

**Hollywoodians Encouraging Logical Planning
H.E.L.P.**

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Wednesday, August 5, 2015

City Council
City of Los Angeles
c/o Adam R. Lid, Adam.Lid@lacity.org

Re: The Mobility Plan 2035 Update to the 1999 City of Los Angeles
Transportation Element of the General Plan
City Council Number 15-0719
Case No.: CPC-2013-0910-GPA-SP-CA-MS-C and
CEQA No.: ENV 2013-0911-EIR

City Council Hearing
August 11, 2015

Dear Gentilepersons:

Hollywoodians Encouraging Logical Planning [HELP] and Citizens
Coalition Los Angeles [CCLA] make their reply to the City's Responses to:

*(1) their prior submissions on health impacts on cyclists in major
boulevards,*

*(2) the City's lack of response to Virtual Presences as a mode of
Transportation and*

(3) the City's lack of response about materially wrong population data.

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Joint Reply of HELP and CCLA to City's Responses or Lack of Responses

1. The City's Pattern Is To Ignore Huge Problems

HELP and CCLA recognize the difficulty Staff faces when it has the DEIR has significant failures. When the actual data rebuts much of the Mobility Plan 2035, admitting the validity of the research studies requires re-working major portions of MP 2035. There is no political time to do that.

If Staff were to admit the significant flaws in MP 2035, then a significant portions would be invalidated.

In 2011 and in 2012, The Hollywood Community Plan Update [HCPU] faced the same situation. After politicians insisted on a HCPU which was based on materially false facts and incorrect data, the Staff could not admit the errors and correct the defects and also adhere to the desired time line. This situation was made public by then Councilmember Alarcon on June 19, 2012. At the insistence of Councilman Garcetti, however, the HCPU was unanimously passed, only to be thrown out by Judge Goodman a year and one-half later on January 15, 2014. To date, Los Angeles still has no new Hollywood Community Plan DEIR.

Judge Goodman expressly noted that the City tried to sweep under the rug significant problems with the HCPU when it had an opportunity to address them. Judge Goodman found that the Staff's making a few belated comments did not satisfy CEQA's requirements that the City study alternatives and that the City base its conclusions on accurate data. Then and now, the City ignores troublesome realities when preparing major CEQA documents. When those failures are brought to light, the City believes it can dismiss the gargantuan problems by double talk, obfuscation and ignoring data which it dislikes.

The City is going down the same path with Mobility Plan 2035 as it did with the HCPU.

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2. Health Impacts of Air Pollution on Cyclists:

As HELP and CCLA pointed out, the DEIR failed to study the adverse health impacts on cyclists using Bike Lanes on major boulevards and avenues. On August 4, 2015, The Staff made their responses. HELP and CCLA find the City's responses to be inadequate.

The comments in the Final EIR to which the Staff alludes in its August 4, 2015 response fail to constitute a legitimate discussion of the health dangers. As previously pointed out, the City relied on one Dutch study on a bicycle network expressly designed to be away from densely traveled roads to say that air pollution was not a problem on boulevards like Reseda. The August 4, 2015 Staff Responses about the health dangers are in a similar mode.

The City fails to isolate and concentration on the major issue: air pollution in **major thoroughfares** are a significant health danger to the individuals who use those Bike Lanes. Talking about the fact that other Bike Lanes are not on boulevards and avenues does not address the issue of toxic air in the thoroughfares like Reseda and Westwood.

The City makes the Cigarette Defense that highly toxic exhaust fumes are based on incomplete studies, and thus, everyone should smoke Luck Strikes. The reality is what HELP and CCLA showed – **there is worldwide consensus that Bike Lanes in major thoroughfares is a significant health danger**, especially to children. Likewise, the solution is simple - delete all Bike Lanes in major boulevards and avenues

The Bike Lanes on Westwood Boulevard, for example, are already under significant attack by many others, and the challenge to Westwood's Bike Lanes is factually and medically sound – HELP's and CCLA's prior studies need not be rehashed at this time. The same objections lie against all the Bike Lanes on

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major thoroughfares. The science has been done – Bike Lanes are a significant health danger to cyclists, especially children.

The City tries to conflate the overall reduction in vehicle use and hence reduction in admissions with the direct adverse impacts of the remaining fumes on the individuals who use the toxic Bike Lanes. Assuming that more bike riding will result in fewer vehicles, the public has the right to know the heavy price that individuals will be paying for this alleged social benefit.

Some people may be lulled into complacency by the City's final paragraph:

The collection of research and news articles does not change conclusion that the MP 2035 does not result in a significant impact due to air pollution exposure. To the extent that relative pollution exposure could be a factor to consider in exploring the relative merits in selecting optimal routes to receive facilities, that would be considered in the implementation of the MP 2035. As discussed in the EIR, many bicycle and transit lanes that would involve the repurposing of a travel lane, cannot be installed, constructed and implemented without further study and engineering, including environmental review. *Staff August 4, 2015 Responses page 2*

(1) The research articles do show a significant impact due to air pollution. That is exactly what they say. Like it did with the HCPU, the City refuses to admit the facts.

(2) The health impact will be considered later when implementing the Bike Lanes. No, that is not the way CEQA functions. It does not defer protecting an endangered species until the developer shows up with the earth moving equipment and count on him to show due care for the animals. The purpose of CEQA is to study real problems and to stop or modify projects with

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significant impacts – at the CEQA stage. It does not defer the decision to some later date to some unknown person who mostly likely will have political and financial reasons to build in the most sensitive areas.

