Appendix M  Written Comments and Responses on DEIR/EIS

Carlos Montez
Wallace E. Stokes III
Jim Wu, P.E.
August 14, 2009
Page 2

buildings...west of Los Angeles River," Page 3-3 states that the uses in some buildings located adjacent to the viaduct footprint would need to be relocated, Page 3-17 addresses additional property acquisitions resulting in the loss of industrial buildings, Table 3.4.2 references the full acquisition of the Spilo buildings, and Pages 3-20 and 3-21 refer to the conversion of industrial uses to other uses, in conflict with the plans of the City of Los Angeles, would be unavoidable. If Spilo's buildings are to be taken for this public project, Spilo will need ample time to relocate and would prefer to relocate in the immediate vicinity of its current location, to best maintain its substantial business goodwill. This should be a mitigation requirement referenced in the FEIR/FEIS.

We further note that the FEIR/FEIS references the probable lack of access during construction, and this must be addressed as well.

Finally, we reiterate that Spilo is an active and vibrant business, has many employees who depend upon Spilo for the support of themselves and their families, and therefore all efforts should be made to retain the business goodwill and the jobs, particularly in this economy. We urge the FEIR/FEIS to include a mitigation measure providing substantial notice and lead time before any potential acquisition of the property. The minimum ninety (90) day notice to relocate, referenced in the DEIR/DEIS, is woefully inadequate and would result in a total loss of the business. To complete an orderly relocation, Spilo estimates it needs a full eighteen months from the written notice that the project will proceed. Of course, Spilo will also need economic and other assistance from the lead agencies to ensure that an orderly relocation can occur without bankrupting the company.

Some Additional Points.

In addition to the above, Spilo has noted what appear to be errors in the documents, and we will address these in no particular order:

1. 2.3.3.3 Street Design: The second paragraph of Page 2-25 refers to "existing buildings on the north side of the viaduct west of Mateo Street would need to be removed." We believe that "west" is incorrect, and it should state "east" instead of "west."

2. 3.1.4 Resources Resulting in No Impacts. Paragraph 3 of Page 3-3 states: "Based on field observations by the consultant team, no residential dwellings are located in or adjacent to the 6th Street Viaduct footprint. The proposed project would not require the acquisition or displacement of residential housing..." This is incorrect. There is at least one residential dwelling, and perhaps more, on the southerly side of Willow Street, east of Mateo.

We reiterate that Spilo recognizes the importance of this project, but requests that the City and State fully consider the impacts of the project on local businesses, and completely
mitigate those impacts, so that private citizens and businesses are not damaged by this public project.

Please make this letter part of the record of the draft EIR/EIS. Feel free to contact me if you need additional information. Thank you.

Very truly yours,

KEVIN H. BROGAN
OF
HILL, FARRER & BURRILL LLP

cc: Spilo Worldwide

KHB:hjp

HFB 893810.1 S681002
Response to Comment Letter No. 18 – Hill, Farrar & Burrill LLP (representing Spilo Worldwide)

1. **High speed rail line should be considered as part of cumulative impacts.** A more thorough analysis of cumulative project effects, including the proposed high speed rail, on various environmental resources in the area has been conducted and is presented in Section 3.26 of the FEIR/EIS. It should be noted that the 6th Street Viaduct Seismic Improvement Project is not a capacity-enhancement project; therefore, after completion, it would not contribute to cumulative traffic impacts in the future. The traffic impact of the 6th Street Viaduct replacement would occur during construction, when traffic is diverted to other local streets from 2014 to 2017. It is assumed that the high speed rail project would not be implemented before completion of the 6th Street Viaduct replacement; therefore, there would be no cumulative construction impacts from these projects.

2. **Unsure if the business needs to be relocated.** See response to the previous Spilo Worldwide comment (June 29, 2009, letter) on this matter (Comment Letter No. 1, Response No. 1).

3. **Possible lack of access to nearby businesses during construction.** The design team is carefully evaluating methodologies for demolition and construction to minimize access impacts to local businesses.

4. **The minimum ninety (90) day notice to relocate, referenced in the DEIR/DEIS, is woefully inadequate.** Spilo estimates that it would need a full eighteen months from the written notice that the project will proceed, in addition to other assistance from the lead agencies, to ensure that an orderly relocation can occur without bankrupting the company. The commenter’s concerns are noted. The requirement to vacate following issuance of a ninety (90) day notice would be administered in accordance with the Uniform Relocation Act and consistent with Caltrans relocation guidelines 24.203 (c1, c2, c3):

   Ninety-day notice:
   1. General. No lawful occupant shall be required to move unless he or she has received at least 90 days advance written notice of the earliest date by which he or she may be required to move.
   2. Timing of Notice. The displacing agency may issue the notice 90 days or earlier before it expects the person to be displaced.
   3. Content of Notice. The 90-day notice shall either state a specific date as the earliest date by which the occupant may be required to move, or state that the occupant will receive a further notice indicating, as least 30 days in advance, the specific date by which he or she must move. If the 90-day notice is issued before a comparable replacement dwelling is made available, the notice must state clearly that the occupant will not have to move earlier than 90 days after such a dwelling is made available.

5. **Noted typographical error.** The error has been corrected in the FEIR/EIS.

6. **DEIR/EIS indicated no residential dwelling located adjacent to the viaduct footprint.** The commenter noted that there is at least one residential dwelling located south of Willow Street. Land use south of Willow Street and east of Mateo Street is designated as industrial/commercial. This area is located farther outside the viaduct footprint. The EIR/EIS does state that many industrial buildings in the project area have been converted to residential use. It is therefore possible that there is some non-conforming residential occupation within
this industrial designated zone; however, based on the consultants’ field observations, there is no residential dwelling located near the viaduct footprint.

7. **Request the City to fully mitigate impacts to local businesses.** Comment is acknowledged. Caltrans and the City are committed to implementing the mitigation and monitoring program stipulated in the EIR/EIS to minimize impacts to area residents and businesses to the extent applicable.

8. **Request that this comment letter be a part of the record.** Comment is acknowledged. This letter is made a part of the administrative record for this EIR/EIS.
August 17, 2009

Mr. Wally Stokes  
City of Los Angeles  
Department of Public Works, Bureau of Engineering  
221 N. Figueroa, Suite 350  
Los Angeles, CA 90014-1914  
Wally.Stokes@lacity.org

RE: 6th Street Bridge Reconstruction Project  
Property Address: 2233 Jesse Street, Los Angeles

Dear Mr. Stokes,

We are the owners of a single story cold storage warehouse building with a two-story office area, totaling approximately 145,000 square feet (noted on the attached diagram). The subject property is located on the north side of Jesse Street between Mission Road and Rio Street and directly south of Whittier Boulevard.

After review of the proposed designs and alignment proposal, we believe that Bridge Concept 4 and Alignment 3B would be most suitable for our property.

We are concerned by the proposed bridge reconstruction project as it will have a significant impact on our property and the existing tenants, Glacier Cold Storage and Cal Hono Freight Forwarders. Specifically:

- The existing bridge is directly behind the property and in one area is directly over the building. What efforts and processes will be used to protect our building during demolition and construction?

- A large area adjacent to and under the bridge is used by our tenants for storage/parking and truck access to the property. How much of our property will be impacted due to demolition and construction?

- What will be the specific time frames that our property and adjacent areas will be impacted for demolition and construction?

- What roadway detours will be enacted? What will be the impact of detours from closures to Jesse Street, Rio, and 7th Street? What will be the impact of closures to S. Mission Road? How will we and our tenants be notified? How much advance warning will we receive?
Mr. Wally Stokes

Page 2

- What compensation will be offered for the use of any areas of our property during demolition and construction?

- What compensation will be provided for the loss of storage/parking below the bridge? Also, our tenant will need to add fencing/gates to existing parking area to accommodate large truck access. How will they be compensated?

- Will the “Laydown Areas” be available to surrounding businesses for parking if needed?

Respectfully,

Robert Neal
Managing Partner

Cc: Karen Priesman
    Diana Olson

JSL\6th Street Bridge Project\Letter Stokes Comments 6th St. Bridge 8.17.2009.doc
Response to Comment Letter No. 19 – Hager Pacific Properties

1. In support of Bridge Concept 4, Alignment 3B. Comment is noted.

2. Concerns on impacts from construction activities to Glacier Cold Storage and Cal Hono Freight Forwarders. Comment is acknowledged. Responses to concerns raised are provided below.

3. Measures to minimize impacts during demolition and construction. Special provisions to protect properties located adjacent to the bridge will be included in the project specifications. Prior to demolition, the contractor will be required to submit the means and methods for demolition for City review and approval. During the demolition period, construction inspectors will ensure that the contractors adhere to the approved plan.
4. **Impacts on the use of area under the bridge.** In discussions between City staff and the property representatives, the owners/tenants stated that they have an existing revocable permit to use the property under the bridge for parking of vehicles. When the City Real Estate Group met with the owners in July 2009, it was made clear that no portion of the property under the bridge would be available for use during demolition of the existing bridge or during construction of the new bridge. The tenant indicated that plans are in the works to relocate from under the bridge to an alternate location. Once the project is completed, the City will evaluate the use of the space under the bridge on a case-by-case basis.

5. **Specific time for demolition and construction.** As described in the EIR/EIS, demolition and construction of Alternative 2 would take approximately 2.5 years and Alternative 3 would require approximately 4 years. The actual construction schedule cannot be accurately predicted until the final design phase is completed.

6. **Request information on detour routes.** Specific traffic detour routes will be developed as part of the Traffic Management Plan (TMP) during the detailed engineering design phase. The TMP will identify specific street closures and alternative access. Input from impacted property owners will be solicited. Please see Figures 3.7-5 and 3.7-6 for the proposed detour routes that were analyzed in the EIR/EIS, and related traffic mitigation measures under EIR/EIS Section 4.9.2.

7. **Asked about the amount of compensation to be received from the City.** Compensation for the use of the property will be based on the appraised value of the land and the length of time that the property will be used by the City. The impacted property owners/businesses will receive fair market value for any project-required taking regardless of whether they are eligible for relocation benefits. Relocation assistance payments and counseling will be provided to eligible persons and businesses in accordance with the Uniform Relocation Act.

