project Number	Project Name	Task Number	Task name	Type	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Total
						Jan 26	Jan 27	Jan 28	Jan 29	Jan 30	Jan 31	Feb 01	
A	11988V	GM AIRPORTS US	01.01	SES FO LABOR	REG			2.00					2.00
A	11988V	GM AIRPORTS US	01.01	SES FO LABOR	REG						4.00		4.00
T	174908A	LAX WMA EIR SUPPORT SERVICES	PAR-754-001 LABOR	PAR-754-001 LABOR	REG			2.00	2.00				4.00
A	20701A	GM AIRPORTS US	TD4 1:1LBR PB	PB CM LABOR	REG							2.00	2.00
T	27847D	GM AIRPORTS US	MSC LABOR	MSC LABOR	REG			2.00			2.00	2.00	6.00
T	ADMINISTRATION	GM AIRPORTS US	HOME	INTERNAL CHARGE	REG			1.00			2.00		3.00
T	GM AIRPORTS US	GM AIRPORTS US	9205	9205 CS AVIATION	REG			1.00	6.00	8.00		4.00	19.00
					REG Hrs	0.00	0.00	6.00	8.00	8.00	4.00	6.00	32.00
					OT Hrs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
					Total	0.00	0.00	6.00	8.00	8.00	4.00	6.00	32.00



Parsons Brinckerhoff
Timecard Details For 25-JAN-2013

PBUS

Employee Name & Number: ROSENBERG, ARNOLD I, 000418

Organization : 9205 CS AVIATION

Approval Status : APPROVED, 25-JAN-2013 10:35 AM

Approved By : NUNES, GARRY E

Comments :

Type Of Entry	Project Number	Project Name	Task Number	Task Name	Type	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Total
						Jan 19	Jan 20	Jan 21	Jan 22	Jan 23	Jan 24	Jan 25	
A	11985V	XXXXXXXXXXXXXXXXXXXX	01.01	SES FO LABOR	REG				2.00				2.00
A	11985V	XXXXXXXXXXXXXXXXXXXX	01.01	SES FO LABOR	REG							4.00	4.00
T	174909A	LUXWMA EIR SUPPORT SERVICES	PAR-754-001 LABOR	PAR-754-001 LABOR	REG					2.00		2.00	2.00
T	27947D	XXXXXXXXXXXXXXXXXXXX	MSC LABOR	MSC LABOR	REG							2.00	2.00
T	GM AIRPORTS US	XXXXXXXXXXXXXXXXXXXX	9205	9205 CS AVIATION	REG				6.00	6.00	8.00		20.00
T	HOLIDAY	HOLIDAY	HOME	HOME	REG			8.00					8.00
REG TIME						0.00	0.00	0.00	2.00	2.00	8.00	0.00	12.00
HOL TIME						0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	2.00	2.00	20.00	0.00	24.00



Parsons Brinckerhoff
Timecard Details For 18-JAN-2013

PBUS

Employee Name & Number: RUSCITTO, Ms. LAURIE E, 018902

Organization : 9623 WEST PAS

Approval Status : APPROVED, 17-JAN-2013 07:37 PM

Approved By : LONG, VICTORIA A (VICKI)

Comments :

Type Of Entry	Project Number	Project Name	Task Number	Task name	Type	Fri PM	Sat	Sun	Mon	Tue	Wed	Thu	Fri AM	Total
						Jan 11	Jan 12	Jan 13	Jan 14	Jan 15	Jan 16	Jan 17	Jan 18	
A	11888U	AP 1035-0140 HO	01.02	AP 1035-0140 HO	REG				7.00					7.00
A	11888U	AP 1035-0140 HO	01.02	AP 1035-0140 HO	REG					7.00				7.00
A	11888U	AP 1035-0140 HO	01.02	AP 1035-0140 HO	REG						5.00			5.00
A	11888U	AP 1035-0140 HO	01.02	AP 1035-0140 HO	REG							3.00		3.00
T	174909A	LAX WMA EIR SUPPORT SERVICES	PAR-754-001 LABOR	PAR-754-001 LABOR	REG						3.00	1.00		4.00
T	27978A	GENERAL PROGRAM MGMT	1.01	GENERAL PROGRAM MGMT	REG				2.00			3.00		5.00
T	PROJECT ADMINISTRATIO N US	PROJECT ADMINISTRATIO N US	HOME	PROJECT ADMINISTRATI	REG					2.00	1.00	2.00	4.00	9.00
Reg Hrs						0.00	0.00	0.00	9.00	9.00	9.00	9.00	4.00	40.00
OT Hrs						0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	9.00	9.00	9.00	9.00	4.00	40.00

Task order number 9

ATTACHMENT B

Responses by LAWA to Comment Letters

Attachment B-1

Responses to January 8, 2013 Comment Letter from
ARSAC to Shawn Kuk, Department of City Planning

ATTACHMENT B-1

Summary of Issues Presented in January 8, 2013 Letter from ARSAC to Shawn Kuk, Department of City Planning, and Responses by LAWA

LAWA has carefully reviewed the issues presented in the January 8, 2013 letter from ARSAC to Shawn Kuk, Department of City Planning (letter included as Attachment A-1). This letter does not raise any new environmental issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. Rather, the letter includes ARSAC's recommended changes to the Planning Department's proposed amendments to the LAX Plan and LAX Specific Plan. The Planning Department considered these comments in the proposed amendments and staff report that were forwarded to the City Planning Commission (CPC) for their consideration on February 14, 2013. These comments were also considered in the LAX Specific Plan amendments that were approved by the CPC and forwarded by CPC to the Mayor and City Council for their consideration.

In this letter, ARSAC suggests that the LAX Specific Plan Section 7(H) include an LAX International Passenger Survey and Study and an Airline Survey Study focusing on airlines offering international services, similar to the LAX Domestic Passenger Survey and Study, and the corresponding Airline Survey and Study focusing on airlines offering domestic services, which are currently proposed to be added to the LAX Specific Plan. The purpose of the currently-proposed surveys related to domestic passengers is to identify market and other factors occurring at the time that activity levels at LAX are projected to reach 75 million annual passengers for the purpose of identifying actions LAWA could take to encourage passengers and airlines to increase their utilization of regional airports for domestic flights. Issues concerning regionalization were addressed in Topical Response SPAS-TR-REG-1 and Responses to Comments SPAS-AL00007-64 and SPAS-PC00130-850 in the SPAS Final EIR. As indicated in those responses, LAWA supports the regionalization of air travel demand in Southern California. However, even with this support, and as evidenced by Objective 3 of SPAS (page 2-3 of the SPAS Draft EIR¹), it is intended that LAX be maintained as the premier international gateway in supporting and advancing the economic growth and vitality of the Los Angeles region. Adopting such a policy would therefore be inconsistent with one of the three fundamental project objectives, and is therefore considered infeasible. The suggestion is also considered infeasible for the reasons described in Topical Response TR-SPAS-REG-1 of the SPAS Final EIR. Furthermore, the purpose of including an LAX International Passenger Survey and Study, and a corresponding Airline Survey and Study, is not clear, nor is substantial evidence provided in ARSAC's letter that indicates the purpose of such surveys.

¹ The SPAS Draft EIR is also referred to as Part I of the SPAS Final EIR.

Attachment B-2

Responses to February 13, 2013 Comment Letter from the
City of Culver City to William Roschen,
City Planning Commission

ATTACHMENT B-2

Summary of Issues Presented in February 13, 2013 Letter from the City of Culver City and Responses by LAWA

LAWA has carefully reviewed the issues presented in the February 13, 2013 letter from the City of Culver City (letter included as Attachment A-2). This letter does not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The letter primarily reiterates, either verbatim or in essence, many of the same comments received during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. As described below, the Final EIR addressed all environmental issues raised in this letter. The City of Culver City's comments are summarized in bold lettering below.

1. Issue 1: Impacts on Culver City Intersections/Traffic – The comment letter states that increases in airport-related traffic will predictably lead to increases in traffic on Culver City intersections, although it does not specify intersections at which impacts may occur. The comment does not dispute the findings of the Draft EIR and Final EIR, nor identify specific locations where impacts may occur that were not fully analyzed and disclosed. Similar issues were addressed in Response to Comment SPAS-AL00007-33 of the SPAS Final EIR. Furthermore, as discussed in Response to Comment SPAS-AL00003-3 of the SPAS Final EIR, if ambient growth unrelated to the SPAS alternatives is eliminated from the analysis, implementation of the Board-Selected Alternative would in fact result in improvements at 29 out of the 200 intersections analyzed; that is, that analysis shows that 28 of the 200 study intersections would be significantly impacted under the Board-Selected Alternative, rather than 57 intersections as disclosed in the SPAS Draft EIR.

2. Issue 2: Alleged Noise Impacts on Culver City from Increase in Aircraft Operations
- The SPAS EIR contains a comprehensive analysis of potential aircraft noise impacts associated with each of the SPAS alternatives, including analyses of single-event impacts associated with aircraft flyovers, as may affect surrounding communities. The EIR analysis meets all CEQA requirements. As demonstrated in the EIR, no significant aircraft noise impacts will occur in Culver City. Although it is anticipated that the number of aircraft operations at LAX will increase by the year 2025, as compared to the 2009 baseline conditions presented in the SPAS EIR, that increase will occur through projected natural growth at the airport and is independent of any and all of the SPAS alternatives. The proposed relocation of Runway 6L/24R 260 feet north would affect the flight path of aircraft on final approach to, or departure from, that runway, but would not change the existing basic flight tracks that occur around LAX. This includes flight tracks above Culver City, which is approximately 3 miles away from the proposed runway relocation. The existing (2009) flight tracks are illustrated on Figure 1 of Appendix J1-1 of the SPAS Draft EIR and the flight tracks in 2025 for the proposed runway relocation are shown on Figure 2 in that appendix. As can be seen, implementation of the proposed runway realignment would not affect the basic flight tracks over and near Culver City. In light of the above, there is no basis to believe that Culver City would be subject to any significant aircraft noise impacts due to implementation of the SPAS project.

3. Issue 3: Project-Level vs. Program-Level – Similar issues concerning the programmatic review conducted for the SPAS project were addressed in Responses to Comments SPAS-PC00130-142 and SPAS-PC00130-235 of the SPAS Final EIR.

4. Issue 4: Air Quality Impacts on Culver City – Culver City is located due north of LAX, with the closest boundary approximately 2 miles from the LAX north property line. The prevailing winds at LAX are from the west, west-southwest, and southwest. Therefore, Culver City is rarely downwind of the airport. Regarding the range of the SPAS-related impacts beyond LAX property, Response to Comment SPAS-AR00002-46 of the SPAS Final EIR noted that the significant NO_x and PM_{2.5} impacts identified in the Draft EIR did not extend more than 100 meters to the north of LAX, well short of the Culver City limit. For additional analysis of the alternatives air quality impacts, please see Section 4.3 of the SPAS Draft EIR.

5. Commentor's Proposed Solution 1: Mitigation Impacts in Culver City – The comment letter requests that LAWA immediately mitigate the projected traffic impacts" at locations wholly or partly within Culver City, even "if the cost of mitigation must come from LAWA funds." The SPAS Draft EIR included extensive analysis of off-airport transportation impacts that could result from each of the SPAS alternatives. Of the 200 study intersections that were analyzed for three weekday peak hours, 33 of them lie wholly or partly within Culver City (16.5%). Under each alternative, including the Board-Selected Alternative, significant impacts were found at two of these 33 locations by applying the City's impact criteria: Overland Avenue and Sawtelle Avenue (Study Intersection 154) and Washington Boulevard and Walgrove Avenue (Study Intersection 156). The recommended mitigation measure at these intersections is to provide a fair-share contribution to the installation of a traffic signal (see page 2-236 of the SPAS Final EIR). While the comment suggests that these mitigation measures should be implemented "immediately," this request is beyond the requirements of CEQA. As discussed in the Mitigation Monitoring and Reporting Program ("MMRP") adopted for SPAS, all of the traffic mitigation measures will be implemented before an intersection is significantly impacted. As discussed on page 108 of the MMRP:

With regard to the timing of mitigation measures involving physical improvements at specific intersections relative to each increment of airport-related traffic growth, each significantly impacted intersection where feasible improvements are proposed was analyzed to identify the level of growth that triggers the significant impact. This was done by comparing the intersection LOS and V/C ratio under Future (2025) Without Alternative conditions and Future (2025) with LAWA Staff-Recommended Alternative (Note: The LAWA Staff-Recommended Alternative includes the ground transportation system improvements proposed under Alternative 9) conditions at each progressive increment of growth until the significant impact was triggered. Under each of the four growth increments, the Future (2025) with LAWA Staff-Recommended Alternative conditions were then determined by linear interpolation of growth in intersection V/C shown in Table 4.12.2-25 of the SPAS Final EIR. If the difference in LOS values at these growth increments exceeded the significance thresholds, the proposed improvement was identified for construction by the time total trip generation at LAX has reached the corresponding increment of growth (i.e. implementation in the prior growth increment).

Furthermore, as discussed in Response to Comment SPAS-AL00007-33 of the SPAS Final EIR, the City of Culver City has the responsibility/jurisdiction for construction of the physical improvements contemplated under the mitigation measures for SPAS Draft EIR Intersections 154 and 156.

6. Commentor's Proposed Solution 2: Coordination of SPAS Implementation with Implementation of Mitigation Activities - Implementation of mitigation measures is discussed in Responses to Comments SPAS-AL00004-26, SPAS-PC00130-395, and SPAS-PC00144-5 of the SPAS Final EIR. Furthermore, numerous mitigation measures include coordination with various agencies and members of the public. For example, see SPAS Mitigation Measure MM-BIO (SPAS)-9, MM-BIO (SPAS)-10, MM-BIO (SPAS)-12, LAX Master Plan Commitment FP-1, LAX Master Plan Commitment C-1, LAX Master Plan Commitment ST-14. The commentor does not provide any details about the suggested coordination or explain how this would reduce or avoid a significant impact; therefore, no further response is possible.

7. Commentor's Proposed Solution 3: LAWA Should Further Consider Single-Event Noise Impacts on Culver City - As indicated above, LAWA provided a very comprehensive aircraft noise analysis in the SPAS EIR, including single-event noise impacts, and found no significant impacts on Culver City.

8. Commentor's Proposed Solution 4: LAWA Should Extend and Enhance the Stipulated Settlement because the LAX Air Quality and Source Apportionment Study Has Not Yet Been "Fully Implemented" and to Provide Funding in Support of Traffic Mitigation Specified by Culver City – The comprehensive LAX Air Quality and Source Apportionment Study (AQSAS) has been underway for several years and is in the final stages of completion, with the draft report scheduled to be released in early June 2013. Completion of the subject study will, therefore, occur well before the terms of the existing Stipulated Settlement expire in 2020. Completion of the AQSAS will not affect, nor is it affected by, completion of the SPAS process. The purpose of the AQSAS is to assess and "apportion," to the extent possible, the present sources of certain air pollutants from multiple sources in the vicinity of LAX, while a purpose of the SPAS EIR is to evaluate the air quality impacts of various potential configurations of the airport in the future. Consequently, the availability of data developed through the AQSAS does not affect the adequacy of the air quality analysis contained in the SPAS EIR.

The comment also suggests "extending the Stipulated Settlement provisions that have not yet been fully implemented... (2) funding for traffic mitigation as necessary, including but not limited to, the intersections specified by Culver City for study in the SPAS, in accordance with Stipulated Settlement, § V.G." It is not clear what provisions of Section V.G of the Stipulated Settlement Agreement Culver City believes have not already been implemented. LAWA consulted with Petitioners, as described in Responses to Comments SPAS-AL00008-10 and SPAS-AL00008-32 of the SPAS Final EIR, and incorporated feasible mitigation measures for SPAS in the adopted MMRP (see discussion above under "Commentor's Proposed Solution 1"). Input from Culver City on the geographic scope of the traffic impact analysis was solicited during the preparation of the SPAS Draft EIR via letters dated April 6, 2006 and April 8, 2008, which also contained a list of intersections that LAWA planned to analyze. As discussed under State

CEQA Guidelines § 15082(b), one of the purposes of commenting upon the Notice of Preparation is to "provide the lead agency with specific detail about the scope and content of the environmental information..." Culver City submitted comments on the 2008 and 2010 NOPs which addressed the transportation analysis. (Appendix A of the SPAS Draft EIR). Please also see Response to Comment SPAS-AL00004-5 of the SPAS Final EIR regarding extension of the Stipulated Settlement Agreement.

