



## CITY OF BEVERLY HILLS STAFF REPORT

**Meeting Date:** June 21, 2011

**To:** Honorable Mayor & City Council

**From:** Mahdi Aluzri, Assistant City Manager *MA*  
Aaron Kunz, Deputy Director of Transportation *AK*

**Subject:** Request by Councilmembers Mirisch and Bosse for Discussion by the City Council on the Westside Subway Extension Alignment

**Attachments:**

1. Map
2. City Comment Letter

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### INTRODUCTION

Councilmembers Mirisch and Bosse have requested that the City Council review and consider updating the City's position with respect to the Westside Subway Extension, specifically as it relates to reiterating opposition to any of the alignment alternatives to Century City that tunnels under Beverly Hills High School.

### DISCUSSION

The Los Angeles Metropolitan Transportation Authority (Metro) adopted the Draft Environmental Impact Statement/Report (Draft EIS/EIR) on October 28, 2010, including the selection of a Locally Preferred Alternative<sup>1</sup> (LPA). The Metro Board also authorized proceeding with the Final EIS/EIR and Preliminary Engineering (PE) for the project. The Metro Board action authorized that two Century City locations be studied during the Final EIS/EIR and PE process:

- Santa Monica Boulevard/Avenue of the Stars: The route alignment to this station would tunnel under Wilshire and Santa Monica Boulevards.

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<sup>1</sup> Locally Preferred Alternative (LPA) is a term used as part of the Federal Transit Administration (FTA) Environmental and Planning processes. The FTA requires that a LPA be selected to receive funding authorization to proceed with Preliminary Engineering.

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- Constellation Boulevard/Avenue of the Stars: The route alignment would tunnel under Lasky Drive, a portion of four multiple family properties, the school district office, and Beverly Hills High School.

Additionally, Metro added a third station alternative to be studied as part of the Final EIS/EIR and PE Process at:

- Santa Monica Boulevard/Century Park East: The route alignment to this station would tunnel under Wilshire and Santa Monica Boulevards. It would provide an optional Santa Monica Boulevard station location in the event that the Santa Monica Boulevard/Avenue of the Stars location is determined infeasible due to proximity of earthquake faults.

The City has taken the following position with respect to the Westside Subway Extension:

- Strong support for a Santa Monica Boulevard station.
- Strong opposition to a Constellation Boulevard station that would tunnel under residential properties and Beverly Hills High School.
- Strongly requests that Metro explore alternatives that do not involve tunneling under Beverly Hills High School or residential properties if the Santa Monica Boulevard station is determined problematic after further seismic study. (Metro staff has stated that a route alignment to a Constellation Boulevard station that does not tunnel under Beverly Hills High School would require a much deeper tunnel due to the underground parking facilities in the area, adding cost to the project).
- Support of the Westside Subway Extension under Wilshire and Santa Monica Boulevards and the 30/10 plan (now called America Fast Forward) that would provide for construction of the Westside Subway Extension in one phase.

Additionally, the City has retained Arnie Berghoff and Associates, Government and Public Affairs Advocacy, to promote the City's position at the local and regional level and Ferguson Group to promote the City's position at the federal level. The City has also retained Shannon & Wilson, Inc. to prepare a geotechnical engineering peer review of Metro's study and conclusions regarding geotechnical and tunneling aspects of the Westside Subway Extension within City of Beverly Hills city limits.

Metro originally planned to complete their public outreach process for the Final EIS/EIR by June 2011 and adopt the document, including selection of a Century City station, in Fall 2011. The current schedule is for the final public outreach meeting(s) to be held in Fall 2011 and adoption of the Final EIS/EIR in late 2011/early 2012. Geotechnical studies are currently on-going and are expected to be released within the next few months.

### **RECOMMENDATION**

This report provides background for City Council discussion of the City's position with respect to the Westside Subway Extension. Staff recommends that the City continue to retain Arnie Berghoff and Associates and Ferguson Group to assist the City in

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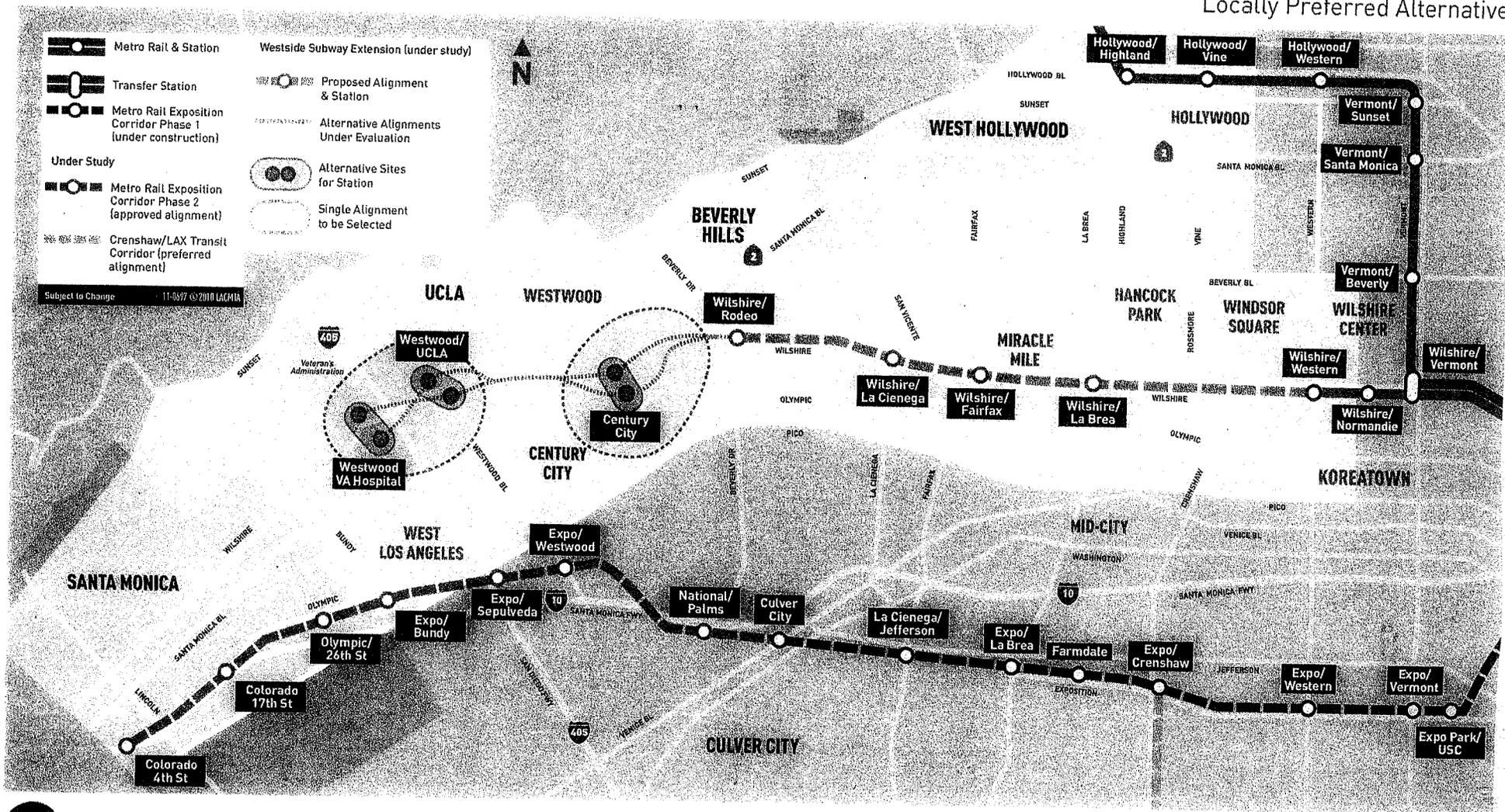
developing an advocacy plan and Shannon & Wilson, Inc. to review Metro's geotechnical studies when released.

