RESPONSE TO LETTER 107

Comment 107-1
Your comment in opposition to the project is acknowledged. Information on the expected ridership at the Arcadia station is shown in revised Chapter 2, Alternatives.
COMMENT LETTER 108

EIRCOMMENTS

From: Codec@eas.com
To: EIRCOMMENTS
Subject: Sound Wall on 210 fwy eastbound

June 19, 2004

To Whom It May Concern:

We purchased our home at 415 Santa Maria Road in a lovely area in Arcadia in 1999. At that time the freeway noise was tolerable, and it only occasionally was really bad. However, after we bought the 210 freeway extension opened up and now traffic pounds over it at a constant rate. It is now unbearable, a nightmare, with noise at all hours of the day and night. The small existing freeway wall between Santa Maria Road and the freeway doesn’t even come close to stifling the noise to an even tolerable level.

Please consider continuing on to Santa Maria Road et al. Stopping the new improved tall sound wall at Santa Rosa would be unfair to_us that want the peace and quiet restored to our neighborhood, like it was when we bought it a short time ago.

We can be reached at 626-254-0610 (home) or 626-445-0632 (work) to speak further on this issue if you wish.

Regards,
Christopher H. and Dana R. Corliss
415 Santa Maria Road
Arcadia, CA 91007

RESPONSE TO LETTER 108

Comment 108-1

The project alignment follows the existing railroad alignment, which transitions from the middle of I-210 near your residence. Please see revised Chapter 3-11, Noise and Vibration, for a complete description of how noise impacts were evaluated, where impacts occur, and how they will be mitigated, if found to be significant. In most situations, noise would be mitigated by providing noise barriers (soundwalls), in some locations by providing sound-insulating windows, or a combination of such measures.

If a noise wall for the Foothill Extension project is built in your area, it would likely overlap the one recently constructed by Caltrans, so the overall noise levels now occurring because of the gap left for the LRT bridge would be reduced.
Response to Letter 109

Comment 109-1
Any transit-oriented development that may occur in the vicinity of LRT stations would be at the discretion of the City of Glendora, not of either of the Lead Agencies.

Comment 109-2
Noise measurements need not be taken at every location along the alignment in order for the analysis to be valid. Data for similar kinds of land uses can be transferred. The data measured over a 24-hour period captures the variety of changing conditions that define the existing noise environment, especially automobile traffic at different hours, and passing trains with the sounding of warning devices. The locations that have the highest existing noise levels, and usually the areas where impacts occur, are at-grade crossings where the train engineer must sound the horn and bells must be rung to warn pedestrians and auto traffic that a train is approaching. The noise data are used as mathematical inputs for similar land uses and are the base for then adding in the noise effects of the proposed project. As explained in revised Chapter 3-11, Noise and Vibration, an assessment is made of how the noise levels associated with an implemented project compares to existing conditions, whether the amount of difference creates an impact (using impact criteria established by the Federal Transit Administration), and what mitigation measures would be necessary to reduce the noise generated by the project to be at or below the impact criteria.
RESPONSE TO LETTER 109

Comment 109-3

All calculations of distances within which impacts are stated to occur are based on the Federal Transit Administration methodology and criteria for assessing noise and vibration impacts. It should be noted that being aware of a particular level of noise or vibration does not necessarily mean that an impact occurs. Please see revised Chapter 3-11, Noise and Vibration for a complete description of how noise impacts were evaluated.

Comment 109-4

The Draft EIS/EIR only reported comments provided at Scoping Meetings. Issues discussed at other meetings were not included.

Comment 109-5

Please see revised Chapter 3-15, Traffic and Transportation, for a revised discussion of traffic impacts. The existing counts were reviewed for reasonableness and certain locations were recounted for comparison. In cases, where there were several counts, the set of counts showing the highest volumes were used. The growth factors were discussed and decided upon by the representatives of the project team and the City of Glendora. All rail grade crossings were analyzed for at-grade feasibility according to the LACMTA Grade Crossing Policy for Light Rail Transit adopted by LACMTA in December 2003. The purpose of the policy is to provide a structured process that addresses all of the principal concerns and clarifies the trade-offs involved in grade separation decisions.
**RESPONSE TO LETTER 109**

**Comment 109-6**
If noise walls are indicated as the appropriate mitigation, they would be constructed before operation of the LRT service begins.

**Comment 109-7**
The locations of vibration impact and mitigation are determined in accordance with the FTA methodology, and are identified in the revised Chapter 3-11, Noise and Vibration. The Metro Gold Line Foothill Extension Authority will pay for any noise or vibration mitigations that are identified in the Final EIS/EIR.

**Comment 109-8**
A grade separation analysis was completed on the 43 grade crossings along the alignment using LACMTA’s Grade Crossing Analysis Policy. The Milestone 2 Detailed Analysis was completed on the 13 grade crossings identified as “At Grade Operation Possible.” The grade crossings at Lone Hill, Foothill, and Barranca did not meet the criteria to warrant a grade separation. The Grade Crossing Preliminary Hazard Analysis was completed for all grade crossings along the alignment and resulted in intersection and crossing improvements to improve safety and to allow optimal operation of the crossings and streets. Please see revised Chapter 3-15, Traffic and Transportation, for more information.

Institution of the Foothill Extension would not have a substantial impact on emergency response time. The speed at which short LRT trains (2–3 cars) pass through at grade crossings mean that crossing gates are down for only about 45 seconds, which is less than the time when freight trains pass along the rail corridor.
RESPONSE TO LETTER 109

Comment 109-9
Institution of the Foothill Extension would not have a substantial impact on emergency response time. The speed at which short LRT trains (2–3 cars) pass through grade crossings mean that crossing gates are down for only about 45 seconds, which is less than the time when freight trains pass along the rail corridor.