9. Solution 5: Regionalization of Air Traffic - The issues raised in this comment were addressed in Topical Response TR-SPAS-REG-1 of the SPAS Final EIR. As indicated in the response, LAWA, through the LAX Master Plan, the SPAS process, and multiple other efforts, supports the regionalization of air travel demand in Southern California. As also described therein, the LAX Specific Plan amendment proposed as part of SPAS relating to a required Domestic Passenger Market Survey/Study further supports such regionalization.

Attachment B-3

**Responses to February 13, 2013 Comment Letter from
ARSAC to City Planning Commission**

ATTACHMENT B-3

Summary of Issues Presented in February 13, 2013 Letter from the Alliance for Regional Solution to Airport Congestion (ARSAC) to City Planning Commission and Responses by LAWA

LAWA has carefully reviewed the issues presented in the February 13, 2013 letter from ARSAC to the City Planning Commission (letter included as Attachment A-3). This letter does not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The letter primarily reiterates, either verbatim or in essence, many of the same comments received during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. ARSAC's comments are summarized in bold lettering below.

- 1. Items 1 through 5 on page 1 summarize the five issues addressed in more detail on the following pages of this letter. Please see below for responses.**
- 2. ARSAC Support for Alternatives 2 and 9** – The issues raised pertaining to the combination of Alternatives 2 and 9 were addressed in Response to Comment SPAS-PC00089-1 of the SPAS Final EIR, which noted that the combination of Alternatives 2 and 9 is not the environmentally superior alternative, as clarified and amplified on pages 4 and 5 of the February 5, 2013 Memorandum from Diego Alvarez to the Board of Airport Commissioners (BOAC).
- 3. Suggested Changes to LAX Plan and LAX Specific Plan** – Please see Attachment B-1 of this package which contains responses to ARSAC's letter dated January 8, 2013.
- 4. Alleged "Conformity Conflicts with Alternative 1 and LAX Noise Variance, LAX Plan, and LAX Specific Plan"** – Regarding comments pertaining to the conformity of Alternative 1 with the LAX Plan and LAX Specific Plan, in a Recommendation Report (also referred to as the Staff Report) from the Department of City Planning to the City Planning Commission dated February 14, 2013, the Department of City Planning found that the proposed LAX Specific Plan and General Plan Amendments, including the amendments to the LAX Plan, are in substantial compliance with the purposes, intent, and provisions of the General Plan and are consistent with the objectives, policies and programs of the applicable General Plan Elements (Staff Report page F-2). The Staff Report further concludes that the proposed General Plan Amendments, including the LAX Plan amendments and the LAX Specific Plan amendments, are justified in terms of public necessity, convenience, general welfare, and good zoning practice. At its meeting on February 14, 2013, the Los Angeles City Planning Commission approved the Staff Report as the Commission Report and approved the proposed amendments to the related planning documents. The Commission made recommendations to the Mayor for approval of the proposed plan amendments and recommendations to the City Council including adoption of the proposed amendments.

The issues raised in this comment pertaining to aircraft noise, vibration, pollution and aircraft safety were addressed in Responses to Comments SPAS-PC00130-742, SPAS-PC00038-3, SPAS-PC00149-2, SPAS-AR00002-2, and SPAS-AR00002-46 of the SPAS Final EIR. The issues raised in this comment pertaining to environmental justice were addressed in Responses to Comments SPAS-AL00008-15 and SPAS-AL00008-47 of the SPAS Final EIR.

The comment letter includes, as an attachment, the noise "footprints" of several types of aircraft to support the statement made on page 2 of the letter that "New aircraft are not as quiet as one might believe." The attached information and comparisons of *individual* aircraft dBA noise footprints have no bearing on the aircraft noise analysis and conclusions presented in the SPAS EIR. The SPAS aircraft noise analysis was completed using the FAA-approved Integrated Noise Model (INM), and used the CNEL noise metric (which is based upon a 24 hour time period). (page 4-781 of the SPAS Draft EIR.) The INM modeling completed for the SPAS EIR incorporates the design day fleet mix assumed for the various SPAS alternatives, which specifies each aircraft type (including the Boeing 747, 777, 787, 738, and Airbus A380) landing or departing on specific runways throughout the day for baseline (2009) conditions and future (2025) conditions. The differences in noise footprints between aircraft that are illustrated in the attachment, such as the footprint of one aircraft being shorter but wider than that of another, are automatically accounted for in the INM calculations. The noise contours presented in the SPAS EIR represent composites of *all* the individual noise footprints of the various aircraft types operating throughout the day, including those cited by ARSAC. As such, the commentor's statement that "New aircraft are not as quiet as one might be led to believe" is immaterial to the SPAS aircraft noise analysis and EIR conclusions because the differences in noise characteristics of the different aircraft are already accounted for.

Issues related to the LAX Noise Variance were addressed in Response to Comment SPAS-PC00130-282.

5. Alleged "CEQA Compliance Issues" – Please see Attachments C-3 and C-4 of the LAWA Staff Report, dated April 5, 2013, prepared in response to the ARSAC CEQA Appeal (hereafter referred to as the "LAWA Response to ARSAC CEQA Appeal").

6. Alleged "Highly Risky Construction Issues: No Response from Caltrans" – Please see Item I-3 in Attachment C-3 of the LAWA Response to ARSAC CEQA Appeal dated April 5, 2013.

a. "Re-alignment of Lincoln Boulevard, California Highway 1" – The White Paper enclosed was previously submitted by ARSAC as part of their comments on the SPAS Draft EIR. Please see Response to Comment SPAS-PC00130-637 and Topical Response TR-SPAS-LR-1 of the SPAS Final EIR regarding the Lincoln Boulevard realignment issues raised in the White Paper.

b. "Interference of Sewers under Lincoln Boulevard" – The letter enclosed from the Bureau of Sanitation dated September 14, 2012 was previously submitted by ARSAC as part of their comments on the SPAS Draft EIR. Please see Response to Comment SPAS-PC00130-637 and Topical Response TR-SPAS-LR-1 of the SPAS Final EIR regarding the Lincoln Boulevard realignment and sewer lines.

c. "Disturbance of Other Utilities and Oil Pipelines" – Similar issues were addressed in Topical Response TR-SPAS-LR-1 of the SPAS Final EIR regarding impacts associated with the realignment of Lincoln Boulevard, including impacts to sewers, oil pipelines, and Sepulveda Boulevard.

d. "Cost of filling in the North Airfield Abandoned Tunnel Segment" – Similar issues were addressed in Response to Comment SPAS-PC00130-1012 regarding the abandoned tunnel segment that lies beneath Runway 6L/24R.

e. **"Proposed Relocation of Runway 24R onto Wetlands"** – Impacts to wetlands from relocation of Runway 6L/24R are addressed in Section 2.3.3 of the SPAS Final EIR (pages 2-59 and 2-60), with a mitigation measure identified in Section 2.3.3.2 that would fully mitigate this impact.

f. **"Conversion of Argo Ditch into a Concrete Box Culvert with a New Runway on Top with a Water Permeable Surface"** - The statement that the Board-Selected Alternative would result in the construction of a two-mile runway on top of a new concrete box culvert enclosing the channel is incorrect. The SPAS Final EIR (page 2-7) states that, under this alternative, the entire length of the Argo Drainage Channel would be covered by converting the channel to a concrete box culvert such that the weight of an aircraft could be supported. This is required because the channel would be located within the Runway Safety Area (RSA) of Runway 6L/24R under this alternative. However, with the exception of a very small portion, the new runway would be located substantially south of the channel, not on top of the new box culvert. Towards the easterly end of the channel, the channel turns southward; a small amount of the easternmost portion of the relocated runway would be located on top of the channel in this area. Figure 4.3-6 of the SPAS Final EIR shows the relationship between the relocated runway and the Argo Drainage Channel (which is not identified by name, but is visible based on the habitat types within the channel, i.e., Ruderal [Argo Drainage Channel], California Bulrush Marsh, and Sandbar Willow Thicket).

The concrete box culvert would be located entirely below ground and would be covered with a flat surface capable of supporting the weight of an aircraft (similar to a culvert used for a drainage or river that flows beneath the surface of a road). Once enclosed in a concrete box culvert, there would be no possibility that someone could "fall into" the culvert or the channel.

It should be noted that the SPAS EIR project description was developed at a programmatic level, and is subject to future design, engineering, and project-level environmental analysis that will provide additional details regarding the design of the box culvert in relation to the new runway.

Regarding the statement that the Argo Drainage Channel would be covered with a water permeable surface, this issue was addressed in Response to Comment SPAS-PC000128-2 of the SPAS Final EIR, which states that the Draft EIR does not make such a recommendation. Please also see Response to Comment SPAS-PC00130-350 of the SPAS Final EIR.

7. **"LAX Air Quality and Source Apportionment Study"** – The comment requests that the City Planning Commission wait to make a decision on the LAX SPAS EIR until after the LAX Air Quality and Source Apportionment Study (AQSAS) has been released and properly analyzed, suggesting that data from that Study may affect the SPAS EIR and may change the characteristics of the various LAX SPAS EIR alternatives. This is incorrect. Completion and release of the LAX AQSAS is not necessary or appropriate for the SPAS EIR and the conclusions of that study would not influence the characteristics or impacts of the SPAS alternatives addressed in the EIR.

The existing analysis of SPAS-related air quality impacts presented in Section 4.2 of the SPAS Draft and further discussed in the SPAS Final EIR meets all requirements of CEQA and is consistent with guidelines set forth by the South Coast Air Quality Management District (SCAQMD) relative to the completion of air quality analyses for CEQA documents. The SPAS

EIR air quality analysis addresses criteria pollutants for which there are established thresholds of significance and utilizes accepted methodologies for quantifying emissions and concentrations of those pollutants, as intended and designed for the purposes of a CEQA analysis. The SPAS EIR analysis provides the data suitable for characterizing existing conditions related to the key pollutants, and utilizes methodologies and models to appropriately estimate SPAS-related air pollutant emissions and concentrations. It then measures the differences between existing conditions and future with-project conditions against established thresholds of significance specific to each pollutant. In this way, it provides a sound basis for assessing project-related impacts, determining the significance of those impacts, and identifying mitigation measures for significant impacts, consistent with the requirements of CEQA and supported by substantial evidence.

The LAX AQSAS provides air quality data and analysis that were intended, designed, and developed for a very specific purpose very different from that of an EIR analysis. The LAX Air Quality and Source Apportionment Study, by title and intent, is designed to examine the existing ambient air quality around the airport and attempt to discern and "apportion" the major pollutant sources that contribute to that air quality. The characterization of local air quality in the AQSAS looked at particular meteorological conditions, wind patterns, seasons of the year, days of the week, and times of the day at specific locations, in the interest of discerning airport-related pollutant sources from non-airport sources. Preliminary results of the AQSAS indicate that the airport's relative contribution to pollutant levels varies substantially at the different locations based on such factors (i.e., varies by meteorological condition, wind direction, season of year, day of week, etc.) and varies by pollutant type (i.e., various pollutants behave/disperse differently). The AQSAS data and analyses do not provide or support an appropriate existing conditions baseline of ambient air quality for the airport setting, against which to measure the potential impacts associated with each SPAS alternative.

The SPAS EIR air quality analysis included evaluation of existing conditions based on several years of continuous ambient air quality monitoring conducted by SCAQMD using a station located on LAX property, consistent with SCAQMD CEQA policy. Such monitoring data is suitable and appropriate for characterizing the existing ambient air quality at and around the airport to serve as the baseline from which to measure the impacts of proposed changes at the airport, such as those associated with each SPAS alternative. This is especially true in evaluating impacts related to certain pollutants that are subject to National Ambient Air Quality Standards (NAAQS), such as nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and particulate matter of a diameter 2.5 microns or smaller (PM_{2.5}), which three-year averages of measurement data. Additionally, the air quality analysis in the LAX SPAS EIR was completed to address the potential future impact of the SPAS project, as compared to the existing conditions, as required under CEQA. Since SPAS has not yet been implemented, measurement programs, such as those completed for the LAX AQSAS, cannot provide the information necessary to estimate future impacts. Similarly, the air quality modeling completed for the LAX AQSAS was designed to help apportion major pollutant sources that contribute to local the air quality, but was not intended to, and is not able to, account for potential changes in pollutant emissions associated with specific components of the SPAS alternatives such as how the different airfield configurations would affect aircraft emissions. The CEQA analysis requires the use of air

dispersion modeling to predict a potential future condition based on implementation of the elements specific to a proposed project, as was conducted and presented in the LAX SPAS EIR. Dispersion modeling was used to determine the impact of criteria pollutants relative to the National and California ambient air quality standards, as well as to determine the impact of toxic air contaminants relative to health risk thresholds. This type of analysis is not provided by the modeling completed for the LAX AQSAS. In that regard, the information provided through the LAX AQSAS is not specific to, or transferable to, the elements of the SPAS alternatives; hence, the AQSAS will not change the characteristics of the SPAS alternatives or the analysis of impacts related to those alternatives.

Attachment B-4

Responses to March 8, 2013 Comment Letter from
Buchalter Nemer on behalf of City of Inglewood, City of
Culver City, City of Ontario, and County of San Bernardino
to Diego Alvarez, Los Angeles World Airports

ATTACHMENT B-4

Summary of Issues Presented in March 8, 2013 Letter from Buchalter Nemer and Responses by LAWA

LAWA has carefully reviewed the issues presented in the March 8, 2013 letter from Buchalter Nemer (letter included as Attachment A-4). This letter does not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The letter primarily reiterates, either verbatim or in essence, many of the same comments received during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. Buchalter Nemer's comments are summarized in bold lettering below.

1. Introductory Statement Regarding Noise Impacts to Inglewood and Culver City -

The comment indicates that "In Inglewood alone, almost 12,000 citizens, 4,600 housing units, 400 acres of land, 15 schools and 21 churches will be newly and significantly impacted by the expanded 65 CNEL noise contour, and/or a 1.5 dB increase in noise within the existing 65 dB CNEL noise contour. FEIR, Tables 2.3.9-2, p. 2-147; 2.3.9-3, p. 2-148."

That representation of aircraft noise impacts in Inglewood is factually incorrect and misleading. The impact statistics presented by the commentator are from Tables 4.9-6 and 4.9-7 of the SPAS Draft EIR (also Tables SRA-2.3.9-2 and SRA-2.3.9-3 of the SPAS Final EIR). As indicated in the Draft EIR text that accompanies those tables, on pages 4-703 and 4-704, those impacts represent the difference in aircraft noise exposure in the year 2025 with implementation of Alternative 1 (i.e., relocation of Runway 6L/24R 260 feet north) compared to baseline conditions in 2009. As described on page 4-689 of the SPAS Draft EIR, which is the introduction to the relevant impacts analysis, the vast majority of the change in future conditions compared to baseline conditions is attributable to growth in aviation activity anticipated to occur at LAX in 2025 under all alternatives. When one compares the future (2025) aircraft noise exposure impacts in Inglewood that would result from relocation of Runway 6L/24R 260 feet north to the future (2025) aircraft noise exposure impacts in Inglewood that would otherwise occur if there were no runway relocation/improvements, it is evident that implementation of the Board-Selected Alternative (i.e., relocation of Runway 6L/24R 260 feet north) would actually reduce aircraft noise impacts in Inglewood compared to not implementing the subject alternative (i.e., leave north airfield in its current condition provided under Alternative 4). Tables 4.9-15 and 4.9-16 of the SPAS Draft EIR provide the noise impacts statistics associated with Alternative 4 for future (2025) conditions compared to baseline (2009) conditions. The following table provides a comparison of the aircraft noise impacts in Inglewood for future (2025) conditions with and without the Board-Selected Alternative.

Aircraft Noise Impacts in Inglewood (Newly Exposed to 65 CNEL and/or 1.5 dB Increase in Existing 65 CNEL) for Future (2025) Conditions Compared to Baseline (2009) Conditions		
Affected Use	Board-Selected Alternative (Relocate Rwy 6L/24R 260' North)¹	Alternative 4 (No Runway Relocation/Improvement)²
Population	11,960	13,352
Dwelling Units	4,627	4,957
Acres	409	416
Schools	15	15
Churches	21	26
Notes: 1. Source: Tables 4.9-6 and 4.9-7 of the SPAS Draft EIR		
2. Source: Tables 4.9-15 and 4.9-16 of the SPAS Draft EIR		

Based on substantial evidence provided in the SPAS EIR, it is concluded that aircraft noise impacts for future (2025) conditions in Inglewood would be reduced with implementation of the Board-Selected Alternative compared to not implementing that alternative. (See also Table 4.10.1-55 of the SPAS Draft EIR.) Consequently, it is factually incorrect when the commentor alleges that the impacts are "resulting from implementation of the Project."