Mahdi Aluzri  
Approved By



# **Attachment 1**

# Westside Subway Extension Locally Preferred Alternative



Attachment 1



Note: Does not include Century City Station option at Santa Monica Boulevard/Century Park East

# **Attachment 2**



October 19, 2010

David Mieger  
Los Angeles County Metropolitan Transportation Authority - Metro  
One Gateway Plaza, MS 99-22-3  
Los Angeles, CA 90012-2952

Subject: Comments on the Metro Westside Subway Extension Draft Environmental Impact Statement/Draft Environmental Impact Report, State Clearing House No. 2009031083

Dear Mr. Mieger,

The City of Beverly Hills City Council strongly supports the Westside Subway Extension and has, on every opportunity, formally endorsed extension of the subway through the City of Beverly Hills under Wilshire Boulevard and Santa Monica Boulevards. Although strongly supportive of the Westside Subway Extension, the City has significant concerns about and strongly opposes the "Constellation North" and "Constellation South" alignment alternatives outlined in the Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) that would tunnel under residential properties and Beverly Hills High School.

The City of Beverly Hills also expresses support for the 30/10 plan that would provide for construction of the entire Westside Subway Extension in one phase. This plan would bring critical mass transit to the entire Westside within a reasonable timeframe, promote job creation, and minimize construction impacts.

On August 4, 2009, the City Council, by Resolution No. 12692, unanimously adopted the recommendations of the citizen based Beverly Hills Mass Transit Committee supporting the Westside Subway Extension, including:

- Support of the Wilshire alignment, with the alignment at the west end of Beverly Hills continuing under Wilshire Boulevard and then veering southwest under Santa Monica Boulevard to Century City rather than under commercial or residential properties.
- Support of two stations within Beverly Hills near Beverly Drive and Wilshire Boulevard and near La Cienega Boulevard

On January 12, 2010, the City Council, by Resolution No. 10-R-12725, unanimously adopted amendments to the City's General Plan which included policies to support extension of the subway through Beverly Hills along the Wilshire Boulevard/Santa Monica Boulevard alignment with stations at La Cienega Boulevard and Beverly/Rodeo Drive.

The City of Beverly Hills with the assistance of its consultant, the firm Shannon & Wilson, Inc., has reviewed the DEIS/DEIR and is providing the following broad comments on the options studied in the document. In addition to these comments, a list of specific comments and technical questions is attached.

### **Alignment to Century City**

Of critical importance to the City of Beverly Hills is that the "Base" alignment from the Wilshire/Rodeo station (which tunnels under Wilshire and Santa Monica Boulevards) be selected as the preferred route.

The Westside Subway Extension alignment only deviates from Wilshire Boulevard to specifically provide transit service to Century City. The City of Beverly Hills agrees that the Westside Subway Extension should have a station to serve the employment densities of Century City but not at the expense or risk of tunneling under Beverly Hills High School and residential properties. According to the DEIS/DEIR, a "Constellation station" would cost \$56 million more than the "Base" Santa Monica Boulevard Century City station. We find no evidence in the DEIS/DEIR that a "Constellation" station would result in significantly higher ridership than the "Base" Santa Monica Boulevard station.

The alternative alignments in the DEIS/DEIR deviate from tunneling under Wilshire and Santa Monica Boulevards to provide mass transit to Century City. The City of Beverly Hills believes that the "Base" Santa Monica Boulevard station accomplishes the goal of providing a station to Century City. A station would provide a direct transit link to buses that operate along Santa Monica Boulevard. Pedestrian amenities and/or transit circulators could provide connections to the employment centers in Century City.

The two "Constellation" alignments would involve tunneling under residential properties, the Beverly Hills High School, and the site of the Beverly Hills Oil Field. Of paramount importance is the safety and well being the High School's students and faculty. There has not been adequate identification of 'wild cat' or 'capped' oil wells at this site. The attached comments address the City's specific concerns, request additional studies and identification of all mitigations required for this tunneling, before any further consideration of these alternate alignments. The City Council of Beverly Hills is unanimous in its strong opposition to tunneling under Beverly Hills High School when Century City can be provided a "Base" station on Santa Monica Boulevard. In reviewing the DEIS/DEIR, the City finds no conclusive evidence that proves the Santa Monica alignment not to be feasible because of seismic impact. If, however, the identified location of the "Base" Santa Monica Boulevard station is indeed determined to be problematic after further seismic study, the City of Beverly Hills strongly requests that Metro explore alternatives that do not involve tunneling under Beverly Hills High School or residential properties.

