

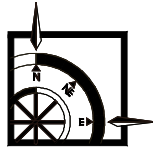
County of Los Angeles

Summary of

Preliminary Comments on the EIS/EIR for

Proposed Master Plan Improvements at LAX

Prepared By:



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A.C. Lazzaretto & Associates has been retained by the Los Angeles County Chief Administrative Office to review and comment on the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) prepared for Los Angeles World Airport's (LAWA) Proposed LAX Master Plan. In reviewing this extensive set of studies and findings, the consistently high quality of writing and the thoughtful organization and presentation of materials were evident in many of the technical reports; nonetheless, the EIS/EIR is substantially – and perhaps fatally – compromised by significant errors, omissions, and biases that are evident throughout the main text and attachments. The EIS/EIR is obviously a very substantial document; this document is intended to serve only as an extremely brief summary of the full comments that will be submitted to LAWA prior to the July 25, 2001 deadline. Many minor issues that are raised in the full comments will not be discussed herein and specific citations will not be provided.

A.C. Lazzaretto & Associates assembled a team of environmental review experts to review the document for consistency and accuracy. Throughout the review process, the team paid special attention to the major areas of noise, traffic, air and water quality, and environmental justice. In addition, the information was evaluated using the following criteria: reasonableness of input data and assumptions, appropriateness and accuracy of analysis, appropriateness and adequacy of mitigation measures, and conformity with State and Federal standards. In performing the task of reviewing the EIS/EIR, every attempt has been made to offer objective, constructive comments concerning the major elements of the EIS/EIR.

Project Alternatives

The stated project purpose identifies only three Master Plan objectives, which is unusually limited for a project of this scale. Moreover, the objectives omit any mention of environmental goals, such as enhanced access, or improved quality of life. The EIS/EIR fails to comply with the cornerstone element of California Environmental Quality Act (CEQA) – that an EIS/EIR must describe a reasonable range of Alternatives that would feasibly meet most objectives, but would avoid or lessen significant effects of the project. In terms of ability to reduce significant effects for key impact categories such as noise, land use, environmental justice, and air quality, there is no substantive difference among the Alternatives. For instance:

- Of the 25 impacts identified as significant and unavoidable for any one of the project Alternatives:
 - 22 are significant and unavoidable for all 3 Alternatives;
 - 1 impact is cited as unknown for all 3 Alternatives; and
 - Only 2 impacts show variation among the Alternatives in the level of impact severity.

Most significantly, the preferred Project Alternative C has more significant unavoidable adverse effects than either of the other two Alternatives yet fails to meet the projected demand, as do the other Alternatives. In effect, LAWA is recommending approval of the Alternative that would cause the greatest number of serious impacts, while meeting the fewest number of project objectives. A full discussion of how and why Alternative C became the preferred Alternative, recognizing that it offers fewer benefits than the remaining Alternatives without any substantive reduction in adverse impacts, is necessary to justify its utility as the Preferred Project Alternative.

The Alternatives contain several assumptions that are incongruous and lack justification. For example, the Alternatives assume that new cargo facilities are less efficient than the old LAX facilities and fail to recognize that modern facilities may handle twice the amount of cargo per square foot. The baseline

cargo activity is 1.9 million tons of cargo using 1.9 million square feet of space; however, Alternative C activity is 4.1 million tons using 5 million square feet. In addition, the EIS/EIR nearly doubles the terminal space yet assumes a very modest increase in passengers and operations. The All Weather Peak Hour Operations is greater in the baseline than in Alternative C and the All Weather Average Delay is shorter in the baseline than in Alternative C. All of these assumptions are counterintuitive and challenge the credibility of the forecasts upon which the analyses are based.

No Project Alternative

The No Project Alternative provided in the EIS/EIR very poorly serves the goals of CEQA and National Environmental Protection Act (NEPA). On the one hand, the analysis takes unwarranted liberty in defining this Alternative to include improvements that are only in the “planning stages” at this time. Clearly, projects in the planning stages may not materialize. On the other hand, the analysis provides an excessively narrow definition of the improvements that may occur at LAX under the No Project Alternative and thereby understates the improvements that would likely occur at LAX without the Master Plan. In both cases, the EIS/EIR assessment would be impaired, skewing comparison with project Alternatives.

In addition, LAWA has pursued numerous improvements at LAX since 1997, including taxiway improvements, construction of new cargo building space, and additions to onsite and offsite parking facilities. Nevertheless, in defining the No Project Alternative, the EIS/EIR assumes that “only minor improvements” would be made. If the proposed expansion project is not approved, it is far more reasonable to assume that LAWA will continue to identify and pursue a wide range of improvements intended to optimize the ability of LAX to meet air service demands. The EIS/EIR should more accurately reflect this situation.