Regarding the comments pertaining to aircraft overflights of Culver City, please see responses to the Culver City letter dated February 13, 2013 (Attachment B-2). Other issues mentioned in the last paragraph of the introduction are addressed below.

2. I. Allegation that "The Commitment Provided in the FEIR is Inadequate to Mitigate the Project's Extreme Noise Impacts" - The commentor's introductory statement regarding "The extreme scope and significance of the Project's noise impacts on surrounding communities..." does not accurately reflect the facts and conclusions of the SPAS EIR aircraft noise analysis, which is supported by substantial evidence. As indicated in Sections 4.9, Land Use, and 4.10.1, Aircraft Noise, of the SPAS Draft EIR, implementation of the Board-Selected Alternative, which proposes the relocation of Runway 6L/24R 260 feet north (i.e., the airfield configuration of Alternative 1 of the SPAS Draft EIR) would, in general, have some of the least aircraft noise impacts compared to the other SPAS alternatives, second only to Alternative 5 (i.e., relocation of Runway 6L/24R 350 feet north), and would have substantially lower noise impacts on noise-sensitive uses than would otherwise occur if there were no improvements to the north airfield (i.e., Alternative 4). This is due to the fact that the northward relocation of Runway 6L/24R would shift the associated runway noise contours to areas that are less densely developed.

The commentor objects to the EIR's factual and appropriate disclosure that significant and unavoidable interim noise impacts would be experienced over an indeterminate period of time, pending the completion of soundproofing of the significantly impacted uses. The commentor also suggests that "...the Project's noise impacts on surrounding communities could theoretically be mitigated by a massive commitment to an Airport Noise Mitigation Program..."

As indicated in Section 4.9.3.3 of the SPAS Draft EIR, the LAX Aircraft Noise Mitigation Program (ANMP) provides residential soundproofing services to residents within the City of Los Angeles that are significantly impacted by LAX aircraft noise (i.e., within an area exposed to aircraft noise levels of 65 CNEL or greater) and, if eligible for soundproofing, voluntarily choose to have their homes soundproofed. As a voluntary program, LAWA cannot state definitively when exactly all the soundproofing will be completed in those areas. For areas outside of the City of Los Angeles, participants in the ANMP include communities within unincorporated Los Angeles County, City of Inglewood, and City of El Segundo. Currently, each participating jurisdiction is responsible for implementing its own ANMP to mitigate noise impacts or eliminate incompatible land use within the communities surrounding LAX. While LAWA has the ANMP in place and there are mechanisms in place for LAWA to provide soundproofing funds to those other jurisdictions, it is up to each of those jurisdictions to implement their respective soundproofing programs. As discussed in Section 4.9.3.3 of the SPAS Draft EIR, "LAX shall use its best efforts to complete the acoustical treatment portion of the total ANMP for all affected jurisdictions within nine years from the effective date of this decision [2011 Noise Variance], although local programs may progress more or less quickly based on the capabilities of those affected jurisdictions." Implementation of the ANMP program by other jurisdictions is an inherent element accepted by petitioners in the Stipulated Settlement, where petitioners agreed to accept funding for the ANMP, as provided in Exhibit A to the Stipulated Settlement. Since it is a voluntary program, residents may choose whether or not to participate. As such, LAWA cannot state definitively when exactly the soundproofing will be completed in noise-impacted areas. As a participant in the LAX ANMP, the City of Inglewood, indicated in the introduction of the comment letter as being represented in the comments, should be well aware of that type of uncertainty in the implementation of soundproofing. Given all of the practical limitations above, noise impacts cannot be further reduced "by a massive commitment to an Airport Noise Mitigation Program," as suggested by the commentor. (See also Response to Comment SPAS-AL00004-26 of the SPAS Final EIR.) Furthermore, as discussed in Response to Comment SPAS-PC00034-18 of the SPAS Final EIR, over \$1 billion has been spent so far on soundproofing and acquisition of homes (over \$100 million of which has been spent in the City of Inglewood alone).

The commentor's suggestion that the 45 CNEL interior noise level is not a performance standard for mitigation of aircraft noise impacts has no basis in fact. The issue at hand in *Gray v. County of Madera*, 167 Cal.App.4th 1099, 1119 (2008) was that the County of Madera committed itself to a specific mitigation goal – the replacement of water lost by neighboring landowners because of mine operations – which in its general form did not specify exactly how this goal would be achieved and place land owners in a substantially similar situation prior to operation of the mine. The SPAS mitigation measure performance standard of 45 dB CNEL is, on the other hand, very specific as to what level is to be achieved in order to remedy the significant aircraft noise impact and the ability to achieve that standard is provided through the existing ANMP and soundproofing program that has successfully soundproofed over 7,300 dwelling. As also discussed in Response to Comment SPAS-AL00007-30 of the SPAS Final EIR, post construction noise tests are conducted to verify the efficacy of sound insulation. To date, all post-testing has confirmed that interior noise levels meet this requirement.

The commentor suggests the SPAS Final EIR fails to specify details about how the ANMP program will be implemented. The commentor also incorrectly quotes the FAA's Program Guidance Letter 12-09 ("PGL") as stating:

"the impacted structure must be below 'an average of 45 dB interior noise across all habitable rooms, [emphasis added]."

The FAA's PGL actually states that:

"Later revisions of the Handbook lowered the design objective to 45 db *in all habitable rooms*. The current Handbook continues to require that a residential noise insulation project be in the existing or forecast DNL 65 dB contour and be designed to achieve target interior noise levels of 45 dB *in habitable rooms* to be eligible for AIP funding.² Accordingly, residences and schools that already have interior noise levels of less than 45 dB are not generally eligible for AIP funding, with some equitable exceptions." (PGL at pages 1-2; Emphasis added.)

The commentor's clients should be readily aware of the regulatory scheme associated with the ANMP program and its implementation, as the City of Inglewood and Los Angeles County implement the ANMP program within their own jurisdictions. Furthermore, the FAA has provided a detailed 318-page Airport Improvement Handbook (FAA Order 5100.38C, see page 141)¹ as well as the referenced program guidance, which clarifies how to implement the ANMP.²

Furthermore, LAWA has provided every participating agency in the ANMP program a copy of the "Design Guide for Residential Sound Insulation Projects in the Vicinity of the LADOA Airports," dated September 1991. This Guide is referenced in the Letter Agreements that the jurisdiction's sign in order to receive funding for the ANMP program from LAWA. Section 5 of this document provides an in depth discussion for "TESTING AND SOUND MEASUREMENTS," which addresses how to measure the effectiveness of sound insulation, including placement of microphones.

Please also see Response to Comment SPAS-AL00007-30 of the SPAS Final EIR.

3. II. Allegation that "The FEIR Fails to Remedy the Inadequacies in the DEIR's Air Quality Analysis"

A. Allegation that "The FEIR Still Fails to Account for the Impacts of Reverse Thrust Emissions" – The comment that reverse thrust was not accounted for in the SPAS EIR air quality impact analysis is false. EDMS, since version 5.0 issued in 2007, has included reverse thrust in the arrival (i.e., approach + taxi-in) emission calculations. One of the major fallacies in the commentor's argument is the assumption that reverse thrust must equal full (takeoff) thrust. The thrust necessary to move a 250,000 pound aircraft forward fast enough to

¹ The Airport Improvement Handbook is available online at:
http://www.faa.gov/airports/resources/publications/orders/media/aip_5100_38c.pdf
The associated Appendices are also available online at:
http://www.faa.gov/airports/resources/publications/orders/media/aip_5100_38c_appendices.pdf

² FAA's Program Guidance Letter 12-09 available at:
http://www.faa.gov/airports/aip/guidance_letters/media/pgl_12_09_NoiseInsulation.pdf

lift it off the ground, overcoming gravity and rolling friction, is substantially greater than the thrust necessary to stop it once it has touched down on the runway where gravity and friction help slow it down. The amount of reverse thrust needed to slow the aircraft down to the taxi speed depends on the aircraft design and amount of wheel braking the pilot chooses to use. EDMS does account for reverse thrust based on standard flight profiles from Boeing and Airbus for each aircraft type.

This is confirmed in correspondence from FAA's consultants on the EDMS model.

"The Aircraft Performance Module (APM) of EDMS includes reverse thrust segments when modeling approaches. EDMS includes [reverse thrust] as part of the "taxi in" emissions, but it's clear that shortly after touchdown users can see a period of increased fuel flow corresponding to the application of reverse thrust. ...If there was no reverse thrust, we would see only the low fuel flow of idle mode. Instead, we see fuel flows 40 to 60 percent of full power for periods of 10 or more seconds." (Electronic mail from Cliff Hall, CSSI, Inc. to John Pehrson, CDM Smith, April 9, 2013; CSSI, Inc. is FAA's consultant for the EDMS model).

Correspondence from Mr. Cliff Hall of CSSI, Inc. provides further clarification:

"The use of reverse thrust is dictated by whether or not it is called for in the flight procedure used. In the Standard Aircraft Noise and Performance (ANP) arrival flight profiles used by... EDMS, every aircraft type that is capable of using reverse thrust does so. The rule is that narrow body jets use 40 percent of their static thrust for reverse thrust, and wide bodies use 10 percent. Fuel flow for reverse thrust segments is calculated the same way as it is for every other segment in EDMS using [Base of Aircraft Data] BADA thrust specific fuel consumption." (Electronic mail from Eric Dinges, ATAC Corporation to Cliff Hall, CSSI, Inc., April 10, 2013).

The commentor has attempted to develop charts and graphs of NOx emission rates to explain why reverse thrust is not being modeled in EDMS. However, the emission rates on the charts do not seem to have any real correlation with EDMS v.5.1.3. Starting with the ICAO Engine Emissions Databank (available at: <http://easa.europa.eu/environment/edb/aircraft-engine-emissions.php>), and selecting a couple of engines (Pratt & Whitney PW4084D and Rolls Royce RB211-524H) used on the 747-400, the emission rate for a 747-400 during takeoff should be in the range of 0.5 to 0.8 kilograms/second (kg/s), not the 218.69 kg/s shown in Figure 1a. Takeoff emissions for a 737-800 will be substantially less, since it has two smaller engines compared to the four engines on the 747-400. The emission indices (grams of pollutant per kilogram of fuel burned) in the ICAO Engine Emissions Databank form the basis of estimating aircraft emissions in EDMS. As noted by the FAA consultants above, if reverse thrust were not being used, the landing portion of the arrival would have the same emission rate as the taxi/idle mode. However, both the FAA consultants and the commentor, through Figures 1a and 1b have indicated that the landing roll emission rates are higher than the taxi/idle emission rates.

The commentor also claims that "From the examples set forth above, it can be definitively stated that, if EDMS is modeling reverse thrust, the associated emissions are far lower than would be expected under FAA's guidelines for such modeling." However, the FAA guidance was last updated in 2004 (*Air Quality Procedures for Civilian Airports & Air Force Bases – Addendum*,

FAA-AEE-04-03, September 2004) three years before reverse thrust was included directly in the EDMS model. Note that this latest guidance states, in Appendix D2.1:

"For additional information and guidance on conducting aircraft emissions inventory, see the following publication:

- Emissions & Dispersion Modeling System (EDMS) Reference Manual, prepared for the FAA, prepared by CSSI Inc. May 2001 (or the latest version)." *(emphasis added).*

It was the latest version of the EDMS manual, published in November 2010, that states reverse thrust is calculated in EDMS. As noted previously in this response, aircraft do not use full thrust when operating the reverse thrusters, thus attempting to compare reverse thrust with full thrust is not appropriate. Since all of the large commercial aircraft in EDMS v.5.1.3 have landing fuel flow rates that are higher than the taxi/idle fuel flow rates for 15 to 20 seconds, it is clear that EDMS v.5.1.3 accounts for reverse thrust using appropriate flight profiles. The claims that EDMS v.5.1.3 does not account for reverse thrust or does not properly calculate reverse thrust are incorrect.

The commentor also quotes the original guidance indicating that EPA considers reverse thrust a sixth operating mode and should be included when applicable. Again, as noted above, reverse thrust was used in the EDMS v.5.1.3 modeling of the alternatives in the SPAS EIR. The understanding of reverse thrust system design and use as well as the design and implementation of EDMS have improved such that the gross assumption of reverse thrust emissions equaling takeoff thrust emissions has been discarded for a more accurate treatment of reverse thrust in EDMS.

In addition to inclusion of reverse thrust in the emission inventories developed for the SPAS EIR, the analysis also assumed that every departing aircraft was filled to its maximum takeoff weight and every arriving aircraft landed to its maximum landing weight. These assumptions increase the fuel flow and emissions for both arrivals and departures above what would actually occur, since not 100 percent of all flights would be 100 percent full (including the cargo space). Therefore, the SPAS EIR emission calculations are correct, and, as demonstrated above, likely overestimate actual operating emissions.

B. Allegation that "The Continuing Absence of Aircraft Engine Assignments from the FEIR Renders Its Air Quality Analysis, Like That in the DEIR, Incomplete"

1. Allegation that "Reference to aircraft type, without reference to the specific engine used on the aircraft, is an insufficient basis for calculating aircraft operating emissions"– The SPAS EIR air quality impact analysis was conducted using EDMS v.5.1.3, selecting default engines for those aircraft with such engines identified. Detailed information is provided by the FAA regarding EDMS v5.1.3 default engine selection in the EDMS user manual (discussed below). Where default engines were not included for a study aircraft, professional judgment was used to select a reasonable engine with sufficient power to lift the aircraft and which had higher NOx emissions, to ensure a conservative analysis. Note that EDMS v.5.1.3 does not allow selection of an engine that is not sufficiently powerful to lift the aircraft. The pertinent findings from the air quality impact analysis have been

incorporated into the SPAS EIR. Not including detailed listings of engine assignments does not render the air quality impact analysis or the EIR incomplete and the commentor provides no substantial evidence to the contrary. As discussed above, the SPAS Draft EIR air quality analysis is considered conservative given that it assumed all flights would be 100% full, including cargo space.

Furthermore, as indicated in Response to Comment SPAS-AR00002-46 in the SPAS Final EIR, input and output files associated with the EDMS modeling, which included the engine assumptions, "...are available, upon request, in electronic format and are also available for public review in hard copy form at LAWA's Capital Programming and Planning Division, Room 208, One World Way, Los Angeles, California. Technical working files that delineate raw EDMS input/output data would be approximately 60,000 to 80,000 pages long if printed. Because of the sheer volume and the lack of added value they provide, the technical working files were not included within the SPAS Draft EIR air quality technical appendix... The detailed input/output EDMS data were available upon request to LAWA (SPAS Contact Person: Diego Alvarez as indicated on SPAS public notices and SPAS website) during the 75-day public review period of the SPAS Draft EIR." These data identify the ICAO engine index number for each aircraft. A list of engines assumed for each aircraft in the SPAS EDMS modeling is provided at the end of this response.

2. Allegation that "the EIR's analysis cannot meet CEQA's basic purpose of providing 'sufficient information... to allow meaningful evaluation, analysis, and comparison with the proposed project'" – The pertinent results from the air quality impact analysis were provided in the SPAS EIR. These results allowed comparison of air quality impacts between the SPAS alternatives, and between each alternative and the existing conditions. The operational emission comparisons are found in Tables 4.2-13 and 4.2-14 of the SPAS Draft EIR, with additional information included in Appendix C, Attachment 2.

3. Allegations that "the EIR does not specifically designate the engines used where no default engine assignment is made" and "even where default engine selection is specified, neither the DEIR nor FEIR provides sufficient information to allow the public to ascertain if the assignments used remain appropriate..." – As noted in the EDMS v.5.1.3 User's Manual, page 2-6:³ "Default engines (displayed in bold) represent an actual engine type which is the most common or the most widely used engine type for that particular aircraft type in the United States, Europe or worldwide fleet based on recent data extracted from the BACK aviation database. More information on the data used to determine the default engines is available from www.backaviation.com." As discussed above, this information was also incorporated into the SPAS EDMS input files which were made

³ The EDMS User Manual for version 5.1.3 is available on the FAA's website at: http://www.faa.gov/about/office_org/headquarters_offices/apl/research/models/edms_model/media/EDMS%205.1.3%20User%20Manual.pdf

available. The FAA maintains the data in EDMS v.5.1.3 with routine updates to add new aircraft, new engines, and update the engine assignments. Therefore, the implication that the default engine assignments would not be appropriate is not founded on substantial evidence.