8. **Asked about compensation for the loss of storage and parking below the bridge.** There is no compensation for loss of parking under the bridge; the City will revoke the revocable permit per agreement as stated in the permit. As to the question of fencing, this will be considered on a case-by-case basis and, depending on what fencing will have to be removed for the bridge replacement, compensation will be made accordingly.

9. ** Asked if the City would provide space for parking if needed.** It is unlikely that the contractor’s laydown areas would be available for temporary parking for businesses during project construction.
August 17, 2009

Gary Lee Moore
Los Angeles City Engineer
Bureau of Engineering
221 N. Figueroa St. Suite 350
Los Angeles, CA 90012

Dear Mr. Moore:

This letter is written on behalf of the Board of Directors of the Friends of the Los Angeles River, in response to the Request for Comments on the Sixth Street Viaduct Seismic Improvement Project Draft EIR/EIS dated May 2009.

The Friends of the Los Angeles River (FoLAR) supports the vision of a swimmable, fishable, boatable Los Angeles River. We believe that all projects along the Los Angeles River should aid in the process of River restoration, increase open space and improve River access, support community-oriented River use, and promote environmental responsibility.

The Sixth Street Viaduct Seismic Improvement Project offers a critical opportunity to advance all of these goals.

The existing Sixth Street Bridge/Viaduct is one in the unique and iconic set of twelve historic bridges that spans the Los Angeles River downtown. It is a landmark for the Boyle Heights community, for the city as a whole, and for the River itself.

It is unfortunate that the severe deterioration of the bridge through the process of Alkaline Silica Reaction (ASR) requires major intervention in order to maintain the bridge’s structural safety and viability. However, we view the “Retrofit Alternative” as put forth in the EIR/EIS as unsupportable. This solution is both a costly and relatively short-term fix, and as proposed would severely compromise the historic character and visual appeal of the bridge.

Although we regret the loss of this beloved structure, we feel the correct option is to replace the Sixth Street Bridge/Viaduct with a new structure also of great aesthetic value and symbolic potential.

The specific “style” of the replacement structure is less important than assuring that the design be appropriate, unique and iconic. Throughout history, bridges such as the Ponte Vecchio, London Bridge and the Brooklyn Bridge have become potent symbols of their metropolises.

570 W. Avenue 26, #250, Los Angeles, CA 90065
323 223-0555 phone 323 223-0595 fax
www.folar.org, mail@folar.org
In the past decade, a new era of artistry and technical sophistication has yielded a new generation of landmark bridges – Bunker Hill Bridge in Boston, the Erasmus Bridge in Rotterdam, and the recent Sundial Bridge in Redding, California, to name only a few. The Sixth Street Viaduct project should seize the opportunity to create just such a structure for Los Angeles.

Unfortunately, none of the design options for replacement structures offered in the Draft EIR/EIS meet the standards of a unique, world-class design. It is our recommendation that the further design of the replacement structure be envisioned by an internationally-recognized design team, selected through a limited competition process, with strong local and national representation. This process will assure the highest level of design quality while also guaranteeing that the final result is appropriate to its setting.

As it moves forward, the design process should be responsive to the concerns of all the project’s stakeholders, including the Boyle Heights community, the Arts District, the downtown development community, and River advocates.

The project also needs to support and advance the goals of the Los Angeles River Revitalization Master Plan (LARRMP). As a part of the “Downtown Industrial Opportunity Area” envisioned by the LARRMP, the Sixth Street Bridge/Viaduct project should address the broader goals of river revitalization put forth by the master plan.

In support of these goals:

The project should incorporate generous, high-quality dedicated bicycle and pedestrian circulation and should create present and future access points to open space along the River for these users. Use of the bridge by bicyclists and pedestrians should be encouraged through quality of the design experience.

Through its design, the project should enhance the quality of future open space to be created along the River at the base of the bridge, and provide open space along the viaduct support structure to connect the River back into the surrounding neighborhoods on both the east and west sides.

The design should anticipate the eventual elimination or covering of rail lines on both sides of the River in order to increase open space and River access.

The design should incorporate dramatic lighting along its entire length as a way to enhance its value as a landmark to both the neighborhood and the whole of downtown.

The project must be designed to enhance the value of its surrounding neighborhoods for industrial, commercial and residential development. The project can support the goal of industrial development as outlined in the LARRMP but should further catalyze neighborhood improvement to help create a vibrant mixed-use community, one that takes full advantage of its location adjacent to the exceptional resource of the Los Angeles River.
The project, particularly during the extended period of construction, should help promote ecological restoration of habitat along the River, and help protect or enhance water quality in the River.

Finally, the project should serve as a model of enlightened development along the River, and provide inspiration and guidelines for the further enhancement of the River through downtown.

We appreciate the opportunity to provide our perspective on a project that is crucial to the revitalization of the Los Angeles River, and look forward to future involvement in seeing this exciting project realized.

Sincerely,

*(Original with signature to be mailed)*

Alex Ward, AIA, Board Treasurer
Friends of the Los Angeles River

Enclosures: Bridge Photos

Cc: Mayor Antonio Villaraigosa
    Council President Eric Garcetti
    Councilmember Ed Reyes
    Councilmember Tom LaBonge
    Councilmember Jan Perry
    Councilmember Jose Huizar
Bunker Hill Bridge, Boston
Erasmus Bridge, Rotterdam
Sundial Bridge, Redding
Response to Comment Letter No. 20 – Friends of the Los Angeles River

1. **Support projects that provide more open space and improve river access.** Comment is acknowledged.

2. **Recognized that Retrofit Alternative is unsupportable.** Alternative 3, viaduct replacement, has been recommended as the preferred alternative, rather than the retrofit alternative, for the proposed 6th Street Viaduct Seismic Improvement Project (see FEIR/EIS Section 2.4).

3. **Supportive of replacement with a new structure with great aesthetic value and symbolic potential.** As noted in the response to comment 2 above, replacement of the viaduct with a new structure is the preferred alternative. Furthermore, the preferred bridge replacement concept is an iconic extradosed (cable supported) bridge (principle of Bridge Concept 4). This will be a state-of-the-art design for the City of Los Angeles from the stand point of the architectural/structural design. It will be the one of the first extradosed cable stayed bridges constructed in the United States.

4. **The style should be appropriate, unique, and iconic.** See response to comment 3 above.

5. **The proposed bridge concepts presented in the DEIR/EIS do not meet the standard of unique, world-class design. The upcoming design process should be responsive to all project stakeholders.** With the physical constraints on the site, certain bridge types are not appropriate to the setting or feasible to construct, such as a cable-stayed bridge, whereas the three dual-tower extradosed design successfully accommodates these constraints. All of the bridge concepts evaluated were conceived to fit with the family of bridges along the river. The architectural vocabulary of the new bridge could have similar solids and voids to respect the existing bridge massing. If the extradosed is selected, it will be the first of its design in the United States, and it will become a 21st century icon for the City of Los Angeles.

   The architectural vocabulary of the replacement bridges received the support of the surrounding community through many public meetings. The design process has included numerous project stakeholders, including the Boyle Heights community.

6. **The project should support and advance the goals of the Los Angeles River Revitalization Master Plan (LARRMP).** The replacement viaduct will provide roadway shoulders for a high-quality bicycle route and up to 10-foot-wide sidewalks for pedestrians. The segment of the river impacted by the proposed project is concrete lined and flanked by heavy industrial uses devoid of habitat. While the City supports the goal of improving habitat at appropriate locations along the river, use of funds dedicated for the proposed bridge seismic improvement project would be inappropriate because it is not the proposed project’s purpose, nor would the project adversely impact habitat.
Kochaon, Anne

From: Wally Stokes [Wally.Stokes@lacity.org]
Sent: Wednesday, August 19, 2009 5:57 PM
To: carlos_montez@dot.ca.gov; david_lewis@dot.ca.gov; Jim Wu; Linda Moore; Kochaon, Anne; Bingham, Jeffery
Subject: FW: Comments on 6th Street bridge DEIR

Comments of Portia Lee

From: "portia" [mailto:calarchv@sbcglobal.net]
Sent: Wednesday, August 19, 2009 5:38 PM
To: <wally.stokes@lacity.org>
Subject: Comments on 6th Street bridge DEIR

My comments on the Draft DEIR follow. I know it represents much thought and planning by you, your staff and the consultant.

Comments by Portia Lee/California Archives

The Draft EIR expresses the threefold purpose of the undertaking as 1) the preservation of 6th Street as a viable east-west link between Boyle Heights and Downtown Los Angeles, 2) the reduction of the vulnerability of the 6th Street Viaduct in major earthquake events and 3) the resolution of the design deficiencies of the 6th Street Viaduct. The DEIR discusses purposes 1 and 2 effectively. However, the third purpose is somewhat misleading. The bridge has no design deficiencies; it has condition deficiencies brought about by the alkali-silica reaction.

The original bridge design is an example of the work of a legendary group of engineers led by Merrill Butler who headed the Bureau of Engineering during the period of construction of the nine historic bridges over the Los Angeles River. Intended to connect Los Angeles with Boyle Heights, the piers were constructed at angles, utilizing a triangular scheme to allow the bridge to curve toward the community. Each column has a different irregular construction, their geometrical design complements the Streamline Moderne decorative elements. The asymmetrical steel-through arches, a most unusual structural scheme, are living documents in the history of bridge engineering.

None of the Bridge concepts discussed in the DEIR effectively addresses the problem of the loss of historic integrity that each proposes. Replication, in fact, effects the destruction of the aspects of integrity required for the bridge to keep its National Register designation. Concept 1A, replication of the bridge abutment-to-abutment is only mentioned in the draft document as a possibility.

The bridge is singularly important in the developmental and architectural history of the City of Los Angeles and references the principles of the City Beautiful movement as an important national concept in city planning. It also demonstrates an unusual use of an important concept in bridge engineering theory. Instead of replication, a restoration of the bridge similar to that of the Colorado Street Bridge and the North Broadway Bridge should be extensively considered, with the intention of addressing the question of the alkali-silica problem either by treatment or using new concrete.

With respect to the cable stay bridge proposed as a replacement, it is an interesting and attractive proposal in itself. However, it should only be considered for the section of the Bridge which is owned by the State of California and never as a substitute for the City of Los Angeles’ historic Sixth Street Bridge.