The No Project Alternative is indicated to have more significant health and safety impacts than any of the build Alternatives. This conclusion is surprising given that aircraft emissions account for 97% of total overall emissions and the No Project Alternative is estimated to have 1.8% less total annual aircraft operations versus Alternative C and 17.3% less total operations than Alternatives A and B.

Regional Alternatives

The EIS/EIR conclusion that the development of regional airports is an unreasonable Alternative is not supported – and in fact may be refuted – by evidence provided in the EIS/EIR. At the same time as it stresses the strength of the regional economy in the global setting and the scope of the regional market demand for international travel, the EIS/EIR contains a series of statements apparently intended to cast doubt on the ability of these demands to be met through regional solutions. This is all the more intriguing in light of data indicating that the highest overall demand capture rate is calculated to occur under the scenario with the lowest share allocated to LAX.

The project is primarily a landside development project with no new runways. A major assumption in the document is that some other airport in the region will take up the unmet aviation demand. The EIS/EIR does not identify which airports will meet this demand or any mechanism to ensure that this assumption is valid. LAWA, as proprietor of multiple airports, is lead agency for the EIR and the Federal Aviation Administration (FAA) is a lead agency for the EIS. Both agencies have the ability to commit to or fund airport projects outside of LAX. The project either needs to discuss means of ensuring traffic goes to regional airports, as discussed below, or to investigate the impacts of LAX absorbing this extra demand. In addition, SCAG has recently voted to support regional airport development coupled with maintenance of baseline conditions at LAX. Although the actions taken by SCAG occurred after the release of the EIS/EIR, these considerations should be included in the project analysis.

As mentioned, LAWA needs to evaluate and consider at least one regional alternative among its options. As part of this consideration, the proposal should link improvements at LAX to improvements at other airports in the five-County region. This proposal could be structured in many ways, and the following hypothetical example is offered only to illustrate the concept. Improvements at LAX could be grouped into discrete phases (e.g., Phase 1 might include lengthening a runway, or expanding an existing terminal; Phase 2 might include new cargo handling facilities; Phase 3 might include a new perimeter roadway). Similarly, conceptual “phases” would be defined to describe thresholds of increased service at other regional facilities. There would be no need to specify where such improvements occur, merely that they must occur at an airport facility (or combination of airport facilities) within the defined five-County regional study area. Each of the LAX improvement phases would then be linked to the regional facility improvements (e.g., Phase I of LAX improvements can be undertaken when the regional facilities offer a combined capacity for 25 million annual passengers (MAP); Phase 2 of LAX improvements can be undertaken when regional facilities offer a combined capacity for 30 MAP; etc.). This requirement would provide the means to strengthen LAX, under the aegis of an incentive program that balances both the burdens and the benefits of expanded air service throughout the region.

The Alternatives also fail to acknowledge changes occurring at regional airports such as Ontario’s ability to accommodate international flights as well as a possible expansion in capacity, increased cargo capacity at Southern California Logistics Airport, the expiration of the cap on John Wayne, and the recently invalidated Measure F at El Toro. The document also fails to account for the potential of High Speed Rail systems that could come online within the planning horizon.

Finally, there are several locations within the EIS/EIR where mention is made of the possibility of remote terminals; however, no analysis is undertaken to determine their impacts. The EIS/EIR should be expanded to include a full characterization of these remote terminals, as well as a description of the baseline setting for the proposed locations, the impacts of their construction and use, and mitigation measures to address any adverse effects.

Definition of Baseline

The EIS/EIR complies with the CEQA requirement that the “baseline” be defined by conditions extant at the time the Notice of Preparation was released. But because the “baseline” was already five years old at the time of the EIS/EIR release, the EIS/EIR fails to comply with the intent of CEQA to facilitate an understanding of changes in the environment associated with the proposed project. Use of the five-year old baseline, coupled with the document’s frequent assumption that mitigative actions addressing air quality, noise, traffic, water quality, and other topical issues will occur primarily (or only) through project-related activities, tends to consistently overstate the impacts of the No Project Alternative relative to other Alternatives. Moreover, CEQA clearly intends that the baseline should reflect the existing level of actual development to the maximum extent possible; since the EIS/EIR baseline is set at 58 MAP versus the 68+ MAP at present, this intent is clearly not met. In addition, the baselines used for analysis are poorly defined and shift timeframes, using 1996 for traffic, air and aircraft noise, while using 2000 for biology, earth and water resources. The frequent shifting from one baseline nomenclature and timeframe to another is, at best, confusing; at worst, it obfuscates the underlying impacts that this EIS/EIR is intended to clarify.

