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March 9, 2017

Via E-Mail and FedEx

City Clerk
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Re: Appeal of Board of Airport Commissioners' Certification of Final Environmental Impact Report of LAX Landside Access Modernization Program

Honorable City Clerk:

On behalf of the City of El Segundo, we hereby appeal the March 2, 2017 decision of the Board of Airport Commissioners ("BOAC") to certify the Final Environmental Impact Report ("FEIR") for the LAX Landside Access Modernization Program ("LAMP") and to approve actions based on the FEIR. We file this appeal pursuant to Public Resources Code section 21151(c), which allows appeal of the decision to certify an EIR by a nonelected decisionmaking body of a lead agency, such as the City of Los Angeles, to the elected decisionmaking body of the lead agency.

The EIR fails to comply with the California Environmental Quality Act ("CEQA") because it fails to adequately disclose, analyze, and mitigate the significant impacts of LAMP. The specific bases for this appeal are set forth in the enclosed letters to BOAC dated March 9, 2015, November 15, 2016, December 2, 2016, and March 1, 2017, including all attachments and exhibits thereto, and the oral testimony of El Segundo Mayor Suzanne Fuentes to the BOAC on March 2, 2017 (available at: http://www.lawa.org/boac_granicus.aspx). These letters (including attachments and exhibits) and the audio recording of Mayor Fuentes' testimony are incorporated by reference into this notice of appeal.

Please advise us as soon as possible when the City Council will hear this appeal.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph “Seph” Petta

Enclosures

cc: Suzanne Tracy, Counsel, Los Angeles World Airports
Greg Carpenter, City Manager, City of El Segundo

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Attachment A

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March 9, 2015

Via E-Mail and FedEx

Christopher Koontz
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E-Mail: ckoontz@lawa.org

Re: Notice of Preparation for LAX Landside Access Modernization Program

Dear Mr. Koontz:

On behalf of the City of El Segundo, thank you for the opportunity to review the Notice of Preparation ("NOP") and Initial Study ("IS") for the Landside Access Modernization Program ("Project") and Potential Future Related Development ("Future Development"). The City expects to be actively involved in the planning process and looks forward to follow-up discussions and close coordination as the Project goes forward.

As LAWA is aware, El Segundo has a number of longstanding concerns related to LAX, particularly around noise and traffic impacts originating on the southern airfield and/or directed toward El Segundo. El Segundo appreciates that, for now, LAWA appears to have focused the Project and Future Development away from El Segundo. Nevertheless, the City believes that the remaining potential impacts could be further minimized or avoided if LAWA acts consistently with its prior development proposals and decisions, particularly those encompassed by the LAX Master Plan and Specific Plan Amendment Study ("SPAS"). This letter explains El Segundo's concerns about the Project and Future Development, and calls on LAWA to fully evaluate the potential significant impacts of the Project and Future Development on El Segundo's residents.

Project Setting and Description. El Segundo urges LAWA to describe the Project and its setting completely and accurately in the EIR. "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 727.

El Segundo is concerned that the EIR could fail to sufficiently analyze the Project's potential impacts due to an incomplete project description. For instance, the Project's "enabling components" (NOP at 51) include demolition of several facilities, including a hangar complex to the east of the CTA which the NOP describes as "currently leased for storage." *Id.*; *see id.* at 27 (Fig. 4). However, Figure 2, depicting land uses approved under the LAX Master Plan, shows the hangar complex as an "existing maintenance facility" (*id.* at 19), and Delta's "Tech Ops" website (http://www.deltatechops.com) indicates that the hangar complex is currently used for aircraft maintenance. If aircraft maintenance or other non-storage activities indeed take place at this hangar complex, the EIR must fully describe them and where and when they will be relocated. El Segundo is particularly invested in the displacement and relocation of maintenance facilities in light of the pending ground run-up enclosure ("GRE") siting study and the West Aircraft Maintenance Area ("WAMA") proposal.

The EIR must also clearly state where and when all other facilities slated for demolition will be rebuilt or relocated. If any of these facilities will be permanently removed, then the EIR must state this and explain how remaining facilities will accommodate capacity from the facilities planned for removal. Failure to analyze the impacts of the removal and relocation of these facilities in the EIR could run afoul of CEQA's prohibition on project segmentation.

LAX Master Plan/SPAS Consistency. While the NOP states that the LAX Plan and Specific Plan may need to be amended as part of the Project to allow for potential Future Development (*id.* at 105), the NOP does not discuss the Project's or Future Development's consistency with the LAX Master Plan. In particular, it is not clear how the Future Development locations shown in Figure 12 (*id.* at 57) correspond with the same locations in the Master Plan (*see id.* at 19 (Fig. 2)). Although "programmatic" in terms of its analysis of impacts from Future Development, the EIR should analyze the Future Development's consistency with the LAX Master Plan. El Segundo also urges LAWA to provide additional detail regarding the Project's consistency with the LAX Master Plan and what process LAWA would go through to amend the Master Plan to make it consistent with the Project.

In addition, El Segundo urges LAWA to analyze and ensure consistency between the Project and the plans and commitments reached through the SPAS process.

Traffic. The Project will have several circulation-related components, including demolition of the ramps from northbound Sepulveda into the airport. (*See id.* at 19 (Fig. 2)). This and other changes to existing on-airport circulation patterns could have traffic impacts in neighboring communities, including in El Segundo. *See id.* at 114 (Project and Future Development "could result in increased traffic impacts on surrounding roadways"). For example, if the northbound Sepulveda ramp is removed, drivers entering LAX from the south may instead access West Century Boulevard via Aviation Boulevard. Because the Project could alter current traffic conditions in El Segundo, the City urges LAWA to fully analyze the Project's and Future Development's traffic impacts in the EIR, as well as the potential for any construction vehicle traffic to use the City's designated truck routes or major arterial corridors such as Imperial Highway or Pershing Drive. As always, the City asks that truck trips for the Project avoid El Segundo when possible.

El Segundo also requests that the EIR identify any outstanding, previously adopted transportation mitigation measures and indicate whether these measures will be implemented as part of the Project or, if not, when they will be implemented.

Construction Staging. The NOP does not state where construction staging for the Project will occur, only that construction staging will be located near the Project "to the extent possible." *Id*. at 25. However, Figure 3 attached to Appendix A to the NOP suggests there may be two or more staging or laydown areas adjacent to El Segundo's border. Considering El Segundo's longstanding concerns related to noise and traffic impacts generated by uses at the airport's southern edge, the City urges that any proposed construction staging be located away from El Segundo. At the very least, the City expects all potential impacts from construction staging to be thoroughly analyzed and mitigated in the EIR. The project description should state the duration of any construction activities located near El Segundo, as well as the potential for any construction vehicle traffic to use the City's designated truck routes or major arterial corridors.

Cumulative Impacts. The Project is being proposed while other airport projects are still in varying stages of development, in particular, various CTA terminal upgrades, location of a GRE, rehabilitation of all four runways, and the Airport Metro Connector. The EIR must identify and analyze the Project's impacts when considered with these and other past, present, and probable future development at the airport and in the surrounding

area. El Segundo urges a thorough analysis of potential cumulative impacts and inclusion of meaningful alternatives and mitigation measures in the EIR.

Thank you for the opportunity to comment on the Project. We request that this firm and the City of El Segundo Planning and Building Safety Department receive a copy of the Draft EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Joseph "Seph" Petta

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Attachment B

SHUTE, MIHALY & WEINBERGER LLP

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November 15, 2016

Via E-Mail and FedEx

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Los Angeles World Airports
P.O. Box 92216
Los Angeles, CA 90009-2216
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Re: Landside Access Modernization Program Draft Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo ("City"), we submit the following comments on the Draft Environmental Impact Report ("Draft EIR" or "DEIR") for the Landside Access Modernization Program ("LAMP" or "Project"). As Los Angeles World Airports ("LAWA") is aware, the City has a number of longstanding concerns related to Los Angeles International Airport ("LAX"), including noise, traffic and air quality impacts. The City appreciates that LAWA has, thus far, been receptive to discussion regarding the environmental analysis of the Project, including the proposed non-aviation, commercial development on surplus property ("Potential Future Development"). In order to fully address the City's concerns, however, the EIR must analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed. To that end, this letter explains the City's concerns about the Project and identifies specific impacts that LAWA should carefully evaluate as part of an informative and comprehensive EIR.

By removing existing ground access constraints, the Project will ultimately enable Los Angeles International Airport to accommodate at least 95 million annual passengers ("MAP") instead of the 78.9 MAP historically represented as the maximum capacity for LAX. Despite the City's comments on the previously released Notice of Preparation ("NOP") and related National Environmental Policy Act Scoping Document ("NEPA Scoping Document"), both of which are attached to this letter, the DEIR fails to properly

analyze the environmental effects of the Project. It must be revised to address the Project's substantial contribution to future growth in passenger traffic at LAX and the resulting impacts of such growth on surrounding communities.

Please note that we will submit further comments on the LAMP DEIR's traffic analysis, and potentially other sections of the environmental document, once our traffic engineer completes his analysis.

I. The Project Would Remove Existing Ground Access Constraints and Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.

The Master Plan, Specific Plan Amendment Study ("SPAS"), and the 2006 Settlement establish and relied on a maximum operational capacity of 78.9 MAP.[1] In its Master Plan for LAX and all subsequent proposed improvements prior to LAMP, LAWA represented that limiting the total gates at LAX to 153 would result in a maximum practical capacity of 78.9 MAP. *See* SPAS Draft EIR (2012) at 2-4. LAWA's recent environmental review of airport development projects consistently assumes this capacity for the purpose of evaluating projects' environmental impact. *See, e.g.*, Draft EIR, Midfield Satellite Concourse ("MSC") (March 2014) at 4-16, fn. 10 (stating project would comply with LAX Master Plan gate cap limit); "MSC North FAQs," available at http://www.lawa.org/mscnorth/faq.aspx (last visited November 15, 2016) (stating MSC Program will comply with 2006 Stipulated Settlement at all times). Furthermore, the LAX Specific Plan, with which all future development at LAX must be consistent, required restudy and full California Environmental Quality Act ("CEQA") review if annual passenger activity levels were anticipated to exceed 78.9 MAP.

With LAMP, however, LAWA abandons its commitment to a constrained LAX. The same 153 gates once represented as limiting LAX passenger growth effectively to 78.9 MAP are now represented as able to accommodate at least 95 MAP. That growth apparently comes from efficiencies gained through larger aircraft, fewer empty seats and shorter times between plane arrivals and departures. Efficiency is, of course, generally a

[1] As set forth in the LAX Master Plan and associated EIR (*see* Exhibits A and B on the enclosed CD) and the Specific Plan Amendment Study ("SPAS") and associated EIR that LAWA prepared pursuant to settlement with its neighbors over the Master Plan (*see* Exhibits C and D); *see also* Exhibit E (LAX Specific Plan, requiring LAWA to initiate a new specific plan amendment study if annual passenger forecast is anticipated to exceed 78.9 MAP); Exhibit F (Midfield Satellite Concourse North Project EIR).

good thing. In this case, however, some negative consequences will follow. If LAX is not, in fact, constrained to 78.9 MAP as LAWA previously represented, then the communities around LAX, like El Segundo, will suffer impacts resulting from that growth unless LAWA conducts appropriate analysis and applies effective mitigation.

LAWA has stated that the LAMP Project EIR will serve as the required CEQA review under the existing LAX Specific Plan. However, although the Project is scaled to accommodate ground access traffic associated with passenger levels in excess of 78.9 million, the DEIR does not adequately evaluate other operational impacts (e.g., noise and air pollution from aircraft operations and vehicular traffic) associated with passenger levels above 78.9 MAP. The DEIR may not ignore the impacts of the increased activity that the Project will facilitate, and its potential to further concentrate adverse impacts on nearby residents.

As the City has repeatedly emphasized to LAWA, the environmental analysis required by CEQA may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations; here, LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

Instead, the DEIR simply ignores these impacts by claiming that, by the target date for Project completion, passenger levels will have grown to 95 MAP or higher *regardless* of whether the Project is actually built. *See*, *e.g.*, DEIR at 6-6 through 6-8. The DEIR fails to provide substantial evidence that this assumption, which underlies all of the DEIR's analysis of environmental impacts, is true. In the CEQA context, substantial evidence means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. . . . Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate . . . does not constitute substantial evidence." Cal. Code Regs., tit. 14 ("CEQA Guidelines"), § 15384(a).

The DEIR asserts that ground access has no bearing on airport capacity, thereby attempting to portray the role of ground access in passenger operations in black and white. This mischaracterizes what is in fact a very complex issue, particularly at LAX. As explained in the memorandum by Adib Kanafani, Ph.D., N.A.E., attached hereto as Exhibit G and incorporated by reference into this letter ("Kanafani Report"),[2] the DEIR fails to

[2] In addition to providing responses to the comments of the City set forth in this letter, LAWA must provide responses to the comments contained in the Kanafani Report.

support the assertion that the Project will not enable any portion of the projected growth in passenger capacity. As the Kanafani Report describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high.

Indeed, the data cited in the DEIR's discussion of this issue states that ground access plays a role in prospective passengers' decisionmaking, thereby contradicting the assertion that removing ground access constraints will not enable passenger growth. *See* DEIR at 6-7 (citing report of the Transportation Research Board of the National Academies, Airport Cooperative Research Program, which finds that that "[s]urface access issues . . . remain[] a primary passenger choice driver in the Los Angeles Basin. Given the presence of several regional facilities across the area, the traffic situation in the Basin drives the airport choice for a large proportion of travelers."). Other sources echo this finding; a 2013 report by the Eno Center for Transportation ("Eno Report") found that "[g]round access to the airport at LAX is the most significant chokehold in the airport's system and according to [LAWA] airport access infrastructure was projected to hit complete gridlock at 78.9 million annual passengers without improvements to the system." *See* Eno Report, attached hereto as Exhibit H, at 18. Similarly, the Southern California Association of Governments ("SCAG") 2040 Regional Transportation Plan / Sustainable Communities Strategy ("2040 RTP/SCS") states that "[p]assengers' choice of airports is based in part on the travel time to the airport and the convenience of access, so facilitating airport access is essential to the efficient functioning of the aviation system." 2040 RTP/SCS Aviation & Airport Ground Access Appendix, attached hereto as Exhibit I, at 22.[3]

[3] On May 5, 2016, the City filed suit against SCAG, challenging its approval of the 2040 RTP/SCS and the adequacy of its associated environmental review. One of the critical defects in the EIR is its assumption that, although SCAG proposed to provide billions of dollars in funding to remove existing ground access constraints at LAX, this easier access would not enable higher passenger capacity. Due to that flawed reasoning, SCAG's EIR failed to analyze the impacts of this higher capacity, even as it projected a dramatic rise in the number of passengers traveling through LAX. The need for this analysis was particularly acute because none of LAWA's planning documents for LAX had analyzed, or developed mitigation for, operations scenarios with a capacity above 78.9 MAP. *See* SPAS Draft EIR at 2-4 (stating that LAWA will maintain consistency with the Master Plan's cap of 153 gates and projected 78.9 MAP).

LAWA itself has previously asserted that the ground access system is a significant constraint on passenger operations at LAX, and that it would need to be relieved to enable growth in passenger operations beyond approximately 78 MAP. The 2004 Master Plan, which considered an unconstrained demand forecast of 98 MAP in 2015 and evaluated four alternative plans under this demand scenario, stated that the No Action/No Project Alternative (i.e., no Master Plan adopted) would limit passenger operations at LAX to 78 MAP because of the airport's "constrained curbs and roadways." 2004 Master Plan EIR at Figure 1.2-1. By contrast, the alternatives that included LAMP components would have permitted up to 98 MAP. *Id.*; *id.* at 1-4 ("The [No Project] Alternative is limited by the capacity of the curbfront in the Central Terminal Area (CTA) where passengers are dropped off and picked up in front of the existing terminals. The resulting annual passenger performance measure of this alternative is approximately 78 million.").

Although this evidence directly contradicts LAWA's assertion that the proposed removal of ground access constraints with LAMP will not contribute to the higher passenger forecast at LAX in the target completion year, the DEIR does not attempt to respond to any of it. LAWA's counterargument that ground access simply is not a constraint on airport capacity, and therefore improving ground access efficiency would not affect airport capacity or operations, is incorrect and not supported by substantial evidence in the record. As a result, the DEIR fails to justify its omission of analysis of environmental impacts related to higher passenger operations enabled by the Project, including increased aviation noise, traffic, air quality and greenhouse gas ("GHG") impacts.

II. LAWA Has Hidden Within LAMP a Number of Unnecessary Plan Changes, Which It Fails to Evaluate Properly in the DEIR

The 2004 LAX Master Plan adopted for LAX makes clear that the option adopted (Alternative D) was designed to serve approximately 78 MAP, which was approximately the same aviation activity levels identified in the No Action/No Project Alternative. LAWA represented that constraining LAX in this way would encourage the development and use of regional airports. This same vision of a constrained LAX was carried forward in the SPAS. Other alternatives specifically considered and rejected as part of the 2004 Master Plan process would have involved higher MAP numbers and greater impacts.

In approving the LAX Master Plan (Alternative D), the LA City Council took care to ensure that growth beyond that anticipated in the Master Plan would not happen without subsequent public evaluation, discussion, and consideration at the City Council. This important "check" on LAX growth was implemented through adoption of the LAX

Plan and LAX Specific Plan (*see* LAMP DEIR Appendices C & D). The LAX Plan establishes a land-use policy framework, while the LAX Specific Plan establishes zoning and development regulations consistent with the LAX Plan. Future development at LAX is required to be consistent with both plans, and this consistency must be established by LAWA in reports to the City Council. The LAX Specific Plan requires that no "Project" at LAX may proceed unless it complies with the LAX Specific Plan and LAX Plan. As part of that compliance review, the Project is to be checked for compliance with Master Plan commitments and mitigation measures.

Although the plan consistency requirement and review process has worked well since the 2004 LAX Master Plan was adopted, LAWA now proposes a number of major changes as part of the LAMP Project. Specifically, LAWA has proposed a number of significant changes to the LAX Specific Plan and LAX Plan that would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the City Council for the promotion of regionalism and protection of LAX neighbors. As discussed in detail below, LAWA proposes to delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7), and also wants to delete references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2). LAWA's proposed changes to the LAX Specific Plan would undermine its effectiveness as a mechanism for informed and transparent public review of aviation activity and growth at LAX.

A. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

The DEIR does not adequately explain why the limits of 153 gates and 78.9 MAP are proposed for removal from the LAX Plan as part of LAMP. In fact, there is no logical link made between LAMP's proposed ground access upgrades and the removal of those limits from the Plan. The DEIR notes in several places that the LAMP project would necessitate amendments to the LAX Specific Plan and the LAX Plan, but the explanations of "necessity" provided are generally limited to relatively minor issues such as a boundary adjustment and a rezone, which are logically necessary for LAMP. The DEIR is silent regarding the substantial changes described below, which are not necessary or appropriate as part of LAMP.

It seems likely that LAWA has proposed the 78.9 MAP limit deletion in an attempt to avoid complying with that limit going forward and perhaps to dodge a plan inconsistency problem for the extremely ambitious LAMP. Specifically, because LAMP is designed to serve so much more than 78.9 MAP, it is not consistent with the 78.9 MAP

limit in the LAX Plan. As discussed elsewhere in this letter, LAWA takes the untenable position that LAMP is not growth inducing, and insists it has no obligation to evaluate any of the impacts associated with passenger growth above 78.9 MAP as part of LAMP. LAWA cannot remove the 78.9 MAP limit from the LAX Plan without a full public discussion of that proposed policy change, which would include conducting a full analysis of the associated environmental impacts. In other words, if LAWA is now planning for LAX to serve more than 78.9 MAP, it must evaluate the impacts of that growth so the public and City Council decisionmakers have the information they need. The absence of this analysis is a major flaw in the LAMP DEIR. In the absence of that analysis, LAWA cannot remove the 78.9 MAP limit from the LAX Plan as part of the Project.

It seems likely that LAWA has proposed deletion of the 153 gates limit in an attempt to avoid having to comply with that limit going forward. LAWA should withdraw this proposed deletion because there is no LAMP-related reason articulated for the removal. Indeed, how could LAMP, which focuses on ground access improvements, logically necessitate an increase in the number of gates at LAX? In discussing this proposed change, LAWA correctly acknowledges that under its settlement agreement with El Segundo and others, a gate limit would continue to apply until at least 2020. DEIR at 7-2. What LAWA fails to acknowledge is that even after 2020, it cannot increase the number of gates at LAX without comprehensive environmental review and a Master Plan amendment. As such, the limit of 153 gates contained in the LAX Plan must remain in place unless and until that environmental review and public process is complete. Deleting the limit now is not necessary for LAMP, would be premature, and prejudges the outcome of a separate process not yet begun.

If LAWA insists on pursuing removal of the current limits of 78.9 MAP and 153 gates from the LAX Plan as part of LAMP, it must first provide a complete analysis of the noise, air quality, and other environmental impacts that would result. That analysis would need to be provided in a recirculated DEIR. That document would consider, for example, the environmental impacts such as increased noise and increased emissions (air pollution and GHGs) associated with the increased aircraft operations at the added gates and serving annual passenger numbers in excess of 78.9 MAP. As discussed elsewhere in this letter, the LAMP DEIR provides no such analysis because it assumes (incorrectly) that the Project will not increase LAX's capacity or induce any growth in aviation activity.

