



October 26, 2021

Los Angeles City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, CA 90012

RE: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) APPEAL OF
CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR LAX AIRFIELD
AND TERMINAL MODERNIZATION PROJECT (COUNCIL FILE NO. 21-1199)

Honorable City Council:

LAX

Van Nuys

City of Los Angeles

Eric Garcetti
Mayor

Board of Airport
Commissioners

Beatrice C. Hsu
President

Valeria C. Velasco
Vice President

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Dr. Cynthia A. Telles
Karim Webb

Justin Erbacci
Chief Executive Officer

At a regular meeting on October 7, 2021, the City of Los Angeles Board of Airport Commissioners (BOAC), acting pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21000, et seq., approved BOAC Resolution No. 27351, certifying the Final Environmental Impact Report (EIR) for the Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project (ATMP). BOAC also made certain specific findings related to the Executive Director's LAX Plan Compliance Report (EDR) and approved the LAX Specific Plan Compliance Review. Additionally, BOAC adopted CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP), as well as recommendations contained in the Non-CEQA Transportation Assessment Report and Letter from the Los Angeles Department of Transportation related to access and circulation. BOAC then approved the LAX ATMP as described in the Final EIR ("Project").

Under CEQA, when an EIR is certified by a non-elected decision-making body within a local lead agency, such as BOAC, that certification may be appealed to the local lead agency's elected decision-making body. (Pub. Resources Code, § 21151, subdivision (c).) In this case, the City Council is that elected decision-making body. Under the City Charter, none of the BOAC Actions taken regarding the ATMP require City Council approval and, other than certification of the EIR, none of those actions are appealable to City Council.

In a letter dated October 15, 2021 (received by the City Clerk on October 18, 2021), Service Employees International Union United Service Workers West (USWW), and USWW members Victor Landa, Wilma Sharpe, and Valerie King, Physicians for Social Responsibility-Los Angeles (PSRLA), Koreatown Immigrant Workers Alliance (KIWA), and Sunrise Movement LA (Sunrise LA) (collectively "Appellants") appealed the October 7, 2021, decision by the BOAC to certify the Final EIR for the LAX ATMP and associated environmental findings pursuant to Public Resources Code section 21151, subdivision (c) (Appeal). The Appeal states that it is also filed pursuant to the Los Angeles Municipal Code (LAMC) section 11.5.13-C.¹

¹ As discussed further below, LAMC section 11.5.13-C does not apply as no decision-maker has taken any action authorized by Chapter I of the LAMC with respect to the LAX ATMP. The LAX Specific Plan also does not provide for a right of appeal of the BOAC's LAX Specific Plan Compliance determination, and the Appeal does not raise any issues with the LAX Specific Plan Compliance Review performed for the LAX ATMP.



The stated reason for the Appeal is that the LAX ATMP EIR “fails to comply with CEQA” because “the final EIR fails to adequately address Appellants’ concerns with the EIR’s analysis of Project impacts, including but not limited to the ATMP’s impacts and mitigation related to traffic, vehicle miles traveled (‘VMT’), noise, air quality, and greenhouse gas (‘GHG’) emissions; as well as the fundamentally flawed Project description and deficient overriding consideration findings.”

The City Council’s decision on the Appeal is to be based on its own independent judgment and consideration of the materials in the administrative record before it, including but not limited to the Appeal letter (including Attachments 1 and 2) and this transmittal (including Attachments A and B, which specifically respond to the comments raised in the attachments filed with the Appeal), as well as the Draft and Final EIR certified by BOAC, including all responses to comments received on the Draft EIR; the CEQA Findings, Statement of Overriding Considerations, and MMRP adopted by BOAC; the LAX Specific Compliance Review Documentation, Executive Director’s Report; the Non-CEQA Transportation Assessment Report; the Los Angeles Department of Transportation Review Letter for ATMP Non-CEQA Transportation Assessment Report dated May 7, 2021; the BOAC Board Report for the September 14 and October 7, 2021, BOAC meetings; and the verbal and written comments received at the BOAC’s September 14 and October 7, 2021, meetings.

Recommended City Council Actions

Los Angeles World Airports (LAWA) has carefully reviewed the Appeal, including all attachments. Written responses to all comments USWW raised on the Draft EIR were published in the Final EIR, including those USWW repeated in its Appeal Attachment 1. LAWA also has prepared written responses to all USWW Comments on the Final EIR, including those USWW repeated in its Appeal Attachment 2. (For the Council’s convenience, copies of the responses to USWW comments are included as Attachments A and B to this transmittal.)

As further explained below, LAWA has fully and adequately addressed all of the specific issues raised in the Appeal, including attachments, and has complied with CEQA in certifying the EIR. Therefore, based on the entire administrative record, LAWA respectfully requests that the City Council take the following actions:

1. DENY the Appeal of BOAC’s October 7, 2021, certification of the Final EIR for the LAX ATMP and associated environmental findings.
2. AFFIRM BOAC’s October 7, 2021, certification of the Final EIR for the LAX ATMP.
3. ADOPT the CEQA Findings and Statement of Overriding Considerations as adopted by BOAC on October 7, 2021.
4. CONCUR with the BOAC’s other actions related to the LAX ATMP as stated in BOAC Resolution No. 27351.²
5. DIRECT staff to file a Notice of Determination reflecting the City Council’s actions in a form substantially similar to that provided in Attachment D to this transmittal.

² Note that pursuant to Public Resources Code, section 21151, subdivision (c), only the EIR certification is appealable to City Council.

Summary of Project

The underlying purpose of the LAX Airfield and Terminal Modernization Project is to support the ongoing modernization of LAX, to provide excellent passenger service, to support the economic growth and prosperity of the Los Angeles region, and to work closely with neighboring communities to reduce airport related impacts. The Project would support the ongoing modernization of LAX by enhancing the safety and operational management of the airfield, particularly as related to runway exits; providing a new concourse and terminal to improve the quality of the passenger experience and efficiency of passenger processing; and improving the roadway system to better route airport-related traffic away from the local roads that serve the community.

These improvements would help LAX to prepare early for the continued aviation growth that is projected by LAWA, the Southern California Association of Governments (SCAG), and the Federal Aviation Administration (FAA). Importantly, this growth is expected to occur at LAX with or without the Project, and LAX would be able to accommodate that growth with or without the Project. The LAX ATMP would enable LAX to accommodate the growth in a way that enhances the passenger experience, enhances the safety of the airfield, and reduces airfield and roadway congestion. Additionally, the nature and timing of improvements included in the Project are integral to Los Angeles' plans to host the 2028 Olympic and Paralympic Games, with LAX serving as the main portal for athletes, dignitaries, and visitors from around the world.

The Project consists of several primary elements, including airfield improvements that would enhance operational management and safety within the north airfield, new terminal facilities to upgrade passenger processing capabilities and enhance the passenger experience, and an improved system of roadways to better access the Central Terminal Area (CTA) and new facilities while reducing congestion. A detailed description of the proposed Project is included in Chapter 2 of the Draft Environmental Impact Report (EIR) prepared for the Project with minor modifications reflected in Chapter F3, Corrections and Clarifications to the Draft EIR, of the Final EIR. The text below provides a brief summary of that detailed description.

The Project includes the following elements:

- Taxiway D Extension West
- New Runway 6L-24R Exits
- Concourse 0, a new facility with up to 11 narrowbody aircraft gates that would attach to, and extend to the east of, Terminal 1. Concourse 0 would replace two existing gates at Terminal 1, resulting in a net increase of up to 9 new narrowbody gates.
- Terminal 9, a new international and domestic facility with up to 12 widebody or up to 18 narrowbody gates, including a new parking facility and construction of a seventh Automated People Mover (APM) station on the previously-approved LAX APM line, as well as construction of a pedestrian corridor between Terminals 8 and 9 that would bridge across Sepulveda Boulevard
- Removal of 15 of the 18 West Remote Gates
- Roadway system improvements

The Project would also include various other elements to support the primary Project components, including:

- Utilities infrastructure, both new and modified, to support the proposed Project, including domestic water, fire water, reclaimed water, electrical and communication systems, natural gas and fuel systems, and stormwater and wastewater systems
- Land acquisition, subdivision of parcels, billboard removal, and/or other reconfiguration of parcels, dedications and vacations of public rights-of-way
- Building design and construction features in accordance with LAWA's Sustainable Design and Construction Policy, which requires that new buildings be designed to achieve a minimum of the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Silver certification
- Enabling projects to allow construction of the proposed Project, including utility relocation and demolition of certain existing facilities

Construction of the Project would be phased and would occur between 2022 and 2028.

Project's Environmental Impacts

The Project would have no impacts or less than significant impacts on the following resource areas: aesthetics, agriculture and forestry resources, biological resources, cultural resources (archaeological resources), geology and soils, hydrology and water quality, mineral resources, population and housing, public services, recreation, tribal cultural resources, and wildfire, human health risk, cultural resources (historical resources), energy, hazardous materials, land use and planning, roadway traffic noise, construction traffic and equipment noise and vibration, and utilities (water supply and wastewater generation).

The Project includes numerous mitigation measures what would reduce environmental impacts to below the level of significance. Additionally, the LAX ATMP also incorporates significant sustainability features, including minimum LEED® Silver Certification requirements for the proposed Concourse 0 and Terminal 9 facilities, aircraft gate electrification, energy meters, sustainable landscaping, reclaimed water use requirements, electric vehicle charging stations, smart parking systems, water meters, and water efficient fixtures.

Project-specific mitigation measures to reduce environmental impacts are described throughout the EIR and are included in the MMRP. Such measures include, but are not limited to, construction-related measures such as requiring:

- increased percentage of construction and demolition waste recycling
- the use of on-site rock crushers, when feasible
- the use of renewable diesel fuel for on-site construction trucks and equipment
- the preparation of construction noise control plans, including provisions for temporary
- noise barriers, if needed, near noise-sensitive uses
- scheduling construction activities to avoid noise-sensitive times of the day (i.e., nighttime)
- locating stationary sources of construction noise away from noise-sensitive uses

Operations-related mitigation measures include numerous design features to reduce energy consumption and associated air pollutant and GHG emissions, such as:

- use of cool roof treatment on T9 parking facility
- incorporation of solar energy technology, if feasible
- installation of electric vehicle charging system infrastructure beyond code requirements
- policies and programs related to electric vehicle purchasing, organic waste collection and diversion, green procurement, enhanced recycling, and use of reclaimed water for landscaping at Concourse 0 and Terminal 9

Also related to mitigation of operations-related impacts is the requirement to update the LAX Noise Exposure Map in the future to include noise-sensitive uses newly exposed to aircraft noise levels of 65 dBA Community Noise Equivalent Level, and the requirement for VMT reduction strategies, particularly as related to reducing LAX employee VMT. Such potential strategies include, but are not limited to:

- expanding LAWA's Rideshare Program
- working through the LAX Transportation Management Organization to encourage and provide support, advice, and guidance to employers across the LAX campus in implementing telecommuting programs
- expanding on-demand micro-transit shuttles
- promoting alternative transportation options to promote various options to get to and from LAX using modes other than a private vehicle

Even with the implementation of these sustainability features and all feasible mitigation measures, as described in the CEQA Findings of Fact and in the Statement of Overriding Considerations, and detailed in the LAX ATMP Final EIR, there are significant adverse environmental impacts that would result from implementation of the Project. Specifically, the Project would result in unavoidable significant impacts from with respect to certain aspects of air quality, GHG emissions, aircraft noise, and transportation. Many of these impacts would occur as a result of growth in passenger activity and aircraft operations that is forecasted to occur at LAX by 2028 with or without the LAX ATMP, as determined by LAWA's aviation experts. Additionally, as a result of the COVID-19 pandemic, impacts analyzed in the Draft EIR are most likely commensurate to levels of activity that will occur five or six years beyond 2028. Thus, the Draft EIR's analysis of impacts related to passenger activity levels in 2028 can be considered conservative.

Brief Procedural History

LAWA prepared the EIR for the LAX ATMP pursuant to the CEQA. A Notice of Preparation (NOP) for the Draft EIR, along with an Initial Study, was circulated for public review from April 4, 2019, to May 6, 2019. During the NOP/Initial Study public review period, LAWA held Public Scoping Meetings on April 13, 2019, and April 17, 2019. On October 29, 2020, LAWA published the Draft EIR for the proposed Project. In accordance with CEQA, the Draft EIR was initially circulated for public review for more than 45 days, with the review period closing on December 14, 2020. In response to requests from the community, LAWA extended the comment period on the Draft EIR twice, first to February 12, 2021, with a second extension to March 15, 2021, for a total public review period of 138 days. As required by the California Office of Planning and Research, State Clearinghouse, State agencies were also provided the opportunity to comment

through March 15, 2021. A virtual (online) open house was posted on the Project website (www.lawa.org/ATMP) on November 25, 2020, through the duration of the public comment period to provide the public with information about the proposed Project and the analysis and conclusions in the Draft EIR. A virtual (online) public meeting was held during the Draft EIR comment period on December 1, 2020, providing an additional avenue for public involvement during the Draft EIR review and comment period.

LAWA published the Final EIR for the proposed project on August 18, 2021. The Final EIR incorporates and responds to comments received on the Draft EIR, and includes corrections and clarifications to the Draft EIR.

On September 14, 2021, BOAC held a public hearing on the Project, including certification of the Final EIR and all related environmental approvals. Notice of the meeting was sent via email on August 18, 2021 to over 3,300 individuals, with a second email notification sent on August 30, 2021. Notice of the meeting was also provided on LAWA's website at www.lawa.org/atmp/documents on August 27, 2021. Copies of the notice were sent by regular mail and overnight mail in late August 2021 to over 8,500 agencies, interested parties, and members of the public. Before and during the public hearing, BOAC heard and received testimony from people in favor of, and opposed to, the Project. After closing the public hearing on the Project, BOAC continued the item to its October 7, 2021, meeting for a vote.

On October 7, 2021, after hearing additional public comment on the Project, BOAC voted unanimously to certify the Final EIR, and adopt CEQA Findings, a Statement of Overriding Considerations, and an MMRP, as well as certain recommendations in the Non-CEQA Transportation Assessment Report and Letter from the Los Angeles Department of Transportation related to access and circulation. BOAC also made certain specific findings related to the EDR and approved the LAX Specific Plan Compliance Review. BOAC then approved the LAX ATMP as described in the Final EIR.

LAWA filed a Notice of Determination (NOD) of BOAC's decision October 8, 2021, which was posted by the County Clerk on October 13, 2021.

The City Clerk received the current Appeal on October 18, 2021.

Appellants' Stated Basis for Appeal

Appellants claim the LAX ATMP EIR "fails to comply with CEQA" because "the final EIR fails to adequately address Appellants' concerns with the EIR's analysis of Project impacts, including but not limited to the ATMP's impacts and mitigation related to traffic, vehicle miles traveled ('VMT'), noise, air quality, and greenhouse gas ('GHG') emissions; as well as the fundamentally flawed Project description and deficient overriding consideration findings." (Appeal, p. 2.)

Appellants state that the specific points at issue in the Appeal were fully outlined in comments previously submitted to BOAC and LAWA, including comment letters dated March 15, 2021, and September 14, 2021, (attached to the Appeal as Attachment 1 and 2, respectively). The Appeal also purports to incorporate by reference "all other comments made by any commenting party." (Appeal, p. 2.)

LAWA's Response to the Stated Basis for Appeal

LAWA staff has carefully reviewed the Appeal, including all attachments. Written responses to all comments raised on the Draft EIR, including those identified in Attachment 1 to the Appeal (Draft EIR Comments [March 15, 2021]) were provided in the Final EIR. A copy of the responses to the comments in Attachment 1 to the Appeal is provided as Attachment A of this transmittal.

In addition to the written responses included in the Final EIR, LAWA staff has prepared written responses to all comments raised in Attachment 2 to the Appeal (Final EIR Comments [September 14, 2021]). These responses are provided as Attachment B of this transmittal.

LAWA's responses, including its responses in the Final EIR to all comments received during the public comment period on the Draft EIR, demonstrate that the Final EIR adequately addresses Appellants' concerns with the EIR's analysis of impacts and mitigation related to traffic, VMT, noise, air quality, and GHG emissions. These responses include those specifically discussed below:

- Traffic. As explained in Topical Response TR-ATMP-T-1, Non-CEQA Transportation Assessment, in the Final EIR, based on State and local requirements, traffic impacts (e.g., level of service, congestion) are no longer considered impacts on the environment and, therefore, are not addressed in the Draft EIR. (See Attachment A, pp. F2-61 through F2-63.) Responses to Comments ATMP-PC035-6, ATMP-PC035-7, ATMP-PC035-11 through ATMP-PC035-13, ATMP-PC035-49 through ATMP-PC035-51, and ATMP-PC035-56 through ATMP-PC035-59 further address Appellant's concerns related to traffic. (See Attachment A, pp. F2-554 through F2-558, F2-584 through F2-586, and F2-589 through F2-592.)
- VMT. Section 4.8 of the Draft EIR evaluates transportation impacts, trip generation and VMT for passengers and employees. Responses to Comments ATMP-PC035-6, ATMP-PC035-8 through ATMP-PC035-13, ATMP-PC035-36, ATMP-PC035-37, ATMP-PC035-49, ATMP-PC035-50, ATMP-PC035-52 through ATMP-PC035-56, and ATMP-PC035-59, as well as Topical Response TR-ATMP-T-2, Transportation Mitigation and Monitoring, in the Final EIR address Appellant's concerns related to VMT. (See Attachment A, pp. F2-63 through F2-77, F2-554 through F2-558, F2-570 and F2-571, F2-584 through F2-589, and F2-592.)
- Noise. Section 4.7 of the Draft EIR evaluates noise impacts. Responses to Comments ATMP-PC035-14 through ATMP-PC035-24, ATMP-PC035-36, ATMP-PC035-38, and ATMP-PC035-60 through ATMP-PC035-71, as well as Topical Response TR-ATMP-N-1, Health Effects on Noise on Humans, in the Final EIR address Appellant's concerns related to noise. (See Attachment A, pp. F2-52 through F2-56, F2-558 through F2-561, F2-570 through F2-573, and F2-592 through F2-632.)
- Air Quality. Section 4.1 of the Draft EIR evaluates air quality impacts. Responses to Comments ATMP-PC035-25, ATMP-PC035-27 through ATMP-PC035-31, ATMP-PC035-34 through ATMP-PC035-36, ATMP-PC035-39, ATMP-PC035-72 through ATMP-PC035-80, and ATMP-PC035-86 through ATMP-PC035-99, as well as Topical Response TR-ATMP-AQ/GHG-1, Mitigation of Project-Related Air

Quality and Greenhouse Gas Impacts, in the Final EIR address Appellant's concerns related to air quality. (See Attachment A, pp. F2-29 through F2-52, F2-561 through F2-571, F2-573 through F2-577, F2-600, F2-633 through F2-646, and F2-653 through F2- 661.)

- GHG emissions. Section 4.4 of the Draft EIR evaluates impacts related to GHG emissions. Responses to Comments ATMP-PC035-26 through ATMP-PC035-28, ATMP-PC035-31 through ATMP-PC035-34, ATMP-PC035-36, ATMP-PC035-39, ATMP-PC035-72 through ATMP-PC035-75, and ATMP-PC035-81 through ATMP-PC035-99, as well as Topical Response TR-ATMP-AQ/GHG-1, Mitigation of Project-Related Air Quality and Greenhouse Gas Impacts, in the Final EIR address Appellant's concerns related to GHG emissions. (See Attachment A, pp. F2-29 through F2-52, F2-563 through F2-567, F2-570 through F2-571, F2-573 through F2-577, F2-600, F2-633 through F2-637, and F2-646 through F2-661.)

LAWA's responses also demonstrate the adequacy of the EIR's Project Description. (See, e.g., Responses to Comments ATMP-PC035-1, ATMP-PC035-35, and Topical Response TR-ATMP-G-3.)

Appellant's final stated reason for the Appeal – that the “overriding consideration findings” were deficient – has no merit. BOAC adopted a Statement of Overriding Considerations on October 7, 2021, in connection with its approval of the LAX ATMP. (See Statement of Overriding Considerations, available at <https://cloud1lawa.box.com/s/l23dhy4vi80kwduza5c4q59si3niw0fm>.) The Statement of Overriding Considerations finds that the unavoidable significant environmental impacts associated with the LAX ATMP are acceptable in light of specific economic, operational, legal, technological, and other benefits. These include:

- Enhanced Airfield Safety and Operational Management at LAX
- Improved LAX Passenger Experience
- Landside Improvement Benefits
- Economic Benefits and Job Creation
- Sustainability and Environmental Benefits

BOAC's conclusions regarding the benefits of the LAX ATMP are supported by substantial evidence contained in the administrative record. This evidence includes the fact that the addition of Concourse 0 and Terminal 9 would increase long-term employment opportunities for airport personnel, maintenance and janitorial staff, concessionaires, and others, generating approximately 4,700 new permanent LAX jobs. Further, pursuant to Los Angeles Administrative Code, Division 10, Chapter 1, Article 11, Section 10.37 et seq., contractors and subcontractors who have agreements with the City, including those associated with LAX, must comply with all applicable provisions of the Living Wage Ordinance, including paying their employees a minimum "living wage" that generally includes health benefits (or an increased cash wage if benefits are not included) and provides compensated days off, which would bolster the economic impact of the proposed Project. In addition, LAWA has other employment programs that would increase the economic benefits of the proposed Project to the surrounding communities. Pursuant to LAWA's First Source Hiring Program (FSHP) Policy, any contracts awarded in association with the proposed Project would be subject to the applicable provisions

of the FSHP for LAX airport jobs. This program targets local residents for early access to available LAX airport jobs. LAX employers receive prompt, cost-free referrals of qualified applicants. To provide local residents with access to well-paying construction careers, LAWA established the HireLAX Apprenticeship Readiness Program (HireLAX). About 80 percent of HireLAX graduates work in construction. Further, in accordance with BOAC Resolution 23437, all concessionaires associated with Concourse 0 and Terminal 9 would be subject to LAWA's Labor Peace Agreement requirements.

Finally, the Appeal's incorporation by reference of "all other comments made by any commenting party" is insufficient to fairly apprise the City Council of the specific issues Appellants assert as noncompliance with CEQA. Regardless, the Final EIR includes written responses to all comments received during the public comment period on the Draft EIR. Additionally, all issues raised by Appellants after the close of the public comment period were addressed in responses to comments in the Final EIR and/or are addressed in Attachment B to this transmittal.³ These responses demonstrate that LAWA has complied with CEQA in all respects.

LAMC Section 11.5.13-C Does Not Apply

The Appeal states that it is filed pursuant to Section 11.5.13-C of the Los Angeles Municipal Code. This Code section is contained within Chapter I of the LAMC, which pertains to general provisions and zoning within the purview of the City Planning Department. The CEQA appeal procedures set forth in Section 11.5.13-C apply "[w]hen any decision-maker in any action authorized by this Chapter, other than the City Council, certifies an environmental impact report, adopts a negative declaration, a mitigated negative declaration, or a sustainable communities environmental assessment; or determines that the Project subject to approval under this Chapter is not subject to CEQA."

In this case, no decision-maker has taken any action authorized by Chapter I of the LAMC with respect to the LAX ATMP. Further, the LAX Specific Plan does not provide for a right of appeal of the BOAC's October 7, 2021, LAX Specific Plan Compliance determination. Moreover, the Appeal does not raise any issues with the LAX Specific Plan Compliance Review performed for the LAX ATMP.

Conclusion

BOAC's October 7, 2021, certification of the LAX ATMP EIR complied with CEQA in all respects. Substantial evidence in the administrative record demonstrates that the EIR adequately analyzed all impacts, adequately considered all feasible mitigation measures, and adequately analyzed project alternatives. Substantial evidence also supports the Statement of Overriding Considerations.

In light of all the materials in the administrative record before it, LAWA respectfully requests that the City Council deny the Appeal; affirm BOAC's October 7, 2021, certification of the Final EIR for the LAX ATMP; affirm BOAC's October 7, 2021 adoption of the CEQA Findings, Statement of Overriding Considerations, and MMRP; concur with BOAC's other actions related to the LAX

³ To the extent these comments raise issues related to the separate environmental analysis of the ATMP being prepared pursuant to the National Environmental Policy Act, those issues are not relevant to this Appeal.

ATMP as stated in BOAC Resolution No. 27351; and direct staff to file a Notice of Determination reflecting the City Council's actions.

Sincerely,

Samantha Bricker

Samantha Bricker
Chief Sustainability and Revenue Management Officer
Los Angeles World Airports

List of Attachments and Hyperlinked Documents:

- Attachment A: Excerpts of responses in the Final EIR to comments contained Attachment 1 of the Appeal (Draft EIR Comments [March 15, 2021])
- Attachment B: Responses to all comments raised in Attachment 2 to the Appeal (Final EIR Comments [September 14, 2021])
- Attachment C: BOAC Resolution No. 27351
- Attachment D: Draft Notice of Determination
- BOAC Board Report for ATMP (September 14 and October 7, 2021):
https://lawa.granicus.com/MetaViewer.php?view_id=4&clip_id=789&meta_id=51943,
including links to the following documents, which are also available online at
<https://www.lawa.org/atmp> under "Documents":
 - ATMP Draft EIR
(<https://cloud1lawa.box.com/s/bracrr7k700eb3y7x37x02u19bsec3r5>)
 - ATMP Final EIR
(<https://cloud1lawa.box.com/s/ydc5fyx5e29mtbm1msmfvsf54u8gu9av>)
 - ATMP MMRP
(<https://cloud1lawa.box.com/s/7e0sjr5t6hd9abn2frxbr5qohdvs6r3n>)
 - CEQA Findings of Fact
(<https://cloud1lawa.box.com/s/6mckfkajgt6b7u443c8929uu27njse9a>)
 - Statement of Overriding Considerations
(<https://cloud1lawa.box.com/s/l23dhy4vi80kwduza5c4q59si3niw0fm>)
 - Non-CEQA Transportation Assessment Report
(<https://cloud1lawa.box.com/s/lcr71nt2ue3cqlpfaa7lirdx857kqi56>)
 - Los Angeles Department of Transportation Review Letter for ATMP Non-CEQA Transportation Assessment Report dated May 7, 2021
(<https://cloud1lawa.app.box.com/s/krdqs3giq13q8xzsqa7h09hd0vgriv1o>)

- LAX Specific Compliance Review Documentation, Executive Director's Report – EDR
(<https://cloud1lawa.box.com/s/elua0qe195es9n25ytaem0036wziwowd>)
- September 14, 2021 Staff Presentation to BOAC re Project:
https://lawa.granicus.com/MetaViewer.php?view_id=4&clip_id=771&meta_id=51739
- Video recording of September 14, 2021 BOAC Special Meeting:
https://lawa.granicus.com/player/clip/771?view_id=4&redirect=true
- Video recording of October 7, 2021 BOAC Regular Meeting:
https://lawa.granicus.com/player/clip/789?view_id=4&redirect=true
- Written comments received between close of Draft EIR comment period and BOAC's October 7, 2021 action on the Project:
<https://cloud1lawa.box.com/s/urm88k9wxbfsvm1iwtjomjylqt9wa86g>

ATTACHMENT A

F2 COMMENTS AND RESPONSES

The following provides the Topical Responses and individual responses to comments received on the LAX Airfield and Terminal Modernization Project Draft EIR.

F2.1 Topical Responses

TR-ATMP-G-1: Aviation Demand Forecast

Introduction

Numerous comments received on the LAX Airfield and Terminal Modernization Project Draft EIR relate to the assumed growth in passenger and aircraft operation activity documented in the Draft EIR. As summarized in Section 2.3.1.2.2 of the Draft EIR, forecasts of annual aircraft operations and passenger activity at LAX were developed in 2019 on behalf of LAWA to support the planning efforts for the proposed Project. These forecasts are documented in Appendix B.1 of the Draft EIR. This topical response provides a discussion of four aspects associated with forecasting growth in passenger and aircraft operation activity: 1) aviation activity forecasting background; 2) factors that influence airline schedules and passenger demand; 3) major disruptive historical events and associated recovery at LAX; and 4) forecasted passenger and aircraft operation activity in light of the COVID-19 global pandemic. This topical response demonstrates the validity of the aviation activity forecasting LAWA conducted for the proposed Project. This topical response also explains why, despite the effects of the COVID-19 pandemic, the Draft EIR's assumptions in terms of passenger and airline activity remain valid, although the impacts of this activity are likely not to be felt for several years later than previously assumed. As a result, the Draft EIR's analysis of impacts in 2028 can be considered conservative.