### **Station Locations**

The City of Beverly Hills finds the DEIS/DEIR consistent with the City of Beverly Hills formally adopted recommendations with respect to the station locations at La Cienega Boulevard and Beverly/Rodeo Drives.

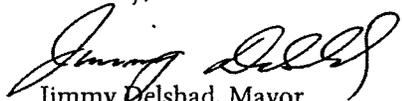
The City agrees that the "Base" station on the east side of La Cienega Boulevard is the preferred location to facilitate transfers to the north/south bus lines on La Cienega Boulevard. Also, the east side of La Cienega Boulevard is preferred because it is closer to the multiple family residential areas and has more viable staging and portal locations than the west side. To reduce pedestrian crossings at the highly congestion intersection at La Cienega/Wilshire Boulevard, the City requests that portals be placed both on the north and south sides of the street.

The City also concurs with the "Wilshire/Rodeo" station proposed in the DEIS/DEIR. Due to the large concentration of commercial businesses on both sides of Wilshire Boulevard, including South Beverly Drive, it is essential that portals be located both on the north and south sides of Wilshire Boulevard.

### **Conclusion**

Thank you for the opportunity to comment on the Westside Subway Extension DEIS/DEIR. The City of Beverly Hills continues to strongly support the Westside Subway Extension along Santa Monica Boulevard and will work actively with Metro to resolve these critical issues.

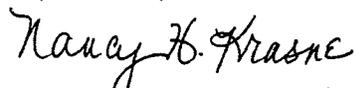
Sincerely,



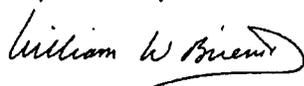
Jimmy Delshad, Mayor  
City of Beverly Hills



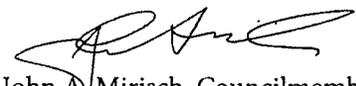
Barry Brucker, Vice Mayor  
City of Beverly Hills



Nancy Krasne, Councilmember  
City of Beverly Hills



William W. Brien, M.D., Councilmember  
City of Beverly Hills



John A. Mirisch, Councilmember  
City of Beverly Hills

Attachment A: City staff comments

Attachment B: Shannon & Wilson comments

October 14, 2010

City of Beverly Hills  
345 Foothill Road  
Beverly Hills, California 90210

Attn: Mr. Aaron Kunz

**RE: GEOTECHNICAL ENGINEERING COMMENTS LETTER, WESTSIDE  
SUBWAY EXTENSION (WSE), REVIEW OF DRAFT ENVIRONMENTAL  
IMPACT REPORT (DEIR), BEVERLY HILLS, CALIFORNIA**

We understand the City of Beverly Hills (City) will submit this letter with their DEIR comments to the Los Angeles Metropolitan Transportation Authority (Metro). The purpose of this letter is to summarize our review findings from our Geotechnical Engineering Report dated October 13, 2010 (Report) and provide a brief statement of qualifications regarding our tunneling experience.

**COMMENTS ON WSE DEIR**

The following comments are based on the recommendations provided in our Report. Refer to this Report for details on these comments for the WSE DEIR:

**General:** The appendices for the DEIR Geotechnical Report were not included on the Metro website. The appendices include subsurface profiles and an environmental database search of the alignment. These appendices should be made available to the public.

**Fault Rupture:** Given the uncertainty of the Santa Monica Fault and West Beverly Hills Lineament, further evaluation to identify fault traces should be completed prior to final location of the Santa Monica base station. The Santa Monica Fault could have one or more distinct fault traces that could impact the station location. The trace(s) would be identified during the geotechnical investigation of the project using a combination of geophysical techniques, subsurface explorations, and/or trenching (where possible). If a trace is discovered passing through the proposed station, then the station would likely need to be relocated.

**Ground Shaking:** We noted a discrepancy in the design earthquake probabilities for the Maximum Design Earthquake (MDE). The peak ground acceleration and recurrence interval values stated in the DEIR for the MDE are consistent with a design earthquake having a 2 percent probability of exceedance in 50 years. However, the DEIR defines the MDE as having a

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1 percent probability of exceedance in 100 years. Please review and correct the MDE information.

**Liquefaction:** Without additional geotechnical studies, we disagree with the DEIR assumption that liquefaction would not impact the tunnels or station foundations. The liquefaction depth should be investigated to at least 20 feet below the lowest expected foundation elevation, in this case the tunnel invert and station foundation. If liquefiable soils are still present at these depths, the explorations should extend at least 10 feet deeper.

**Subsidence:** Surface settlement monitoring, with closely spaced survey points on streets, utilities, and buildings, as well as ground deformation monitoring instrumentation placed in boreholes, will be needed to assess ground behavior during and after tunneling. Areas susceptible to potentially large ground losses, resulting in unacceptable settlements, are curved alignment and cross passages. In the City, the West Hollywood Connection alignments and Constellation alignments are curved. Cross passages typically connect the twin tunnel every 700 to 800 feet.

**Hazardous Subsurface Gases:** Perhaps the greatest risk of gas infiltration into a tunnel or subsurface station may be associated with earthquakes, either through cracking of liners or walls, offset of gasketed tunnel liner joints, and/or disabling the ventilation system. The earthquake risk should be highlighted and discussed in the final report.

**Hazardous Waste and Materials:** We recommend additional research of properties that are in close proximity to the proposed stations and connection structure, as the potential for soil and groundwater contamination would impact these facilities. Additional studies to confirm the presence or absence of known and unknown oil wells should be performed.

**Noise and Vibration:** Operational noises and vibrations are generally not noticeable with the exception of businesses requiring precision measuring devices. Special mitigation measures, including vibration isolation measures for foundations, could be needed in these cases. During construction, tunneling and cut-and-cover station excavation-induced vibrations are typically on par with bus and trash truck noise and vibrations. Noise and vibrations are the most noticeable at night, when background noises are at a minimum. Additional mitigation measures, such as utilizing sound walls, sound proofing, mufflers, and modifications to safety warning devices, should be evaluated. Nevertheless, some residents and hotels could notice nighttime noise and vibration during construction. This could sometimes be reduced by installing multiple pane windows, wall insulation, and other sound-reducing measures for affected residences.