In rejecting the Millennium Towers, Judge Chalfant made a similar observation about the City's not understanding the process. In connection with the traffic congestion and CalTrans' objections, the City was not free to devise its own methods and procedures. In ruling on the Target Case, wherein CCLA is one of the Petitioners, Judge Fruin also found that the City may not ignore a Specific Plan. Saying that the city will devise its own non CEQA modus operandi will not pass court muster.

3. The City cannot Ignore an Entire Mode of Transportation

The City simply ignores Virtual Presence [VP]. If the City made responses to HELP's and CCLA's prior comments on this subject, they have not seen them. When residents request notification on projects, it seems that when the City sends out responses, it would certainly send copies to the people who submitted the objections, but that is another issue.

The duty does not rest on HELP or CCLA to actually study the Virtual Presence Alternative. HELP and CCLA can envision VP being a completely separate alternative but more likely it would be a component of each of the other alternatives. The City has selected alternatives by combining certain features and then assessing their impact. HELP and CCLA see nothing wrong with that approach, but omitting VP makes each alternative fatally defective.

HELP and CCLA cannot find that the City took the time to find out enough about Virtual Presence in order to decide not to include it as one of the components along with bikes, subways, and walking. *CEQA Guideline, § 15126.6(c)* Thus, the public is left completely in the dark.

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When an alternative has the potential to significantly mitigate the harm, it becomes significantly more important to the CEQA study. *CEQA Guidelines, § 15126.6(b)* VP significantly mitigates the harm of subways, Light rail, and toxic air. In addition, it is inexpensive as it serves a host of other functions for Angelenos

The City may not keep itself in the state of **conscious ignorance** of new technology. Rather, the City has the duty to reach out and gather the data so that it can make reasonable assessments of when Virtual Presence will be sufficiently operational to benefit Angelenos.

Once the subways and light rail transit system are constructed, they will remain permanent features of Los Angeles for decades. The City has apparently forgotten the fate of the first Hollywood Subway, which was hastily constructed because a few landowners thought it would bring them great profit. Begun in 1925 against the 1915 Study of Traffic Conditions in the City of Los Angeles, the subway was used during WWII due to extreme circumstances but by 1951 the mathematic, topography and the finances explained in the 1915 Traffic Study forced the closure of the Hollywood Subway. <http://bit.ly/1UptRgp> LAistory: The 1925 "Hollywood Subway" by Lindsay William-Ross

Just as businessmen in the early 1920's ignored automobiles and their implications for Angelenos' lifestyle, today's international transit corporations and equally wealthy land owners of property within the TODs ignore the implications of Virtual Presence for Angelenos' lifestyle decisions over the future decades.

In order to be feasible does not mean that all the technology has to have been completed. There can be no honest gainsaying the Virtual Presence is financially feasible and it can be a great financial benefit to Los Angeles if we were able to capture this emerging mega-market for Los Angeles.

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CEQA does not allow the City to simply remain in a state of conscious ignorance. Rather, CEQA mandates that the City obtain the information and actually study Virtual Presence as a component of Los Angeles' future transportation infrastructure.

Also, the City needs to assess the best way to spend its money and squandering billions of dollars on 19th and 20th century technology is not a defensible strategy to develop Los Angeles into a 21st century city. The funds can be better used to make Los Angeles the center of Virtual Presence innovation and manufacturing.

4. The Mobility Plan 2035's Population Premise is Wrong

HELP and CCLA did not see where the City address their prior comments on this subject.

The Mobility Plan 2035 is based on false population projections. When the premise of the size of the population in 2035 is materially wrong, then the conclusions based on that false assumption deprive the entire Plan of legitimacy. The Mobility Plan 2035 says Los Angeles will have 318,500 more people by 2035.

| Year | Population | Ten (10) Year Population Increase |
|------|------------|--------------------------------------|
| 1890 | 50,395 | |
| 1900 | 102,479 | 52,084 |
| 1910 | 319,198 | 257,475 |
| 1920 | 576,673 | 257,475 |
| 1930 | 1,238,048 | 661,375 |
| 1940 | 1,504,277 | 266,229 |
| 1950 | 1,970,358 | 466,081 |
| 1960 | 2,479,015 | 508,657 |

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| Year | Population | Ten (10) Year Population Increase |
|------|------------|--------------------------------------|
| 1970 | 2,816,061 | 487,835 |
| 1980 | 2,966,850 | 150,789 |
| 1990 | 3,485,398 | 518,548 |
| 2000 | 3,694,820 | 209,422 |
| 2010 | 3,792,621 | 97,801 |

When we have emerged from the decades which had the smallest population increase in the city's entire history, there is no basis to support the outlandish claims of dramatic growth. As HELP and CCLA proved previously, many of the causes for our population losses are beyond our control, but one of them is completely within our control. The terribly destructive land use and transportation policies which the City has been pursuing since 1993, but with extra vigor since 2001. Rather than admit the disaster which is befalling Los Angeles, the Mayor continues to fabricate huge population increases.

5. Wrong Population Data Voids the Entire Plan under CEQA.

Using false population projections was a major reason that the HCPU was rejected along with the City's failure to study the likely alternative of needing to prepare for a downsized Hollywood. The entire City seems to be following Hollywood.

Thus, the US Census shows that the rate of LA's population increase is drastically slowing. In the prior decade, LA grew by less than 100,000 ppl. Yet, the Mayor is now claiming that Los Angeles gained 1.4 Million people since 2010!

There is no credibility behind Mobility Plan 2035 and it has to be re-worked from the very beginning before Los Angeles makes more multi-billion dollar errors.

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Respectfully submitted,

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