

Fix the City

Testimony on MP 2035 and EIR before the LA City Council Transportation and PLUM Committees

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SUMMARY

WARNING!
MP 2035 Will Slow Emergency Response (FEIR)

MP 2035/Complete Streets will narrow already substandard lanes so buses & trucks will not fit. *Delivery of goods will be slowed.* Make things better, not worse.
SEND IT BACK.



2501 W. Sunset Boulevard. Like many other streets, too narrow for bus, bike, & trucks.

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Fix the City incorporates by reference all other testimony presented to the City of Los Angeles.

MP 2035 gets an A for sloganeering aspirations and goals, and an F for planning. The Statement of Overriding Considerations is an indictment of MP 2035. The plan adversely impacts 99 percent of travelers to benefit 1 percent. It is harmful because it will increase:

- congestion,
- neighborhood intrusion,
- damage wildlife habitats and,

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- impact emergency response.

No City Councilmember should vote for a plan that risks public safety.

Please send this plan back for revision so that it helps rather than hurts, mobility.

COMMENTS ON ADDENDUM AND FINDINGS OF FACT

MP 2035 Violates a Regional Plan: The Congestion Management Plan

The Addendum falsely states that the plan does not violate any local, regional or state plan (D20, Addendum, p. 27). It violates the Congestion Management Plan, which is an adopted regional plan. Substantial evidence in the record supporting this statement is the Statement of Overriding Considerations, p. 31). It is therefore inconsistent with the CMP.

MP 2035 is predicated on an article of faith that if bicycle lanes were provided, amazing, significant improvements in air quality, congestion, etc. would occur. However, the Statement of Overriding Considerations acknowledges that congestion will increase, and thus, air quality will deteriorate, which is not the conclusion of the EIR, which claims an improvement in air quality and greenhouse gas emissions. This must be reconciled in a revised EIR. Furthermore, US Census data (<http://www.census.gov/newsroom/press-releases/2014/cb14-r04.html>) show that only one percent of LA trips are bikes, and thus even with a major switch to bike, as proposed (from 1 percent to 1.7 percent), no massive improvements in environmental quality can logically be expected to occur, contrary to the conclusions of the EIR.

Instead, MP 2035 clings to the mantra that our plan must be multi-modal, but rejects alternatives that are less disruptive to VHT, LOS and even VMT.

MP 2035 IS INCONSISTENT WITH THE OTHER ELEMENTS OF THE GENERAL PLAN FRAMEWORK

Elements of the General Plan Framework have not been updated in decades. Updating the General Plan Transportation Element creates an internal inconsistency with the older elements of the Framework, most particularly, Emergency Services under the Public Services Element, and water supply, under Public Utilities. At the time the General Plan Framework for Public Services was adopted, LAFD response time met the city's adopted standard of responding to calls within five minutes 90 percent of the time. It no longer can respond 90 percent of the time, as documented in earlier testimony, per the LA Grand Jury report of 2012, and the LA City Controller's report of 2012. Both reports constitute substantial evidence.

MP 2035 EIR FAILS TO PROVIDE A CURRENT BASELINE FOR EMERGENCY RESPONSE TIME BY LAFD

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The impact of MP 2035 on emergency access and response time is acknowledged in the Statement of Overriding Considerations, which constitutes substantial evidence.

The EIR fails to provide a baseline of current emergency response times by LAFD to measure the impact of added delays. It is therefore a deficient EIR. As noted in the EIR, it is required under CEQA to provide a baseline of current conditions. There is no such baseline for emergency access or response time, a critical failure of the EIR.

MP 2035 VIOLATES AN ESTABLISHED CITY POLICY OF RESPONDING TO LAFD ALARMS WITHIN FIVE MINUTES 90 PERCENT OF THE TIME.

A9, p. 5: The Addendum claims that MP 2035 does not violate a threshold of significance under CEQA. However, it does violate an adopted metric as stated by LAFD to the City Council during LAFD oversight hearings on response time. CEQA mandates analysis of significant adverse impacts on adopted local policies, plans, not just CEQA thresholds. Please correct this deficiency in the EIR/Addendum.