Comment 109-10
Stations will be designed similar to the stations of Phase I and would include landscaping. Bathroom amenities are not typically included at MTA’s LRT stations. The final design of each station depends on decisions and additional funding from the city in which the station is located. The design of stations is not intended to be mitigation for overhead lines; such lines are required to provide power for operation of the LRT system.

Comment 109-11
The LRT system will operate within right of way that is designed and intended for high-speed operation. Safety features include warning devices at locations where the public would interface with the LRT, such as at-grade crossings and at stations. The length of the rail right of way is not intended for public access, is fenced, and is conspicuously posted as a “No Trespassing” area.
COMMENT LETTER 110

RESPONSE TO LETTER 110

Comment 110-1

The Draft EIS/EIR addressed the impacts both of constructing the Build LRT to Irwindale Alternative (i.e., Segment 1 between Pasadena and Irwindale) and of the Full Build (Pasadena to Montclair) Alternative. The Final EIS/EIR address the impacts of constructing revised Segment 1 between Pasadena and Azusa, and revised Segment 1+2 (Pasadena to Montclair). It is not anticipated that funding would be available to complete both segments by 2009.
Comment 111-1
Impacts to freight rail during construction are discussed in revised Chapter 2, Alternatives and revised Chapter 3-12, Railroad Operations.

Comment 111-2
Potential traffic impacts associated with the Maintenance and Operation Facility were assessed in the Draft EIS/EIR. Changes to that facility are reflected in the revised traffic impact analysis shown in revised Chapter 3-15, Traffic and Transportation.

Comment 111-3
Subsequent to the Draft EIS/EIR, an updated traffic technical report was prepared to reflect forecasts through 2025. It was provided to the City for review in June 2005. This intersection is operating at LOS C in the 2005 Conditions analysis scenario of the Final EIS/EIR. A copy of the revised traffic technical report is in Volume 4 of the Final EIS/EIR.

Comment 111-4
See Comment 111-3.

The intersection of Irwindale Avenue and Foothill Boulevard, and the intersection of Irwindale Avenue and Eastbound Interstate 210 Ramps were found to operate at V/C of 1.3 or higher in the 2005 condition (LOS F).
RESPONSE TO LETTER 111

Comment 111-5
See Comment 111-3. Signalization of the intersection at Montoya and the Irwindale Frontage Road is proposed as a mitigation measure.

Comment 111-6
Subsequent to the release of the Draft EIS/EIR, the proposed project has undergone further analysis. The mitigation measure proposed in the Final EIS/EIR at Irwindale Avenue and Foothill Boulevard consists of an adjustment to the signal phasing and will not require additional right of way.

Comment 111-7
Subsequent to the release of the Draft EIS/EIR, the proposed project has undergone further analysis. It is found that adequate right of way is available to accommodate the mitigation measure proposed at Irwindale Avenue and I-210 Eastbound Ramps.

Comment 111-8
Subsequent to the release of the Draft EIS/EIR, the proposed project has undergone further analysis. It is found that adequate right of way is available to accommodate the mitigation measure proposed at Irwindale Avenue and First Street.
**RESPONSE TO LETTER 111**

**Comment 111-9**
See Comment 111-3.

**Comment 111-10**
The drainage conditions in the area are known. Appropriate connections to municipal facilities will be made.

**Comment 111-11**
The development of the Maintenance and Operations Facility would not include backfilling of the remnant surface mining pit. The site map shown in Volume III of the Draft EIS/EIR made no indication of backfilling.

**Comment 111-12**
See Comment 111-11. Since no backfilling is proposed, there is no need for seismic evaluation.

**Comment 111-13**
Subsequent to the release of the Draft EIS/EIR, the project has undergone further design. The parking structure proposed station to the west or Irwindale Boulevard and parking located on the Miller Brewing Facility has been eliminated. On March 1, 2005, the City Council of Irwindale approved the station and parking to be located to the east of Irwindale Boulevard, with access to be provided via Montoya Street (PDR, page 4-17). Please see revised Chapter 2, Alternatives, for a description and drawings illustrating the revised station facilities.
Duplicate of Comment Letter 100
Comment 113-1
Support for the Gold Line is acknowledged.

Comment 113-2
At the direction of the Construction Authority Board of Directors, the Draft EIS/EIR contained information on the potential impacts that might occur within Phase I as a result of the Foothill Extension. None of the analyses conducted indicated that a “spillback” impact would occur. The increased frequency of trains that will occur in South Pasadena is a result of LACMTA’s operating plan that will be implemented upon completion of the Eastside Extension. The Eastside Extension is under construction, whereas the Foothill Extension is only in the planning stages. The Foothill Extension operating plan has been defined to be consistent with the LACMTA operating plan for Phase I, post Eastside Extension. LACMTA’s increase in service is statutorily exempt from CEQA (§21080(b)10).

Comment 113-3
See Comment 113-2. A settlement agreement regarding noise mitigation measures to be implemented in South Pasadena was made in 2005 among the Construction Authority, LACMTA, the California Public Utilities Commission, and the City of South Pasadena.

Comment 113-4
See Comment 113-2. The settlement agreement included measures related to wheel squeel.
COMMENT LETTER 113

RESPONSE TO LETTER 113

Comment 113-5
Mitigation measures for the Foothill Extension will comply with the requirements of CEQA and NEPA. CEQA requires that as part of the approval of the project that a Mitigation Monitoring and Reporting Plan (MMRP) be adopted by the Lead Agency. CEQA does not require mitigation measures or MMRPs to contain penalties.