We note that the DEIR includes Section 7 (Evaluation of Amendments to the LAX Plan and LAX Specific Plan). This section is very strange because it purports to analyze

a Project element (Amendments to the LAX Plan and LAX Specific Plan) separate from the Project itself (LAMP). The reader is left with the impression that Section 7 was an afterthought added by LAWA once the bulk of the DEIR's environmental analysis was complete. This is inconsistent with CEQA's mandate to evaluate the whole of the project. It is also inconsistent with LAWA's obligation to inform the public and decisionmakers of all the Project's environmental impacts.

Moreover, the environment analysis in Section 7, which appears on just five pages, is limited to the following repeated conclusions: the proposed amendments to the LAX Plan and LAX Specific Plan "would generally correspond to changes at LAX as a result of the proposed Project [LAMP], as well as updates to administrative processes." In other words, LAWA argues that the proposed changes were either covered as part of the LAMP project assessment or are simple updates to administrative processes. This does not accurately capture the universe of proposed plan changes and their associated impacts.

LAWA does acknowledge, in passing, that removal of the gate limitation "may result in future increased development" but argues that it need not evaluate the impact of that development now because "removal of these policies does not mean that additional development would occur. Any future development related to the change in these policies would undergo separate CEQA review and would be subject to BOAC and other approvals prior to implementation." This is the very definition of improper deferral of environmental analysis in violation of CEQA. If future exceedance of the 153 gate limit is uncertain and speculative as LAWA seems to claim, then LAWA should not ask the City Council to delete the limit from the LAX Plan now. If, on the other hand, LAWA insists asking the City Council to delete the 153 gate limit now, it must also provide more detail regarding its gate increase plans and evaluate the associated impacts.[4] It cannot delete the gate limit now based on the representation that the associated impacts would be evaluated later.

[4] We note, for example, that LAWA's recent NOP for the LAX Terminals 2 and 3 Modernization Project ("T2 & 3 Project") indicates that LAWA may add up to five gates as part of that project. This increase is not speculative and must be evaluated as part of the T2 & 3 Project as well as LAMP, if removal of the 153 gate cap remains as part of LAMP. We hereby request that LAWA include all public project and CEQA documentation for the T2 & 3 Project in its record for LAMP. The NOP and Initial Study are provided as Exhibit J hereto. We also understand that LAWA has plans for additional gates in what it terms the "Passenger Terminal Modernization Area" ("PTMA"). *See* LAWA-ARSAC Memorandum of Understanding, attached hereto as Exhibit K.

B. The LAX Specific Plan Changes Proposed by LAWA Would Remove Key Protections Put in Place by the LA City Council When It Approved the 2004 LAX Master Plan.

LAWA proposes a multitude of changes to the LAX Specific Plan as part of the LAMP. Examples include:

- Expanding significantly the universe of projects exempt from plan consistency review (*see* Appendix D at 7-9).
- Substituting the Board of Airport Commissioners ("BOAC") for the LA City Council as the body responsible for confirming the plan consistency of projects proposed for LAX (*see* Appendix D at 10, 13).
- Deleting references to compliance with Master Plan mitigation measures and commitments (*see* Appendix D at 10, 12).
- Limiting compliance review to the LAX Specific Plan (eliminating the need for LAX Plan compliance review).
- Deleting the LAX Master Plan Stakeholder Liaison, who was tasked with assisting with communication between LAWA and stakeholders such as its neighbor, El Segundo (*see* Appendix D, throughout). Under LAWA's proposed change, apparently only Councilmember District 11 would have the benefit of a stakeholder liaison, not El Segundo and other neighbors outside the City of LA.

LAWA does not provide an adequate, comprehensive description of these proposed plan changes, referring to them generally as "updates to administrative process." *See, e.g.*, DEIR at 7-1 *et seq.* As a result, it will be difficult if not impossible for the public and decisionmakers to gain a comprehensive understanding of the nature and extent of, much less the reasoning for, LAWA's plan change proposals. To the contrary, readers of the DEIR are told in general terms that the Project "necessitates" the proposed plan changes, when (in fact) the most significant changes appear to be proposed by LAWA for reasons unrelated to LAMP. LAWA must instead provide a clear narrative description of all proposed change and the reason for each. Once that description is provided, it should become clear that LAWA is seeking (for reasons unrelated to LAMP) to eliminate important checks put in place by the City Council. Those checks remain necessary and appropriate today.

III. A Specific Plan Amendment Study Is Now Required—the Requirement Is Not Satisfied by LAMP, and Must Remain in the LAX Specific Plan Until Satisfied.

The LAX Specific Plan plainly requires a Specific Plan Amendment Study and full CEQA review if annual passenger activity levels are anticipated to exceed 78.9 MAP. The LAMP DEIR makes clear that LAWA now anticipates annual passengers will meet or exceed 78.9 million in 2016 or 2017. DEIR at 2-201. Under the Specific Plan, LAWA must therefore conduct a Specific Plan Amendment Study. This study would augment/update the analysis performed by LAWA for the LAX Master Plan and SPAS to include the higher passenger levels LAWA now desires and anticipates for LAX. This Specific Plan Amendment Study is critical because all current plans for LAX assumed and were based on a maximum passenger level of 78.9 MAP. In fact, the 2004 Master Plan (Alternative D) was approved by the LA City Council only after it received assurances that LAX would not be modified to serve passenger numbers exceeding 78.9 MAP absent further analysis (through a Specific Plan Amendment). That is not what LAWA is doing with LAMP.

LAWA does not conduct the required analysis as part of the LAMP DEIR or propose to do it elsewhere. In fact, LAWA proposes to forever delete the operative language of the LAX Specific Plan and LAX Plan (DEIR Appendices C & D), rather than preparing the required Specific Plan Amendment and CEQA review. DEIR 2-195 to 201. LAWA seems to argue that its traffic analysis done in connection with LAMP should excuse it from conducting the Specific Plan Amendment Study clearly required by the LAX Specific Plan when aviation activity analysis shows annual passengers are anticipated to exceed 78.9 million. DEIR at 7-7. The LAMP analysis is, however, not equivalent to, and no substitute for, the required Specific Plan Amendment Study.

Most notably, as discussed elsewhere in this letter, the LAMP analysis treats as a given that LAX passenger activity will continue to grow past 78.9 MAP. The LAMP documents do not evaluate, much less offer mitigation for, impacts associated with that growth (e.g., increased noise and air quality impacts on surrounding communities associated with increased aircraft activity). As such, LAMP does not comply with a key requirement set forth in the LAX Specific Plan. LAWA's proposed remedy (deletion of the requirement) is inconsistent with clear City Council direction and the City of Los Angeles' General Plan framework.

LAWA's current attempt, as part of LAMP, to evade and delete the Specific Plan Amendment requirement, is wholly inconsistent with its prior statements and commitments on the subject. As recently as its Specific Plan Amendment adoption in 2013, LAWA described the LAX Specific Plan section 7.H as "requiring a Specific Plan Amendment Study if the annual aviation activity analysis forecasts that LAX annual passengers for that year are anticipated to exceed 78.9 MAP." *See* SPAS Report

Appendix F (Operational Analysis) at 11 (section 2.5). In other words, LAWA has previously recognized that if and when the forecast for annual aviation activity levels reached 78.9 MAP, it would be obligated to undertake and request Council approval for a Specific Plan Amendment. Now that anticipated levels have reached that point, LAWA seeks to avoid the requirement by deleting it.

Similarly, LAWA recognizes that Section 7.H.2 of the LAX Specific Plan requires it to initiate an LAX Domestic Passenger Survey/Study and corresponding Airline Survey/Study if the annual aviation activity forecast indicates that the annual passengers in the year when LAX is anticipated to exceed 78.9 million. LAWA represents that it will meet this requirement by conducting the required surveys in 2016 and 2017. It also proposes to delete the requirement. Deleting the requirement is, however, premature and should not be approved by the Council until LAWA has satisfactorily completed the required surveys and made them public.

IV. LAWA Improperly Distances the LAMP and its DEIR from the Governing LAX Master Plan.

The DEIR states,

> Although components of the LAX Landside Access Modernization Program were contained in the LAX Master Plan and the LAX Specific Plan Amendment Study, the proposed Project for ground access improvements at LAX has substantively evolved from the programmatic plans contained in these previous program level documents, and the proposed LAX Landside Access Modernization Program is substantively different from the ground access improvements evaluated in the 2004 LAX Master Plan and the associated Final Environmental Impact Statement/Final Environmental Impact Report. Thus, because the current plan evaluated in this Environmental Impact Report (EIR) substantively differs from programmatic concepts in the LAX Master Plan and SPAS, this EIR does not tier off of the environmental documents associated with those plans; it is a standalone analysis of LAWA's current project-level plans for ground access improvements at LAX. Because the LAX Landside Access Modernization Program does not tier off of the LAX Master Plan EIR and is a substantively different project, this Project is not considered an LAX Master Plan project and is not subject to the LAX Master Plan commitments and mitigation measures; thus, LAWA has identified mitigation measures specific to this Project as appropriate. The LAX

> Master Plan commitments and mitigation measures are still in effect for all Master Plan projects, just as other project-specific mitigation measures are in effect for other non-LAX Master Plan projects.

DEIR at 1-4, 1-5; *see also id.* at 2-4.

A review of the LAX Master Plan adopted in 2004 and subsequent LAX Specific Plan Amendment Study makes clear that the following elements were at the core of the LAX Master Plan: an automated people mover, a remote rental car facility, an intermodal transportation facility, and remote parking garages/drop-off areas. Even LAWA seems to recognize that those same elements constitute the LAMP. Given that the LAX Master Plan (and SPAS) remain the governing planning documents for the airport and the elements of LAMP are so clearly envisioned by the Master Plan, LAWA simply is not at liberty to distance LAMP from the LAX Master Plan as it attempts to do. LAWA must instead follow (or seek to amend) the LAX Master Plan and Specific Plan.

For the reasons noted below, we are particularly concerned by the following LAMP DEIR statements:

- "the current plan evaluated in this Environmental Impact Report (EIR) substantively differs from programmatic concepts in the LAX Master Plan and SPAS"

- "this Project is not considered an LAX Master Plan project and is not subject to the LAX Master Plan commitments and mitigation measures"

LAWA must present a clear side-by-side comparison of LAMP and the programmatic concepts in the LAX Master Plan and SPAS to detail similarities and differences. If the differences are indeed substantial, then a LAX Master Plan revision and/or Specific Plan amendment would be necessary and appropriate before proceeding with LAMP. LAWA may not pursue a major initiative such as LAMP wholly separate from the LAX Master Plan (as amended by SPAS), which remain the governing planning documents for the airport. The Master Plan is *the* "modernization plan" that accounts for all growth at LAX, including construction of new taxiways, increasing runway length, improving the level of passenger service throughout the CTA, building new aircraft parking gates, and installing an automatic people mover, consolidated rental car facility, and a more efficient connection between LA Metro and LAX. *See generally* Master Plan Executive Summary.

If, by contrast, LAWA were to change course and attempt to make LAMP consistent with the LAX Master Plan, then all of the LAX Master Plan commitments and mitigation measures would apply. Those commitments include developing LAX to serve a practical capacity of 78.9 MAP, with no more than 153 gates. Mitigation measures are detailed in LAWA's adopted Mitigation Monitoring and Reporting Program ("MMRP") and include commitments to implement and expand the LAX Aircraft Noise Mitigation Program ("ANMP") to provide noise relief to surrounding communities such as El Segundo.

V. Under FAA Guidance, the Project Requires an Update to the Master Plan, Not Simply a Revision of the Airport Layout Plan.

Because the Project will receive federal funding, LAWA must update the Master Plan to be consistent with the Project and the associated passenger forecast generated by LAWA. The DEIR states that LAWA will, as a connected action, seek "FAA unconditional approval of the Airport Layout Plan (ALP) for the Airport depicting the proposed improvements," apparently instead of the required update to the master plan. DEIR at 2-217. Under FAA advisory circular 150/5070-6B ("AC"), however, the scope and sheer number of individual components of the LAMP, and its significant deviations from the current master plan, require a master plan update, not just an update to the ALP. FAA advisory circular 150/5070-6B, attached hereto as Exhibit L, at 7 (ALP update an appropriate alternative to master plan update only when "fundamental assumptions" of previous master plan will not change, or when proposal involved a "single development item").[5] LAWA cannot avoid the FAA requirement to update the LAX Master Plan simply by saying the Project "is not considered a Master Plan project and is not subject to the Master Plan commitments and mitigation measures." DEIR at 2-4. Furthermore, FAA's approval of an updated Master Plan must include approval of LAWA's revised passenger forecast for LAX. AC at 8 ("master plan forecast should be reviewed to ensure that the underlying assumptions and forecast methodologies are appropriate" including consistency of applicant's passenger forecast with FAA terminal area forecast ("TAF")). The effects of a Master Plan update on the human environment must be part of LAWA's ongoing NEPA analysis of the LAMP Project.

[5] Regardless, the proposed revisions to the ALP are not disclosed anywhere in the DEIR. *See* DEIR at 4.8-37 (stating inaccurately that "an amendment to the LAX Airport Layout Plan" is "further described below"). Although a revised master plan is required pursuant to FAA guidance, as explained above, LAWA must at the least disclose its proposed revisions to the existing ALP.

VI. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.

The DEIR's noise analysis purports to evaluate the Project's contribution to three "types" of noise—road traffic noise; construction traffic noise and equipment noise and vibration; and transit noise and vibration—as well as cumulative noise impacts. Yet, because the DEIR takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The DEIR must be revised to resolve this obvious deficiency under CEQA.

As explained above, because all previous planning documents for LAX contemplated a maximum operational capacity of 78.9 MAP, the DEIR must evaluate and mitigate any aviation-related noise impacts on El Segundo residents that result from growth beyond 78.9 MAP. Current measures to mitigate aviation noise from LAX operations are scaled at 78.9 MAP and are not designed to address aviation noise at higher passenger levels. *See, e.g.*, Exhibit M, 2014 Annual Progress Report, LAX Master Plan Mitigation Monitoring & Reporting Program, at 18 (stating LAX Aircraft Noise Mitigation Program designed to mitigate land uses that would be rendered incompatible by noise impacts associated with implementation of the LAX Master Plan).

Furthermore, the current Noise Exposure Map for LAX, approved at the end of 2015, does not anticipate operations at the levels made possible by the Project. *See* Exhibit N, Final Noise Exposure Map Report (August 2015), at 3-10 (stating current noise contour is based on review of Master Plan Alternative D Report, Specific Plan Amendment Study, Midfield Satellite Concourse North Draft EIR, West Aircraft Maintenance Area Draft EIR, and various runway improvement project studies, all assuming operations at 78.9 MAP). In fact, LAWA states that the current Noise Exposure Map, which provides the basis for residential noise mitigation required by state law, assumes even lower passenger operations than LAWA expects to exceed this or next year, at approximately 77.1 MAP. *Id.* at G-4; *see id.* at G-19 (comments of City of El Segundo on Draft Noise Exposure Map Report, requesting explanation of passenger forecast assumed for NEM update).

Thus, although LAWA might be tempted to modify the DEIR to assert that aviation noise impacts resulting from the Project would be adequately addressed by

existing mitigation adopted as part of the Master Plan, that approach would fail because those measures were not designed to mitigate noise from the passenger levels LAWA anticipates by the time the Project is fully built. Because LAWA has not justified its claim that the Project would not cause any impacts related to higher passenger levels, the DEIR must be revised to include an analysis of the aviation noise impacts caused by the Project, not omit any discussion whatsoever of aviation noise impacts.

Finally, the analysis of road traffic noise impacts is fundamentally flawed as a consequence of errors in the DEIR's analysis of transportation impacts. As explained below, the DEIR's analysis of transportation impacts underestimates these impacts for two overarching reasons: first, it assumes the Project has no bearing on future increases in aviation and passenger activity and, therefore, that the increase in vehicular trips in 2024 and 2035 would not be attributable to the Project. Second, the DEIR does not take into account the phenomenon known as "induced travel" or "generated traffic," discussed further below. The noise impact analysis must be revised to reflect road traffic noise impacts from an accurate estimation of vehicular trips, including "induced" vehicular trips, resulting from higher passenger activity caused by the Project.

VII. LAWA Improperly Proposes to Modify LAX's Current Nighttime Curfew on Engine Run-Ups Without Any Environmental Analysis.

The Master Plan calls for development of two ground run-up enclosures ("GRE"). Master Plan Addendum at 2-95, attached hereto as Exhibit O. Moreover, the 2010 Stipulated Variance approved by LAWA, El Segundo, and others provides that LAWA would design two GREs by 2015. *See In the Matter of Noise Variance Application for City of Los Angeles et al.*, Dept. of Transp. Case No. L2010041216 (ordering LAWA to design two GREs), attached hereto as Exhibit P. To date, LAWA has partly designed one GRE and constructed none. Although the LAMP has nothing whatsoever to do with aircraft maintenance or GREs, LAWA has hidden within the Project problematic changes to its policies regarding both.

Currently, LAX's Aircraft Noise Abatement Operating Procedures and Restrictions (Sept. 2010), attached hereto as Exhibit Q, prohibit engine run-ups—regardless of whether they are performed within a GRE—between the hours of 11 p.m. and 6 a.m. unless waived on a case-by-case basis. The DEIR states that "LAWA has committed, as part of the West Aircraft Maintenance Area Project, to restrict high-powered engine run up testing during nighttime hours; this policy would also be incorporated." DEIR at 7-3. However, LAWA is actually proposing to amend the LAX Plan (Appendix C) to state: "Continue to restrict high-powered engine run-up testing

during the hours of 2300-0600, unless performed in a GRE." Appendix C (LAX Plan redline) at 15.

The unavoidable implication of this language is that if LAMP is approved, any number of high-powered engine run-up tests could proceed at any time (including late at night/early in the morning, when people are trying to sleep) as long as they are performed in a GRE (once built). This amendment would be a substantial change to how ground run-ups can be performed at LAX, yet LAWA's explanation of the proposed change in the DEIR does not make this clear and would likely expose area residents to more noise. Moreover, the proposed change bears no apparent relationship to airport ground access or the ground access improvements proposed as the LAMP. The only apparent explanation for the change is that LAWA finds the existing rules regarding ground run-ups to be too limiting and sees LAMP as an opportunity to make the desired modification. The DEIR may not propose such a change without providing any analysis of the noise impacts to El Segundo and other impacted communities associated with the proposed change. As such, the proposed change to existing ground run-up policy cannot be approved in reliance on the DEIR and should be deleted from LAMP.

VIII. The DEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.

A. The DEIR Relies on Flawed and Unsubstantiated Assumptions to Conclude that the Project Would Cause the Vast Majority of Intersection Operations Outside the Airport to Improve.

The DEIR concludes operations at the majority of intersections would improve under the "2024 With Project" compared with the "2024 Without Project" scenario. DEIR at 4.12-111. The DEIR also finds that the majority of intersections would improve under the "2035 With Project" compared with the "2035 Without Project" scenario. *Id*. at 4.12-131. The validity of these conclusions is questionable for two key reasons. First, as explained above, the DEIR incorrectly asserts that the Project would have no bearing on future increases in aviation and passenger activity and, therefore, that the increase in vehicular trips in 2024 and 2035 would not be attributable to the Project. Second, the DEIR does not take into account the phenomenon known as "induced travel" or "generated traffic." Had the DEIR relied on accurate assumptions, the DEIR likely

would have revealed a substantially greater number of significant impacts at off-airport intersections.[6]

1. The DEIR Fails to Acknowledge that Ground Access Has Been an Obstacle to Increased Passenger Activity.

The DEIR explains that the very essence of the proposed Project is to improve the efficiency of the ground access system at LAX. DEIR at 4.5-32. At the same time, the DEIR asserts that growth in passenger and aviation activity would be unaffected by the Project. There is ample evidentiary support that improvements in ground access at LAX would facilitate the expansion of passenger and aviation activity.

According to the DEIR, the passenger experience for those arriving or departing LAX is often severely compromised by extreme roadway congestion in LAX's central terminal area and on nearby streets. *Id.* at 1-8; 2-1. Indeed, unless they require international flights, at least some percentage of travelers currently seek to avoid trips to/from LAX as a result of this congestion. It is commonly known that if southern California passengers are able to fly at an airport other than LAX, they do so. *See*, *e.g.*, Trip Advisor webpage (*available at* https://www.tripadvisor.com/Travel-g32655-c160004/Los-Angeles:California:Bob.Hope.Airport.Aka.Burbank.Airport.html), attached hereto as Exhibit R (best way to avoid traffic and crowds of people is to use Burbank's Bob Hope Airport, rather than LAX); FlyerTalk webpage (*available at* http://www.flyertalk.com/forum/southwest-airlines-rapid-rewards/1558208-flying-into-burbank-vs-lax-worth-hassle-changing-planes-phx-2.html), attached hereto as Exhibit S ("[Burbank] is a very easy airport to navigate into and out of. LAX is exactly the opposite").