Aviation Activity Forecasting Background

Aviation Activity Forecasting Techniques

As discussed in Section 3.2.2 of Appendix B.1 of the Draft EIR, aviation activity forecasting can be conducted using various forecasting techniques, per guidance provided by the Federal Aviation Administration (FAA). The FAA reviews and approves local aviation activity forecasts and forecast methodology to ensure that they are appropriate and that they provide an adequate justification for the scope, and timing of proposed airport development. FAA field offices can approve local forecasts if the forecast methodology is reasonable and the forecast is consistent with the FAA's Terminal Area Forecast (TAF) or if differences with the TAF have been resolved by the FAA.

FAA Advisory Circular 150/5070-6B discusses the most common forecasting techniques used as the basis for airport planning analyses, as follows:¹

- Regression analysis: This is a statistical technique that ties aviation demand (dependent variables), such as enplanements, to economic measures (independent variables), such as population and income.
- Trend analysis and extrapolation: This technique uses recorded historical patterns and trends, and extrapolates future activity forecast results based on assumed future trends.

¹ U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular 150/5070-6B, Change 2, *Airport Master Plans*, January 27, 2015, Paragraph 704, pp 39-40. Available: https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.information/documentID/22329.

- Market share analysis: This technique assumes a top-down relationship between national, regional, and local forecasts. Local forecasts are a market share (percentage) of regional forecasts, which are a market share (percentage) of national forecasts. Historical market shares are calculated and used as a basis for projecting future aviation activity levels.

The FAA further recommends that aviation forecasters use their professional judgment to determine which forecasting technique is most appropriate for the airport being studied.² For the proposed Project's aviation forecasts, LAWA relied on the expertise of its consultants Ricondo & Associates, Inc. (Ricondo). Ricondo is a full-service aviation consultancy specializing in airport planning and business management services in support of airport owners and operators, airlines, and federal and state agencies. Ricondo has supported LAWA since early 2000 and employs professional experts in airspace and airfield planning and operational analyses and simulations, as well as forecasting and terminal planning.

As documented in Section 3.2.2 of Appendix B.1, LAWA's aviation experts selected an industry-standard regression analysis based on socioeconomic factors as the most appropriate forecasting methodology for an airport such as LAX. Forecasting aviation activity at LAX has historically been done using regression analyses because of the large amount of historical data available and the fact that passenger demand highly correlates with socioeconomic factors (such as population and income), which is integral to obtaining reasonable and reliable regression analysis results. Historical data and socioeconomic factors were documented in Sections 2.1 and 3.2.2 of Appendix B.1. Although the other two forecasting techniques discussed above (trend analysis and market shares) were not selected as the primary forecasting method, historical trends and market share information were considered in the development of the forecasts documented in Appendix B.1.

The regression analysis method is independent of the proposed Project improvements. The unconstrained forecast results presented in Section 3.4 of Appendix B.1 would have been the same regardless of the proposed Project airfield or terminal improvements, because they were the results of an independent regression analysis focused on evaluating the relationship between aviation demand (dependent variables, such as enplanements) and economic measures (independent variables, such as population and income). Thus, even if the proposed Project involved entirely different airfield or terminal improvements, the unconstrained forecast results presented in Section 3.4 of Appendix B.1 would not change. Once the passenger and aircraft operation demand were forecasted, LAWA's aviation experts assessed the ability of the existing facilities (under the No Project scenario) at LAX to accommodate such demand, as documented in Section 4 of Appendix B.1, and further identified a constrained demand scenario which reflected LAX-specific limitations of the airfield system component. LAWA's aviation experts then performed a gating analysis to assess the ability of the existing facilities at LAX, plus those associated with the proposed Project, to accommodate such demand. In this fashion, LAWA's aviation experts were able to compare the ability of airport terminal facilities to accommodate anticipated demand without the proposed Project to such ability with the proposed Project.

Forecast Timeframes

As defined by the FAA, aviation activity forecasts can be prepared for different timeframes: short-term (up to five years); medium-term (between six and ten years); and long-term (beyond 10 years).³

As noted in Section 1 of Appendix B.1, the activity forecasts prepared for the LAX Airfield and Terminal Modernization Project extend to Fiscal Year (FY) 2045 to coincide with the horizon year of the 2020-2045

² U.S. Department of Transportation, Federal Aviation Administration, *Forecasting Aviation Activity by Airport*, April 2001, p. 3. Available: https://www.faa.gov/airports/planning_capacity/.

³ U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular 150/5070-6B, Change 2, *Airport Master Plans*, January 27, 2015, Paragraph 702, p. 37. Available: https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.information/documentID/22329.

Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by the Southern California Association of Governments (SCAG), known as Connect SoCal.⁴ The forecast horizon year of FY 2045 also coincides with the horizon year of the 2019 TAF^{5,6} prepared by the FAA.

As documented in Section 1.1 of Appendix B.1, the technical analyses prepared for the Draft EIR for horizon year 2028 were based on the results of the activity forecast. Please refer to Topical Response TR-ATMP-G-3 regarding the selection of this horizon year for impact analyses for the LAX Airfield and Terminal Modernization Project Draft EIR.

As further documented in Section 3.2.1 of Appendix B.1 and in the attachment to Appendix B.1 of the Draft EIR (LAX Airfield and Terminal Modernization Project Forecasts Comparison with 2019 FAA Terminal Area Forecast Results), the FAA requires two timeframes to be analyzed to support its consistency review of airport sponsors' forecasts: a 5-year forecast period and a 10-year forecast period. In the case of the LAX Airfield and Terminal Modernization Project, these timeframes translate to 2023 and 2028, with a baseline year of 2018. These timeframes, and associated forecasted passenger and aircraft operations, are documented in the attachment to Appendix B.1. Accordingly, the FAA considers a forecast consistent with the FAA's TAF if the results differ by less than 10 percent in the 5-year forecast period, and by less than 15 percent in the 10-year forecast period.⁷

On September 30, 2020, following its review, the FAA approved the LAX Airfield and Terminal Modernization Project forecast as consistent with the most recent TAF, as documented in the introductory pages to Appendix B of the Draft EIR.

It is important to note that short-term variations in activity as a result of changes in economic activity or geopolitical considerations do not undermine the validity of long-term forecast results. Uncertainties are inherent in the process of forecasting, as further discussed below. As documented in Section 2.2.2 of Appendix B.1, it was assumed that it is unlikely that short-term events (such as geopolitical considerations) would impede LAX's future growth over the long-term. History has demonstrated (as further documented below) that LAX's passenger demand has been resilient to short-term events and has consistently rebounded over the long-term horizon. Thus, even if geopolitical or economic events lead to short-term fluctuations in LAX's passenger demand, in time demand reverts to the long-term trend. The impacts of the COVID-19 global pandemic are also discussed below.

Forecasting Uncertainties

As noted in FAA guidance on aviation activity forecasting, any forecast of demand has an element of uncertainty.⁸ Uncertainty, however, does not undermine the validity of a forecast, so long as the forecast is based on reasonable planning assumptions, uses current data, and is developed using appropriate forecast methods.⁹

⁴ Southern California Association of Governments, *Connect SoCal: The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*, adopted September 3, 2020. Available: <https://www.connectsocial.org/Documents/Adopted/0903fConnectSoCal-Plan.pdf>.

⁵ The Terminal Area Forecast (TAF) is the official FAA forecast of aviation activity for U.S. airports. The forecasts are prepared by the FAA to meet the budget and planning needs of the FAA. Airport sponsor forecasts (such as the LAX Airfield and Terminal Modernization Project activity forecasts) are considered consistent with the TAF if the results differ by less than 10 percent in the 5-year forecast period, and 15 percent in the 10-year forecast period. See U.S. Department of Transportation, Federal Aviation Administration, *Review and Approval of Aviation Forecasts*, June 2008, p.1. Available: https://www.faa.gov/airports/planning_capacity/media/approval_local_forecasts_2008.pdf.

⁶ The 2019 FAA TAF results for LAX are provided in Table 1 of the attachment to Appendix B.1 of the Draft EIR.

⁷ U.S. Department of Transportation, Federal Aviation Administration, *Review and Approval of Aviation Forecasts*, June 2008, p.1. Available: https://www.faa.gov/airports/planning_capacity/media/approval_local_forecasts_2008.pdf.

⁸ U.S. Department of Transportation, Federal Aviation Administration, *Forecasting Aviation Activity by Airport*, April 2001, p. 15. Available: https://www.faa.gov/airports/planning_capacity/.

⁹ U.S. Department of Transportation, Federal Aviation Administration, *Review and Approval of Aviation Forecasts*, June 2008, p.1. Available: https://www.faa.gov/airports/planning_capacity/media/approval_local_forecasts_2008.pdf.

The specific uncertainties inherent in the Draft EIR's aviation forecast are discussed in Section 3.2.1 of Appendix B.1. Acknowledging these uncertainties is prudent because history demonstrates that unexpected fluctuations in the economy, aviation industry practices, passenger demand, and other known and unknown factors may result in LAX annual passengers and aircraft operations increasing or decreasing at a different rate than expected. It is reasonable to assume that this is why the FAA allows a certain percentage of variance between the results of an airport sponsor's forecast and the FAA TAF, as discussed above.

The degree of uncertainty is also inextricably linked to forecast timeframes. The longer the forecast range, the more uncertainties exist. As noted above, the FAA considers a 10-year timeframe for consistency review, and a 5-year timeframe beyond project implementation year for NEPA review purposes.¹⁰

The degree of uncertainty is also relevant when preparing design day flight schedules, or when forecasting flight schedule characteristics, such as how commercial passenger airlines or other airport operators may react to changes in airport operating conditions in the long term (see Section 4.4.1 of Appendix B.1). Accordingly, design day flight schedules (DDFS) prepared for the technical analyses are representative of anticipated future activity levels at LAX, as documented in Section 1.1 of Appendix B.2 of the Draft EIR. The discussion appropriately acknowledges that the DDFSs were developed based on results of the forecast analysis and, "therefore, includ[e] similar uncertainties associated with predicting operational and scheduling characteristics, or future aircraft fleets."

In spite of these uncertainties, the aviation forecast presented in Appendix B of the Draft EIR is based on the best available evidence, documented facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. This is consistent with CEQA, which "does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure." (CEQA Guidelines, § 15003, subd. (i); see also, *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515 ["We also affirm that in reviewing an EIR's discussion, we do not require technical perfection or scientific certainty...."].) This is also consistent with the FAA's forecast review guidance: "When reviewing a sponsor's forecast, FAA must ensure that the forecast is based on reasonable planning assumptions, uses current data, and is developed using appropriate forecast methods."¹¹ As noted above, following its review, the FAA approved the LAX Airfield and Terminal Modernization Project forecasts in September 2020, as documented in Appendix B of the Draft EIR. Thus, both LAWA's aviation experts and the FAA agree that the Draft EIR's aviation forecast is valid despite the uncertainties inherent in any forecasting exercise.

Factors Influencing Airlines' Schedules and Passenger Demand

In response to comments suggesting that the proposed Project would result in increased aviation and/or passenger activity levels or capacity at LAX, it is important to recognize the vast body of empirical data that demonstrates the lack of a statistically significant correlation between improved airport facilities and increased passenger activity levels. Section 2.2 of Appendix B.1 provides a discussion of factors affecting aviation demand, including economic activity, geopolitical considerations, and the cost of aviation fuel. In addition, other factors exist that influence how airlines develop flight schedules to respond to passenger demand, as further documented below.

The decision by passengers to choose to fly to, from, or through LAX is driven by many factors. In its guidance for developing local aviation forecasts, the FAA discusses the following factors affecting aviation activity: socioeconomic data, demographics, disposable income, geographic attributes, and external

¹⁰ Note that the FAA may review airport sponsors' forecasts beyond the timeframes discussed herein for long-term planning purposes, such as master plan analyses which would typically forecast aviation activity demand over a 20-year timeframe.

¹¹ U.S. Department of Transportation, Federal Aviation Administration, *Review and Approval of Aviation Forecasts*, June 2008, p.1. Available: https://www.faa.gov/airports/planning_capacity/media/approval_local_forecasts_2008.pdf.

factors such as fuel costs and airline industry-related factors (airline mergers, airline hubbing practices, and airfares).¹² In the context of having more than one airport from which to choose (in a multi-airport region such as the Los Angeles basin), as discussed in the Airport Cooperative Research Program (ACRP) Report 98, passengers will consider a series of elements in evaluating travel options: air service availability, price, itineraries, flight schedules, airport convenience, airline quality, airport quality, loyalty programs, airport ground access, airport previous experience, and aircraft type.¹³ The Report proceeds to state that the purpose of the trip (leisure or business) is the “single largest determinant of airport choice”¹⁴ Therefore, it is important to note that no one element on this long list can be identified as a major factor that would influence passenger choice to use LAX; instead, passenger choice is the result of a complex decision-making process.

ACRP Report 98 further analyzes how airlines make business decisions to meet passenger demand: “The demand for passenger air transportation is the driving force for business decisions in the airline industry. Passenger air travel demand is the sum of individual decisions by potential air travelers, aggregated to a level that provides sufficient revenue to support the sustainable and profitable provision of air service in a market. Passenger airlines seek to tailor their business models to both accommodate this demand and drive the resulting revenue.”¹⁵ ACRP Report 98 provides a list of factors that airlines consider when making business decisions: airline network conditions; alliances and partners; aircraft fleet; cabin configuration; pricing; revenue management; product distribution network; scheduling; and loyalty programs.¹⁶ Therefore, as discussed in ACRP Report 98, airline decisions to schedule flights at LAX are the result of complex business models based upon sophisticated revenue, inventory, and pricing management systems.

For these reasons, LAWA’s aviation experts do not expect the proposed Project to result in increased aviation and/or passenger activity levels or capacity at LAX. This expectation is also supported by the gating and airfield simulation analyses conducted for the proposed Project, which demonstrate that simulated flight schedules and airfield operations could be accommodated at LAX through at least 2033 by existing and planned terminal facilities *other than* the proposed Project. (See Section 4.3 of Appendix B.1 of the Draft EIR.) Further, the analysis demonstrates that the airfield at LAX would constrain the ability of LAX to accommodate the forecasted unconstrained demand with or without the proposed Project, resulting in an anticipated slowdown in aircraft operation growth by FY 2033. In other words, the proposed Project facilities are not a determinative factor in influencing demand or capacity at LAX.

Major Disruptive Historical Events and Associated Recovery at LAX

In evaluating comments asserting that the forecasts in the Draft EIR should be revised to account for the effect of the COVID-19 pandemic on passenger air travel, it is instructive to examine how other disruptive events have affected aviation demand and numbers of annual passengers and aircraft operations at LAX.

¹² U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular 150/5070-6B, Change 2, *Airport Master Plans*, January 27, 2015, Chapter 7 Aviation Forecasts, pp. 37-38. Available:

https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.information/documentID/22329.

¹³ Transportation Research Board of the National Academies, Airport Cooperative Research Program, *ACRP Report 98, Understanding Airline and Passenger Choice in Multi-Airport Regions*, 2013, p. 12. Available:

<http://www.trb.org/Publications/Blurbs/170194.aspx>.

¹⁴ Transportation Research Board of the National Academies, Airport Cooperative Research Program, *ACRP Report 98, Understanding Airline and Passenger Choice in Multi-Airport Regions*, 2013, p. 12. Available:

<http://www.trb.org/Publications/Blurbs/170194.aspx>.

¹⁵ Transportation Research Board of the National Academies, Airport Cooperative Research Program, *ACRP Report 98, Understanding Airline and Passenger Choice in Multi-Airport Regions*, 2013, pp. 16-17. Available:

<http://www.trb.org/Publications/Blurbs/170194.aspx>.

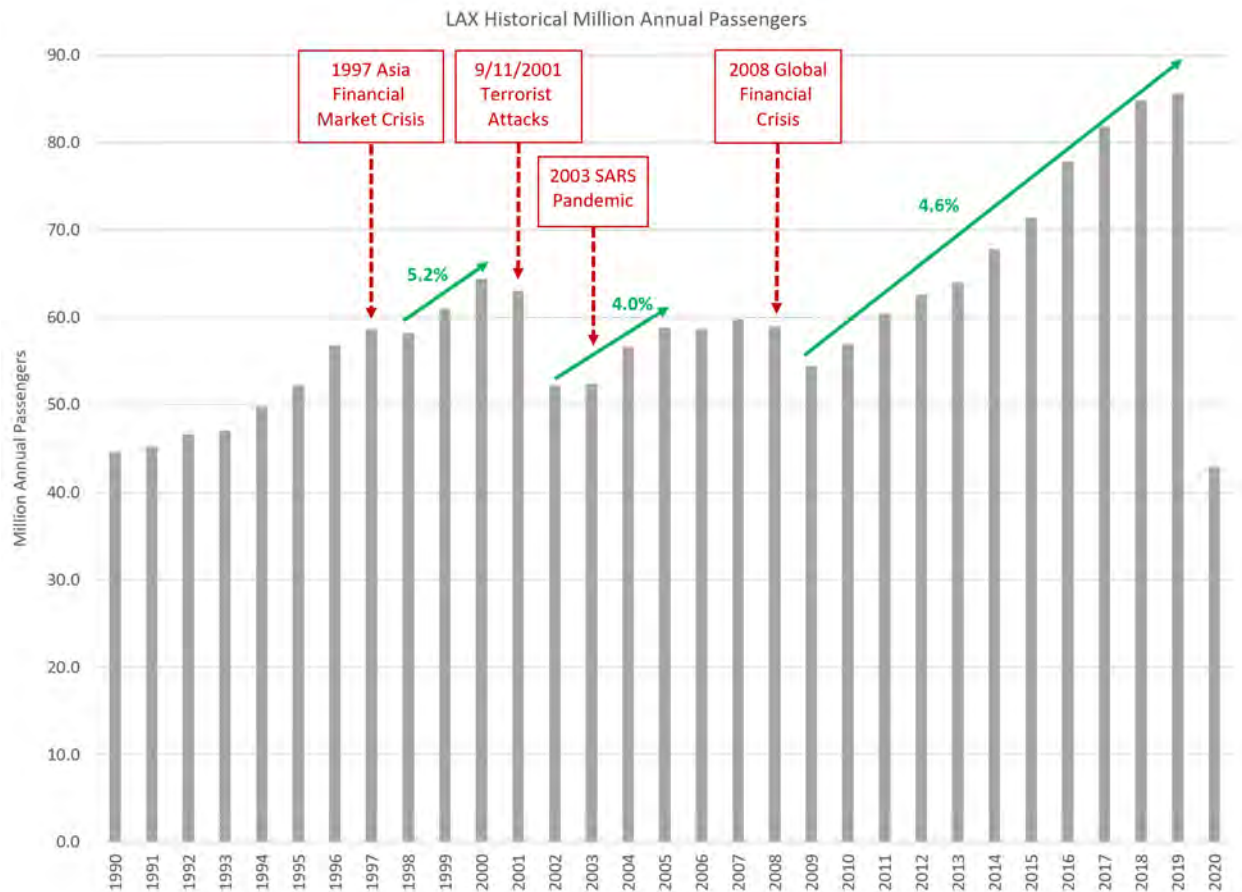
¹⁶ Transportation Research Board of the National Academies, Airport Cooperative Research Program, *ACRP Report 98, Understanding Airline and Passenger Choice in Multi-Airport Regions*, 2013, pp. 17-18. Available:

<http://www.trb.org/Publications/Blurbs/170194.aspx>.

Figures 1 and 2, below, depict the major disruptive historical and economic events affecting aviation demand since 1990, along with LAX historical numbers of annual passengers and aircraft operations.

The four major disruptive historical and economic events affecting aviation demand that have occurred since 1990, not including the current COVID-19 pandemic, are: the 1997 Asia financial market crisis; the September 11, 2001 terrorist attacks in the United States; the 2003 Severe Acute Respiratory Syndrome (SARS) pandemic; and the 2008 global financial crisis.

As depicted on Figure 1, historical data published by the FAA demonstrates that passenger demand at LAX rebounded after each historical event, at compounded annual growth rates (CAGR) of four percent and above. This provides evidence that the LAX market for aviation demand has been extremely resilient to previous disruptive events.



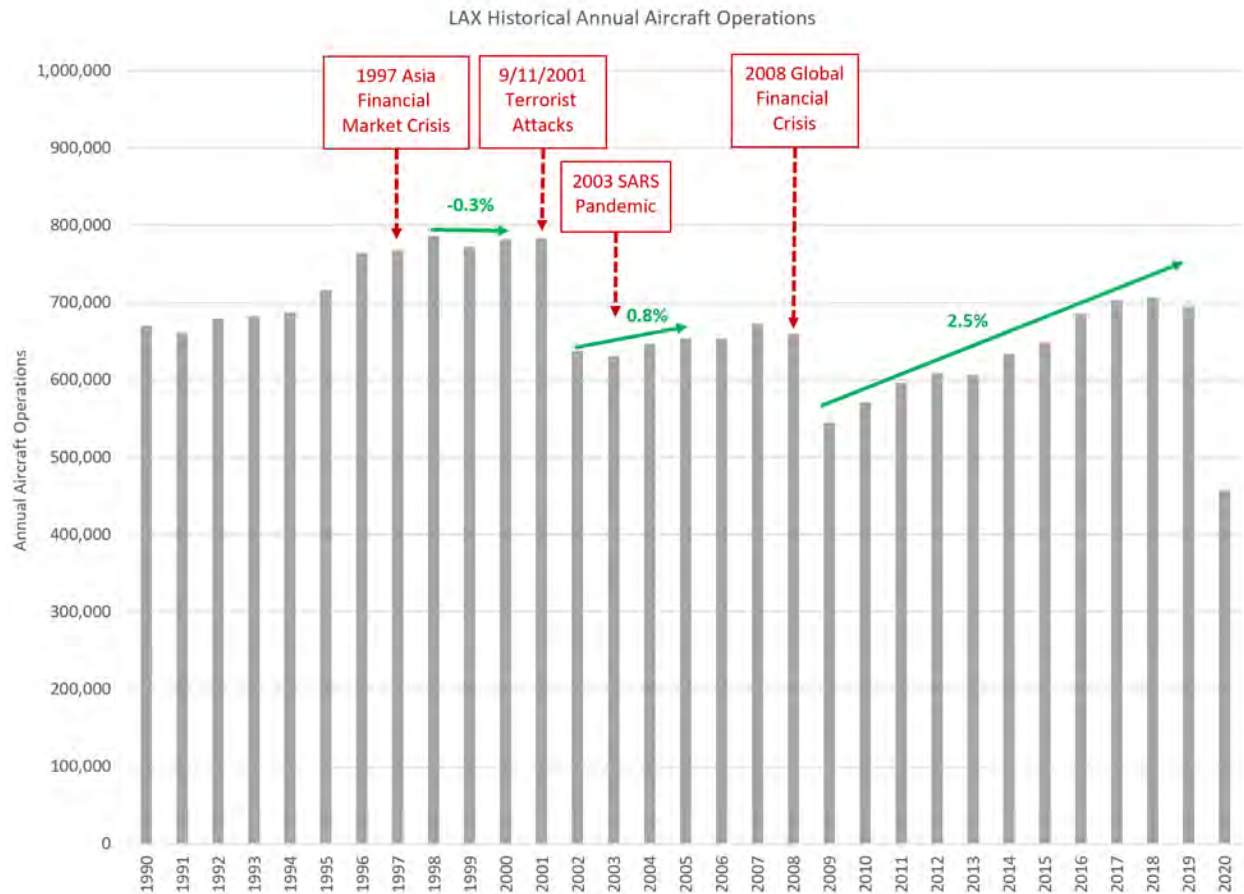
Source: Ricondo & Associates, Inc., May 2021, based on historical data published by the Federal Aviation Administration; available: <https://taf.faa.gov/>.

Figure 1: LAX Historical Million Annual Passengers (1990-2020)

Notably, the passenger rebounds depicted in Figure 1 did not correspond to a direct increase in the number of annual aircraft operations at LAX. That is because commercial passenger airlines have historically accommodated passenger demand by scheduling aircraft with higher seat capacity and higher load factors,¹⁷ therefore requiring fewer aircraft operations. As depicted on Figure 2, between 1997 and 2001, the number of annual aircraft operations remained relatively flat. Less than one percent growth in

¹⁷ Load factor is defined as the percentage of seats occupied by passengers on a flight.

aircraft operations was recorded between 2002 and 2005. Over the period of 2009 through 2019, the number of annual operations grew at a CAGR of 2.5 percent, which did not grow proportionally with the number of annual passengers. Note that data presented on Figure 2 also includes unscheduled operations (such as cargo and general aviation operations), which might have recovered at different rates than commercial passenger airline operations. However, as documented in Table 3-7 of Appendix B.1 of the Draft EIR, unscheduled operations have historically fluctuated between approximately 10 and 12 percent of all operations. Therefore, commercial passenger operations have dominated recovery trends depicted on Figure 2, which is consistent with forecast assumptions documented in Appendix B.1 of the Draft EIR.



Source: Ricondo & Associates, Inc., May 2021, based on historical data published by the Federal Aviation Administration; available: <https://taf.faa.gov/>.

Figure 2: LAX Historical Annual Aircraft Operations (1990-2020)

These figures provide empirical evidence of LAX's resiliency to recover from major disruptive historical and economic events within a few years. These figures also depict the fact that short-term variations in passenger activity levels have not impeded long-term growth in passenger demand at LAX. Finally, these figures also support the assumptions made by LAWA's aviation experts that commercial passenger airlines at LAX would use higher seat capacity and load factors to meet LAX's passenger demand, resulting in slower growth in aircraft operations (as discussed in Section 4.4 of Appendix B.1 regarding the anticipated operational changes under a constrained demand scenario).

Forecasted Passenger and Aircraft Operation Demand in the Light of the COVID-19 Global Pandemic

As documented in the preamble to Appendix B.1 of the Draft EIR, the aviation activity forecasts prepared for the LAX Airfield and Terminal Modernization Project were completed in October 2019, just a few months prior to the COVID-19 global pandemic emergence in early 2020. The Draft EIR was published in October 2020 during the COVID-19 global pandemic. The uncertainties documented in the Draft EIR related to the severity and duration of the contraction in aviation activity resulting from the COVID-19 global pandemic remain pertinent in mid-2021. While the United States has shown signs of recovery, other countries and economies in the world remain affected by widespread infections and slower vaccination rates.

According to monthly passenger activity data tracked by LAWA, passenger activity levels in June 2021 were up over 370 percent compared to those in June 2020 (i.e., 4,887,694 in June 2021 compared to 1,003,861 in June 2020).¹⁸ Passenger levels in May 2021 were up over 700 percent compared to those of May 2020 (i.e., 4,054,092 in May 2021 compared to 575,756 in May 2020), and passenger activity levels also substantially improved in April 2021, up by over 1,000 percent, compared to April 2020 (i.e., 3,074,936 in April 2021 compared to 299,366 in April 2020).¹⁹

Nevertheless, as noted in the preamble in Appendix B.1 of the Draft EIR, the FAA stated that there is “no historical precedent” for aviation experts to consider and help understand how and when aviation activity will fully recover.

In a March 2021 advisory bulletin, the Airports Council International (ACI) emphasized that “much uncertainty still surrounds the recovery of the aviation industry, however, and projecting the path to recovery at this point is an exercise requiring prudence.”²⁰ In this advisory bulletin, ACI estimates that under a baseline recovery scenario, global passenger demand is expected to recover to 2019 levels in 2024. Under this scenario, if LAX were to recover at the same rate of the global industry, the projected demand for passengers and aircraft operations documented in the Draft EIR would be delayed by 5 years (with LAX back at 2019 levels in 2024). Beyond that, LAX may rebound faster than projected, based on historical data documented above.