While the commentor suggests that the FAA voluntarily withdrew EDMS from the United States Environmental Protection Agency ("USEPA") list for guideline models for air quality analysis..., " this statement is incorrect. As discussed in 40 CFR, Part 51, Appendix W, Section 6.2.4(c) "The latest version of the Emissions and Dispersion Modeling System (EDMS), was developed and is supported by the Federal Aviation Administration (FAA), and is appropriate for air quality assessment of primary pollutant impacts at airports or air bases. EDMS has adopted AERMOD for treating dispersion. Application of EDMS is intended for estimating the collective impact of changes in aircraft operations, point source, and mobile source emissions on pollutant concentrations..."

4. Allegation that "start up emissions... are underestimated because the model algorithm apparently does not account for the fact that start up emissions apply to more than one engine at a time" – The commentor's claim that the EDMS model is in error because it incorrectly calculates start-up THC emissions from aircraft engines is false. The commentor claims that emissions are only calculated for one engine on multiple engine aircraft. This is not correct; EDMS 5.1.3 calculates start-up emissions for all engines on an aircraft. The methodology used has been summarized in the International Civil Aviation Organization (ICAO) Document No. 9889 – *Airport Air Quality Manual – First Edition*, 2011. The equation, as presented in this document (Section 6.59, p. 3-A1-21), is as follows:

$$\text{Starting HC emissions (grams)} = \text{rated take-off thrust (kN)} / 2 + 80$$

Using a Boeing 747-400 with the Pratt & Whitney 4084D engine, the rated take-off thrust is 369.6 kN per engine, based on the ICAO Engine Emissions Databank available at: <http://easa.europa.eu/environment/edb/aircraft-engine-emissions.php> (the engine emissions databank was last updated in January 2012). Therefore, using the ICAO guidance, the THC emissions would be:

$$[(369.6 \text{ kN} / 2) + 80] \times 4 \text{ engines} = \mathbf{1,059.2 \text{ grams}} \text{ per 747-400 startup}$$

From EDMS v.5.1.3, the following information is obtained for a 747-400 with 4084D engines:

Startup fuel flow = 0.020411 kg/sec
THC Startup emission index = 864.877 g HC / kg fuel
Startup duration = 60 sec

The startup emissions calculated in EDMS v.5.1.3 are:

$(0.020411 \text{ kg/sec}) \times (864.877 \text{ g HC/kg fuel}) \times (60 \text{ sec}) = 1,059.2 \text{ grams per 747-400 startup}$

It is clear from this evidence that EDMS v.5.1.3 correctly calculates that start-up emissions for all engines on each aircraft. The statements made in the comment regarding startup emissions are incorrect.

5. Allegations relating to the relationship between various pollutant emissions – The commentor incorrectly assumes the relationship between the forms of organic hydrocarbon emissions. Both U.S. EPA and the FAA clarify the relationship between these forms in two separate documents: (1) U.S. Environmental Protection Agency, *Recommended Best Practice for Quantifying Speciated Organic Gas Emissions from Aircraft Equipped with Turbofan, Turbojet, and Turboprop Engines, Version 1.0, EPA-420-R-09-901*, May 2009; and (2) Federal Aviation Administration, *Guidance for Quantifying Speciated Organic Gas Emissions From Airport Sources, Version 1, September 2, 2009*. The conversion factors between total hydrocarbons (THC), total organic gases (TOG), non-methane hydrocarbons (NMHC), and volatile organic compounds (VOC) are the same in these two documents. An important note in each document clarifies why THC are actually less than NMHC, VOC, and TOG. These notes are as follows:

- THC – Organic compounds in exhaust, as measured by a flame ionization detector (FID) per the International Civil Aviation Organization's (ICAO's) Annex 16.19. Notably, an FID does not accurately measure all of the mass of oxygenated organic gas (OG), which influences the abundances of specific chemical compounds relative to the total in the measured exhaust. This is important because these abundances dictate the amounts of each speciated compound in the exhaust plume. (USEPA, 2009, p. 9)
- These conversion factors are needed because the EPA National Emissions Inventory (NEI) reports emissions as VOC, rather than THC, which is the mass of hydrocarbons measured by an FID. The FID does not accurately measure the mass of some compounds, such as formaldehyde and acetaldehyde (oxygenated OGs). (USEPA, 2009, p. 11)
- THC – Organic compounds in exhaust, as measured by an FID per ICAO's Annex 16.7. Notably, an FID does not accurately measure all of the mass of oxygenated OG, which influences the abundances of specific chemical compounds relative to the total in the measured exhaust. This is important because these abundances dictate the amounts of each speciated compound in the exhaust plume. (FAA, 2009, p. 7)

The conversion factors for these forms of organic emissions are presented in each as follows:

Table 4. Conversion Factors^a

THC to TOG	VOC to TOG	THC to NMOG	THC to VOC	NMOG to TOG	TOG to VOC	TOG to NMOG
1.16	1.01	1.16	1.15	1.00	0.99	1.00

^a For the purpose of reporting, application, and comparison, the units for the compounds in this table are referenced as follows: THC measured as methane equivalent (following procedures established by ICAO's Committee on Aviation Environmental Protection (CAEP)), TOG as TOG, VOC as VOC, and NMOG as NMOG (see Technical Support Document for additional information).
Source: Aircraft Engine Speciated Hydrocarbons: Speciation Profile Spreadsheet, Mlake-Lye, 2008.

Notes:

NMOG = non-methane organic gases

NMHC = NMOG for aircraft engines

Source: USEPA, 2009, p. 11.

Table 1
Conversion Factors

EDMS Source	Number	SPECIATE Profile Name	Profile Quality Rating ²	Conversion Factors			
				VOC-to-TOG ³	TOG-to-VOC ³	NMOG-to-TOG ³	TOG-to-NMOG ³
Aircraft	1099	Aircraft Landing/Takeoff (LTO) - General Aviation	3-C	1.17	0.93	1.12	0.89
	2565 ⁴	(unknown at this writing)	3-A	1.01	0.99	1.08	1.00
GSE	1201	Light-Duty Diesel Vehicles	3-C	1.00	1.00	1.18	0.85
	1126	Heavy Duty Gasoline Trucks	3-C	1.03	0.97	1.03	0.98
Boilers/Space Heaters	1178	Coal-Fired Boiler - Electric Generation	1-E	1.02	0.98	1.00	1.00
	1185	Oil-Fired Boiler - Industrial	2-D	1.22	0.82	1.00	1.00
Boilers/Space Heaters	0003	External Combustion Boiler - Natural Gas	4-B	2.27	0.44	2.78	0.36
	0001	External Combustion Boiler - Residual Oil	4-B	1.64	0.61	5.26	0.19
Distillate Fuel Oil	0002	External Combustion Boiler - Distillate Oil	4-B	1.00	1.00	1.95	0.51
	0009	Reciprocating Distillate Oil Engine	2-D	1.17	0.82	1.13	0.88
Emergency Generators	1101	Light Duty Gasoline Vehicle -45 Car Smoky	4-B	1.13	0.89	1.13	0.89
	0007	Natural Gas Turbine	3-C	3.33	0.30	N/A	N/A
Incinerators - Single and Multiple Chamber, Full Trains - JP-4, JP-5, JP-8 Propane and Toluene	1001	Internal Combustion Engine - Natural Gas	3-C	10.74	0.09	4.45	0.23
	0122	Bar Screen Waste Incinerator	2-D	5.82	0.17	5.10	0.20
Food Storage	1100	Gasoline/Marked - Summer Blend - 1994	4-B	1.00	1.00	1.01	0.99
	0397	Fixed Roof Tank - Crude Oil Refinery	3-C	1.15	0.89	1.10	0.91
Surface Coating/Painting	0100	Fixed Roof Tank - Commercial Jet Fuel (Jet A)	3-C	1.00	1.00	1.20	1.20
	1028	Surface Coating Operations - Adhesive Application	3-C	1.17	0.82	1.76	0.57
Surface Coating/Painting	1018	Surface Coating Operations - Coating Application - Enamel	4-B	1.05	0.94	2.25	0.47
	1017	Surface Coating Operations - Coating Application - Lacquer	4-B	1.00	1.00	1.18	0.85
Surface Coating/Painting	1019	Surface Coating Operations - Coating Application - Primer	4-B	1.00	1.00	1.23	0.81
	1005	Surface Coating Operations - Coating Application - Solvent-Borne Paint	4-B	1.01	0.99	1.35	0.74
Surface Coating/Painting	1016	Surface Coating Operations - Thinner Solvents - Composites	4-B	1.01	0.99	1.30	0.77
	0137	Surface Coating - Varnish Shellac	2-D	1.65	0.61	1.09	1.00
Thickening all processes - Ethylene and Propylene Glycol	1015	Surface Coating Operations - Coating Application - Water-Based Paint	4-B	1.06	0.94	8.92	0.11
	2419	Jagadeis, Special Purpose	4-B	1.12	0.89	3.64	0.27
Solvent Degreases	1185	Degreasing - Composite	4-B	1.65	0.61	1.04	0.96

¹ Compounds are referenced as follows: VOC as VOC, TOG as TOG, NMOG as NMOG.
² Source: FAA/IEPA Recommended Best Practice for Quantifying Speciated Organic Gas Emissions from Aircrafts Equipped with Turbofan, Turbojet, and Turbo-prop Engines, February 2009 (Final Review Draft)
³ With the exception of turbofan, turbojet, and turbo-prop aircraft engines, all profile quality ratings obtained from EPA's SPECIATE database. A rating of "A" or "3" equates to "highest quality rating". A rating of "E" or "1" equates to a "lowest quality rating".
⁴ To convert TOG to TOG or TOG to NMOG, the conversion factor is 1.16. To convert TOG to VOC, the conversion factor is 1.15.
⁵ EPA has assigned Profile No. 2565 to the speciation profile for aircraft equipped with turbofan, turbojet, and turbo-prop engines and APUs. The profile will be included in EPA's SPECIATE Version 5.0 (to be released by the EPA in 2009).

Source: FAA, 2009, p. 10.

Note that the FAA reference shows a value of 1.00 as the factor for converting TOG to NMOG (=NMHC) or vice versa for turbofan, turbojet, and turbo-prop engines. That is because methane is not produced by these engines, and methane in the ambient air that is ingested as combustion air to the engine is actually burned:

- VOC as defined above excludes methane. The turbine engine aircraft emissions profile presented in this Recommended Best Practice (RBP) does not include methane. When a detailed quantification of methane is made in the future, the measured levels will be used to better identify all of the emissions that occur at low power. It is worth noting, however, that consumption of methane at high powers more than compensates for production of this compound at low powers,

so the net budget of methane will indicate consumption and it will not be an important aircraft engine emission. (USEPA, 2009, p. 11)

As indicated by the above evidence, the model correctly calculates THC, NMHC, VOC, and TOG emissions.

C. Allegation that "The FEIR Similarly Omits Relevant Data Related to GSE and APU Emissions Estimation" - With regard to the statement that the data and methodology used to arrive at the results of the GSE and APU emissions estimates remains substantially underdocumented, APU assignments (most of which are hardcoded in EDMS to each airframe used), and GSE analysis will not alter the results of the EIR. The potential variation in emissions from these sources is not sufficient to substantially change the emission inventory for each alternative nor the conclusions regarding an alternative's significance. As discussed above and in Response to Comment SPAS-AR0002-46 of the SPAS Final EIR, the input and output files associated with the air quality modeling were made available to the public.

4. III. Allegation that "The Project's Surface Traffic Impacts are not Fully Evaluated or Disclosed in the EIR" – The statement that the geographic scope of the traffic analysis was determined only through a Memorandum of Understanding with the City of Los Angeles Department of Transportation (LADOT) is incorrect. To the contrary, Section V.G. of the Stipulated Settlement requires LAWA to provide petitioners with a list of the intersections/roadways that LAWA plans to analyze for SPAS, and provides for the petitioners to add a maximum of 15 intersections to the traffic study. In accordance with this provision, LAWA consulted with petitioners (including the County of Los Angeles and the cities of Culver City, El Segundo, and Inglewood) as well as LADOT in April 2006 concerning intersections to be analyzed in SPAS, and solicited their suggestions for the added intersections. This consultation also provided the proposed list of background improvements and proposed background development projects (along with project-related trip generation numbers, when known), seeking input from the agencies. LAWA provided results of traffic counts conducted within or adjacent to their jurisdictions to the petitioners, as well as to Caltrans and the City of Hawthorne, in October 2006. LAWA further consulted with the petitioners (including ARSAC) as well as LADOT in April 2008 in the form of a letter identifying 146 intersections to be addressed in SPAS and seeking input regarding the lane configurations and signal phasing for the intersections within the petitioners' jurisdictions. (It should be noted that the list of intersections was subsequently expanded to 200 intersections.) LAWA also consulted via email with the City of Culver City in May 2008 concerning the list of background improvements to be used in SPAS, as well as other issues related to the analysis. LAWA corresponded with petitioners, as well as Caltrans and the City of Hawthorne, again in October 2008 to provide these agencies with the results of updated traffic counts conducted within or adjacent to their jurisdictions for their use in future projects within their jurisdictions. Additional discussion regarding this consultation was provided in Response to Comment SPAS-AL00008-32 of the SPAS Final EIR and Attachment B-2 in this packet.

The allegation that LAWA omitted a critical part of the study area is not supported by substantial evidence. The comment letter states that neither the SPAS Draft EIR nor Final EIR include analysis of potential traffic impacts "northeast of Duquesne Avenue and [...] along the

northwestern portion of Culver City and western edge of Inglewood where these cities intersect with the City of Los Angeles and the County of Los Angeles." As discussed above, LAWA consulted with the City of Culver City on the geographic scope of the analysis. The study area extends over eight miles north from LAX, the site where the alternatives under study would occur, and includes 200 intersections as well as numerous freeway segments. Among the intersections are nine in the northwest Culver City area that lie on or near the municipal boundary (Study Intersections 110, 156, 31, 30, 127, 118, 129, 128 and 44), and 10 in the western area of Inglewood that lie on or near the municipal boundary (Study Intersections 148, 88, 26, 58, 17, 10, 13, 96, 36 and 97). The study area included three intersections along Duquesne Avenue in Culver City (Study Intersections 152, 40 and 50) and one intersection along La Cienega Boulevard farther east (Study Intersection 163), which together bound the area described in the comment letter. The fact that none of these intersections was found to be significantly impacted during any of the analyzed peak hours under any of the SPAS alternatives provides substantial evidence that the extent of the project impacts was fully explored and disclosed in the SPAS Draft EIR and Final EIR.

The allegation that "the Metro Expo Line Extension" was not included in the analysis is incorrect. It is identified as a cumulative project on page 5-22 of the SPAS Draft EIR. In addition, both Phase 1 and Phase 2 of the Exposition Light Rail Transit project were included in the transportation impact analysis and are among the programmed transportation improvements listed on page 2 of Appendix K2-1 of the SPAS Draft EIR. Furthermore, as discussed in Section 5.1 and on page 4-1207 of the SPAS Draft EIR, LAWA relied upon a combined growth projections and list of project's approach to the cumulative off-airport transportation analysis, which is considered conservative. Please also see Response to Comment SPAS-PC00130-216 of the SPAS Final EIR for a discussion cumulative traffic methodology.

The allegation that the issue of pedestrian access and safety due to increased traffic volumes is not addressed in the EIR is incorrect. Furthermore, the commentor provides no evidence that there would be any impacts associated with pedestrian access. The need to maintain pedestrian access and safety was considered when potential mitigation measures were developed, and in some cases were among the explicitly-stated factors that led to a finding of significant and unavoidable effects. Instances of this are at La Tijera Boulevard and Centinela Avenue (Study Intersection 27), discussed on page 4-1293 of the SPAS Draft EIR and in Response to Comment SPAS-AL00008-34 of the SPAS Final EIR; at Inglewood Avenue and Lennox Boulevard (Study Intersection 76), discussed on pages 4-1297 and 4-1298 of the SPAS Draft EIR and in Response to Comment SPAS-AL00008-37 of the SPAS Final EIR; at La Brea Avenue/Overhill Drive and Stocker Street (Study Intersection 86), discussed on page 4-1298 of the SPAS Draft EIR and in Response to Comment SPAS-AL00008-38 of the SPAS Final EIR; and at Western Avenue and Imperial Highway (Study Intersection 173), discussed on page 4-1306 of the SPAS Draft EIR and in Response to Comment SPAS-AL00008-42 of the SPAS Final EIR. Please also see Response to Comment SPAS-PC00062-1 of the SPAS Final EIR for further discussion of pedestrian access.