Project Phasing

A phasing program that is outdated further complicates the difficulty of tracking an outdated baseline. The EIS/EIR notes that considerable increases in travel activity would occur even without the expansion project and it is unclear to what extent the Phase I objectives have already been met, and to what extent

they will be surpassed by 2005 even without project approval. It is clear that 2005 is an unrealistic target date for Phase I improvements at LAX. Given the year-by-year summary provided, it appears to be correct to surmise that Phase I would now be complete in 2009. Given the level of “natural growth” that can be anticipated in air travel services at LAX over the next seven years, the phasing plans will most likely differ significantly from what is described in the EIS/EIR.

The phasing of the project also appears to make access circulation improvements in Phase II after the new West Terminal, runway extension, new cargo areas, and the mid-field concourse are built in Phase I. This format would seem to offer more significant impacts at LAX than if the situation were reversed (circulation improvements before terminal and runway improvements).

Inconsistency

Throughout the document and associated materials, the numbers and assumptions that are provided do not present a cohesive picture. When compared with data provided throughout the baseline and impact analyses, the information appears to be fundamentally lacking in logical internal consistency. For instance, in describing assumptions made for the No Project Alternative, the peak period is shown to exceed the airfield’s capacity and that congestion, delays and passenger inconvenience would be common all year, not just during peak holiday periods. However, another section shows that the No Project Alternative would have fewer all-weather delays than Alternative C, fewer annual cancellations than Alternatives A and C, more public parking stalls than Alternative B, and the same number of all-weather peak operations and three-hour average operations.

Appearance of Advocacy

The EIS/EIR contains numerous comments and conclusive statements that create an appearance of project advocacy. This is inappropriate given the policy guidelines contained in CEQA and NEPA and it undermines confidence in the objectivity of the EIS/EIR and its commitment to full disclosure. Some of the technical assumptions contained in the EIS/EIR serve to overstate project benefits and/or overstate the adverse impacts of the No Project Alternative. For example, the discussion notes that the airlines will establish additional service at regional airports only if the local market generates sufficient demand and the text indicates that such demand already exists. This would seem to create justification for studying the development of other regional airports as a reasonable Alternative rather than providing the basis for the conclusion that it is not a viable Alternative.

Scoping

With respect to the scoping process, the EIS/EIR is fatally flawed for a number of reasons. LAWA first initiated this project in 1996 and released scoping information to the public; however, the Preferred Project Alternative was never identified in the scoping process. The scoping outreach process did not include input from Los Angeles County Government or the public at large with regards to Alternative C. The assessments provided for this Alternative reflect no public input as to what should be included in the scope of analysis. In effect, this project lacks proper scoping, which is an integral and essential element of the NEPA review process.

In addition, the EIS/EIR makes frequent mention of the regional significance of LAX and this emphasis is an integral part of the Purpose and Objectives statement. Nevertheless, the scoping outreach effort did not include a single agency within the county governments of San Bernardino County, Orange County, Riverside County, or Ventura County. This is a serious omission, particularly in light of the NEPA mandate to establish close nexus between project goals and project Alternatives.

Mitigation Measures

In several instances, the EIS/EIR states that mitigation programs will be developed prior to final project approval. This approach fails to advance public discourse and deprives reviewing agencies of the opportunity to review and comment on important project issues. Moreover, the mitigation measures may in themselves have impacts that require consideration and analysis. It does not suffice to outline tentative mitigation concepts as “a starting point” for a public involvement process, yet the EIS/EIR frequently offers concepts in lieu of defined mitigation measures. The vague and general mitigation concepts addressed within the EIS/EIR do not meet the CEQA and NEPA requirement to avoid, minimize, rectify, reduce, or compensate for adverse project impacts. All identified adverse impacts need to be accompanied by specific and defined mitigation measures that are evaluated thoroughly.

Environmental Justice

Many impacts in the Environmental Justice analysis were not addressed, reportedly because the preparers were not able to quantify or analyze the impacts. According to NEPA, this information needs to be provided to the greatest extent possible. The Environmental Justice discussion simply fails to meet these requirements and the review demands a more rigorous analysis than is currently provided in the EIS/EIR. As currently written, valid review is not possible. In addition, the Environmental Justice analysis only addresses census tracts surrounding LAX; no regional analysis was completed, although the area of study was clearly identified in the Purpose and Objectives Statement to include the region as a whole.