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**Staging Areas and Construction Traffic:** We recommend that the City and Metro begin evaluating the potential locations for staging areas within a couple blocks of the Wilshire/La Cienega base and option stations, the connection structure, and the Wilshire/Rodeo station. Significant construction traffic should be anticipated in the vicinity of these areas for soil disposal, backfill, concrete, and other construction material deliveries.

**Public Awareness/Outreach:** We suggest a public relations campaign be coordinated with the pre-construction surveys and utility relocation. The City should coordinate these efforts with Metro to provide as much notice as possible during these early stages of the project.

**Dewatering:** The EIR/EIS should evaluate the potential for disposal of large quantities of water into the City's wastewater systems from the possible excavations at the Wilshire/La Cienega base and option stations, the connection structure, and the Wilshire/Rodeo station. Further, consideration should be given to beneficial use of any extracted water, in accordance with the codes and policies of the City.

**Excavation and Tunneling Obstructions:** Significant project disruptions due to encounters with underground obstructions (abandoned tiebacks, oil well casings, etc.) could be greatly reduced by performing the necessary literature research, case history evaluations and site investigations to determine what if any obstructions are likely to be present and in what quantities. This should be completed during the EIR/EIS phase so that the potential for environmental impacts and potential mitigation measures associated with obstruction along the various alignment alternatives is analyzed and disclosed.

#### STATEMENT OF QUALIFICATIONS

Over the last 30 years, Shannon & Wilson's current underground staff has provided geotechnical services for tunneling on over 900 projects. Our experience encompasses all phases of underground engineering from conceptual design, through design and specification, to construction support. We have state-of-the-practice experience in evaluating and choosing the right tunneling technology for subsurface and construction conditions. Our experience includes working under "live" road conditions and with minimal impact on the environment. Shannon & Wilson's tunneling experience and expertise includes:

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- ◆ Exploration using a wide range of mapping, geophysical and boring techniques suitable for the various soil and rock conditions at different sites
- ◆ Groundwater evaluations to assess dewatering requirements, impacts of dewatering on adjacent structures, and the potential for moving contamination towards the excavation
- ◆ Soil and rock property evaluations from field and laboratory tests to provide reliable input for design
- ◆ Prediction of soil and rock loads on shafts, tunnels and underground openings using both empirical and computer techniques such as finite difference codes
- ◆ Estimation of likely impacts of underground construction on adjacent facilities
- ◆ Preparation of technical specifications and plans such as: tunnel excavation, tunnel support, dewatering, portal shoring, and geotechnical instrumentation
- ◆ Implementation of field instrumentation systems to measure the loads, stresses, deformations, and groundwater levels associated with underground construction

Shannon & Wilson is experienced in a wide range of tunnel excavation methods and the impacts of geotechnical conditions, including: drill and blast excavation, earth pressure and slurry pressure balance tunnel boring machines, jack and bore tunnels, microtunneling, horizontal directional drilling and pipe ramming. We have been involved in the geotechnical aspects of tunnel liner support systems including: grouted dowels and shotcrete, cast-in-place reinforced concrete, bolted and gasketed precast concrete segments, welded and snap together steel pipe sections, gasketed concrete pipe sections, and fiberglass pipe sections. We have worked on trenchless projects ranging from 8-inch diameter horizontal directional drill conduits for utility lines, jack and bore and microtunnels ranging from 24-inch to 16-foot diameter, to the world's largest diameter soft ground tunnel with an outside diameter of 85 feet.

Sincerely,

**SHANNON & WILSON, INC.**



R. Travis Deane, P.E., G.E.  
Associate

RTD/rtd

The City of Beverly Hills has reviewed the Draft Environmental Impact Statement/ Draft Environmental Impact Report (DEIS/DEIR) and is providing the following comments to be addressed in the Final report along with the comments provided in the cover letter.

- 1) **CONSISTENCY WITH EXISTING ENVIRONMENTAL REPORTS**- Environmental Impact Reports were conducted for projects near Santa Monica Boulevard and Avenue of the Stars, and near Avenue of the Stars and Constellation Boulevard in 2006 and 2004 respectively. The environmental findings in this report should not be inconsistent with the findings in those reports, and if inconsistencies do exist, a full explanation regarding the inconsistent conclusions should be provided. Specific information regarding the EIRs follows:
  - a. Environmental Impact Report for the New Century City Plan associated with properties located at 10250 Santa Monica Blvd, 1801 Avenue of the Stars, and 1930 Century Park West (City of Los Angeles: ENV-2006-1914-EIR)
  - b. Environmental Impact Report for properties located at 10131 Constellation Blvd (City of Los Angeles: ENV-2004-6269-EIR)
- 2) **LOCATION OF THE BEVERLY HILLS LINEAMENT** - The Alternatives Screening and Refinement Following Environmental Scoping Report (page 4-15) suggests that the location of the West Beverly Hills lineament has been identified. However, prior to concluding that the location of this lineament is understood, additional analysis is necessary including the analysis recommendations provided by the City of Beverly Hills' Geological/ Geotechnical Consultant (Attachment B).
- 3) **CENTURY CITY STATION AND ALIGNMENT** -
  - a. **Santa Monica Station** - If the Century City Station were to be located on Santa Monica Boulevard with an alignment along Wilshire and Santa Monica Boulevards, additional geological and geotechnical study is necessary, as has been detailed in the attached geological/ geotechnical comments.
  - b. **Constellation Station** - If the Century City Station were to be located on Constellation Boulevard, further study of the a "Constellation North" and "Constellation South" alignments as described in the report including additional geological and geotechnical study would be required and must include the following:
    - i. Location of the Beverly Hills Lineament -
      1. Additional geologic and geotechnical studies must be conducted as required above for the Santa Monica Blvd. station and alignment.
    - ii. Study of Abandoned Oil Wells -
      1. The location of abandoned oil wells on the Beverly Hills High School property, and other properties near the alignment must be exhaustively researched and analyzed, with all potential impacts fully disclosed and mitigated to the extent feasible. Nonetheless, the City strongly maintains that an alignment that goes under the High School is unacceptable.
      2. Means and methods of addressing abandoned wells within and near the potential subway tunneling area must be fully disclosed.