Comment 113-6
See Comment 113-2. The Foothill Extension would not increase the operating hours in Phase I.
COMMENT LETTER 113

RESPONSE TO LETTER 113

Comment 113-7
See Comment 113-2.

Comment 113-8
Potential testing in Phase I regarding the additional impacts of 3-car trains would be the responsibility of LACMTA, not of the Lead Agencies for the Foothill Extension EIS/EIR.

Comment 113-9
See Comment 113-2.

Comment 113-10
Land use impacts along the Foothill Extension were reported in Chapter 3-10, Land Use, of the Draft EIS/EIR. In general, the corridor cities have already accounted for the proposed project and revised their general plans to accommodate and support LRT service.

Comment 113-11
The Draft EIS/EIR has been reviewed in accordance with the CEQA Guidelines (15088.5). No significant new information, as defined under the CEQA Guidelines, is contained in the Final EIS/EIR.
Response to Letter 113

Comment 113-12

See Comment 113-10.
June 21, 2004

Via Messenger/E-mail

Mr. Habib F. Balian
Chief Executive Officer
Los Angeles to Pasadena Metro Blue Line Construction Authority
625 Fair Oaks Avenue, Suite Two Hundred
South Pasadena, California 91030

Re: Comments of City of South Pasadena Regarding the Draft Environmental Impact Statement/Draft Environmental Impact Report for the Proposed Gold Line Phase II Light Rail Transit Project – Foothill Extension (Pasadena to Montclair)

Dear Mr. Balian:

We represent the City of South Pasadena (“City” or “South Pasadena”) with respect to the captioned matter. The following comments are provided by South Pasadena in response to the Los Angeles to Pasadena Metro Blue Line Construction Authority and Federal Transit Administration request for comments on the Draft Environmental Impact Statement/Draft Environmental Impact Report (“Draft EIS/EIR”) for the Proposed Gold Line Phase II Light Rail Transit Project.

These comments and recommendations are intended to improve the Draft EIS/EIR and, ultimately, the proposed extension of the Gold Line. South Pasadena recognizes the need for the proposed project and supports the general objective of improving Southern California’s transportation network by introducing alternative modes of transportation. Indeed, South Pasadena has expressed its support for this specific proposed project on a number of occasions.

However, despite the conclusions of the Draft EIS/EIR, the proposed project will have significant impacts on South Pasadena that require the drafters of the EIS/EIR to conduct a complete analysis and to mitigate all impacts in the City. The general objectives of the Draft EIS/EIR include informing key decision makers and the public about the potential, significant environmental effects of the proposed project and by identifying means by which environmental damage can be avoided or significantly reduced. As will be discussed in greater detail below,
because it completely ignores the impacts on Phase 1 cities such as South Pasadena, the Draft EIS/EIR is flawed by a series of correctable errors, omissions and missed opportunities.

Furthermore, the Draft EIS/EIR fails to analyze or discuss mitigation measures to address significant environmental impacts to the City and its residents, despite the existence of mitigation alternatives that could minimize those impacts within and around the City without jeopardizing the project objectives. As such, the Draft EIS/EIR is inadequate.

I. BACKGROUND/INTRODUCTION

The National Environmental Policy Act, 42 U.S.C. § 4321 et seq. ("NEPA") procedures are designed to ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment. Sec.40 CFR § 1500.1.

Further, the California Public Resources Code ("PRC") provides in part:

"The Legislature further finds and declares that it is the policy of the state to: (a) Develop and maintain a high-quality environment now and in the future, and take all actions necessary to protect, rehabilitate, and enhance the environmental quality of the state. (b) Take all actions necessary to provide the people of this state with clean air and water, enjoyment of aesthetics, natural, scenic, and historic environmental qualities, and freedom from excessive noise. . . . (d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions. . . . (g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-

South Pasadena’s comments to the Draft EIS/EIR are organized under topic headings for ease of review and consideration. However, many issues are fundamentally interrelated and commonly impact or encompass other issues under other topic headings. Issues should not be narrowly construed or evaluated based on topic headings. If additional information or clarification is needed, please contact the undersigned.

Many of these deficiencies were pointed out during the NOP process. Nevertheless, despite the fact that its earlier comments were ignored, the City is willing to coordinate and cooperate to assist in expediting the process of addressing these important issues expeditiously so that the Final EIS/EIR will be complete and accurate.
Comment 114-1