Thank you for your consideration.
Portia Lee  
California Archives  
6047 Metropolitan Plaza  
Los Angeles, California 90036
Appendix M  Written Comments and Responses on DEIR/EIS

Response to Comment Letter No. 21 – California Archives

1. **Disagree that the bridge has design deficiencies.** The bridge has structural design deficiencies as a result of the structural reinforcing steel detailing, lack of reinforcing steel, lack of piles, buckling of steel members, capacity of shear keys, column capacities, and barrier rails not being crash-worthy (see the Bridge Inspection Records Information, Structural Inventory and Appraisal Report, Bridge No. 53C-1880, Caltrans, Structure Maintenance and Investigation, August 2006, for a complete list of structural deficiencies). The alkali silica reaction (ASR) deterioration of the concrete is a material deficiency. The bridge also has design deficiencies, such as lack of roadway shoulders and inadequate stopping sight-distance along the curved length of the roadway.

2. **None of the bridge concepts described in the Draft EIR effectively addresses the problem of loss of historic integrity that each proposes.** As discussed in the EIR/EIS (Section 3.9.3.2, Alternative 3-Replacement), all of the replacement alternatives, including replication, would demolish the 6th Street Viaduct to build a new structure. The existing viaduct would be replaced with one of six bridge concept designs on one of three alternative alignments under consideration. Implementation of Alternative 3 would result in the physical destruction of the historic property, and it would result in a finding of adverse effect pursuant to 36 Code of Federal Regulations (CFR) Part 800 and would presumably result in loss of National Register eligibility. Concept 1A, replication of the bridge abutment-to-abutment, was considered in response to public input. However, it would not constitute an historic reconstruction consistent with the Secretary of Interior’s standards given that modern materials and seismic design would be employed, and the new viaduct would have a greater roadway width (70-foot [ft] curb-to-curb width versus existing 46-ft width) to meet federal funding criteria.

Any restoration of the existing bridge would have significant impacts to the historic features of the viaduct. The partial preservation (retrofit) alternatives considered in the EIR/EIS would provide an additional design life of only 30 years, which is unacceptable from a life-cycle cost standpoint. The viaduct suffers from a condition known as ASR (see EIR/EIS Section 1.5.2), which is essentially a concrete “cancer” that over time weakens the concrete’s strength and limits the ability to retrofit (preserve) the bridge to current seismic safety standards. There are no known methods to reverse or stop the ASR deterioration of the concrete. Laboratory testing indicates that deterioration due to ASR will continue, furthering the structure’s vulnerability to collapse in a seismic event.

3. **Not in support of a cable stay bridge.** Comment is acknowledged.
August 24, 2009

Carlos Montez
California Department of Transportation
District 7
100 S. Main Street
Los Angeles, CA 90012

Subject: Draft Environmental Impact Statement for the 6th Street Viaduct Seismic Improvement Project (CEQ# 20090226)

Dear Mr. Montez,

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the 6th Street Viaduct Seismic Improvement Project (Project). Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA commends the California Department of Transportation (Caltrans) for their efforts to address seismic and safety concerns that prompted the proposal for the Project. EPA also understands that both Alternative 2 (Retrofit) and Alternative 3 (Replacement) could provide a net long-term benefit to the greater Los Angeles region.

EPA has identified areas where additional information or further analysis is needed. EPA’s enclosed detailed comments include a request for broadening the scope of the alternatives analysis, as well as a request for the inclusion of a more rigorous cumulative impacts analysis. Through the enclosed detailed comments, EPA also highlights specific concerns and recommendations regarding: 1) historic and cultural resources, 2) environmental justice, 3) aquatic resources, 4) air quality/construction mitigation, and 5) bike/pedestrian facilities. For these reasons, we have rated the DEIS as Environmental Concerns-Insufficient Information (EC-2). Please see the enclosed “Summary of EPA Rating Definitions”.

We appreciate the opportunity to review this DEIS. When the Final EIS is released for public review, please send one (1) hard copy and one (1) CD-ROM to the
address above (mail code: CED-2). If you have any questions, please feel free to contact Connell Dunning, Transportation Team Leader, at (415) 947-4161, or Jarrett Stoltzfus, the lead reviewer for this Project, at (415) 972-3810.

Sincerely,

Connell Dunning

Kathleen M. Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosures:
Detailed Comments
Summary of Rating Definitions

CC: Wally Stokes, City of Los Angeles
Mark Cohen, US Army Corps of Engineers
Susan Nakamura, South Coast Air Quality Management District
Alternatives Analysis

Section 1502.1 of the National Environmental Policy Act (NEPA) states that agencies should “present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public.” While EPA appreciates efforts throughout the Draft Environmental Impact Statement (DEIS) to highlight the benefits of Alternative 3 (Replacement), a more rigorous comparison of the merits of each alternative, including the multiple bridge design concepts considered under Alternative 3, better achieves the purposes of NEPA.

Currently, the Staff Analysis Summary section (pg. 2-55), based on input from a workshop on October 8th, 2008, appears to preference Alternative 3 (Replacement) over Alternative 2 (Retrofit) but does not provide the comparative rationale to fully justify the selection of Alternative 3. Section 2.3.4.1, which describes Alternative 2 - Retrofit, only contains reasons why Alternative 2 is not the recommended alternative, such as high life-cycle cost and geometric deficiencies in that particular Alternative. Section 2.3.4.1 does not provide sufficient information to conclude whether there are reasons why Alternative 2 may be preferable to Alternative 3. For instance, the selection of Alternative 2 could result in fewer impacts to air quality and less disruption to local communities as the result of less necessary construction.

Likewise, Section 2.4.3.2, which describes Alternative 3 – Replacement, does not contain reasons why Alternative 3 may not be preferable. Section 2.4.3.2 only contains a ranking system for consideration of the various alignments discussed in Alternative 3, and not advantages or disadvantages to the selection of Alternative 3 itself. The Alternatives Analysis section should reflect a balanced consideration of the advantages and disadvantages of all Alternatives considered, including the No-Build Alternative.

Further, Section 2.4.3.3, which describes Alternative 3 – Replacement: Bridge Concepts states that “the bridge type does not affect the results of the environmental impact analysis, all five bridge types are documented in this Draft EIR/EIS as viable options for the Replacement Alternative,” (pg. 2-56) However, Bridge Concept 1, Concept 4 and Concept 5 appear to build directly in the Los Angeles River, as they include the construction of a new central support pylon, directly impacting the riverbed during and after construction. The remaining concepts (Concept 2 and Concept 3) do not have a central support pylon constructed in the riverbed and the bridge, in those cases, span the river without the same potential for water quality impacts. The Alternative Analysis should clearly define, in comparative form, the environmental impacts across all Bridge Concepts to help inform decision makers and the public.
Finally, the DEIS should fully justify the elimination of any alternatives that would result in fewer environmental impacts than the locally preferred alternative(s). The DEIS must also evaluate the No-Build Alternative as a benchmark against which to compare both the performance and environmental consequences of the other Project alternatives.

Recommendations:
- In the FEIS, expand Section 2.4.3 (Staff Analysis Summary) to reflect a balanced consideration of the advantages and disadvantages of both Alternative 2 and Alternative 3. For example, include a table indicating side-by-side the advantages and disadvantages of each alternative analyzed. This comparison could include life-cycle cost, impact to viaduct footprint, or traffic impacts.
- Assess the environmental impacts of each of the proposed Bridge Concepts and incorporate the results into the analysis of Alternatives Analysis.
- Fully justify the elimination of any alternatives that would result in fewer environmental impacts than the locally preferred alternative(s).

Cumulative Impacts

The cumulative impact analysis provided in the DEIS does not fully assess and quantify cumulative impacts associated with the Project, and does not link the Project’s effects to the health of the affected resources. Cumulative impacts are defined in the Council on Environmental Quality’s NEPA regulations as “the impact on the environment that results from the incremental impact of the action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such actions” (40 CFR 1508.7). These actions include both transportation and non-transportation activities. The cumulative impact analysis should consider transportation and non-transportation projects such as large-scale industrial or commercial developments and approved urban and transportation planning projects that are reasonably foreseeable and identified within city and county planning documents.

EPA is aware of a number of potential forthcoming projects in the general area over the next few years (e.g. expansion of the I-710 corridor), which, if implemented, could lead to substantial cumulative impacts to air quality, historical resources, etc. in an already highly impacted area.

The recently adopted Los Angeles River Revitalization Plan (pg. 1-8) designated the area covering the 6th Street Viaduct and its surrounding area as the “Downtown Industrial Opportunity area”, and makes note of a number of forthcoming projects. The project of the plan was to guide the revitalization of the Los Angeles River, which can include changes in land use and development. Likewise, the Central Industrial Redevelopment Project Area Plan (pg. 3-12), which is to the west of the proposed Project, and the Adelante Eastside Redevelopment Project Area (pg. 3-13), which is to
the east of the proposed Project, also are areas where development is proposed and/or planned.

However, the DEIS does not account for the cumulative impact of simultaneous development projects overlapping with the proposed Project. Likewise, the DEIS does not mention the impact of other public or private construction projects in the greater downtown/Boyle Heights area during the 6th Street Viaduct construction period, which combined, could lead to even greater issues with traffic circulation and community and environmental impacts.

The high volume of proposed projects combined with a highly urbanized setting, with low-income and minority communities in an already highly impacted area, demands a thorough cumulative impacts assessment with appropriate mitigation. Specifically, all feasible mitigation should be proposed and committed to along with timeframes for implementation.

While the DEIS acknowledges that the proposed Project does not include capacity addition or changes in traffic patterns (pg. 3-201), it does not include a full, comprehensive report on cumulative effects generated during the construction period. The Traffic Study referenced accounts for general traffic growth and foreseeable projects in the vicinity of the Project after project completion (pg. 3-105), but does not include foreseeable projects and resulting cumulative impacts during the extensive construction period.

Given the extensive cumulative impacts to air and water quality from past major infrastructure projects in the vicinity of the proposed Project, EPA recommends a more comprehensive analysis of cumulative impacts to resources of concern. The Final EIS (FEIS) should include a more robust cumulative impact assessment that effectively discloses: 1) a defined study area for each resource; 2) the health or status of the resource and the historical extent of losses and/or impacts to the resource; 3) the trends associated with those losses and/or impacts; 4) how reasonably foreseeable actions may impact those resources; 5) the Project’s contributions to these cumulative effects; and 6) a mitigation strategy and timeframe of implementation to reduce impacts.