The Westwood Boulevard Bike Lane Dimensions Preclude a Safe Route and Would Delay over 900 Buses Per Day, as well as 35,000 autos and LAFD/LAPD response time.

Attached are scaled drawings with lane dimensions for the proposed Westwood Boulevard Bike lane, prepared by Michael Metcalfe & Associates. The plans are substantial evidence prepared by a professional site planner/architect of unsafe dimensions to accommodate the buses, travel lanes and bikes.

LOSS OF PARKING WILL CREATE URBAN DECAY FOR LOCAL BUSINESSES

A7., p. 3: The Addendum states that there may be a loss of parking if a protected bike lane is constructed in Westwood. It ignores the urban decay impact on the viability of local businesses to survive if deprived of their only public parking. References to retail sales in cities that have subway systems are not germane to Los Angeles, which is only now building a subway system. Substantial evidence of the urban decay impact concerns is found in the letter of opposition to the MP 2035 submitted by the WLA Chamber of Commerce, dated June 7, 2015. An urban decay study is therefore required to correct the deficiency in the EIR.

Loss of curbside parking in Westwood Village will lead to increased cruising and traffic congestion based on substantial evidence provided by Prof. Donald Shoup's study of Westwood Village and the need for dynamic pricing for parking (Donald Shoup, *"Cruising for Parking Access," 2007*).

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NO SUBSTANTIAL EVIDENCE THAT THE LAFD RECEIVED A COPY OF THE EIR.

Addendum p. 6 states that LAFD received a copy of the EIR and did not comment. There is no substantial evidence to support the claim that the LAFD had no concerns or did not identify them. Typically, an EIR includes a list of all agencies that received a copy of the EIR. No such list is provided in this EIR. Thus the claim that LAFD actually received and reviewed the EIR is unsupported by substantial evidence in the record.

CUMULATIVE DEVELOPMENT IMPACTS OF RELATED TRANSPORTATION POLICIES AND LAWS

Addendum p. 7 does not accurately respond to the request to analyze ambient land use development impacts of related transportation plans such as the RPT, the EXPO, ReCode LA, or any forthcoming updating of Community Plans, proposal for Pico Boulevard, and the forthcoming impacts of SB 743. Whether by-right or discretionary, these policies and laws will increase the density of development in the City and must be included for analysis as cumulative impacts. Please correct this deficiency.

MP 2035 IS AN UPDATE OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN FRAMEWORK

A11, p. 8 states that “The EIR analyzes the MP 2035, not the 1999 Transportation Element.” However, on p. 1 REIR, it is stated: “**Project Description:** The Mobility Plan 2035 (MP 2035) is a comprehensive revision of the adopted 1999 City of Los Angeles Transportation Element of the General Plan that will guide mobility decisions in the City through year 2035.” This EIR must therefore analyze changes to the 1999 Transportation Element and provide a redline version of changes to the General Plan Framework Transportation Element to inform decision makers of changes proposed and the impacts of those changes. Please correct this deficiency.

The EIR relies upon VMT as a measure of efficacy, however, the true measure of the plan is VHT, i.e., vehicle hours traveled. Please provide an analysis of MP 2035 based on VHT.

AMEND BUS-BIKE LANE DIMENSIONS TO CONFORM WITH FLORIDA AND DRAFT MTA STANDARDS OF 16.5 FEET

A12, p. 8: Please analyze the proposed dimensions under the Complete Streets Design Standards and S-470 for bus-bike lanes to see if they comply with safety standards that are forthcoming from MTA, the operator of buses within the City. It can be reasonably foreseen that the proposed dimensions are insufficient and need to correspond with MTA and other safety levels established, for example, Florida. While the MTA has not yet adopted its standard dimension for shared bus-bike lanes, it can reasonably be anticipated that it will adopt the dimensions in their draft document that was shared with the City and create a conflict between

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the City's design standards and those of MTA. Unlike the city's arbitrary dimensions, the MTA and Florida conducted extensive literature reviews of safety standards for shared bus-bike lanes. Since MTA operates buses in the city, consistency is necessary. Please bring city standards into conformity with MTA for bus-bike lanes.

HOW WILL BIKE LANES INCREASE SAFETY FOR CYCLISTS WHEN ALMOST HALF THE BIKE-AUTO ACCIDENTS ARE CAUSED BY CYCLISTS, NOT DRIVERS?