At the direction of the Construction Authority Board of Directors, the Draft EIS/EIR contained information on the potential impacts that might occur within Phase I as a result of the Foothill Extension. The heading “Phase I- The Cities Affected and the Effects” is used throughout the Draft EIS/EIR to highlight the location of information about Phase I. None of the analyses conducted indicated that a “spillback” impact would occur. See Chapter 3-1.2.4.a, Chapter 3-3.2.3.c, Chapter 3-3.2.4.c, Chapter 3-5.2.3.c, Chapter 3-5.2.4.c, Chapter 3-6.2.3.a, Chapter 3-6.2.3.c, Chapter 3-8.3.3.a, Chapter 3-8.3.3.c, Chapter 3-10.2.3.a, Chapter 3-10.2.3.b, Chapter 3-10.2.3.c, Chapter 3-10.2.4.a, Chapter 3-10.2.4.b, Chapter 3-11.2.3.a, Chapter 3-11.2.3.b, Chapter 3-11.2.3.c, Chapter 3-11.2.4.a, Chapter 3-11.2.4.b, Chapter 3-11.2.4.c, Chapter 3-12.3.2.a, Chapter 3-12.3.2.b, Chapter 3-12.3.2.c, Chapter 3-13.2.3.a, Chapter 3-13.2.3.b, Chapter 3-13.2.4.a, Chapter 3-13.2.4.b, Chapter 3-13.2.4.c, Chapter 3-13.2.4.d, Chapter 3-14.2.3.a, Chapter 3-14.2.3.b, Chapter 3-14.2.3.c, Chapter 3-14.2.3.d, Chapter 3-14.2.4.a, Chapter 3-14.2.4.b, Chapter 3-14.2.4.c, Chapter 3-15.2.3.a, Chapter 3-15.2.3.b, Chapter 3-15.2.3.c, Chapter 3-15.2.3.d, Chapter 3-15.2.4.a, Chapter 3-15.2.4.b, Chapter 3-15.2.4.c, Chapter 3-16.2.3.a, Chapter 3-16.2.3.b, Chapter 3-16.2.3.c, Chapter 3-16.2.6.a, Chapter 3-16.2.6.b, Chapter 3-17.2.6.a, Chapter 3-17.2.6.b, Chapter 3-17.2.6.c, Chapter 3-17.2.7.a, Chapter 3-17.2.7.b, Chapter 3-17.2.7.c, and Chapter 3-17.2.7.d.

The Draft EIS/EIR meets the requirements of both federal and state environmental laws. Under the National Environmental Policy Act (NEPA), where adverse effects are identified, mitigation options are to be identified in a draft environmental document. There is no requirement to develop “alternatives” for specific types of impacts. Under CEQA, alternatives are required only when impacts are identified as significant after the application of mitigation measures. The Draft EIS/EIR identifies and describes impacts for all required environmental topics, and reports those that are adverse under NEPA and significant under CEQA, the mitigation measures that will be implemented to reduce effects/impacts, and any remaining significant CEQA impacts.
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-2

The Draft EIS/EIR provides a thorough description of the proposed project, which is an extension that begins at the Sierra Madre Villa Station in Pasadena and traverses a corridor of approximately 24 miles to Montclair. Chapter 2 of the Draft EIS/EIR described all elements of the project, including rail configurations within the right of way, proposed stations and parking locations, a proposed Maintenance and Operations Facilities, and traction power substations to be located within and adjoining the rail right of way. There are no elements of the proposed Foothill Extension that lie to the east of the Sierra Madre Villa Station. The commenter is mistaken in how a project is defined under both NEPA and CEQA: a project is defined by its physical elements, not by perceived impacts. In addition, the proposed Foothill Extension meets the independent utility requirements established by the Federal Transit Administration.

An increase in the frequency of trains passing through South Pasadena is the result of operational decisions by LACMTA. The proposed increases to 10 minute peak headways is a result of service upgrades planned as part of LACMTA’s Eastside Extension. Those proposed headways would be in effect prior to the proposed construction of the Foothill Extension. The proposed Foothill Extension would not increase the number of trains passing through the city.

Comment 114-3

See Comment 114-2. Potential increases in noise and vibration, if they were to occur, resulting from increases to 10 minute peak headways is a result of service upgrades planned as part of LACMTA’s Eastside Extension. Ridership increases under a scenario that reflects operation of the Phase I and proposed Foothill Extension were shown in Table 3-15.26. The increase in boardings in South Pasadena is 47 boardings per day. This small change would be insufficient to generate substantial traffic impacts associated with increased LRT service.
 REGARDING VISUAL IMPACTS: As stated in Chapter 3-17, Visual Impacts, of the Draft EIS/EIR, there are no physical elements of the proposed Foothill Extension in South Pasadena. Therefore there can be no visual impacts. See Comment 114-2 regarding the increase in the number of trains passing through South Pasadena.

 REGARDING HISTORIC RESOURCES: There are no elements of the proposed Foothill Extension in South Pasadena, so there would be no impacts to historic resources. See Comment 114-2 regarding the increase in the number of trains passing through South Pasadena.

 REGARDING AIR QUALITY: Ridership increases under a scenario that reflects operation of the Phase I and proposed Foothill Extension were shown in Table 3-15.26. The increase in boardings in South Pasadena is 47 boardings per day. This small change would be insufficient to generate substantial traffic impacts associated with LRT service, nor to create air quality impacts for automobiles bound to or from the station.

 REGARDING SOCIO-ECONOMIC IMPACTS: An increase in boardings in South Pasadena of 47 per day would be insufficient to create any substantive socio-economic impacts.
Comment 114-4

The decisions to be made related to the EIS/EIR are related only to the proposed Foothill Extension. As noted in Comment 114-1, no spill-back impacts to Phase I cities were identified through current analyses. There was no reliance on previous studies. Accordingly, all proposed mitigation in the Draft EIS/EIR (and as updated in the Final EIS/EIR) applies only to impacts that occur in the cities in the Foothill Extension corridor. See Comment 114-3 regarding alleged impacts.

Comment 114-5

See comment 114-2 and 114-3.

Comment 114-6

See Comment 114-3. An increase in boardings in South Pasadena of 47 per day would be insufficient to have economic impacts or induce growth.
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-7

Comments received during Scoping are intended to assist the Lead Agencies in determining the scope of environmental analyses to be conducted in an EIS/EIR. The Scoping comments of the City were considered. The Draft EIS/EIR contained analyses of all of the issues raised by the City. Refer to Comment 114-1 for the listing of the 48 sections of the Draft EIS/EIR where analyses results for Phase I cities (which includes South Pasadena) were reported.