- iii. Further, the Final EIS/ EIR should analyze the effect on property values in and near the potential subway alignment during construction and thereafter.
  - iv. Further study of potential noise and vibration impacts from operation of the subway underneath residences and the High School is necessary to fulfill CEQA's mandate to disclose the Project's potential impacts
  - v. The EIS/EIR, at page 2-4, states that seven goals were established to screen out alternatives and identify those carried forward into the Draft EIS/EIR. The Alternatives that would traversed under Beverly Hills residential neighborhoods and the Beverly Hills High School do not meet several of these goals including Goals C and D (Cost effectiveness and Project Feasibility): These alternatives would have increased costs due to the need to acquire easements under private property, and invite additional risks in the event of any subsidence or damage to existing development. Further, as to Goal G (Public Acceptance), the City of Beverly Hills, the Beverly Hills Unified School District, and hundreds, if not thousands, of Beverly Hills residents and property owners oppose the alignments under the Beverly Hills High School site.
  - vi. While the City of Beverly Hills strongly objects to any alignments that traverse under its residential neighborhoods and High School, the City is not opposed to the Constellation station location, provided the alignment from the Wilshire/Rodeo station stays under Wilshire and Santa Monica Boulevards in Beverly Hills.
- 4) **ROBERTSON CONNECTION BOX** -The Final Noise and Vibration Technical Report indicates that the connection structure would be located west of the Wilshire/ Robertson intersection (page 5-14); however Appendix A indicates that the structure may be located within the intersection itself. If the connection box is to be constructed, the box should be located on either side of the Wilshire/ Robertson intersection but not located within the intersection, to avoid closing both Wilshire and Robertson during initial construction. Additionally, please provide more information about the connection box with respect to the following:
- a. Venting. The potential ventilation shaft studied in alternatives 1-5 and MOS 2 (temporary termination at Century City) for the connection structure, including the vent's location, purpose, and potential air emissions resulting.
  - b. Property acquisitions. Appendix C "Acquisitions" indicates that properties at the northeasterly corner of the Wilshire and Robertson intersection would be acquired (page C-3). These properties have been identified as "Acquisitions 34 and 35". The report indicates that these properties are currently under construction. Given that a new building with subterranean parking is being constructed on the sites, alternative sites should be identified in the event that the West Hollywood alignment is considered and the link between the West Hollywood line to the Wilshire line is located near Robertson Blvd.
  - c. If the Robertson Connection Box is installed, it would likely foreclose consideration of alternate locations in the future, such as a connection at the La Cienega station location, which would provide better ability for transfer between future rail lines. The City prefers

that the connection occur at La Cienega rather than installing the stand-alone connection box at Robertson. Before any final decision is made as to the Robertson Connection box, further study of the potential future connection in this area must be undertaken because the decision would likely foreclose other options.

- 5) **MITIGATION MONITORING PLAN** – The mitigation monitoring plan needs to include the following:
- a. Additional study and analysis is needed for economic losses during construction, potential construction related impacts and specific effective mitigation measures to address potential construction related effects on visual quality, air quality, noise and vibration, exposure to hazardous substances and other construction related aspects.
  - b. The Final Construction and Mitigation Technical Report should not be considered final at this time. Estimations for construction related impacts cannot be truly validated 20 plus years in advance of actual construction; therefore, construction impacts and mitigation need to be revisited and be re-certified within 4 or 5 years prior to the actual start of construction. Impacted intersections (both en-route and diverted), arterial street segments and local street segments should be identified at that time and re-counted for latest volume and speed data. Local thresholds and calculation methods in effect at that future time should be used to conduct the analysis. Further, potential mitigation measures proposed to address potential impacts that could occur within the City of Beverly Hills should be identified, designed in coordination with the City of Beverly Hills staff, and eventually be approved by the Beverly Hills City Council. This process shall continue when the actual date and schedule of construction is identified and a construction task force for Beverly Hills is formed.
  - c. The DEIS/DEIR must identify a means of maintaining the state of residential neighborhoods, and addressing any economic or operational impacts to the human environment that may occur in the commercial/ retail areas during construction of the station boxes. Of particular concern to the City of Beverly Hills are impacts that would result in unnecessarily high traffic volume in residential neighborhoods, or impacts that cause substantial business interruptions or closures, and thus result in a substantial loss of revenue for local businesses. Careful consideration of potential impacts must occur along with coordination with the City of Beverly Hills, in the development of construction phase planning and project design, including the location of construction management plans and implementation of various mitigation measures intended to address construction impacts. Related activities such as staging areas, haul routes, generators, construction parking and other necessary activities during the construction phase must be considered in subsequent plans.
  - d. Groundwater in the Hollywood basin is not contaminated and every effort should be taken to preserve water quality. The City of Beverly Hills has reverse osmosis treatment plant and processes water from the basin for beneficial use. Ground water needs to be addressed in one of three ways: 1. Pay the City for replacement water, 2. Inject the water back into the basin, or 3. Make beneficial use of the water. For further information please refer to the Beverly Hills Municipal Code Title 9, Chapter 4, Section 610.

- 6) **CONSTRUCTION PHASE** – The DEIS/DEIR includes draft design details for station location and design, track alignment and design, ancillary equipment and facilities, and construction related temporary facilities and operations. As the project proceeds into the preliminary engineering phase and forward to final engineering plans, the City requests the opportunity to review and comment on all design and engineering drawings and plans, construction plans and operational plans including but not limited to the following:
- a. All construction activity; truck routes, tunnel/dig activity, detours, lighting, and timing (p.3-69) in the City of Beverly Hills.
  - b. All lane closures, detour routes and means of local access, closure timing and length of closures, in the City of Beverly Hills.
  - c. Construction hours, work schedules and ancillary support requirements (lighting, materials delivery, hauling), for work in the City of Beverly Hills
  - d. Community outreach and notification alerting residents and businesses within and near the construction zone of land closures, timing of construction activity, etc., for work in the City of Beverly Hills.
  - e. Any plans for other construction related activities and facilities that may be planned for within the City and all necessary information on related environmental effects, such as traffic delays. Such construction related activities and facilities would include a slurry plant if planned within the City.