The allegation that "Response to... Comment SPAS-AL00007-33 concerning the absence of requisite mitigation of the Project's traffic impacts is at best, incomplete" is unsupported by evidence. The comment letter disagrees with LAWA's decision to apply the local thresholds of significance applicable to each analyzed intersection, stating instead that the thresholds of significance used by the lead agency (City of Los Angeles) should have been applied universally. LAWA disagrees. As discussed on page 4-1225 of the SPAS Draft EIR, where a study intersection is located on a municipal boundary, the analysis was conducted in accordance with the analysis methodology and significance thresholds used by each relevant agency. As also discussed in Response to Comment SPAS-AL00007-33 of the SPAS Final EIR, LAWA confirmed the significance thresholds applied in the SPAS Draft EIR with Culver City's Staff several times.

This is common practice in traffic impact studies where the study area spans multiple jurisdictions and acknowledges the discretion that local jurisdictions have in selecting methodologies and thresholds. The comment letter argues that while a lead agency has the discretion to select standards of significance, it "does not empower that agency to ignore the standards applicable in affected jurisdictions." In choosing to use Culver City's thresholds for assessing the significance of traffic impacts in Culver City, LAWA respected, rather than ignored, applicable local standards. Moreover, LAWA, as lead agency, has discretion to select appropriate methodology and significance thresholds for analyzing traffic impacts. (CEQA Guidelines § 15064(b); *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 493; *Sierra Club v. County of Orange* (2008) 163 Cal.App.4th 523, 544. It is also in accordance with Section V.E. of the Stipulated Settlement, which states that "[t]he Parties agree that LAWA shall have the discretion to determine an appropriate methodology to conduct the LAX Specific Plan Amendment Study." Therefore both the EIR analysis and Response to Comment SPAS-AL00007-33 are adequate.

The comment letter claims that LAWA's commitment to mitigating traffic impacts in Culver City is reluctant and inadequate, citing the proposal to contribute to the installation of traffic signals at two intersections as mitigation measures: Overland Avenue and Sawtelle Boulevard (Study Intersection 154) and Washington Boulevard and Walgrove Avenue (Study Intersection 156). LAWA's proposed mitigation measures at these intersections are adequate. The comment letter implies that LAWA seeks to minimize its monetary contribution to these improvements and states that LAWA should bear a high, but unspecified, share of the cost to design, administer, and construct traffic signals at these two intersections. The comment that "LAWA's reliance on the assumption that the bulk of the impact would have occurred as a result of ambient growth in the region is unsupported by any evidence, let alone substantial evidence" is incorrect. The cumulative impact analysis which supports the conclusions regarding the project's contribution in Response to Comment SPAS-AL00007-33 of the SPAS Final EIR is supported by substantial evidence and appropriate methodology which is described in Section 4.12.2.2 of the SPAS Draft EIR. Furthermore, the SPAS Draft EIR analysis found that the SPAS alternatives would not significantly impact these two intersections under Baseline (2010) plus Alternative Conditions but would do so under Future (2025) with Alternative Conditions. In MM-ST (SPAS)-40 and MM-ST (SPAS)-41, LAWA offers to provide a fair-share contribution for the installation of traffic

signals at these intersections, which would include the costs of design, administration, and interconnect as well as the basic construction costs. For the reasons discussed in Response to Comment SPAS-AL00007-33 of the SPAS Final EIR, however, LAWA cannot be responsible for the installation of these traffic signals and the comment letter does not affirmatively state that Culver City has accepted these proposed mitigation measures and is willing to install traffic signals at those intersections. Additional information regarding the calculation of the fair share contribution and timing of the measures is detailed in the Mitigation Monitoring and Reporting Program for SPAS.

Regarding the status of the SR90 project as possible mitigation for SPAS-related impacts, please see the response to the March 28, 2013 comment letter from Los Angeles County Department of Beaches and Harbors to LAWA, provided in Attachment B-6.

5. IV. Allegation that "The Project Definition Remains Nonspecific" – The statement that "[n]owhere in either document [i.e., the Draft EIR or Final EIR] was there an independent discussion of the potential impacts of combined Alternatives 1 and 9" is false. Almost the entirety of Chapter 2 of the SPAS Final EIR (pages 2-15 through 2-310) is devoted to a detailed description of the impacts of the LAWA Staff-Recommended Alternative (i.e., the combination of Alternatives 1 and 9, now referred to as the Board-Selected Alternative). The chapter identifies the impacts of the LAWA Staff-Recommended Alternative for each environmental discipline, as well as the cumulative impacts of the alternative for each environmental discipline. These impacts, and the mitigation measures specific to the LAWA Staff-Recommended Alternative, are summarized at the end of the chapter. As is stated on page 2-1 of the SPAS Final EIR, the LAWA Staff-Recommended Alternative includes the ground access components of Alternative 9. The impacts of eliminated the bus routes originally contemplated under Alternative 1 and replacing them with an Automated People Mover as contemplated under Alternative 9 are disclosed in Chapter 2 of the Final EIR.

LAWA has disclosed sufficient information for the differential impacts between the LAWA Staff-Recommended Alternative and any of the other SPAS alternatives to be ascertained. These differential impacts can be determined by comparing the impacts identified in Chapter 2 of the Final EIR with the impacts of the other SPAS alternatives identified in Chapter 4 of the Draft EIR. In particular, with respect to air quality impacts, differential peak daily construction emissions can be determined by viewing Table SRA-2.3.2-1 of the Final EIR against Table 4.2-10 of the Draft EIR; differential peak construction concentrations for CO, NO₂, and SO₂ can be determined by viewing Table SRA-2.3.2-2 of the Final EIR against Table 4.2-11 of the Draft EIR; and peak construction concentrations for PM₁₀ and PM_{2.5} can be determined by viewing Table SRA-2.3.2-3 of the Final EIR against Table 4.2-12 of the Draft EIR.

Based on this substantial evidence, as well as evidence provided in the Final EIR, no additional environmental analysis of the LAWA Staff-Recommended Alternative (i.e., the combination of Alternatives 1 and 9) is required to fulfill CEQA.

6. V. Allegation that "The FEIR, like the DEIR, Fails to Adequately Analyze the Impacts of the Full Range of Alternatives" – The basis and rationale for LAWA's position that SIMMOD modeling results for Alternatives 5 through 7 would likely either fall within the range of, and/or be generally comparable to, the results for Alternatives 1 through 4 are presented in

Response to Comment SPAS-AL00007-8 of the SPAS Final EIR. The commentor provides no facts or evidence to refute that statement. The commentor's statement regarding "the enormous increase in noise impacted population disclosed in the FEIR, as resulting from the Preferred Alternative [the Board-Selected Alternative]" does not accurately reflect the facts and conclusions of the SPAS EIR aircraft noise analysis, which is supported by substantial evidence. As indicated in the Final EIR, as summarized above, implementation of the Board-Selected Alternative would actually result in fewer significantly impacted noise-sensitive uses than all of the other SPAS alternatives except Alternative 5. The SPAS EIR aircraft noise analysis of Alternatives 5 and 6, which seem to be of particular interest to the commentor, did account for the proposed runway relocations under those alternatives, and found that relocating Runway 6L/24R 350 feet north would result in the fewest number of noise sensitive uses being significantly impacted by aircraft noise, as compared to all the other SPAS alternatives. This is because the resultant northward shift in the arrivals and departures on Runway 6L/24R would place the associated aircraft noise contours over less densely populated/less intensively developed land. That noise "benefit" associated with moving Runway 6L/24R northward by 100 feet, under Alternative 6, is less evident than that associated with Alternative 5. The SPAS EIR analysis provides a thorough analysis of each and every SPAS alternative, providing a comprehensive and meaningful evaluation, analysis, and comparison of all the alternatives.

7. VI. Allegation that "The FEIR Obfuscates the Project's Lack of Consistency with the Los Angeles County Airport Land Use Plan" – Pursuant to Public Utilities Code Section 21676(b) and Los Angeles County Airport Land Use Commission (ALUC) Review Procedures Section 1.5.1, the adoption or approval of general or specific plan amendments, zoning ordinances, or building regulations affecting property within an airport influence area must be referred to the ALUC for a determination of consistency with the County's Airport Land Use Plan Compatibility Plan (ALUCP) prior to approval by the local jurisdiction. The ALUC Review Procedures also acknowledge that at the time general or specific plans are reviewed, sufficient detail may not be known to enable a full airport compatibility evaluation at the same time. (ALUC Review Procedures, Section 1.5.3.) Presenting the proposed general and specific plan amendments, and other land use regulations evaluated in the SPAS for ALUC review at this time is appropriate and consistent with ALUC review procedures.

Although the Staff-Recommended Alternative contemplates the relocation of Runway 6L/24R approximately 260 feet to the north, selection of that Alternative by the City of Los Angeles is expressly "subject to future detailed planning, engineering, and project-level environmental review, such as project-level review of individual improvements under CEQA and the evaluation and approval processes of the FAA." It is anticipated that specific improvements evaluated in the SPAS will be presented for ALUC review at a later time, as appropriate, i.e., following project-level review of such improvements. This is consistent with ALUC Review Procedures, and the California Airport Land Use Planning Handbook, which specifically contemplates situations where a consistency review of land use regulations (e.g., a zoning change) may precede review of a related development project. (Handbook, p. 6-6.)

Proposed amendments relative to Runway Protection Zones are limited to Policy P8 in Section 3.1.1 of the LAX Plan, the revision of which would expand the areas subject to prohibited uses to include all FAA-designated safety areas, not just Runway Protection Zones.

As such, proposed Policy P8 would go beyond the intent of the existing ALUCP policies. Proposed Policy P8 would not create any direct conflicts between the City of Los Angeles General Plan and the ALUCP, nor would it affect any established review process. Therefore, pursuant to ALUC Review Procedures Section 3.2, this proposed amendment would be considered consistent with the ALUCP. In their review and consideration of the proposed SPAS amendments at the March 27, 2013 public hearing, the ALUC determined these amendments to be consistent with the ALUCP as well.

LAX SPAS Aircraft Engine Assignments

Aircraft	EDMS_ACCODE	ACFT_DESCR	ENGINE_COMBUSTOR
300	A300B4-2	Airbus A300B4-200 Series	CF6-50C2 Low emissions fuel nozzle
306	A300F4-6	Airbus A300F4-600 Series	PW4158 Reduced smoke
310	A310-2	Airbus A310-200 Series	CF6-80A3
318	A318-1	Airbus A318-100 Series	CFM56-5B8/P SAC
319	A319-1	Airbus A319-100 Series	CFM56-5B6/P
320	A320-2	Airbus A320-200 Series	V2527-A5
321	A321-1	Airbus A321-100 Series	V2530-A5
32S	A320-2	Airbus A320-200 Series	V2527-A5
332	A330-2	Airbus A330-200 Series	CF6-80E1A3 Standard
333	A330-3	Airbus A330-300 Series	CF6-80C2B8FA 1862M39
343	A340-3	Airbus A340-300 Series	CFM56-5C3
345	A340-5	Airbus A340-500 Series	Trent 556-61 Phase5 Tiled
346	A340-6	Airbus A340-600 Series	Trent 556-61 Phase5 Tiled
380	A380-1	Airbus A380-100 Series	GE90-90B
388	A380-8	Airbus A380-800	GE90-90B
717	B717-2	Boeing 717-200 Series	BR700-715A1-30 Improved fuel injector
722	B727-2	Boeing 727-200 Series	JT8D-15 Smoke fix
733	B737-3	Boeing 737-300 Series	CFM56-3-B1
734	B737-4	Boeing 737-400 Series	CFM56-3-B1
735	B737-5	Boeing 737-500 Series	CFM56-3C-1
737	B737-7	Boeing 737-700 Series	CFM56-7B22
738	B737-8	Boeing 737-800 Series	CFM56-7B26
739	B737-9	Boeing 737-900 Series	CFM56-7B24
73C	B737-3	Boeing 737-300 Series	CFM56-3-B1
73G	B737-7	Boeing 737-700 Series	CFM56-7B22
73H	B737-8	Boeing 737-800 Series	CFM56-7B26
73W	B737-7	Boeing 737-700 Series	CFM56-7B22
742	B747-2	Boeing 747-200 Series	CF6-50E2 Low emissions fuel nozzle
743	B747-3	Boeing 747-300 Series	RB211-524D4 Package 1
744	B747-4	Boeing 747-400 Series	PW4084D
747	B747-4F	Boeing 747-400 Freighter	PW4056
748	B747-4F	Boeing 747-400 Freighter	PW4056
74E	B747-4ER	Boeing 747-400 ER	CF6-80C2B5F 1862M39
74M	B747-4F	Boeing 747-400 Freighter	PW4056
752	B757-2	Boeing 757-200 Series	PW2040
753	B757-3	Boeing 757-300 Series	PW2040
757	B757-2	Boeing 757-200 Series	PW2040
762	B767-2	Boeing 767-200 Series	CF6-80A
763	B767-3	Boeing 767-300 Series	CF6-80A2
764	B767-4ER	Boeing 767-400 ER	CF6-80C2B8FA 1862M39
772	B777-2	Boeing 777-200 Series	PW4077
773	B777-3	Boeing 777-300 Series	GE90-115B DAC
777	B777-2	Boeing 777-200 Series	PW4077
77L	B777-2LR	Boeing 777-200-LR	GE90-115B DAC
77W	B777-2ER	Boeing 777-200-ER	GE90-115B DAC
788	B787-800*	Boeing 787-800*	CF6-80C2B7F
789	B787-900*	Boeing 787-900*	CF6-80C2B7F
ATR	ATR72-5	ATR 72-500	PW127C

Aircraft	EDMS_ACCODE	ACFT_DESCR	ENGINE_COMBUSTOR
BE9	BEECH99	Raytheon Beech 99	PT6A-36
A310	A310-2	Airbus A310-200 Series	CF6-80A3
B19	BEECH1900-D	Raytheon Beech 1900-D	PT6A-67D
BE1	BEECH18	Raytheon Beech 18	TPE331-1
BE2	BEECH18	Raytheon Beech 18	TPE331-1
BE24	BEECH18	Raytheon Beech 18	TPE331-1
BE3	BEECH36	Raytheon Beech Bonanza 36	TIO-540-J2B2
BE40	BEECH400	Raytheon Beechjet 400	JT15D-5, -5A, -5B
BE58	BEECH58	Raytheon Beech Baron 58	TIO-540-J2B2
BE9L	BEECH90	Raytheon King Air 90	PT6A-135A
C13	MIL-C130	Lockheed C-130 Hercules	T56-A-15
C208	CNA208	Cessna 208 Caravan	PT6A-114A
C210	CNA210	Cessna 210 Centurion	TIO-540-J2B2
C44	CNA441	Cessna 441 Conquest II	TPE331-10
C55	CNA550	Cessna 550 Citation II	JT15D-4 series
C56	CNA560	Cessna 560 Citation V	JT15D-5, -5A, -5B
C75	CNA750	Cessna 750 Citation X	AE3007C Type 2
CL6	CL600	Bombardier Challenger 600	ALF 502L-2
CR7	CRJ7	Bombardier CRJ-700	CF34-8C1
CR9	CRJ9	Bombardier CRJ-900	CF34-8C5 LEC
CRA	CRJ705-LR	Bombardier CRJ-705-LR	CF34-8C5 LEC
CRJ	CRJ7	Bombardier CRJ-700	CF34-8C1
DC1	DC10-1	Boeing DC-10-10 Series	CF6-6D
DC8	DC8-7	Boeing DC-8 Series 70	CFM56-2A series
DH4	ERJ190-LR	Embraer ERJ190-LR	CF34-10E
DHC	DHC8Q-4	Bombardier de Havilland Dash 8 Q400	PW150A
E90	ERJ190-LR	Embraer ERJ190-LR	CF34-10E
EM2	EMB120	Embraer EMB120 Brasilia	PW118B
EMJ	ERJ140	Embraer ERJ140	AE3007A1/3 Type 3 (reduced emissions)
ERD	ERJ140	Embraer ERJ140	AE3007A1/3 Type 3 (reduced emissions)
ERJ	ERJ140	Embraer ERJ140	AE3007A1/3 Type 3 (reduced emissions)
F2T	FAL2000	Dassault Falcon 2000	PW308C Annular
F90	FAL900EX	Dassault Falcon 900-EX	TFE731-3
FAL20	FAL20-F	Dassault Falcon 20-F	TFE731-3
GAL	IAI1126	Israel IAI-1126 Galaxy	PW306A Annular
GIIB	GULF2-B	Gulfstream II-B	SPEY Mk511 Transply IIH
GIV	GULF450	Gulfstream G450	TAY 611-8C Transply IIJ
GV	GULF5	Gulfstream G500	BR700-710A1-10
H25	HS125-3	Hawker HS-125 Series 3	TFE731-3
HS125	HS125-3	Hawker HS-125 Series 3	TFE731-3
LEAR35	LEAR35	Bombardier Learjet 35	TFE731-2-2B
LJ55	LEAR55	Bombardier Learjet 55	TFE731-3
LR4	LEAR45	Bombardier Learjet 45	TFE731-2-2B
LR6	LEAR60	Bombardier Learjet 60	TFE731-2/2A
M80	MD83	Boeing MD-83	JT8D-219 Environmental Kit (E_Kit)
M83	MD83	Boeing MD-83	JT8D-219 Environmental Kit (E_Kit)
M90	MD90	Boeing MD-90	V2525-D5
MD1	MD11	Boeing MD-11	CF6-80C2D1F 1862M39

Aircraft	EDMS_ACCODE	ACFT_DESCR	ENGINE_COMBUSTOR
MD11	MD11	Boeing MD-11	CF6-80C2D1F 1862M39
P18	P180	Piaggio P.180 Avanti	PT6A-66
SW4	SA227	Fairchild SA-227-AC Metro III	TPE331-10
WW2	IAI1124A	Israel IAI-1124-A Westwind II	TFE731-3
* Not in EDMS v.5.1.3; User defined aircraft performance based on B767-300.			