Comment 114-8

See Comment 114-1. As stated in Comment 114-2, increases in LRT service through South Pasadena, and impacts that might arise from such increases, are attributable to LACMTA’s operating plan for Phase I subsequent to the Eastside Extension. The proposed Foothill Extension would not increase the number of trains passing through the city.

Comment 114-9

The Lead Agencies determined that 45 days was an adequate period for the review of the Draft EIS/EIR. The City received the Draft EIS/EIR on April 27, 2004, more than one week in advance of the circulation period of May 7 to June 24, 2004. It is noted from Comment 114-46 that City of South Pasadena submitted detailed comments on the Draft EIS/EIR at a public hearing held by the City’s Transportation Commission on June 10, 2004.
Comment 114-10
See Comment 114-2.

B. General Comments

1. The Draft EIR/FIR Fails To Provide An Adequate Description Of The Project

   a. The Project Description is Incomplete

   The fundamental purpose of NEPA and CEQA review is so that decision-makers can have in one place a review of all the environmental consequences of a proposed project in light of the existing environment and other proposed projects. See, e.g., California v. Norton, 311 F.3d 1162, 1175 (9th Cir. 2002). More precisely, every environmental impact report must contain a legally adequate project description to provide proper public disclosure and informed environmental decision making. See, e.g., County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 187 (1977).

   Here, the Draft EIS/EIR does not state the proper scope of the project because it omits and ignores significant Project elements and potential impacts and because it fails to properly define the baseline. For example, the Draft EIS/EIR makes virtually no reference whatsoever to and ignores the many potentially significant impacts the Proposed Project will have on the City of South Pasadena. This is the case even though the Draft EIS/EIR clearly indicates, for example, that if the identified Full-Build Alternative is selected (Sierra Madre Villa station to Montclair), ridership through the City of South Pasadena will increase dramatically. Specifically, as part of its review of traffic conditions, the Draft EIS/EIR relies on an “Operating Plan and LRT Operating Statistics” report prepared by Manuel Padron & Associates, Inc (“Padron Report”). The Padron Report states, in part, that:

   “[D]uring the morning peak hour for the Build to Montclair alternative 238 riders board light rail trains at the Montclair station heading toward downtown Los Angeles via Pasadena. ... As riders get on and off at each subsequent..."
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-11

See Comment 114-2. There are no elements of the Foothill Extension project in South Pasadena.

As discussed herein, and as the Project Proponent is well aware, Phase I of the Gold Line operates only 2-car consists (and has so operated for its entire 11 month period of operations). Indeed, there are currently enough TPSS stations for only 2-car trains.
**Comment 114-12**

The cited additional traction power stations in Phase I are not part of the planned Foothill Extension. They are a current LACMTA-sponsored project that is being undertaken to provide adequate power for operation of Phase I at 10-minute headways subsequent to the addition of the Eastside Extension.
RESPONSE TO LETTER 114

Comment 114-13
See Comment 114-2

Recommendation: The Draft EIS/EIR project description must be revised to include all foreseeable expansion projects and similar activities that will have environmental impacts, including the construction and operation of additional TOSS units for the Gold Line in South Pasadena.

c. The Draft EIS/EIR Fails to Describe the Many Other Projects that Will Interconnect with the Completed Gold Line Phase II

A project description must include all relevant parts of a project and all foreseeable future activities that are a consequence of project approval. Laurel Heights, 47 Cal.3d at 396.

In this case, if the Project is completed, the Gold Line will become a bigger part of the interconnected network of MTA rail lines. The current rail lines include the Metro Red Line (San Fernando Valley to Downtown Los Angeles), the Metro Blue Line (Long Beach) and the Metro Green Line (Norwalk). The MTA also is expanding the network with the addition of the Mid-City/Westside Transit Corridor and the Eastside Light Rail Project. (See the MTA’s Rail System Map, attached as Exhibit 5.) The finished Gold Line will be interconnected to these and other associated train and bus routes which will further increase projected ridership estimates. The additional likely increase from the interconnection of all of these rail lines is not part of the Draft EIS/EIR project description or analysis.

Recommendation: The Draft EIS/EIR project description must be revised to include all foreseeable consequences of project approval, including consequences associated with the Gold Line’s ultimate connection to other rail projects as part of the MTA’s passenger rail network.

1. The Draft EIS/EIR Fails To Adequately Disclose Or Analyze The Project’s Significant Impacts on South Pasadena

A draft EIS/EIR must identify and focus on the significant environmental effects of a proposed project. See, e.g., 40 CFR § 1502.1; Cal. Public Resources Code § 21100(b)(1); 14 CCR § 15263(a)(2)(A). The California Public Resources Code provides in part that a project “may” have a significant effect on the environment when: (i) a project has the potential to degrade the quality of the environment; (ii) a project’s potential effects are individually limited but cumulatively considerable; and (iii) a project’s potential environmental effects will cause substantial adverse effects on human beings. 14 CCR § 21083(b).

A lead agency must find that a project “may” have significant impact when any of the conditions described in 14 CCR § 21083(b) exists. 14 CCR § 15065(a) – (d). In addition, an EIR/EIS’s analysis of significant environmental impacts must identify the direct and indirect or
secondary environmental impacts that are likely to result from the project in both the short term and the long term. See, e.g., Marin Municipal Water District v. KG Land California Corp., 735 Cal.App.3d 1652 (1995).