The intent of the requested City review is to allow City input on ways to minimize impact on the City's residences, businesses, and circulation systems.

- 7) **STAGING LOCATIONS** – The City acknowledges the challenges of identifying suitable staging locations at the two locations within the City of Beverly Hills. The City will work with Metro to select the most appropriate staging location. A mitigation plan will need to be developed to reduce the impact of station construction and operation to neighboring businesses, including hotels adjacent to the Beverly Rodeo station. Mitigation plans should address noise, times of construction, and economic impacts, including compensation for businesses directly impacted during the construction phase.
- 8) **OPERATION** –
- a. A number of ancillary equipment and facilities would be installed or constructed to support the subway. In the Final Noise and Vibration Technical Report, the Wilshire/ La Cienega station is not included on the list of stations that would have an emergency electrical power generator (page 5-13); however the Final Traffic Impact Analysis Report indicates that the station would have a generator (page 2-5). Please clarify if this station would have a generator or not. If the station would have a generator, please provide additional information on the generator, as well as any other generators that may be contemplated in the Beverly Hills segment. The Final Traffic Impact Analysis Report indicates that an emergency generator is proposed at the Wilshire/La Cienega station requiring approximately 50'x100' of off-street space (page 2.5, section 2.5.2). The report indicates that this would require property acquisition. Where is this generator planned? Is it to be located within the station space, or is additional land required? Please define

- the location, and potential air quality, noise and vibration effects on any potential sensitive receptors in the area. If mitigation is necessary, please include any necessary mitigation in the mitigation monitoring program.
- b. The West Los Angeles area has not constructed one new fire station in 60 years, while the regional population has increased geometrically over that time. The DEIR/DEIS needs to study the ability for local emergency responders to effectively triage, transport and treat patients in the event of an accident or disaster on the subway system in the context of this increased population, lack of increase in emergency protection facilities and with consideration to the closure of nearby regional hospitals (Century City and Midway Hospitals). Additionally, the DEIS/DEIR and project must address fire suppression within the subway and protecting passengers from hazardous toxic fumes as a result of a fire.
  - c. The DEIR/DEIS should provide information on how Metro will ensure that there is sufficient liability coverage to recover costs and damages incurred by persons, property, businesses and other entities in the event of a subway disaster
  - d. Emergency Response. The Parklands and Other Community Facilities Technical Report (page 4-2) considers typical response times for local jurisdictions emergency responders (police and fire). The report, however, does not indicate if the local jurisdictions would be the first responders. Please clarify if local jurisdictions would be the first responders, or if this a function of county emergency services.
  - e. Emergency Response Times. Typical response times are provided for the local jurisdictions in the Parklands and Other Community Facilities Technical Report (page 4-2), however if the local jurisdictions are the first responders (police and fire) the report needs to study any potential for increases in the number of calls that may affect the current response times and local work force needed to maintain current response times.
- 9) **NOISE AND VIBRATION.** Please confirm that the analyses and conclusions presented in the Final Noise and Vibration Technical Report (page 6.2) are consistent with the City of Beverly Hills General Plan standards. The Beverly Hills General Plan establishes the following noise level standards:

**N 1.5 Noise Mitigation Measures.** Require noise mitigation measures for noise-sensitive receptors when a significant noise impact is identified. A significant noise impact occurs when there is an increase in CNEL, as shown in the table below. (Imp. 1.3, 2.1, 2.2)

<i>CNEL (dBA)</i>	<i>dBA Increase</i>
55	3
60	2
65	1
70	1
Over 75	1

*Community Noise Equivalent Level (CNEL)—A 24-hour average  $L_{eq}$  with a 10 dBA “weighting” added to noise during the hours of 10:00 P.M. to 7:00 A.M. and an additional 5 dBA weighting during the hours of 7:00 P.M. to 10:00 P.M. to account for noise sensitivity in the evening and nighttime.*

- 10) **VENTING** – According to the DEIS/DEIR (page s-23), mid-segment venting will be required for segments that exceed 6,000 feet. At present, it appears that there will be no need for mid-segment vent shafts in Beverly Hills, since segment lengths are less than 6,000 feet. (See. Final Construction and Mitigation Technical Report (page 4-50). In the event that there are changes that require vent shafts, full disclosure an analysis of any potential impacts would need to be undertaken.
- 11) **TRAFFIC ANALYSIS** – The Traffic Impact Analysis Report analyzes potential traffic effects during construction and once the subway extension is operating. The following analysis should be conducted and the results addressed in the final report:
  - a. Thresholds (page 5-2). New Traffic Threshold of Significance criteria have been developed for the City of Beverly Hills for estimating impacts on traffic. The estimation of traffic impacts should be reanalyzed using these new criteria (Attachment C).
  - b. Review any changes resulting from changes to LOS “D” at signalized intersections and changes to residential ADT ranges. Of the 192 intersections studied, only one intersection produces any impacts along the proposed subway corridor. The Final Traffic Analysis Impact Report (page 3-15, section 3.2.2) states “the affected jurisdictions for the Westside...consider LSO D the minimum acceptable LOS. Therefore; LOS D will serve as the minimum acceptable standard for the Westside Extension Transit Corridor project.” The City recently changed the criteria at signalized intersections from 4% to a 3% threshold, thus approximately 19 intersections operating at LOS D, E and F with the Beverly Hills project area should be analyzed for impacts. Additionally, the criteria for residential streets impacts was also amended and require application of the new threshold levels (1-2,000 volume per day (vpd): 16% daily and peak hour; 2,001-4,000vpd: 12% daily and peak hour; 4,001-6,750vpd: 8% daily and peak hour; greater than 6,750vpd: 6.25% daily and peak hour.
  - c. The Level of Service (LOS) Analysis for selected intersections is based on using the HCM signalized intersection Capacity analysis software. City of Beverly Hills uses the ICU method for the LOS calculations. Basic assumptions are different in these two methods. For example, ideal flow per lane is assumed to be 1700 (vphpl) for HCM method and 1600 for ICU method. This yields different results for the LOS calculations. However, this is an inter-jurisdictional project and it is not appropriate to use the same method of the LOS calculations for the entire study area. Particularly, when the future (2035) LOS for the project is only compared with the “No Built” scenario of year 2035. In that perspective the HCM method of the LOS calculations for the purpose of the project impact evaluations as presented. But for evaluation of potential construction impacts which would be a primarily a local issue, staff requests that the ICU method of the LOS calculations be provided for Beverly Hills intersections and City’s thresholds of