**Recommendations:**

- Include a more robust cumulative impact analysis that includes impacts to resources as well as transportation circulation in the FEIS. EPA recommends Caltrans follow the June 2005 *Guidance for Preparers of Cumulative Impact Analysis* prepared jointly by Caltrans, Federal Highway Administration, and the EPA for this additional analysis. The guidance is a useful reference and is available on-line at [http://www.dot.ca.gov/sers/cumulative_guidance/](http://www.dot.ca.gov/sers/cumulative_guidance/)
- Include information on cumulative traffic impacts generated during the construction period, both by the 6th Street Viaduct project and other area projects that could affect circulation in the general area as well.
Include a mitigation strategy to reduce impacts from the proposed project and include timeframes for implementation of all proposed mitigation.

**Cultural and Historical Resources**

Both Alternatives 2 and 3 would have a permanent, adverse impact on the aspects that characterize the 6th Street Viaduct as a historic resource (pg. 4-8). The DEIS indicates that Alternative 2 would result in the alteration of the Viaduct in a manner not consistent with the Secretary's Standards for the Treatment of Historic Properties, as the bridge is so structurally deficient that it cannot be rehabilitated to meet minimum seismic requirements without adversely affecting the Viaduct's historic integrity (pg. B-28). Alternative 3 involves the complete removal and replacement of the Viaduct (pg. B-29), and as such, would result in a permanent, irreversible effect on the historic integrity of the bridge.

The DEIS indicates that a Memorandum of Agreement (MOA) will be developed as part of the Section 106 consultation process with the State Historic Preservation Officer (SHPO). EPA recommends that Caltrans and the City of Los Angeles include in the FEIS results of formal consultation with SHPO and any additional comments from agencies with such expertise. Further, Caltrans and the City should ensure that appropriate steps are taken (pgs. 3-148 and 3-149) to preserve as much of the existing viaduct as possible through various means (such as through print or film) before actual alteration or demolition, as well as continue to pursue appropriate mitigation measures with the SHPO as referenced on page 3-148.

**Recommendations:**

- If Alternative 2 is chosen, EPA urges that as many historically relevant features from the original bridge should be retained as possible without compromising the structural retrofit of the bridge itself.
- If Alternative 3 is chosen, it will not be possible to preserve any aspects of the original bridge. However, as the actual design of the bridge (Bridge Concept) is yet to be selected by the Los Angeles City Council, and the choice of final Bridge Concept is independent of potential alignments, EPA urges the selection of a Bridge Concept that embraces many of the same qualities that raised the original value of the 6th Street Viaduct as a historical and cultural resource for the City of Los Angeles.
- Mitigation measures, as well as the complete Section 106 MOA, should be included in the FEIS.

**Environmental Justice**

According to Executive Order 12898, "To the greatest extent practicable and permitted by law, ... each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on
minority populations and low-income populations. Consistent with this Executive Order, an EIS should fully analyze the environmental effects of the proposed Federal action on low-income or minority populations, and present opportunities for affected communities to provide input into the NEPA process. Guidance issued by the Council on Environmental Quality (CEQ) states that mitigation in impact statements “should reflect the needs and preferences of affected low-income populations (and) minority populations to the extent practicable” (Environmental Justice Under the National Environmental Policy Act, CEQ 1997).

The DEIS is thorough in the scope of its treatment of community and environmental justice impacts, as well as community outreach to minimize these impacts, but the scope of the analysis should be broadened with respect to anticipated benefits. Specifically, EPA recommends additional analysis of impacts on commuters, the local workforce and transit.

Local/Commuter Benefits and Impacts

EPA has concerns that the Project disproportionately impacts the local population, which is low-income and minority, when compared to the substantial benefits received from commuters outside of the area, which may not have a similar demographic distribution.

Recommendation:
- Quantify, to the extent possible, the demographics of commuters moving through the project area and include this information in the environmental justice evaluation in the FEIS. The traffic analysis in Section 3.7 noted a strong tendency for directional traffic during peak commute periods, with the dominant flow westbound in the morning and eastbound in the afternoon. The analysis, such as Tables 3.7-1 and 3.7-2, also provided data on where traffic in the corridor originates and departs. This suggests that the facility serves both a local and regional need, and will continue to do so in the future (Figure 3.7-3).

Workforce Issues

While Alternative 3 does not include residential relocation, it does include impacts to area businesses. The DEIS notes that while no local business owners are identified as minority (pg. 3-39), the relocation of existing businesses could cause low-income and likely predominately minority workers to lose their jobs (pg. 3-59). The DEIS goes on to note that the affected business owners would be offered relocation benefits to the extent allowed by law in accordance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The DEIS then notes that “loss of employment would be partially offset by unemployment insurance”, but then recognizes that workers would have difficulty finding new jobs due to the economic downturn (pg. 3-59).
Appendix M  Written Comments and Responses on DEIR/EIS

Recommendation:
- The FEIS should include a survey of the racial/ethnic and income characteristics of the workforce of businesses that would be relocated under the proposed action (Alternative 3), as well as relief measures that can be taken to preserve or generate new employment for local workers displaced by the Project.

Transit

The Los Angeles Metropolitan Transportation Authority (LACMTA) operates two bus lines on the 6th Street Viaduct: Route 18 and MetroRapid Route 720. As Route 720 serves one of the heaviest ridden corridors in the LACMTA system, and LACMTA ridership in general consists of many captive riders and those with low incomes, the projected closure of the 6th Street Viaduct for several years under Alternative 3 - Replacement will result in potentially significant delays for a significant number of bus riders that utilize that particular line. (pg. 3-104)

Recommendations:
- The FEIS should include information from the Traffic Management Plan (pg. 4-27) regarding transit impacts, and should quantify the disproportionate impact to low income, minority transit riders as a result of the closing of the viaduct.
- Include descriptions of proposed alternative transit routes and measures to be taken to limit disruptions to current service.

Aquatic Resources

Jurisdictional Waters

The Project may involve the discharge of dredged or fill material into jurisdictional wetlands and waterways. Discharges of dredged or fill material into waters of the U.S. require authorization by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA). The Federal Guidelines at 40 CFR Part 230 promulgated under CWA Section 404 (b)(1) provide substantive environmental criteria that must be met to permit such discharges into waters of the United States. These criteria require a permitted discharge to: (1) be the least environmentally damaging practicable alternative (LEDPA); (2) avoid causing or contributing to a violation of a State water quality standard; (3) avoid jeopardizing a federally listed species or adversely modifying designated critical habitat for a federally listed species; (4) avoid causing or contributing to significant degradation of the waters of the United States; and (5) mitigate for unavoidable impacts to waters. A fully integrated DEIS that adequately addresses these criteria would facilitate the CWA Section 404 permit review process. EPA recommends integrating NEPA and CWA Section 404 requirements in the development of the DEIS.
A jurisdictional determination by USACE is needed prior to publication of the FEIS in order to provide a determination of potential significant impacts and identify mitigation and avoidance measures in the design of the Project. While Section 3.11 Water Quality and Stormwater Runoff discusses water quality, the DEIS does not address the status of consultation with USACE. The DEIS also does not disclose proposed permanent fill to waters of the United States from a numerical perspective nor does it sufficiently describe the activities proposed relevant to these waters and what functions would be affected with each alternative.

**Recommendations:**
- The FEIS should confirm whether a jurisdictional determination by USACE is needed prior to publication of the FEIS in order to provide a determination of potential significant impacts and identify mitigation and avoidance measures in the design of the Project.
- The FEIS should include an evaluation of the project alternatives in order to demonstrate the project’s compliance with the 404(b)(1) Guidelines and authorization of the Least Environmentally Damaging Practicable Alternative (LEDPA). The alternatives analysis should include a reasonable range of alternatives that meet the Project purpose while avoiding and minimizing damage to waters. If, under the proposed project, dredged or fill material would be discharged into waters of the U.S., the FEIS should discuss alternatives to avoid those discharges.
- The FEIS should disclose for each Alternative:
  - the acreage of waters impacted,
  - the effect to aquatic resource function from the proposed activity. This should be summarized both in the text and in a table format for reader clarity.

Avoidance and mitigation of aquatic resources is integral to the future 404 Clean Water Act permit process, yet is not discussed in the DEIS. The DEIS is an appropriate vehicle for the Project proponent to demonstrate compliance with future permit requirements, and EPA advocates that the avoidance and minimization be addressed to the extent practicable in the FEIS.

**Recommendations:**
- Include information provided in the FEIS so that estimated impacts are provided in acreage estimates. The FEIS should include estimates of acreages of direct and indirect impacts to waters.
- Differentiate between permanent and temporary impacts to aquatic resources.
- The FEIS should include a summary of avoidance and minimization measures for impacts to waters of the United States. This should include a summary of which Bridge Concepts will avoid impacts to aquatic resources. This will be particularly important for proposed impacts to soft bottomed waterways (i.e. turning soft bottom into concrete).
If a discharge is permitted, the FEIS should discuss how potential impacts would be minimized and mitigated. This discussion should include: (a) acreage and habitat type of waters of the U.S. that would be created, restored, or preserved; (b) water sources to maintain the mitigation area; (c) a revegetation plan utilizing native plants; (d) maintenance and monitoring plans, including performance standards to determine mitigation success; (e) an Adaptive Management Plan; (f) the parties that would be ultimately responsible for the plan’s success; and (g) contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation.

On March 31, 2008, EPA and the Corps issued new regulations ("Mitigation Rule") governing compensatory mitigation to promote no net loss of aquatic resources by improving restoration and protection policies, increasing the effective use of mitigation banks, and strengthening the requirements for the use of in-lieu fee mitigation. These new compensatory mitigation standards emphasize best available science, promote innovation, and focus on results. This rule follows the recommendations of the National Research Council by establishing equivalent, effective standards for all forms of wetland replacement projects under the Clean Water Act. We emphasize that mitigation for impacts to waters of the United States proposed in the FEIS must be consistent with the new rule.

Recommendation:
- The FEIS should reflect the new mitigation rule and how the requirements of the new rule will be met by the proposed Project.