Attachment B-5

Responses to March 15, 2013 Comment Letter from
Caltrans to Diego Alvarez, Los Angeles World Airports

ATTACHMENT B-5

Summary of Issues Presented in March 15, 2013 Letter from Caltrans and Responses by LAWA

LAWA has carefully reviewed the issues presented in the March 15, 2013 letter from Caltrans (letter included as Attachment A-5): This letter does not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The letter primarily reiterates, either verbatim or in essence, many of the same comments received from other individuals during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. LAWA sent Caltrans: (1) the 2008 and 2010 Notices of Preparation (which specifically requested input regarding the "scope and content of the environmental impact report"), (2) Notice of Availability/Completion for the Draft EIR, and (3) a copy of the Final EIR. However, no comments were received from Caltrans prior to certification of the Final EIR by the Board of Airport Commissioners. Caltrans comments are summarized in bold lettering below.

- 1. Allegation that Caltrans District 7 Did Not Receive a Copy of the Final EIR –** LAWA was not under a mandatory obligation to make a copy of the SPAS Final EIR available to Caltrans, as Caltrans did not submit a comment on the SPAS Draft EIR (CEQA Guidelines § 15088(b)). Regardless, a DVD containing the SPAS Final EIR was delivered by UPS to Caltrans District 7 (to the attention of Vin Kumar) on January 29, 2013 at 3:41 p.m.
- 2. Caltrans Recommends that LAWA Take Control of State Route 1 (Lincoln Boulevard) –** The SPAS Final EIR, specifically Topical Response TR-SPAS-LR-1, stated that ownership and/or control of the portion of Lincoln Boulevard to be realigned may be transferred to the City of Los Angeles. The topical response also acknowledged that the realignment may need to go through the Caltrans design and approval process. Regarding the need for an encroachment permit from Caltrans, Section 2.4.2 of the SPAS Draft EIR acknowledged that Caltrans review and approvals would be needed for the realignment of Lincoln Boulevard.
- 3. Caltrans' Request to be Involved in the Process to Determine Potential Impacts and Mitigation Associated with Subsequent Environmental Reviews –** LAWA will notify Caltrans of project-specific environmental reviews for projects with the potential to have impacts on facilities within Caltrans' jurisdiction. LAWA will consult with Caltrans, as appropriate, on project-specific studies.
- 4. Request to Perform Studies Using Various Traffic Methodologies –** The comment suggests that "Caltrans does not consider CMP [congestion management program] significant impact criteria to be appropriate for freeways facilities..." The comment also requests Highway Capacity Manual (HCM) analysis on the I-405 and vehicle queue analysis for certain off-ramps.

LAWA, as lead agency, has discretion to select appropriate methodology and significance thresholds for analyzing traffic impacts. (CEQA Guidelines § 15064(b); *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 493; *Sierra Club v. County of Orange* (2008) 163 Cal.App.4th 523, 544 [While plaintiff requested use of HCM methodology, the Court noted that "[t]he mere fact plaintiff disagrees with the methodology employed by defendant to measure the project's potential traffic impacts on Santiago Canyon Road does not require invalidation of the SEIR/EIR, if it provides accurate information."].)

As acknowledged in the comment, the SPAS Draft EIR utilized several different traffic analysis methodologies, including CMP, in addition to the requested HCM analysis, and analyzed numerous key freeway ramp intersections in the vicinity of LAX. (See pages 4-1196 through 4-1199 of the SPAS Draft EIR.) Appendices K2-9 and K2-10 of the SPAS Draft EIR present results of the HCM analysis of key ramp intersections and key freeway segments, respectively. The freeway ramp intersections analyzed with the HCM methodology include all of the ramps in the vicinity of LAX on I-105 and I-405, as well as others. As discussed under CEQA Guidelines § 15204(a), "reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters." (See also CEQA Guidelines §§ 15151 and 15130(a)(1).) The ramp intersections addressed in the SPAS analysis include all but three of those specifically mentioned by the commentor, the three exceptions being (1) I-405 off-ramps at Arbor Vitae, where no such ramps currently exist, (2) I-405 off-ramps at El Segundo Boulevard, which was not included in the SPAS traffic analysis because it is not on a reasonably-foreseeable route to the airport and would not be expected to be affected by the alternatives, and (3) Rosecrans Boulevard, which was not included in the SPAS traffic analysis because it is not on a reasonably-foreseeable route to the airport and would not be expected to be affected by the alternatives. This is based upon the opinion and expertise of LAWA's Senior Transportation Engineer, Patrick Tomcheck, and LAWA's outside transportation consultant, John Muggridge, AICP, Principal from Fehr and Peers.

The CMP methodology utilized is also consistent with Section L.3 of the Los Angeles CEQA Thresholds Guide (2006), which prescribes the traffic impact methodologies and thresholds of significance to be used in selecting and analyzing freeway segments. The methodology specified is the same as the CMP methodology used in the SPAS EIR. That methodology and threshold of significance is also consistent with the *2010 Congestion Management Program for Los Angeles County*. The CMP threshold of significance used for the freeway impacts analysis in the SPAS EIR is described on page 4-1228 of the SPAS Draft EIR. As indicated therein, "a project impact is considered to be significant if the proposed project increases traffic demand, as determined by comparing the Baseline (2010) With Alternative scenario to the Baseline (2010) Without Alternative scenario [Emphasis added], and by comparing the Future (2025) With Alternative scenario to Future (2025) Without Alternative scenario, on a CMP facility by 2 percent of capacity ($V/C \geq 0.02$), causing or worsening LOS F ($V/C \geq 1.00$)." As such, the SPAS EIR traffic impacts analysis did, in fact, consider existing operating conditions and applied the CMP threshold of significance to those conditions in evaluating SPAS-related impacts.

Existing conditions were disclosed in Section 4.12.2.3 of the SPAS Draft EIR as well as in Appendix K2-7, Tables 1-18. While existing conditions are important considerations, they do not represent the impacts of any of the SPAS alternatives under CEQA. (See CEQA Guidelines §§ 15125(a), 15126.2(a); *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1094 ["The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope"].) Consequently, the CMP impacts of the SPAS

alternatives were based upon the change in existing conditions, as described in the previous paragraph. (See also Section 4.12.2.4.1 of the SPAS Draft EIR.)

5. "Table 11 in Appendix K2-7, shows that I-405 existing (2010) level of service is F(O) to F(2) at the closest monitoring stations north of La Tijera Boulevard and Venice Boulevard. Future traffic associated with LAX operations would be added to these operating conditions, therefore, it is our opinion that buildout of the Specific Plan would contribute to significant direct and cumulative transportation impacts to nearby segments of I-405." – The subject table provides quantitative data for each of the CMP freeway monitoring stations addressed in the SPAS traffic impact analysis relative to existing (2010) conditions without SPAS-related traffic and with SPAS-related traffic. Tables 7 through 10 and Tables 15 through 18 in Appendix K2-7 of the SPAS Draft EIR provide cumulative Impact analysis for the CMP methodology. Using the CMP significance threshold identified in the SPAS Draft EIR, as summarized above, the table indicates whether there would be a significant impact. For the monitoring stations north of La Tijera Boulevard and Venice Boulevard, the level of service with or without SPAS-related traffic is LOS F. As indicated in the table, the V/C increase attributable to the addition of SPAS-related traffic is 0.001 or less, which is well below the significance threshold identified in the SPAS Draft EIR. Although it is Caltrans "opinion" that implementation of the SPAS project would contribute to significant and cumulative transportation impacts to nearby segments of I-405, Caltrans does not provide any threshold of significance or any evidence to support that conclusion.

6. "Caltrans requests that the plan perform additional, more detailed, operational studies according to Highway Capacity Manual (HCM) methodologies of I-405 in the vicinity of LAX to identify deficiencies and improvements." – Appendix K2-10 of the SPAS Draft EIR provides a freeway mainline analysis using the Caltrans HCM methodology. The analysis quantifies the impacts of each SPAS alternative on Baseline (2010) conditions. The "Caltrans Guide for the Preparation of Traffic Impact Studies" (December 2002) describes the basic elements of a study and a range of methodologies for various types of facilities including the use of HCM, but it does not identify a threshold of significance for determining impacts (under CEQA) on state facilities. Consequently, LAWA selected the CMP methodology and significance thresholds to analyze impacts to these facilities under CEQA.

7. Caltrans' Cooperation in the Implementation of Mitigation Measures – This comment is noted.

Attachment B-6

Responses to March 28, 2013 Comment Letter from Los Angeles County Department of Beaches & Harbors to Diego Alvarez, Los Angeles World Airports

ATTACHMENT B-6

Summary of Issues Presented in March 28, 2013 Letter from Los Angeles County Department of Beaches & Harbors and Responses by LAWA

LAWA has carefully reviewed the issues presented in the March 28, 2013 letter from the Los Angeles County Department of Beaches & Harbors (letter included as Attachment A-6). This letter does not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The letter primarily reiterates, either verbatim or in essence, many of the same comments received during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. Los Angeles County Department of Beaches & Harbors' comments are summarized in bold lettering below.

1. Impact at the Intersection at Lincoln Boulevard and Washington Boulevard – SR90 Connector Road to Admiralty Way Project – The comment letter provides the agency's response to LAWA's Response to Comment SPAS-AL00001-1 on the SPAS Draft EIR. The comment states that the SR-90 Connector Road to Admiralty Way project is active and provides a table showing its status as such from a County planning document dated February 2012,¹ adding that it is only a lack of funds which prevents its implementation and requesting a fair-share contribution from LAWA. This input is directly contrary to that given by agency staff during the preparation of the SPAS Draft EIR. That input was provided in a January 2012 e-mail to Mr. Pat Tomcheck, LAWA's Senior Transportation Engineer, by Mr. Barry Kurtz, representing Los Angeles County Beaches and Harbors Department, and indicated that "The SR-90 extension to Admiralty Way is not programmed or funded." Additionally, Mr. Kurtz indicated that "I would not assume that the project will be completed before your 2025 horizon year." LAWA and its consultants relied on this direct agency guidance on the matter, and considered it premature and speculative to consider the subject SR-90 extension as a mitigation measure for the impacts of SPAS at build-out in 2025. Notwithstanding this, there is already a platform in place for a future LAWA fair-share contribution to the Marina Expressway extension, if/when that project is realized, through LAX Master Plan Alternative D Mitigation Measure MM-ST-16:

Provide Fair-Share Contribution to LA County's Project to Extend the Marina Expressway. Provide fair-share contribution to Los Angeles County's project to extend the Marina Expressway (Route 90) to Admiralty Way or complete alternative off-site improvements at the following intersections: By 2015: Lincoln Boulevard & Washington Boulevard, Bali Way & Lincoln Boulevard, Fiji Way & Lincoln Boulevard, Lincoln Boulevard & Marina Expressway, Lincoln Boulevard & Maxella Avenue, Lincoln Boulevard & Mindanao Way.

¹ The comment letter states that the Marina Del Rey Land Use Plan ("LUP") is dated February 8, 2012. The date the LUP was amended does not, however, mean that the referenced table on pages 11-10 through 11-11 was updated on that date. The language on the prior page of the LUP (page 11-9, which was not included in the letter), states that "The following circulation system improvements represent those mitigation measures which were identified in the 1996 LUP as essential projects to mitigate the increase in PM peak hour traffic." (Emphasis added.) The full LUP is available at: http://planning.lacounty.gov/assets/upl/data/pd_marina-del-rey-2012.pdf.

2. Impact at the Intersection at Lincoln Boulevard and Washington Boulevard – Admiralty Way/Via Marina Intersection Improvement Project – The comment letter also requests that LAWA make a fair-share contribution to the Admiralty Way/Via Marina Intersection Improvement Project (SPAS Draft EIR Intersection 5² referring to an attachment to the letter, as an indirect mitigation for the SPAS-related significant and unavoidable impact that was identified in the SPAS Final EIR at Lincoln Boulevard and Washington Boulevard (SPAS Draft EIR Intersection 110). The attachment is an excerpt from the "Marina del Rey Land Use Plan (certified February 8, 2012)" with a table listing two potential improvements to the intersection of Admiralty Way and Via Marina: (1) adding a third westbound left-turn lane from Admiralty Way onto southbound Via Marina and (2) reconfiguration of the intersection. It does not appear that either alternative would mitigate the SPAS-related impact at Lincoln Boulevard and Washington Boulevard. Additional documents related to this potential improvement were provided separately by County staff, including "Admiralty Way/Via Marina Intersection Improvement Project – 2012 Meeting with Coastal Commission Staff (June 27, 2012)." The first improvement would add a third westbound left-turn lane on Admiralty Way but make no other changes to the existing intersection; inasmuch as the westbound left-turn movement does not consist of traffic traveling through the Marina, it would not serve trips that might be diverted from Lincoln Boulevard onto Admiralty Way. The second improvement, the "continuous loop," would reconfigure the intersection to make Admiralty Way align with the current south leg of the intersection (Via Marina); the current north leg (Via Marina) would enter the realigned loop roadway at a right angle. The continuous loop improvement would reduce the capacity of the intersection to carry trips from westbound Admiralty Way onto northbound Via Marina since the two current exclusive right-turn lanes would be changed to a single right-turn lane. As such, this potential improvement also does not serve trips that might be diverted from Lincoln Boulevard onto Admiralty Way. For these reasons, neither project alternative from the Marina Intersection Improvement Project would mitigate or reduce the identified impact at Lincoln Boulevard and Washington Boulevard, and there is no basis for LAWA to make the requested contribution. The impact at Lincoln Boulevard and Washington Boulevard would remain significant and unavoidable and would not be reduced by the alleged indirect mitigation. This is based upon the opinion and expertise of LAWA's Senior Transportation Engineer, Pat Tomcheck, and LAWA's outside transportation consultant John Muggridge, AICP, Principal from Fehr and Peers.

3. Feasibility of the Impact at the Intersection of Ocean Avenue/Via Marina and Washington Boulevard – The comment letter provides LA County Beaches & Harbor's response to LAWA's Response to Comment SPAS-AL00008-41 of the SPAS Final EIR. The comment also incorrectly quotes LAWA as the source of the County's own comment on the SPAS Draft EIR (LA County's letter SPAS-AL00008-41 previously stated: "Because of physical constraints, the finding of 'economic and policy infeasibility' would appear to be realistic. Mitigation would require some form of system approach for the Marina Del Rey area, with potential participation by the project.").

² No significant impact was identified at Intersection 5 under any of the SPAS alternatives.

The comment asks that LAWA make a fair-share contribution to the previously-planned signalization of the intersection of Washington Boulevard and Palawan Way (SPAS Draft EIR Intersection 122³) as indirect mitigation for the significant and unavoidable impact that was identified at the nearby intersection of Washington Boulevard and Ocean Avenue/Via Marina (SPAS Draft EIR Intersection 119), stating that this has been required of several private development projects in the Marina. This suggestion was made for the first time in the March 28, 2013 letter,⁴ nearly two months after the SPAS Final EIR was certified by the Board of Airport Commissioners. The County's previous suggestion in comment SPAS-AL00008-41 simply requested "...some form of system approach for the Marina Del Rey area, with potential participation by the project", but provided no further details.