In May 2021, the FAA released the final TAF for 2020. In the accompanying report, the FAA noted: “There is uncertainty associated with the forecasts because of the uncertainty regarding the path of the [COVID-19] pandemic and its economic impacts. Particular attention was spent on forecasting the near term recovery back to 2019 activity.”²¹ The FAA estimates that LAX will recover to 2019 activity levels (for both passengers and aircraft operations) between 2025 and 2026.²² Thus, according to the FAA, the projected demand for passengers and aircraft operations documented in the Draft EIR will be delayed by approximately 6 years (with LAX at 2019 levels in 2025). Beyond that, uncertainty remains, as discussed by the FAA.

It is therefore reasonable to conclude that the number of passengers and aircraft operations assumed and analyzed in the Draft EIR for 2028 are most likely higher than they will actually be in 2028, post-COVID-19

¹⁸ City of Los Angeles, Los Angeles World Airports, *Traffic Comparison (TCOM) Los Angeles International Airport Calendar YTD January to June*, July 2021. Available: <https://www.lawa.org/-/media/cf73d89fc22042ac91b9816db77a01b9.pdf>

¹⁹ City of Los Angeles, Los Angeles World Airports, Val Y. Hunter, Chief Management Analyst, *2019 – 2021 LAX Passenger Total for Jan – May*, provided June 29, 2021.

²⁰ Airports Council International, *The Impact of COVID-19 on the Airport Business and the Path to Recovery*, March 25, 2021. Available: <https://aci.aero/news/2021/03/25/the-impact-of-covid-19-on-the-airport-business-and-the-path-to-recovery/>.

²¹ U.S. Department of Transportation, Federal Aviation Administration, *Forecast Process for 2020 TAF*, May 2021, p. 2. Available: <https://taf.faa.gov/Downloads/ForecastProcessfor2020TAF.pdf>.

²² U.S. Department of Transportation, Federal Aviation Administration, 2020 Terminal Area Forecast database - LAX, May 2021. Available: <https://taf.faa.gov/>.

recovery. The Draft EIR evaluates and discloses the impacts of the proposed Project when it would be fully operational in the buildout year of 2028. As a result of the COVID-19 global pandemic, impacts analyzed in the Draft EIR are most likely commensurate to higher levels of activity than will actually occur in 2028. Thus, the Draft EIR's analysis of impacts related to passenger activity levels in 2028 can be considered conservative.

TR-ATMP-G-2: Midfield Satellite Concourse Gates and West Remote Gates

Introduction

Numerous comments received on the LAX Airfield and Terminal Modernization Project Draft EIR relate to the description and analysis of gates assumed in the Draft EIR. This topical response explains why the assumptions in the gating analysis prepared for the LAX Airfield and Terminal Modernization Project Draft EIR are accurate with respect to the Midfield Satellite Concourse (MSC) Program and the West Remote Gates (WRGs).

Midfield Satellite Concourse Program

The following discussion explains the relationship between the MSC Program and the proposed LAX Airfield and Terminal Modernization Project, the American Eagle Commuter gates, and the WRGs.

Overview

MSC Program and MSC North Project

On July 21, 2014, the Board of Airport Commissioners (BOAC) certified a Final EIR pursuant to CEQA for all phases of the LAX MSC Program²³ (Resolution 25478). The EIR was certified and adopted by the Los Angeles City Council on August 20, 2014. The MSC Program, as analyzed in the MSC EIR, consisted of a new multilevel concourse west of the Tom Bradley International Terminal with a total of 29 gates and a Central Terminal Processor. Due to the size and scale of the MSC Program and the immediate need to enable rehabilitation and modernization of existing facilities, LAWA decided to implement the program in phases. The 2014 MSC EIR contained a program-level analysis of the full MSC Program, including the planned southerly extension of the MSC, and a project-level analysis of what the EIR called the "MSC North Project." The 2014 MSC EIR therefore contemplated that (1) the environmental review process had been completed for the MSC North Project; and (2) further, project-level analysis of MSC South, or other elements of the MSC Program, would be performed before MSC South or other components of the MSC Program would be approved.

Section 2.5.2 of the 2014 MSC EIR assumed the MSC North Project would include up to 11 gates. Section 2.5.6.1 of the 2014 MSC EIR assumed that the future phase(s) of the approved MSC Program would extend the MSC building south in one or more phases, with up to 18 additional aircraft gates, for a total of 29 MSC gates. As stated in the 2014 MSC EIR, further project-level environmental review of these components would be required in the future before they could be implemented.

As part of the natural progression of the design process, plans for the MSC North Project were further refined. On November 17, 2016, BOAC approved modifications to the MSC North Project, including a reconfiguration of the concourse with the ability to provide 12 aircraft gates capable of accommodating ADG V and ADG VI aircraft. On July 18, 2019, BOAC approved incorporation of three additional Group III

²³ City of Los Angeles, Los Angeles World Airports, *Final Environmental Impact Report for Los Angeles International Airport (LAX) Midfield Satellite Concourse*, (SCH 2013021020), June 2014. Available: <https://www.lawa.org/en/lawa-msc-north/project-documents>.

aircraft gates at MSC North for a total of up to 15 gates. These 15 gates are reflected in Exhibit 2-2 of Appendix B of the Draft ATMP EIR, which reflects the assumed 2028 Passenger Gate Layout that will exist with or without the proposed Project.

Construction of the MSC North Project, renamed the “West Gates at Tom Bradley International Terminal,” was completed in May 2021.²⁴

Phase 2 of the MSC Program

On August 1, 2019, BOAC approved the next phase (i.e., Phase 2) of the MSC Program, commonly referred to as the MSC South project. Phase 2 consists of a southerly extension of the MSC, eight aircraft gates, and related improvements. Although Phase 2 will build a portion of the future phases of the MSC Program identified in the 2014 MSC EIR, it does not represent a full buildout of the future phases. This is consistent with the 2014 MSC EIR, which states, “[t]he future phase(s) of the MSC Program would extend the MSC building south in one or more phases” and that demolition of the American Airlines High Bay Hangar, which sits just west of the future MSC South building, would be required to allow for such future phase(s).

The eight approved MSC South gates are reflected in the “No Project” 2028 Passenger Gate Layout in Exhibit 2-2 of Appendix B.2 of the Draft ATMP EIR. As shown in that exhibit, together, the MSC North Project and the MSC South (Phase 2) project are expected to provide a total of 23 gates in 2028. This is six fewer gates than the 29 gates permitted under the 2014 MSC Program approval.

As required by CEQA, in connection with Phase 2 of the MSC Program, a project-level environmental analysis was performed in July 2019 to evaluate whether Phase 2 would have any environmental effects that were not examined in the 2014 MSC EIR in order to determine whether additional CEQA documentation was necessary, pursuant to Public Resources Code Section 21083 and Sections 15162 and 15168 of the State CEQA Guidelines.²⁵ The environmental analysis determined that construction of Phase 2 of the MSC Program did not require further review under CEQA as it did not include any changes to the MSC Program that would result in significant impacts not already disclosed in the 2014 MSC EIR.²⁶ On August 1, 2019, BOAC considered and awarded a contract for design services for Phase 2 of the MSC Program.²⁷

No actions or proceedings challenging either BOAC’s July 21, 2014 approval of the MSC Program or its August 1, 2019 decision were commenced within the applicable statute of limitations period; therefore, pursuant to Public Resources Code Section 21167.2, both actions, and their associated environmental analyses, are presumed valid.

When LAWA determines a need for future phases of the MSC Program, and when those facilities have been sufficiently planned to undergo environmental evaluation, a project-level environmental review will be undertaken in compliance with CEQA and the State CEQA Guidelines.

Relationship of the MSC Program to the LAX Airfield and Terminal Modernization Project

The City of El Segundo’s comments on the LAX Airfield and Terminal Modernization Project Draft EIR allege that MSC Phase 2 has been “improperly segmented” from environmental review of the proposed Project.

²⁴ City of Los Angeles, Los Angeles World Airport, *Mayor Garcetti, LAX Celebrate the Opening of \$1.73 Billion State-of-the-Art West Gates at Tom Bradley International Terminal*, May 24, 2021. Available: <https://www.lawa.org/news-releases/2021/news-release-022>.

²⁵ City of Los Angeles, Los Angeles World Airports, *Environmental Analysis: Phase 2 of the Midfield Satellite Concourse Program*, prepared by Ricondo in association with Connico, Inc., July 2019.

²⁶ City of Los Angeles, Los Angeles World Airports, *Final Environmental Impact Report for Los Angeles International Airport (LAX) Midfield Satellite Concourse*, (SCH 2013021020), June 2014. Available: <https://www.lawa.org/en/lawa-msc-north/project-documents>.

²⁷ City of Los Angeles, Los Angeles World Airports, *Report to the Board of Airport Commissioners Item 12 for August 1, 2019 Meeting*, August 2019. Available: https://lawa.granicus.com/MetaViewer.php?view_id=4&clip_id=547&meta_id=38558.

In connection with this comment, El Segundo incorporated by reference a letter it previously submitted to LAWA on MSC Phase 2 on December 23, 2019, approximately five months after the BOAC approved Phase 2. Although LAWA was not separately required by CEQA to respond to the letter on MSC Phase 2, LAWA has determined it is appropriate to respond to the allegations in that letter in the context of this Final EIR. The following two subsections of this topical response, in connection with the specific responses provided to the City's letters included in the Final EIR, address those comments.

El Segundo claimed that Phase 2 of the MSC Program is linked to the LAX Airfield and Terminal Modernization Project and that both should have been evaluated as a single project in the Draft EIR. However, the LAX Airfield and Terminal Modernization Project is not part of Phase 2 of the MSC Program, nor is Phase 2 of the MSC Program a part of the LAX Airfield and Terminal Modernization Project; Phase 2 of the MSC Program is a separate and independent project and was not "piecemealed" from the LAX Airfield and Terminal Modernization Project. As a preliminary matter, as described above, BOAC approved MSC Phase 2 in August 2019, and LAWA is moving forward with MSC Phase 2 regardless of whether the proposed LAX Airfield and Terminal Modernization Project is ultimately approved. Project design and construction documents are currently underway, pre-construction activities (such as geotechnical and other site investigations) have commenced, and construction of initial enabling projects has been authorized. LAWA is not required by CEQA or any other law to reconsider this approval, or to incorporate MSC Phase 2 for re-approval as part of a later proposal.

Even if LAWA were proposing the LAX Airfield and Terminal Modernization Project and Phase 2 of the MSC Program contemporaneously, CEQA would not require LAWA to analyze them together as a single project. That is because the LAX Airfield and Terminal Modernization Project and Phase 2 of the MSC Program have different fundamental purposes. Chapter 1 of the LAX Airfield and Terminal Modernization Project Draft EIR lists the objectives of that Project, which include airfield improvements (such as enhanced safety and operational management), terminal improvements (such as providing for new modern, spacious, and efficient terminal facilities), and roadway system improvements (such as helping separate and remove airport-related traffic from the local roadway system). In contrast, the MSC Program was designed to allow LAWA to modernize its existing facilities more effectively by providing operational and gate flexibility. Because the two projects are in different locations in the airport, the fundamental purposes of the projects are different, and each project could and would go forward without the other, CEQA does not require that they be analyzed as a single project. (See *Paulek v. Department of Water Resources* (2014) 231 Cal.App.4th 35, 47; *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1224-1227; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 101.)

Nevertheless, although neither the MSC Program as a whole nor MSC Phase 2 are a part of the LAX Airfield and Terminal Modernization Project, the MSC Program is accounted for in the Draft EIR. Specifically, both MSC North – including the new concourse, up to 15 gates, and associated facilities – and MSC Phase 2 – including the addition of eight gates and related improvements – were included as part of the No Project Alternative (Alternative 1) described in Section 5.4.2.1 of the Draft EIR. This approach is appropriate. As noted above, the MSC North Project has been completed and is operational, and MSC Phase 2 is approved and construction is underway. As identified in Table 3-1 of the Draft EIR, construction of MSC Phase 2 is expected to be completed in 2024. These factors constitute evidence that Phase 2 of the MSC Program will be constructed regardless of whether or not the LAX Airfield and Terminal Modernization Project is implemented and that it is reasonably foreseeable that operations will commence before 2028.

In addition to being assumed as part of the No Project Alternative, the MSC North Project and Phase 2 of the MSC Program were included as part of the 2028 operations analysis in both the "No Project" and "With Project" scenarios described in Appendix B.2 of the Draft EIR and illustrated in Exhibit 2-2 of that appendix. Phase 2 of the MSC Program was also included in the list of projects considered for the cumulative impacts assessment in accordance with State CEQA Guidelines Section 15130(b). (The list of

cumulative projects is described in Table 3-1 of the LAX Airfield and Terminal Modernization Project Draft EIR, as updated in Chapter F3, *Corrections and Clarifications to the Draft EIR*, of this Final EIR.) Therefore, the environmental impacts of the LAX Airfield and Terminal Modernization Project, in conjunction with implementation of the MSC Program, including Phase 2 of the MSC Program, and other cumulative projects, were appropriately evaluated in the Draft EIR for the LAX Airfield and Terminal Modernization Project.

Relationship of the MSC Program to the American Eagle Commuter Gates

El Segundo also claimed that Phase 2 of the MSC Program should be considered an “enabling project” for the LAX Airfield and Terminal Modernization Project due to the planned relocation of the American Eagle commuter gates to the future MSC Phase 2 gates. However, the relocation of American Eagle commuter gates to the MSC is a separate project with independent utility. The relocation is consistent with the objectives identified in the 2014 MSC EIR, providing the flexibility and improvement to the passenger experience identified in that EIR’s project objectives. The relocation is also consistent with LAWA’s Strategic Plan and the goal of delivering exceptional facilities and guest services.²⁸ Consistent with this goal, the relocation represents an improvement to the American Eagle commuter gates amenities and would eliminate busing between the American Airlines gates in the CTA and the gates at the current American Eagle commuter facility. In addition, LAWA’s 2018 lease with American Airlines acknowledges the airline’s desire to consolidate operations (stating, “the Tenant wishes to consolidate its existing leasehold space at the Airport”) and includes a provision requiring American Airlines to relocate its American Eagle operations once a new facility has been identified/completed (“If the Landlord provides Reasonably Equivalent Gates, the Tenant agrees to relocate to the Reasonably Equivalent Gates pursuant to the Agreed Schedule.”).²⁹ The relocation of the American Eagle gates to the MSC accomplishes these objectives, and additionally capitalizes on the proximity between MSC and Terminal 4 where American Airlines’ operations are primarily located. The relocation of American Eagle commuter gates to MSC Phase 2 gates will occur regardless of whether the LAX Airfield and Terminal Modernization Project is approved.

Relationship of the MSC Program to the West Remote Gates

With respect to comments that the Draft EIR’s “No Project” assumptions should not have assumed simultaneous operation of 23 gates at MSC and the existing 18 WRGs, LAWA provides the following response.

In the absence of the LAX Airfield and Terminal Modernization Project, LAWA has not proposed to decommission the WRGs, and has not envisioned decommissioning the WRGs, until after completion of the entire MSC Program. In fact, the 2014 MSC EIR states that all of the WRGs would be decommissioned “[u]pon completion of the future phase(s) of the MSC Program,” and further states that “[n]one of the West Remote Gates/Pads would be decommissioned until full build-out of the MSC.”³⁰ As evaluated in the MSC EIR, the full MSC Program consists of a total of 29 gates and a Central Terminal Processor. As explained above, the MSC Program is not yet complete and future phase(s) may be proposed when LAWA determines they are needed. Therefore, it was reasonable and appropriate for the No Project scenario in the Draft EIR to assume 18 WRGs in 2028 for purposes of the gating analysis in Appendix B.

Further, because eight gates were approved as part of Phase 2 of the MSC Program and, in the absence of the proposed Project, the 18 WRGs will remain available within the planning horizon for the proposed

²⁸ City of Los Angeles, Los Angeles World Airports, *LAWA Strategic Plan, Presentation to LAWA Board of Airport Commissioners*, October 20, 2016. Available: http://lawa.granicus.com/MetaViewer.php?view_id=4&event_id=1164&meta_id=27664.

²⁹ City of Los Angeles, Department of Airports (Landlord) and American Airlines, Inc. (Tenant), *Terminal Facilities Lease and License Agreement: Terminal 4 and Terminal 5 Los Angeles International Airport*, August 15, 2018 (excerpt).

³⁰ City of Los Angeles, Los Angeles World Airports, *Final Environmental Impact Report for Los Angeles International Airport (LAX) Midfield Satellite Concourse*, (SCH 2013021020), Volume 4, page 2-24, June 2014. Available: <https://www.lawa.org/en/lawa-msc-north/project-documents>.

Project, the assumption to include up to 23 gates for the MSC (Phase 1 and Phase 2) and the 18 WRGs under the No Project scenario in 2028, as described in Table 2-1 of Appendix B.2 of the Draft EIR, is based on substantial evidence. Therefore, the gating analyses conducted for the Draft EIR (documented in Section 2 of Appendix B.2 of the Draft EIR) are correct.

West Remote Gates

The following discussion explains why comments claiming that the Draft EIR improperly “credited” removal of the WRGs to offset impacts from the LAX Airfield and Terminal Modernization Project are incorrect.

Overview

As described in Section 2.4.2.3 of the Draft EIR, with implementation of the proposed Project, 15 of the existing 18 WRGs would no longer be used for regularly-scheduled commercial flights. Three passenger gates at the WRGs would remain in use, as depicted on Exhibit 2-3 of Appendix B.2 of the Draft EIR and as described in Section 2.4.2.3 of the LAX Airfield and Terminal Modernization Project Draft EIR (see also Chapter F3, *Corrections and Clarifications to the Draft EIR*, for revisions to Draft EIR Section 2.4.2.3). The operational analysis in Appendix B.2 assumed that the three remaining WRGs would be in use under the proposed Project scenario in 2028. The analysis assumed that these three remaining gates would be used in the same fashion as they are used under the ‘No Project’ scenario, except that under the ‘with Project’ scenario, the number of WRGs would be reduced from 18 to three. Therefore, the Draft EIR appropriately analyzes future operations at the WRGs. As illustrated in Exhibit 2-3 of Appendix B.2 of the Draft EIR, gates 410, 412, and 414 at the WRGs would be retained with implementation of the proposed Project.

Decommissioning of the West Remote Gates

The decommissioning of 15 of the 18 WRGs as described in the LAX Airfield and Terminal Modernization Project Draft EIR represents an implementation of LAWA’s long-standing plan to phase out the WRGs as expressed in the 2004 LAX Master Plan EIR and the 2014 MSC EIR. However, although the 2014 MSC EIR included a project objective of reducing reliance on the WRGs, the 2014 MSC EIR did not assume that the gates associated with the MSC Program would replace the WRGs. As described above, the 2014 MSC EIR states that all of the WRGs would be decommissioned “[u]pon completion of the future phase(s) of the MSC Program,” and further states that “[n]one of the West Remote Gates/Pads would be decommissioned until full build-out of the MSC.”³¹ As also described above, the MSC Program is being implemented in phases. Phase 2 of the MSC Program does not represent completion of the MSC Program. LAWA is still committed to decommissioning all WRGs at full buildout of the MSC. However, since the 2014 MSC EIR analysis, the timing for removal and decommissioning of the WRGs has changed, and LAWA now has the ability to decommission or remove 15 of the 18 WRGs with the proposed Project. The decommissioning or removal of the 15 WRGs accurately reflects LAWA’s current plans. The fact that these plans have been revised and updated over time does not indicate any flaw in LAWA’s environmental analysis for the LAX Airfield and Terminal Modernization Project. The operational analysis in Appendix B.2 of the Draft EIR for the proposed Project did not rely on the operational analysis prepared for the MSC Program EIR and subsequent addenda. Instead, the Draft EIR’s operational analysis assumed the proposed Project would replace 15 of the 18 WRGs.

The decommissioning of the WRGs as described in the LAX Airfield and Terminal Modernization Project Draft EIR is consistent with the 2014 MSC EIR project objective to reduce reliance on the WRGs. In fact, the LAX Airfield and Terminal Modernization Project would accelerate the reduction in reliance on the

³¹ City of Los Angeles, Los Angeles World Airports, *Final Environmental Impact Report for Los Angeles International Airport (LAX) Midfield Satellite Concourse*, (SCH 2013021020), Volume 4, page 2-24, June 2014. Available: <https://www.lawa.org/en/lawa-msc-north/project-documents>.

WRGs. Specifically, the LAX Airfield and Terminal Modernization Project Draft EIR includes a project objective of “removal and replacement of most of the West Remote Gates” (Draft EIR Section 2.3.2.2) and specifically commits to removing and decommissioning 15 of the 18 WRGs and replacing them with the new gates associated with Concourse 0 and Terminal 9 (Draft EIR Section 2.4.2.3). This would occur prior to full build-out of the MSC Program.

Therefore, there is no basis for the claim that LAWA has “double-counted” the WRGs or improperly “credited” removal of the WRGs. LAWA has not relied upon removal or decommissioning of the WRGs as mitigation. All projections of gates following removal and decommissioning of WRGs have included all gates expected to exist at LAX at that future time without regard to which gates “replaced” the WRGs.

TR-ATMP-G-3: Analysis of Project Beyond Buildout Year of 2028

Introduction

The Draft EIR evaluates and discloses the impacts of the proposed Project when it would be fully operational in the buildout year of 2028. A number of comments on the Draft EIR assert that the impacts analysis should extend beyond the Project buildout year of 2028. Some comments claim that the impacts analysis horizon year should be 2045. This topical response explains why it was reasonable and appropriate for the Draft EIR to use the buildout year of 2028 as the horizon year for environmental analysis. This topical response also provides, for informational purposes, a general discussion of conditions in 2033 with and without the proposed Project.

CEQA Requirements

Section 15144 of the State CEQA Guidelines states: “*Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.*” Section 15145 of the State CEQA Guidelines states: “*If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.*”

CEQA does not establish a fixed rule or requirement concerning the time horizon to be used in performing an environmental analysis. The time horizon used for a plan often corresponds to the period during which build-out of the plan is anticipated. Similarly, the time horizon for an infrastructure project often focuses on the impacts that will occur when the project is completed and commences operations. For a multi-phase project, completion of the infrastructure may occur some years in the future. No one approach is required. The time horizon used to perform the analysis will necessarily vary depending on the nature of the project, and the timeframe within which the project is expected to become operational. The lead agency must, therefore, use its judgment to determine the appropriate time horizon to use for purposes of analysis. This issue is analogous to methodological issues concerning how to perform the analysis, such as which data to rely upon and which model or other analytic tool to use. “It is well established an agency has discretion in selecting the methodology to be used in evaluating environmental impact, subject to review for substantial evidence.” (*South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 337.)

It Is Appropriate to Use 2028 as the Horizon Year for Impact Analysis

One of the proposed Project objectives is to “complete construction of the proposed Project prior to the 2028 Olympic and Paralympic Games to be held in Los Angeles.” Thus, the Draft EIR assumes 2028 as the buildout year for the proposed Project.

The Draft EIR evaluates and discloses the impacts of the proposed Project when it is expected to be fully operational in the buildout year of 2028. As further described in Section 2.3.1.2.2 and Appendix B of the Draft EIR, changes in environmental conditions beyond that point would be primarily attributable to increases in activity levels (i.e., aircraft operations and passenger levels) that are projected to occur regardless of the proposed Project. Section 15064, subdivision (d) of the State CEQA Guidelines states: *“In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.”* Changes in environmental conditions beyond the 2028 buildout year, especially as compared to existing baseline conditions, do not represent the *environmental effect of a project* or changes in the environment *caused by the project*.

Additionally, as further explained in Topical Response TR-ATMP-G-1, there are already numerous uncertainties inherent in aviation forecasting. Pushing the forecast range out beyond the proposed Project buildout year increases these uncertainties, making the forecast less meaningful to the public and to decision-makers.

Some comments on the Draft EIR suggest that the impact analysis should have gone out to 2045, pointing to the fact that the LAX aviation activity forecasts developed for the proposed Project include future passenger levels out to a horizon year of 2045. As noted in Section 2.3.1.2 and Appendix B.1 of the Draft EIR, the activity forecasts prepared for the proposed Project extend to Fiscal Year (FY) 2045 to coincide with the horizon year of the Southern California Association of Governments’ (SCAG) 2020 update to the Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS). The forecast horizon year of FY 2045 also coincides with the horizon year of the 2019 Terminal Area Forecast (TAF) prepared by the Federal Aviation Administration (FAA). However, the aviation activity levels projected in the Draft EIR for 2045 reflect only a growth trend analysis extrapolated out to 2045, consistent with the planning horizon year framework that SCAG uses for regional transportation planning throughout the southern California metropolitan area. Importantly, the RTP/SCS is a region-wide planning document prepared by SCAG, not a project-specific document. It should also be noted that even though the FAA TAF goes out to 2045, that long-term projection cannot be used for environmental analysis purposes, but rather the near-term (i.e., 5- to 10-year forecast data) is the focus for use in airport planning and environmental analysis purposes. As evidenced in the LAX Aviation Activity Forecast Approval letter from FAA to LAWA that is presented in Appendix B.1 of the Draft EIR, an aviation activity forecast to be used in an environmental review document cannot deviate from the most current FAA TAF by more than a set percentage. Specifically, any differences in the aviation activity levels in the project forecast compared to the most current FAA TAF must be less than 10 percent in the first five years of the forecast and less than 15 percent in the first 10 years of the forecast. That approach reflects the fact that there is increasing uncertainty and likelihood of change as one goes farther out into the future.

Additionally, the 2045 horizon year in the RTP/SCS is federally mandated; SCAG is required by federal law to prepare and update a long-range RTP (23 U.S.C. §134 et seq.), which must include a 20-year forecast period. Further, SCAG’s regional transportation planning forecast is updated and revised every four years, reflecting the fact that it is not intended to identify with certainty conditions in 2045. In fact, the Program EIR prepared for the 2020-2045 RTP/SCS acknowledges that “[t]he long-range planning horizon of more than 20 years necessitates that many of the projects included in the Plan (and the alternatives) are identified at the conceptual level... Not all impacts can be feasibly and/or accurately quantitatively analyzed at a regional level and/or up to the year 2045.”³² Thus, the fact that SCAG RTP/SCS has a horizon

³² Southern California Association of Governments, *Connect SoCal: The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*, adopted September 3, 2020. Page 1.0-9. Available: https://scag.ca.gov/sites/main/files/file-attachments/dpeir_connectsocial_1_introduction.pdf?1606002563.

year of 2045 does not have any bearing on the project-specific impacts analysis for the LAX Airfield and Terminal Modernization Project.

Moreover, the fact that the Draft EIR includes a projected general activity level for LAX in 2045 does not make the environmental impacts of the proposed Project “reasonably foreseeable.” It would be speculative to estimate environmental impacts of the proposed Project some 25 years out (i.e., 17 years beyond when full operation of the Project would occur [2028]). CEQA does not require this kind of speculation.

One commenter cited examples of EIRs for other projects in which the impacts analyses were based on a 20-year planning projection, including, specifically, the EIR for the San Jose International Airport Master Plan and the EIRs for two Port of Los Angeles cargo container terminal improvements projects. As further detailed in Response to Comment ATMP-AL010-215, the impacts analysis horizon year for each of those projects corresponded to the year when proposed improvements would be completed or the year that the facility lease was being extended to. As such, the horizon year assumed in each of those EIRs for evaluating operational impacts was not based on planning projections but rather reflects the completion timeframe for each project. In all of these EIRs, the impacts analyses did not extend any further into the future beyond the horizon year that was established based on the project completion or other end date. In addition, the fact that other EIRs used different horizon years does not mean that the horizon year for the proposed Project was improper. EIRs for different projects invariably use different horizon years. Indeed, as noted above, there is no set rule regarding what the horizon year ought to be; rather, the lead agency has discretion to determine the appropriate timeframe upon which to base its analysis, taking into account the characteristics of the proposed project.