**Stormwater Pollution Prevention**

The proposed action occurs over an impaired section of the Los Angeles River for nitrate, pH and scum.(pg. 3-162). As such, the DEIS mentions that a Stormwater Pollution Prevention Plan (SWPPP) will be prepared and implemented, as a significant amount of construction will occur directly over the Los Angeles waterway. The SWPPP will include a number of Best Management Practices (BMPs) for implementation (at pgs. 3-164 and 3-165), and the DEIS indicates that no additional mitigation will be required.

**Recommendations:**
- In the FEIS, include specific short and long-term commitments outlined and identified in the SWPPP.
- Provide clarification as to the exact structural and non-structural BMPs to be implemented, as well as any remaining impacts to water quality despite mitigation measures.
• Include information in the FEIS on the long-term maintenance plans for permanent structural BMPs in order to ensure long-term utility of the devices on the 6th Street Viaduct.

Air Quality/Construction Mitigation

The South Coast Air Basin (SCAB) is currently classified as a non-attainment area for ozone (O₃) and fine particulates PM₁₀ and PM₂.₅ (pg. 3-200). The SCAB has the worst 8-hour ozone, PM₁₀ and PM₂.₅ problems in the nation, and attainment of these NAAQS will require massive reductions from mobile sources, given the rapid growth in this emissions category and the long lifespan of diesel engines. Because of the air basin’s non-attainment status, it is important to reduce emissions of ozone precursors, mobile source air toxics (MSAT) and particulate matter from this project to the maximum extent.

The DEIS indicates that the implementation of either Alternative 2 (Retrofit) or Alternative 3 (Replacement) does not project any additional air quality impacts after construction, as vehicle throughput remains the same. The DEIS states that “the project is not a new facility, and does not include the addition of traffic lanes; therefore, no capacity enhancement or change in traffic pattern is anticipated”. (pg. 3-201)

While no additional capacity or traffic pattern changes are planned as a result of the Project, EPA has concerns pertaining to the direct and indirect air quality impacts as a result of the construction required for the Project.

Construction Emissions

The DEIS states that estimates of localized direct and indirect emissions do not exceed air quality standards at sensitive receptors (pg. 3-216). We commend the construction mitigation measures detailed on Table 4-6 on page 4-29, based on the lead agency’s estimate that peak daily construction emissions with mitigation would exceed the South Coast Air Quality Management District (SCAQMD) daily significance threshold for NOₓ. In addition to this issue, and due to the extremely poor quality in the immediate vicinity of the Project, EPA recommends that Caltrans commit to all applicable state and local requirements and the measures listed below in the FEIS and ROD in order to reduce impacts associated with emissions of PM and other toxics from construction-related activities.

Recommendations:

Fugitive Dust Source Controls:
• Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to
both inactive and active sites, during workdays, weekends, holidays, and windy conditions.

- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.

- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

**Mobile and Stationary Source Controls:**

- Reduce use, trips, and unnecessary idling from heavy equipment.

- Maintain and tune engines per manufacturer’s specifications to perform at EPA certification, where applicable, levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: [http://www.arb.ca.gov/msprog/truck-idline/truck-idling.htm](http://www.arb.ca.gov/msprog/truck-idline/truck-idling.htm)

- Prohibit any tampering with engines and require continuing adherence to manufacturer’s recommendations.

- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. Because of Project impacts to currently impaired air quality in the Project area and South Coast Air Basin (SCAB), Caltrans should commit to using Tier 4 standards when they become available, and ensuring the use of best available emission control technology for construction equipment that is used prior to Tier 4 standard availability. Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of particulate matter and other pollutants at the construction site.

**Administrative controls:**

- Identify all commitments to reduce construction emissions and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.

- Identify where implementation of mitigation measures is rejected based on economic infeasibility.

- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet EPA diesel fuel requirements for off-road and on-highway, and where appropriate use alternative fuels such as natural gas and electric.
• Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
• Identify sensitive receptors in the project area, such as children, elderly, and infirm, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

Mobile Source Air Toxics (MSATs)

EPA recommends an analysis of MSATs should be undertaken for the Project and disagrees with the conclusion in the statement that “FHWA has determined that this project will generate minimal air quality impacts for CAA critical pollutants and has not been linked with any special MSAT concerns. Consequently, this effort is exempt from analysis for MSATs” (pg. 3-218). For Alternative 3 (Replacement), adverse impacts due to MSATs may occur to the surrounding community due to the traffic generated by a several-year detour in addition to multiple years of construction equipment emissions.

A large number of recent studies have examined the association between living near major roads and various adverse health endpoints. Several well-conducted epidemiologic studies have shown associations with cardiovascular effects, premature adult mortality, and adverse birth outcomes, including low birth weight and size. Traffic-related pollutants have been repeatedly associated with increased prevalence of asthma-related respiratory symptoms in children. Also, based on toxicological and occupational epidemiologic literature, several of the MSATs, including benzene, 1,3-butadiene, and diesel exhaust, are classified as known and likely human carcinogens. Thus, cancer risk, including childhood leukemia, is a potential concern in near roadway environments.

For additional information on MSATs, please see EPA’s MSAT website http://www.epa.gov/otaq/toxics.htm. MSAT analysis is further described in the March 2007 report entitled “Analyzing, Documenting, and Communicating the Impacts of Mobile Source Air Toxic Emissions in the NEPA Process” conducted for the American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on the Environment and funded by the Transportation Research Board (http://www.trb.org/NotesDocs/25-25(18)_FR.pdf). Procedures for toxicity-weighting, which EPA has found to be especially useful for the targeting of mitigation, are described in EPA’s Air Toxics Risk Assessment Reference Library (Volume 3, Appendix B, beginning on page B-4, http://epa.gov/tnn/fera/data/risk/vol_3/Appendix_B_April_2006.pdf).

These recommendations, and the recommendations included in the report for AASHTO referenced above, differ substantially from the FHWA interim guidance (February 2006) on MSAT analysis for transportation projects under NEPA. While there are positive elements to this guidance, especially the willingness to acknowledge potential MSAT concerns, EPA continues to disagree with major elements of this approach nationally.
Recommendations:

- In the FEIS, identify homes and sensitive receptors located within at least 200 meters from possible alternatives where there would be increases in truck and construction traffic/idling, increased roadway and rail traffic, construction activities, and staging area activity, and compare these numbers between alternatives. If the project would result in high average daily traffic (10,000 average daily traffic (ADT), for example), then the FEIS should at least identify the total tons per year anticipated for the six most significant MSATs, namely diesel particulate matter (DPM), acrolein, acetaldehyde, formaldehyde, benzene, and 1,3-butadiene, for each alternative.
- Include an assessment of diesel emissions and provide plans for improving air quality through reducing diesel emissions.
- Identify design alternatives and options to further minimize MSAT impacts including indoor air quality improvements for all sensitive receptors within the project area.

Bike/Pedestrian Facilities

As Alternative 2 (Retrofit) does not change the width of the viaduct or address viaduct design, Alternative 2 does not cause a loss for bicycling and pedestrian access, but similarly does not provide new mobility opportunities.

However, in Alternative 3 (Replacement), the complete replacement of the bridge creates an opportunity for providing additional bicycle and pedestrian capacity on the bridge, as the new bridge includes wide shoulders as well as a new pedestrian walkway on each side of the bridge.

In all viaducts and Bridge Concepts proposed under Alternative 3, 8 foot wide shoulders are currently planned to be designated as a bicycle routes under the City of Los Angeles Bicycle Plan Policy. In the DEIS, the roadway shoulder appears to be shared use between motorists and bicyclists. As the Bicycle Plan Policy states that any bridge reconstruction or replacement should be designed with adequate roadway to accommodate a bicycle facility (pg. 3-19), Caltrans and the City should ensure that bicyclists are given appropriate, secure access on the replacement viaduct instead of a shared-use facility that could potentially compromise their safety.

In addition, while all the Bridge Concepts under consideration are functionally equivalent for the purposes of motorized travel, and the bridge type does not affect the results of the environmental impact analysis (pg. 2-56), the pedestrian experience can vary greatly based on the bridge configuration. Bridge Concept 2 (Cast-in-place Box Girder with Steel Tied Arch Pedestrian Ways) is the only option that provides a significantly separated corridor for pedestrians on the bridge itself, and none of the concepts or viaduct designs appear to provide a pedestrian walkway that is separated from the roadway by a physical barrier, presenting a potentially serious safety issue.
Finally, there appears to be no mention of frequency or intensity of light fixtures on the viaduct. If the viaduct is to be increasingly used as a bicycle and pedestrian corridor, improved lighting facilities are critical – especially at night – for pedestrian and bicyclist safety.

Recommendations:

- If Alternative 3 is chosen, EPA recommends that final bridge concepts include formal eastbound and westbound bicycle routes that are clearly defined, signed and marked, as well as completely separated if possible.
- EPA also urges that the final bridge concept chosen provide appropriate and separated pedestrian accommodations in order to heighten both safety, as well as the aesthetic experience for pedestrians, such as the efforts made in Bridge Concept 2. In addition, the FEIS should include information on the number, location and intensity of light fixtures on the viaduct.
SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)
The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)
EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)
The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

1. **The Staff Analysis Section of the Draft EIR/EIS does not provide the comparative rationale to fully justify the selection of Alternative 3.** The alternative development process described in Appendix N of the FEIR/EIS provides a summary of the alternative evaluation results, which are presented in Table 3 (for Retrofit Alternatives) and Table 4 (for Replacement Alternatives). The full minutes of meetings and ranking comparisons are available on file for review upon request. A preferred alternative evaluation workshop was conducted on September 29, 2009 to evaluate the various alternatives and identify a preferred alternative, taking into account the results of environmental analysis and the input received during the DEIS/EIR public review period; the preferred alternative evaluation criteria included the factors identified by EPA in these DEIR/EIS comments. The FEIR/EIS provides the result of alternative evaluation in detail as recommended by EPA (see Appendix N).

2. **Include a more robust cumulative impact analysis that includes impacts to resources, as well as transportation circulation, in the FEIS.** An expanded analysis of cumulative impacts on relevant environmental resources resulting from the proposed action in combination with other projects was prepared and is presented in Section 3.26 of the FEIR/EIS. The expanded analysis was prepared following the 2005 Guidance for Preparers of the Cumulative Impact Analysis prepared jointly by Caltrans, FHWA, and EPA.