It is noted that the additional documentation provided by County staff includes correspondence from Los Angeles County Department of Public Works to the Los Angeles Department of Transportation (LADOT) justifying the installation of this traffic signal and a correspondence and a Traffic Control Report from LADOT concurring with the County's plan to signalize the intersection. The County's documents indicate that funding for the project had been secured, while LADOT's documents indicate that "... all the costs of design and construction [are] to be borne by the County of Los Angeles." Thus, it is not apparent that there is a need for LAWA to contribute to this improvement. Further, LAWA does not agree that the signalization of Washington Boulevard and Palawan Way will substantially reduce or avoid the significant and unavoidable impact identified in the SPAS Final EIR at Washington Boulevard and Ocean Avenue/Via Marina (SPAS Draft EIR Intersection 119). The improvement would shift some northbound left-turn trips and northbound through trips from Via Marina to northbound left-turns at Palawan Way (SPAS Draft EIR Intersection 122), where they would arrive at the intersection of Washington Boulevard and Ocean Avenue/Via Marina (SPAS Draft EIR Intersection 119) as westbound right-turns and westbound through trips. Thus, these trips would still travel through the significantly impacted intersection but would approach it from another direction. A review of the Future (2025) with Alternative 9 LOS presented in the SPAS Draft and Final EIRs shows that in the PM peak hour, one of the impacted peak hours, the westbound through movement on Washington Boulevard is critical (contributes to the overall volume to capacity ratio of the intersection), meaning that shifting traffic from the northbound to the westbound approach would not reduce the volume to capacity ratio. Similar to the County's proposed improvement at the intersection of Admiralty Way and Via Marina, there does not appear to be a basis for LAWA to make the requested contribution to the County's proposed improvement to the intersection of Washington Boulevard and Palawan Way. This is based upon the opinion and expertise of LAWA's Senior Transportation Engineer, Pat Tomcheck, and LAWA's outside transportation consultant John Muggridge, AICP, Principal from Fehr and Peers.

³ No significant impact was identified at Intersection 122 under any of the SPAS alternatives.

⁴ LAWA met with representatives from LA County regarding traffic mitigation measures on December 10, 2012 and on December 18, 2012, after the close of the SPAS Draft EIR comment period. Representing LA County at the December 10, 2012 meeting were Dennis Hunter (Deputy Director of Public Works), Anthony Nyivih (Land Development Division), and Dean Lehman, Guita Sheik, and Jeff Pletyak (Traffic and Lighting Division). Representing LA County at the December 18, 2012 meeting were Jeff Pletyak, Suen Fei Lau, and Isaac Wong (Traffic and Lighting Division); this suggestion was never mentioned by LA County staff during those discussions.

4. Furthermore, the two projects mentioned in the March 28, 2013 comment letter were not raised until this letter was received. As a result of the December 18, 2012 meeting with LA County, LAWA incorporated a new Mitigation Measure (MM-ST (SPAS)-42), which includes a contribution to the County's Intelligent Transportation Systems improvement systems at Intersection 119. (pages 4-262 and 5-108 of the SPAS Final EIR.)

Attachment B-7

Responses to Presentation by ARSAC at TCT/PLUM
Joint Committee Meeting, April 9, 2013

ATTACHMENT B-7

Summary of Issues Presented in April 9, 2013 Presentation by the Alliance for Regional Solution to Airport Congestion (ARSAC) and Responses by LAWA

LAWA has carefully reviewed the issues presented in the April 9, 2013 presentation by ARSAC (presentation included as Attachment A-7). This presentation does not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The presentation primarily reiterates, either verbatim or in essence, many of the same comments received during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. ARSAC's comments are summarized in bold lettering below.

1. **Alleged Other Red Herrings: Safety and Efficiency** – Similar issues were addressed in Responses to Comments SPAS-PC00130-168 and SPAS-PC00149-2. Regarding enhancements to the safety and efficiency of the airfield under each alternative, please also see Table 4.7.2-16 on pages 4-569 and 4-570 in Section 4.7.2 of the SPAS Draft EIR. As indicated in that table, the SPAS alternatives achieve substantial enhancements and safety and efficiency; the degree to which safety and efficiency is enhanced varies between the alternatives.
2. **Alleged More Red Herrings: The Poll** – The poll addressed in this comment was not conducted by LAWA or the City of Los Angeles, was not submitted to the City of Los Angeles and was not discussed in the SPAS EIR. However, it can be noted that Section 4.7.2, of the SPAS Draft EIR, provides a comprehensive evaluation of airfield safety considerations associated with each SPAS alternative, including Alternative 1, which would move Runway 6L/24R 260 feet north, and discusses the various airfield studies completed at LAX including the North Airfield Safety Study. As indicated in the SPAS Final EIR, the airfield improvements associated with Alternative 1, which are incorporated into the Board-Selected Alternative, would enhance airfield safety compared to the existing north airfield configuration.
3. **Alleged More Red Herrings: Palmdale** – Similar comments were included in comment SPAS-PC00153-2 of the SPAS Final EIR. Please also see Topical Response TR-SPAS-REG-1 of the SPAS Final EIR.
4. **Alleged More Red Herrings: New Aircraft are Quieter** – The bullet point statement appears to be related to the similar claim in the ARSAC letter to the Los Angeles City Planning Commission dated February 13, 2013. Please see the responses to that comment letter (included in Attachment B-3, subsection 4), which determined that the subject claim is immaterial to the aircraft noise impacts identified in the SPAS EIR, given that the noise modeling for the EIR analysis accounts for differences in the noise "footprint" of various aircraft, including those aircraft of particular interest to ARSAC.
5. **LAX Safely Handles the A380** – The fact that LAX currently accommodates Airbus A380 aircraft in a safe manner reflects the fact that neither LAWA nor the FAA would ever allow an A380 or any aircraft at LAX to operate in an unsafe manner. In order to do so, however, LAWA and the FAA have to employ a number of special operational procedures and restrictions regarding operation of the A380 on the existing airfield at LAX. As described in Section 2.2, Project Objectives, of the SPAS Draft EIR, one of LAWA's objectives related to SPAS is to provide north airfield improvements that support the safe and efficient movement of aircraft at LAX, particularly as related to large aircraft such as Aircraft Design Group (ADG) V aircraft,

which include the Boeing 747-400, and ADG VI aircraft, which include the Airbus A380. As further described in that section, and documented in Section 4.7.2, of the SPAS Draft EIR, a key means to achieve that objective is to meet FAA airfield design standards and guidelines related to ADG V and IV aircraft. Based on substantial evidence presented in the SPAS Final EIR, implementation of the Board-Selected Alternative, which incorporates the north airfield improvements proposed under Alternative 1, will support the safe and efficient movement of aircraft at LAX, including the A380.

6. Commentor's Discussion of Why Alternatives 2 and 9 – Similar comments concerning the environmentally superior alternative were addressed in Response to Comment SPAS-PC00089-1.

7. Alleged Problems with Alternative 1: Taxiways Less Efficient - It is unclear as to what is meant by "two Group V taxiways are less efficient." If the commentor is referring to Taxiway E and Taxilane D, while LAWA recognizes that two Group VI taxiways would be more efficient for airfield operations, the additional runway-to-taxiway and taxiway-to-taxiway separation requirements associated with Group VI taxiways, compared to Group V taxiways, would require greater amounts of Terminals 1 through 3 to be removed, as occurs with Alternative 5 under which both Taxiway E and Taxilane D would meet ADG VI standards. The Board-Selected Alternative is a reasonable compromise, and provides a balance between improved airfield operations and reduced environmental impacts. Similar issues were also addressed in Response to Comment SPAS-PC00130-406 of the SPAS Final EIR.

8. Alleged Problems with Alternative 1: Noise – The bullet point appears to be similar to a claim in the ARSAC letter the Los Angeles City Planning Commission dated February 13, 2013. Please see the responses to that comment letter (included in Attachment B-3). Similar issues were also addressed in Response to Comment SPAS-PC00130-126 of the SPAS Final EIR. For additional clarification, while implementation of the Board-Selected Alternative (which incorporates the airfield configuration associated with Alternative 1) would result in over 13,000 homes being newly exposed to 65 CNEL aircraft noise levels in 2025, compared to 2009 baseline conditions, the number would be substantially higher – approximately 14,700 homes newly exposed – if the north airfield is not improved (i.e., Alternative 4), as shown in Table 1-16 of the SPAS Draft EIR. (See also Table 4.10.1-55 of the SPAS Draft EIR.) It is important to note that the increase in aircraft noise exposure anticipated to occur between 2009 and 2025 is due primarily to projected growth in aviation activity at LAX that would occur under any of the SPAS alternatives. Moving Runway 6L/24R northward, such as proposed under the Board-Selected Alternative, would move the associated runway noise contour to areas that are less densely populated and less intensively developed, resulting in fewer noise-sensitive uses being within the 65 CNEL noise contour. The reduced noise impacts of the Board-Selected Alternative (as represented by the airfield configuration associated with Alternative 1), as compared to the other SPAS alternatives, are delineated in Tables 1-16 and 1-17 of the SPAS Draft EIR.

9. Alleged Problems with Alternative 1: Runway on Wetland over Argo Ditch - The bullet point appears to be similar to a claim in the ARSAC letter to the Los Angeles City Planning Commission dated February 13, 2013. Please see the responses to that comment letter (included in Attachment B-3). As stated in that response, for most of its length, the relocated runway would not be located over wetlands or the Argo Drainage Channel. In fact, the vast majority of the runway would be located parallel to, with the northern edge of the runway approximately 200 feet south of the existing Argo Drainage Channel. The only exception would be the easternmost portion of the runway, where the Argo Drainage Channel where it turns southeast along the edge of Lincoln Boulevard. The relationship between the Argo Drainage Channel and the relocated runway associated with the Board-Selected

Alternative (represented in the SPAS Draft EIR by the airfield configuration of Alternative 1) is shown on Figure 4.3-6 of the SPAS Draft EIR.

10. Alleged Problems with Alternative 1: Lincoln Boulevard Realignment - The bullet point does not describe what problems are associated with the subject realignment. Topical Response TR-SPAS-LR-1 of the SPAS Final EIR provides an extensive discussion in response to comments submitted by ARSAC and others regarding the proposed realignment of Lincoln Boulevard. Please also see the additional discussion provided by LAWA in Attachment C of these materials, which addresses claims by ARSAC and others that the proposed realignment would require a two-year closure of Lincoln Boulevard while the new roadway segment is constructed. As described in that response, the basic setting for, and nature of, the proposed realignment provides no basis to believe that such a closure would be required.

11. Alleged Problems with Alternative 1: Taxiway Take-offs and Landings – This issue was addressed in Responses to Comments SPAS-PC00130-366 and SPAS-PC00130-727 of the SPAS Final EIR.

12. Alleged Noise Issues

- **Increasing noise violates various policies** – This comment is similar to that raised in ARSAC’s letter of February 13, 2013 to the City Planning Commission. Please see the responses to that letter provided in Attachment B-3. As discussed above in subsection 8 of this response, Alternative 1 would reduce the total number of people within the 65 CNEL contour in comparison to Alternative 2.
- **CEQA mandatory finding of significance** – It is unclear as to the relevance of a 1.5 dB noise increase; no response is possible.
- **Cannot soundproof a backyard for a child’s birthday party** – The fact that outdoor private habitable areas cannot be feasibly mitigated from significant aircraft noise levels is acknowledged as an unavoidable significant impact on page 4-933 of the SPAS Draft EIR. In addition, and as described above and in the SPAS EIR, the primary cause of noise impacts is the expected growth in aircraft operations in 2025 as opposed to a change in runway configurations.

13. Alleged Runway Construction Risks

- **Runway bridges** – It is not clear what the commentor is referring to. No runway bridges are proposed as part of any of the SPAS alternatives.
- **Tunnel under Runway 6L/24R** – The bullet point appears to be similar to a claim in the ARSAC letter to the Los Angeles City Planning Commission dated February 13, 2013 (included in Attachment B-3). As indicated in that response, issues concerning the tunnel are addressed in Response to Comment SPAS-PC00130-1012 of the SPAS Final EIR.

14. Alleged Lincoln Construction Risks/Oil Pipelines/Sewers – The issues identified in these slides are similar to claims in the ARSAC letter to the Los Angeles City Planning Commission dated February 13, 2013. Please see the "Utilities" discussion in Topical Response TR-SPAS-LR-1 of the SPAS Final EIR. Please also see the additional discussion provided by LAWA in Attachment C of these materials, which addresses claims by ARSAC and others that the proposed realignment would require a two-year closure of Lincoln Boulevard while the new roadway segment is constructed. As described in that response, the basic setting

for, and nature of, the proposed realignment provides no basis to believe that such a closure would be required.

15. Alleged Centerfield Taxiway Risks

- **Stacking of aircraft leads to more airfield congestion** – As discussed in Appendix F-2 of the Preliminary LAX SPAS Report, the addition of a centerfield taxiway allows Air Traffic Control (ATC) to hold arriving aircraft between the runways and reduce the number of runway crossings during peak departure times. As a result, ATC can better manage the departure of aircraft and reduce delay and congestion at the airport as a whole.
- **South airfield incursions** – This issue was addressed in Responses to Comments SPAS-PC00130-160 and SPAS-PC00130-505 of the SPAS Final EIR.
- **Wingtip-to-wingtip separation** – Similar issues were addressed in Response to Comment SPAS-PC00130-76 of the SPAS Final EIR. The separation distances between runways and taxiways, including the proposed centerfield taxiway, associated with the airfield improvements proposed under the Board-Selected Alternative are based on FAA design standards, as described in Section 4.7.2, of the SPAS Draft EIR. FAA design standards are intended to provide for the safe and efficient movement of aircraft.
- **Taxiway take-off and landings** – This issue is addressed in Response to Comment SPAS-PC00130-727 of the SPAS Final EIR.

16. The Bottom Line

- **LAWA is in Alleged Violation of CEQA and the Stipulated Settlement** – Completion of the Specific Plan Amendment Study is a requirement of the LAX Master Plan Stipulated Settlement. The SPAS EIR meets all CEQA requirements and LAWA is in full compliance with the LAX Master Plan Stipulated Settlement Agreement.
- **Air Quality Source Apportionment Study** - This comment is similar to that raised in ARSAC's letter of February 13, 2013 to the City Planning Commission. Please see the responses to that letter provided in Attachment B-3.
- **Regionalism** – Similar issues were addressed in Topical Response TR-SPAS-REG-1 of the SPAS Final EIR.

Attachment B-8

**Responses to Materials from SEIU Submitted at
TCT/PLUM Joint Committee Meeting, April 9, 2013**

ATTACHMENT B-8

Summary of Issues Presented in April 9, 2013 Materials to TCT/PLUM Committees from Service Employees International Union-United Service Workers West (SEIU-USSW) and Responses by LAWA

LAWA has carefully reviewed the issues presented in the materials submitted on April 9, 2013 by SEIU (materials included as Attachment A-8). These materials do not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. The materials primarily reiterate many of the same comments received during the SPAS Draft EIR review period and/or during the meetings held on the project since publication of the SPAS Final EIR. SEIU's comments are summarized in bold lettering below.

1. **Asthma (first page, third bullet)** – Issues related to asthma were addressed in Response to Comment SPAS-PC00201-4 of the SPAS Final EIR.
2. **Regionalism (first page, fourth bullet, third sub-bullet)** – Issues related to regionalism were addressed in Topical Response TR-SPAS-REG-1 of the SPAS Final EIR.
3. **Air Quality Source Apportionment Study (first page, fourth bullet, fourth sub-bullet)** – The commentor may be referring to the LAX Air Quality and Source Apportionment Study (AQSAS). LAWA voluntarily initiated the LAX AQSAS in 2000 and, following the development of a comprehensive work plan that involved extensive coordination with federal, state, and local air resources agencies that were included in the AQSAS Technical Working Group (TWG), began field measurements at LAX on September 11, 2001. In light of the terrorists acts that occurred that day and the immediate change in airport security policies and airport priorities, the subject work effort was put on an indefinite hold. Work on the study resumed in 2006 and included reestablishment and expansion of the TWG and revision of the work plan. Phases 1 and 2 of the Study were conducted between 2008 and 2011, and Phase 3 of the Study was conducted between 2011 and 2013. The LAX AQSAS is the most comprehensive airport study of its kind in the nation, representing a substantial commitment by LAWA at a cost of several million dollars. The work effort, including final report, is scheduled to be completed by the end of June 2013. LAWA has not "dragged its feet" in completing the study, and none of the alternatives studied under SPAS would "expand the airport" as each was designed for a practical capacity of 78.9 million annual passengers.
4. **Alleged "Failure to Adequately Address Environmental Hazards" (second page, first bullet)** – The commentor does not specify what environmental hazards were raised in comments made by County Board of Supervisors' staff or by the "regional smog control agency" (assumed to be the South Coast Air Quality Management District or AQMD). Responses to Comments received from AQMD are provided in Comment Letter SPAS-AR00002 of the SPAS Final EIR.
5. **Alleged "Failure to Deliver on Promised Community Benefits" (second page, second bullet)** – The first part of the comment may be referring to the LAX Air Quality and Source Apportionment Study (AQSAS). As described above in Item 3, the LAX AQSAS report is scheduled to be completed by the end of June 2013. It is unclear what the commentor is referring to in the latter part of the comment, relative to "improved medical care for LAX's

neighbors most at risk of illness resulting from airport pollution." LAWA is not subject to any obligations to improve medical care as suggested in this comment.