significance criteria be used for such evaluations. Further, certain residential streets shall be evaluated for potential construction impacts. (Page 5-2)

- d. The report refers to a forecasting process used to develop Year 2035 AM and PM hour VISUM models for the No Build and each Build Alternative based on the Existing Conditions calibrated/validated VISUM model. It is not clear what assumptions were used in the development of this model. For example, what growth factor was used for the next 25 plus years? Did the Metro Regional Travel Demand Model that was used for origin-destination trips prove to be accurate of the study area, or did its trend disagree with the original assumptions? Although, the assumptions may have been noted here and there in the DEIS/DEIR; a collective and clear explanation of the basic assumptions used for developing the year 2035 model needs to be included. (page 4.3)
- e. The report states (Chapter 3, page 3.1.4 – Programmed Roadway Improvements), that “local jurisdictions are not planning any major roadway expansion projects through 2035” due to build-out conditions and high density. Although the City does not plan any widening efforts, the Santa Monica Blvd Improvement project will involve a major street reconstruction within the next 3 years to improve the physical road conditions and traffic signals/synchronization; the improved conditions will contribute to improved (existing and future) bus transit and connectivity at the SMB/Ave of the Stars in Century City, thus supporting the SMB station location. Consider any potential construction issues (street level and underground) if the 30/10 plan is pursued.
- f. The Final Traffic Impact Analysis Report (page 3-2) should include Burton Way/S Santa Monica Boulevard as an arterial street, even though it is not technically classified as an arterial. The street functions as an arterial, carrying over 30,000 vehicles daily. The traffic analysis should take into account Burton Way/ S. Santa Monica Boulevard.
- g. In the Final Traffic Impact Analysis Report (page 3-8), the traffic impact analysis must be revised to include the N Santa Monica Boulevard Improvement project and improved public transit/bus interface on N Santa Monica Boulevard between Century City, Beverly Hills, and West Hollywood. The analysis should include benefits to regional connectivity on Santa Monica Blvd, thus retaining the Santa Monica Boulevard alignment and station in Century City.

12) **GENERAL COMMENTS** – The following corrections and clarifications should be made to the final report:

- a. The DEIS/DEIR indicates that the City of Beverly Hills does not have a bicycle plan, however, the City adopted a preliminary bicycle plan in 1977 and is currently in the process for updating and formalizing that plan for implementation. (Chapter 3, pages 3-19, 3-21).
- b. It should be noted both in the text on page 3-19 and on the map on 3-20 that these are “existing” volumes of pedestrian activity. (Chapter 3, pages 3-19, 3-20).
- c. Please clarify what is meant by “A majority of the new trips would come from autos.” (Chapter 3, page 3-30). Is this for all scenarios tested?
- d. Population – Beverly Hills – The DEIS/DEIR states the City of Beverly Hills population to be 35,000. This is the resident population. The City of Beverly Hills General Plan

Technical Background Report (2005) estimated the City's daytime population to be as high as approximately 294,000 people, with up to an additional 46,000 people in transit through the City during the evening peak commute hours (Chapter 4, page 4-27).

- e. The Community and Neighborhood Technical Report (page 3.3, section 3.3.3), provides a summary of the Beverly Hills general plan. That summary should be corrected to state that: "Amendments to the city's general plan were adopted on January 12, 2010. The city's amended general plan includes the required elements for Land Use, Open Space, Circulation, Conservation, Noise, Safety, and housing and also includes optional elements for Historic Preservation, Economic Sustainability and Public Services. The City's bicycle master plan has been made free standing to facilitate future updating. Applicable policies from the City of Beverly Hills General Plan are:
- **LU 3.1 Conservation.** Conserve existing residential neighborhoods, and non-residential areas where new development builds on and enhances the viability of existing business sectors that are the City's strengths, promotes transit accessibility, is phased to coincide with infrastructure funding and construction, and designed to assure transitions and compatibility with adjoining residential neighborhoods. (Imp. 1.3, 2.1, 2.2)
  - **LU 14.1 City Form.** Accommodate a balanced mix of land uses and encourage development to be located and designed to enable residents access by walking, bicycling, or taking public transit to jobs, shopping, entertainment, services, and recreation, thereby reducing automobile use, energy consumption, air pollution, and greenhouse gases. (Imp. 1.2, 2.1)
  - **LU 17.2 Regional Coordination.** Cooperate with adjoining and regional agencies to jointly plan land uses, transportation, and infrastructure that provide a cohesive and integrated strategy to accommodate growth that is environmentally, economically, and socially sustainable. (Imp. 7.1, 7.2)
  - **ES 3.3 Multi-modal Transportation.** Encourage and promote the use of existing public transportation to link these areas with the Triangle while developing alternative means of public transportation to ease congestion and facilitate successful, high-quality development throughout the City. (Imp. 3.7)
  - **CIR 2.1 Metro Subway Extension.** Support the extension of the Metro subway extension through the City along Wilshire Boulevard with stations at Beverly/Rodeo and La Cienega to enhance transit service and increase transit ridership within the City and the West LA region. Explore other stops as appropriate. (Imp. 3.7)
    - **CIR 2.1a Linking Transit and Development.** Encourage appropriate development that may include parking for local transit riders, local-serving retail, high-end retail, restaurant and supporting uses in and around transit stops and stations. (Imp. 3.7)