3. **Results of formal consultation with SHPO should be included in the FEIR/EIS.** As stated in the Draft Section 4(f) Evaluation (Draft EIR/EIS, Appendix B, Section 4.9.1), “A Memorandum of Agreement (MOA) will be prepared by Caltrans and submitted to FHWA and the SHPO for comment. … Once FHWA and SHPO agree on the terms and conditions of the MOA, it will be executed and Caltrans will concur. The conclusions of this analysis will be presented in the Final Section 4(f) Evaluation that will be circulated with the Final EIR/EIS.” (See discussion in the Response to Comment Letter No. 11, Response 10.) As described in the EIR/EIS and Section 4(f) Evaluation, the MOA stipulation(s) include preserving a record of the viaduct through large-format photography and film/video documentation prior to alternation or demolition.

The executed MOA is incorporated into the FEIR/EIS.

Concerning retention of historically relevant features, the City is receptive to retaining some character-defining features of the existing bridge in the replacement viaduct during the final design and construction phase of project development, as appropriate, based on the bridge type selected. The City is also receptive to relocating architectural elements of the existing bridge to a new location in a public setting, depending on concurrence by the SHPO. This will be stipulated in the Record of Decision (ROD) approved by Caltrans as a designee of the Federal Highway Administration (FHWA).

4. **Local/commuter benefits and impacts.** U.S. Census records show that within a 3-mile radius of the project area, the demographic composition is 80.9 percent Hispanic/Latino and 19.2 percent Others. These residential areas are located east of the Los Angeles River. Analysis of a 3-mile stretch of residential areas along 6th Street and Whittier Boulevard bounded by 4th Street and 7th Street, using trip generation codes published by the Institution of Transportation Engineers, determined that local trips utilizing the 6th Street Viaduct total approximately 11,500 vehicles per day (out of the daily average of 13,260), and they were predominantly
passenger cars. The following table summarizes the approximate demographic composition of traffic on the 6th Street Viaduct, based on the estimated percentage of local traffic from the eastside:

<table>
<thead>
<tr>
<th>Volume (Vehicle per day)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Daily Traffic</td>
<td></td>
</tr>
<tr>
<td>Through Traffic</td>
<td></td>
</tr>
<tr>
<td>Truck</td>
<td>790</td>
</tr>
<tr>
<td>Passenger Car</td>
<td>990</td>
</tr>
<tr>
<td>Local Passenger Car</td>
<td></td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>9,290</td>
</tr>
<tr>
<td>Others</td>
<td>2,190</td>
</tr>
</tbody>
</table>

Based on the above information, it can be concluded that 6th Street serves the local population more than regional commuters.

5. **Workforce issue.** EPA recommended that the FEIS should include a survey of the racial/ethnic and income characteristics of the workforce of affected businesses. A business survey was conducted during preparation of the DEIR/EIS. All potentially affected businesses were interviewed and asked to provide the information about their businesses, relocation issues, number of employees, and average distance employees live from work. (See the survey questions in Figure 3.4-1 of the EIR/EIS). Out of the 40 businesses interviewed, only a few provided information about their employees. Based on the experience of the original survey, an additional survey to collect specific data on racial/ethnic and income characteristics of the workforce of affected businesses would be unlikely to yield these results. Based on the socioeconomic characteristics of the study area, the environmental justice section of the EIR/EIS has assumed that most workers within the affected area are of low income and predominantly minority. The EIR/EIS also concluded that the proposed project would result in disproportionately high adverse effects on minority and/or low-income populations within the area, which include the workforce. With this conclusion, the City and Caltrans do not believe that the new survey on racial/ethnic and income characteristics of the workforce of affected businesses would change the environmental justice current analysis findings in the EIR/EIS and supporting studies.

It should also be noted that the City staff and PDT have had discussions with many of the business owners within the potentially affected area during the public review period of the Draft EIR/EIS and most of them expressed the interest to remain within the Downtown area; therefore, the workers would have potential to continue their employment with these affected businesses once they are settled into new locations.

6. **Transit.** The FEIS should include information from the Traffic Management Plan (page 4-27) regarding transit impacts, and should quantify the disproportionate impact to low income, minority transit riders as a result of the closing of the viaduct. The FEIS should include descriptions of proposed alternative transit routes and measures to be taken to limit disruptions to current service. See response to comment 4 for local traffic/demographic composition. Based on this information, it appears that the transit routes along the 6th Street
Appendix M  Written Comments and Responses on DEIR/EIS

Viaduct serve primarily a minority population, which is presumed to be low income based on available data analyzed. The EIR/EIS identifies 7th Street as a detour route for Transit Route 18 and MetroRapid Route 720. The EIR/EIS estimated that there would be approximately 0.4-mile of additional travel distance, which would add 5 to 10 minutes of travel time depending on traffic conditions. The City would implement a public outreach program to keep transit riders aware of the construction schedule and the designated detour routes. The City would implement the TMP throughout the construction period to minimize traffic impacts.

7. A jurisdictional determination by U.S. Army Corps of Engineers (USACE) is needed for the FEIS in order to provide a determination of potential significant impacts and identify mitigation and avoidance measures. The project potentially involves placement of fill in the Los Angeles River, which is a jurisdictional waterway of the USACE (confirmed via consultation with Ken Wong, USACE Regulatory Division, Los Angeles District, September 2009). The nature of the fill is placement of viaduct piers within the waterway. A USACE Section 404 permit will be obtained during the final design phase.

A summary of the permanent direct impacts, resulting from the fill associated with the viaduct piers, is provided in the table below. Note that some alternatives involve the removal of the existing viaduct’s center pier in the river. For the two alternatives in which the existing viaduct pier is not retrofitted or removed, this is shown as zero in the third column of the table below. The areas shown are of the cross sections of the viaduct piers (impact to waterway). The net new impact would be the increased footprint area, as compared to the existing footprint area.

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Alternative Viaduct Pier Footprint (acres)</th>
<th>Existing Viaduct Pier Footprint (acres)</th>
<th>Net New Impact to LA River (acres)</th>
<th>Impacted Area of the Channel</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – No Action (Leave Existing Viaduct)</td>
<td>0.048</td>
<td>0.048</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>2 – Retrofit</td>
<td>0.048</td>
<td>0.048</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>3 – Concept 1</td>
<td>0.089</td>
<td>0.048</td>
<td>+0.041</td>
<td>Water Column, Concrete Bottom</td>
</tr>
<tr>
<td>3 – Concept 2</td>
<td>0</td>
<td>0.048</td>
<td>-0.048</td>
<td>N/A</td>
</tr>
<tr>
<td>3 – Concept 3</td>
<td>0</td>
<td>0.048</td>
<td>-0.048</td>
<td>N/A</td>
</tr>
<tr>
<td>3 – Concept 4</td>
<td>0.045</td>
<td>0.048</td>
<td>-0.003</td>
<td>N/A</td>
</tr>
<tr>
<td>3 – Concept 5</td>
<td>0.021</td>
<td>0.048</td>
<td>-0.027</td>
<td>N/A</td>
</tr>
<tr>
<td>3 – Concept 4A</td>
<td>0.049</td>
<td>0.048</td>
<td>+0.001</td>
<td>N/A</td>
</tr>
</tbody>
</table>

As is evident in the table above, a reasonable range of alternatives has been developed to meet the proposed project purpose while avoiding and minimizing impact to the waterway. Based on the table above, most alternatives would have no or negligible net impact to the Los Angeles River waterway (i.e., they avoid placement of fill in U.S. waters) except for Alternative 3 – Concept 1 which would result in an additional impact. Alternative 3 with the principle of Concept 4 has been identified as the preferred alternative, and it would not place additional fill in U.S. waters. The Los Angeles River in this area is concrete-lined channel, so there would be no soft bottom habitat impact. Because no natural conditions or native vegetation types are present in this portion of the channel or in the immediate vicinity, it does not provide suitable habitat for any special-status plant or wildlife species. The site also does
not contain any federally designated critical habitat areas. Due to the extremely limited biological value of the concrete-lined waterway, the minimal amount of fill is not expected to degrade any local species habitats or other biological resources, and the impact would be considered less than significant. No mitigation would be required beyond the standard conditions that may be included in the Section 404 permit to be issued by USACE. Further discussion regarding the biological resources within the project impact area is provided in Section 3.19.

8. **Impacts to aquatic resources.** The estimated acreages of direct impacts to the Los Angeles channel are provided in the response to comment 7 above. The only potential indirect impact to waters would be the shadowing of the water underneath the viaduct; however, because no significant aquatic/wetlands vegetation exists underneath any of the proposed viaduct alignments, there would be no indirect impacts to aquatic resources from any of the alternatives. This is further discussed in Section 3.19 of the FEIR/EIS.

Permanent impacts to aquatic resources (water column) are those caused by the fill associated with construction of the viaduct piers. As discussed above, because this is a concrete bottom, the only impacts are to the water column/freshwater aquatic habitat.

Temporary impacts to aquatic resources (water column) are those caused during construction, and they would be associated with temporary installation of falsework within the Los Angeles River channel during the construction period. However, construction would be constrained to occur only during the dry season (April 16 to October 14), and the water level within the river would be low; therefore, temporary impacts to waters would be insignificant.

There are no impacts to soft-bottomed waterways because this is already a concrete-lined channel. Alternatives 1, 2, and 3 – Concepts 2, 3, 4, 4A, and 5 avoid impacts to the channel. Only Alternative 3 – Concept 1 has a net fill impact and thus potential impacts to aquatic resources. In general, impact avoidance and minimization measures would be to select an alternative that has no or lesser impact to the waters. Because Alternative 3 with the principle of Bridge Concept 4 has been identified as the preferred alternative, it is anticipated that the project will have no or lesser net impact to waters, and it is assumed that no mitigation will be required.

9. **New mitigation rule pertaining to aquatic resources mitigation should be included in the FEIS.** As stated in response to comment 7, no mitigation would be required beyond the standard conditions that may be included in the Section 404 permit to be issued by USACE.