Using an operational impacts analysis year for the LAX Airfield and Terminal Modernization Project that corresponds with the definition of the proposed Project (i.e., the year that the proposed Project would be fully operational) is consistent with the approach used in all of the example EIRs cited by commenters.

One commenter had several comments alleging that implementation of the proposed Project would relieve capacity constraints and would induce additional growth at LAX beyond 2028; for this reason, the commenter stated that the Draft EIR should have included technical analysis of impacts beyond 2028 including out to 2045. Such allegations are presented in comments ATMP-AL010-31 through ATMP-AL010-46. As indicated in the responses to those comments, the scope and timeframe (i.e., buildout horizon year) of the impacts analysis presented in the Draft EIR is appropriate for the proposed Project, consistent with CEQA requirements and as supported with technical analyses documented by LAWA’s aviation experts. The commenter provides only its opinion and unsupported speculation on what the technical analysis results would have shown if analyses beyond 2028 were conducted, and the reasons why analyses beyond 2028 is warranted.

In summary, LAWA has determined, based on substantial evidence, that analysis of the proposed Project’s impacts beyond the 2028 buildout year is not required. However, as discussed in greater detail in Topical Response TR-ATPM-G-1, as a result of the COVID-19 pandemic, impacts analyzed in the Draft EIR are most likely commensurate to higher levels of activity than will actually occur in 2028. This means that, in essence, the impacts the Draft EIR analyzes related to passenger activity levels in 2028 would actually occur after the 2028 buildout date, subject to unpredictable fluctuations in passenger demand.

General Discussion of Post-Buildout Environmental Conditions

Although not required under CEQA, LAWA completed an evaluation of operations-related environmental conditions in 2033 -- five years beyond the proposed Project completion year of 2028. This evaluation is based on data and analysis contained in the Draft Environmental Assessment (EA) for the LAX Airfield and Terminal Modernization Project prepared in accordance with the requirements of the National

Environmental Policy Act (NEPA), with the FAA serving as the Lead Agency. The Draft EA was published in May 2021 (available at <https://www.lawa.org/atmp/documents>). At the direction of the FAA, the Draft EA evaluates potential impacts at Project buildout (2028) and at Project buildout plus five years (2033). Because this information was readily available, LAWA decided to include it in the Final EIR for informational purposes. It is important to note that, similar to the Draft EIR, the Draft EA's evaluation was conducted using the aviation activity forecast prepared for the Draft EIR and, thus, does not reflect the impacts of the COVID-19 pandemic on aviation activity. As discussed in Topical Response TR-ATMP-G-1, the FAA released in May 2021 the final TAF for 2020. In the accompanying report, the FAA noted: "There is uncertainty associated with the forecasts because of the uncertainty regarding the path of the [COVID-19] pandemic and its economic impacts. Particular attention was spent on forecasting the near term recovery back to 2019 activity."³³ The FAA estimates that LAX will recover to 2019 activity levels (for both passengers and aircraft operations) between 2025 and 2026.³⁴ Thus, according to the FAA, the projected demand for passengers and aircraft operations documented in the Draft EIR will be delayed by approximately 6 years (with LAX at 2019 levels in 2025). Therefore, the conditions discussed below for 2033 may not actually occur until some years later. In essence, it is possible that the impacts projected to occur in 2028, as addressed in the Draft EIR and in the Draft EA, might not actually occur until a later horizon year (e.g., 2033). As discussed above, predicting impacts that far out involves speculation. Therefore, LAWA does not guarantee that the impacts discussed below would occur exactly as described. Nevertheless, LAWA provides this evaluation for informational purposes in response to the comments received on the Draft EIR.

As noted earlier, changes in operational conditions at LAX beyond the proposed Project buildout year will be primarily attributable to future increases in aircraft operations and passenger levels that are projected to occur regardless of the proposed Project. This evaluation compares environmental conditions in 2033 with implementation of the proposed Project (i.e., the With Project scenario) to the environmental conditions that would exist without the proposed Project (i.e., the Without Project scenario). Specifically, the evaluation considers whether the proposed Project improvements, which would be operational in 2033, would result in a change in future environmental conditions compared to what would otherwise occur without the proposed Project, while taking into account future growth in activity levels that will occur under both scenarios. Comparing environmental conditions in 2033 with implementation of the proposed Project – such as air pollutant emissions from aircraft, motor vehicles, and other sources, or greenhouse gases (GHG) emissions, or aircraft and roadway traffic noise, or traffic related to vehicle miles traveled (VMT) – to those identified in the Draft EIR for 2028 or 2018 baseline conditions would not be indicative of impacts caused by the proposed Project. This is because, in most cases, increases in impacts occurring in 2033, compared to 2028, would not be a result of the proposed Project, but rather a result of changes in the environmental setting in which the impacts occur. In particular, aviation activity levels at LAX, in terms of annual aircraft operations and numbers of passengers, would be greater in 2033 than in 2028 due to passenger demand levels that are expected to occur independent of the proposed Project. As such, the background airport-related emissions of air pollutants, GHG, and noise that contribute to the environmental setting in which the Project-related improvements would operate would be greater in 2033 than in 2028, but not as a result of the proposed Project. Comparing those airport-related environmental characteristics in 2033 to a 2018 environmental baseline would not be representative of Project-related impacts, nor would a comparison between 2033 and 2028 be an indicator of Project-related impacts. The more meaningful analysis, for informational purposes, would be a comparison between 2033 with the proposed Project and 2033 without the proposed Project. In other words, the

³³ U.S. Department of Transportation, Federal Aviation Administration, *Forecast Process for 2020 TAF*, May 2021, p. 2. Available: <https://taf.faa.gov/Downloads/ForecastProcessfor2020TAF.pdf>.

³⁴ U.S. Department of Transportation, Federal Aviation Administration, 2020 Terminal Area Forecast database - LAX, May 2021. Available: <https://taf.faa.gov/>.

analysis focuses on how the Project-related improvements would affect airport operations in 2033 compared to what would otherwise occur without the improvements. For example, the analysis considers whether the amount of time and distance that aircraft taxi between gates and runways would be greater or less with the Project-related improvements (i.e., the proposed airfield improvements and the new concourse and terminal), which would increase or decrease aircraft emissions, than what would otherwise occur from aircraft taxiing without the Project-related improvements. Although the number of annual aircraft operations in 2033 would be more than that of 2028 and consequently the amount of airport-related pollutant emissions in 2033 would be greater than in 2028, that increase in the number of annual aircraft operations and associated emissions is completely independent of the proposed Project. The more pertinent issue is whether the operational characteristics of those aircraft in 2033 would be different with the Project than without the Project, and, if so, whether there be a meaningful difference in the associated air pollutant emissions.

The comparison of operations-related environmental conditions projected to occur in 2033 is provided below, using, as a guide where appropriate, the 2028 With Project scenario versus Without Project scenario comparisons that are presented in Chapter 4 of the Draft EIR (i.e., for environmental topics where the impacts significance determination was based on a comparison of 2028 With Project to 2018 baseline conditions, the Draft EIR also provides, for informational purposes, a comparison of 2028 With Project to 2028 Without Project, as was the case relative to air quality, human health risk, greenhouse gas emissions, and aircraft noise). As proposed Project construction would be completed by 2028, the evaluation only addresses those environmental resource areas that would be affected by airport operations in 2033. Certain impact categories (e.g., historic resources, hazardous materials, and construction noise) would only have construction-related impacts, which would be complete by 2028 and, therefore, these topics are not discussed. Additionally, impacts related to energy consumption, water demand, and wastewater generation are based on building square footages, which would not change after 2028. These topics, therefore, are also not discussed below. Construction-related impacts pertaining to air quality, human health risk, and GHG emissions would not occur in 2033, and are therefore not discussed below; however, operations-related impacts for those topics would occur in 2033 and are included in the analysis below.

Air Quality

Emissions

Table 1 and **Table 2** below provide a comparison of the LAX operational emissions in 2033 and in 2028, respectively, for the Without Project and With Project scenarios.

Table 1 2033 Operational Emissions Inventory							
	Emission Source ¹	Emissions in Tons Per Year					
		CO	VOC	NO _x	SO _x	PM ₁₀	PM _{2.5}
2033 - Without Project	Aircraft & APU	5,798	615	6,206	536	61	61
	GSE	355	4	30	1	1	1
	Traffic & Parking	2,242	63	257	9	514	155
	Total²	8,396	682	6,493	545	576	217
2033 - With Project	Aircraft & APU	5,795	622	6,189	533	58	58
	GSE	355	4	30	1	1	1
	Traffic & Parking	2,268	64	259	9	522	158
	Total²	8,418	690	6,478	542	581	216
% Change Associated with Project	Aircraft & APU	-0.05%	1.14%	-0.27%	-0.56%	-4.92%	-4.92%
	GSE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Traffic & Parking	1.16%	1.59%	0.78%	0.00%	1.56%	1.94%
	Total²	0.26%	1.17%	-0.23%	-0.55%	0.87%	-0.46%
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Assessment</i> , Table 4.1-4 and Table 4.1-6, May 2021. Available: https://www.lawa.org/atmp/documents .							
Notes:							
¹ Stationary source emissions are not included in this table as they are minor, being one ton per year or less.							
² Totals may not add due to rounding.							
Key:							
APU – auxiliary power unit		GSE – ground support equipment		tpy – tons per year			
CO – carbon monoxide		NO _x – nitrogen oxides		PM ₁₀ – respirable particulate matter			
PM _{2.5} – fine particulate matter		SO _x – sulfur oxides					

Table 2
2028 Operational Emissions Inventory

	Emission Source ¹	Emissions in Tons Per Year					
		CO	VOC	NOX	SOX	PM10	PM2.5
2028 - Without Project	Aircraft & APU	5,586	602	5,518	489	53	53
	GSE	730	8	69	1	1	1
	Traffic & Parking	2,354	67	281	9	481	146
	Total²	8,670	678	5,868	498	535	200
2028 - With Project	Aircraft & APU	5,594	607	5,513	488	52	52
	GSE	730	8	69	1	1	1
	Traffic & Parking	2,385	67	283	9	490	149
	Total²	8,709	682	5,865	497	543	202
% Change Associated with Project	Aircraft & APU	0.14%	0.83%	-0.09%	-0.20%	-1.89%	-1.89%
	GSE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Traffic & Parking	1.32%	0.00%	0.71%	0.00%	1.87%	2.05%
	Total²	0.45%	0.59%	-0.05%	-0.20%	1.50%	1.00%
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Assessment</i> , Table 4.1-4 and Table 4.1-5, May 2021. Available: https://www.lawa.org/atmp/documents .							
Notes:							
¹ Stationary source emissions are not included in this table as they are minor, being one ton per year or less.							
² Totals may not add due to rounding.							
Key:							
APU – auxiliary power unit		GSE – ground support equipment		tpy – tons per year			
CO – carbon monoxide		NO _x – nitrogen oxides		PM ₁₀ – respirable particulate matter			
PM _{2.5} – fine particulate matter		SO _x – sulfur oxides					

In terms of emissions in 2033 compared to those disclosed in Draft EIR for 2028, the total emissions in 2033 would be greater than those in 2028 due to growth in airport activity projected to occur during that period independent of the proposed Project. In particular, increased aircraft operations would be the main contributor to the increase emissions. Emissions from ground support equipment (GSE) and traffic/parking would be less in 2033 than in 2028 based on LAWA's continued implementation of the LAX GSE Emission Reduction Policy (see Section 4.1.1.3.1.4 of the Draft EIR) and ongoing reductions in motor vehicle emissions in the future, based on federal and state regulations. In both 2033 and 2028, the total operational emissions With Project would be generally similar to those Without Project, with the differences being 1.5 percent or less. It should be noted that, with the exception of volatile organic compounds (VOC), the relative increases in total emissions in 2033 for the With Project scenario compared to the Without Project scenario would be less than what would occur in 2028 (the percentage increases in carbon monoxide (CO), respirable particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}) in 2033 would be 0.26, 0.87, and -0.46 compared to 0.45, 1.50, and 1.00 in 2028). Similarly, the relative decreases in total emissions in 2033 With Project compared to Without Project would be more than what would occur in 2028 (the percentage decreases in nitrogen oxides [NO_x] and sulfur oxides (SO_x) in 2033 would be -0.23 and -0.55 compared to -0.05 and -0.20 in 2028). As such, in evaluating how the environmental impacts in 2033 would compare to those in 2028 with implementation of the proposed Project and what would be the comparative differences between the two horizon years relative to Project-related impacts, it can be concluded that there is not an appreciable difference in impacts between the two years, although the air quality benefits associated with implementing the proposed Project would be slightly greater in 2033 than in 2028.

Concentrations

The Draft EA for the LAX Airfield and Terminal Modernization Project does not include a comparison of air pollutant emissions with the proposed Project and without the proposed Project. That is because the basis of impact evaluation pursuant to NEPA is whether LAX operational emissions with implementation of the proposed Project would exceed applicable ambient air quality standards. Based on air quality modeling data currently available for the proposed Project, it is not possible to quantify the differences, if any, in air pollutant concentrations for With Project compared to Without Project in 2033 or 2028. Given that air pollutant concentrations are determined primarily by the volumes of the respective pollutants, as dispersed by wind conditions and other meteorological and physical setting conditions, one can consider the above-described differences in emissions inventories for With Project and Without Project conditions to provide a general indication of how concentrations might differ between the two scenarios. As indicated above, there are no appreciable differences in total emissions between With Project and Without Project for 2033 or 2028. Another key consideration related to concentrations for With Project compared to Without Project conditions is whether there are notable changes in where the sources of emissions are located. The only notable Project-related changes in where emissions sources occur at LAX would be: the eastward relocation of aircraft gates, specifically, the removal/decommissioning of 15 gates at the West Remote Gates in the western portion of the airport and the development of new/replacement gates at Concourse 0 and Terminal 9 in the eastern portion of the airport; and, the development of new roadways near the eastern portion of the airport (i.e., the proposed Airfield and Terminal Modernization Project roadway system). Regarding the roadway system, it should be noted that the addition of new roadways near the eastern portion of the airport is only relevant to 2028, where such roads would be developed under the With Project scenario, but would not occur under the Without Project scenario. In 2033, however, the Without Project scenario would include the development of the LAX Landside Access Modernization Program Phase 2 roadway improvements which, similar to With Project, would place new roads near the eastern portion of the airport. While such Project-related shifts in the locations of emissions sources could result in the occurrence of peak pollutant concentrations in locations different from what would otherwise occur under the Without Project scenario, the levels of concentrations is not expected to be substantially different between With Project and Without Project in either 2028 or 2033, given that the differences in the respective emissions inventories is only about 1.5 percent or less.

Human Health Risk

The Draft EA for the LAX Airfield and Terminal Modernization Project does not address human health risk, as that is not a requirement of the FAA for NEPA analyses. As such, there is no data or analyses currently available relative to 2033 conditions. The Draft EIR addresses potential human health risks in 2028 relative to cancer risks, chronic non-cancer health hazards, and acute non-cancer health hazards. Comparisons between the Without Project scenario and the With Project scenario for the three types of risks/health hazards in 2028 are provided in the tables below (**Table 3** through **Table 5**).

Table 3 Incremental Cancer Risks for Maximally Exposed Individuals for 2028 Without Project Operations Compared to 2018 Baseline and 2028 With Project Compared to 2018 Baseline		
Receptor Type	Incremental Cancer Risks (per million people)	
	2028 Without Project Operations Compared to 2018 Baseline	2028 With Project Operations Compared to 2018 Baseline
Off-Airport Worker, 25 years	-0.2	5
Adult Resident, 70 years	-4	-4
Adult Resident, 30 years	-3	-4
Child Resident, 9 years	-2	-3
School Child, 12 years	-0.9	-1
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Impact Report</i> , Table 4.1.2-4, October 2020. Available: https://www.lawa.org/atmp/documents .		

Table 4 Incremental Chronic Non-Cancer Human Health Hazards for Maximally Exposed Individuals for 2028 Without Project Operations Compared to 2018 Baseline and 2028 With Project Compared to 2018 Baseline				
Receptor Type	Incremental Hazards			
	2028 Without Project Operations Compared to 2018 Baseline		2028 With Project Operations Compared to 2018 Baseline	
	Resident HI	Worker HI	Resident HI	Worker HI
First Year of Operations, 2028	-0.006	0.01	0.02	0.09
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Impact Report</i> , Table 4.1.2-6, October 2020. Available: https://www.lawa.org/atmp/documents .				

Table 5 Operation-Related Incremental Acute (1-Hour) Non-Cancer Health Hazards for 2028 Without Project Compared to 2018 Baseline and 2028 With Project Compared to 2018 Baseline						
MEI (Operation)	Acrolein HQ	Benzene HQ	Formaldehyde HQ	Manganese HQ	Nickel HQ	Total HI
2028 Without Project Compared to 2018 Baseline						
Off-Airport Adult Worker	0.2	0.009	0.04	0.03	0.01	0.3
Resident	0.3	0.0007	0.03	0.01	0.004	0.4
2028 With Project Compared to 2018 Baseline						
Off-Airport Adult Worker	0.4	0.02	0.07	0.04	0.01	0.6
Resident	0.2	0.009	0.04	0.02	0.005	0.3
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Impact Report</i> , Table 4.1.2-9, October 2020. Available: https://www.lawa.org/atmp/documents .						
Key:						
MEI - maximally exposed individual HQ – hazard quotient HI – hazard index						

The analyses results presented in the tables indicate risks for all receptors under both scenarios (i.e., With Project and Without Project) would all be well below the thresholds of significance, including for cancer (i.e., incremental cancer risk no greater than 10 in one million), chronic non-cancer health hazards (i.e., incremental health index no greater than 1), and acute non-cancer health hazards (i.e., incremental health index no greater than 1). For the most part, the risk levels are similar between With Project and Without Project scenarios in 2028, with the most notable difference being the incremental cancer risk for the nearest off-airport worker, which is estimated to be 5 With Project and -0.2 Without Project (see Table 3). That cancer risk is influenced primarily by the diesel particulate matter (DPM) emissions associated with ground support equipment (GSE) at Concourse 0 and Terminal 9 that would be located at the edges of the airport boundary, which would not otherwise occur under the Without Project scenario.

Regardless of the proposed Project, the number of aircraft operations in 2033 will be greater than the number of operations in 2028, and the number of GSE operations will also increase in proportion to increased aircraft operations (i.e., each gated aircraft has GSE support; as the number of gated aircraft operations increase in the future, so would also the accompanying GSE support operations). Given that the incremental cancer risk associated with LAX operations is driven primarily by DPM emissions from GSE and the incremental cancer risk calculated for 2028 is 5, the number of aircraft operations and accompanying GSE operations would essentially need to double in order for the risk level to exceed the threshold of significance of 10. As indicated in Table 4-1 of Appendix B-1 of the Draft EIR, annual aircraft operations in 2033 would be 824,500, which is only a three percent increase over the 800,000 annual aircraft operations in 2028 (notwithstanding the fact that the increased aircraft operations in 2033 would occur regardless of whether the proposed Project was implemented). Moreover, the DPM emission factors for 2033 are substantially lower than those in 2028, which reflects the ongoing implementation of LAX's GSE Emissions Policy (see Section 2.4.5 of the Draft EIR), with the daily emissions of DPM from GSE being 7.99 pounds in 2028 and 3.56 pounds in 2033. The increase in aircraft operations and corresponding increase in GSE operations would therefore be offset by the decrease in DPM emission factors for GSE operations. Based on the above, the cancer risk for 2033 under the With Project scenario would likely be less than that estimated for 2028 under the With Project scenario.

Greenhouse Gases Emissions

The types of differences in GHG emissions in 2033 under the With Project scenario compared to the Without Project scenario would be similar in nature to those described above for air quality pollutant emissions (i.e., generally around one percent or less). As indicated in **Table 6** below, aircraft-related GHG emissions in 2033 are anticipated to be slightly less for With Project versus Without Project, whereas stationary source and vehicle-related emissions would be greater With Project than Without Project. Such is also the case for 2028 With Project versus Without Project, although the percentage of aircraft-related GHG reductions for With Project versus Without Project would be greater in 2033 than in 2028 (i.e., 0.4 and 6.1 percent less in 2033 compared to 0.1 and 2.6 percent less in 2028). Overall, the difference in total GHG emissions for With Project versus Without Project would be less than one percent for both 2033 and 2028.

Table 6
Operational GHG Emissions for 2028 With Project as Compared to 2028 Without Project

Year	Emission Source	Without Project (MTCO ₂ e/yr)	With Project (MTCO ₂ e/yr)	Incremental Emissions (MTCO ₂ e/yr)	Percent Change
2033	Aircraft	1,250,054	1,244,923	(5,131)	(0.4)
	APUs	60,891	57,184	(3,707)	(6.1)
	GSE	9,947	9,947	0	0.0
	Stationary	97,397	107,490	10,093	10.4
	Autos	794,277	804,806	10,529	1.3
	Parking	26,344	26,819	475	1.8
	Total¹	2,238,910	2,251,169	12,259	0.5
2028	Aircraft	1,143,999	1,142,950	(1,048)	(0.1)
	APUs	50,253	48,941	(1,312)	(2.6)
	GSE	19,626	19,626	0	0.0
	Stationary	97,397	107,490	10,093	10.4
	Autos	849,057	860,226	11,169	1.3
	Parking	26,494	27,003	54	0.2
	Total¹	2,186,825	2,206,236	19,411	0.9

Source: City of Los Angeles, Los Angeles World Airports, LAX Airfield and Terminal Modernization Project Draft Environmental Assessment, Table 4.2-2, May 2021. Available: <https://www.lawa.org/atmp/documents>.

Notes:

Parentheses indicate negative values.

¹ Numbers may not add due to rounding.

Key:

GHG – greenhouse gas MTCO₂e/yr – metric tons carbon dioxide equivalent per year

APU – auxiliary power unit GSE – ground support equipment

Noise

Similar to 2028, there would be no difference in aircraft noise impacts in 2033 between the With Project and Without Project scenarios because aircraft operations, including aircraft arrivals and departures, would be the same regardless of the proposed Project. **Table 7** through **Table 9** below provide the relevant comparisons for aircraft noise impacts. Similarly, because both the With Project scenario and the Without Project scenario in 2033 would have the same future passenger activity levels and associated vehicle trips, and the trip distribution onto local roadways would be generally similar, it is not anticipated that there would be substantial differences in roadway traffic noise impacts in 2033 for the With Project scenario versus the Without Project scenario.³⁵ This is especially true given that the LAX Landside Access Modernization Program Phase 2 roadways would be in the same general areas as the roadway system proposed by the Project. As further explained in Response to Comment ATMP-AL010-13, the roadway system proposed as part of the LAX Airfield and Terminal Modernization Project is similar to the roadway system that would otherwise be constructed as part of Phase 2 of the approved LAX Landside Access

³⁵ Although the Draft EA for the LAX Airfield and Terminal Modernization Project includes a roadway noise analysis for 2028 and 2033, the noise metric used in characterizing and measuring roadway noise in that analysis is peak hour L_{eq} (i.e., equivalent continuous level during peak hour traffic), which is fundamentally different from CNEL (i.e., weighted noise level over a 24-hour period with noise penalties applied to noise during evening and nighttime hours), which was used to measure and evaluate roadway noise impacts in the Draft EIR. As such, the roadway noise data in the Draft EA is not suitable for estimating how roadway noise impacts disclosed in the Draft EIR for 2028 may differ in 2033.

Modernization Program. Under the Without Project scenario, it is anticipated that all of the LAX Landside Access Modernization Program roadway system improvements would be in place by 2033; therefore, the roadway system carrying airport-related traffic would be similar between With Project and Without Project and roadway noise levels along those roadways would also be similar for both scenarios in 2033.

Table 7 Estimated Population and Housing Unit Counts within the Aircraft Noise Contours								
	Population ¹				Housing ¹			
	65-70 CNEL	70-75 CNEL	>75 CNEL	Total	65-70 CNEL	70-75 CNEL	>75 CNEL	Total
2033 Conditions								
Without Project	62,673	20,947	1,407	85,027	23,209	6,083	485	29,777
With Project	62,673	20,947	1,407	85,027	23,209	6,083	485	29,777
Difference Between Without Project and With Project	0	0	0	0	0	0	0	0
2028 Conditions								
Without Project	61,311	19,596	1,183	82,090	22,651	5,660	413	28,724
With Project	61,311	19,596	1,183	82,090	22,651	5,660	413	28,724
Difference Between Without Project and With Project	0	0	0	0	0	0	0	0
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Assessment</i> , Table 4.8-2, May 2021. Available: https://www.lawa.org/atmp/documents . Note: ¹ 2010 U.S. Census Block Data. Key: CNEL – Community Noise Equivalent Level								

Table 8 2033 Estimated Noise-Sensitive Sites within the Aircraft Noise Contours (Non-Residential)					
		65-70 dBA CNEL	70-75 dBA CNEL	75+ dBA CNEL	Total
Houses of Worship	Without Project	24	2	0	
	With Project	24	2	0	
Schools	Without Project	32	9	0	
	With Project	32	9	0	
Libraries	Without Project	3	1	0	
	With Project	3	1	0	
Hospitals	Without Project	0	0	0	
	With Project	0	0	0	
Colleges	Without Project	2	1	0	
	With Project	2	1	0	
Historic Properties	Without Project	1	0	1	
	With Project	1	0	1	
	Total Without Project	62	13	1	76
	Total With Project	62	13	1	76
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Assessment</i> , Table 4.8-4, May 2021. Available: https://www.lawa.org/atmp/documents . Key: CNEL – Community Noise Equivalent Level dBA – A-weighted decibel					

Table 9 2028 Estimated Noise-Sensitive Sites within the Aircraft Noise Contours (Non-Residential)					
		65-70 dBA CNEL	70-75 dBA CNEL	75+ dBA CNEL	Total
Houses of Worship	Without Project	24	1	0	
	With Project	24	1	0	
Schools	Without Project	25	4	0	
	With Project	25	4	0	
Libraries	Without Project	3	0	0	
	With Project	3	0	0	
Hospitals	Without Project	0	0	0	
	With Project	0	0	0	
Colleges	Without Project	1	1	0	
	With Project	1	1	0	
Historic Properties	Without Project	1	0	1	
	With Project	1	0	1	
	Total Without Project	54	6	1	61
	Total With Project	54	6	1	61
Source: City of Los Angeles, Los Angeles World Airports, <i>LAX Airfield and Terminal Modernization Project Draft Environmental Assessment</i> , Table 4.8-3, May 2021. Available: https://www.lawa.org/atmp/documents . Key: CNEL – Community Noise Equivalent Level dBA – A-weighted decibel					

Transportation – Vehicle Miles Traveled

The Draft EA for the LAX Airfield and Terminal Modernization Project does not address Vehicle Miles Traveled (VMT), because NEPA does not require such an analysis; therefore, there are no VMT data in the Draft EA for With Project and Without Project in 2033 or 2028. The following discussion of VMT in 2033 is derived from information presented in Section 4.8 of the Draft EIR.

Passenger VMT

The Draft EIR measured passenger VMT impacts in terms of total passenger VMT in 2028 with the proposed Project compared to the 2028 Projected Future Conditions Baseline. VMT is based on number of trips multiplied times the length of each trip. Given that the number of trips would be the same for both scenarios (i.e., both assume 110.8 MAP), the passenger VMT impacts would be due primarily to the additional 5.8 lane miles that would occur under the With Project scenario in 2028 compared to the Without Project scenario (i.e., with the additional lane miles associated with the proposed Project's roadway system, the trip length for passengers traveling to and from the Central Terminal Area (CTA) would be longer than what would otherwise occur without those new roadways).