In this case, as will be discussed in detail below, the Draft EIS/EIR fails to consider the Project’s various significant environmental impacts on South Pasadena in at least six key areas.

a. Noise/Vibration

PRC section 21001 states that “it is the policy of the state to ... take all action necessary to provide the people of this state with ... freedom from excessive noise.” If approved in the current form, the Draft EIS/EIR will not live up to this standard with respect to noise and vibration conditions in South Pasadena.

First and foremost, South Pasadena recently completed a noise/vibration analysis associated with the actual Gold Line operations in the City, entitled “Technical Review of the Metro Rail Gold Line Phase II Pasadena to Montclair Draft EIS/EIR,” dated June 21, 2004 (“Noise/Vibration Study”). (The Noise/Vibration Study is attached herein as Exhibit 6.) The Noise/Vibration Study shows that the Project Proponent properly analyzed the baseline current operations; the inevitable conclusion is that Phase II Gold Line operations will have significant impacts on South Pasadena. The Noise/Vibration Study concludes as follows:

- Noise measurements were recently conducted in South Pasadena to quantify the existing noise levels along the existing Gold Line. The noise tests confirmed there are residential locations that currently are exposed to Ldn noise levels near or above 65 dBA. (See Noise/Vibration Study, at 3-4, Exhibit 6.)
- Ldn noise levels associated with future Gold Line Phase II operations have been estimated using the operational data from the Phase II DEIS/DEIR, the existing measurement data, and the FTA procedures for transit noise impact assessment.

In light of the severe time constraints in the Draft EIS/EIR process, the analysis was conducted as an exemplar and is not meant to be exhaustive. However, the critical point here is that even with this limited analysis, significant impacts were identified which have not been analyzed at all in the Draft EIS/EIR. Indeed, these actual results are further evidence that the Project Proponent has used the wrong baseline in evaluating impacts on Phase I cities. Where it should have relied on actual operations as described herein, the Project Proponent instead used incomplete, and inadequate, hypothetical scenarios contained in outdated documents.
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-14
The City’s independent evaluation of noise and vibration impacts using FTA criteria is not germane to the Draft EIS/EIR. The evaluation is of an existing condition, and that condition is not affected by the proposed Foothill Extension. As previously stated, increases in LRT service through South Pasadena, and impacts that might arise from such increases, are attributable to LACMTA’s operating plan for Phase I subsequent to the Eastside Extension. The proposed Foothill Extension would not increase the number of trains passing through the city.

Comment 114-15
See Comment 114-14.

Comment 114-16
See Comment 114-14.

Comment 114-17
See Comment 114-14.

Comment 114-18
See Comment 114-14.
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-19
See Comment 114-14.

Comment 114-20
See Comment 114-14.

Comment 114-21
See Comment 114-14.

Comment 114-22
See Comment 114-14. The operating plan for the Foothill Extension is consistent with LACMTA’s determination of desirable future service for the line.
LACMTA has an extensive long-term maintenance program for its system, including vehicles and the rail system. It is speculative to assume that potential deterioration would not be corrected and/or would produce additional impacts. In addition, additional noise and vibration mitigation in Phase I has been recently approved as a result of a settlement agreement among the Construction Authority, LACMTA, the California Public Utilities Commission, and the City of South Pasadena.

See Comment 114-14.

Comment 114-23

See Comment 114-14.

Comment 114-24

See Comment 114-14.

Comment 114-25

See Comment 114-14.

---

10 If you take an average weight of 150 pounds per person (which is conservative), and multiply that by the number of people per car (150 x 220), it comes to 33,000 pounds.
which did not analyze the conditions which actually exist today in the 21st Century (i.e., the current ambient conditions).  

**Recommendation:** The Draft EIS/EIR should be revised to include an analysis of all of the noise and vibration impacts on the City of South Pasadena. Specifically, the Draft EIS/EIR should be revised to include actual information associated with the noise and vibration impacts caused by the Gold Line’s current operating conditions. This revised baseline will provide more up-to-date information so that proper mitigation measures can be considered. (See also, recommendations in Noise/Vibration Study.)

b. Traffic/Safety/Security

The Draft EIS/EIR discusses the potential for increased traffic along the Project’s corridor including intersections in the cities of Pasadena, Arcadia, Monrovia, Duarte and Irwindale. However, the Draft EIS/EIR chooses to ignore how the increased rail traffic from Phase II will impact the City of South Pasadena and the eight existing at-grade crossings which were not analyzed. In fact, the increased traffic will lead to decreased headways which will cause crossing gates to operate much more frequently. The increased rail traffic will further stall already busy intersections at and near Phase I rail intersections in South Pasadena and therefore significantly impact the City of South Pasadena’s traffic conditions.

More specifically, in a letter addressed to the Authority dated June 16, 2004, the Chief of the South Pasadena Fire Department states that traffic delays have increased in duration since the initial opening of the Gold Line in July 2003 at the grade-crossings City-wide. (See Exhibit 9.) Further, the increased rail traffic from Phase II could severely impact fire and police agencies’ response time to emergencies potentially will be severely Impacted. For example, the Fire Chief states that “there are frequent incidents where the intersection at Mission/Fremont is blocked by vehicles caught in the intersection due to the lowered crossing arms at the Fremont/Grevelia grade crossing which is approximately 1000 feet from the Mission/Fremont intersection.” (See Exhibit 9, p. 2.) The South Pasadena Police Department has similar concerns regarding traffic delays and resulting impacts on emergency response activities. (See June 16, 2004 Letter from South Pasadena Police Chief to Authority, attached as Exhibit 10.) Such impacts are not considered in the Draft EIS/EIR.