Traffic

The onsite traffic analysis does not provide a table that coincides with the trip generation assumptions used in the offsite discussion; adding up the various items for the onsite trip generation gives similar, but not exactly the same, results. In addition, the Master Plan includes development of a new terminal on the west side of the airport. Since this will replace existing uses in that area, the EIS/EIR projects a reduction in trips due to those non-aviation uses being replaced by aviation uses. It is difficult to find an explanation of how this reduction would occur and the degree to which existing and future traffic is broken out.

As identified in each of the Alternatives, the congestion relief package includes direct freeway access to all parts of the airport via the Ring Road. As proposed, the Ring Road would provide sufficient access to LAX and would provide adequate capacity to handle the estimated peak demand on the Westchester Parkway/Arbor Vitae portion. In addition, the Ring Road would significantly reduce traffic on the Interstate 105 at the Sepulveda Boulevard off-ramp. However, the feasibility of funding and constructing the extensive package of traffic mitigation measures, the impacts on Interstate 405 and parallel north/south arterials (in “build” and “not build” scenarios), the impact on nearby unincorporated areas, adequate access to Main Street in El Segundo, and the configuration of Imperial Highway as the south part of the Ring Road are all in need of further discussion.

The Department of Transportation Act section should include the No Project/No Action Alternative for purposes of comparison with the build Alternatives, and should note that it would avoid impacts to resources, specifically the Centinela Adobe.

Noise

It is incongruous that if increases in outdoor noise levels within the 65-75 Community Noise Equivalent Level (CNEL) contours are perceptible and could affect outdoor speech as well as the quality of outdoor

activities that these effects are not considered significant. Therefore, the Level of Significance thresholds need to be modified to reflect appropriate levels.

CEQA does not mandate or endorse a specific decibel standard to determine if a project engenders a significant adverse environmental impact for aircraft noise; however, the EIS/EIR should have employed available standard criteria to allow a survey of a larger area and reveal the true pervasiveness of sound that was not identified in the EIS/EIR. This would be important in the discussion of impacts and mitigation of noise to show that “average” threshold levels were not sufficient to show the chronic and long term effects within the LAX flight path. It is apparent that there will be exacerbated and disproportionate levels of impacts on unincorporated neighborhoods under the flight path approaches to LAX.

There is a significant discrepancy in the number of dwelling units and population impacted between the EIS/EIR baseline year impacts and data published by LAWA. Since the 1970's, California law as required the airport to publish a quarterly report that describes noise impacts. The difference between the impacts as defined by the EIS/EIR for the 4th quarter of 1996 and the impacts as identified by LAWA in its 4th quarter 1996 report is dramatic and significant (15,000 homes/37,000 residents).

The document also identifies that the noise contours are adjusted to reflect noise monitoring data. The results of the noise monitoring data show noise in sites east of the airport, primarily in Inglewood, at significantly higher level than the models predict. This makes it difficult to establish a credible disclosure statement to the general public and no attempt is made in the EIS/EIR to examine the reason for the noise model underprediction of aircraft noise. Both of these errors tend to underestimate noise impacts.

In addition to failing to adjust the contours to reflect noise monitoring data, there is substantial uncertainty associated with the future operational assumptions within the EIS/EIR. The operational assumptions are unreasonable and lack justification making any analysis of the noise impacts speculative and lower than might actually occur. The following areas are of concern: Passengers Per Departure, Cargo Activity/Cargo Building Space, Maximum Airside Capacity, Peak Hour Operations/Delay, Terminal Space/Number of Gates, and Regional Airports.

The proposed project includes no noise mitigation recommendations. While LAWA has an ongoing noise mitigation program, it is not clear why the proposed project does not address any new noise mitigation programs. Several are discussed but not recommended. In addition, the expansion of the sound insulation program to homes within 60 CNEL contour should be given consideration. Because community concerns about the impact of aircraft noise goes so far beyond the boundary of the 65 CNEL contour, consideration of expanding the program should be given a thorough evaluation in the EIS/EIR. Such a program may not qualify for traditional Federal funding but other opportunities may exist.