In 2033, the number of vehicle trips for the With Project scenario would also be the same as the Without Project scenario; however, unlike 2028, the increased trip distance for the With Project scenario as compared to the Without Project scenario would only be 1.8 miles. (As noted above, development of the LAX Landside Access Modernization Program Phase 2 roadway improvements that would occur in 2033 for the Without Project scenario would result in 4 additional lane miles; therefore, the difference between the Without Project scenario and the With Project scenario in 2033 would be 5.8 lane miles less 4.0 lane miles, or 1.8 lane miles.) The threshold of significance for passenger VMT impacts is based on whether the With Project conditions would result in an increase in total passenger VMT over the Projected Future Conditions Baseline (i.e., any net increase in total passenger VMT would be significant). Based on the above, the 1.8 additional lane miles that would occur in 2033 for With Project conditions compared to Without Project conditions would result in an increase in total passenger VMT, which would be a significant impact. Importantly, however, that impact in 2033 would not represent a substantial increase in the severity of the significant impact on passenger VMT identified in the Draft EIR for 2028 conditions. Instead, the opposite would be true; the significant passenger VMT impact in 2033, which would be attributable to the 1.8 additional lane miles, would be less severe than the significant passenger VMT impact in 2028 which would be attributable to the 5.8 additional lane miles. That is because in this instance passenger VMT is largely a function of the increase in lane miles attributable to the proposed Project, and in 2033 the proposed Project would result in a smaller increase in lane miles as compared to the increase in lane miles in 2028. Similar to 2028 conditions, mitigation would be required for the significant passenger VMT impact in 2033, and the potential VMT reduction strategies presented in Mitigation Measure MM-T (ATMP)-1 (see Section 4.8.5.2.2 of the Draft EIR) would still apply in 2033. Also similar to 2028 conditions, the passenger VMT impact in 2033 would be significant and unavoidable, even with mitigation; however, the severity of the significant impact in 2033 would be less than that of 2028.

Employment VMT

For the Draft EIR, the Project-related employment VMT analysis assumed 4,700 new long-term employees associated with Concourse 0 and Terminal 9. That employment projection was based on building square footage and, therefore, would not change for the 2033 analysis. The assumptions regarding non-Project employment for 2028 were based on an average annual growth factor, which are assumed to apply equally to 2033. The average commute distance was assumed to be the same for all employees at LAX, which are also assumed to apply in 2033. As discussed in Section 4.8.5.2.1 of the Draft EIR, VMT per employee under the With Project scenario in 2028 would be more efficient than under the existing 2019 conditions baseline and would be decreased compared to the Without Project scenario in 2028 due to

planned improvements to transit and improvements associated with Phase 1 of the LAX Landside Access Modernization Program, as well as changes to employee parking destinations. Because the Draft EIR's analysis of VMT is based on VMT per employee, and the 4,700 new employees associated with the proposed Project would be reached at buildout in 2028 and not increase beyond that (i.e., the maximum number of new employees associated with Concourse 0 and Terminal 9 is based on the estimated maximum floor area at buildout, including the 20 percent contingency addition to the floor area, which would not be any greater in 2033), it is anticipated that there would be no difference in the VMT per employee for the With Project and Without Project scenarios in 2033 that was estimated in the Draft EIR for 2028. As such, there would still be a significant employment VMT impact in 2033, but there would not be an increase in the severity of that impact in 2033 compared to 2028. With regard to mitigation of the significant employment VMT impact in 2033, the VMT reduction strategies identified in Section 4.8.5.2.2 of the Draft EIR for employment VMT impacts (i.e., Mitigation Measure MM-T (ATMP)-1) would still apply, and the level of employment VMT reduction needed to reduce the impact to less than significant (i.e., 16,450 daily VMT) would be the same in 2033 as in 2028. As indicated in Section 4.8.5.3.3 of the Draft EIR, implementation of the proposed VMT reduction strategies would reduce the impact to less than significant.

Induced VMT

As described in Section 4.8.5.4 of the Draft EIR, development of the proposed roadway system improvements would help divert airport-related traffic off of Sepulveda Boulevard which, in turn, is anticipated to result in additional new VMT (i.e., "induced VMT") in 2028. The ability of the proposed Project's roadway improvements to divert airport-related traffic off of Sepulveda Boulevard would still exist in 2033; however, the Projected Future Conditions Baseline (i.e., the Without Project conditions) that serves as the basis of comparison would be different in 2033 than in 2028. As previously noted above in the discussion of Noise impacts, and as further explained in Response to Comment ATMP-AL010-13, the roadway system proposed as part of the LAX Airfield and Terminal Modernization Project is similar to the roadway system that would otherwise be construction as part of the approved LAX Landside Access Modernization Program. Under the Without Project scenario for 2033 baseline conditions, it is anticipated that all of the LAX Landside Access Modernization Program roadway system improvements would be in place by 2033, which would not be the case in 2028. As such, it is anticipated that there would be some amount of airport-related traffic diversion off of Sepulveda Boulevard in 2033 under the Without Project conditions, which, in turn, would result in some amount of induced VMT. Given the general similarity of the LAX Airfield and Terminal Modernization Project roadway system and the LAX Landside Access Modernization Program roadway system, it is anticipated that operation of the proposed Project in 2033 would result in a substantial increase in the amount of airport-related traffic that would be diverted off of Sepulveda Boulevard, and associated induced VMT, than would otherwise occur under the Without Project scenario in 2033. Given that the threshold of significance for induced VMT impacts is essentially no net increase in VMT, any comparatively better traffic diversion in 2033 attributable to the proposed Project's roadway system could result in a net increase in (induced) VMT, which would be a significant impact. Similar to the passenger VMT impact described above, that impact in 2033 would not represent an increase in the severity of the significant induced VMT impact in 2028, but rather would be a less severe significant impact. Notwithstanding, there are no feasible mitigation measures for induced VMT impacts, as explained in Section 4.8.5.4.3 of the Draft EIR; hence, the induced VMT impact would be significant and unavoidable in 2033, as would also be the case in 2028.

Summary

The Draft EIR provides an appropriate analysis of operational impacts at Project completion in 2028, which provides accurate and meaningful information to the public and decision-makers. This methodological approach is supported by substantial evidence and is consistent with the approach taken in most EIRs

that, like the Draft EIR, analyze a specific project. CEQA does not require analysis of operational impacts beyond the Project buildout year. Pushing the analysis out beyond the proposed Project buildout year increases the uncertainties inherent in aviation forecasting, making the forecast and the analysis less meaningful to the public and to decision-makers. Nevertheless, in response to comments received, LAWA prepared a general discussion of operations-related environmental conditions in 2033 for informational purposes. None of the information presented in this evaluation rises to the level of “new significant information” as defined in Section 15088.5 of the State CEQA Guidelines as it does not identify a new substantial adverse environmental effect of the proposed Project or a substantial increase in the severity of an environmental impact that cannot be reduced below the level of significance with mitigation.

TR-ATMP-AQ/GHG-1: Mitigation of Project-Related Air Quality and Greenhouse Gas Impacts

Introduction

Several comments suggested additional or more stringent mitigation measures to reduce Project-related significant air quality and greenhouse gas (GHG) impacts. As explained below, the Draft EIR analyzed a variety of potential mitigation measures, project design features, and existing programs at LAX with respect to their ability to reduce significant air quality and GHG impacts. Nearly 100 potentially applicable measures, presented in Appendix C.9 of the Draft EIR, were analyzed during the formulation of the air quality and GHG mitigation program proposed for the Project. Several of the measures evaluated were not considered as mitigation because they were already being implemented at LAX under existing LAWA programs and requirements, and/or would already be incorporated into the proposed Project as Project features. Several other potential measures were evaluated and determined to be either infeasible or not applicable to the proposed Project. The remaining measures were incorporated as mitigation for either air quality impacts, GHG impacts, or both. However, not every identified measure would result in directly attributable or quantifiable reductions for significant air quality or GHG impacts, nor would every analyzed measure result in effective mitigation of significant Project-related impacts.

As noted above, several comments suggested additional mitigation measures for air quality and GHG impacts. **Table 1** below evaluates each of the suggested measures. Preceding that evaluation of the measures is a discussion of how mitigation is defined and treated under CEQA; a description of the existing programs, policies, and initiatives related to air quality and GHG emissions at LAX; and a summary of the significant air quality and GHG impacts identified in the Draft EIR for the proposed Project.

Mitigation Under CEQA

Public Resources Code, Section 21002, states that “...public agencies should not approve projects as proposed if there are feasible alternatives or *feasible* mitigation measures available which would *substantially lessen* the *significant environmental effects* of such projects...” and provides that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof” (emphasis added). Further, Public Resources Code, Section 21061.1 defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” Section 15364 of the State CEQA Guidelines adds “legal... factors” to the definition of “feasible.”

All potentially applicable mitigation measures which could substantially lessen the significant air quality and/or GHG impacts of the proposed Project were evaluated in the Draft EIR. Table C.9.1 of Appendix C.9 of the Draft EIR presents each potential measure identified at the time of publication of the Draft EIR. Some potential measures were determined to be infeasible or not applicable to the Project due to a variety of economic, social, or safety considerations. Other measures were found to be applicable and feasible but were already accounted for as Project features or as implemented features of existing programs, policies, or initiatives at LAX. Any measure determined to be applicable, feasible, and not already accounted for in existing programs, policies, or initiatives, or as a Project feature, was included in the Draft EIR as mitigation to reduce significant environmental air quality and/or GHG impacts of the proposed Project.

Existing Programs, Policies, and Initiatives

The existing LAWA programs and policies identified in Table C.9.1 of Appendix C.9 of the Draft EIR represent the most stringent application of each emissions reduction measure determined to be feasible at LAX. Existing programs are comprehensive plans and strategies to achieve the desired emissions reductions and sustainability measures at LAX, developed in close coordination with several relevant airport stakeholders including airlines, ground support providers, ground access operators, other local and regional transportation organizations, among others. In 2019, LAWA developed an airport-wide Sustainability Action Plan (SAP) and negotiated with airport stakeholders and the South Coast Air Quality Management District (SCAQMD) a Memorandum of Understanding (MOU) to work towards the reduction of airport-related emissions.^{36,37} Throughout the process of developing the SAP and MOU, LAWA re-evaluated each of the existing programs and policies at the airport and developed additional policies in an Air Quality Improvement Measures plan.³⁸ This process determined, with input from relevant stakeholders, the maximum feasible extent to which these policies could be enhanced or made more stringent while still being achievable within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This process resulted in a substantial update to the LAX Ground Support Equipment (GSE) Program (updated in November 2019) and LAWA's Design and Construction Handbook (DCH) (updated in June 2020 to reflect the Air Quality Improvement Measures plan and the SAP).^{39,40,41}

³⁶ City of Los Angeles, Los Angeles World Airports, *Sustainability Action Plan*, 2019. Available: <https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp>.

³⁷ City of Los Angeles / South Coast Air Quality Management District, Los Angeles World Airports, *Memorandum of Understanding between the South Coast Air Quality Management District and the City of Los Angeles Department of Airports*. December 2019. Available: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/facility-based-mobile-source-measures/mou-la-department-of-airports.pdf>.

³⁸ City of Los Angeles, Los Angeles World Airports, *Air Quality Improvements Measures - LAWA'S Voluntary Air Quality Improvement Measures & Initiatives – Draft*, September 2019. Available: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/facility-based-mobile-source-measures/draft-aqim.pdf>.

³⁹ City of Los Angeles, Los Angeles World Airports, *Ground Support Equipment Emissions Policy*, October 22, 2019. Available: https://www.lawa.org/-/media/lawa-web/environment/files/lax_gse_emission_reduction_policy_boac.ashx.

⁴⁰ City of Los Angeles, Los Angeles World Airports, *LAX Electric Ground Support Equipment Incentive Program*, August 2019. Available: <https://www.lawa.org/-/media/lawa-web/environment/files/gse-emissions-reduction-program/lax-funding-opportunity-announcement-and-application-preparation-package.ashx>.

⁴¹ City of Los Angeles, Los Angeles World Airports, *Zero & Near-Zero Emission Heavy-Duty Vehicle Incentive Program*, January 17, 2019. Available: <https://www.lawa.org/-/media/lawa-web/environment/files/zero-and-near-zero-emission-heavy-duty-vehicle-incentive-program-application.ashx>.

Significant Air Quality and GHG Environmental Effects

The Draft EIR identified the following significant air quality and GHG impacts:

- Emissions of carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_x), and sulfur oxides (SO_x) during construction (Impact 4.1.1-1 of the Draft EIR)
- Emissions of NO_x, SO_x, and respirable particulate matter (PM₁₀) during operation (Impact 4.1.1-2 of the Draft EIR)⁴²
- Local concentrations resulting from the emission of PM₁₀ during operation (Impact 4.1.1-4 of the Draft EIR)
- Emissions of GHGs during construction and subsequent operation (Impact 4.4-1 of the Draft EIR)
- Consistency with applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs (Impact 4.4-2 of the Draft EIR)

Additional Air Quality and GHG Mitigation Measures Suggested in Comments on the Draft EIR

Section 15088 of the State CEQA Guidelines governs the evaluation and response to comments. Subdivision (c) of Section 15088 states that when a commenter suggests revisions to a proposed project to mitigate anticipated impacts and the lead agency does not accept the suggestion, the response must explain why the suggestion was not accepted, with good faith reasoned analysis and at a level of detail corresponding to the level of detail in the suggestion. Based on these requirements, an evaluation of each of the new or more stringent air quality and/or GHG mitigation measures suggested in comments on the Draft EIR is presented in Table 1 below.

⁴² As noted in Chapter F3, *Corrections and Clarifications to the Draft EIR*, Section 4.1.1 of the Draft EIR has been revised to reflect that emissions of fine particulate matter (PM_{2.5}) from operation of the proposed Project would not be significant.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-AL007-13	LAWA should strive to develop pioneering and far-reaching emissions reductions programs and policies that complement its global renown. LAWA should employ a strategy that encompasses the operations and impacts of all facilities, tenants, partners, and visitors at LAX. For instance, requiring increased usage of alternative aviation fuel would reduce the impacts of the proposed Project at and around LAX and at the many destinations to and from which the aircraft travel. LAWA should work with the FAA and airlines to require and memorialize such mitigation measures in the DEIR.	This suggested measure pertains to GHG emissions associated with airport-wide operations, including “all facilities, tenants, partners, and visitors at LAX.” Addressing airport-wide operations is beyond the scope of the proposed Project. However, it should be noted that, in 2019, LAWA adopted the Sustainability Action Plan (SAP), a comprehensive strategy for addressing energy use and GHG emissions from airport sources. Also in 2019, LAWA signed a Memorandum of Understanding (MOU) in partnership with the SCAQMD for the control and reduction of LAWA-controlled emissions of criteria air pollutants at LAX. These actions, in addition to LAWA’s various ongoing emission reduction programs and policies, such as the LAX Ground Support Equipment (GSE) Policy and Alternative Fuels Program, reflect an organizational commitment and strategy, similar to that of the San Pedro Bay Clean Air Action Plan, for the control and reduction of criteria pollutants and GHGs by LAWA. Furthermore, in 2017, LAX achieved Level 3 accreditation under the Airports Council International (ACI) Airport Carbon Accreditation (ACA) program and has maintained this accreditation ever since. To maintain Level 3 accreditation under this program, LAWA develops annual airport-wide GHG emission inventories and actively engages with third parties at the airport to demonstrate independently verifiable, three-year rolling average emission reductions for all direct and many indirect airport-related GHG emissions. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-AL010-159	LAWA has demonstrated the feasibility of solar energy technology by committing to install four megawatts as part of the LAMP; it should commit to installing an equal or greater amount of solar in connection with the proposed Project.	LAWA is already in the process of assessing the feasibility of an on-site energy generation and storage system. A preliminary solar feasibility study was conducted at LAX which indicated the potential capacity for up to 23.5 megawatts (MW). LAWA is committed to continuing to explore ways to feasibly implement this technology in a cost-effective manner. However, until a project-level assessment is completed and approved, it is infeasible to commit to specific targets as part of the proposed Project. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-AL010-164	LAWA shall provide El Segundo annually a copy of the emissions inventory LAWA provides annually to SCAQMD. LAWA shall consult with El Segundo and include it as a stakeholder should LAWA and/or SCAQMD propose any new, upgraded and/or additional air quality monitors within El Segundo’s municipal boundaries.	State CEQA Guidelines Section 15126.4, subdivision (a)(1) requires the EIR to “describe feasible measures which could minimize significant adverse impacts.” Consultation with El Segundo would not lessen the significant air quality or GHG environmental effects of the proposed Project and the recommended measure cannot be considered mitigation under CEQA. An inventory of emissions annually provided by LAWA to SCAQMD is a public document, and therefore available to El Segundo for its review. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
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Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-AL010-165	<p>LAWA shall produce and publish on its website an annual "snapshot" report/map showing the current location of all aircraft gates and parking places in existence at LAX and whether they are currently equipped with ground power and/or pre-conditioned air. As part of this inventory, LAWA shall identify all existing LAX passenger gates (contact and remote), remain all day ("RAD") parking places, remain overnight ("RON") parking places, cargo aircraft loading positions, and maintenance positions and clearly disclose whether each location has or does not have ground power and/or preconditioned air.</p> <p>LAWA shall commit to installing ground power to all parking positions that do not yet have such upgrades and LAWA shall identify the schedule for when such power will be installed.</p> <p>LAWA shall commit to including preconditioned air at all gates and RON/RAD parking positions, particularly if aircraft using those positions would otherwise need to run their APUs to stay cool/get ready for passengers.</p>	<p>All existing passenger contact gates at LAX are equipped with ground power and pre-conditioned air (PCA). LAWA received FAA Voluntary Airport Low Emissions (VALE) grant funding to install ground power at aircraft positions, including RAD/RON positions, at the West Remote Gates. This project was completed in 2019. The LAX Design and Construction Handbook (DCH)¹ requires all new aircraft parking positions to be installed with ground power and PCA, where applicable. In accordance with this requirement, as identified in Table 2-3 of the Draft EIR, Concourse 0 and Terminal 9 would have electrified gates, which would include PCA.</p> <p>In LAWA's 2019 SAP, LAWA established a timeline for complete outfitting of outstanding cargo, maintenance, and hangar positions with ground power and/or PCA as applicable.² Currently, hangar positions and more than half of cargo positions have been outfitted with ground power, with the goal of outfitting the remainder by 2025. As stated in the SAP, LAWA's goal is to have all remaining RON/RAD positions outfitted with ground power by 2031.</p> <p>With respect to the suggestion that LAWA annually disclose progress towards these goals, this suggestion would not lessen the significant air quality or GHG environmental effects of the proposed Project and the recommended measure cannot be considered mitigation under CEQA. Because all gates at Concourse 0 and Terminal 9 would have electrified gates and PCA, the proposal to disclose annually the status of these gates is unnecessary. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.</p>
ATMP-AL010-192	Both MM-GHG (ATMP)-2 (Organic Waste Collection and Diversion) and MM-GHG (ATMP)-4 (Enhanced Recycling) must be significantly strengthened in order to achieve emission reductions.	<p>As discussed in LAWA's SAP, LAWA is currently developing a Zero Waste Plan. The SAP also outlines goals to achieve a 25 percent non-construction waste diversion rate by 2025 and a 50 percent rate by 2035. Additionally, LAWA has a goal to achieve a 90 percent construction waste diversion rate by 2025 and a 95 percent rate by 2035. Because LAWA is actively working towards adopting a Zero Waste Plan, which may include source reduction, expanded recycling, and organic waste reduction components, the suggested revision to the mitigation measures included in the Draft EIR is not required. Additionally, see Response to Comment ATMP-AL010-191 for discussions of the adequacy of MM-GHG (ATMP)-2 and MM-GHG (ATMP)-4. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.</p>

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-86	Transition all baggage tugs, belt loaders, lifts, pushback tractors, and utility carts at [LAX] that are owned and operated by airlines and their ground handling contractors to service aircraft, shall be transitioned to alternative fuels (i.e., electric, natural gas, renewable diesel, biodiesel).	<p>LAWA does not own or operate baggage tugs, belt loaders, lifts, pushback tractors, or other similar GSE at LAX, but, through the GSE Emissions Policy,³ LAWA does impose requirements on airlines and GSE operators to reduce emissions from GSE. The existing program requires GSE average emission airport-wide fleet performance targets for NO_x of 1.8 grams per brake horsepower-hour by 2023 and 1.0 grams per brake horsepower-hour by 2031.</p> <p>Furthermore, in 2019 LAWA enacted an Electric GSE Incentive Program to facilitate the expeditious achievement of the aforementioned fleet-wide performance targets, granting \$500,000 in funding to offset the incremental purchase cost of zero-emission GSE as compared to conventionally fueled equipment.⁴ Therefore, LAWA is already implementing all feasible measures to reduce emissions from GSE, and it would not be feasible for LAWA to do more than it already is to transition baggage tugs, belt loaders, lifts, pushback tractors, or other similar GSE at LAX to alternative fuels. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.</p>
ATMP-PC035-87	Power project-related buildings with 100 percent renewable electricity.	<p>As concluded in Section 4.3 of the Draft EIR, the impact of the proposed Project with respect to electricity consumption would be less than significant. As further described in that section, electricity supplied to the proposed Project would comply with California's Renewable Portfolio Standard. Moreover, Project-related buildings would be constructed with energy efficiency measures required to meet LEED® Silver certification requirements or better. The buildings would also be constructed in accordance with state regulations for renewable energy and energy efficiency, including Title 24 Building Energy Efficiency Standards and the California Green Building Code (CALGreen), as well as local regulations that include requirements for renewable energy and energy efficiency, including the Los Angeles Municipal Code and the Los Angeles Green Building Code (LAGBC). LAWA's electrical needs are met by the Los Angeles Department of Water and Power (LADWP). As discussed in Appendix C.9 of the Draft EIR, LAWA participates in LADWP's Green Power Program, a higher-cost, voluntary program allowing residents, businesses, and government agencies a stake in supporting renewable energy. Moreover, as identified in the SAP, LAWA has a goal of supplying 100 percent of the airport's total electricity through renewable sources, including green power purchases, by 2045.⁵ These regulations and programs will apply to all buildings constructed as part of the proposed Project. Therefore, CEQA does not require mitigation to further reduce the impact and the suggested measure will not be included as mitigation for the proposed Project.</p>

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-88	Designate 10 percent of new parking stalls for a combination of low-emitting, fuel-efficient, and carpool/vanpool vehicle.	As detailed in MM-AQ/GHG (ATMP)-4, the Terminal 9 parking facility would be outfitted with electric vehicle (EV) charging infrastructure beyond the minimum amount required by code at the time of design by at least 5 percent. Applicable building codes at the time of publication of the Draft EIR include CALGreen and the LAGBC. The Los Angeles Municipal Code was revised in 2020, and now requires 30 percent of total parking spaces in new non-residential parking facilities to be capable of supporting future electric vehicle supply equipment (EVSE), and that 10 percent of total parking spaces have EV charging stations (EVCS) installed at opening. ⁶ By the time the Terminal 9 parking facility would be constructed, it is possible that one or more of the aforementioned codes could be amended again to impose more stringent requirements, or a newly applicable local, regional, state, or federal code could impose more stringent requirements. In either case, as indicated in MM-AQ/GHG (ATMP)-4, at the time of construction, the Terminal 9 parking facility would be outfitted with EVSE and EVCS spaces exceeding the required number of these EVSE and EVCS spaces by at least 5 percent. Therefore, the currently adopted code already achieves the suggested EV charging spaces in the comment and LAWA would exceed that through implementation of MM-AQ/GHG (ATMP)-4. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-89	Install electric vehicle charging ports at three percent of new parking stalls with another three percent “EVSE-ready”.	See the evaluation of ATMP-PC035-88 presented above. The currently adopted code already exceeds the suggestion in the comment and LAWA would exceed that through implementation of MM-AQ/GHG (ATMP)-4. For this reason, the suggested measure will not be included as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-90	Implement a Commercial Ground Transportation Clean Vehicle Program.	<p>As described in Section 4.1.1. of the Draft EIR, LAWA already has several existing programs related to providing incentives to encourage the use of alternative fuel vehicles, including:</p> <ul style="list-style-type: none"> ▪ The LAX Alternative Fuel Vehicle (AFV) Program, which requires the use of clean fuel medium and heavy-duty vehicles at LAX.⁷ ▪ The LAX AFV Incentive Program to help fund the purchase of clean fuel medium and heavy-duty vehicles at LAX.⁸ ▪ The LAWA Zero-Emission Bus Program, which will convert 20 percent of LAWA's bus fleet to zero-emission by 2023 and 100 percent by 2031.⁹ <p>In addition, Mitigation Measure MM-AQ/GHG (ATMP)-5 calls for LAWA to update the Electric Vehicle Purchasing Policy to require 100 percent of LAWA's light-duty vehicle fleet to be electric by 2031. Therefore, an extensive program of commercial ground transportation clean vehicle measures is already in place. For this reason, the suggested measure will not be included as mitigation for the proposed Project.</p>
ATMP-PC035-91	Install shower stalls and lockers, as well as covered bicycle storage for employees.	<p>Improvements associated with the LAX Landside Access Modernization Program and the future LA Metro Airport Metro Connector (AMC) include bike paths to/from those facilities and the provision of bike storage equipment which will be available to LAX employees and passengers wishing to take the Automated People Mover (APM) for travel into and out of the Central Terminal Area (CTA). That means of supporting bicycle use outside of the CTA is considered better and safer than bicyclists using the roadway system within the CTA (i.e., Concourse 0) and Terminal 9. Therefore, the suggested measure will not be included as mitigation for the proposed Project.</p>

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-92	Implement a parking cash-out program for employees.	As noted in Sections 4.1.1 and 4.8 of the Draft EIR, LAWA currently provides incentives for LAWA employees to take public transit and operates a world-class rideshare program, including vanpool incentives, preferred parking for carpools, and program tracking measures. ¹⁰ In addition, LAWA is currently constructing the LAX Landside Access Modernization Program that includes an APM adjacent to the future LA Metro AMC, which will help to support and encourage transit ridership at LAX, including at-grade light rail platforms, bus plaza, bicycle hub, pedestrian plaza, passenger vehicle pick-up and drop-off area, and Metro transit center/terminal building to connect passengers between multiple transportation modes. Relative to Project features, an additional APM station at Terminal 9 is proposed as part of the Project. In addition, a pedestrian connector to the future APM station within the eastern portion of the Central Terminal Area will be constructed as part of the LAX Landside Access Modernization Program, which will provide access to the APM system for passengers and workers at Concourse 0. Together, these measures would support the transit of Project-related employees and passengers. Mitigation Measure MM-T (ATMP)-1 provides for several strategies for expanding and enhancing the existing measures to reduce worker commute trips. Based on the combination of existing measures and the additional measures reflected in Mitigation Measure MM-T (ATMP)-1, LAWA is already undertaking all feasible measures to reduce employee vehicular travel and parking, and a parking “cash-out” program is not necessary. Therefore, the suggested measure will not be included as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-93	Diesel engines, whether for off- road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions).	The most stringent feasibly enforceable construction-vehicle idling plan is included in LAWA's DCH, which requires that contractors prohibit the idling of both on-road and off-road equipment in excess of California Air Resources Board (CARB) Vehicle Idling Rules, except where required for safety. ¹¹ Determining specific locations where the CARB rules are superseded by LAWA measures would be difficult to determine and enforce. Moreover, the impact of reducing idling times to two minutes from five minutes was evaluated to determine the impact that such measure would have on project construction NO _x emissions. The idling emissions from haul trucks parked on- or off-site were found to have a negligible impact (1 percent or less) on the peak daily construction NO _x emissions. In addition, off-road construction equipment is intended and designed to be operated under a load set by the operator for a given task, and thus does not spend much time at idle. Reducing the mandatory idling time for off-road equipment from five minutes to two minutes would have a negligible impact on construction emissions and would not substantially lessen the Project's significant environmental effects with respect to construction-related emissions. Therefore, the suggested measure is unnecessary and will not be included as mitigation for the proposed Project.
ATMP-PC035-94	Instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.	LAWA's DCH requires contractors at LAX to develop detailed startup plans for all equipment. An independent Commissioning Authority (CxA) is mandated to ensure that there is written documentation that each of the manufacturer-recommended procedures is included in the startup plans and to develop checklist forms as applicable. ¹² Therefore, LAWA is already undertaking all feasible measures to ensure contractors properly maintain and tune construction equipment and the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-95	Before starting onsite ground disturbance, demolition, or construction activities, submit a Construction Emissions Minimization Plan for review and approval. The plan shall include estimates of the construction timeline, with a description of each piece of off-road equipment required. The description may include, but is not limited to, equipment type, equipment manufacturer, engine model year, engine certification (Tier rating), horsepower, and expected fuel usage and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. Make the Construction Emissions Minimization Plan available to the public for review onsite during working hours. Post at the construction site a legible and visible sign summarizing the plan. State that the	LAWA's DCH requires contractors to adhere to various detailed plans and procedures including, but not limited to, procedures pertaining to the startup and operation of each unit of equipment, procedures pertaining to emissions minimization for standard construction activities, and vehicle idling restrictions which would serve to reduce Project-related construction emissions. In addition, the DCH requires the use of Tier 4 Final engines in off-road construction equipment greater than 50 horsepower and 2010 model year or newer on-road trucks with a gross vehicle weight rating greater than 14,000 pounds used on LAX construction project. ¹³ Therefore, LAWA is already undertaking all feasible measures to ensure contractors minimize construction emissions to the greatest extent possible. LAWA publishes Mitigation Monitoring and Reporting Program (MMRP) reports annually for each project that summarize equipment information relative to