The Project Proponents also must consider other potential significant noise and vibration increases when two trains pass by each other at the same time. The increase in noise and vibration levels from two three-car trains passing at peak hours of operation is a real-world example that must be considered and, if necessary, mitigated.
**Comment 114-29**

See Comment 114-14.

**Comment 114-30**

See Comment 114-3. An increase of 47 boardings per day would not increase terrorism risk. In addition, terrorism risk to transit systems is an existing condition. LACMTA has in place, and plans to increase, safety and security measures related to terrorism.

**Comment 114-31**

The referenced parking structure is not an element of the proposed Foothill Extension, nor of the Construction Authority. Evaluation of potential traffic impacts associated with such a garage would be the responsibility of the City of South Pasadena.

**Comment 114-32**

See Comment 114-14.
Comment 114-33
There are no elements of the proposed Foothill Extension located in South Pasadena, so there could be not visual impacts attributable to the Foothill Extension. See Comment 114-12 regarding the TPSS.

Comment 114-34
See Comment 114-14. As previously stated, increases in LRT service through South Pasadena, and impacts that might arise from such increases, are attributable to LACMTA’s operating plan for Phase I subsequent to the Eastside Extension. The proposed Foothill Extension would not increase the number of trains passing through the city.
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-35
See Comment 114-3.

Comment 114-36
See Comment 114-3.

MUSICK, PEELER & GARRETT LLP
ATTORNEYS AT LAW

Mr. Habib F. Balian
June 21, 2004
Page 18

local, state and national significance. The Gold Line is in close proximity to these historic
resources. The impacts on these historic resources from the increase in traffic from the proposed
Gold Line extension are not analyzed in the Draft EIS/EIR.

Recommendation: The Draft EIS/EIR should be revised to include an analysis
of historical resource impacts on the City of South Pasadena, including those identified here.

e. Air Quality

The Draft EIS/EIR fails to consider the Project’s environmental impacts on air
quality in the City of South Pasadena. Air quality will be impacted by the dramatic increase in
traffic conditions, including additional pollution caused by increased idles-traffic at grade-
crossings in the City. (See Exhibits 9 and 10.) Further, air quality will be impacted by the
construction and operation of additional traction power substations in the City. Finally, the new
traction power substations themselves may impact air quality in the City. The potential for
electrical discharge into the air surrounding this additional facility may be significant if it is
located within close proximity to residential land uses. These impacts are not considered in the
Draft EIS/EIR.

Recommendation: The Draft EIS/EIR should be revised to include an analysis
of air quality impacts on the City of South Pasadena, including those identified here.

f. Economic Impacts/Growth-Inducing Impacts

Physical changes to the environment caused by a project’s economic or social
effects are secondary impacts that must be included in an EIR’s impact analysis if they are
significant. 14 CCR § 15064(e). See San Francisco City & County of San Francisco, 269 Cal.App.3d
1502, 1516 (1999) (social and economic effect of project may be determined to cause physical impact, in which case it must be analyzed in the
EIR).

More precisely, CEQA Guidelines provide, in part, as follows:

“Economic or social effects of a project may be used to determine the significance of
physical changes caused by the project. For example, if the construction of a
new freeway or rail line divides an existing community, the construction
would be the physical change, but the social effect on the community would be the basis
for determining that the effect would be significant. As an additional example, if
the construction of a road and the resulting increase in noise in an area disturbed
existing religious practices in the area, the disturbance of the religious practices
could be used to determine that the construction and use of the road and the
resulting noise would be significant effects on the environment. The religious practices would need to be analyzed only to the extent to show that the increase in traffic and noise would conflict with the religious practices. Where an EIR uses economic or social effects to determine that a physical change is significant, the EIR shall explain the reason for determining that the effect is significant."

14 CCR § 15131(b) (emphasis added); see also, Shaw v. Golden Gate Bridge Dist., 60 Cal.App.3d 695 (1976) (citing environmental impacts such as increased traffic, fuel consumption, and air pollution as secondary environmental impacts).

In this case, there will be significant physical changes to the environment in South Pasadena as a result of the Proposed Project. Such environmental impacts include, but are not limited to, the following: (i) the Project likely will increase residential development in the area; (ii) the Project likely will increase demand for city services; (iii) the Project will require additional parking in the City; (iv) traffic in and around the Project corridor will continue to increase; and, (v) air pollution likely will increase due to idling cars at grade-crossings. These environmental impacts are evidenced by the Police and Fire Department's statements that the current Gold Line operation is causing increased traffic in and near the grade-crossings. Such conditions will worsen once Phase II is completed. In any case, such environmental impacts are not considered or analyzed in the Draft EIS/EIR.

Furthermore, a draft EIS/EIR must discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. PRC § 21100(b)(3); 14 CCR §§ 15126(d), 15125.2(d). The analysis must discuss those project characteristics that may encourage and facilitate activities that, either individually or cumulatively, will affect the environment. Id. The lead agency must never assume that growth in an area is necessarily beneficial or of little significance environmentally, but must make its judgment in this regard only after open-minded analysis. 14 CCR § 15126.2(d).

In City of David v. Coleman, 211 F.2d 661 (9th Cir. 1955), the court stated that the growth-inducing impacts of a large interchange will have substantial impact on a number of environmental facts. The court further stated that the "growth-inducing effects of the Kidwell Interchange project are its raison d'etre, and with growth will come growth's problems: increased population, increased traffic, increased pollution, and increased demand for services such as utilities, education, police and fire protection, and recreational facilities." Id. at 674-675.