10. **Stormwater pollution prevention.** Temporary (short-term) mitigation measures to treat storm runoff throughout the demolition and construction processes will be implemented and incorporated into a Stormwater Pollution Prevention Plan (SWPPP), which details the placement, staging, and monitoring of best management practices (BMPs) required for project construction. These BMPs are designed to control discharges of pollutants from regulated construction projects and pollutants from stormwater and non-stormwater discharges. Potential BMPS include limiting construction to the dry season; using non-shattering methods; placing platforms under/adjacent to the viaduct to collect debris; providing watertight curbs or toeboards on the viaduct to contain spills and prevent materials, tools, and debris from falling from the viaduct; stockpiling accumulated debris and waste generated from demolition away from the channel; and directing water from concrete curing and finishing operations away
from inlets and water courses to collection areas for dewatering, etc. The SWPPP will be prepared by the construction contractor during preparation of the contract documents.

The new viaduct would be designed to capture all of the anticipated runoff for treatment at the permanent BMPs that would be installed within the vicinity of the viaduct prior to discharging to the Los Angeles River. Permanent treatment BMPs considered for the project include detention basins, biofiltration swales, and storm drain inserts (specifically vortex separators). These BMPs would be sized and installed to meet County and City of Los Angeles guidelines. With the BMPs in place, no adverse impacts to surface water quality because of stormwater runoff are anticipated.

Permanent BMPs will be maintained by the Bureau of Sanitation, Los Angeles City Department of Public Works. Maintenance will be performed according to plans and requirements specified in the Los Angeles County Department of Public Works Standard Urban Stormwater Mitigation Plans (SUSMP) for those selected BMPS, which include erosion control measures and cleaning of biofiltration swales, detention basins inspection and vortex cleaning post significant storm events, etc.

11. **Construction emissions.** Most recommendations are included in Section 3.15.4 of the FEIR/EIS.

12. **Mobile Source Air Toxics (MSATs).** The FEIS should identify homes and sensitive receptors located within at least 200 meters (600 ft) from possible alternatives where there would be increases in truck and construction traffic. The six most significant MSATs should be analyzed. Figure 3.15-1 of the EIR/EIS presents the sensitive receptors within proximity of the 6th Street Viaduct Seismic Improvement Project. The closest sensitive receptors (residences) are located approximately 600 feet (less than 200 meters) northeast of the viaduct from the east end. Figures 3.7-5 and 3.7-6 of the EIR/EIS show the detour routes where traffic volumes would increase during construction of Alternative 3 as a result of the viaduct closure (note that Alternative 2 would not require the traffic detour). Residents and business owners residing near the detour routes are located less than 200 meters (656 feet) from the roadway. Emissions of the six most significant MSATs at the locations along the detour routes were quantified, as shown in Table 4-3. Results of the analysis show higher levels of MSATs at certain locations along the detour route and lower levels at locations near the viaduct during the construction period. The proposed project would not result in an increase in MSATs over the long-term because the project does not increase roadway capacity; therefore, it would not result in an increase in traffic through the project area.

13. **Provision of bicycle routes.** The proposed new viaduct would be compatible with the City of Los Angeles newly adopted 2010 Bicycle Plan. The proposed new viaduct design would meet the requirements of the secondary highway standards. It should be noted that the roadways connecting the 6th Street Viaduct east and west of the river contain no bike lanes. It is not the Los Angeles Department of Transportation’s (LADOT) policy to stripe bike lanes on a short roadway segment, such as a bridge, that does not connect to adjacent lanes on either end; however, this could be done in the future if the roadways at both ends of the bridge were ever widened to full secondary highway standards (i.e., 70 ft curb to curb) so that bike lanes could be added and a continuous bike facility could be established.
14. **Difference in pedestrian experience on varying bridge types proposed in the Draft EIR/EIS.** Only Bridge Concept 2 would provide a significantly separated corridor for pedestrians on the bridge. The City standards for secondary highways include the following section that is applied to all of the replacement bridge types:
   - 11-ft-wide inside lanes, and up to 19-ft-wide outside lanes and 10-ft-wide sidewalks
   - Up to 10-ft-wide median

   The sidewalks are elevated with a standard curb between the traveled way and sidewalk. The sidewalks would be provided along the entire viaduct length and are approximately 3,440 ft in length for all the bridge types.

   Along the viaduct length, belvederes could be provided for Bridge Concepts 1, 2, 3, 4, and 4A. These belvederes would be for pedestrians and are located outbound of the sidewalks away from the traveled way for comfort to the pedestrian and for viewing at the middle of the river or along the river banks. Across the river spans, Bridge Concepts 1, 2, and 3 also provide crash barriers between the traveled ways, protecting the steel arches from vehicular impact, but they also provide additional separation between the traveled way and sidewalks. In addition, Bridge Concept 2 uses steel tie arches for the pedestrian ways across the river spans, creating a unique pedestrian experience while crossing the river, being separated by a few feet from the viaduct roadway. Bridge Concepts 4 and 4A also provide crash barriers between the traveled ways, protecting the cable stays from vehicular impact, and also providing additional separation between the traveled ways and sidewalks. These barriers extend over the river spans and along the entire cable-supported spans.

   This information is provided in Section 3.7.3.2 of the FEIR/EIS.

15. **Information on frequency or intensity of light fixtures was not provided.** This will be determined in the final design. The preliminary cost estimates include light fixtures in accordance with the City of Los Angeles Bureau of Street Lighting standards.

16. **Under Alternative 3, a separate bike route should be included in the final design.** See response to comment 13.

17. **Under Alternative 3, a separate pedestrian way should be included in the final design.** See response to comment 14.
Mr. Carlos Montez
Senior Environmental Planner
California Department of Transportation
100 South Main Street
Los Angeles, California 90012
Carlos.montez@dot.ca.gov

Dear Mr. Montez:

The Department of the Interior (Department) reviewed the Draft Environmental Impact Statement (EIS) and Draft Section 4(f) Evaluation for the proposed 6th Street Viaduct Seismic Improvement Project, Los Angeles County, California. The California Department of Transportation (Caltrans) and City of Los Angeles (City) propose to retrofit or replace an existing historic 1932 bridge to reduce seismic vulnerability, correct design deficiencies, and maintain connectivity between Boyle Heights and downtown Los Angeles.

Section 4(f) of the Department of Transportation (DOT) Act

Under Section 4(f) of the Department of Transportation Act, Federal Highway Administration and other DOT agencies shall not approve the "use" of publicly-owned parks, recreational areas, wildlife and waterfowl refuges, and/or historical sites unless there is no prudent and feasible alternative, and unless all possible planning to minimize harm to the property has occurred.

The bridge is protected under Section 106 of the National Historic Preservation Act and Section 4(f). The Department defers to the State Historic Preservation Officer for Section 4(f) mitigation concerning the bridge. Execution of the Memorandum of Agreement (MOA) should be evidenced in the Final EIS, as is currently planned by Caltrans and the City.

The proposed mitigation measures identified for the Retrofit Alternative under Section 6.1 and the Replacement Alternative under Section 6.2 on pages B-36 through B-37 should be included in the MOA, though the Department does not suggest that mitigation
measures be limited to only these in the MOA. The mitigation measures discussed in the Draft EIS are as follows:

For the Retrofit Alternative:

- Incorporation of all applicable Secretary of the Interior's Standards for the Treatment of Historic Properties (36 C.F.R. Part 68) into the design of retrofitting components.
- Installation of two new freestanding informative permanent metal plaques or signage at both ends of the bridge at public locations that provide a brief history of the bridge, its engineering features and characteristics, and the reasons it was replaced. Additionally, installation of two Cultural Heritage plaques at the ends of the bridge would occur on the interior bridge rails in accordance with the City’s Cultural Heritage Monument program.
- While the 6th Street Viaduct was previously recorded as part of the Historical American Engineering Record (HAER) program in 1996, contact with the National Park Service (NPS) Historic American Building Survey (HABS)/HAER program would occur prior to any viaduct demolition or construction activities.

For the Replacement Alternative:

- As with the Retrofit Alternative, installation of two new freestanding informative permanent metal plaques or signage at both ends of the bridge and two Cultural Heritage plaques at both ends of the bridge on the interior.
- As with the Retrofit Alternative, consultation with the NPS HABS/HAER program prior to demolition.
- Production of a documentary (motion picture or video) that addresses the history of the Los Angeles River Monument bridges, and their importance and use within the history of the City of Los Angeles. The motion picture or video would be of broadcast quality, of sufficient length for a standard 2-hour program, and would be made available to local broadcast stations, public access channels in the local cable systems, and requesting schools/libraries. One copy would be submitted to the Caltrans Transportation Library in Sacramento.
- Production and publication of a book on the Historic Los Angeles River bridges that addresses the history of the monumental concrete bridges of Los Angeles and the place of the subject bridge in that history. The book would include high-quality black-and-white photos of the Los Angeles River Bridges, historic photographs or drawings, as appropriate, and text describing each bridge's location, year built, builder, bridge type, significant character-defining features, and its historical significance.

For questions concerning Section 4(f), please contact Ms. Kelly Powell, Environmental Compliance Reviewer, National Park Service, 168 South Jackson Street, 2nd Floor, Seattle, Washington 98104-2853; telephone (206) 220-4106; kelly.powell@nps.gov.
Appendix M  Written Comments and Responses on DEIR/EIS

Thank you for the opportunity to provide these comments.

Sincerely,

Willie R. Taylor
Director, Office of Environmental Policy and Compliance

cc:
Mr. Wallace E. Stokes III
Environmental Coordinator
City of Los Angeles
221 North Figueroa Street, Suite 350
Los Angeles, CA 90012
wally.stokes@eng.lacity.org
Response to Comment Letter No. 23 – U.S. Department of the Interior

1. **Execution of the MOA should be evidenced in the FEIS.** The executed MOA is presented in Appendix O of the FEIS.

2. **Mitigation measures presented in the Draft EIR/EIS should be included in the MOA.** Some of the mitigation measures presented in the Draft EIR/EIS have been included in the executed MOA, as well as new ones, and in the Mitigation monitoring and Reporting Program.
Comment Letter #24

August 18, 2009

Wally Stokes
City of Los Angeles Department of Public Works
221 N. Figueroa, Suite 330
Los Angeles, CA 90014-1914

Subject: 6th Street Viaduct Improvement Project
SCH#: 2007081005

Dear Wally Stokes:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 15, 2009, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

[Signature]

Scott Morgan
Acting Director, State Clearinghouse

1600 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov
The City of Los Angeles, in cooperation with Caltrans, is proposing to make improvements to the 6th Street Viaduct to improve this critical Los Angeles River crossing to an acceptable standard during a seismic event by either retrofitting the existing structure or replacing it entirely. The 3,500 ft long 6th Street Viaduct was built in 1932. Over the past 75 years, the concrete elements of the viaduct have been degraded by an ongoing chemical reaction, known as Alkali Silica Reaction, which has led to significant deterioration of the structure and loss of its seismic integrity, despite continuing efforts to arrest or limit its effect.