By increasing roadway capacity at LAX, substantially increasing the amount of parking, and by adding a people mover/connection to public transport, the Project would significantly expand the capacity of the airport's landside access system. In turn, traffic flow would be facilitated and parking at the airport would become less of an obstacle. As a result, visitors who may have avoided LAX or taken shuttle buses in the past now have an incentive to use LAX and to travel to LAX by car.

LAWA itself confirms the relationship between ground access and airport capacity. The 2004 LAX Master Plan explains that the "most constraining component of

[6] As noted earlier, we will submit supplementary comments once our traffic engineer completes his analysis of this section of the LAMP DEIR.

an airport defines the practical capacity of the entire airport." LAX Master Plan at 1-3. LAX is a "complex system made up of components through which passengers and aircraft flow in a sequential order." *Id*. The Master Plan goes on to explain that passengers traveling on local roadways and on-airport roads as they depart or arrive at the airport are part of the airport's complex system. *Id.* Clearly, ground access is currently a significant constraint on the airport's capacity and is a constraint on aviation activity. While the precise number of passengers that would choose to use LAX as a result of the Project is unknown, the DEIR must make a good faith effort to evaluate the relationship between improved landside access and growth in passenger and aviation activity. The document must then evaluate the traffic impacts from the increased passenger activity levels.

2. The DEIR's Failure to Account for Induced Travel Is an Egregious Error.

Again, the underlying purpose of the proposed Project is to relieve ground access congestion at LAX. DEIR at 2-7. The Project includes myriad roadway improvement projects that are intended to increase the capacity of the roadway system on and around the airport, and reduce traffic congestion. There is a direct relationship between increases in roadway capacity and induced vehicular travel.

This relationship is corroborated by the Surface Transportation Policy Project ("STPP") which cites a growing body of research showing that, in the long run, wider roadways actually create additional traffic, above and beyond what can be attributed to population increases and economic growth. *See* Surface Transportation Policy Project, *Build It and They'll Come*, attached as Exhibit T. According to the STPP, 100 percent of additional vehicle miles travelled ("VMT") in Los Angeles County is attributable to "induced traffic." *Id*. This means that increases in roadway capacity actually induce additional traffic—it does not simply "accommodate" existing or predicted traffic.

The California Air Resources Board ("CARB") has also weighed in on the relationship between increases in highway capacity and induced travel. In its recent report entitled "Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions," CARB confirms that increased capacity induces additional VMT. *See* Exhibit U at 3. CARB attributes this phenomenon to the basic economic principles of supply and demand: adding capacity decreases travel time, in effect lowering the "price" of driving; when prices go down, the quantity of driving goes up (Noland and Lem, 2002). *Id*. at 2.

According to CARB, the induced-travel impact of roadway capacity expansion is generally measured with respect to the change in VMT that results from an increase in lane miles, determined by the length of a road segment and its number of lanes (e.g. a two-mile segment of a four-lane highway equates to eight lane miles). Effect sizes are usually presented as the ratio of the percent change in VMT associated with a one percent change in lane miles. The expectation is that this ratio, also called an "elasticity," will be positive: an increase in lane miles will lead to an increase in VMT. An elasticity of 1 or greater means that the new capacity is entirely filled by additional VMT, producing no reduction in congestion. *Id.* at 3.

The proposed Project's increase in parking supply would also facilitate increased vehicular travel as there is a "consequential" connection between the amount of parking and driving. Researchers at the University of Connecticut have found compelling evidence that parking is a "likely cause" of increased driving. *See* "Effects of Parking Provision on Automobile Use in Cities: Inferring Causality," attached hereto as Exhibit V. As parking spots per building area increase, the amount of vehicle use also increases. Similar to induced vehicular travel, the more spaces there are to park, the more people will drive to reach them. In fact, the University of Connecticut researchers determined that as cities added more parking over the years, the share of commuters who drove to work increased. As a city goes from having about 20 parking spaces to 50 spaces per 100 people, the share of commuters driving rises from 60 percent to 83 percent. *Id*. at 7.

The Project would create a net increase of more than 18,000 spots at the two new Intermodal Transportation Facilities ("ITFs") and the Central Terminal Area ("CTA"), including 1,000 new employee-only spots at CONRAC. DEIR at 2-83, -105, -125, -153. Adding almost 20,000 new parking spaces would certainly remove a constraint to traveling by automobile to LAX.

Because the DEIR does not take into account induced travel, it underestimates the increase in traffic that would accompany the proposed Project. Consequently, the DEIR understates the Project's impact on nearby roadways, intersections, and freeways. The DEIR should be revised to accurately account for the traffic that would be generated by the Project and evaluate how this traffic would impact the off-airport roadway system.

B. The DEIR's Analysis of the Project's Construction-Related Traffic Impacts is Sorely Lacking.

One would expect that an EIR's evaluation of a project's construction-related impacts would be commensurate with its size and scope. Given the massive scale of this

construction project and its prolonged duration (18 years!), the DEIR should have comprehensively analyzed its potential to disrupt the local and regional transportation network. Unfortunately, the document's analysis is shockingly deficient. The analysis is hamstrung because it: (1) does not study all of the roadways or intersections that would likely be impacted by the construction activities; (2) focuses largely on the number of vehicular and truck trips that would be generated by construction activities while giving short shrift to how traffic flow would be managed on roadways in and around the airport; and (3) fails to identify mitigation measures capable of effectively minimizing the Project's construction-related traffic impacts.

The DEIR does not address all of the locations where construction of the LAMP would be expected to impact local and regional traffic because the DEIR's s study area barely extends beyond the airport's boundaries. The study area for purposes of analyzing the Project's construction-related traffic impacts is generally bounded by I-405 to the east, I-105 and Imperial Highway to the south, Pershing Drive to the west, and Westchester Parkway, Sepulveda Boulevard, and Howard Hughes Parkway to the north and *includes only 29 intersections*. *See* DEIR Figures 4.12.3-1 and 4.12.3-2, and DEIR pgs. 4.12-202—205. The DEIR's study area for assessing the Project's operational traffic impacts, on the other hand, is substantially larger, covering 183 intersections. *Id*. at 4.12-48 and Figure 4.12-2-1.

The DEIR explains that the geographic scope of the construction traffic analysis's study area was determined by identifying the intersections most likely to be used by construction-related vehicles accessing the Project's construction site. DEIR at 4.12-197, 4.12-202. Because the DEIR focuses largely on the number of construction employee and truck trips and the roads that would be used by these construction-related vehicles, the document arrives at the absurd conclusion that construction of this massive project would cause significant traffic impacts at only *one intersection*, Aviation Boulevard and Century Boulevard. *Id*. 4.12-232. This conclusion is not credible.

While it may be sufficient to focus on construction vehicular trip generation for a land use project such as a subdivision or a shopping center, this type of analysis is not sufficient for assessing impacts of a long term, multi-faceted construction project at one of the nation's busiest airports. About 76,000 vehicles per day entered LAX's central terminal area in 2014-15 and more than 6,000 vehicles enter the airport every hour.[7]

[7] *See* "A Better Flight Plan for LAX: L.A. Controller's Report Warns of Impending Traffic Crisis; Urges Improved Passenger Experience, Business Practices," *available at* http://www.lacontroller.org/lawa (last visited October 10, 2016).

DEIR at 1-2. Certainly one would expect massive traffic jams on roadways and intersections periodically throughout the 18-year construction, especially because the Project includes so much road construction. Over the Project's duration, certain roads would be closed, other roads would be removed, new roads and new lanes would be added, segments of existing roads would be realigned, freeway ramps would be modified, new driveways would be constructed, other driveways would be realigned; and numerous intersections would be improved. DEIR at 4.12-24; 2-181, 182.

Towards the end of the 50-page construction analysis, the DEIR includes a two-page section entitled "Temporary Traffic, Access, and Transit Impacts During Construction." DEIR at 4.12-234. This "analysis" purports to address the effect that construction activities would have on on-Airport and off-airport traffic roadway operations. *See id*. Yet, rather than provide a substantive evaluation, the DEIR's discussion is vague and generic, as evidenced by the following statement:

> To the extent that Project-related construction within the CTA would require temporary lane closures and detours, on-Airport traffic conditions could be impacted. Construction-related impacts to the on-Airport surface transportation system could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis.

DEIR at 4.12-237.

Clearly, construction of the Project would cause extensive traffic jams on airport access routes resulting from reduced roadway capacity, limited access to parking garages, reduced parking capacity, and construction vehicles completing with airport travelers for roadway space. The EIR's failure to thoroughly evaluate these impacts is a fatal flaw.

Rather than conduct a thorough analysis, the DEIR identifies a few vague mitigation measures. DEIR at 4.12-238 and 4.12-241. For example, the DEIR calls for the establishment of a task force to monitor traffic conditions and for the eventual preparation of a worksite traffic control plan. *Id*. Unfortunately, the DEIR lacks the required evidentiary support that these measures—which essentially punt the problem to a later date—would even begin to address the complexities and challenges that would accompany this major construction project. Indeed, the DEIR's approach is a "mere expression[] of hope" that LAWA will be able to devise a way around the problems created by construction of this massive Project. *Lincoln Place Tenants Assn v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508. Deferring mitigation without clear performance standards contravenes CEQA's clear requirements. "[F]or kinds of impacts

for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the planning process . . . , the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval." *Sacramento Old City Assn v. City Council* (1991) 229 Cal.App.3d 1011, 1028-29. Here, the DEIR includes no performance standards.

Moreover, given LAWA's current lackluster performance at handling traffic congestion around LAX, there is no evidence that the agency is even capable of effectively mitigating the effects of such a complex construction project. As the Supreme Court explained, "[b]ecause an EIR cannot be meaningfully considered in a vacuum devoid of reality, a project proponent's prior environmental record is properly a subject of close consideration in determining the sufficiency of the proponent's promises in an EIR." *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1988) 47 Cal.3d 376, 420. A performance review of LAX, prepared on behalf of the City of Los Angeles Office of the Controller ("LA Controller Report"), determined that LAWA is not prepared to handle the problems created by construction of the LAMP. *See* "Industrial, Economic, & Administrative Survey Report of Los Angeles World Airports" (Feb. 2016), attached hereto as Exhibit W, at 1.77-1.78. The LA Controller Report explains that the lack of an organizational focus on the landside operations appears to be one of the most serious faults with the operations of LAX. No one unit or individual is currently responsible "for coordinating the systems needed to keep traffic flowing during construction." *Id*. The report goes on to explain that LAWA has historically devoted insufficient staffing to manage its landside system, and it lacks the dedicated traffic engineering expertise to properly handle the airport's on-going congestion problems, let alone a project of LAMP's scale and scope. *Id*. at 1.78.

LAWA can and should consider and approve specific mitigation measures that would reduce the Project's construction-related traffic impacts. The LA Controller Report identified numerous actions that LAWA should undertake to manage the disruptions that would inevitably occur during the Project's construction:

- LAWA's Chief Executive Officer should establish a single point of responsibility for day-to-day landside operations (terminal, traffic, and parking).

- LAWA should form a joint-services team that includes Operations, Maintenance, & Emergency Management Group; Law Enforcement & Homeland Security; Traffic, Airports Development Group, and Commercial Development Group to:

    - Plan and execute a coordinated landside operations strategy.

  - Review and update its regulations and operational rules for landside operations.
  - Build on the Airport Response Control Center's capabilities as a powerful platform for data-driven performance management.
  - Begin evidence-based management of landside operations designed to:

    - Ensure rapid response to issues that arise during the service day.
    - Anticipate congestion and wherever possible deploy resources before it occurs.
    - Propose policies and procedures to reduce CTA vehicle congestion in peak periods.
    - Work closely with airlines and other airport tenants to establish and maintain guest service excellence.

- LAWA should increase landside operations staffing levels by:

  - Adding staffing to allow 24/7 coverage of terminal and landside operations.
  - Increasing terminal and landside operations supervisory staff.
  - Providing robust Traffic Officer and Airport Police staffing to carry out flexible manual traffic control during construction.

- LAWA should assign overall APM construction impact coordination on the landside to a single position:

  - LAWA should provide this position with sufficient planning and construction coordination resources to ensure that he/she is able to anticipate and address CTA traffic and parking capacity reductions during construction.
  - This landside management position would have the scope to respond to Construction & Logistics Management plans and immediately react to identified shortcomings in execution.

- LAWA should include in its contract provisions with APM planning, construction, and operations contractor(s) that they:

  - Have significant incentives for maintaining CTA capacity and substantial penalties for reducing it.
  - Provide coordination staffing and performance requirements in APM construction contracts.

- LAWA should conduct periodic reviews of the construction process to learn from successes and failures, with the understanding that it may well be in order to change approaches if existing arrangements prove unworkable or ineffective.

- LAWA should also establish or obtain traffic engineering capability:

  - Traffic engineering should focus on:

    - Developing traffic mitigation plans.
    - Evaluating diversions for shuttle services and taxis/limos/vans and other strategies or systems that might help contain and manage CTA roadway congestion.
    - Conducting needs analyses based on projected traffic levels and designing construction-related diversions. (Note: Another possibility might be to include the needs analysis as part of LAMP in the contractors' specifications.)

  - LAWA should engage traffic engineering expertise, based on a cost-benefit analysis of different options:

    - Option 1: LAWA staff. Recruit and build its own traffic engineering unit.
    - Option 2: LADOT. Retain the services of LADOT through an MOU that would reimburse the department for its expenses in compliance with FAA requirements for revenue use and BOAC action to review and approve such agreements. (Note: LADOT also has technical knowledge and experience in traffic design and control systems. LADOT has jurisdiction over the "upstream" systems that deliver traffic to LAX and some involvement in CTA traffic influx.)
    - Option 3: Private contractor. Retain the traffic engineering services of a private contractor (LAWA should request LADOT to participate on the selection panel if this option is chosen).

- LAWA should train airport contract workers regarding Guest Experience initiatives, including wayfinding during construction.

- LAWA should increase existing staffing and systems to ensure that the public is kept informed, preferably well in advance, of significant disruptions to CTA traffic arising from APM construction. *Id.* at 1.79-1.80. LAWA might build on the proven "Carmageddon" model of saturation notices used during the widening of the 405 through Sepulveda pass.

IX. The DEIR Fails to Properly Analyze or Mitigate the Project's Climate Change Impacts.

A. Analyzing Climate Change Impacts Is Required Under CEQA.

The law is clear that lead agencies must thoroughly evaluate a project's impacts on climate change under CEQA. *See Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 89-91. In 2007, the state Legislature passed Senate Bill 97, which required the Governor's Office of Planning and Research to prepare guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by [CEQA], including, but not limited to, effects associated with transportation or energy consumption." SB 97 (2007), codified as Pub. Resources Code § 21083.05. Consistent with this mandate, the state Natural Resources Agency adopted revisions to the CEQA Guidelines that require lead agencies to determine the significance of a proposed project's greenhouse gas emissions. Guidelines § 15064.4.

B. The DEIR's Perfunctory Climate Change Analysis Fails to Inform the Public and Decisionmakers About the Project's GHG Emissions.

The DEIR's discussion of the Project's contribution to climate change fails to achieve CEQA's most basic purpose: informing governmental decisionmakers and the public about the potential significant environmental effects of a proposed activity. CEQA Guidelines § 15002(a)(1). Among its other flaws, the DEIR: calculates only a portion of the construction-related GHG emissions for which the Project would be responsible; refuses to acknowledge or otherwise analyze GHG emissions that would clearly be caused by the Project's operation; fails to account for GHG emissions beyond 2035 despite the fact that the Project has a more than 30-year lifespan; relies on a faulty methodology that omits GHG emissions from the full distance that Project-related vehicles would travel; fails to adequately analyze conflicts with state and regional GHG reduction plans and policies; and fails to identify mitigation measures to reduce or avoid the Project's contributions to climate change. The DEIR's approach, which ignores science and law, stands in stark contrast to the conscientious treatment of climate change impacts undertaken by other lead agencies throughout the state. LAWA must make substantial modifications to the DEIR's climate change analysis to achieve compliance with CEQA.

1. The DEIR Substantially Underestimates the Project's GHG Emissions.

The DEIR fails to account for all the ways the Project will generate GHG emissions. For the Project's construction-related GHG emissions, the DEIR includes only direct emissions. The DEIR explains that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The DEIR provides no evidence, or even an explanation, as to why LAWA considers the indirect emissions to be negligible.[8] Moreover, even if the indirect construction-related GHG emissions are a fraction of the direct emissions—and there is no evidence that this is the case—this is not a valid excuse for not including them in the inventory. Because GHG emissions are a cumulative global effect, all sources of a Project's emissions must be included in the inventory.

The DEIR also fails to account for all of the Project's operation-related emissions. The analysis does not include transportation-related GHG emissions that would be generated during the entire distance that Project-related vehicles travel to and from LAX. Instead, the analysis focuses on trips occurring near LAX (i.e., only within approximately six miles of the airport). DEIR at 4.5-32. The DEIR explains that it focuses on the emissions from trips within this six-mile radius because these are the trips that would be directly affected by the Project's improvements. *Id*. The DEIR's approach is illogical. The Project's impact on vehicular trips has no bearing on the Project's potential to increase GHG emissions. Vehicles would emit GHG emissions during the entire trip to and from LAX, not just within a six-mile radius of the airport. Indeed, the DEIR recognizes this fact when it discusses the GHG inventory that LAWA estimated for each of its airports, including LAX. The inventory of 1990 GHG transportation-related emissions for LAX "assumed the full distance of vehicle trips to and from the Airport." *Id*. Because LAX attracts travelers from through the southern California region, the vast majority of those travelers would be expected to travel a distance far greater than six miles.

Finally, the DEIR underestimates the Project's increase in GHGs because it underestimates the increase in traffic that would accompany the proposed Project. As discussed above, the DEIR fails to account for all of the Project's vehicular trips because it does not take into account induced travel. An accurate inventory of all of the Project's transportation-related emissions is critical because the transportation sector is one of the

[8] We found no indication that the Project's indirect construction-related criteria pollutant emissions were excluded from the DEIR's air quality analysis, leading one to further question why they were omitted from the GHG analysis. *See* DEIR chapter 4.2, generally.

largest sources of U.S. GHG emissions. In 2014, transportation represented approximately 26 percent of total U.S. GHG emissions. Between 1990 and 2014, GHG emissions in the transportation sector increased more in absolute terms than any other sector (i.e., electricity generation, industry, agriculture, residential, or commercial).[9]

To accurately evaluate the Project's effect on climate change, the EIR must be revised to include indirect construction-related GHG emissions, transportation-related emissions from vehicles traveling the full distance to and from LAX, and emissions from the Project's induced travel. This revised analysis must be transparent in its identification of the Project's GHG emissions. Thus, for the Project's construction-related emissions, the EIR must identify the amount of indirect emissions that would be generated by each source, i.e., purchased electricity, solid waste disposal, water usage and wastewater disposal. For the DEIR's accounting of transportation-related GHG emissions, the DEIR must identify the average trip distance (miles per trip) for arriving and departing airport travelers, the number of forecasted Project-related vehicular trips, and the amount of GHG emissions per vehicle mile for each of those trips. The DEIR must also clearly identify the number of vehicular trips the Project would induce, and include the emissions from these trips in the GHG analysis. Without an accurate accounting of all of the Project's GHG emissions, the DEIR's analysis is incomplete, making formulation of appropriate mitigation impossible.

2. The DEIR Relies on an Improper Methodology in Its Analysis of the "2015 With Project" Scenario.

The DEIR compares the Project's increase in GHG emissions in 2015 with 2015 existing conditions, as if the Project had, hypothetically, been completed in 2015. DEIR at 4.5-27. This analysis includes various emission sources, including autos and trucks. *Id*. Unfortunately, the DEIR relies on faulty methodology when it quantifies the Project's auto and truck-related GHG emissions and, consequently, it appears the DEIR does not accurately identify the Project's transportation-related GHG emissions.

As Table 4.5-5 shows, the DEIR's identification of the Project's GHG emissions from autos and trucks is based on *total traffic volumes on the roadway network*, rather than just LAX-related trip volumes. DEIR at Table 4.5-5, fn. 1. The DEIR states that the authors had to rely on total traffic volumes on the roadway network because "airport-

[9] U.S. EPA Transportation and Climate Website, attached hereto as Exhibit X, *available at* https://www.epa.gov/air-pollution-transportation/carbon-pollution-transportation (last visited November 15, 2016).

related trip volumes for this scenario were not available."[10] *Id.* This methodological error masks the Project's impacts and is particularly problematic because the document asserts that vehicular GHG emissions would *decline* as a result of the Project. *Id.* (emphasis added). Because the DEIR does not isolate Project GHG emissions from background emissions, the DEIR lacks the required evidentiary basis for this conclusion. The revised EIR must identify the Project's transportation-related GHG emissions, together with other Project-related emission sources, and evaluate the effect that these emissions would have on climate change reduction goals.