Substantial reliance is placed on Mitigation Measure LU-1 “Implement Revised Aircraft Noise Mitigation Program (ANMP)”. This measure is broad in scope, and depends upon the cooperation and funding of agencies outside of LAWA. Consequently, the ability of LAWA to implement this measure in a timely manner is by no means assured. Moreover, a number of commitments to properties already included within the ANMP current boundaries have not yet been fulfilled. A discussion of unmet commitments from prior actions is appropriate for this document along with an evaluation of the impacts that would result if LAWA were unable to fulfill the new commitments described in this EIS/EIR.

Air Quality

The maximum carbon monoxide (CO) concentrations for future scenarios from on-airport sources are predicted to increase by as much as 400% compared to the Environmental Baseline data, and nitrogen dioxide concentrations are forecast to increase by as much as 1,000%. Given the projected change in airport operations and the expected decrease in background concentrations, these predicted impacts for the future scenarios do not appear to be reasonable. In addition, Nitrogen Oxides (NOx) were determined to have significant impacts before and after mitigation and the EIS/EIR indicates that NOx emissions will be reduced the least under the proposed mitigation measures. Thus, the proposed mitigation measures do not appear to successfully address this issue.

LAWA did not analyze the mitigated CO concentrations at off-airport intersections and the direct use of hourly wind data from the airport may be questionable for use in modeling air quality at off-airport roadway intersections. Adjusting to correct the error would likely lower the wind speeds that were used in the modeling by about one-half, increasing the predicted concentrations by as much as 200%.

In discussing the impact of toxic air pollutants associated with current airport operations, the EIS/EIR notes that LAWA is initiating an “independent” study of air quality in the area around LAX for the purpose of examining impacts. Given that the results are necessary to establish the baseline setting, the EIS/EIR needs to include consideration of toxic air pollutants associated with current airport operations.

Social Impacts

The analysis assumes that productivity gains will be the same for all Alternatives. In reality, productivity rates are variable over time and highly sensitive to changes in the economy’s overall growth rate. When Gross Domestic Product growth is decelerating, productivity slows. Given the repeated emphasis throughout the EIS/EIR that failure to pursue the expansion project would have a negative ripple effect throughout the southern California economy, it would have been more logical to link the No Project Alternative with productivity gains lower than those associated with the build Alternatives.

The Socioeconomic Trend Report (STR) notes that since 1972, as LAX has grown, the services and tourism/entertainment sectors showed substantial employment gains. The EIS/EIR assumptions regarding the No Project Alternative show passenger volumes increasing. In combination, these facts would point to positive employment gains in at least those sectors. Nevertheless, the STR forecasts losses in direct LAX-related employment for the service industry. This contradiction needs to either be explained or corrected.

Hydrology and Water Quality

The document indicates an overall increase in pollutant loads resulting from the development of LAX Northside. Conversely, for other developments at LAX, the EIS/EIR states that a detailed drainage plan that would prevent a net increase in pollutant loads is expected. It needs to be explained why the program developed for the Northside would perform so poorly, while a similar program for LAX expansion would have no net increase in pollutant loads.

Human Health and Safety

The Human Health Risk Assessment indicates that Alternatives might have significant human health impacts and that there are no mitigation measures proposed for human health effects. In this context, it is difficult to understand how the Human Health Risk Assessment determined that the build Alternatives, with mitigation, would have no significant human health impacts.

Conclusions

The Los Angeles International Airport is vitally important to the City, the County, and to this region. There is a need for some improvements at LAX; however, the problems associated with this Draft EIS/EIR are so serious, pervasive, and systemic that the only practical remedy is to start the process over again.

Throughout the EIS/EIR, baselines have been inconsistent and inappropriate, selected Alternatives have not met CEQA and/or NEPA mitigation requirements, and the depth of analysis has not been sufficient to support the adoption of the Master Plan, as proposed. The project's stated objectives have not been met through the preferred Alternative, biases are evident, and the No Project Alternative is consistently misleading and inaccurate. One of the fundamental requirements of this process is for the lead agency to pursue Alternatives that would avoid or substantially lessen the significant effects of the proposed project and this requirement has not been met in the current EIS/EIR document.

As such, the only appropriate action is for LAWA to revisit the EIS/EIR and issue an entirely new EIS/EIR that properly and effectively explores viable Alternatives and identifies appropriate mitigation measures to lessen environmental impacts. This process needs to begin with a scoping process that acknowledges the regional nature of the undertaking and follows with a fresh look at Alternatives that include regional options. This new EIS/EIR would also need to provide an updated and consistent baseline, identify feasible runway expansion methods, be free of internal inconsistencies, offer proper levels of analysis and explanation, and present an entirely new impact assessment that does not inappropriately defer critical decisions. Only with these extensive modifications could the LAX Master Plan be supported.