**Lead Agency Contact**

- **Name**: Wally Stokes
- **Agency**: City of Los Angeles Department of Public Works
- **Phone**: (213) 202-5580
- **Fax**: 
- **Email**: 
- **Address**: 221 N. Figueroa, Suite 350
- **City**: Los Angeles
- **State**: CA
- **Zip**: 90014-1914

**Project Location**

- **County**: Los Angeles
- **City**: Los Angeles, City of
- **Region**: 
- **Lat / Long**: 
- **Cross Streets**: Mill St and east of southbound I-5
- **Parcel No.**: 
- **Township**: 1S
- **Range**: 13W
- **Section**: 34
- **Base**: SBB&M

**Proximity to:**

- **Highways**: 101, I-5
- **Airports**: No
- **Railways**: BNSF, UP RR
- **Waterways**: Los Angeles River
- **Schools**: Soto SIE, Bishop Mora Salesian, Metropolitan HS, Para Los Ninos Chater
- **Land Use**: PLU: developed, heavy-light industrial
- **Aesthetic/Visual; Air Quality; Archaeologic-Historic; Wildlife; Growth Inducing; Toxic/Hazardous; Traffic/Circulation; Vegetation; Flood Plain/Flowing; Geologic/Seismic; Landuse; Cumulative Effects; Noise; Economics/Jobs; Water Quality; Solid Waste; Public Services**

**Project Issues**

- Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation;
- Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services;
- California Highway Patrol; Caltrans, District 7; Integrated Waste Management Board; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Other Agency(ies)

**Date Received**: 09/12/2009  
**Start of Review**: 09/12/2009  
**End of Review**: 09/15/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.
Response to Comment Letter No. 24 – Governor’s Office of Planning and Research

No comments from state agencies were received. Information is acknowledged.
October 30, 2009

Mr. Carlos Montez, Senior Environmental Planner
Caltrans District 7
100 S. Main Street
Los Angeles, CA 90012
Tel: (213) 897-3818
Fax: (213) 897-0685

Re: Environmental Impact Report/NA Monitoring
6th Street Viaduct Seismic Improvement Project

Dear Mr. Montez,

This letter is in response to the Environmental Impact Report for above referenced project. Due to the fact that the proposed project is within the traditional tribal territory of the Gabrieleño Band of Mission Indians it is my responsibility to inform you of our concern for the identification, protection and proper disposition of our cultural resources.

Since the EIR report states the potential impact to archaeological resources, paleontological resources and human remains it is our recommendation that a Native American monitor be on site at all times during any excavation or ground disturbances. The monitoring service shall be provided through our tribal office.

I can be reached at 626-926-4131 or by email at GabrielenoIndians@yahoo.com should you have any questions or comments regarding this matter; please do not hesitate in contacting our office.

I look forward to assisting all parties with the preservation of our cultural resources.

Sincerely,

Andrew Salas
Chairman

GabrielenoIndians@yahoo.com P.O. Box 393 Covina, Ca 91723 (523) 335-8798
Response to Comment Letter No. 25 – Gabrieleno Band of Mission Indians

Native American monitor should be on site during excavation activity. Comment is noted and the City will provide the monitor during excavation.
July 28, 2010

To Whom It May Concern:

Portions of the 6th Street Viaduct project are located within the Amended Adelante Eastside Redevelopment Project Area (Project Area) of the Community Redevelopment Agency of the City of Los Angeles (CRA/LA). The CRA/LA wishes to express concerns regarding a possible orientation change in the bridge in addition to comments submitted on June 4, 2008. A Project Area Historic Survey (Historic Survey) was finalized on July 22, 2010. Included in the Historic Survey is an industrial district that is located along the 500 and 600 blocks of Anderson Street (Historic District). It appears that the 6th Street Viaduct project being considered may have substantial impacts to this Historic District.

It has come to the attention of CRA/LA Staff that any change in the orientation of the bridge from the bridge’s existing orientation would result in the partial, if not total, destruction of this Historic District. This would cause a substantial adverse change in the significance of a historic resource as defined by the State CEQA guidelines, thus, resulting in a significant environmental impact.

Further, potential destruction of the Historic District is contrary to the Project Area Redevelopment Plan goals and objectives. This conflict with the regulation of an agency with jurisdiction over the area would also create a potentially significant environmental impact.

Both the Cultural Resources and Land Use and Planning potentially significant impacts that are now being brought to your attention in relation to the Historic District must be included in your analysis in order for the full environmental impact of the 6th Street Viaduct project to be considered. I am available to answer any questions regarding this matter.

Sincerely,

Julia Stewart
CRA/LA City Planner
Comment Letter #26 cont’d

LEGEND:
- Affected properties listed on Fig. 3 of the DEIR/EIS (added by the PDR)
- Will be acquired under 3B

Fig 1: Attachment to CRA/LA Letter (July 30, 2010) - Map dated 9/3/2008
Comment Letter #26 cont’d

Fig 2: Map excerpted from Intensive Historic Resources Survey Report, Oct 2008
CRA/LA finalized the Adelante Eastside Redevelopment Area Historic Survey on July 22, 2010. Included in the Historic Survey is the Anderson Street Historic District. It appears that the 6th Street Viaduct Project may have substantial impacts to the Anderson Historic District

The letter from the CRA/LA indicated that the historic survey of the Adelante Eastside Redevelopment Area was finalized on July 22, 2010. A map of the proposed “Historic District – Anderson Street (dated September 2008)” attached to the CRA/LA letter shows one building on the potentially affected property list of the 6th Street Viaduct Seismic Improvement Project (proposed project) being classified as “contributor” to the proposed Anderson District (Building No. 17 in Figure 1). This building was determined to be not eligible for the National Register of Historic Places (NRHP) by Caltrans based on the 2007 Historic Resources Evaluation Report (HRER) prepared for proposed project as part of the Section 106 consultation process.

In response to the CRA/LA request, the Project Development Team (PDT) contacted CRA/LA staff to obtain detailed information about the survey and any planned local nomination/certification process for the proposed district. The CRA/LA provided a copy of a section of the report entitled “Intensive Historic Resources Survey, Adelante Eastside Redevelopment Area, July 2008” in January 2011. Per the City’s request, the CRA/LA later provide a copy of the full report in May 2011.

The text of the report indicated the two buildings within the proposed project potentially affected property list (14 and 17) are in the proposed Anderson District. The Potential District map in Attachment D of the report, (see Figure 2) shows these two buildings as individually eligible, not as district contributors. The report does not include any Department of Parks and Recreation (DPR) forms for these two buildings that can be used as a basis to conclude that they are individually eligible. Further, the report does not include the DPR form that documents the potential district. However, the DPR form was sent to the PDT with the partial report in January 2011; it showed only the district evaluation, not individual buildings. Based on the cultural resource records search conducted by the PDT in February 2011, none of the properties referenced in the “Intensive Historic Resources Survey, Adelante Eastside Redevelopment Area, July 2008” were filed with the Information Center. Based on review of the available documents associated with the potential Anderson District mentioned above, there appear to be several inconsistencies and errors that require correction and finalization.

The PDT also understands that the Historic Survey report was submitted to Survey L.A. for inclusion in Phase 3, which will not begin until next year. Ms. Janet Hanson of Survey L. A. stated that she had reviewed the draft report and had noted errors and discrepancies to be corrected, but had not received any update as of May 2011.

It is the PDT’s understanding that the historic survey was prepared as a planning tool for CRA/LA. The methodology employed looked at a large number of properties at a reconnaissance level and made recommendations based on broad patterns of significance. The intent and use of a planning tool is to provide planners with an indication as to the potential presence or absence of potentially significant historic properties. However, this
document does not provide sufficient data to make a determination of significance for the NRHP for the purposes of Section 106 of the National Historic Preservation Act (NHPA) or for CEQA.

CEQA states that a property is presumed to be historically significant unless a preponderance of evidence demonstrates otherwise. In the case of the 6th Street Viaduct Project, the properties that have the potential to be affected by the proposed undertaking were identified and evaluated at an intensive level (research and evaluation on individual buildings as opposed to looking at large bodies of buildings at a cursory level). Section 106 only considers properties as “historic properties” when they meet the criteria for the NRHP. Therefore, Caltrans prepared sufficient evidence to demonstrate that the subject properties are not historic properties for the purposes of Section 106 or historical resources for the purposes of CEQA.

Based on the result of the cultural resources intensive evaluation of the proposed project under Section 106 consultation process, the City and Caltrans concluded that the proposed project would not result in substantial impact to other historic resources in addition to the 6th Street Viaduct itself, which has been evaluated and documented in this EIR/EIS.

2. Change in the orientation of the 6th Street Viaduct from the existing orientation would result in the partial, if not all, destruction of the Historic District, which would cause a substantial adverse change in the significance of a historic resource as defined by the State CEQA guidelines, thus, resulting in a significant environmental impact.

Please refer to response to comment #1 above.

3. Potential destruction of the Historic District would be in conflict with the goals and objective of the Adelante Eastside Redevelopment Plan, creating a potentially significant environmental impact.

The EIR/EIS documented that the loss of some industrial buildings within the CRA/LA project areas would be inconsistent with the goals and objectives of the two redevelopment projects administered by CRA/LA. However, based on Response #1 above, the proposed project would not create a potentially significant impact to any historic resources in addition to the 6th Street Viaduct itself; thus, it would not be in conflict with the goals and objectives of the Adelante Eastside Redevelopment Plan in this regard.

4. Cultural Resources and Land Use and Planning potentially significant impacts in relation to the Historic District must be included in the environmental analysis.

The Final EIR/EIS documented the potential Anderson Historic District raised by CRA/LA and the conclusion made by the City and Caltrans (see Section 3.9.2).
Appendix N
Alternative Development Process