In this case, the Draft EIS/EIR fails to analyze growth-inducing impacts on the City of South Pasadena. Such growth-inducing impacts include, among other things, the potential increase in population resulting from the Proposed Project which then indirectly leads...
to further development by taxing existing public facilities, which could in turn require
construction of new facilities.\textsuperscript{14} Such impacts are not considered or
analyzed.

\textbf{Recommendation:} The Draft EIS/EIR should be revised to include an analysis
of the socio-economic impacts and potential growth-inducing impacts on the City of South
Pasadena (and other cities on the Phase I corridor).

3. The Draft EIS/EIR Fails To Identify Measures To Mitigate The Project’s
Significant Impacts

CEQA requires that an EIR propose and describe mitigation measures to
minimize the significant environmental effects identified in the EIR. FRC § 21002.1(a),
21106(b)(3); 14 CCR § 15126.4. NEPA requires that an EIS evaluate all reasonable alternatives
and propose appropriate mitigation measures. 40 CFR § 1502.4. In addition, mitigation
measures may consist of measures that could reduce adverse impacts if imposed as conditions of
project approval. 14 CCR § 15126(a)(1)(A).

In this case, the Draft EIS/EIR’s identification and analysis of mitigation
measures is inadequate, much like its analysis of environmental impacts. For this reason, the
City has several concerns regarding the incomplete review and analysis of mitigation measures.
The fact that there are so many significant impacts documented above that are not addressed in
the Draft EIS/EIR is of great concern to South Pasadena. (See City’s Noise/Vibration Study,
Exhibit 6.) The Project Proponent cannot ignore significant and adverse impacts by limiting the
scope of review to only those cities within the “Phase II” corridor. The intent and spirit of
CEQA and NEPA require an identification of all significant and adverse impacts and mitigation
measures to minimize them. A project proponent cannot hide ostrich-like behind its own failure

Mitigation is sorely needed for unaddressed Project components like increased traffic volumes,
increased noise and vibration levels, safety and security issues, impacts to visual quality, historic
resources and economic impacts.

Further, an EIR must respond to specific suggestions for mitigating a significant
impact unless the suggested mitigation is “facially infeasible.” Los Angeles Unified School

\textsuperscript{14} See also, Footnote 13 for proposed safety action items to be taken by transit agencies. Given
that the Gold Line runs through the City, the City’s Fire and Police departments will need to be
aware of such safety measures and may be required to implement or all or all of them. Such
implementation of additional safety measures clearly causes growth-inducing impacts in the
City, and such impacts need to be considered in the Draft EIS/EIR.
Comment 114-38

See Comment 114-2. Since there are no visual impacts in South Pasadena attributable to the proposed Foothill Extension, no mitigation was proposed in the Draft EIS/EIR.

Comment 114-39

See Comment 114-6.
(iv) Tie boots (neoprene shock absorbers).
(v) Some of the proposed noise mitigation measures listed above also will reduce vibration levels.

- Traffic/Safety/Security:
  (i) Appropriate changes to signal operations at grade-crossings to improve efficiency.
  (ii) Develop traffic study to ensure traffic flow is maintained.
  (iii) Monitoring of increased traffic conditions resulting from increased LRT system operations of Phase II.
  (iv) Assess the installation of an Optimoz-type traffic flow intervention system on alternate routes around the Gold Line crossings to facilitate emergency vehicle traffic movement on key streets in light of the increased traffic and transportation impacts.

4. **The Draft EIR/EIR Fails To Identify Measures To Mitigate The Project's Cumulative Impacts**

When preparing an EIS, NEPA requires lead agencies to consider three separate types of impacts including:

“Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement.” 40 CFR § 1508.25(a)(2); and

“Similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing, or geography. An agency may wish to analyze these actions in the same impact statement. It should do so when the best way to assess adequately the combined impacts of similar actions or reasonable alternatives to such actions is to treat them in a single impact statement.” 40 CFR § 1508.25(a)(3).

Furthermore, a cumulative impact is an impact created by the combination of the project reviewed in the EIR together with other projects causing related impacts, 14 CCR § 15130(a). An EIR must discuss a cumulative impact if a project’s (incremental) effect combined
RESPONSE TO LETTER 114

Comment 114-40
See Comment 114-3. An increase of 47 boardings per day would not be sufficient to generate cumulative impacts in South Pasadena.

Comment 114-41
Chapter 4 of the Draft EIS/EIR discussed cumulative impacts. See the revised Chapter 4, which has been edited to cite the specific reasons why there would be no cumulative impacts to South Pasadena.

Comment 114-42
Any deficiencies in previous EIRs for Phase I are not germane. The period for challenge of these documents under CEQA expired many years ago. Since the cited EIRs were not used in the analysis of cumulative impacts in the Draft EIS/EIR, there would be no need nor requirement to cite them as a reference.
Comment 114-43
See Comment 114-12.

Comment 114-44
This concern would be an existing condition, and not an environmental impact of a proposed project to be evaluated in an EIS/EIR. Operating speeds on Phase I are determined by LACMTA, not by the Lead Agencies for the Draft EIS/EIR.
COMMENT LETTER 114

RESPONSE TO LETTER 114

Comment 114-45
Issues regarding operation of the line are not environmental impacts and are not subject to CEQA or NEPA analysis.

Comment 114-46
The responses to Comments 114-1 through 114-45 above demonstrate that there are no significant impacts to the City of South Pasadena that are attributable to the proposed Foothill Extension. See, in particular, Comment 114-2 and 114-3.