3. The DEIR Errs By Not Determining Whether the Emissions in 2024 and 2035 Are Significant Project-Related Impacts.

CEQA requires that an EIR must analyze not only a project's direct effects, but also indirect effects that are reasonably foreseeable. CEQA Guidelines §§ 21065 and § 15064(d). Here, it is reasonably foreseeable that the Project will cause increased passenger activity and aircraft operations. This, in turn, will cause GHG emissions to increase substantially. Although the DEIR quantifies the GHG emissions that would be expected to occur in 2024 and 2035, it refuses to attribute these emissions to the Project. The EIR's failure to analyze these indirect impacts of the Project is prejudicial error. *See Plastic Pipe & Fittings Assn. v. California Building Standards Com.* (2004) 124 Cal.App.4th 1390, 1412 (CEQA requires analysis of indirect impacts).

The DEIR relies on the faulty assumption that any changes in emissions from aircraft operations over the 2015 existing conditions are due to increased travel demand and changes in aircraft fleet mixes that are projected to occur by 2024 and 2035, irrespective of the proposed Project. DEIR at 4.5-7. This assertion is illogical. As this letter and the attached Kanafani Report make clear, the extreme levels of traffic congestion that occur on an on-going basis currently act as a constraint on the airport. Once these landside access constraints are removed, passenger activity and associated aircraft operations would be expected to substantially increase. In fact, LAWA is projecting substantial growth in passenger activity: from 74.9 MAP in 2015 to 85 MAP by 2024 and 96 MAP by 2035. DEIR at 4-5.

[10] The DEIR does not explain why airport-related trip volumes could not be obtained. Indeed, Table 4.5-7 (2024 Future With Project Compared to 2015 Existing Conditions) and Table 4.5.-9 (2035 Future With Project Compared to 2015 Existing Conditions) contain 2015 baseline data appears to identify Project-related auto and truck GHG baseline emissions. The DEIR should explain why the 2015 Baseline data for autos and trucks in Table 4.5-5 is substantially different than the 2015 baseline in Table 4.5-7 and Table 4.5-9. *See* DEIR at 4.5-27—31.

The need for a thorough analysis of the Project's indirect effects is not academic. The current maximum operational capacity for LAX is 78.9 MAP, as set forth in the airport's long range planning documents, including but not limited to the 2004 LAX Master Plan, the 2005 LAX Specific Plan, and the 2013 Specific Plan Amendment Study. Because there has been no analysis of the environmental impacts of operational capacity beyond 78.9 MAP, the DEIR is obligated to analyze the increase in GHG emissions that would accompany these increased activity levels. The DEIR cannot simply ignore the increase in GHG emissions associated with this growth, and especially the emissions from aircraft.

Aircraft constitute a huge portion of an airport's emissions. According to a report prepared by the Center for Biological Diversity ("CBD"), aircraft carbon polluting is skyrocketing. *See* Up In the Air—How Airplane Carbon Pollution Jeopardizes Global Climate Goals, CBD, December 2015, attached hereto as Exhibit Y. If commercial aviation were considered a country, it would rank seventh after Germany in terms of carbon emissions. *Id*. at 3. CBD found that:

> [B]y 2050, aircraft emissions re projected to more than triple. Unchecked, between 2016 and 2050 global aviation will generate an estimated 43 gigatonnes of carbon dioxide emissions. That amounts to more than 4 percent of the world's entire remaining carbon budget—the amount of pollution that can still be emitted before catastrophic planetary warming become virtually certain.

Id. at 2.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 and compares these emissions to 2015 (existing conditions) emissions' levels. The analysis of "2024 Future With Project" to 2015 existing conditions, in particular, identifies a substantial increase in GHG emissions attributable to the Project. *See* DEIR Table 4.5-7, p. 4.5-29. The problem, however, is that the DEIR includes this analysis for "informational purposes only" (*id.* at 4.5-28); it does not undertake this analysis for purposes of determining whether the Project would cause these significant impacts. Consequently, although the Project would result in a significant increase in GHG emissions in 2024, as compared to existing conditions, the DEIR fails to put forth any mitigation measures. This is in direct violation of CEQA as the primary goal of an EIR is to identify a project's significant environmental impacts and find ways to avoid or minimize them through the adoption of mitigation measures or project alternatives. §§ 21002.1(a), 21061.

4. The DEIR's Analysis of 2024 and 2035 Conditions Underestimate the Project's GHG Impacts.

The DEIR's analysis of the "2035 Future With Project" compared to the "2035 No Project" is flawed because it fails to properly analyze the Project's time horizon. The DEIR explains that the lifetime of the Project is 30 years. DEIR at 4.5-6; 4.5-24. By analyzing impacts only through 2035, the DEIR fails to provide the public with a meaningful assessment of the Project's full impact on climate change. The document should have analyzed impacts through at least 2047 (i.e., 30 years past the date that construction would commence which is estimated to be the end of 2017). *Id*. at 2-175. By not including 12 years of emissions, the DEIR substantially underestimates the Project's GHG emissions and the Project's contribution to climate change.

C. The DEIR Fails to Adequately Analyze the Project's Consistency with AB 32.

The Supreme Court has weighed in on appropriate thresholds for GHG emissions. In *Center for Biological Diversity v. California Department of Fish and Wildlife*, the Court affirmed reliance on compliance with AB 32's reduction goals as a valid threshold of significance when used as a "comparative tool for evaluating efficiency and conservation efforts." *Center for Biological Diversity*, 62 Cal.4th 204, 225-28. While the DEIR appropriately acknowledges AB 32, it fails to actually analyze the Project's consistency with this law because it claims it is technically unable to do so.

The GHG reduction target reflected in AB 32 calls for a statewide reduction in GHG emissions to 1990 levels by 2020. The DEIR asserts that while LAWA has estimated 1990 GHG emissions for each of its airports, including LAX, and that LAX's 1990 GHG inventory assumes GHG vehicular emissions from the full distance of vehicle trips to and from LAX, the DEIR includes only those emissions from vehicles traveling within approximately six miles of the airport.[11] DEIR at 4.5-32. The DEIR then explains that, given the differences in key assumptions, a comparison of the Project-related GHG emissions estimated for 2024 and 2035 to the emissions in the 1990 LAX GHG inventory would not provide an appropriate basis for evaluating how the GHG emissions of the Project measure against the GHG reduction targets of AB 32. *Id*. As discussed above, the DEIR errs by not including GHG emissions from the entire trip distance that Project-

[11] The DEIR asserts that this is the appropriate study area because it is the trips occurring within this six-mile distance that would be "directly affected by the Proposed Project improvements." DEIR at 4.5-32.

related vehicles would travel to and from LAX. Once LAWA conducts the analysis in an accurate manner, it will be able to properly assess the Project's consistency with AB 32.

Notwithstanding the DEIR's assertion that it is unable to analyze the Project's consistency with AB 32, the document patches together an analysis and asserts that Project-related emissions in 2024 would be approximately 43 percent greater than 1990 emissions and the Project-related emissions in 2035 would be approximately 48 percent greater than the 1990 GHG emissions.[12] DEIR at 4.5-33. The DEIR determines that the Project would be inconsistent with the GHG reduction target set forth in AB 32 and that this constitutes a significant impact. *Id.* We agree with this inconsistency conclusion.

The DEIR, however, fails to evaluate the Project's emission projections against the emission reduction targets established by AB 32. It is not sufficient to simply state that in 2024, the Project's emissions would be more than 43 percent greater than the 1990 emission levels. The EIR should have disclosed what LAX's 1990 GHG emissions were and then used this figure as the starting point to determine if the LAMP Project does its fair share to comply with AB 32's GHG reduction goals. Then, the EIR should have identified what the Project's emissions would be expected to be in 2020. Because the DEIR does not disclose this information anywhere, it fails to satisfy CEQA's most basic informational purpose. *See* Pub. Res. Code § 21061 ("The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect that a proposed project is likely to have on the environment.").

D. The DEIR Fails to Adequately Analyze the Project's Consistency with Executive Orders S-3-05 and B-30-15.

In addition to properly analyzing consistency with the reduction goals set forth under AB 32, the DEIR must analyze the Project's consistency with state climate policy as set forth in Executive Orders S-3-05 and B-30-15. Executive Order S-3-05 establishes a long-term goal of reducing California's emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 sets an interim target of 40 percent below 1990 levels by the year 2030.

[12] The DEIR does not clearly explain how it arrived at its GHG emission exceedance figures other than stating that emissions were based on MAP levels and EMFAC emission factors. The revised EIR should be transparent in its analyses so that the public and decisionmakers are able to follow each step in the EIR's methodological process.

The DEIR acknowledges Executive Orders S-3-05 and B-30-15, yet it does not analyze the Project's consistency with either directive in any meaningful way. In fact, it contains even less "analysis" than that provided for its discussion of AB 32. The DEIR simply refers to its discussion of AB 32, and states that since the GHG emissions associated with operations of the Project in 2024 and 2035 would not be less than the levels estimated for 1990 conditions, the Project's emissions would exceed the GHG reduction targets in Executive Orders S-3-05 and B-30-15. DEIR at 4.5-33, 34. It goes on to explain that the Project would be inconsistent with these directives; and that these inconsistencies constitute significant impacts. *Id*. As discussed above, these bare, unsupported assertions are not the careful evaluation of potential impacts that CEQA requires.

The DEIR's treatment of these directives is particularly disappointing because the Court of Appeal has recognized that Executive Order S-3-05, designed to meet the environmental objective of climate stabilization, is highly relevant under CEQA. *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1157 (quoting the California Attorney General).

Other agencies have adopted the Executive Orders as thresholds of significance for long-term projects, including Regional Transportation Plans. For example, in 2015 the San Diego Association of Governments ("SANDAG") used them as a threshold of significance in the EIR for its most recent RTP/SCS. Specifically, Impact GHG-4 of that EIR asked whether the project would "[b]e inconsistent with the State's ability to achieve the Executive Order B-30-15 and S-3-05 goals of reducing California's GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050." *See* SANDAG 2015 RTP/SCS EIR at 4.8-33, attached as Exhibit Z; *see also Cleveland National Forest Foundation v. SANDAG* (November 24, 2014) 231 Cal.App.4th 1056 (Review Granted, 343 P.3d 903).

The SANDAG RTP/SCS EIR evaluated that project's impacts by calculating a 40 percent and 80 percent reduction from the region's 1990 emissions and using those figures as a target reference point for the RTP. It then compared the region's expected GHG emissions in the years 2035 and 2050 to the emissions necessary to meet the Executive Orders' trajectories. It included charts showing that the Plan would not come close to meeting the Executive Orders' goals. It concluded: "Because the total emissions in the San Diego region of 25.5 MMT CO2e in 2035 would exceed the regional 2035 GHG reduction reference point of 14.5 MMT CO2e (which is based on Executive Order-B-30-15 and Executive Order S-3-05), the proposed Plan's 2035 GHG emissions would be inconsistent with state's ability to achieve the Executive Orders' GHG reduction

goals. Therefore, this impact (GHG-4) in the year 2035 is significant." SANDAG 2015 RTP/SCS EIR at 4.8-35. It reached a similar conclusion for the year 2050 goal.

The LAMP DEIR's failure to compare the Project's emissions against the long-term GHG emission reduction policies set forth in Executive Orders S-3-05 and B-30-15 is unlawful, and SANDAG's recent example demonstrates that there is no excuse for the omission. LAWA has access to the state's GHG reduction goals, which reflect the emissions decreases that climate scientists have concluded are needed to provide a 50 percent chance of limiting global average temperature rise to 2° C above pre-industrial levels. The revised EIR should reveal the nature and extent of the Plan's sharp inconsistency with these clear goals.

E. The DEIR Fails to Adequately Analyze the Project's Consistency with the LAWA Sustainability Plan.

The LAWA Sustainability Plan sets goals and actions that LAWA will undertake to implement the initiatives set forth in the Green LA Plan. The Green LA Plan calls for the City to reduce GHG emissions by 35 percent below 1990 levels by 2030. DEIR at 4.5-34. The DEIR explains that the Project would not be consistent with the target GHG reduction level identified in the Green LA Plan and thus would be inconsistent with the LAWA Sustainability Plan. *Id*. Yet, here too, the DEIR does not bother to provide *any* explanation as to how far off course the Project would set LAX from achieving the goals established in its own Sustainability Plan. The DEIR cannot simply identify an impact; it must disclose the severity and extent of this impact. *See, e.g., Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs*. (2001) 91 Cal.App.4th 1344, 1370-71; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1123; *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decisionmakers information about how adverse the impacts would be).

F. The DEIR Lacks the Evidentiary Support that Its Mitigation Measures Would Effectively Reduce Project-Related GHG Emissions to Less-Than-Significant Levels.

Notwithstanding the flaws in the analysis of the Project's GHG impacts, the DEIR concludes that the Project's increase in GHG emissions would be significant. The DEIR

includes two measures intended to reduce the Project's significant GHG impacts.[13] One measure would incorporate solar energy into the LAMP facilities, while the second measure would require the use of renewable diesel fuel in off-road equipment and on-site trucks, *to the extent feasible*. *Id*. at 4.5-59. The DEIR concludes that these two measures would reduce the Project's construction and operational impacts to less-than-significant levels for all impact scenarios. *Id*. 4.5-59—65; 70. The document does not, however, base its conclusions on substantial evidence. To conclude as the DEIR does, that an impact is less than significant, substantial evidence must demonstrate that mitigation measures will reduce an impact to a less-than-significant level. Substantial evidence consists of "facts, a reasonable presumption predicated upon fact, or expert opinion supported by fact," not "argument, speculation, unsubstantiated opinion or narrative." Pub. Res. Code § 21080(e)(1)-(2). Because the DEIR's conclusion of insignificance is premised on unsupported assumptions, it falls far short of this threshold.

For example, the DEIR's measure calling for the use of renewable diesel fuel is vague and directory. Uncertain, vague, and speculative mitigation measures have been held inadequate because they lack a commitment to enforcement. *See, e.g.*, *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188-89 (holding traffic mitigation fee measure inadequate under CEQA due to vagueness in program for implementing required improvements). Here, the measure simply suggests that LAWA would require the use of diesel fuel "to the extent feasible." DEIR at 4.5-59. Without committing to requiring the use of renewable fuel in construction equipment and trucks, the DEIR may not take credit for any GHG emission reductions. Moreover, the DEIR must identify which construction equipment and trucks would use this fuel, and provide sufficient documentation to allow the public and decisionmakers to verify the projected reductions in emissions. Without this documentation, the DEIR has no basis to conclude that the emission reductions from the use of renewable diesel fuel would be sufficient to offset the Project's increase in construction-related GHG emissions.

The measure calling for the use of solar energy in LAMP facilities is similarly flawed. The DEIR provides no detail as to which LAMP facilities would use solar energy. Nor does it quantify the emission reduction from these facilities. Without this documentation, the DEIR has no basis to conclude that the emission reductions from the

[13] The DEIR also proposes an array of mitigation measures, most of which are intended to mitigate the Project's air quality impacts. DEIR at 4.5-43—58. However, the DEIR explains that because LAWA is unable to quantify the effectiveness of these measures, the document makes no estimate of the air quality or GHG benefit.

use of solar energy would be sufficient to offset the Project's increase in operational GHG emissions.

G. The DEIR Fails to Analyze and Adopt All Feasible Mitigation.

The DEIR acknowledges that the Project's inconsistency with the GHG reduction targets established in state, regional and local plans constitutes a significant and unavoidable impact. DEIR at 4.5-70. If the DEIR had identified adequate mitigation measures as required under CEQA, it could have substantially lessened the Project's increase in GHG emissions. LAWA has a duty to consider other feasible mitigation measures as it may not approve the Project with significant environmental impacts if there are feasible mitigation measures which would substantially lessen those effects (even if they are not completely avoided or reduced to a less than significant level). Pub. Res. Code § 21002.

As an initial matter, LAWA should take all necessary actions to increase transit mode share to the airport. The LAMP is being billed as a project that will create a world-class transportation system connecting LAX to communities and public transportation hubs throughout the Southland. Mayor Garcetti touts the transit benefit of the LAMP as follows: "LAX is our gateway to the world—and by finally bringing rail to the airport, Angelenos and tourists will be able to connect to Los Angeles' world-renowned neighborhoods and attractions without ever stepping foot in a car." *See* Aero Newsletter for the Employees of Los Angeles World Airports.[14] Yet, the reality of the LAMP will not come close to achieving the Mayor's lofty proclamation as the Project is expected to increase transit mode share by only *one* percent! *See* DEIR Tables 4.12.1-1 through 4.12.1-10. It is outrageous that LAWA would spend $5 billion on a transportation project that is expected to result in such a meager increase in transit ridership.

If LAWA were truly committed to increasing transit use to and from LAX, it would have earmarked a large percentage of the Project's $5 billion budget to transit programs and projects. To this end, as mitigation for the Project's significant GHG impacts, LAWA must implement a series of transit-related mitigation measures. LAWA should study the approaches taken at other major airports to increase transit mode share. Leading cities like New York, London, Paris, Frankfurt, Amsterdam, Hong Kong and Shanghai, for example, have all focused on improving "people moving" for some time

[14] *Available at* https://www.lawa.org/uploadedFiles/LAX/pdf/Aero_Newsletter_201602.pdf (last visited November 7, 2016).

now, realizing that their airports have become the center of their region's connectivity.[15] Canada's Vancouver Airport is the national leader for increased transit use to and from the airport. At Paris' Charles De Gaulle airport, passengers have the luxury of many different transit options, which has resulted in only 40 percent of travelers arriving by car. *Id*. To mitigate the LAMP's substantial increase in GHG emissions—and to become a true world-class airport—LAWA must study approaches to increasing transit, commit to funding the necessary transit programs and projects, and establish ambitious mode share targets for 2024 and 2035.

LAWA should also mitigate for the Project's significant climate change impacts by committing to lobby the major airlines to participate in the Aviation Plan recently approved by the International Civil Aviation Organization.[16] Under the Aviation Plan, which is currently voluntary, airlines will buy credits to offset emissions from individual flights. The credits will come from alternative energy installations, forest conservation programs and other projects that prevent some amount of GHG emissions. LAWA could also develop and implement mechanisms to monitor and report current emissions, since this component of the Aviation Plan has yet to be developed. *Id*. LAWA could also establish the criteria to select conservation programs and other projects that will count toward offset credits. *Id*.

Other types of mitigation to reduce GHG emissions have been determined to be feasible. There are additional guidance documents that provide a full suite of GHG mitigation measures. LAWA must review and consider all of the measures listed in these documents in its revised DEIR, and it must adopt all feasible measures in order to reduce the Project's impacts to a level below significance, or as much as feasible:

- Governor's Office of Planning and Research. 2008. Technical Advisory. CEQA AND CLIMATE CHANGE: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, attached hereto as Exhibit CC.

[15] *See* Hillary Marshall, "We Must Prioritize Smarter Transit Options to and from Airports," *Huffington Post* (June 27, 2016), attached as Exhibit AA and *available at* http://www.huffingtonpost.ca/hillary-marshall/airport-transit_b_10700664.html (last visited November 7, 2016).

[16] *See* "Over 190 Countries Adopt Plan to Offset Air Travel Emissions," *The New York Times*, October 6, 2016, attached as Exhibit BB and *available at* http://mobile.nytimes.com/2016/10/07/science/190-countries-adopt-plan-to-offset-jet-emissions.html?emc=edit_th_20161007&nl=todaysheadlines&nlid=66270403&_r=0&referer= (last visited October 7, 2016).

- California Air Pollution Control Officers Association (CAPCOA), "CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act," January 2008.[17] *See generally id.* at Chapter 9.
- CAPCOA, "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reduction from Greenhouse Gas Mitigation Measures," August 2010.[18]
- Attorney General of the State of California, "Addressing Climate Change at the Project Level," January 2010.[19]

X. The DEIR Fails to Adequately Analyze or Mitigate the Project's Air Quality Impacts.

A. The DEIR Underestimates the Project's Air Quality Impacts Because it Does Not Include Emissions From Aircraft or Ground Support Equipment.

Many of the flaws in the DEIR's analysis of the Project's GHG analysis also implicate the air quality analysis. For example, as discussed above, the DEIR inappropriately assumes that the Project would not increase the number of flights or the number of passengers at LAX. DEIR at 4.2-10. This faulty assumption causes the DEIR to substantially underestimate the Project's increase in criteria air pollutant emissions. Specifically, the DEIR's analysis of operational-related air quality impacts only accounts for emissions from automobiles and trucks and stationary and area sources of emissions. DEIR at 4.2-10 and Table 4.2.1-4; *id*. at 4.2-27. It does not account for the increase in emissions from aircraft or the ground support equipment that would occur as a result of LAX's planned growth in passenger activity. The DEIR must take into account emissions from aircraft and ground support equipment as these emissions would be expected to greatly increase with LAX's planned increase in passenger activity.

[17] *Available at* http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf (last visited October 7, 2016).

[18] *Available at* http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf (last visited October 7, 2016).

[19] *Available at* http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf (last visited October 7, 2016).

B. The DEIR Relies on Faulty VMT Assumptions to Conclude the Project Would Result in a Reduction in Criteria Air Pollutants.