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
	public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. Post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.	the mitigation measures applicable to that project. These reports are available to the public. The suggested measure to present equipment information to the public would not result in reductions to significant air quality or GHG impacts presented in the Draft EIR and would not serve as mitigation under CEQA. Therefore, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-96	Develop and implement a phased carbon management program that is consistent with the standards of [Airports Council International] ACI "Level 3+" Airport Carbon Accreditation Program, or equivalent, including calculation of annual carbon emissions from airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing an annual biennial carbon footprint report as a component of the Airport's broader environmental sustainability program.	As described in Section 4.4 of the Draft EIR, in 2017, LAX achieved Level 3 accreditation under the ACI ACA program and has maintained this accreditation ever since. To maintain Level 3 accreditation under this program, LAWA develops annual airport-wide GHG emission inventories and actively engages with third parties at LAX to demonstrate independently verifiable three-year rolling average emission reductions for all direct and many indirect airport-related GHG emissions. LAWA publishes annual sustainability reports on its website, the most recent of which at the time of publication of the Final EIR is the 2020 Sustainability Report, which reports on LAWA's carbon accreditation status and GHG emissions. ¹⁴ In addition, LAWA's SAP ¹⁵ includes a goal to pursue a higher Airport Carbon Accreditation level by 2023. Therefore, LAWA is already undertaking the measures suggested in the comment.
ATMP-PC035-97 Item 1	Obtain Third-party HVAC Commissioning and Verification of Energy Savings	As described in Chapter 2 and Section 4.1.1 of the Draft EIR, Concourse 0 and Terminal 9 would be constructed to meet LEED® Silver certification standards or better, which includes third-party HVAC commissioning and verification of energy savings as a minimum energy performance requirement. Therefore, LAWA is already undertaking the measure suggested in the comment. For this reason, it is not necessary to include the suggested measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 2	Install Higher Efficacy Public Street and Area Lighting	As indicated in LAWA's SAP, airport lighting and lighting within the vicinity of the airport within LAWA's operational control is, and will continue to be, managed and optimized to the extent feasible and safe for airport operations. ¹⁶ Therefore, LAWA is already undertaking the measure suggested in the comment. For this reason, it is not necessary to include the suggested measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 3	Limit Outdoor Lighting Requirements	See the evaluation of ATMP-PC035-97 Item 2 presented above. LAWA is already undertaking the measure suggested in the comment. For this reason, it is not necessary to include the suggested measure as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 4	Establish Onsite Renewable or Carbon-Neutral Energy Systems	LAWA is already in the process of assessing the feasibility of an on-site energy generation and storage system. As reported in LAWA's 2019 SAP, a preliminary solar feasibility study was conducted at LAX which indicated the potential capacity for up to 23.5 MW. ¹⁷ LAWA is committed to continuing to explore ways to feasibly implement this technology in a cost-effective manner. For this reason, it is not necessary to include the suggested measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 5	Establish Onsite Renewable Energy System - Solar Power	See the evaluation of ATMP-PC035-97 Item 4 presented above. For the reason cited therein, it is not necessary to include the suggested measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 6	Utilize a Combined Heat and Power System	In April 2015, LAWA completed the replacement of the previous 50-year-old Central Utility Plant (CUP) with a modern and energy efficient natural gas co-generation plant (i.e., combined heat and power system). Therefore, LAWA has already implemented the measure suggested in the comment. For this reason, it is not necessary to include the suggested measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 7	Increase Destination Accessibility	It is unclear as to what is meant by "Increase Destination Accessibility" and, therefore, it is not possible to assess this suggested measure.
ATMP-PC035-97 Item 8	Increase Transit Accessibility	See the evaluation of ATMP-PC035-92 presented above. As explained therein, LAWA is already undertaking all feasible measures to encourage passenger and employee transit ridership at LAX and reduce vehicular travel. Therefore, it is not necessary to include the suggested measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 9	Orient Project Toward Non-Auto Corridor	It is unclear as to what is meant by "Orient Project Toward Non-Auto Corridor"; however, it should be noted, as described above in the evaluation of ATMP-PC035-92, the proposed Project includes provisions for connecting passengers and workers with the APM system (i.e., non-auto transportation system), which also connects to public transit.
ATMP-PC035-97 Item 10	Locate Project near Bike Path/Bike Lane	As described above in the evaluation of ATMP-PC038-91, and discussed further in Section 4.8.3.2 of the Draft EIR, the proposed Project is located in proximity to existing and planned bicycle lanes, bicycle paths, and a multi-use path. Therefore, LAWA is already implementing the measure suggested in the comment. For this reason, it is not necessary to include the suggested measure as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 11	<ul style="list-style-type: none"> ▪ Provide Pedestrian Network Improvements, such as: ▪ Compact, mixed-use communities ▪ Interconnected street network ▪ Narrower roadways and shorter block lengths ▪ Sidewalks ▪ Accessibility to transit and transit shelters ▪ Traffic calming measures and street trees ▪ Parks and public spaces ▪ Minimize pedestrian barriers ▪ Marked crosswalks ▪ Count-down signal timers ▪ Curb extensions ▪ Speed tables ▪ Raised crosswalks ▪ Raised intersections ▪ Median islands ▪ Tight corner radii ▪ Roundabouts or mini-circles ▪ On-street parking ▪ Planter strips with trees ▪ Chicanes/chokers 	These proposed measures are largely inapplicable to the proposed Project, or are already be implemented as part of the proposed Project. The proposed Project does not include the development of mixed-use communities. As described in Section 4.8 of the Draft EIR, the Project would include transit, traffic, sidewalk, crosswalk, curbside, and parking features for the purpose of improving pedestrian and automotive safety and reducing congestion in the roadways in the vicinity of the Project. In addition, as described in Section 4.6 of the Draft EIR, certain portions of the proposed Project would be subject to the requirements of the Century Boulevard Streetscape Plan, which is intended to improve pedestrian walkability, aesthetics, and street front business opportunities along Century Boulevard between Sepulveda Boulevard and La Cienega Boulevard. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 12	Incorporate Bike Lane Street Design (on-site)	See the evaluation of ATMP-PC035-91 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 13	Provide Bike Parking in Non-Residential Projects	See the evaluation of ATMP-PC035-91 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 14	Provide Electric Vehicle Parking	See the evaluation of ATMP-PC035-88 presented above. For the reasons cited therein, the suggested measure is already proposed.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 15	Implement Commute Trip Reduction (CTR) Program – Voluntary: <ul style="list-style-type: none"> ▪ Carpooling encouragement ▪ Ride-matching assistance ▪ Preferential carpool parking ▪ Flexible work schedules for carpools ▪ Half time transportation coordinator ▪ Vanpool assistance ▪ Bicycle end-trip facilities (parking, showers and lockers) ▪ New employee orientation of trip reduction and alternative mode options ▪ Event promotions and publications ▪ Flexible work schedule for employees ▪ Transit subsidies ▪ Parking cash-out or priced parking ▪ Shuttles ▪ Emergency ride home 	See the evaluation of ATMP-PC035-91 and ATMP-PC035-92 presented above. For the reason cited therein, the suggested measure is already included as an existing LAWA policy or program, part of the Project design, or already proposed as part of the Project mitigation to reduce employee VMT.
ATMP-PC035-97 Item 16	Implement Commute Trip Reduction (CTR) Program - Required Implementation/Monitoring: <ul style="list-style-type: none"> ▪ Established performance standards (e.g. trip reduction requirements) ▪ Required implementation ▪ Regular monitoring and reporting 	The suggested measure is already covered by LAWA's existing measures for commuter trip reduction and the additional measures set forth in MM-T (ATMP)-1.
ATMP-PC035-97 Item 17	Implement Subsidized or Discounted Transit Program	The suggested measure is already covered by LAWA's existing measures for commuter trip reduction and the additional measures set forth in MM-T (ATMP)-1.
ATMP-PC035-97 Item 18	Provide End of Trip Facilities, including: <ul style="list-style-type: none"> ▪ Showers ▪ Secure bicycle lockers ▪ Changing spaces 	See the evaluation of ATMP-PC035-91 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 19	Implement Commute Trip Reduction Marketing, such as: <ul style="list-style-type: none"> ▪ New employee orientation of trip reduction and alternative mode options ▪ Event promotions ▪ Publications 	As described in Response to Comment AL010-112, LAWA already provides for these types of commute trip reduction measures; therefore, the suggested measure will not be included as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 20	Implement Preferential Parking Permit Program	See the evaluation of ATMP-PC035-92 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 21	Price Workplace Parking, such as: <ul style="list-style-type: none"> ▪ Explicitly charging for parking for its employees ▪ Implementing above market rate pricing ▪ Validating parking only for invited guests ▪ Not providing employee parking and transportation allowances ▪ Educating employees about available alternatives 	Such a measure is already included as part of Mitigation Measure MM-T (ATMP)-1; see page 4.8-54 of the Draft EIR.
ATMP-PC035-97 Item 22	Implement Employee Parking "Cash-Out"	See the evaluation of ATMP-PC035-92 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 23	Transit System Improvements, including: <ul style="list-style-type: none"> ▪ Grade-separated right-of-way, including bus only lanes (for buses, emergency vehicles, and sometimes taxis), and other Transit Priority measures. Some systems use guideways which automatically steer the bus on portions of the route ▪ Frequent, high-capacity service ▪ High-quality vehicles that are easy to board, quiet, clean, and comfortable to ride ▪ Pre-paid fare collection to minimize boarding delays ▪ Integrated fare systems, allowing free or discounted transfers between routes and modes ▪ Convenient user information and marketing programs ▪ High quality bus stations with Transit Oriented Development in nearby areas ▪ Modal integration, with BRT service coordinated with walking and cycling facilities, taxi services, intercity bus, rail transit, and other transportation services 	As described in Section 4.8 of the Draft EIR, the proposed Project includes various road network and transit improvements designed to alleviate traffic and improve transit access including, but not limited to: <ul style="list-style-type: none"> ▪ Integration with the currently under construction LAX Landside Access Modernization Program APM and the LA Metro AMC ▪ Provision of a new APM station at Terminal 9, which would provide state-of-the art, frequent, high-capacity service ▪ Construction of elevated roadways accessing the CTA designed to queue airport-related vehicular traffic off local roadways ▪ Connectivity to the future Intermodal Transportation Facility (ITF)-West Therefore, LAWA is already undertaking all feasible measures to encourage passenger and employee transit ridership at LAX and reduce vehicular travel.
ATMP-PC035-97 Item 24	Implement Transit Access Improvements, such as: <ul style="list-style-type: none"> ▪ Sidewalk/crosswalk safety enhancements ▪ Bus shelter improvements 	See the evaluation of ATMP-PC035-97 Item 11 and ATMP-PC035-97 Item 23 presented above. As noted, the proposed Project already includes transit access improvements.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
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Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 25	Expand Transit Network	See the evaluation of ATMP-PC035-92 presented above. The proposed Project would already expand the transit network through the addition of an APM station at Terminal 9, which is intended to link Terminal 9 to the APM system.
ATMP-PC035-97 Item 26	Increase Transit Service Frequency/Speed	See the evaluation of ATMP-PC035-97 Item 23 presented above. For the reason cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 27	Provide Bike Parking Near Transit	See the evaluation of ATMP-PC035-91 presented above. Bike parking is already being provided as part of the LAX Landside Access Modernization Program facilities that support bicycle access.
ATMP-PC035-97 Item 28	Provide Local Shuttles	LAWA and private operators already provide local shuttles. In addition, Mitigation Measure MM-T (ATMP)-1 already provides for on-demand micro-transit shuttles – see pages 4.8-53 and 4.8-54 of the Draft EIR.
ATMP-PC035-97 Item 29	Implement Area or Cordon Pricing	At the time of the publication of the Draft EIR, transit modes to and from the airport include personal passenger vehicles and private car/limousine services, LAX FlyAways and private shuttle services, transportation networking companies (such as Uber and Lyft), and bus services. Upon the completion of the LAX Landside Access Modernization Program and the LA Metro AMC, light rail will become another feasible method of accessing the airport. A curb management strategy, which may include congestion pricing, will be evaluated as part of the LAX Landside Access Modernization Program to determine mode assignments both in and out of the CTA. It should be noted that, while congestion pricing may be able to reduce traffic within the CTA and serve to encourage other modes of travel, those types of VMT reductions are anticipated to already occur in conjunction with implementation of the LAX Landside Access Modernization Program, specifically through reassigning various travel modes to the ITF-West and ITF East; in turn, ITF-West and ITF East will provide connections between the CTA and bus and rail transit via the APM system. It is possible that LAWA would not need to implement congestion pricing to reduce VMT, but evaluation of such a measure is, nevertheless, being included in the list of potential VMT reduction strategies for the proposed Project. LAWA is currently preparing a Request for Proposals (RFP) for a congestion pricing feasibility study. LAWA intends to release this RFP in the Fall of 2021. Relative to curb management, that is a separate effort not related to the LAX Airfield and Terminal Modernization Project; therefore, the suggested measure will not be included as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures
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Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 30	Improve Traffic Flow, such as: <ul style="list-style-type: none"> ▪ Signalization improvements to reduce delay ▪ Incident management to increase response time to breakdowns and collisions ▪ Intelligent Transportation Systems (ITS) to provide real-time information regarding road conditions and directions ▪ Speed management to reduce high free-flow speeds 	As discussed in Topical Response TR-ATMP-T-1, a project's effect on automobile delay, as measured by level of service (LOS) or other similar measures is not a significant environmental impact. The State CEQA Guidelines do not require mitigation where a project will not have a significant environmental impact. (See State CEQA Guidelines, Section 15126.4(a)(3).) It should be noted that traffic flow would be improved with the implementation of the features that LAWA is already undertaking described in the evaluation of ATMP-PC035-97 Item 23 presented above.
ATMP-PC035-97 Item 31	Required Project Contributions to Transportation Infrastructure Improvement Projects	See the evaluation of ATMP-PC035-92, ATMP-PC035-97 Item 23, and ATMP-PC035-97 Item 30 presented above. As described in these measures, LAWA is already undertaking transportation infrastructure improvements as part of the proposed Project. Moreover, Mitigation Measure MM-T (ATMP)-1 provides several strategies for reducing vehicular traffic. Finally, a project's effect on automobile delay is not a significant environmental impact and, therefore, it is not necessary to include this measure as mitigation for the proposed Project.
ATMP-PC035-97 Item 32	Utilize Alternative Fueled Vehicles, such as: <ul style="list-style-type: none"> ▪ Biodiesel (B20) ▪ Liquefied Natural Gas (LNG) ▪ Compressed Natural Gas (CNG) 	See the evaluation of ATMP-PC035-90 presented above. For the reason cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 33	Use Gray Water	As discussed in Section 2.4.4 of the Draft EIR, as part of the proposed Project, reclaimed water lines would be extended from the CTA to Terminal 9 and Concourse 0. Moreover, as identified in Table 2-3 of the Draft EIR, Concourse 0 and Terminal 9 would be capable of using reclaimed water from pipelines (i.e., "purple pipe" or similar reclaimed water solutions) as feasible and permitted, and in accordance with the commitments incorporated into the Water Supply Assessment prepared by LADWP for the proposed Project. Also, see the evaluation of ATMP-PC035-97 Item 35 presented below. Therefore, LAWA is already undertaking all feasible measures to use reclaimed water and it is not necessary to include the suggested measure as mitigation for the proposed Project.

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 34	Use Locally Sourced Water Supply	LADWP provides water service to the Project area. Sources of water in the LADWP service area are described in Section 4.9.1 of the Draft EIR. Recycled water in the LAX area is currently provided by the West Basin Municipal Water District's (WBMWD) Edward C. Little Water Recycling Facility (ECLWRF), some of which is used to irrigate landscaping at LAX (Section 4.9.1.3.2 of the Draft EIR). As described in Section 4.9.1.3.1.2 of the Draft EIR, the SAP identifies a goal to increase reclaimed water use by 35 percent and decrease potable water use by 30 percent by 2035, and to eliminate potable water consumption for non-potable uses such as landscaping and industrial uses by 2045. In addition, as described in Chapter 2, Section 2.4.4, of the Draft EIR, LAWA recently entered into an agreement with LADWP to provide reclaimed water to LAX from a new, advanced water purification facility planned to be built at the Hyperion Water Reclamation Plant, which will provide high-quality reclaimed water for airport and other local uses. Therefore, LAWA is already undertaking all feasible measures to use locally-sourced water and the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 35	Adopt a Water Conservation Strategy	<p>LAWA's SAP details water conservation and reduction targets and timelines to achieve those targets.¹⁸ The SAP also includes comprehensive water conservation and water-reduction strategies and implementation actions to achieve those targets including, but not limited to:</p> <ul style="list-style-type: none"> ▪ The elimination of potable water consumption for non-potable uses, such as landscaping and cooling towers; ▪ Improved metering and submetering technologies for water monitoring and use management; ▪ Expanding the reclaimed water network and uses; ▪ Enhanced requirements for water use and reuse efficiencies; ▪ Installation of native, drought-resistant landscaping and vegetation and weather-based water-use controllers; and ▪ Auditing of existing in-use buildings at LAX to identify water-efficient upgrades to plumbing fixtures and other water uses. <p>As discussed in Section 4.9.1 of the Draft EIR, the proposed Project would be required to conform to various policies and codes concerning water use, including CALGreen, the California Plumbing Code, the Los Angeles Green Building Code, the Los Angeles Plumbing Code, and California Code of Regulations Title 23, Division 2, Chapter 2.7, Model Water Efficient Landscape Ordinance. In addition to conforming to code requirements, as listed in Chapter 2 and in Section 4.9.1 of the Draft EIR, LAWA committed to a number of water conservation measures for the proposed Project that are in addition to those required by codes and ordinances as part of the</p>

Table 1
TR-ATMP-AQ/GHG-1-1. Evaluation of New or More Stringent Recommended Air Quality and/or Greenhouse Gas Mitigation Measures Suggested in Comments on the Draft EIR

Comment ID	Suggested New or More Stringent Measure	Evaluation
		LADWP's Water Supply Assessment. Therefore, LAWA is already undertaking all feasible measures to conserve water and the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 36	Design Water-Efficient Landscapes (see California Department of Water Resources Model Water Efficient Landscape Ordinance), such as: <ul style="list-style-type: none"> Planting vegetation with minimal water needs, such as native species Choosing vegetation appropriate for the climate of the project site Choosing complimentary plants with similar water needs or which can provide each other with shade and/or water 	As identified in Table 2-3 of the Draft EIR, and in accordance with the commitments incorporated into the Water Supply Assessment prepared by LADWP for the proposed Project as described in Section 4.9.1.5.2.2 of the Draft EIR, drought-tolerant landscaping and micro-irrigation would be installed for all project-related landscaping to reduce potable water consumption. Therefore, LAWA is already undertaking all feasible measures to implement water-efficient landscaping. Also see the evaluation of ATMP-PC035-97 Item 35 presented above. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 37	Plant Native Trees and Vegetation	See the evaluation of ATMP-PC035-97 Item 35 and ATMP-PC035-97 Item 36 presented above. For the reasons cited therein, the suggested measure is already included as an existing LAWA policy or program and as part of the Project design.
ATMP-PC035-97 Item 38	Urban Tree Planting	<p>In FAA's <i>Wildlife Hazard Management at Airports</i> manual, the FAA recommends that vegetation at airports have a low attraction to birds, small mammals, and insects to minimize the risk of bird strikes on operating aircraft.¹⁹ Therefore, large-scale urban tree planning at LAX is not appropriate for reasons of public safety. Moreover, with respect to the suggestion to implement urban tree planting in order to mitigate GHG impacts, as indicated in 49 U.S.C. §§ 47107(b)(1) and 47133(a), the use of airport revenue for purposes other than airport capital or operating costs is generally considered "revenue diversion" and is prohibited by federal law. Off-site programs, such as off-site urban tree planting, are beyond the scope of the proposed Project and would be an unlawful diversion of airport revenue. Therefore, the suggested measure will not be included as mitigation for the proposed Project.</p> <p>However, any trees removed by the proposed Project would be replaced as required by City code and permits within the boundaries of LAX or at a suitable off-site location in proximity to the proposed Project. If replacement trees are planted within LAX boundaries, the replacement site and tree species would be determined in consultation with LAWA's U.S. Department of Agriculture (USDA) Wildlife Hazard Biologist and would be consistent with FAA Advisory Circular No. 150/5200-33C, <i>Hazardous Wildlife Attractants on or Near Airports</i>,²⁰ and LAWA's <i>LAX Wildlife Management Plan</i>²¹ to avoid increasing wildlife hazards to aircraft.</p>

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Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 39	Create New Vegetated Open Space	See the evaluation of ATMP-PC035-97 Item 38 presented above. Similar to the planting of new trees, LAWA must be cautious with respect to creating new vegetated open space, based on the aforementioned restrictions on creating wildlife attractants at/near the airport. Therefore, creation of new vegetated open space at LAX is not feasible mitigation for Project-related GHG emissions and, as discussed in ATMP-PC035-97 Item 38 above, off-site mitigation is beyond the scope of the proposed Project and would be an unlawful diversion of airport revenue. Therefore, the suggested measure will not be included as mitigation for the proposed Project. It should be noted that LAWA has revegetated ground that has been previously cleared of vegetation at LAX on a limited basis, such as when vegetation is removed/disturbed during construction activities. In those cases, revegetation occurred with FAA-approved types of vegetation that minimize wildlife attraction.
ATMP-PC035-97 Item 40	Use Alternative Fuels for Construction Equipment	LAWA's DCH requires contractors to use the cleanest available construction equipment meeting or exceeding USEPA Tier 4 final emission standards. If it is infeasible for a contractor to use the cleanest possible equipment due to equipment availability or ability, a contractor must document to LAWA's satisfaction that a good faith effort was made to acquire the cleanest equipment and, if approved, may use the next cleanest feasible equipment. ²² In addition, LAWA is requiring the use of Renewable Diesel Fuel in Mitigation Measure MM-AQ/GHG (ATMP)-2, depending on availability, as discussed in Section 4.1.1. Therefore, LAWA is already undertaking all feasible measures to require alternative fuels for construction equipment and the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 41	Urban Tree Planting	See the evaluation of ATMP-PC035-97 Item 38 presented above.
ATMP-PC035-97 Item 42	Use Electric and Hybrid Construction Equipment	See the evaluation of ATMP-PC035-97 Item 40 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 43	Limit Construction Equipment Idling Beyond Regulation Requirements	See the evaluation of ATMP-PC035-93 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.

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Comment ID	Suggested New or More Stringent Measure	Evaluation
ATMP-PC035-97 Item 44	Institute a Heavy-Duty Off-Road Vehicle Plan, including: <ul style="list-style-type: none"> Construction vehicle inventory tracking system Requiring hour meters on equipment Document the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment Daily logging of the operating hours of the equipment 	LAWA tracks construction equipment operating at the airport to the extent required in the DCH to confirm that construction equipment operating at the airport conforms to the requirements of LAWA's clean construction policy. Additionally, see the evaluation of ATMP-PC035-95 presented above. For these reasons, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 45	Implement a Construction Vehicle Inventory Tracking System	See the evaluation of ATMP-PC035-97 Item 44 presented above. For the reasons cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 46	Establish a Carbon Sequestration Project, such as: <ul style="list-style-type: none"> Geologic sequestration or carbon capture and storage techniques, in which CO₂ from point sources is captured and injected underground Terrestrial sequestration in which ecosystems are established or preserved to serve as CO₂ sinks Novel techniques involving advanced chemical or biological pathways Technologies yet to be discovered 	As indicated in 49 U.S.C. §§ 47107(b)(1) and 47133(a), the use of airport revenue for purposes other than airport capital or operating costs is generally considered "revenue diversion" and is prohibited by federal law. Off-site carbon sequestration or other off-site programs is beyond the scope of the proposed Project and would be an unlawful diversion of airport revenue. In addition, the measures set forth in the comment are unknown, experimental or unproven, rely on technology that does not exist, or rely on offsetting emissions in a manner that has not been recognized by CARB or other regulatory authorities as appropriate mitigation of GHG emissions for purposes of CEQA. Therefore, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 47	Establish Off-Site Mitigation	See the evaluation of ATMP-PC035-97 Item 46 presented above. For the reason cited therein, the suggested measure will not be included as mitigation for the proposed Project.
ATMP-PC035-97 Item 48	Use Local and Sustainable Building Materials	LAWA's DCH requires compliance with the City of Los Angeles Demolition Debris Recycling Program, which outlines disposal permitting requirements, reporting and documentation requirements, and other requirements related to AB 939 diversion goals. ²³ In addition, Mitigation Measure MM-GHG (ATMP)-1 sets forth a requirement for construction contractors to recycle or salvage a minimum of 85 percent of non-hazardous construction and demolition waste generated directly from the construction of the Project. Further, Concourse 0 and Terminal 9 would be constructed to meet LEED® Silver certification standards or better, with LEED® points available for building materials with a high recycled material content. Therefore, LAWA is already undertaking all feasible measures to use local and sustainable building materials and the suggested measure will not be included as mitigation for the proposed Project.

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ATMP-PC035-97 Item 49	<p>Require Environmentally Responsible Purchasing, such as:</p> <ul style="list-style-type: none"> ▪ Purchasing products with sustainable packaging ▪ Purchasing post-consumer recycled copier paper, paper towels, and stationary ▪ Purchasing and stocking communal kitchens with reusable dishes and utensils ▪ Choosing sustainable cleaning supplies ▪ Leasing equipment from manufacturers who will recycle the components at their end of life ▪ Choosing ENERGY STAR appliances and Water Sense-certified water fixtures ▪ Choosing electronic appliances with built in sleep-mode timers ▪ Purchasing 'green power' (e.g. electricity generated from renewable or hydropower) from the utility ▪ Choosing locally-made and distributed products 	<p>Mitigation Measure MM-GHG (ATMP)-3 requires LAWA to identify requirements and standards for products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. Additionally, LAWA's SAP includes the adoption of a formal Environmentally Preferred Purchasing (EPP) Policy, monitoring purchasing and procurement activities, and reducing over-ordering and single-use material. The proposed EPP Policy would specify mandates for the durability of equipment and supplies, prioritize reusable shipping and packaging options from large suppliers, establish targets for single-use items, and develop a product selection criteria process.²⁴ In addition, LAWA recently adopted a policy that will phase out single-use plastic bottles at LAX by 2023.²⁵ For these reasons, the suggested measure will not be included as mitigation for the proposed Project.</p>

Source: CDM Smith, May 2021.

Notes:

¹ City of Los Angeles, Los Angeles World Airports, *2020 Design and Construction Handbook (DCH)*, Version 1.0, June 30, 2020. Available: <https://www.lawa.org/lawa-businesses/lawa-documents-and-guidelines/lawa-design-and-construction-handbook>.