6. Alleged "Failure to Pursue Regionalization" (second page, fourth bullet) – Issues related to regionalism were addressed in Topical Response TR-SPAS-REG-1 of the SPAS Final EIR.

Attachment B-9

Responses to Materials Submitted by Marcia Hanscom at
TCT/PLUM Joint Committee Meeting, April 9, 2013

ATTACHMENT B-9

Summary of Issues Presented in April 9, 2013 Materials from Marcia Hanscom and Responses by LAWA

LAWA has carefully reviewed the materials submitted by Marcia Hanscom at the April 9, 2013 TCT/PLUM Joint Committee Meeting, (materials included as Attachment B-9), as well as accompanying oral testimony. The materials and oral testimony do not contain any new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines. Ms. Hanscom's comments are summarized below.

The commentor submitted a document titled "Review of Biological Resources Analysis in Supplement to Draft Environmental Impact Statement/Environmental Impact Report for LAX Master Plan" (dated October 20, 2003; "2003 Report"). This report includes, as Appendix A, a separate report titled "Review of Biological Resources Analysis in LAX Master Plan Draft Environmental Impact Statement/Environmental Impact Report" (dated August 8, 2001; "2001 Report"). These materials were previously submitted as comments on the LAX Master Plan Draft EIS/EIR and Supplement to the Draft EIS/EIR in 2001 and 2003, respectively. Responses to the 2001 comments appear as Responses to Comments AL00033-374 through AL00033-415 on pages 3-922 through 3-956 in Volume 3 of Part II of the LAX Master Plan Final EIS/EIR. Responses to the 2003 comments appear as Responses to Comments SAL00014-2 through SAL00014-32 on pages 3-5752 through 3-5776 in Volume 10 of Part II of the LAX Master Plan Final EIS/EIR (certified in December 2004).^{1, 2}

While the commentor spoke at an August 29, 2012 Public Meeting on the SPAS Draft EIR (see Response to Comment Letter SPAS-PH300022 of the SPAS Final EIR), the commentor did not submit this 2003 Report (with the 2001 Report appended) until after the February 5, 2013 certification of the SPAS Final EIR by the Board of Airport Commissioners.

In oral comments provided at an April 9, 2013 joint meeting of the Trade, Commerce, and Tourism Committee and the Planning and Land Use Management Committee of the Los Angeles City Council³, the commentor claims that this Report "is still current today" and that "we will lose the habitat for the black-tailed jack-rabbit, the loggerhead shrike, and the western spadefoot toad." The commentor also suggests that "this report shows that the mitigations LAWA has proposed are not sufficient."

¹ LAX Master Plan Final EIS/EIR Volume 10, Part II is available online at: http://ourlax.org/docs/final_eir/part2_v1_11/15_Volume10.pdf. Topical Responses referenced in these Response to Comments are available online at:

http://ourlax.org/docs/final_eir/part2_v1_11/06_Topical_Response.pdf

² LAX Master Plan Final EIS/EIR Volume 3, Part II is available online at:

http://ourlax.org/docs/final_eir/part2_v1_11/08_Volume03.pdf

³ Audio files of the meeting can be found at:

<http://www.lacity.org/government/ElectedOfficialOffices/CityCouncil/CouncilandCommitteeMeetings/CouncilCommitteeMeetingAudio/index.htm?laCategory=1814>. The commentor's oral testimony begins approximately one hour and forty-five minutes into the transcript.

While the commentor asserts that this report is still current today, the commentor provides no evidence to support this assertion. The 2001 and 2003 Reports expressly pertain to a completely different environmental document/analysis that was conducted a decade ago. The 2001 Report states:

This review pertains to the Federal Aviation Administration Los Angeles World Airports Joint Draft Environmental Impact Statement Environmental Impact Report ("EIS/EIR"). It addresses Sections 4.10 (Biotic Communities), 4.11 (Endangered and Threatened Species of Flora and Fauna), 4.12 (Wetlands); 4.14 (Coastal Zone), and 4.18 (Light Emissions).

The 2003 Report states:

This review pertains to the Federal Aviation Administration Los Angeles World Airports Supplement to Draft Environmental Impact Statement Environmental Impact Report ("SDEIS/EIR") for the LAX Master Plan. The scope of this review is limited to biological resources, and consequently addresses Sections 4.10 (Biotic Communities), 4.11 (Endangered and Threatened Species of Flora and Fauna), 4.12 (Wetlands); 4.14 (Coastal Zone Management and Coastal Barriers), and 4.18 (Light Emissions).

Impacts to the black-tailed jack-rabbit were discussed on pages 4-194 and 4-195 of the SPAS Draft EIR. Based upon a survey conducted in 2011 and the construction of security fencing, the SPAS Draft EIR concluded that this species is likely extirpated from the site and that impacts would be less than significant under all of the SPAS alternatives. No mitigation measures are required for this species under SPAS. The 2001 and 2003 Reports provide no discussion the SPAS Draft EIR's impact analysis.

Impacts to the loggerhead shrike were discussed throughout Section 4.3 of the SPAS Draft EIR. Impacts of the Board-Selected Alternative were discussed on pages 2-56 and 2-57 of the SPAS Final EIR. Both the SPAS Draft EIR and the SPAS Final EIR concluded that the alternatives would have a less-than-significant impact on loggerhead shrike through habitat loss, but that significant impact on this species could occur if construction activities were to interfere with nesting activity. Consequently, the SPAS Draft EIR proposed a new mitigation measure, MM-BIO (SPAS)-9, which would reduce this impact to a less-than-significant level. The 2001 and 2003 Reports provide no discussion the SPAS Draft EIR's impact analysis or the newly proposed SPAS mitigation measures.

Impacts to the western spadefoot toad ("WST") were discussed on pages 4-186, 4-190, and 4-219 of the SPAS Draft EIR and on page 2-56 of the SPAS Final EIR. The SPAS Draft EIR acknowledges that the WST was observed in a 1996 survey but that the ponds were modified in 2004 and 2005 to comply with two U.S. Fish and Wildlife Service (USFWS) biological opinions. Based upon a survey conducted in 2011 and the change in hydrology associated with implementation of the USFWS biological opinions, the SPAS Draft EIR concluded that the WST is likely extirpated from the site and that impacts would be less than significant under all of the SPAS alternatives. The 2001 and 2003 Reports provide no discussion the SPAS Draft EIR's impact analysis.

ATTACHMENT C

Responses to Other Issues Raised During SPAS Entitlement Process

Attachment C

Responses to Other Issues Raised During SPAS Entitlement Process

LAWA has reviewed issues raised during the entitlement process, including issues raised in written materials and oral testimony. No new issues or "significant new information" as defined in § 15088.5 of the State CEQA Guidelines have been raised. However, the following information amplifies and clarifies information provided in the SPAS EIR.

- 1. Suggestion that approval of the Board-Selected Alternative be bifurcated, such that only the ground access components (i.e., Alternative 9), is approved** – Suggestions have been made that City Council approve only the ground access components (i.e., Alternative 9) of the Board-Selected Alternative. Such an approval would not meet the basic objectives of SPAS. As detailed in Section 2.2 of the SPAS Draft EIR, the project objectives associated with SPAS include making improvements to the north airfield that support the safe and efficient movement of aircraft at LAX; improving the ground access system to better accommodate airport-related traffic; maintaining LAX's position as the premier international gateway; planning improvements that do not result in more than 153 passenger gates at 78.9 MAP, consistent with the LAX Master Plan and the requirements of the Stipulated Settlement; enhancing safety and security at LAX; minimizing environmental impacts on surrounding communities; and producing an improvement program that is efficient, sustainable, feasible, and fiscally responsible. The SPAS improvements are intended to address problems specific to LAX that the Master Plan Yellow Light Projects were proposed to address, including problems associated with the north airfield, as well as problems associated with ground access (identified in Section 2.3.1 of the SPAS Draft EIR).

Approval of only the ground access components of the Board-Selected Alternative—which includes, among other things, maintaining private vehicle access to the Central Terminal Area (CTA), relocating Sky Way and developing a new entrance roadway, constructing an Intermodal Transportation Facility (ITF) outside the CTA, constructing a Consolidated Rental Car Facility (CONRAC) in Manchester Square, and connecting the CONRAC and the ITF to regional transit and to the CTA via an Automated People Mover (APM)—would not address five of the seven project objectives. Importantly, a bifurcated approval would not address the project objectives of providing north airfield improvements that support the safe and efficient movement of aircraft at LAX, including improvements that are consistent with FAA design standards for the largest aircraft currently in service and anticipated for the future at LAX, and the objective to enhance safety and security at LAX. Moreover, such an approval would not fulfill the objective of maintaining LAX's position as the premier international gateway in supporting and advancing the economic growth and vitality of the Los Angeles Region.

The Statement of Overriding Considerations adopted by the Los Angeles Board of Airport Commissioners (BOAC), identified the safety, environmental, economic, legal, social, technological, and other project benefits that outweighed the unavoidable significant adverse environmental impacts of the selected alternative and which led BOAC, based on substantial evidence in the administrative record for SPAS, to find, conclude, and determine

that these unavoidable significant adverse environmental impacts are acceptable in light of the identified benefits.

In summary, approval of only the ground access components of the Board-Selected Alternative would not fulfill the project objectives, nor would it meet the intent of Section 7.D. of the Stipulated Settlement to identify "potential alternative designs, technologies, and configurations for the LAX Master Plan Program that would provide solutions to the problems that the Yellow Light Projects were designed to address consistent with a practical capacity of LAX at 78.9 million annual passengers."

2. **Allegation that Lincoln Boulevard would be closed for a two-year period in order to construct the realigned roadway** – Public claims suggest that realignment of the segment of Lincoln Boulevard from the W. Westchester Parkway grade separation to S. Sepulveda Boulevard proposed as part of the SPAS BOAC-Selected Alternative would require a two-year closure of Lincoln Boulevard. As the SPAS EIR is a program-level document, construction plans and a construction phasing program for the realignment of Lincoln Boulevard have not yet been prepared. However, LAWA conducted an analysis of likely construction scenarios based on standard professional practice for similar types of roadway construction projects, the site setting, and the basic nature and characteristics of the conceptual realignment. Based on this analysis, it was determined that there is no reasonable basis to believe this type of project (i.e., construction of the realigned Lincoln Boulevard associated with implementation of the SPAS Board-Selected Alternative) would require the complete closure of the existing roadway (Lincoln Boulevard) during construction, let alone for an extended period, as further explained below.

As indicated in the SPAS Final EIR, this realignment of Lincoln Boulevard is conceptual in nature, and considered at only a programmatic level of analysis in the EIR. Consequently, no construction phasing plans for the subject improvement have been prepared; as such plans would be more appropriately developed in conjunction with more detailed future planning and design of that project. (See Topical Response TR-SPAS-LR-1 – Lincoln Boulevard Realignment of the SPAS Final EIR.) However, research regarding the aforementioned claims included consideration of factors that could influence the construction phasing approach for a typical road realignment project, such as the site setting and the basic nature and characteristics of the realignment concept, particularly as related to whether a lengthy period of roadway closure (i.e., existing Lincoln Boulevard) would be warranted. CDM Smith's evaluation was accomplished by identifying the basic phases of a typical roadway realignment program such as that conceptually proposed for Lincoln Boulevard, based on expert opinion and professional experience on other projects of a similar nature. Specifically, the review was conducted by Mr. Mark Orton, PE, PTOE, who has 37 years of experience in highway design, encompassing hundreds of projects with a total value in excess of \$400 million, in coordination with Mr. Patrick Tomcheck, LAWA's Senior Transportation Engineer.

In light of the site setting and basic characteristics of this conceptual improvement, no long-term closure of Lincoln Boulevard is anticipated to be required in order to complete the

realignment of Lincoln Boulevard. The boundaries of the project site are in an undeveloped area that is owned and controlled by LAWA. The majority of the realigned segment of Lincoln Boulevard would be located several hundred feet away from the existing alignment. There are no land uses on either side of the planned alignment, with the exception of a radar facility that would be relocated as part of the project, and there are relatively few roadways that connect with the affected segment of Lincoln Boulevard and those that do connect have, for the most part, light traffic volumes.

There are many possible construction phasing scenarios available for implementation of the Lincoln Boulevard realignment. One viable construction scenario would follow the standard roadway engineering practice to construct the new segment of a roadway while the existing roadway remains in operation, and then to tie the new roadway into the existing lanes (i.e., construct the new segment separate from the existing road and then connect the end points of the new roadway to existing roadway).

Under this scenario, there could be minor interruptions to traffic on the existing roadway during construction of the main portion of the realigned roadway for transporting equipment and materials to the work site; however, no extended closures are anticipated during this phase. After the new roadway segment has been constructed, it would be connected to the existing portions of the roadway. As is often the case for such road projects, this tie-in phase would involve temporary closure of some of the travel lanes, and may require reduced speed limits. In some instances, there may be interruptions to traffic that may involve temporarily stopping some or all traffic for short periods of time, typically no more than 20-minute intervals. Such interruptions are typically scheduled during nighttime hours and could be mitigated with detours to minimize disruption, if necessary. Specifically in the case of the SPAS project, Mitigation Measure ST-19 would require any such lane closures to occur during short periods at night and roadways would remain open until they are no longer needed for regular traffic, unless a detour route is available.

In summary, even though construction plans and a construction phasing program for the realignment of Lincoln Boulevard have not yet been prepared, the site setting and basic nature and characteristics of the conceptual realignment indicate, based on professional practice, that the majority of the realigned roadway could be constructed separate from, and without interference to, traffic on existing Lincoln Boulevard. There is no reasonable basis to believe that construction of the realigned Lincoln Boulevard associated with implementation of the SPAS Board-Selected Alternative would require the complete closure of Lincoln Boulevard during construction, let alone for an extended period, although brief, temporary interruptions to traffic, as described above, may be expected to occur. It is expected that partial lane closures and reduced speed postings would be required to connect the new roadway with the existing lanes at the north and south endpoints, but northbound and southbound travel would continue to be provided on Lincoln Boulevard during this phase.

It should be noted that project-level CEQA review would be required prior to the implementation of the Lincoln Boulevard realignment, during which time construction details

would be disclosed and analyzed. The public will have an opportunity to review the Lincoln Boulevard Realignment Project CEQA document and provide input at that time.

- 3. Recent sighting of California gnatcatcher on the LAX/EI Segundo Dunes -** Several California gnatcatchers (CAGN), a federally-listed threatened species, were recently seen at the LAX/EI Segundo Dunes (Dunes). CAGN have not previously been found on the Dunes. In order to determine the nature of the presence of the CAGN, LAWA notified the U.S. Fish & Wildlife Service (USFWS) of its intent to conduct protocol surveys within the Dunes; surveys commenced earlier this month and will continue for up to six weeks. Preliminary observations indicate the presence of four CAGN within the Dunes.

Under the Board-Selected Alternative, relocation of navigational aids would occur within the Dunes in conjunction with the relocation of Runway 6L/24R as well as modifications to Runway 6R/24L. Impacts associated with nesting birds were addressed in the SPAS EIR; the recent sightings of CAGN would not represent a new significant impact for SPAS. Existing mitigation measures in the SPAS EIR pertaining to nesting birds, coupled with consultation with the USFWS, would ensure that no significant impacts to CAGN would occur.

Moreover, other existing mitigation measures that apply to SPAS and to other LAX Master Plan projects require replacement of habitat units and EI Segundo blue butterfly habitat; both measures would benefit CAGN, as will ongoing habitat restoration by LAWA within the Dunes.