The DEIR concludes that the regional air quality impacts associated with operation of the Project (the "2015 With Project" compared to the "2015 Existing Conditions" scenarios) would be less than significant, and that all criteria air pollutant emissions would actually decline as a result of the Project. DEIR Table 4.2.1-9 at 4.2-36. The DEIR asserts that this decline in emissions is because the Project would cause a reduction in VMT. *Id.* The DEIR's technical appendix, however, contradicts the DEIR's VMT assumptions. Appendix F reveals a trend of increasing, not decreasing, VMT. *See* DEIR Appendix F, at PDF pages 724 –728. Specifically, the Appendix identifies 2015 Baseline VMT as 2,107,251; VMT with the Project in 2024 is estimated to be 2,594,506; and VMT with the Project in 2035 is estimated to be 2,568,018. Inasmuch as VMT in 2024 and 2035 would exceed baseline (2015) levels of VMT, the DEIR's assertion that criteria air pollutants would decline as a result of the Project lacks credibility.

Moreover, as we explained in the transportation section of this letter, the DEIR underestimates predicted traffic volumes because it fails to take into account the Project's induced travel demand. Inasmuch as the Project's air quality emissions are dependent on the transportation assumptions, any underestimation of vehicular trips necessarily results in an underestimation of vehicular emissions.

Finally, the DEIR also likely underestimates the Project's increase in criteria air pollutant emissions, because it may not have accounted for all of the vehicular travel to and from LAX. As we explained, the DEIR's GHG analysis does not include GHG emissions generated by vehicles traveling the full distance to and from LAX. Instead, the analysis only accounted for the GHG emissions from vehicular trips within a six-mile radius of the airport. Presumably, the DEIR's air quality analysis relied on the same assumptions as the GHG analysis. If so, the DEIR underestimates the Project's increase in VMT and therefore also underestimates the increase in criteria air pollution generated by these vehicular trips.

XI. The DEIR's Description and Analysis of Potential Future Development, in Particular at the Continental City Site, Is Inadequate Under CEQA.

The LAMP Project includes the potential for approximately 900,000 square feet of future commercial development of LAWA-owned parcels that would be freed up after subdivision and other land reconfiguration undertaken for new LAX ground transportation facilities. During construction, these parcels would be used for laydown

and staging, at least through the first phase of the Project (2024). DEIR at 2-188; 2-191. Thereafter, the DEIR estimates that approximately 300,000 square feet would be used for office space, another 300,000 square feet would be used for hotel accommodation, 200,000 square feet would be used for commercial space, and the remaining 100,000 square feet would be used for a conference center. DEIR at 2-191.

The Project includes entitlements for development of these parcels consistent with the above uses, including proposed amendments to the LAX Plan and LAX Specific Plan necessary to accommodate development. *Id.*at 2-191 through 2-192. Such entitlements include two tract maps, lot line adjustments and "other minor subdivision actions" to reconfigure the parcels where Project components, including the two ITFs and the CONRAC, are proposed to be built. *Id.* at 2-201. The parcels identified for potential future development would be given a new subarea classification of "Airport Landside Support Subarea" under the proposed amendments to the LAX Plan and LAX Specific Plan.

The DEIR states that "additional CEQA project-level environmental review would be conducted, *as necessary*" once individual development projects are proposed on these parcels. DEIR 2-188 (emphasis added). Because these future development projects cannot proceed without the zoning changes associated with the Project, however, they are components of the LAMP Project. Thus the DEIR must describe and analyze these development projects in as much detail as is currently available, rather than postpone this analysis until individual development projects are proposed. Failure to do so amounts to project "segmentation" and is prohibited under CEQA.

Whether a lead agency prepares a "program" EIR or a "project specific" EIR under CEQA, the requirements for an adequate EIR remain the same. Guidelines § 15160. "Designating an EIR as a program EIR also does not by itself decrease the level of analysis otherwise required in the EIR." *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 533; see also Guidelines § 15146 (degree of specificity required in program EIR varies not with "program" label, but rather with degree of specificity in underlying activity). Even a program-level EIR must contain "extensive detailed evaluations" of a plan's effects on the existing environment. *See Environmental Planning & Information Council v. County of El Dorado (1982) 131 Cal.App.3d 350, 358* ("*EPIC*"); *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692,723-24 (where the record before an agency contains information relevant to environmental impacts, it is both reasonable and practical to include that information in an EIR).

Here, this analysis must include the full analysis of potential future development that is now missing, including, in particular, an explanation of the proposed temporary and long-term uses for the Continental City site located near El Segundo. While the DEIR states that the Continental City site is identified as a "Regional Center" in the General Plan,[20] and a solitary, unexplained exhibit to the DEIR appears to designate the majority of this site as a "Proposed Cargo Tenant Relocation Area" (DEIR Exhibit 2-46 at 2-157), the document reveals no specifics about LAWA's proposed future use for the site aside from stating it will be used for laydown during construction. The DEIR further violates CEQA by failing to state the "existing conditions" for the site, as required for an adequate analysis of the proposed Project's environmental impacts.

For example, the DEIR does not disclose that, under the approved 2004 Master Plan alternative (Alt. D), LAWA designated the Continental City site for development of an "Intermodal Transportation Center." Master Plan Final EIR at 3-81. Under that alternative, the site would have been developed to include 9,127 parking stalls and a link to the proposed Metro Green Line transit station. *Id.* In 2013, LAWA approved the SPAS preferred alternative, under which "Continental City is assumed to remain vacant unless/until another permanent land use is designated for the area separate from the SPAS." SPAS Final EIR at 4-565. The SPAS EIR identified possible future uses for the site as a relocated Airfield Bus Parking Area and Operations Building and/or Construction and Maintenance Division Facilities (*id.* at 2-13); the existing LAX Specific Plan would also permit various airport related commercial and operations uses, while prohibiting "aircraft under power" or residential use.

The DEIR must (a) give a complete an accurate description of the "existing conditions" at the site, under the applicable land use plans, (b) state any proposed future use (beyond construction laydown) for the site, whether as a "Cargo Tenant Relocation Area," or a use consistent with the specific and general plan designations, and (c) analyze the impacts of the propose change in use. CEQA requires that every EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. The document should provide a sufficient degree of analysis to inform the public about the proposed project's adverse environmental impacts and to allow decisionmakers to make intelligent judgments. *Id.* Consistent with this requirement, the information regarding the project's impacts must be "painstakingly ferreted out." *EPIC*, 131 Ca1.App.3d at 357.

[20] The DEIR states that "Regional Center" means "focal point of regional commerce, identity, and activity that contains a diversity of uses," and "should generally be developed at a density of 1.5:1 to 6.0:1 floor-area ratio ["FAR"] and to a height of 6 to 20 stories." DEIR at 4.8-15.

XII. The DEIR Should Include Analysis of a "Constrained Growth" Alternative.

As we recommended in our comments on the NEPA Scoping Document, because a legally adequate analysis of the impacts of induced growth caused by the Project would show noise, air quality and climate change impacts far above levels considered acceptable, LAWA should analyze a constrained growth alternative whereby the proposed Project would accommodate passenger levels up to some number at or below 82.9 MAP, the low end of the range forecast for LAX in the 2040 RTP/SCS. The DEIR responds to this recommendation by claiming that such an alternative would be infeasible because it would violate the Airport Noise and Capacity Act of 1990 ("ANCA"). DEIR at 5-19 through 5-20. This is a mischaracterization of ANCA. While ANCA and prior federal aviation law prohibit unreasonable, arbitrary or discriminatory constraints on access to airports, such laws do not require airport operators such as LAWA to *build* access-improvement projects or other projects to expand capacity. Once LAWA revises the DEIR consistent with the comments in this letter, thereby providing the legally required disclosure of environmental impacts associated with the Project, it will become clear that the Project would have substantially greater environmental impacts (particularly to air quality, climate change and noise) than the DEIR currently anticipates. To address this, LAWA should evaluate a "constrained capacity" (or more modest growth) alternative that would not constrain present operations but nonetheless would result in less growth (and thus fewer overall, and less significant impacts) than the proposed Project.

XIII. The DEIR Must Adequately Describe and Address the Impacts of Construction Haul Routes and Staging for the Project.

The DEIR indicates that laydown for construction will occur at the Continental City site, just north of El Segundo's border. Roughly one-third of Imperial Highway along the border with El Segundo is proposed to be used as a construction haul route. The impacts from both of these construction-related uses must be adequately analyzed in the DEIR. Presently, the DEIR does not indicate how long the Continental City site would be used for laydown, or disclose any site-specific impacts related to this use, including impacts from noise or truck-traffic ingress and egress. The DEIR's noise analysis also omits any analysis of noise impacts from use of Imperial Highway as a truck haul route. Indeed, the noise measurement locations identified in the noise analysis, used to establish the environmental baseline for construction noise, do not include any locations on the border with El Segundo, despite the fact that hauling and laydown will occur immediately adjacent to the City. DEIR Figure 4.9.3-1 at 4.9-29.

Considering El Segundo's longstanding concerns related to noise and traffic impacts generated by uses at the airport's southern edge, the City urges that the proposed construction staging be located away from El Segundo. At the very least, the City expects all potential impacts from construction staging, and truck hauling, to be thoroughly analyzed and mitigated in the DEIR. The City also repeats its longstanding request that LAWA include pavement reconstruction on Imperial Highway as a mitigation measure.

XIV. Conclusion

In sum, LAWA should take no action to approve the Project until it has addressed the significant deficiencies in the DEIR and the recommendations discussed in this letter. It should also remove from the LAMP those unrelated, unnecessary and problematic elements identified in this letter.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Osa L. Wolff

Laurel L. Impett

Joseph D. Petta

List of Exhibits (*due to combined size of exhibits, all exhibits are provided on the enclosed CD, unless otherwise indicated*)

A LAX Master Plan

B LAX Master Plan EIR

C	LAX Specific Plan Amendment Study ("SPAS") Report
D	SPAS EIR
E	LAX Specific Plan
F	LAX Midfield Satellite Concourse North Project EIR
G	Memorandum by Adib Kanafani, Ph.D., N.A.E. (*attached hereto*)
H	Eno Center for Transportation, "Addressing Future Capacity Needs in the U.S. Aviation System," Nov. 2013
I	Southern California Association of Governments 2040 RTP/SCS, Aviation & Airport Ground Access Appendix
J	LAX Terminals 2 & 3 Project Notice of Preparation of an EIR and Initial Study
K	Alliance for a Regional Solution to Airport Congestion (ARSAC) and LAWA Memorandum of Understanding
L	FAA Advisory Circular 150/5070-6B
M	2014 Annual Progress Report, LAX Master Plan Mitigation Monitoring & Reporting Program
N	LAX Final Noise Exposure Map Report (August 2015)
O	LAX Master Plan Addendum
P	*In the Matter of Noise Variance Application for City of Los Angeles et al.*, Dept. of Transp. Case No. L2010041216
Q	LAX Aircraft Noise Abatement Operating Procedures and Restrictions (Sept. 2010)
R	Trip Advisor Webpage, *available at* https://www.tripadvisor.com/Travel-g32655-c160004/Los-Angeles:California:Bob.Hope.Airport.Aka.Burbank.Airport.html (last visited November 15, 2016)
S	FlyerTalk Webpage, *available at* http://www.flyertalk.com/forum/southwest-airlines-rapid-rewards/1558208-flying-into-burbank-vs-lax-worth-hassle-changing-planes-phx-2.html (last visited November 15, 2016)
T	Surface Transportation Policy Project, *Build It and They'll Come*
U	California Air Resources Control Board, "Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions," Sept. 30, 2014.

V McCahill et al., "Effects of Parking Provision on Automobile Use in Cities–Inferring Causality," November 2015.

W City of Los Angeles Office of the Controller, "Industrial, Economic, & Administrative Survey Report of Los Angeles World Airports," Feb. 2016.

X U.S. EPA Transportation and Climate Website (last visited November 15, 2016)

Y Center for Biological Diversity, "Up In the Air—How Airplane Carbon Pollution Jeopardizes Global Climate Goals," December 2015

Z San Diego Association of Governments 2015 RTP/SCS EIR (excerpt)

AA Hillary Marshall, "We Must Prioritize Smarter Transit Options to and from Airports," *Huffington Post* (June 27, 2016)

BB "Over 190 Countries Adopt Plan to Offset Air Travel Emissions," T*he New York Times* (October 6, 2016)

CC Governor's Office of Planning and Research, Technical Advisory, "CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review," 2008.

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Exhibit G

(Exhibits A—F and H—CC are provided on enclosed CD)

Comments on the Draft Environmental Impact Report (DEIR) of the LAX Landside Access Modernization Program (LAMP)

Traffic Growth and Capacity Issues

The DEIR for the LAX Landside Access Modernization Program (LAMP) fails to adequately assess the growth impacts of the program on aviation activity levels, including air passengers, flight operations, and ground access traffic, and to provide mitigation measures for such growth. It assumes that the growth in aviation activity is unaffected by the program and that the same levels of activity will materialize regardless of whether the program is implemented or not. The DEIR states that airport access constraints do not affect aviation activity.

1. **Capacity Issues**: The airport is a group of components operating in sequence to accommodate traffic/passenger flow (access system-terminals-gates-airfield-airspace). Each of these components is a link in a chain and has a capacity. The lowest capacity of these links constrains flow and determines the capacity of the whole system. This was recognized by the LAX 2004 Master plan which stated: "The most constraining component defines the capacity of the entire airport". The 2004 master plan considered an unconstrained demand forecast of 98 MAP in 2015 and evaluated four alternative configurations and estimated the airport capacity for each using the principle that this capacity is constrained by that of the lowest capacity component. The four alternatives considered were:

    a. No Action No Project:
        i. Capacity of 78 MAP
        ii. constrained by the Curb and Roadways.
    b. Alternative A &B including 5th runway, increased gates, and Landside Improvement (LAMP):
        i. Capacity 97.9 MAP
        ii. constrained by 5-runway airfield.
    c. Alternative C including increased gates and LAMP improvements, but only 4 runways:
        i. Capacity 89.6 MAP
        ii. constrained by 4-runway airfield.
    d. Alternative D including LAMP improvements and limited to 153 gates:
        i. Capacity 78 MAP
        ii. constrained by gates as well as curb and roadways.

    The DEIR therefore contradicts the 2004 Master Plan which recognizes the fact that the curb and roadway (access system) can constrain airport capacity and consequently hinder growth, and that LAMP improvements will relieve this constraint and permit aviation activity to grow toward the capacity constrained by the next barrier to growth.

As shown in section 4.12.2-5 the ground traffic analysis contained in the DEIR is based on aviation activity levels of 86 MAP in 2024 and 95 MAP in 2035. These levels of activity could not be accommodated with the access system in its existing condition with its capacity of 78 MAP as determined in the Master Plan.[1]

2. **Demand Forecasting Issus**: In section 6.3.2 the DEIR maintains that the demands forecast will materialize with or without the proposed project. It quotes the FAA 2014 Terminal Area Forecasts as based on local and national economic conditions "independent of the ability of the airport and air traffic control system to furnish the capacity required to meet the demand". As such the DEIR fails to recognize the difference between "demand" and actual "aviation activity level", and makes an assumption that permits activity levels to exceed available capacities. It is clear that forecast demand levels will not materialize if the capacity is not provided to accommodate them. The DEIR further quotes the FAA as saying that "…existing constraints are "embedded in historical data" used by the FAA as a base for the forecast" and makes the wrong conclusion that there is "no correlation between activity level and existing conditions of the CTA". Existing conditions are reflected in historic data which show activity levels resulting from the interaction of demand and supply, and when the supply is limited the activity level cannot exceed that limit. Historic passenger traffic data at LAX did not, and could not reach beyond the 78 MAP capacity of the curb and roadway system, even if economic conditions created the "demand".

   The LAX Master Plan of 2004, while working in the face of 98 MAP forecast recognized that passenger traffic levels could not exceed 78 MAP unless LAMP improvements were made to release that constraint on capacity. The DEIR does not recognize this and implicitly assumes that activity levels up to the airfield capacity constrain will materialize far exceeding the stated capacity of the curb and roadway system. Such growth cannot occur unless the curb and roadway constraint is removed by the implementation of LAMP.

3. **Airport Market Share Issues**: The Los Angeles metropolitan area is served by a number of airports. In a multi-airport region passengers have a choice among airports. This choice has been the subject of many studies that are well documented in the literature. The ACRP report 98, which is quoted in the DEIR, provides a good summary of the findings on this subject. It identifies the primary drivers of airport choice in a multi-airport market such as: the price, air service

[1] For further information, please refer to "Addressing Future Capacity Needs in the U.S. Aviation System " report by Eno Center for Transportation (November 2013) (https://www.ustravel.org/sites/default/files/Media%20Root/USTravel_Eno_1.pdf), which states: "Ground access to the airport at LAX is the most significant chokehold in the airport's system and according to Los Angeles World Airports (LAWA) airport access infrastructure was projected to hit complete gridlock at 78.9 million annual passengers without improvements to the system. While 78.9 million annual passengers is a precise number [sic], it is accurate enough to mean that adding about 15 million annual passengers above the 62.6 million in 2012 will be too much for the access and gate infrastructure to handle."

quality, airline/alliance loyalty, and airport ground access. It recognizes airport accessibility as the extent to which passengers can get to the airport from their residence or place of business. This is usually measured by the access time. Numerous studies quoted here and elsewhere recognize the importance of time as a variable affecting airport choice.

LAX remains the primary airport serving the region because of its other service advantages: nonstop flights to more destinations, international connections, wider choice of airlines, etc. But the fact remains that access constraints will affect the airport's share of the market. The ACRP 98 report, concludes based on a the Los Angeles regional case study that[2]:

> *"Surface access issues across most of the regional – Passenger commute times remains a primary passenger choice driver in the Los Angeles Basin. Given the presence of several regional facilities across the area, the traffic situation in the Basin drives the airport choice for a large proportion of travelers".*

To the extent that LAMP improvements will relieve congestion in the CTA and improve travel time for passengers accessing or leaving the LAX terminal area, it will improve LAX's attractiveness relative to other airports in the region and will expand its market shed area. This has been shown to be true repeatedly in airport choice models that have consistently found significant effects of travel time as a factor in airport choice.

Another factor that has been shown to affect passenger airport and mode choice is the travel time reliability. Improving reliability is tantamount to reducing travel time because passengers will need to allow for shorter margins to avoid missing flights. The LAMP improvements will improve reliability by providing regular APM access to the CTA thereby reducing the fluctuations in travel time that arise when congestion is severe.

The DEIR simply dismisses all this by stating that the other factors such as air service quality, flight schedules, price, and loyalty program are the primary factors affecting passenger choice, and that therefore the LAMP improvements will not increase the market share of LAX.

Summary

The DEIR of the LAMP program incorrectly ignores the aviation activity growth effects of the project. It incorrectly ignores the fact that capacity constraints at the curb/roadway access system will limit airport activity, which cannot grow

[2] Parella, B.C. et. al. "Understanding Airline and Passenger Choice in Multi-Airport Regions", Acviation Cooperative Research Program ACRP 98. Transportation Research Board. Washington, D.C., 2013. *https://www.nap.edu/download/22443*

towards the forecast demand level without the improvements in the access system. LAMP improvements are designed to accommodate activity levels of 86 MAP in 2024 and 95 MAP in 2035, levels that clearly could not be accommodated with the current access system with its 78 MAP capacity.

Furthermore, the DEIR ignores the potential effect of the LAMP improvements on LAX's accessibility attractiveness relative to the other airports in the region and the resulting increase in its share of the regional market.

Recommendation

The DEIR should include a thorough and comprehensive aviation activity modeling analysis to quantify the effect of the LAMP improvements on activity considering regional demand and airport market share. The analysis should evaluate how the reduction in access time and the improvement of access time reliability will improve LAX's accessibility relative to the other airports in the Los Angeles Basin and how that will affect its market share of the total travel demand in the Basin. The aviation activity modeling analysis should also show what effect LAMP will have on passengers' mode choice to LAX and the extent if any to which LAMP will increase public transportation access to the airport. Only with such a thorough and comprehensive analysis would it be possible to assess the aviation activity and environmental impacts of LAMP.

Adib Kanafani

Professor of the Graduate School, University of California at Berkeley.
Kanafani holds a Ph.D. in Civil Engineering from the University of California at Berkeley. Since joining the faculty at Berkeley in 1971 he has taught and conducted research on transportation systems, transportation engineering, airport planning and design, and air transportation economics. He has served on a number of national and international advisory panels to Government and industry. He was Director of Berkeley's Institute of Transportation Studies from 1982 to 1997, and Chairman of the Department of Civil and Environmental Engineering from 1997 to 2002, and Co-Director of the National Center of Excellence in Aviation Operations Research from 2001 to 2005. Kanafani's important contributions to air transportation include air transportation demand analysis, airport capacity analysis methods, and airline network analysis. His research on airline hubbing and on the relation between aircraft technology and airline network structure laid the ground for much of the work aimed at understanding the implications of airline deregulation in the late 1970's. He was a member of the research team that developed airport capacity analysis methods that are in widespread application in airport planning and design. Professor Kanafani has authored over 170 publications on transportation, including three books on Transportation Demand Analysis, on National Transportation Planning, and on the Economics of Networked Industries. He is a recipient of numerous including election to the U.S. National Academy of Engineering in 2002. He served as Chair of the Air Transport Division of the American Society of Civil Engineers, and as chair of the Transportation Research Board of the National Academies in 2009 and was named a Lifetime Associate of the National Academies in 2012.