² City of Los Angeles, Los Angeles World Airports, *Sustainability Action Plan*, 2019. Available: <https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp>.

³ City of Los Angeles, Los Angeles World Airports, *Ground Support Equipment Emissions Policy*, October 22, 2019. Available: https://www.lawa.org/-/media/lawa-web/environment/files/lax_gse_emission_reduction_policy_boac.ashx.

⁴ City of Los Angeles, Los Angeles World Airports, *LAX Electric Ground Support Equipment Incentive Program*, August 2019. Available: <https://www.lawa.org/-/media/lawa-web/environment/files/gse-emissions-reduction-program/lax-funding-opportunity-announcement-and-application-preparation-package.ashx>.

⁵ City of Los Angeles, Los Angeles World Airports, *Sustainability Action Plan*, 2019. Available: <https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp>.

⁶ City of Los Angeles, *Ordinance No. 186485*, Council File No. 17-0309, Effective January 28, 2020. Available: <https://www.ladbs.org/docs/default-source/publications/misc-publications/ordinance-186485.pdf?sfvrsn=2>.

⁷ City of Los Angeles, Los Angeles World Airports, *Alternative Fuel Vehicle Requirement Program (LAX Only)*, October 2017. Available: <https://www.lawa.org/-/media/lawa-web/environment/files/altfuelvehreq.ashx>.

⁸ City of Los Angeles, Los Angeles World Airports, *Zero & Near-Zero Emission Heavy-Duty Vehicle Incentive Program*, January 17, 2019. Available: <https://www.lawa.org/-/media/lawa-web/environment/files/zero-and-near-zero-emission-heavy-duty-vehicle-incentive-program-application.ashx>.

⁹ The Zero-Emission Bus Program is a requirement of the LAX-SCAQMD MOU.

¹⁰ City of Los Angeles, Los Angeles World Airports, *LAWA Rideshare webpage*. Available: <https://www.lawa.org/lawa-environment/environmental-programs-group/lawa-rideshare>, accessed October 20, 2020.

¹¹ City of Los Angeles, Los Angeles World Airports, *2020 Design and Construction Handbook (DCH)*, Version 1.0, June 30, 2020. Available: <https://www.lawa.org/lawa-businesses/lawa-documents-and-guidelines/lawa-design-and-construction-handbook>.

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¹²	City of Los Angeles, Los Angeles World Airports, <i>2020 Design and Construction Handbook (DCH)</i> , Version 1.0, June 30, 2020. Available: https://www.lawa.org/lawa-businesses/lawa-documents-and-guidelines/lawa-design-and-construction-handbook .	
¹³	City of Los Angeles, Los Angeles World Airports, <i>2020 Design and Construction Handbook (DCH)</i> , Version 1.0, June 30, 2020. Available: https://www.lawa.org/lawa-businesses/lawa-documents-and-guidelines/lawa-design-and-construction-handbook .	
¹⁴	City of Los Angeles, Los Angeles World Airports, <i>2019 Sustainability Report</i> . Available: https://www.lawa.org/en/lawa-sustainability .	
¹⁵	City of Los Angeles, Los Angeles World Airports, <i>Sustainability Action Plan</i> , 2019. Available: https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp .	
¹⁶	City of Los Angeles, Los Angeles World Airports, <i>Sustainability Action Plan</i> , 2019. Available: https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp .	
¹⁷	City of Los Angeles, Los Angeles World Airports, <i>Sustainability Action Plan</i> , 2019. Available: https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp .	
¹⁸	City of Los Angeles, Los Angeles World Airports, <i>Sustainability Action Plan</i> , 2019. Available: https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp .	
¹⁹	U.S. Department of Transportation, Federal Aviation Administration, <i>Wildlife Hazard Management at Airports, Second Edition</i> , July 2005. Available: https://www.faa.gov/airports/airport_safety/wildlife/resources/media/2005_faa_manual_complete.pdf .	
²⁰	U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular 150/5200-33C, <i>Hazardous Wildlife Attractants on or Near Airports</i> , 2020.	
²¹	City of Los Angeles, Los Angeles World Airports in cooperation with U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, <i>Los Angeles International Airport (LAX) Wildlife Hazard Management Plan</i> , December 2016.	
²²	City of Los Angeles, Los Angeles World Airports, <i>2020 Design and Construction Handbook (DCH)</i> , Version 1.0, June 30, 2020. Available: https://www.lawa.org/lawa-businesses/lawa-documents-and-guidelines/lawa-design-and-construction-handbook .	
²³	City of Los Angeles, Los Angeles World Airports, <i>2020 Design and Construction Handbook (DCH)</i> , Version 1.0, June 30, 2020. Available: https://www.lawa.org/lawa-businesses/lawa-documents-and-guidelines/lawa-design-and-construction-handbook .	
²⁴	City of Los Angeles, Los Angeles World Airports, <i>Sustainability Action Plan</i> , 2019. Available: https://cloud1lawa.app.box.com/s/63i2teszgnld5aws68xbou6yc0inl5rp .	
²⁵	City of Los Angeles, Los Angeles World Airports, <i>Press Release: Los Angeles Board of Airport Commissioners Approves Phasing Out Single-Use Plastic Bottles at LAX and Van Nuys Airports</i> , July 8, 2021. Available: https://www.lawa.org/news-releases/2021/news-release-034 ; accessed July 18, 2021.	

Summary

In summary, as noted previously, the Draft EIR evaluated almost 100 potentially applicable measures for the reduction of air quality and GHG emissions across a broad range of mitigation types. This extensive evaluation resulted in the identification of 11 mitigation measures that would address air quality and/or GHG emissions. Some of the measures suggested in the comments on the Draft EIR would not reduce air quality or GHG emissions and are not suitable mitigation measures. Other suggested measures are either already being implemented at LAX under existing LAWA programs and requirements, have already been identified as a Project feature, were already incorporated into a mitigation measure included in the Draft EIR, or were previously considered and found to be inapplicable, ineffective, or infeasible. An evaluation of suggested measures is provided above in Table 1. As shown in the table, with the exception of those measures that are already incorporated into identified mitigation, none of these measures is considered to be applicable or feasible as mitigation of Project-related air quality or GHG impacts. The mitigation measures that are already included in the Draft EIR demonstrate a commitment by LAWA to reduce air quality and GHG emissions to the maximum extent feasible.

TR-ATMP-N-1: Health Effects of Noise on Humans

As described in Section 4.7.1.1.3 of the Draft EIR, noise or unwanted sound is known to have several adverse effects on humans, such as hearing loss, communication interference, sleep disturbance, physiological responses, and annoyance (Section 4.7.1.2.3). Several comments submitted on the Draft EIR suggested that human health effects were not taken into account in the evaluation of aircraft noise impacts. This topical response outlines health effects of noise that have been identified in existing research and summarizes LAWA's current understanding on the topic. For more detail on the adequacy of the aircraft noise analysis and use of alternative metrics to determine health impacts, please see Topical Response TR-ATMP-N-2.

FAA

The Federal Aviation Administration's (FAA) Federal Register Notice, Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities to Inform Aircraft Noise Policy published January 13, 2021 provides an overview of ongoing research efforts by the FAA to determine the effects of aircraft noise on human health.⁴³ As noted in that federal register notice, the FAA is conducting or is planning to conduct research on the topics of speech interference and children's learning, health and human impacts, impacts to cardiovascular health, sleep disturbance, economic impacts of noise, and community response to aircraft noise. However, the FAA has not changed its policy and regulations related to the findings of this ongoing research or the use of alternative metrics to assess health impacts (see Topical Response TR-ATMP-N-2 for more information).

As outlined in Section 4.7.1.3.1.1 of the Draft EIR, *FAA Order 1050.1F, Environmental Impacts: Policies and Procedures*, provides FAA's policies and procedures for evaluating environmental impacts of all agency actions in compliance with the National Environmental Policy Act (NEPA) and the implementing regulations issued by the federal Council on Environmental Quality (CEQ).⁴⁴ FAA Order 1050.1F identifies significance thresholds for aircraft noise. These thresholds are based on the annual average daily Day-Night Average Sound Level (DNL). In accordance with FAA Order 1050.1F, a proposed action would have a significant noise impact if it would cause a noise-sensitive land use that is already located within the 65

⁴³ U.S. Department of Transportation, Federal Aviation Administration, *Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities To Inform Aircraft Noise Policy*, FR Vol 86, No. 8, January 13, 2021. Available: <https://www.federalregister.gov/documents/2021/01/13/2021-00564/overview-of-faa-aircraft-noise-policy-and-research-efforts-request-for-input-on-research-activities#print>.

⁴⁴ U.S. Department of Transportation, Federal Aviation Administration, *Order 1050.1F, Environmental Impacts: Policies and Procedures*, July 16, 2015. Available: https://www.faa.gov/documentLibrary/media/Order/FAA_Order_1050_1F.pdf.

DNL noise contour to experience an increase in noise of DNL 1.5 A-weighted sound pressure level (dBA) or more, or if it would newly expose a noise-sensitive land use to the DNL 65 dBA level due to a DNL 1.5 dBA or greater increase. The Order provides for the use of Community Noise Equivalent Level (CNEL) instead of DNL in California.⁴⁵ It also requires the use of the FAA-approved model (Aviation Environmental Design Tool [AEDT]) to assess aircraft noise impacts.

ICAO Aviation Noise Impacts White Paper

In 2019, the International Civil Aviation Organization (ICAO) published its 2019 Environmental Report, *Aviation and Environment*.⁴⁶ Chapter 2 of the report discusses the Aviation Noise Impacts White Paper, which provides an overview of the state of the science related to aviation noise impacts as of 2019. It covers community noise annoyance, sleep disturbance, health impacts, children's learning, helicopter noise, en-route noise from supersonic aircraft, Urban Air Mobility (UAM)/ Unmanned Aerial Systems (UAS) noise, and the economic costs of aviation noise. Some findings included in the White Paper are outlined below:

- The best epidemiological evidence for health effects of aircraft noise relates to cardiovascular disease, and in particular for new cases of ischemic heart disease. These findings are consistent with findings of heart disease from road traffic noise.
- Evidence exists to support the likelihood that the association between aircraft noise and heart disease observed in epidemiological studies is causal however the exact magnitude of the exposure-response estimate varies between studies, and estimates are likely to change as further studies are completed.
- There are important gaps in the evidence for other health outcomes. Few studies have been conducted in relation to aircraft noise and mental health, or maternal health and birth outcomes.
- Most health studies have used cumulative metrics (e.g., DNL/CNEL) as these have been used extensively. However, there is a need to examine other noise metrics that may be more relevant to health outcomes.

Specific Adverse Impacts Including Health Impacts

Hearing Loss

Hearing loss is not generally associated with community noise problems, even very near a major airport or a major freeway. The Occupational Safety and Health Administration (OSHA) identifies a noise exposure limit of 90 dBA for 8 hours per day to protect from hearing loss in occupational settings (higher limits are allowed for shorter duration exposures). Noise levels in neighborhoods, even in very noisy neighborhoods, are not sufficiently loud to cause hearing loss.

Communication Interference

Communication interference includes speech interference and interference with activities such as watching television. Normal conversational speech is in the range of 60 to 65 dBA and any noise in this range or louder may interfere with speech. There are specific methods of describing speech interference as a function of distance between speaker and listener and voice level.

⁴⁵ U.S. Department of Transportation, Federal Aviation Administration, Office of Environment and Energy, *1050.1F Desk Reference, Version 2*, "Noise and Noise-Compatible Land Use," page 11-2, February 2020. https://www.faa.gov/about/office_org/headquarters_offices/apl/enviro_policy_guidance/policy/faq_nepa_order/desk_ref/media/desk-ref.pdf.

⁴⁶ International Civil Aviation Organization, *2019 Environmental Report Aviation and Environment: Destination Green The Next Chapter*, 2019. Available: <https://www.icao.int/environmental-protection/pages/envrep2019.aspx>.

Sleep Disturbance

Sleep disturbance is another cause of annoyance due to noise. Noise can make it difficult to fall asleep and create momentary disturbances of natural sleep patterns by causing shifts from deep to lighter stages. Noise may even cause awakening, which a person may or may not be able to recall. Extensive research has been conducted on the effect of noise on sleep disturbance. Section 4.7.1.1.3 of the Draft EIR gives a detailed overview of the research and studies that have been completed relative to noise-related sleep disturbance. The conclusion of that review is that a standard to evaluate the impact of combined multiple events has not been established.

The FAA has initiated a research study to collect representative information on the effects of aircraft noise on sleep. This data will help the FAA update sleep standards. The study is expected to take approximately two years to complete, and the FAA is currently assessing comments received on what should be included in the study (the FAA closed the comment period on January 27, 2020).⁴⁷ Following completion of the study, it is anticipated that the FAA will consider the findings of the study relative to any potential updates to, or validation of, the national aviation noise policy.

With regard to addressing potential sleep disturbance impacts within this EIR, please see Topical Response TR-ATMP-N-2.

Physiological Responses

Physiological responses are those measurable effects of noise on people that are realized as changes in pulse rate, blood pressure, etc. Although such effects can be induced and observed, the extent is not known to which these physiological responses cause harm or are a sign of harm. Generally, physiological responses are a reaction to a loud short-term noise such as a rifle shot or a very loud jet overflight. As described on pages 4.7.1-12 and 4.7.1-13 of the Draft EIR, health effects from noise, where they may exist, are associated with a wide variety of other environmental stressors as well, and isolating the effects of aircraft noise alone as a source of long-term physiological change has proved nearly impossible. It has not been possible for research to conclude causal relations between health disorders and noise exposure.⁴⁸

Cardiovascular Effects

Cardiovascular refers to effects on the heart and blood vessels. In October 2013, two studies on cardiovascular disease associated with aircraft noise were published in the British Medical Journal. The first was done in the United Kingdom around Heathrow Airport in London, and the second was done in the United States as part of a multi-airport retrospective study led by researchers from Boston University and the Harvard School of Public Health as part of the Partnership for Air Transportation Noise and Emissions Reduction (PARTNER) program sponsored by the FAA. The U.S. study focused on Medicare patients, and the British study was based on the total population living around Heathrow. Both studies identified a correlation linking noise to cardiovascular disease, but due to limitations in the studies and the potential for alternative explanations of causal associations, both studies recommended that further research be done to better understand and strengthen the causal interpretation of the relationship between aircraft noise and cardiovascular disease. Neither study provided a definitive noise dose and

⁴⁷ U.S. Department of Transportation, Federal Aviation Administration, *Agency Information Collection Activities: Request for Comments; Clearance of a New Approval of Information Collection: National Sleep Study*, 84 Fed. Reg. 65453, November 27, 2019. Available: <https://www.federalregister.gov/documents/2019/11/27/2019-25714/agency-information-collection-activities-requests-for-comments-clearance-of-a-new-approval-of>.

⁴⁸ Transportation Research Board of the National Academies, Airport Cooperative Research Program, *ACRP Synthesis 9, Effects of Aircraft Noise: Research Update on Selected Topics*, 2008. Available: <https://www.noisequest.psu.edu/pdfs-documents/acrpnoise.pdf>.

response relationship that defines at what noise level cardiovascular health effects start and what is the rate of increase in response as noise level increases.⁴⁹

Annoyance

Annoyance is a major effect associated with aviation noise. As further described on page 4.7.1-13, the level of annoyance varies considerably from person to person, based on individual tolerance, attitude, and sensitivity, as well as characteristics of the noise and level of activity interference.

On January 13, 2021, the FAA published the analysis results of the Neighborhood Environmental Survey (NES),⁵⁰ which was an outcome of a multi-year research effort undertaken to quantify the impacts of aircraft noise exposure on communities around commercial service airports in the U.S. The goal of the research effort was to develop an updated and nationally representative civil aircraft dose-response curve, quantifying the relationship between aircraft noise exposure and community annoyance. To characterize this relationship, the research team designed and conducted the NES, which collected information from a statistically representative number of adult residents living around a balanced sample of 20 U.S. airports — objectively chosen to reflect the nation as a whole.

From the survey data, a national dose-response curve was derived that describes the relationship between aircraft noise exposure (in terms of DNL) and the percentage of individuals reported as being highly annoyed by aircraft noise. Aircraft noise exposure levels were modeled using the FAA Integrated Noise Model (INM), version 7.0d; based on 12-month sets of aircraft flight tracking data collected between 2012 and 2014 for each NES airport. Community response data was collected through a mail survey questionnaire, designed to follow the recommendations of the International Commission on the Biological Effects of Noise (ICBEN), requesting respondents to rank on a scale from 1 to 5 (with 5 being most): “Thinking about the last 12 months or so, when you are here at home, how much does [noise from aircraft] bother, disturb or annoy you?” Responses of either 4 or 5 were then considered as “highly annoyed.” Just over 10,000 people completed and returned the mail questionnaire (resulting in a response rate of 40 percent), administered in six separate “waves” over a 12-month period beginning in October 2015. Logistic regression analysis of the “highly-annoyed” responses from the mail questionnaire and their associated aircraft noise exposure levels were used to generate the national dose-response curve. The percentage of those surveyed who were highly annoyed by aircraft noise increased monotonically⁵¹ with increasing noise exposure. In comparison to prior studies on this topic, the NES’s national curve shows substantially more people highly annoyed for a given DNL aircraft noise exposure level.

Classroom Disruption

Classroom disruption is an important consideration and the subject of much research. Studies from around the world indicate that vehicle traffic, railroad, and aircraft noise can have adverse effects on reading ability, concentration, motivation, and long-term learning retention. The Draft EIR included an impact assessment of classroom disruption; Section 4.7.1.2.3 describes the methodology of that assessment and results are included in Section 4.7.1.5.3.

Conclusion

The above overview and additional detail in Section 4.7.1.1.3 of the Draft EIR describe that noise or unwanted sound is known to have several adverse effects on humans, such as hearing loss, communication interference, sleep disturbance, physiological responses, and annoyance.

⁴⁹ County of Orange, *Draft Environmental Impact Report No. 617, John Wayne Airport Settlement Agreement Amendment*, (SCH No. 200111135), Appendix C - Noise Analysis Technical Report, April 2014.

⁵⁰ U.S. Department of Transportation, Federal Aviation Administration, *Analysis of the Neighborhood Environmental Survey*, DOT/FAA/TC-21/4, February 2021. Available: <https://www.airporttech.tc.faa.gov/Products/Airport-Safety-Papers-Publications/Airport-Safety-Detail/ArtMid/3682/ArticleID/2845/Analysis-of-NES>.

⁵¹ Varying in such a way that it either never decreases or never increases.

On January 13, 2021, the FAA published the analysis results of the NES,⁵² with a resulting NES national curve showing substantially more people highly annoyed for a given DNL aircraft noise exposure level. The FAA Federal Register Notice, Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities to Inform Aircraft Noise Policy published on January 13, 2021⁵³ provided an overview of ongoing research efforts by the FAA to determine the effects of aircraft noise on human health. However, the FAA has not changed its policy and regulations related to the findings of this ongoing research or based on the results of the recently published NES. The FAA has stated: *“The FAA will not make any determinations based on the findings of these research programs for the FAA’s noise policies, including any potential revised use of the Day-Night Average Sound Level (DNL) noise metric, until it has carefully considered public and other stakeholder input along with any additional research needed to improve the understanding of the effects of aircraft noise exposure on communities.”*⁵⁴

TR-ATMP-N-2: Aircraft Noise Analysis Adequacy and Use of Alternative Metrics

Several commenters proposed the use of supplemental metrics, such as Sound Exposure Level (SEL), as an alternative to Day-Night Average Sound Level (DNL)/ Community Noise Equivalent Level (CNEL). Section 4.7.1.1.2 of the Draft EIR provides an overview of noise descriptors suggested by commenters, including SEL, maximum sound level (L_{max}), and Time Above (TA). One additional metric was requested for assessment by a commenter; Number of Events Above (NA), which is similar to TA, but instead of measuring the length of time above a certain noise level, NA computes the number of events that exceed a given threshold.

The following provides an overview of the regulatory requirements under which the Draft EIR evaluated impacts of aircraft noise and the context surrounding the use of alternative metrics, followed by a review of the use of alternative metrics for assessing aircraft noise impacts in all California Environmental Quality Act (CEQA) documents that have analyzed projects at airports throughout California published in the last ten years.

Federal Requirements

As outlined in Section 4.7.1.3.1.1 of the Draft EIR, *FAA Order 1050.1F, Environmental Impacts: Policies and Procedures*, provides FAA’s policies and procedures for evaluating environmental impacts of all agency actions in compliance with the National Environmental Policy Act (NEPA) and the implementing regulations issued by the federal Council on Environmental Quality (CEQ).⁵⁵ FAA Order 1050.1F identifies significance thresholds for aircraft noise. These thresholds are based on the annual average daily DNL. In accordance with FAA Order 1050.1F, a proposed action would have a significant noise impact if it would cause a noise-sensitive land use that is already located within the 65 DNL noise contour to experience an increase in noise of DNL 1.5 A-weighted sound pressure level (dBA) or more, or if it would newly expose a noise-sensitive land use to the DNL 65 dBA level due to a DNL 1.5 dBA or greater increase. The Order

⁵² U.S. Department of Transportation, Federal Aviation Administration, *Analysis of the Neighborhood Environmental Survey*, DOT/FAA/TC-21/4, February 2021. Available: <https://www.airporttech.tc.faa.gov/Products/Airport-Safety-Papers-Publications/Airport-Safety-Detail/ArtMID/3682/ArticleID/2845/Analysis-of-NES>.

⁵³ U.S. Department of Transportation, Federal Aviation Administration, *Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities To Inform Aircraft Noise Policy*, FR Vol 86, No. 8, January 13, 2021. Available: <https://www.federalregister.gov/documents/2021/01/13/2021-00564/overview-of-faa-aircraft-noise-policy-and-research-efforts-request-for-input-on-research-activities#print>.

⁵⁴ U.S. Department of Transportation, Federal Aviation Administration, *Overview of FAA Aircraft Noise Policy and Research Efforts: Request for Input on Research Activities To Inform Aircraft Noise Policy*, FR Vol 86, No. 8, January 13, 2021. Available: <https://www.federalregister.gov/documents/2021/01/13/2021-00564/overview-of-faa-aircraft-noise-policy-and-research-efforts-request-for-input-on-research-activities#print>.

⁵⁵ U.S. Department of Transportation, Federal Aviation Administration, *Order 1050.1F, Environmental Impacts: Policies and Procedures*, July 16, 2015. Available: https://www.faa.gov/documentLibrary/media/Order/FAA_Order_1050_1F.pdf.

provides for the use of Community Noise Equivalent Level (CNEL) instead of DNL in California.⁵⁶ It also requires the use of the FAA-approved model (Aviation Environmental Design Tool [AEDT]) to assess aircraft noise impacts.

FAA Report to Congress

In a report published on April 14, 2020,⁵⁷ the FAA responded to the requirement outlined in the FAA Reauthorization Act of 2018, Pub. L. 115-254. In Section 188 of that Act, Congress required that FAA “evaluate alternative noise metrics to current average day-night level standard, such as the use of actual noise sampling to address community airplane noise concerns.” In addition, Section 173 of the Act required that FAA complete evaluation of alternative metrics to DNL. FAA’s April 2020 report addresses both of those obligations. The April 2020 report provided an overview of the history and purpose of noise evaluation and reviewed metrics used internationally as well as by other state and federal agencies. In the report, FAA assessed the efficacy of DNL and alternative metrics against the requirements set out in the 1979 Aviation Safety and Noise Abatement Act (ASNA).

ASNA required the FAA to establish:

- (a) A single system of measuring noise, for which there is a highly reliable relationship between projected noise exposure and surveyed reactions of people to noise, to be uniformly applied in measuring noise at airports and the areas surrounding such airports; and
- (b) A single system for determining the exposure of individuals to noise which results from the operations of an airport and which includes, but is not limited to, noise intensity, duration, and time of occurrence.⁵⁸

In the April 2020 report, FAA assessed four groups of noise metrics against ASNA criteria:

- Cumulative metrics (i.e., Level Equivalent [L_{eq}], DNL, and CNEL)
- Single Event metrics (i.e., SEL and L_{max})
- Operational-Acoustic metrics (i.e., NA, TA, and Time Audible)
- Low Acoustic Frequency Noise metrics (i.e., Pounds Per Square Foot [PSF], C-weighted SEL [CSEL], and C-Weighted DNL [CDNL])

FAA found that cumulative metrics, like DNL and CNEL, were best suited to address ASNA criteria as they accounted for noise level (magnitude), time of day, and number of events. No single event, operational-acoustic, or low acoustic frequency noise metric was able to fulfill these requirements; most account only for noise level, apart from number above (NA), which accounts for both noise level and number of events but does not account for time of day.

The conclusion of FAA’s report was to continue its recommendation of the use of DNL for FAA decision-making regarding noise compatibility. This is a continuation of the U.S. Federal Interagency Committee on Noise (FICON) decision reached in 1992,⁵⁹ that was reaffirmed in 2018 with the successor to FICON, the Federal Interagency Committee on Aviation Noise (FICAN).⁶⁰ Additionally, FAA concluded

⁵⁶ U.S. Department of Transportation, Federal Aviation Administration, Office of Environment and Energy, *1050.1F Desk Reference, Version 2, “Noise and Noise-Compatible Land Use,”* p. 11-2, February 2020.
https://www.faa.gov/about/office_org/headquarters_offices/apl/enviro_nepa_order/desk_ref/med ia/desk-ref.pdf.

⁵⁷ U.S. Department of Transportation, Federal Aviation Administration, *Report to Congress: FAA Reauthorization Act of 2018 (Pub. L. 115-254), Section 188 and Section 173*, April 14, 2020. Available:
https://www.faa.gov/about/plans_reports/congress/media/Day-Night_Average_Sound_Levels_COMPLETED_report_w_letters.pdf.

⁵⁸ 49 U.S.C. § 47502(1)(A)(B), (2), (3).

⁵⁹ Federal Interagency Committee on Noise (FICON), *Federal Agency Review of Selected Airport Noise Analysis Issues*, August 1992. Available: http://gsweventcenter.com/Draft_SEIR_References/1992_08_Federal_Interagency_Committee_on_Noise.pdf.

⁶⁰ Federal Interagency Committee on Aviation Noise (FICAN), *Research Review of Selected Aviation Noise Issues*, April 2018. Available: https://fican1.files.wordpress.com/2018/04/fican_research_review_2018.pdf.

that supplementary metrics can be useful in supporting further disclosure and to aid in public understanding of community noise effects. However, FAA reaffirmed the recommendation of DNL to meet ASNA requirements that a metric account for noise level, time of day, and number of events.

CEQA and California Guidance

Noise analysis for projects under CEQA focuses on whether the project would result in significant adverse environmental effects. Under CEQA, this assessment entails looking at existing noise levels in the area where the noise impact would occur and determining how large or perceptible any noise increase would be in the given area.

As noted in Section 4.7.1.3.1.2 of the Draft EIR, Title 21 of the California Code of Regulations, Subchapter 6 (also known as the California Airport Noise Standards) defines incompatible noise levels as exposure of nearby communities to noise levels of 65 CNEL or greater. Land use incompatibility is most likely to occur for most types of noise-sensitive uses when they are within the 65 CNEL noise contour. The 65 CNEL standard is also referenced in the California Department of Transportation (Caltrans) California Airport Land Use Planning Handbook (Caltrans Handbook) as the basic limit of acceptable noise levels for residential and other noise-sensitive uses within an urban area.⁶¹ This requirement is based, in part, upon the determination in the Caltrans regulations that 65 dB CNEL is the level of noise which should be acceptable to "...a reasonable person residing in the vicinity of an airport." Airports are responsible for achieving compliance with these regulations. Compliance can be achieved through noise abatement measures, land acquisition, land use conversion, land use restrictions, and/or sound insulation of structures. Airports not in compliance with these regulations can operate under variance procedures established within the regulations.