- **CIR 2.2 Multi-modal Transit.** Consider a variety of transit services including rail, light rail transit, bus rapid transit, trolleys (streetcars), enhanced buses, express buses, local buses, school buses, and neighborhood shuttles to meet the needs of residents, workers, and visitors. (Imp. 3.7)
  - **CIR 2.3 Transit Design.** Support a well-designed transit system and stations to meet the mobility needs of residents and visitors, including seniors, the disabled and transit-dependent persons. (Imp. 3.7)
  - **CIR 2.4 Inter-jurisdictional Cooperation.** Work collaboratively with regional agencies and adjacent jurisdictions to improve transit service, accessibility, frequency, and connectivity, and to encourage increased ridership and fewer personal automobile trips. (Imp. 7.1)
  - **CIR 2.5 Transit Frequency.** Support increased-frequency transit service and capital investments to serve high-density employment, commercial, residential, or mixed-use areas and activity centers. (Imp. 3.7)
  - **CIR 2.6 Transit Priority Measures.** Consider improvements in transit efficiency and travel times by implementing transit priority measures to help bypass congested areas. Such measures may include transit signal priority, queue bypass lanes, and exclusive transit lanes. (Imp. 3.7)
  - **CIR 2.10 Interconnected Transit System.** Create or collaborate on an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling, and walking. Before funding transportation improvements that increase vehicle miles traveled, consider alternatives such as increasing public transit or improving bicycle or pedestrian travel routes. (Imp. 3.7)
- f. The Final Geotechnical and Hazardous Materials Technical Report includes a reference to the City of Beverly Hills General Plan Technical Background Report and indicates that it was released in 2008. Please correct the reference to list the report as being released in 2005.
- g. Headings in the Final Noise and Vibration Technical Report, section 2 and section 5, are illegible. In the same report, Figure 5-4 (Vibration Sensitive Locations) is blurry and the numbered locations presented on the map are difficult to read, especially for numbers located near Beverly Drive and Robertson Drive.
- h. The Parklands and Other Community Facilities Technical Report references the City of Beverly Hills general plan (page R-1). Please correct the reference to read as follows. The correct reference is, "The City of Beverly Hills General Plan was amended on 1/12/2010 and \_\_\_\_\_ is \_\_\_\_\_ available \_\_\_\_\_ at: [http://www.beverlyhills.org/services/planning\\_division/general\\_plan/genplan.asp](http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp)"

- i. The Parklands and Other Community Facilities Technical Report includes a list of policies (page 3-3) pulled from the City of Beverly Hills general plan. That list should be replaced with the City of Beverly Hills general plan policies as follows:
  - **LU 2.2 *Public Streetscapes and Landscape***. Maintain and enhance the quality and health of the “green infrastructure” that contributes to the City's identity and quality of life, including its street trees, landscaped medians and parkways, parks, and open spaces, while seeking to conserve water resources. (Imp. 3.1, 3.6)
  - **LU 5.4 *Complete Neighborhoods***. Maintain, improve, and, where necessary, expand parklands and community facilities to serve the City's neighborhoods. (Imp. 3.1, 6.1)
  - **LU 13.1 *Adequate Community-Supporting Uses***. Seek to ensure that adequate public and private community-supporting facilities and services are located throughout the City. (Imp.3.1, 6.1)
  - **LU 13.5 *Expansion of Existing Community Facilities***. Consider opportunities for the expansion of existing, and the development of new, parklands, recreational facilities, schools, lifelong learning, cultural, and other public and quasi-public facilities, provided that such improvements are cohesively integrated with, are complementary to, and are compatible with, existing development and adjoining land uses. (Imp. 3.1, 6.1)
  - **LU 13.8 *Residential Care Facilities***. Encourage the development of senior daycare facilities, assisted living facilities, hospice, child care, and other residential care facilities in appropriate areas throughout the City. (Imp. 2.2)
  - **LU 13.9 *Assembly Facilities***. Encourage and support the development of assembly facilities for social, cultural, educational, and religious organizations in appropriate locations of the City. (Imp. 2.1, 7.3)
  - **LU 13.10 *Parks and Open Spaces***. Seek to expand the City's parklands, greenways, and open spaces as land becomes available or as existing buildings are demolished. Consider alternative prototypes and standards for park development in urban areas where available land is limited. (Imp. 3.1, 6.1)
  - **OS 8.1 *Park and Open Space Standards***. Strive to meet National Recreation and Park standards for the provision of parks space based on the community's park needs and the number of residents. (Imp. 2.1)
  - **OS 8.4 *Parkland Acquisition Criteria***. Assess opportunities to acquire additional land at appropriate locations for the development or expansion of parks. Use the following criteria when considering acquisition for parkland:
    - a. City's identified current and projected needs for recreation and sports facilities
    - b. City's needs for recreation facilities based on location of existing facilities
    - c. The preservation of natural resources and historic and cultural areas
    - d. Ease of accessibility

- e. Usability of proposed parklands considering topography and other landform constraints
  - f. Fiscal impact on the General Fund for any immediately needed refurbishments and ongoing maintenance
  - g. The existence of a deficiency in a particular sector of the City.
  - h. Potential to improve the aesthetics along a street or in a neighborhood, or to enhance the City's garden quality in general. (Imp. 1.3, 6.1)
- OS 8.5 **Urban Parks.** Encourage and allow opportunities for new development to provide small plazas, pocket parks, civic spaces, and other gathering places that are available to the public to help meet recreational demands. (Imp. 2.1, 2.2)
  - OS 8.7 **Recreational Parkland Replacement.** Protect parkland from non-recreational uses that result in loss of acreage used for recreational purposes; any loss of park land shall be replaced with acreage suitable for comparable uses so that the City's current park land acreage is not decreased. (Imp. 1.3, 2.1)
  - S 3.3 **Fire Protection Services.** Require that new development and re-development of structures provide adequate fire safety features and responder access so as not to cause a reduction of fire protection services below acceptable, safe levels. (Imp. 2.4)