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Attachment C

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December 2, 2016

Via E-Mail

Evelyn Quintanilla
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Re: MRO Engineers' Report re Landside Access Modernization Program Draft Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo, we submit the following report prepared by Neal Liddicoat with MRO Engineers. Mr. Liddicoat, a traffic engineer, has reviewed the Draft Environmental Impact Report's ("DEIR") transportation/traffic analysis for the Landside Access Modernization Program. The MRO Engineers' report identifies potentially significant deficiencies in the DEIR's transportation/traffic analysis that LAWA should carefully evaluate as part of an informative and comprehensive EIR.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Laurel L. Impett, AICP, Urban Planner

Encl: MRO Engineers Report, December 1, 2016

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December 1, 2016

Ms. Laurel L. Impett, AICP
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Review of Transportation/Traffic Analysis***
Draft Environmental Impact Report
Los Angeles International Airport (LAX) Landside Access Modernization Program
Los Angeles, California

Dear Ms. Impett:

As requested, MRO Engineers, Inc., (MRO) has reviewed the "Transportation/Traffic" section of the Draft Environmental Impact Report (DEIR) for the Los Angeles International Airport (LAX) Landside Access Modernization Program (Los Angeles World Airports, September 2016). The "Transportation/Traffic" section of the DEIR is based on a traffic impact analysis prepared by Raju Associates (Raju). (Reference: Raju Associates, Inc., *Draft Transportation Study for the Landside Access Modernization Program DEIR*, September, 2016.) The Raju traffic study is presented as Appendix O to the DEIR.

Our review focused on the technical adequacy of the Transportation/Traffic analysis, including the detailed procedures and conclusions documented in the Raju study.

Transportation/Traffic Analysis Review

Our review of the DEIR Transportation/Traffic analysis revealed potentially significant deficiencies that should be addressed prior to approval of the project and its related environmental documentation by the City of Los Angeles. These issues are summarized below.

1. ***Traffic Volume Data Does Not Accurately Represent LAX Activity*** – Traffic volume data for the 183 study intersections was collected at various times between 2013 and 2015. The traffic count summary sheets for 179 of the study intersections are presented in DEIR Appendix O. The years in which those traffic counts were conducted are summarized below:

   - 2016 – 3 locations,
   - 2015 – 130 locations,
   - 2014 – 40 locations, and
   - 2013 – 6 locations.

   DEIR p. 4.12-59 presents slightly different information regarding when the counts used in the study were performed:

   - 2016 – 0 locations,
   - 2015 – 133 locations,

- 2014 – 44 locations, and
- 2013 – 6 locations.

Of greater interest are the months in which the data were collected, according to the data sheets in Appendix O:

- January – 3 locations,
- February – 3 locations,
- March – 76 locations,
- April – 38 locations,
- May – 4 locations,
- June – 0 locations,
- July – 23 locations,
- August – 0 locations,
- September – 13 locations,
- October – 13 locations,
- November – 0 locations,
- December – 6 locations,

DEIR p. 4.12-11 provides information regarding monthly traffic activity in the LAX Central Terminal Area (CTA) for the years 2006 through 2014. As described there:

> *. . . CTA traffic reached peak activity during the summer months of June, July and August. August is typically the peak month for Airport roadway traffic followed closely by July. For the purposes of this analysis, August 2014 was used as the peak month for traffic data, because the field data was collected in August. Although July had slightly more passengers in 2014, the analysis was based on a peak month average day in August.*

This quote specifically applies to the analysis of on-airport traffic conditions, but it also relates to the off-airport traffic analysis, since the two systems are inextricably linked; all vehicles traveling to or from the on-airport road system must also use the off-airport road system. For that reason, it is instructive to compare the intersection data collection schedule to the level of traffic activity at LAX. Table 1 presents that comparison, with the CTA average daily traffic volumes ranked from highest month to lowest month.

Table 1
CTA Traffic Volume Data vs. Data Collection Schedule

CTA Traffic Volume Data[1]			Intersection Counts[2]		
Month	Average Daily Traffic[3]	Monthly Ranking	Monthly Ranking	No.	%
August	77,311	1	10	0	0.0%
July	76,476	2	3	23	12.8%
June	75,635	3	10	0	0.0%
December	72,647	4	6	6	3.4%
May	71,404	5	7	4	2.2%
April	69,091	6	2	38	21.2%
November	69,064	7	10	0	0.0%
March	67,996	8	1	76	42.5%
September	67,838	9	4	13	7.3%
October	67,418	10	4	13	7.3%
January	65,673	11	8	3	1.7%
February	63,553	12	8	3	1.7%

Notes:
[1] Source: DEIR Table 4.12.1-2: CTA Average Daily Traffic Volumes, p. 4.12-11.
[2] Source: DEIR Appendix O.
[3] Overall average of all data points in DEIR Table 4.12.1-2 is 70,358 vehicles per day.

While August has historically had the highest average daily traffic volumes in the CTA, none of the intersection traffic counts used in the DEIR Transportation/Traffic analysis were performed in that month. This is also true for June, which is the third busiest month in the CTA. In July, the second busiest month, 23 (12.8 percent) of the 179 counts were performed.

The largest number of intersection traffic counts (76 counts, representing 42.5 percent of the counts) were conducted in March, which is the eighth busiest month in the CTA. Thirty-eight counts (21.2 percent) were performed in April, which is the sixth busiest month in the CTA. The average daily traffic volumes in those two months are 88 – 90 percent of the August volumes. In addition, they are somewhat below the overall average value of 70,358 vehicles per day, based on all of the data points (from 2006 through 2014) in DEIR Table 4.12.1-2.

Clearly, the "existing conditions" intersection traffic volumes employed in the DEIR analysis are not representative of the level of activity at LAX. Over 60 percent of the counts were performed in the bottom half of the ranking of monthly traffic volumes in the CTA. Only about 13 percent of the counts were conducted in the busiest three months.

In short, the existing traffic volumes are too low to accurately reflect traffic operations in the study area. As a result, the existing conditions level of service findings provide an overly optimistic view of the average vehicular delay and the current level of congestion in the study area. This deficiency will carry through to all subsequent analysis scenarios, so that intersection delays and project-related impacts will be understated.

2. ***Inadequate Midday Study Area*** – As noted above, the study area includes 183 intersections, all of which were included in the AM and PM peak hour analyses. According to DEIR p. 4.12-48:

> *. . . 36 of these intersections (immediately adjacent to or in the vicinity of the Project site) have been selected for a midday off-peak hour traffic impact evaluation.*

However, describing this as an "off-peak hour" analysis might be a misnomer. DEIR Figure 4.12.1-4 illustrates the pattern of arriving and departing passenger volumes over the course of an entire day. The arrival and departure patterns of airline passengers are closely linked to the traffic patterns of LAX as a whole.

According to DEIR p. 4.12-60, the midday traffic counts were generally conducted between 11:00 AM and 2:00 PM. Referring to DEIR Figure 4.12.1-4, a distinct peak in passenger arrival and departure activity is shown at about 11:00 AM. In fact, that peak is clearly higher than the total passenger activity shown in the AM (7:00 - 9:00 AM) and PM (4:00 - 6:00 PM) peak periods, for which all 183 intersections were analyzed.

In short, the midday traffic analysis is not inconsequential, given the LAX activity patterns demonstrated in the DEIR Transportation/Traffic section. This is clearly illustrated in DEIR Table 4.12.2-4, which summarizes the existing trip generation at LAX, as follows:

- AM Peak hour: 12,338 vehicle-trips,
- Midday peak hour: 16,097 vehicle-trips, and
- PM peak hour: 12,840 vehicle-trips.

As shown, the volume of traffic generated at LAX in the midday peak hour is 25 – 30 percent higher than either the AM or PM peak hours.

Therefore, it is inappropriate to limit the midday traffic analysis to the 36 arbitrarily selected locations addressed in the DEIR. In fact, given the factors presented above (i.e., non-representative existing conditions data and the fact that LAX traffic generation is highest in the midday period), we believe that a truly conservative analysis would include all 183 intersections in the midday analysis.

At a minimum, review of DEIR Figure 4.12.2-1 – Traffic Study Intersections (DEIR p. 4.12-55) and the existing conditions level of service (LOS) results presented in DEIR Table 4.12.2-6 (DEIR pp. 4.12-63 – 4.12-71) reveals a number of additional midday analysis candidate locations, each of which is also "adjacent to or in the vicinity of the Project site." Furthermore, each operates at LOS D or worse in either or both of the AM and PM peak hours, which is a reasonable indicator that it might operate poorly in the midday peak hour, as well. The additional midday study intersections are as follows:

- Intersection 21: Lincoln Boulevard/83rd Street (LOS F – AM)
- Intersection 69: Sepulveda Boulevard/Grand Avenue (LOS D – AM & PM)
- Intersection 70: Sepulveda Boulevard/El Segundo Boulevard (LOS D – AM & LOS E – PM)
- Intersection 71: Sepulveda Boulevard/Rosecrans Avenue (LOS E – AM & LOS F – PM)
- Intersection 88: Douglas Street/El Segundo Boulevard (LOS D – PM)

- Intersection 98: Aviation Boulevard/West 120th Street (LOS D – AM)
- Intersection 99: Aviation Boulevard/El Segundo Boulevard (LOS D – AM & LOS E – PM)
- Intersection 100: Aviation Boulevard/Rosecrans Boulevard (LOS E – AM & PM)
- Intersection 126: La Cienega Boulevard/West 120th Street (LOS D – PM)
- Intersection 127: La Cienega Boulevard/El Segundo Boulevard (LOS D – PM)
- Intersection 131: I-405 Northbound Ramps/Imperial Highway (LOS D – PM)
- Intersection 136: Inglewood Avenue/Century Boulevard (LOS D – PM)
- Intersection 137: Inglewood Avenue/Lennox Boulevard (LOS D – AM & LOS E – PM)
- Intersection 138: Inglewood Avenue/Imperial Highway (LOS E – AM & LOS F – PM)

To fully reflect the traffic patterns at LAX and to provide a comprehensive evaluation of the potential impacts of the proposed project, the midday traffic impact analysis must be revised to include these additional study intersections. The revised analysis should then be incorporated into a revised DEIR, which must be circulated for additional public review.

3. ***Obsolete Level of Service Calculation Procedures*** – DEIR p. 4.12-57 states:

> *For the City of Los Angeles study locations, including those shared with other jurisdictions, the* Critical Movement Analysis-Planning[1] *(CMA) method of intersection capacity analysis was used to determine the intersection volume-to-capacity (V/C) ratio and corresponding level of service at the signalized study intersections.*

The footnote in the quote presented above clarifies that the intersection level of service calculations were performed using the Transportation Research Board "Circular 212" method. This methodology was published in a document entitled, *Interim Materials on Highway Capacity* (Transportation Research Board, Transportation Research Circular Number 212, January 1980). As referenced, the document was published in 1980, almost 27 years ago.

The purpose of "Circular 212" was to provide a set of procedures to supplement the 1965 version of the *Highway Capacity Manual* until such time as a fully-updated manual could be published. Such an updated manual was distributed to the traffic engineering profession in 1985. Since that time, additional updated manuals have been published in 1994, 1997, 2000, and the year 2010. Each of these revised versions of the *Highway Capacity Manual* has advanced the technical procedures associated with the analysis of transportation facilities, including intersections, roadway segments, and freeway facilities.

The introduction to the 1980 Circular 212 document addresses the anticipated life span of the procedures documented there, including the following statements:

- "The choice of a Transportation Research Circular as the publication medium has been quite deliberate. By definition, Circulars contain information of immediate interest but not necessarily of long-lasting value."
- ". . . the methods presented here can be put to use until such time as a revised Manual becomes available." [As noted above, that occurred in 1985, followed by subsequent revisions in 1994, 1997, 2000, and 2010.]

- "This report comprises the first set of interim materials which will be distributed prior to the publication of a new "Highway Capacity Manual" in the mid-1980s. These interim materials are intended for application by HCM users in the 1980-1982 period."

It is clear from these statements that the "interim" procedures documented in Circular 212 have long ago outlived their usefulness and have been superseded. Thus, their use in this analysis is inappropriate. To ensure the accuracy of the traffic analysis, the intersection level of service calculations must be performed using the current, year 2010 version of the *Highway Capacity Manual*. (Reference: Transportation Research Board, *Highway Capacity Manual*, Fifth Edition, December 2010.)

In that regard, we note that the analyses of stop-sign-controlled intersections were performed using the 2010 *Highway Capacity Manual* procedures, as were the analyses of facilities under the jurisdiction of Caltrans.

4. ***Inconsistent On-Airport and Off-Airport Traffic Analyses*** – The DEIR presents separate analyses of the on-airport and off-airport transportation systems. It is not clear, however, that those two analyses are consistent with each other, which leads to questions regarding the validity of the results of those analyses. Particular areas of concern are delineated below.

Analysis Day

For the on-airport analysis:

> *Friday was selected as the design day as it is typically the busiest overall day of the week for the Airport roadway system.* (DEIR p. 4.12-3)

Although the off-airport analysis text does not explicitly say so, that analysis was based on conditions during the mid-week period (Tuesday through Thursday), which represents the usual method for conducting traffic impact analyses. Evaluation of traffic operations outside the Tuesday through Thursday period is generally not undertaken, because those circumstances might be atypical. The classic example used to illustrate this point relates to the fact that "Black Friday" conditions are not considered in analyzing the traffic impacts of a regional shopping center.

This case is different, though, as Friday happens every week, not just once a year. Also, because LAX is the dominant generator of traffic in the study area, it deserves special consideration. As noted in DEIR Table 4.12.1-2 (DEIR p. 4.12-11), LAX generated average daily traffic of 75,690 vehicles per day in the year 2014. Further, DEIR Table 4.12.2-4 (DEIR p. 4.12-61) shows that it generated over 12,300 AM peak hour trips, almost 16,100 midday peak hour trips, and 12,840 PM peak hour trips. It is unlikely that any other nearby land use generates such substantial traffic volumes.

Limiting the traffic impact analysis to the Tuesday through Thursday period is a guideline and not a requirement. Flexibility is accorded the lead agency in choosing the analysis periods. For consistency between the on-airport and off-airport traffic analyses, as well as to ensure a thorough analysis of potential traffic impacts, the analysis must address Friday "design day" conditions, as defined in the on-airport analysis.

Analysis Hours

The on-airport traffic analysis addressed the following peak hours (DEIR p. 4.12-18):

- Peak arrivals: 8:18 – 9:18 PM, and
- Peak departures: 6:16 – 7:16 AM.

The "peak arrivals" hour also represents the peak overall hour (i.e., arrivals and departures combined).

The off-airport analysis addressed the following time periods:

- AM peak hour: Highest hour between 7:00 and 10:00 AM,
- Midday peak hour (reduced study area): Highest hour between 11:00 AM and 2:00 PM, and
- PM peak hour: Highest hour between 3:00 and 6:00 PM.

The fact that the off-airport analysis addresses off-peak hours at LAX raises the distinct possibility that not all of the potentially significant impacts will be identified.

Travel Demand Forecasting Models

The on-airport traffic analysis for future year conditions was based, in part, on:

> *A vehicle trip generation and distribution model [that] was developed to estimate future traffic volumes on the Airport's roadway system based on future passenger activities.* (DEIR p. 4.12-3)

The off-airport traffic analysis apparently based its future year projections on a different travel demand forecasting model, as described below:

> *Utilizing TransCAD Version 7.0 modeling software, a detailed and updated travel demand forecasting model (updated City of Los Angeles Travel Demand Model) was developed for the Study Area using the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) 2012 Transportation Model (the most current regional model available at the time this Draft EIR was being prepared) and the calibrated and validated City of Los Angeles' Travel Demand Model as the base.* (DEIR p. 4.12-59)

No evidence is provided to indicate that any coordination occurred between the developers of the two models. Of particular interest is the question of what happens where the on-airport and off-airport study areas meet. Do the peak-hour traffic projections for the years 2024 and 2035 match? If not, why not? This information is needed to ensure that the traffic forecasts employed in both analyses are credible.

Summary

The lack of consistency between the on-airport and off-airport traffic analyses raises questions regarding the validity and credibility of the analyses, particularly with regard to the off-airport evaluation. The on-airport study is generally focused on historical design hours and days at LAX, based on extensive data collection at that facility. On the other hand, the off-airport analysis focuses on analysis procedures that, while considered "standard" in the traffic

engineering profession, do not necessarily fully address traffic operations at LAX. As demonstrated above, the approach employed in the off-airport analysis reflects levels of activity that fall far short of "peak" conditions (despite being labeled "peak hours") and, as a result, significant traffic impacts might be missed.

5. ***Inadequate Transit Analysis*** – The difficulties faced by individuals who desire to use public transit to access LAX are described at DEIR p. 1-2:

> *Moreover, LAX also lacks a direct connection to the Los Angeles County Metropolitan Transportation Authority (Metro) transit system. Currently, passengers and employees who want to take public transportation to LAX must either take a bus (often requiring a transfer from the LAX City Bus Center on W. 96th Street to the LAWA operated Lot C shuttle to reach the CTA), or take the Metro Green Line light rail to the station at Imperial Highway and Aviation Boulevard. They must then transfer to the LAWA-operated G shuttle to the Airport, which is a trip of approximately 2 miles.*

These constraints might lead one to believe that consideration of transit impacts and potential improvements to the transit system serving LAX would be important. The extremely limited, one-paragraph "analysis" of the proposed project's impacts on the regional transit system suggests otherwise. (DEIR p. 4.12-153) The analysis presented there states, in part:

> *Given that the Project consists of roadway and transportation improvements and construction of facilities that would facilitate movement of passengers at LAX . . ., the Project would not generate any additional new trips. . . . The proposed Project would improve connections to the regional transit system, which may encourage passengers and employees to utilize transit rather than other modes of traffic. Therefore, impacts to transit would be less than significant.*

First, we note the absolute lack of any analysis that might serve as a credible basis for a finding of a "less than significant" impact. We also find it ironic that the claim that the proposed Project "may encourage passengers and employees to utilize transit" is apparently used as the basis for determining that the transit impact will be less than significant.

The threshold of significance for transit is presented at DEIR p. 4.12-95:

> *. . . a significant impact is considered to occur if implementation of the proposed Project would result in a substantial increase in transit demand compared to the capacity of transit lines serving the project area.*

No information is provided with respect to current or project-related transit demand. Further, no data are presented to demonstrate whether adequate capacity exists (or will exist in the future) on the various transit lines that serve LAX. (Of course, this relieves the burden of having to determine what constitutes a "substantial" increase in transit demand.)

Finally, we note that Mitigation Measure "MM-ST (LAMP)-6. Transportation Demand Management (TDM) Program" (DEIR p. 4.12-179) specifically includes provision of transit passes to LAX employees. This feature of the TDM program can be expected to increase transit ridership, potentially impacting the transit lines serving LAX.

Under the circumstances, the absence of a meaningful analysis of existing and future transit capacity and the effect of the proposed project on that available capacity (if any) is a substantial deficiency in the DEIR. Further detail must be provided and incorporated into a revised DEIR.

6. ***Deficient Construction Traffic Analysis*** – The construction traffic analysis study area is substantially reduced from that addressed in the other traffic analyses. According to DEIR p. 4.12-194:

> *The construction traffic study area for this analysis includes those roads and intersections that would most likely be used by employee and truck traffic associated with construction of the proposed Project.*

In reality, though, the study area, as illustrated at DEIR Figure 4.12.3-1 (DEIR p. 4.12-195), barely extends beyond the boundaries of LAX. The apparent suggestion is that none of the construction traffic will travel east of La Cienega Boulevard, south of Imperial Highway or Interstate 105, or north of Westchester Parkway.

The analysis time periods are presented at DEIR p. 4.12-209. The AM peak hour is defined as 7:00 - 8:00 AM, while the PM peak hour is described as 4:00 - 5:00 PM. For both peak-hour periods:

> *The construction traffic analysis assumed that no employee trips would be on the roadways at this time. . . . This approach provides a conservative impact analysis by addressing situations when complete avoidance of the morning [or evening] commuter peak period is not possible.*

It is not at all clear how ignoring the traffic associated with 966 construction employees constitutes a "conservative" analysis. (DEIR, p. 4.12-213) In fact, referring to DEIR Table 4.12.3-4 (DEIR p. 4.12-215), we see that the assumed analysis hours just miss having to assess the impacts of over 520 employee-generated trips. For clarity, we have replicated a portion of that table below, as Table 2.

In the morning, the DEIR indicates that 523 employee vehicles will arrive between 6:00 and 7:00 AM, along with a total of 162 truck trips, for a total traffic volume of 685 trips. But the analysis addresses the following hour (7:00 – 8:00 AM), when no employees are assumed to arrive and the total traffic volume is only 162 trips, about one-quarter as many as between 6:00 and 7:00 AM. It is also interesting to note that, although they are specifically listed on the table, no "employee shuttle" trips are assumed.

In the evening, the analysis addressed the hour between 4:00 and 5:00 PM (i.e., 16:00 – 17:00) when only truck traffic is assumed to occur (162 trips). If the previous hour had been considered, the traffic total would be 685 trips, including 523 departing employees and 162 truck trips (81 in and 81 out). Again, no employee shuttle trips are shown in any hour.