The EIR has propounded as an article of faith that cyclists will be safer if bike lanes are established and ignored the growing body of literature that has documented that many bike accidents are caused by cyclists ignoring stop signs and traffic signals. Thus the benefits claimed are not supported by a balanced presentation of how to safeguard cyclists. If they still run lights, they are still likely to cause their own injury. See for example, <http://wapo.st/1LJj26>; <http://www.thetimes.co.uk/tto/public/cyclesafety/article3986796.ece>.

INADEQUATE INFRASTRUCTURE

As part of the EIR analysis, a baseline for the adequacy of the existing infrastructure is required, but not provided because the Planning Department skipped the use of an Initial Study that follows the CEQA Checklist. Addendum A16, p. 11 is correct that an Initial Study is not required, but it does not permit the EIR to analyze the baseline infrastructure impacts of any additional development linked with the plans and policies and laws cited above, on the existing decrepit infrastructure, the shortage of water and the decaying water lines throughout the city that fail on an almost daily basis. Ambient growth patterns have an impact on the city's capacity to provide public services and utilities. No such analysis is provided.

ADDING SIGNAL FOR CYCLISTS

A23, p. 13: The EIR acknowledges that signal phases will be required. The Addendum is nonresponsive to the fact that adding a signal phase is not the same as adjusting the timing for existing signals. ATSAC's benefits in reducing congestion may be offset by adding a new signal phase. Such benefits are mitigation measures that may not be removed by this plan. Please analyze the impact of adding bicycle signals to ATSAC intersections and determine if the mitigations promised will be reduced by adding a bicycle signal phase.

OUTDATED 2008 DATA

Addendum p. 17: If recent data are not available, as acknowledged by the EIR Addendum, then this undermines the accuracy of the entire traffic analysis in the EIR. Please update the traffic

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analysis with newer data. CEQA requires data less than five years. Not having such data does not excuse they city from a lawful analysis as required by CEQA.

The discussion on p. 17 of the Addendum regarding Fehr & Peers study is confusing at best. The margin of error ranged from +/- 10 to 15%, and then further in the paragraph, it says the margin for error was "5% to 15%" without indicating +/- . This is confusing and an enormous error margin and indicative of an unreliable study. Please prepare a study that has a statistically reliable result of +/- 5%.

INADEQUATE MITIGATION FOR EMERGENCY VEHICLE ACCESS

Addendum D5, p. 22: Contrary to this denial that the EIR relies on lights and sirens, the statement is made in REIER p. 4.1-8: "**EMERGENCY ACCESS:** California state law requires that drivers yield the right-of-way to emergency vehicles and remain stopped until the emergency vehicles have passed. Generally, multi-lane arterial roadways allow the emergency vehicles to travel at higher speeds and permit other traffic to maneuver out of the path of the emergency vehicle."

On 5/28/15, Staff told CPC that public education was required to have more people move to the right. For streets that have LOS of F, pulling to the right is not an option. Most of the Westside and Eastside, according to the EIR, have LOS E-F and cannot provide emergency access even if drivers heeded lights and sirens. Please address mitigation for these situations, which are all too common.

BICYCLE ACCIDENT DATA CONFLICT

D8, p. 23: Contrary to the response, specific data and a link to the State website for accidents were provided (p. 174/195, Footnote 13). Please correct.

FEASIBLE MITIGATIONS FOR PEDESTRIAN SAFETY

D17, p. 26: While the EIR proposes pedestrian safety measures such as improved crosswalks, there is no identification of funds to implement this mitigation. For a city that can't afford to fix broken sidewalks and potholes, much of MP 2035 appears to be wishful thinking regarding pedestrian safety, with no feasible mitigation proposed.

ATTACHMENTS

- A. Scaled drawings of Westwood Boulevard Bike Proposal of Ryan Snyder prepared by Metcalfe and Associates.
- B. Letter of opposition from WLA Chamber of Commerce

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- C. Heather Riley, "California Supreme Court Weighs in on CEQA Projected Baseline Issue," Allen Matkins.com, August 8, 2013.
- D. Westwood Boulevard Accident Data mapped by State of California.