The employee trip values in Table 2 are based largely on a number of assumptions regarding how construction workers will be scheduled. Given the uncertainties inherent in developing such assumptions, we believe that a truly conservative analysis would only result from evaluation of the adjacent hours, which have higher estimated construction employee traffic volumes.

Further, we note that the same deficiencies described here also afflict the construction traffic analysis for cumulative conditions, which is documented at DEIR pp. 4.12-219 – 4.12-229.

Table 2
Proposed Project-Related Construction Traffic PCEs[1,2]

Hour	Employee		Truck		Employee Shuttle		Total Construction PCEs
	Trips In	Trips Out	Trips In	Trips Out	Trips In	Trips Out	
6:00 – 7:00	523	--	81	81	--	--	685
7:00 – 8:00[3]	**--**	**--**	**81**	**81**	**--**	**--**	**162**
8:00 – 9:00	57	--	81	81	--	--	219
14:00 – 15:00	154	--	81	81	--	--	316
15:00 – 16:00	--	523	81	81	--	--	685
16:00 – 17:00[3]	**--**	**--**	**81**	**81**	**--**	**--**	**162**

Notes:
1 Source: DEIR, Table 4.12.3-4 – Project Peak (January 2020) – Proposed Project-Related Construction Traffic PCEs, p. 4.12-215.
2 PCE = Passenger Car Equivalent (Reflects conversion of truck numbers to indicate an equivalent number of passenger cars, based on operational considerations.)
3 Analysis hours assumed for DEIR construction traffic analysis are shown in **bold** font and highlighted in yellow.

The non-conservative nature of the construction traffic analysis is further revealed through examination of the tables providing the intersection level of service results. DEIR Table 4.12.3-7 summarizes these results for the peak construction period (January 2020). According to that table, of the 58 calculations presented (i.e., 29 intersections analyzed for the AM and PM peak hours), 44 (76 percent) indicated no change in volume/capacity (V/C) ratio due to construction traffic, with the calculations carried out to three decimal places. In other words, no construction-related traffic was added to those intersections. A significant impact was found at only one intersection – Aviation Boulevard/Century Boulevard.

The cumulative conditions analysis (November 2019), as documented in DEIR Table 4.12.3-8 (DEIR p. 4.12-235) had one additional calculation for which the V/C ratio increased by 0.000. In other words, 45 of the 78 calculations listed on that table showed no increase in V/C, which indicates that no construction traffic was added to the intersection. (The traffic volumes for the construction traffic analysis are not presented in the DEIR, so it is impossible to confirm this.) In this case, three intersections were found to have significant impacts – Aviation Boulevard/ Century Boulevard, Imperial Highway/Aviation Boulevard, and Imperial Highway/I-105 Ramp.

Analyses were conducted for the significantly impacted intersections to determine the effects of implementing recommended mitigation measures. Not surprisingly, perhaps, those analyses concluded that the proposed measures would fully mitigate the construction impacts. That is, the change in V/C ratio after mitigation would be 0.000. It is not clear exactly how that is to be accomplished, given the list of mitigation measures (e.g., formation of a Project Task Force, development of Worksite Traffic Control Plans, etc.), which would generally have little or no effect on construction traffic volumes.

Since the only construction traffic that was considered in the analysis is truck traffic, it would seem reasonable to expect that the mitigation measure outlining designated truck routes might be

effective, but the roads listed there include those having significant impacts – Aviation Boulevard, Century Boulevard, Imperial Highway, and I-105. Another proposed measure calls for establishing designated truck delivery hours, but the description of that measure is so full of loopholes (in particular, repeated use of the phrase "to the extent possible") that it might have no effect whatsoever.

These results are simply not credible. The construction traffic analysis must be revised to reflect more conservative, more realistic consideration of the potential effects associated with almost 1,000 construction workers and the trucks necessary to carry out the proposed project. As illustrated in Table 2 above, it is difficult to avoid the conclusion that the construction traffic analysis hours were arbitrarily selected to avoid impacts. Additional detail is also needed with respect to the specific beneficial effects of the proposed mitigation measures.

Further consideration is also required with respect to the lane closures and other forms of traffic blockage that will occur for extended periods over the course of the construction process. The construction-related thresholds of significance include the following (DEIR pp. 4.12-230 – 4.12-231):

- *Result in temporary lane, alley, or street closures within a major or secondary highway right-of-way for more than one day.*
- *Result in the loss of regular vehicular or pedestrian access to Airport, commercial, or industrial facilities for more than one day.*
- *Result in the temporary loss for more than one day of an existing bus stop or rerouting of a bus route.*

DEIR p. 4.12-237 acknowledges that:

> *Construction of the proposed Project could result in the closure of one or more lanes of a major off-Airport traffic carrying street for an extended length of time. . . . The proposed Project would also require the re-routing of buses, the relocation of the LAX City Bus Center, and the relocation of bus stops.*

Although this is identified as a significant impact, no quantitative analysis is provided to indicate the true magnitude of the issue. In particular, where is this expected to occur? At locations where extended lane closures are anticipated, what will be the resulting vehicular delay and level of service in the AM and PM peak hours? Will there be additional safety impacts and crashes associated with the lane closures? What will be the effect on transit travel times? When bus stops are relocated, what will be the extent of the increase in walk access distance and time for transit passengers? Will it be sufficient to discourage transit usage?

In summary, the analysis of construction traffic impacts is deficient. The analysis appears to have been skewed to ensure that no impacts would occur, despite the arrival and departure of almost 1,000 construction workers in 523 vehicles/hour every day. In addition, more detail is necessary regarding the effects of lane closures that will occur over an extended period.

7. ***Deficient Transportation Demand Management Program*** – A key element of the proposed package of mitigation measures is the implementation of a Transportation Demand Management (TDM) Program (MM-ST (LAMP)-6, DEIR p. 4.12-179 – 4.12-180). This measure calls for the conduct of travel surveys and the formation of a Transportation Management Organization

(TMO), which will then offer various vaguely-defined "amenities/opportunities" to LAX-area employees.

The goal of this mitigation measure is to "[a]chieve a 5 percent trip reduction performance objective," which is further defined as:

- *Elimination of 200 peak hour trips (am or pm) identified as "drive alone" employee trips.*
- *Elimination of 800 average daily one-way trips identified as "drive alone" employee trips.*

It is unclear how the effectiveness of the TDM program will be measured, although perhaps the surveys referred to above might be helpful. More importantly, what happens if the performance objective is not met and the necessary trip reduction does not occur? By the time this failure becomes apparent, surrounding jurisdictions that will be inundated with LAX-generated traffic will have no recourse.

The proposed TDM program must be described in greater detail, and credible evidence of the specific beneficial effects of the various components of the program must be presented. As currently delineated, the value of the TDM program in effectively mitigating the impacts of the proposed project is questionable.

8. ***Failure to Address Freeway Access Deficiencies*** – As currently configured, the freeway access system serving LAX imposes an undue burden on the City of El Segundo. In particular, travelers approaching LAX on northbound I-405 tend to exit the freeway at westbound I-105, rather than continuing to Century Boulevard, where chronic traffic congestion causes delays, inconvenience, and frayed nerves. Unfortunately, the exit ramp from northbound I-405 to westbound I-105 overshoots Aviation Boulevard, so that these travelers are forced to use Nash Street, Maple Avenue, and Sepulveda Boulevard within El Segundo to reach the CTA.

   As passenger traffic at LAX increases, this situation will be exacerbated. The DEIR needs to address the potential for improved access from northbound I-405, particularly with respect to modifications to the northbound-to-westbound ramp between I-405 and I-105 that would allow drivers to exit from that ramp to Aviation Boulevard.

9. ***Nonexistent Project Access Analysis*** – The project proposes three major facilities that will each incorporate substantial parking structures, including a total of 24,300 parking spaces:

   - Intermodal Transportation Facility (West) – 8,000 parking spaces,
   - Intermodal Transportation Facility (East) – 8,300 parking spaces, and
   - Consolidated Rental Car Facility – 8,000 parking spaces.

   The DEIR presents no analysis to evaluate the access systems at these facilities, however. Such an analysis would address whether vehicles will be able to enter the facilities without queuing back onto the public street, thereby creating congestion and potential safety hazards. If left turns are required to enter the garages, can they be made safely? Also, will exiting drivers be able to do so safely, without creating hazards for themselves or passing motorists? Will either entering or exiting vehicles be subject to excessive idling, which would affect air quality and greenhouse gas emissions?

10. ***Mitigation Measures*** – In addition to the questions presented above regarding the TDM mitigation measure, we have identified a number of additional questions concerning the mitigation measures presented in the DEIR Transportation/Traffic section, as follows:

    - *MM-ST (LAMP)-7. Signal System Corridor Improvements – Intelligent Transportation System (ITS), City of Inglewood*: This measure includes a "monetary contribution" toward certain improvements, but does not specify the magnitude of the contribution. Will the proposed project fully fund the needed system upgrades or only pay a "fair share"?

      Also, three of the intersections listed in this measure are also addressed in other mitigation measures, specifically:

      - MM-ST (LAMP)-13. La Cienega Boulevard and Florence Avenue
      - MM-ST (LAMP)-14. Inglewood Avenue and Century Boulevard
      - MM-ST (LAMP)-16. La Cienega Boulevard and Manchester Boulevard

      What is the difference between MM-ST (LAMP)-7 and these other three measures?

    - *MM-ST (LAMP)-8. Signal System Corridor Improvements – Closed Circuit TV (CCTV) Camera and Changeable Message Signs (CMS) Installation*: This measure states that the proposed project, ". . . will provide funding towards implementation of Changeable Message Signs (CMS) along key access corridors to LAX such as Sepulveda Boulevard, La Cienega Boulevard and Century Boulevard."

      The measure does not state how much funding will be provided and is unclear as to whether the specific corridors listed are the only ones where CMS will be installed or if these are only examples of where this might occur. In short, additional specificity is required to allow a meaningful assessment of the beneficial effect of the measure.

    - *DEIR Section 4.12.2.9.3 Roadway Corridor Improvements* lists three significant roadway system improvements. However, these improvements are not designated as mitigation measures (i.e., they have no "MM-ST (LAMP)" number; those numbers skip over these three improvements). Consequently, it is not clear whether the proposed project will actually be required to implement these improvements.

    - *MM-ST (LAMP)-11. Modify the Intersection of La Cienega Boulevard and Arbor Vitae Street*: This measure says that the proposed project will add a second eastbound left turn lane and "contribute to design and implementation of signal system improvement," which will "increase intersection capacity by 10 percent."

      The amount of the contribution toward the signal improvements is unclear. Will the proposed project pay the entire cost or some lesser "fair share"? Further, the specific nature of the signal system improvement is not stated and the conclusion regarding its impact on intersection capacity is unsubstantiated.

    - The indirect impacts of implementing the proposed mitigation measures are not adequately addressed. This is briefly addressed at DEIR pp. 4.12-185 – 4.12-186, but that limited discussion revolves around the following statement:

      > *The environmental impacts associated with the proposed improvements to the off-Airport transportation system would depend on the specific nature, location, and extent of such improvements.*

The "specific nature, location, and extent" of the mitigation measures have presumably been set forth in the paragraphs preceding this statement and are, therefore, known. As such, a meaningful evaluation of the indirect impacts of implementing the measures should be possible. None is provided, however.

11. ***Potential Future Development*** – The DEIR addresses, at a program level, an analysis scenario referred to as "2035 Future With Project and Potential Future Related Development." (DEIR pp. 4.12-153 - 4.12-165) This scenario includes the traffic associated with 900,000 square feet of commercial development in addition to the 2035 Future With Project scenario. No information is presented to describe the specific land use assumptions or the volume of traffic associated with the potential future related development. Clearly, assumptions of this type have been made, as the DEIR presents detailed intersection V/C and LOS results for this analysis scenario. Absent this basic information about the potential future related development, it is impossible to judge the validity of the analysis results for this scenario.

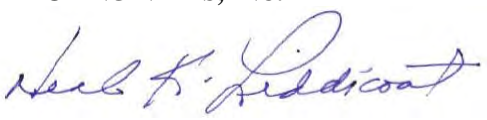
CONCLUSION

Our review of the "Transportation/Traffic" section of the Draft Environmental Impact Report for the LAX Landside Access Modernization Program in Los Angeles, California revealed several substantial issues the affecting validity of the conclusions presented in that document. A modified traffic impact analysis must be prepared, and that updated analysis should be incorporated into a revised environmental document.

We hope this information is useful. If you have questions concerning anything presented here, please feel free to contact me at (916) 783-3838.

Sincerely,

MRO ENGINEERS, INC.



Neal K. Liddicoat, P.E.
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845018.1

Attachment D

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March 1, 2017

Via E-Mail and Federal Express

Evelyn Quintanilla
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E-Mail: equintanilla@lawa.org

Re: Landside Access Modernization Program
Final Environmental Impact Report

Dear Ms. Quintanilla:

On behalf of the City of El Segundo ("City"), we submit the following comments on the Final Environmental Impact Report ("FEIR") for the for the Landside Access Modernization Program ("LAMP" or "Project"). Despite the City's comments on the Draft EIR ("DEIR"), the FEIR still fails to analyze the full scope of the Project's environmental effects, including the growth-inducing effects of removing existing ground access constraints as proposed.[1]

I. The Project Would Allow LAX to Process a Higher Volume of Passengers Than Previous Planning Documents Considered.

In its responses to comments on the DEIR, Los Angeles World Airports ("LAWA") attempts for the first time to provide a rationale for its assumption that the

[1] The City appreciates that LAWA has removed the proposal to amend the LAX Plan and LAX Specific Plan to address application of the existing curfew on engine run-ups to those occurring inside a ground run-up enclosure ("GRE"). Because the Project does not include a proposal to construct a GRE, this is not the appropriate time to propose changing the regulations governing run-ups. The City looks forward to discussing this issue further with LAWA.

ground access network is never a limit on passengers' use of LAX, and thus that expanding ground access would not cause an increase in airport use. LAWA's rationale is unconvincing. As the City has repeatedly emphasized, the environmental analysis required by the California Environmental Quality Act ("CEQA") may not simply assert that alleviating the significant and longstanding ground access constraints at LAX will have no effect on airport operations. LAWA must provide substantial evidence to support such a conclusion. Pub. Res. Code § 21080(e).

As the City explained in its earlier comments, LAWA has previously stated that ground access *is* a constraint and that LAX capacity would not grow beyond 78.9 million annual passengers ("MAP") without upgrades to the ground access network. *See, e.g.*, 2004 Master Plan EIR at 1-4.[2] LAWA now attempts to distance itself from its own conclusions/representations, arguing these statements proved inaccurate: instead ground access is just one "factor" in passengers' choice of air travel, and furthermore the aviation industry can process more passengers today despite ground access congestion, through increased load factors and faster turnaround times. As "evidence" that there is no correlation between passenger capacity and ground access, LAWA states it has observed that LAX passenger throughput has steadily grown since it adopted the Master Plan, from 61.5 MAP in 2005 to 80.9 MAP at the end of 2016, despite the existing congestion in the Central Terminal Area ("CTA").

The problem with LAWA's analysis is that it simply infers, based on the above data, that the existing ground access network could accommodate an *additional* 15 MAP by 2035. This is faulty logic. Even if LAWA was "wrong" in 2004, and the ground access network did not practically constrain operations to 78.9 MAP, it does not follow

[2] In 2005, El Segundo filed an appeal before the Los Angeles County Airport Land Use Commission over LAWA's adoption of the Master Plan. *See generally,* Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001. The Commission found the Master Plan violated the state law requiring "orderly expansion of airports" (Pub. Util. Code § 21670(a)(2)). *Id.* Commission staff's analysis, which the April 20, 2005 Commission Resolution incorporated, stated that "[t]he present maximum capacity of LAX is generally agreed to be 78.9 MAP because of the present, limited ground access system. Even if gates are added, terminals enlarged and runways reconfigured, it would not be possible to accommodate more than 78.9 MAP with the present ground access system. . . . [T]here are a number of improvements to the ground access system that would accommodate a greater number of passengers." Commission Staff Analysis and Resolution, attached as Exhibit A.

that ground access would *never* constrain ever-increasing passenger demand. *See, e.g.*, Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015) at 38, attached as Exhibit B ("Actions taken by local airport authorities, such as changes in user charges, *ground access policies* or their support services, can also stimulate or hinder the demand for airport services."). LAWA nonetheless claims that, as long as the aviation industry continues to operate more efficiently (and the LAX airfield and terminals are periodically upgraded), the sky's the limit: ground access would never need to be upgraded to accommodate growth. Of course, this makes no sense.

Even if there were always some portion of potential LAX passengers for whom air travel through the airport is an "inelastic" service (meaning they will use LAX regardless of cost, including travel time to/from the airport), there is also a second, likely bigger population of potential passengers for whom travel through LAX is an "elastic" service negatively impacted by inconvenience. If LAWA did not build the Project, this second type of passenger would make other arrangements (e.g., patronize a different regional airport). *See* FEIR at 2-84 ("[H]istorical data on passenger activity levels reflect variations in passenger activity levels that may be attributed to traffic conditions in the CTA."). Without any evidence, LAWA assumes there is enough of the first kind of potential passenger that the airport would inevitably process 95 MAP by 2035, even if the Project were not built. Under CEQA, LAWA must provide substantial evidence for its assumption that the Project would not accommodate additional passenger demand, and thus would not cause any environmental impacts related to increased aircraft operations. Conjecture and unsubstantiated claims by LAWA do not qualify as substantial evidence. This is particularly true given LAWA's position that its own past analysis of CTA capacity proved inaccurate.[3]

As the City explained in its comments on the DEIR, LAWA has never analyzed the impacts of its operations at passenger levels above 78.9 MAP. The Ventura County Superior Court recognized this fact in its recent ruling on consolidated CEQA challenges to LAWA's 2013 approval of the Specific Plan Amendment Study, which stated that LAWA "analyze[d] environmental impacts of the SPAS alternatives at LAX's operational capacity (on 153 passenger gates) of 78.9 MAP. LAX is not projected to reach that capacity until 2024. LAX has never operated at 75 MAP or at its 78.9 MAP capacity. Once LAX reaches capacity, there are by definition no additional impacts,

[3] These and other deficiencies in LAWA's analysis of the Project's effect on capacity are discussed in the February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E., attached as Exhibit C and fully incorporated herein.

because the airport is operating at capacity." *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016) at 80, attached as Exhibit D. In its responses to comments, however, LAWA states that LAX hit 80.9 MAP at the end of 2016. Thus, in terms of passenger operations and analysis of its environmental impacts, LAWA has entered uncharted territory. *See* Exhibit E (containing a sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency). Because the EIR lacks substantial evidence that the Project would not enable additional passenger throughput, LAWA must now analyze the Project's contribution to continued growth at LAX.

II. The Applicable Limits of 153 Gates and 78.9 MAP Contained in the LAX Plan Should Not Be Deleted as Part of LAMP.

In its comments on the DEIR, the City explained why the extensive and unnecessary changes proposed to the LAX Plan and LAX Specific Plan would remove key limits on LAX growth and gut the plan consistency review process that was specifically included by the Los Angeles City Council as a check on LAWA pursuing unconstrained growth at LAX, for the promotion of regionalism, and for the protection of LAX neighbors. LAWA's responses to these comments fail to justify the present need for these plan amendments, which among other things would delete the limit of 153 gates at LAX from the LAX Plan (*see* Appendix C at 1, 7) as well as references to designing and building out LAX to serve just 78.9 MAP of the regional passenger demand until at least 2035 (*see* Appendix C at 2).

LAWA attempts to defend its abandonment of the 153 gate cap by stating that "proposed changes to the LAX Plan and LAX Specific Plan do not call for additional gates above 153; they simply remove the reference to a specific number of gates." FEIR at 2-94. LAWA's claim that abandonment of the gate cap would have no environmental impact because the LAX Plan and LAX Specific Plan are not "prescriptive plans that specify the exact number of facilities and passengers allowed at LAX" (*id.* at 2-95) does not hold water. LAWA proposes to strike text from the LAX Plan stating, "Limit airport capacity by restricting the number of gates (including remote gates) to no more than 153 at Master Plan build out." Appendix C at 7. The LAX Plan presently states that development "shall be governed" by this and other policies and programs. *Id.* The current 153 gate cap is clearly a "prescriptive" limit. The Los Angeles City Council wisely and intentionally included real checks on LAWA's ability to pursue unconstrained growth at LAX. Any removal of those checks requires careful consideration and full environmental review.

LAWA states that the 153-gate cap applies through 2020 as a provision of the 2006 Stipulated Settlement. *Id.* at 2-96. This is partly correct. The 153-gate cap is also mitigation which LAWA expressly adopted when it approved SPAS, and "dutifully incorporated . . . into each proposed SPAS study alternative." *See ARSAC et al. v. City of Los Angeles et al.*, at 79. Because the Project would abandon an operational limitation adopted independently of the 2006 Stipulated Settlement, LAWA must analyze the impact of removing the 153-gate cap from the plans governing airport development.

LAWA also suggests that, regardless of whether the Project would cause an increase in passenger gates, the EIR considers the cumulative impact of additional passenger gates because the description of the environmental setting identifies other potential projects that would add gates. FEIR at 2-98. LAWA claims that these projects would not, in any event, cause the total number of passenger gates to exceed the 153-gate cap. *Id.* As an initial matter, the list of "Probable Future Projects" in the EIR contradicts LAWA's claim in its response to comments that the total number of gates would not exceed 153; the Terminals 2 and 3 project and the "Concourse 0" project together would add 14 gates to LAWA's current (2016) count of 141 gates. *See* FEIR at 2-97. Furthermore, this list of projects does not match the list of future projects LAWA provided to the City on January 4, 2017, in response to a Public Records Act request. *See* Exhibit F. This document indicates that LAX will have 173 passenger gates by 2032 as a result of several projects which are not mentioned in the EIR at all. *Id.* It also appears to show that LAX will have 158 gates in 2020, while the 2006 settlement remains in effect.

It is no secret that the 153 gates already slated for LAX can accommodate much more than 78.9 MAP. Moreover, LAWA intends to dramatically increase the number of passenger gates at LAX during, and beyond, construction of the Project. This will allow LAX to accommodate even more passengers and flights. Nothing in the EIR (including its cumulative impacts analysis) evaluates the noise, air quality and other impacts of that growth on El Segundo and other airport neighbors.

The City reiterates the request in its comments on the DEIR that the entire administrative record for the Terminals 2 and 3 project, including the recently released EIR (attached as Exhibit G), be included in the LAMP administrative record. Furthermore, pursuant to the California Public Records Act ("PRA"), Government Code Sections 6250 et seq., and the amendments to the California Constitution provided by Proposition 59, please make available for El Segundo's review all background documents supporting or explaining the data in Exhibit F, and include all such documents in the administrative record for the LAMP. Please respond to this request within ten (10) days. Gov't Code § 6256.

III. The Project Will Result in Noise Impacts that Must Be Adequately Analyzed in the DEIR.

As the City explained in its comments on the DEIR, because LAWA takes the flawed position that the Project will not contribute at all toward higher passenger capacity at LAX, it fails even to consider the potential for increased aviation noise resulting from the Project-enabled growth in passengers and aircraft operations. The exclusion of any significance determination or analysis regarding this noise impact, and the individual and cumulative impacts on people at LAX and adjoining neighborhoods, is a fatal flaw. The FEIR must be revised to resolve this obvious deficiency under CEQA.

LAWA claims that any Project noise-related impacts would be adequately addressed by the mitigation measures in the 2004 Master Plan. FEIR at 2-108. Yet LAWA also takes the contradictory position that the Project is not governed by the Master Plan or its contents, including mitigation measures. *See id.* at 2-100. In fact, LAWA generally takes the position that the Master Plan has become largely irrelevant, does not govern future projects at LAX, and need not be replaced. *See id.* at 2-104 (asserting it is "incorrect that the LAX Master Plan is the governing planning document for LAX" and that it "was based on 1995 conditions projected over a 20-year period through 2015"); *id.* at 2-105 ("there is no requirement or reason to revise the LAX Master Plan or Specific Plan Amendment Study"). LAWA cannot distance the Project from the Master Plan's goals and capacity limits, while claiming that any impacts from the Project would be adequately addressed by the plan's mitigation measures.

LAWA also attempts to rebut the argument that any existing noise mitigation is tailored to 78.9 MAP, and thus insufficient to address higher passenger operations, by asserting that its Part 150 Noise Exposure Map ("NEM") is "expected to be updated every 5 years and would capture any increases in actual and forecast activity during that process." *Id.* at 2-108. Although FAA demanded a new NEM for LAX and approved it in 2015, the previous NEM for LAX was from 1984. Contrary to its claim that noise mitigation would be kept current pursuant to federal law, LAWA's demonstrated practice is *not* to ensure that its NEM is updated regularly to reflect current noise contours. Furthermore, the 2015 NEM, which contains a noise contour based on 77.1 MAP in contrast to the current 80.9 MAP, is already significantly outdated.

IV. The FEIR's Analysis of and Mitigation for the Project's Impacts on Transportation Are Inadequate.

In comments on the DEIR, the City and MRO Engineers identified numerous flaws in the DEIR's analysis of transportation impacts. The response to the vast majority of these comments is lamentably, denial. Indeed, most of the public's concerns about the Project's transportation impacts are rejected out of hand. Our comments remain relevant—and have yet to be adequately addressed. Below, we identify a few of the most egregious examples of the EIR's legal inadequacies.

A. The FEIR Fails to Adequately Disclose the Severity and Extent of the Project's Traffic Impacts.

Like the DEIR, the FEIR fails to disclose the severity and extent of the Project's traffic impacts. The EIR incorrectly asserts that alleviating the significant and longstanding ground access constraints at LAX would have no effect on the airport's operations. For this reason, the EIR does not analyze the increase in traffic that would occur as passenger activity increases to expected levels in 2035 (about 95 MAP). The EIR asserts that it analyzed the environmental impacts that would occur as passenger levels reach 86 MAP in 2034 and 95 MAP in 2035. While the EIR did, in fact, provide this analysis, because it does not evaluate the Project's impacts against a baseline of existing conditions, it determines that the Project would impact only 6 intersections in 2024 and 8 intersections in 2035. *See* DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118 and DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130. Had the DEIR recognized that the Project will facilitate this increase in passenger activity, it would have disclosed far more extensive impacts.

In fact, for the 2024 scenario, an additional 77 intersections would experience an increase in volume/capacity ("V/C") ratio sufficient to constitute a significant impact. Moreover, at another 40-plus intersections, the level of service ("LOS") does not change but a closer inspection could reveal that the V/C ratio may exceed the LADOT threshold. *See* DEIR Table 4.12.2-18 at 4.12-113 – 4.12-118.

Had the EIR evaluated the Project's impacts in 2035 against a baseline of existing conditions, it would have determined that over 100 additional intersections would be significantly impacted. Furthermore, although the LOS does not change at an additional 25-plus intersections, a closer inspection may reveal that the V/C ratio may exceed the LADOT threshold. *See* DEIR Table 4.12.2-20 at 4.12-125 – 4.12-130.

Because the EIR does not accurately analyze the Project's traffic impacts, it does not identify any mitigation for these significantly impacted intersections.

B. The FEIR's Evaluation of the Project's Construction-Related Traffic Impacts Remains Deficient.

In its comments on the DEIR, the City faulted the environmental document for its abject failure to analyze how the Project's lengthy construction operations would affect on-airport and off-airport roadway operations. According to the LA Controller, construction would result in reduced vehicular traffic capacity, limited access to parking garages, reduced parking capacity, guests and construction vehicles competing for space and increased congestion on CTA access routes. *See* "Industrial, Economic & Administrative Survey Report of Los Angeles World Airports," February 2016, City of Los Angeles Office of the Controller ("LA Controller Report") at I.77, attached as Exhibit W to this firm's November 15, 2016 letter. The FEIR concedes that, although construction "could result in substantial congestion and inconvenience to motorists and pedestrians on a regular or frequent basis," the DEIR did not evaluate these impacts. FEIR at 2-223 (Response AL00012-9); FEIR at 2-117 (Response AL00008-34). In lieu of conducting this impact analysis, the EIR proposes to evaluate impacts on general traffic flow as part of Worksite Traffic Control Plans that would be prepared by the various construction contractors before concluding that these would be significant and unavoidable. DEIR at 4.12-241; FEIR at 2-117 (Response AL00008-34).

As we explained in our comments on the DEIR, the EIR errs in two fundamental ways. It fails to provide the required analysis of impacts and it inappropriately defers mitigation. CEQA allows a lead agency to defer mitigation only when: (1) an EIR contains criteria, or performance standards, to govern future actions implementing the mitigation; (2) practical considerations preclude development of the measures at the time of initial project approval; and (3) the agency has assurances that the future mitigation will be both "feasible and efficacious." *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94-95 ("*CBE*"); *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 669-71; tit. 14, Cal. Code Regs. ("CEQA Guidelines") § 15126.4(a)(1)(B). Here, the EIR meets none of these requirements. First, the EIR include no performance standards that would govern the traffic control plan.

Second, the EIR provides no evidence of any practical considerations that prohibit LAWA from developing its traffic control plan now, prior to Project approval. LAWA, of course, knows the precise components of the Project. *See* DEIR at 2-4. It also knows which projects would be developed within each construction phase. *See* DEIR at 2-175 and Table 2-15 (Construction Phasing). In fact, LAWA even knows which highways are likely to be affected by construction activities. (*See* FEIR at 2-222 and 2-223 (Response

AL00012-9), stating that work would be conducted along the Center Way corridor; congestion would occur along World Way South; lane closures and detours would be required when Century Boulevard, Airport Boulevard, Aviation Boulevard, Arbor Vitae Street and W. 98th Street are constructed; and that work outside the CTA would primarily occur in the Manchester Square area and along W. 96th Street).

Finally, the EIR offers no evidence that the establishment of a construction task force or the adoption of a traffic control plan will be effective in addressing the extensive gridlock that is all but certain to occur during the Project's 18 years of construction. In fact, as we explain below, there is ample evidence that LAWA refuses to appropriately staff its construction task force and refuses to include appropriate measures to ensure that its traffic control plan effectively addresses these impacts.

Because the DEIR failed to identify or analyze sufficient mitigation measures capable of offsetting the Project's construction-related traffic impacts, we identified a series of measures that would help to address these impacts. These measures, which were taken directly from the LA Controller Report, were explicitly identified to proactively manage congestion at LAX during and after construction. LA Controller Report at I.77. Despite these seemingly reasonable and certainly feasible suggestions for mitigation, the FEIR ignores each one of the suggested measures.[4] Where a commenter suggests a "mitigation measure considerably different from others previously analyzed [that] would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it," an EIR must be recirculated. CEQA Guidelines § 15088.5(a)(3). Yet here, the FEIR simply repeats the flawed measures in the DEIR and asserts time and again that the measures we identified would have "no bearing on the environmental effects of the proposed Project or the effectiveness of construction traffic mitigation measures." FEIR at 2-123 (Response AL00008-42).

For example, we suggested that the FEIR evaluate a measure calling for LAWA to increase its landside operations staffing to ensure that traffic control is effectively managed during construction. *See, e.g.*, FEIR at 2-123 (Comment AL00008). In response, the FEIR simply asserts that LAWA will have sufficient staffing to implement the LAMP and that there would be "contractual mechanisms to require that these mitigation measures be successfully implemented and enforced." *Id.* (Response AL00008-42). Yet, the FEIR provides no evidence that the agency has sufficient staffing to effectively manage this massive construction project. Nor does the document ever describe these

[4] The measures are clearly feasible as they were developed by the LA Controller.

contractual mechanisms or explain how they would be effectively in reducing impacts. Moreover, the LA Controller Report contradicts LAWA's assertions,

> LAWA has devoted insufficient staffing levels to [landside operations]. The two existing Landside operations supervisors can neither provide the oversight needed to ensure contractor performance, nor respond to operational issues that arise on a day-to-day basis. Beyond that, there are not enough operations supervisors to monitor service levels in the terminals – service levels that are critical to improving and maintaining desired guest experiences. Existing oversight appears to be conducted when and where possible by staff members who have multiple responsibilities.

LA Controller Report at 4; I.77.

We identified a second measure—which was also identified in the LA Controller Report—calling for LAWA to obtain traffic engineering capability to develop the detailed traffic control plans necessary to contain and manage construction-related roadway congestion. *See* FEIR at 2-126 (Comment AL00008-46). Once again, the FEIR preparers refuse to adopt this mitigation measure, stating instead that LAWA will have sufficient traffic engineering experience to successfully implement the construction traffic mitigation measures. FEIR at 2-127 (Response AL0008-46). Here too, the FEIR provides no evidentiary support for this assertion. The LA Controller Report again contradicts the FEIR's assertions. The LA Controller, after conducting a survey of LAWA's operations, cited the agency for its lack of dedicated traffic engineering expertise. LA Controller Report at I.77.

Apparently recognizing the flaws in its approach to mitigation, the FEIR states that the EIR includes a number of measures that LAWA may need to implement to influence how passengers access the airport during the Project's construction. FEIR at 2-127 (Response AL0008-46). Tellingly, the EIR mentions only one measure, the possible implementation of tolls, but it does even bother to explain where the tolls would be implemented or how they would function. Had LAWA actually prepared its traffic control plan now, it could design an effective toll program along with other measures capable of addressing the Project's construction-related traffic impacts.

Finally, we identified another measure calling for: (1) the use of incentives for maintaining and penalties for reducing capacity within the CTA; and (2) including

performance requirements in the construction contracts for the automated people mover ("APM"). *See* FEIR at 2-124 (Comment AL00008-44) and LA Controller Report at I.79. Unfortunately, the FEIR also rejects this measure. Instead, it asserts that construction contracts will contain provisions to enforce mitigation procedures, including penalties for noncompliance. FEIR at 2-125 (Response AL0008-44). The FEIR offers no detail as to the contents of such provisions. Nor does it explain how the provisions would be sufficient to enforce the EIR's mitigation measures. It also provides no information as to what type of penalties might be imposed for noncompliance. The purpose of including these details now, rather than after the Project is approved, is to allow the information to be properly vetted by the public and decisionmakers.

C. The FEIR Fails to Resolve the Deficiencies Identified in MRO Engineers' December 1, 2016 Report.

MRO Engineers identified numerous deficiencies in the DEIR's transportation analysis. As MRO explains in the attached report, the FEIR's responses to their comments are not satisfactory and the EIR's analysis remains deficient. *See* Letter from MRO Engineers to L. Impett, February 27, 2017, attached as Exhibit H.

V. The FEIR's Analysis of and Mitigation for the Project's Impacts on Climate Change Are Inadequate.

The City previously pointed out numerous failures in the analysis and mitigation of the Project's impacts on climate change. The vast majority of these issues remain unresolved by evasive, conclusory, and incomplete responses to comments in the FEIR.

A. The FEIR Fails to Resolve Deficiencies in the Analysis of Construction-Related GHG Impacts.

The DEIR only included direct emissions in its calculation of construction-related GHG emissions. Specifically, the DEIR stated that indirect GHG emissions associated with construction activity such as purchased electricity, solid waste disposal, water usage and wastewater disposal were omitted from the Project's inventory because they are *negligible* compared to direct emissions. DEIR at 4.5-6. The FEIR asserts that its approach was appropriate because it relied on an industry standard model (the California Emissions Estimator Model or "CalEEMod") to calculate GHG emissions. FEIR at 2-130 (Response AL00008-51). The FEIR then attempts to explain why its approach to calculating GHG emissions for one part of the construction-related GHG inventory—electrical emissions from grid-powered off road equipment—is appropriate. *Id.*

The FEIR does not, however, provide a satisfactory response regarding the EIR's failure to include GHG emissions from other sources of purchased electricity (i.e., non grid-powered off road equipment) or from solid waste disposal, water usage and wastewater disposal. Regarding these last categories of emissions, the FEIR simply asserts that the GHG analysis was conservative because it neglected to account for reductions in electrical, water, and solid waste demand through the demolition of previously operational structures during the construction phase. *Id*. The EIR provides no analytical support for this assertion. Moreover, the FEIR's approach of directing the reader to various technical appendices which may or may not specify the emission sources that were utilized in the construction emissions analysis violates CEQA. California courts have determined that this is a wholly unacceptable way of presenting decisionmakers and the public with essential information, and it renders the EIR legally inadequate. Whatever is required to be in the text of the EIR must be in the EIR itself, not buried in some appendix. *See Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 722-23*; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 727.

B. The FEIR Incorrectly Asserts that the Proposed Project Would not Contribute to Increased Passenger and Aviation Activity and Therefore Would Result in a Decline in VMT and GHG Emissions.

The FEIR incorrectly asserts that, regardless of the Project, passenger levels will grow to 95 MAP in 2035. FEIR at 2-82 (Response AL00008-20). This is incorrect. As the Kanafani Report attached to the City's comments on the DEIR describes, each component of the airport, including the passenger terminals, the airfield, and the ground access system, is a "link in a chain," and the link with the lowest capacity "determines the capacity of the whole system." Passengers, in particular domestic travelers who have a variety of other options in the LA region for airports that provide domestic flights, take ground access congestion (along with other factors) into account when they choose an airport, particularly when congestion gets very high. *See* Kanafani Report, attached as Exhibit G to this firm's November 15, 2016 letter; *see also* Exhibit C (Feb. 28, 2017 comments of Dr. Kanafani) attached hereto.

The DEIR does quantify the increases in GHG emissions in 2024 and 2035 but conducts this analysis for "informational purposes only." DEIR at 4.5-28. Thus, although, for example, the DEIR's analysis of "2024 Future With Project Compared to 2015 Existing Conditions" identifies GHG emissions that are above the thresholds of significance, it does not identify this impact as significant. *See* DEIR Table 4.5-7 at 4.5-29); *see also id*. at 4.5-41. The EIR claims that this increase in GHG emissions is not

from the LAMP, because these emissions are not attributable to the Project. FEIR at 2-135 (Response AL00008-57). Instead, the FEIR asserts, the 2024 emissions include future emissions from future growth in regional and local traffic that would occur irrespective of the Project. *Id*.

Yet, one must ask: what is the cause of this growth in regional and local traffic? Certainly a substantial source of this traffic growth would be the phenomenal increase in annual passengers at the airport. Between 2015 and 2025, LAX will accommodate an additional 21,918 passengers on a daily basis (86 MAP – 78 MAP = 8,000,000 annual passengers (8,000,000 / 365 = 21,918 daily passengers)). In 2024 and 2035, the DEIR determines that no more that only 2% of arrivals/departures to the airport will be via transit. DEIR at 4.12-4 – 4.12-34. Thus, the vast majority of passengers will continue to travel to the airport via automobile.

C. The FEIR Fails to Adequately Analyze the Project's Consistency With Applicable Plans, Policies and Regulations Adopted for the Purpose of Reducing GHG Emissions.

The City previously faulted the DEIR for its failure to adequately analyze the Project's consistency with plans, policies and regulations adopted with the intent of reducing GHG emissions. The FEIR fails to resolve the numerous deficiencies identified in our comments. For example, in response to our comment that the DEIR did not analyze the Project's consistency with Executive Orders ("EO") S-3-05 and B-30-15 in any meaningful way, the FEIR suggests that the approach we suggested—and the one used by SANDAG in its recent RTP/SCS—would not be appropriate because the characteristics of SANDAG's project are substantially different from those of the LAMP project. *See* FEIR at 2-139, 140 (Response AL00008-61). Specifically, the FEIR asserts:

> The LAX Landside Access Modernization Program Project is a specific development project particular to LAX with initial completion in 2024 and buildout, including future potential development, in 2035. The specific "reference point" approach to determining Executive Order consistency used in the SANDAG EIR may be appropriate for a long-term comprehensive regional plan with many sources of GHG emissions (being more similar to a statewide emissions inventory), but it clearly is not appropriate for a shorter-term specific project with only a few sources of GHG emissions.

Id.

As an initial matter, the FEIR provides no explanation as to why LAWA believes a project's particular timeframe has a bearing on its ability to achieve statewide GHG emission reduction targets. The more important consideration, of course, is the amount of GHG emissions generated by the Project. Moreover, the proposed Project is not a short-term project as it would be under construction for 18 years and would result in a significant increase in GHG emissions through at least 2024, if not longer. *See* DEIR Table 4.5-7 at 4.5-29.

While SANDAG's approach to analyzing its project's consistency with the Executive Orders is, of course, not the only technical method that lead agencies may use, the FEIR does not conduct any technical analysis at all. Instead, it simply offers the following contradictory statement: "The GHG emissions associated with operation of the proposed Project in the future (2024 and 2035) would not be less than the levels estimated for 1990 conditions, notwithstanding that future GHG emissions would be less with implementation of the proposed Project." DEIR at 4.4-33.

The DEIR explicitly states that the GHG reduction target specified in EO-S-3-05 can be considered as a basis for evaluating how the GHG emission of a project compare to those targets. The EIR should be revised to undertake this evaluation in light of the specific targets established by EO-S-3-05 and B-30-15. To its credit, the FEIR does undertake a quantitative comparison of the Project GHG emissions to the GHG reduction goals identified in the LAWA Sustainability Plan and the Green LA Plan. FEIR at 2-141 (Response AL00008-62). It should conduct a similar analysis of the Project's consistency with the Executive Orders.

For the foregoing reasons, the City urges LAWA not to certify the FEIR until the document is revised to address the flaws described above.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

For

Osa L. Wolff

Exhibits:

A: Commission Staff Analysis and Resolution, Los Angeles County Airport Land Use Commission Aviation Case No. 2005-00001 (2005)
B: Federal Aviation Administration Advisory Circular 150/5070-6B (January 27, 2015)
C: February 28, 2017 comments of Adib Kanafani, Ph.D., N.A.E.
D: *ARSAC et al. v. City of Los Angeles et al.*, Ventura County Superior Court Case No. 56-2014-00451038-CU-WM-OXN (April 8, 2016)
E: Sampling of online news and blog articles discussing the Project's potential to dramatically modernize LAX and increase the airport's operational efficiency
F: List of projects LAWA provided to El Segundo on January 4, 2017, in response to a Public Records Act request
G: Draft EIR for the Terminals 2 and 3 project (due to size, this exhibit is provided separately on CD)
H: Letter from MRO Engineers to L. Impett, February 27, 2017

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