The State of California also requires that all municipal General Plans contain a Noise Element. The requirements for the Noise Element of the General Plan include describing the noise environment quantitatively using a cumulative noise metric such as CNEL or DNL, establishing noise/land use compatibility criteria, and establishing programs for achieving and/or maintaining compatibility. Noise elements shall address all major noise sources in the community, including mobile and stationary sources.

Review of Airport CEQA Documents

The following presents the findings of a review of all airport CEQA documents published in the last ten years that addressed aircraft noise:

- In all nine of the CEQA documents, CNEL was the primary metric used to evaluate aircraft noise.
- In two documents (San Diego International Airport (SAN) Airport Development Plan (ADP) 2020 EIR and LAX Specific Plan Amendment (SPAS) 2013 EIR), supplemental metrics were used to evaluate sleep disturbance. In these cases, the SEL metric was used to determine whether an increasing portion of the population would have a higher probability of awakening at night based on the Number Above (NA) metric, measuring events exceeding a certain SEL threshold.
- In three documents, including this EIR, the SAN ADP 2020 EIR and the LAX SPAS 2013 EIR, supplemental metrics were used to evaluate disruptions to classroom learning. In all three of these, the TA metric was used to determine whether there was an increase in time at exposure levels at or above certain L_{max} thresholds that would disrupt speech and impact learning. In two of those studies, both at LAX (in the 2013 SPAS EIR and this EIR), the 8-hour L_{eq} metric during school hours (8:00 a.m. and 4:00 p.m.) was used to determine whether there would be impacts due to cumulative noise exposure over the course of the school day that would disrupt learning.

⁶¹ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, Section 4.2, Noise, October 2011. Available: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf>.

Table 1 provides a list of CEQA documents reviewed and detail on noise metrics evaluated.

Table 1 Summary of CEQA Documents and Noise Metrics Evaluated	
EIR Document	Noise Metric(s) Evaluated
LAX: Airfield and Terminal Modernization Project, Draft EIR, 2020	CNEL, TA ¹ – Exterior levels 84 dBA or interior levels 55 dBA or above, 8-hour Leq ¹ – Interior levels of 35 dBA or above
SJC: Amendment to SJC Master Plan, Final EIR, 2020 ³	CNEL
SAN: Airport Development Plan, Final EIR, 2020 ⁴	CNEL, SEL ² – Substantial increase in probability of nighttime awakening, TA ¹ – Exterior Levels of 80 dBA or interior levels of 65 dBA or above
MRY: Proposed Airport Master Plan - Vision 2035, Final EIR, 2018 ⁵	CNEL
SNA: General Aviation Improvement Program, Draft EIR 2018 ⁶	CNEL
SBA: Master Plan Final EIR, 2017 ⁷	CNEL
BUR: Replacement Terminal, Final EIR, 2016 ⁸	CNEL, SEL – For taxiway contours to demonstrate the spatial extent of noise events resulting from potential taxi operations
SNA: John Wayne Airport Settlement Agreement Amendment, Draft EIR, 2014 ⁹	CNEL, SEL & TA – No significance threshold; metrics included for informational purposes only
LAX: SPAS Master Plan, Final EIR, 2013 ¹⁰	CNEL, SEL ² Substantial increase in probability of nighttime awakening, TA ¹ – Exterior levels 84 dBA or interior levels 55 dBA or above, 8-hour Leq ¹ – Interior levels of 35 dBA or above
Source: HMMH 2021. Notes: ¹ Used to evaluate potential classroom disruption. ² Used to evaluate potential sleep disturbance. ³ City of San Jose, <i>Integrated Final Environmental Impact Report for Amendment to Norman Y. Mineta San Jose International Airport Master Plan</i> , prepared by David J. Powers & Associates, Inc., April 2020 Available: https://www.sanjoseca.gov/Home/ShowDocument?id=61640 . ⁴ San Diego County Regional Airport Authority, <i>Final Environmental Impact Report for the San Diego International Airport - Airport Development Plan</i> , January 2020. Available: https://www.san.org/Airport-Projects/Environmental-Affairs#1245314-adp-final-eir . ⁵ Monterey Peninsula Airport District, <i>Final Environmental Impact Report – Monterey Regional Airport Master Plan</i> , 2018. Available: http://montereyeir.airportstudy.com/environmental-impact-report/ . ⁶ County of Orange, <i>Draft Program Environmental Impact Report – John Wayne Airport General Aviation Improvement Program</i> , prepared by Psomas, Landrum & Brown, and Austin Transportation Consulting, 2018. Available: https://files.ocair.com/media/2020-12/DPEIR%20627%20JWA%20GIAP%20FULL%20w%20App_4.pdf?VersionId=n5R1PPnOkCjPNWrYxJ4KuuJL4AQw7dGp . ⁷ City of Santa Barbara, <i>Final Program Environmental Impact Report on the Proposed Airport Master Plan</i> , prepared by Coffman Associates, July 2017. Available: https://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=173401 . ⁸ Burbank-Glendale-Pasadena Airport Authority, <i>Final Environmental Impact Report for a Replacement Airline Passenger Terminal at Burbank Bob Hope Airport</i> , prepared by RS&H, 2016. Available: https://elevatebur.com/documents/ . ⁹ County of Orange, <i>Draft Environmental Impact Report No. 617, John Wayne Airport Settlement Agreement Amendment, Appendix C - Noise Analysis Technical Report</i> , April 2014. ¹⁰ City of Los Angeles, Los Angeles World Airports, <i>Final Environmental Impact Report for Los Angeles International Airport (LAX) Specific Plan Amendment Study</i> , Section 4.10.1 – Aircraft Noise, January 2013. Available: https://www.lawa.org/en/lawa-our-lax/environmental-documents/documents-certified/specific-plan-amendment-study/documents .	

Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners and Implications for Noise Evaluations Under CEQA

In 2001, a California Court of Appeals found that in certain circumstances, noise evaluations performed under CEQA should include, in addition to the 65 dB DNL/CNEL metric, an assessment of single event noise associated with nighttime (10:00 p.m. to 7:00 a.m.) aircraft operations.⁶² The City of Oakland's Metropolitan Oakland International Airport's (OAK) EIR for its proposed Airport Development Plan (ADP) was challenged by a citizens group entitled Berkeley Keep Jets Over the Bay Committee.⁶³ The court concluded that, in light of evidence submitted by commenters concerning the potential for sleep disturbance, the EIR failed to adequately address the noise impacts from proposed nighttime flights. A Supplemental EIR (SEIR) was prepared, submitted for public review and comment, and certified in accordance with CEQA based on a Revised Judgment to:

- Evaluate potential nighttime noise effects by comparing nighttime aircraft activity under normal operating conditions both with and without the ADP in 2010;
- Estimate the increase in the average number of nighttime flights at two or more locations in the cities of Alameda, Berkeley, and San Leandro that could result from the ADP in 2010; and
- Calculate the probability of awakening due to single event noise from a representative sampling of aircraft operations as a result of implementing the ADP.

The analysis uses the sleep disturbance dose-response relationship recommended by the 1997 FICAN for interior sound exposure levels and percent awakening.

Evaluation of Sleep Disturbance

As discussed in Section 4.7.1.1.3 of the Draft EIR, the 1997 FICAN dose response curve (see Figure 4.7.1-3 of the Draft EIR) was an update to the 1992 FICAN recommendation, equating SEL to probability of awakening, based on more recent in-home sleep disturbance studies, which showed lower rates of awakening compared to the laboratory studies.⁶⁴ The FICAN recommended a curve based on the upper limit of the data presented and, therefore, considered the curve to represent the "maximum percent of the exposed population expected to be behaviorally awakened," or the "maximum awakened." In 2008, FICAN modified its recommendations to include a more recent procedure developed by the American National Standards Institute (ANSI) (ANSI S12.9-2008) for estimating awakenings from nighttime noise, which showed that significantly higher noise levels are required for a population habituated to nighttime noise.⁶⁵ However, ANSI S12.9-2008 was withdrawn by the Acoustical Society of America (ASA) in 2018. The review committee concluded that it did not usefully predict transportation-noise-induced sleep disturbance for the following reasons:

- It was based on analysis of a relatively small amount of non-representative information about noise-induced sleep disturbance
- Its predictions of probabilities of "at least one awakening per night" cannot be generalized from one airport to another

⁶² *Berkeley Keep Jets Over the Bay Com. v. Board of Port Comrs.* (2001) 92 Cal. App. 4th 1016. Available: https://files.resources.ca.gov/ceqa/cases/2001/berkeley_keep_083001.html.

⁶³ Co-plaintiffs included the City of San Leandro and the City of Alameda.

⁶⁴ Federal Interagency Committee on Aircraft Noise (FICAN), *Effects of Aviation Noise on Awakenings from Sleep*, June 1997. Available: https://fican1.files.wordpress.com/2015/10/findings_awakenings_1997.pdf.

⁶⁵ American National Standards Institute (ANSI), *Quantities and Procedures for Description and Measurement of Environmental Sound -- Part 6: Methods for Estimation of Awakenings Associated with Outdoor Noise Events Heard in Homes, ANSI S12.9-2008/Part 6*, 2008.

- The predicted quantity (“at least one awakening per night”) did not usefully distinguish degrees of sleep disturbance among preferred and alternate project actions
- Due to lack of cautions in the language of the Standard, its methods were readily misapplied, and its predictions of “at least one awakening per night” were easily over-interpreted
- The standard attempted to characterize an intuitively appealing form of objectively measured sleep disturbance but, in so doing, it failed to acknowledge the many complexities that impact sleep and other forms of sleep disturbance that are known to be sensitive to nighttime noise exposure
- The standard did not quantitatively address the roles of familiarity with noise sources and habituation to noise exposure as determinants of sleep disturbance

The ASA concluded that as of 2018 the method for calculating “at least one behavioral awakening per night” contained in the former ANSI Standard should no longer be relied upon for environmental impact assessment purposes.⁶⁶ See Section 4.7.1.1.3 of the Draft EIR for more detail.

Conclusion

The above overview and additional detail on pages 4.7.1-6 through 4.7.1-12 demonstrate that there has been, and still is, considerable debate within the scientific community and a lack of concurrence regarding the relationship between aircraft noise and sleep disturbance, especially as related to determining a definitive noise dose and the response relationship for sleep disturbance. Thus, even if noise events are measured using supplemental metrics (e.g., SEL, L_{max} , TA, etc.), there is no scientific concurrence on the appropriate “threshold” to compare such measurements against, when it comes to sleep disturbance. Additionally, there is presently no applicable regulatory agency that has established standards specific to sleep disturbance impacts for the purpose of CEQA, NEPA, or any other environmental compliance/assessment law. The inconsistency in applying the use of alternative metrics, like those single-event metrics suggested by some commenters, in CEQA documents over the past decade as discussed above is indicative of the lack of applicable regulatory agency and established standards.

Both the DNL noise metric and the CNEL noise metric, described in Section 4.7.1.1.2 of the Draft EIR, incorporate noise “penalties” to account for the increased sensitivity to noise events that occur during the more noise-sensitive nighttime periods such as when most sleeping typically occurs. There are established standards/thresholds that utilize DNL and CNEL as the accepted noise metric in evaluating noise impacts in environmental review documents, such as those under CEQA and NEPA. The FAA’s recommendation in its 2020 Report to Congress further supports the use of CNEL in this EIR as it is the noise metric used in determining the significance of aircraft noise impacts associated with the proposed Project (see Section 4.7.1.4). In the absence of any other accepted standards for sleep disturbance, for purposes of this EIR, LAWA used the CNEL metric to address the potential for sleep disturbance impacts due to its application of penalties to noise events occurring during typical sleep hours.

TR-ATMP-T-1: Non-CEQA Transportation Assessment

Numerous comments were received that requested traffic-related level of service (LOS) and congestion analyses be included in the Draft EIR. As discussed in Section 4.8.1 of the Draft EIR, Senate Bill 743 directed the Office of Planning and Research (OPR) to develop revisions to State CEQA Guidelines to establish new criteria for determining the significance of transportation impacts. Subsequent changes to CEQA requirements for transportation impact analyses included elimination of auto delay, traffic level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining

⁶⁶ Acoustical Society of America, *Rationale for Withdrawing ANSI/ASA S12.9-2008/Part 6 (A Technical Report prepared by ANSI-Accredited Standards Committee S12 and registered with ANSI)*, July 22, 2018.

significant impacts for land use projects and plans in California. The updates to the State CEQA Guidelines establish vehicle miles traveled (VMT) as the primary metric for evaluating a project's environmental impacts on the transportation system. The California Natural Resources Agency adopted the recommended OPR transportation guidelines on December 28, 2018, and amended the State CEQA Guidelines, including Appendix G (Environmental Checklist Form) of the State CEQA Guidelines. Specifically, State CEQA Guidelines, section 15064.3, subdivision (a), states that VMT "is the most appropriate measure of transportation impacts" and, with one exception not applicable here, that "a project's effect on automobile delay shall not constitute a significant environmental impact." These revisions to the State CEQA Guidelines regarding use of the VMT metric instead of LOS were in place prior to issuance of the April 4, 2019 Notice of Preparation (NOP) of the Draft EIR for the LAX Airfield and Terminal Modernization Project. Subsequent to publication of the NOP for the proposed Project, the City of Los Angeles Department of Transportation (LADOT) adopted new Transportation Assessment Guidelines (LADOT's TAG) in July 30, 2019.⁶⁷ These Guidelines were later updated by LADOT in July 2020.⁶⁸ Although the NOP for the proposed Project Draft EIR was published on April 4, 2019, LADOT stated in its comment letter on the Draft EIR (ATMP-AL009) that the transportation analysis in the Draft EIR "appropriately applies" the 2018 revisions to the State CEQA Guidelines establishing VMT as the evaluating metric, rather than LOS. (Please see comment ATMP-AL009-1) The following describes the transportation analysis requirements under the current State CEQA Guidelines, which are also reflected in LADOT's TAG and in LADOT's letter commenting on the Draft EIR.

As described in Section 4.8.2 of the Draft EIR, to evaluate transportation impacts, trip generation and VMT were determined for passengers and employees. As explained in Section 4.8.4 of the Draft EIR, the following thresholds of significance were used to assess the transportation impacts of the proposed Project in accordance with the State CEQA Guidelines:

- **Threshold 4.8-1:** Conflict with a program, plan, ordinance, or policy addressing the circulation system (including transit, roadways, bicycle, and pedestrian facilities) that was adopted to protect the environment.
- **Threshold 4.8-2:** Generate VMT per employee exceeding 15 percent below the Projected Future Conditions Baseline (2028) VMT per employee. This threshold only applied to VMT associated with commute trips by workers employed at LAX. The Projected Future Conditions Baseline (2028) VMT per employee is 24.0. Therefore, the threshold for VMT per employee is 20.4.
- **Threshold 4.8-3:** Increase total passenger VMT over the Projected Future Conditions Baseline (2028). This threshold only applies to VMT generated by passengers at LAX.
- **Threshold 4.8-4:** Induce substantial additional VMT compared to the Projected Future Conditions Baseline (2028).
- **Threshold 4.8-5:** Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.

The 15 percent reduction from the baseline for employee VMT is consistent with LADOT impact criteria for office development projects (page 2-6 of LADOT TAG) and OPR's recommendation ("OPR recommends that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold."⁶⁹).

⁶⁷ City of Los Angeles, Department of Transportation, *Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines*, July 2019. Available: http://ladot.lacity.org/sites/default/files/documents/ta_guidelines_-20190731_0.pdf.

⁶⁸ City of Los Angeles, Department of Transportation, *Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines*, July 2020. Available: https://ladot.lacity.org/sites/default/files/2020-07/ta_guidelines_all-sections_2020.07.04_attachments.pdf.

⁶⁹ State of California, Governor's Office of Planning and Research, *Technical Advisory on Evaluating Transportation Impacts in CEQA*, page 10, December 2018. Available: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

In summary, several commenters request additional analysis or inclusion of analysis of traffic-related LOS, congestion, and delay on surrounding roadways; however, based on State and local requirements, LOS, congestion, and delay impacts are no longer considered impacts on the environment and, therefore, are not addressed in the Draft EIR.

Notwithstanding the above, the LADOT Transportation Assessment Guidelines includes a separate set of guidelines for evaluating transportation impacts outside of the CEQA process. Such guidelines are set forth in the “Non-CEQA Transportation Analysis” portion of the TAG,⁷⁰ which requires the following:

- **Pedestrian, Bicycle, and Transit Assessment:** This analysis is aimed at determining a project’s potential effect on pedestrian, bicycle, and transit facilities in the vicinity of a proposed project. The analysis includes an inventory of existing facilities, as well as an evaluation utilizing criteria provided in the LADOT TAG.
- **Project Access, Safety, and Circulation Evaluation:** This analysis covers intersection operations, roadway design and collision history, and passenger loading in line with the evaluation methodologies and criteria provided in the LADOT TAG.
- **Project Construction Analysis:** This analysis addresses activities associated with project construction relative to temporary transportation constraints, temporary loss of access, and temporary impacts to transit.

A Non-CEQA Transportation Assessment was completed in April 2021 for the proposed Project, in accordance with criteria and methodologies provided in the LADOT Transportation Assessment Guidelines. The Non-CEQA Transportation Assessment Report is available at <https://www.lawa.org/atmp/documents>. LAWA worked closely with LADOT on this report and recommendations. Although there is no requirement for public review and comment on the Non-CEQA Transportation Assessment, LAWA provided an approximately month-long period for members of the public to provide comments.

TR-ATMP-T-2: Transportation Mitigation and Monitoring

Introduction

This topical response addresses comments on the Draft EIR regarding the mitigation of transportation impacts. Numerous comments on the Draft EIR requested specific transportation-related mitigation measures. In addition, several commenters expressed concern regarding the effectiveness of the transportation mitigation measures proposed in the Draft EIR and requested expanded mitigation monitoring. The following topical response describes the transportation mitigation proposed in the Draft EIR, and then addresses the common elements of various comments received on these issues. For individual comments where additional concerns were raised that are not covered in this topical response, additional information is provided in the individual responses to address those specific concerns.

Description of the Transportation Impacts and Mitigation

As explained in Section 4.8.1 of the Draft EIR and in Topical Response TR-ATMP-T-1, Senate Bill (SB) 743 directed the Office of Planning and Research (OPR) to develop revisions to the State CEQA Guidelines to establish new criteria for determining the significance of transportation impacts and define alternative metrics for traffic level of service (LOS). Subsequent changes to CEQA requirements for transportation impact analyses included elimination of auto delay, LOS, and other similar measures of vehicular capacity

⁷⁰ City of Los Angeles, Department of Transportation, *Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines*, Section 3, Page 3-1, July 2020. Available: https://ladot.lacity.org/sites/default/files/2020-07/ta_guidelines_all-sections_2020.07.04_attachments.pdf.

or traffic congestion as a basis for determining significant impacts for land use projects and plans in California. Further, parking impacts are not considered significant impacts on the environment for particular types of development projects within certain infill areas with nearby frequent transit service.

The updates to the State CEQA Guidelines establish vehicle miles traveled (VMT) as the primary metric for evaluating a project's environmental impacts on the transportation system. As described in Section 4.8.2 of the Draft EIR, to evaluate transportation impacts, trip generation and VMT were determined for passengers and employees. In addition, the short-term and long-term induced VMT related to the proposed Project was included in the Draft EIR. As discussed in Section 4.8.5.2.2 of the Draft EIR, a VMT Reduction Program (Mitigation Measure MM-T (ATMP)-1) was designed to address all three types of VMT—employee VMT, passenger VMT, and induced VMT—through a single comprehensive program. Implementation of the VMT Reduction Program would occur not later than initial operation of Concourse 0 or Terminal 9, whichever is operational first, and includes the following primary strategies.

1. **Expand LAWA's Rideshare Program** to all LAX employees, which includes the vanpool program, carpool matching, transit trip planning, and a guaranteed ride home program, which is expected to produce a similar mode share for rideshare programs as seen in the highly successful program for LAWA employees.
2. **Through the LAX Transportation Management Organization, Work with Employers on an Employee Telecommuting Program.** The LAX Transportation Management Organization will encourage and provide support, advice, and guidance to employers across the LAX campus in implementing telecommuting programs.
3. **Provide On-demand Micro-Transit Shuttle Service** through coordination with Metro and other entities to expand pilot programs, such as those of Metro, to full programs, and to seek partnerships to develop new programs such as the recent establishment of an LAX employee shuttle in partnership with the City of Inglewood.
4. **Market and Promote Alternative Transportation Options** for travel to and from LAX using modes other than a private vehicle and/or single occupants in vehicles. For employees, there is opportunity through LAWA's Rideshare program and the LAX Transportation Management Organization to increase the frequency and diversify the format of marketing and promotions to LAWA employees, increase the number of LAX employees that receive marketing and promotions communications through the expansion of the Rideshare program, and enhance the relevance of existing sources of information such as online trip-planning tools. For passengers, there are online trip-planning tools, such as Google Maps and Metro's trip planner, that offer ways for a passenger to get to LAX via public transit or alternative modes.

Section 4.8.5.2.2 of the Draft EIR also contains the following additional strategies that could be implemented, should future monitoring determine that the aforementioned four strategies are not effective at reducing VMT to the levels stated in the Draft EIR:

- **Conduct Parking Study and Price Parking to Reduce VMT** by identifying opportunities to price employee parking and passenger parking such that VMT reduction is achieved, taking into consideration the prevalence of a widespread off-campus, competitive parking market.
- **Expand Incentives and Commuter Benefits** by providing enhanced commuter incentives, including expanded carpool benefits, transit subsidies, guaranteed ride home, and vanpool support to LAWA employees, by coordinating with other LAX employers that have such incentives and benefits to encourage the expansion of those programs.
- **Evaluate Modifications to FlyAway Service** relative to the potential to reach new geographical areas where potential ridership would support establishment of a route to such areas and implement such routes if determined feasible.

- **Explore Incentive Measures from LAWA Mobility Strategic Plan** such as partnering with airlines to explore integrated ticketing solutions for airline and transit tickets as a potential means to incentivize the use of transit, and partnering with the Transportation Security Administration (TSA) to explore expedited security screening for FlyAway passengers and other transit customers as a potential means to incentivize the use of transit.
- **Evaluate the Potential for Congestion Pricing in the Central Terminal Area (CTA)**

In light of comments received on the Draft EIR, certain additions and clarifications have been made to the Draft EIR's description of potential VMT reduction strategies, which are presented above. Such changes reflect the fact that LAWA's Rideshare Program includes more than just vanpools (i.e., the Draft EIR's description of the VMT reduction strategy to Expand LAWA's Rideshare Program noted only the need to provide additional vans to meet increased demands as LAWA's Rideshare Program is expanded to other employers at LAX, but, as described above, the Rideshare Program includes many other features such as carpool matching, transit trip planning, and a guaranteed ride home program). Also, with regard to the Draft EIR's description of the VMT reduction strategy to "Formalize the Employee Telecommuting Program," the above discussion clarifies that implementation of that strategy would occur through the LAX Transportation Management Organization (TMO), working with different employers at LAX. The LAX TMO would also be involved in the VMT reduction strategy of marketing and promoting alternative transportation options. Please see Chapter F3, *Corrections and Clarifications to the Draft EIR*, regarding incorporation of these changes into the Final EIR.

With the implementation of Mitigation Measure MM-T (ATMP)-1, VMT Reduction Program, the VMT impact findings are summarized below:

- As explained in Impact 4.8-2, the proposed Project would generate VMT per employee exceeding the 15 percent below the Projected Future Conditions Baseline (2028) VMT per employee threshold (i.e., 20.4). This would be a *significant impact*. With mitigation, the impact would be *less than significant*.
- As explained in Impact 4.8-3, the proposed Project would result in a net increase of 32,786 total passenger VMT over the Projected Future Conditions Baseline (2028). This would be a *significant impact*. Even with mitigation, this would remain a *significant and unavoidable impact*.
- As explained in Impact 4.8-4, the proposed Project would induce an additional 18,220 VMT compared to the Projected Future Conditions Baseline (2028). This would be a *significant impact*. There are no feasible mitigation measures to address this impact. As such, it would be a *significant and unavoidable impact*.

Effectiveness of Transportation Mitigation

Several comments expressed concern regarding the effectiveness of the measures included in Mitigation Measure MM-T (ATMP)-1, VMT Reduction Program. As described in Section 4.8.5.2.2 of the Draft EIR, several potential VMT reduction strategies are proposed for reducing VMT impacts associated with the proposed Project – see MM-T (ATMP)-1, VMT Reduction Program. The four primary VMT reduction strategies referred to earlier are proven measures with published research about the effectiveness of each of those strategies, and also take into account LAWA's own experience regarding such VMT reduction measures at LAX. The following describes the VMT reduction effectiveness anticipated for each of the four main strategies.

- **Expand LAWA's Rideshare Program** – As described on pages 4.8-52 and 4.5-53 of the Draft DEIR, the expansion of LAWA's rideshare program is expected to increase the LAX employee commute

mode share for vanpools from 5.5 percent⁷¹ to 7.9 percent by expanding the LAWA program to all LAX employees, with a corresponding expansion of fleet size to meet the increased demand. For example, LAWA's Rideshare Program includes an extensive vanpool program. Currently, LAWA has a fleet of 72 vehicles which would be marketed to the entire LAX employee pool and expanded as needed. Other rideshare programs include carpool matching, transit trip planning and guaranteed ride home programs. All of these programs will enable a shift from employees driving alone to employees driving with others or taking alternate commute modes. The total VMT reduction from this strategy is estimated to be over 60,000 daily employee VMT.

- **Through the LAX Transportation Management Organization, Work with Employers on an Employee Telecommuting Program** – As described on page 4.8-53 of the Draft EIR, approximately four percent of all jobs across LAX could be completed at least partially from home. Based on research related to telecommute programs, a telecommute program that enables an average of 1.5 days per week to be spent working from home, with a four percent eligibility, would result in a 0.88 percent reduction in VMT from the employment site⁷² which equates to over 7,000 daily employee VMT.
- **Provide On-demand Micro-Transit Shuttle** – As described on pages 4.8-53 and 4.8-54 of the Draft EIR, the expansion of on-demand micro-transit shuttles would result in additional reduction of single-occupancy trips to LAX. LAWA is currently providing funding and partnering with the City of Inglewood to operate an on-demand micro-transit shuttle service for LAX employees who live in the City of Inglewood and in Lennox. Further, LAWA has worked closely with Metro on their pilot on-demand shuttle service to ensure that it serves the LAX campus. These pilot programs serve as examples of service options that can be expanded into permanent programs, or can be used to create on-demand micro-transit shuttle service to LAX from new nearby geographic areas. Based on research related to private employee shuttles serving employment centers, an estimated 27 percent of employees within the service area who would have driven alone would switch to a shuttle if it existed.⁷³ This equates to a total VMT reduction for the nine percent of LAX employees that live within five miles of the airport of over 4,700 daily employee VMT. Further expanding the service area would result in an additional VMT reduction for employees.
- **Market and Promote Alternative Transportation Options** – As described on page 4.8-54, promoting alternative options to get to and from LAX using modes other than a private vehicle would further reduce employee VMT. While LAWA currently engages in marketing and promoting alternative options to get to LAX using modes other than a private vehicle through its Rideshare program, there is opportunity to increase the frequency and diversify the format of marketing and promotions to LAWA employees, increase the number of LAX employees that receive marketing and promotions communications through the expansion of the Rideshare program, and enhance the relevance of existing sources of information such as online trip-planning tools. The VMT reduction potential from this strategy is grouped with the expansion of the rideshare program based on available research,⁷⁴ and no additional VMT reductions are assumed to be produced from this strategy in isolation. This strategy can also be expanded to LAX passengers to reduce passenger VMT. Currently, passengers need to proactively seek out online trip-planning

⁷¹ City of Los Angeles, Los Angeles World Airports, *Employee Travel Study of Los Angeles International Airport*, prepared by Point C, updated July 2016. LAX employee vanpool mode share was reported to be 5.5%.

⁷² Cambridge Systematics, *Moving Cooler: An Analysis of Transportation Strategies for Reducing Greenhouse Gas Emissions*, Technical Appendices, prepared for the Urban Land Institute (p. B-54). As reported in the California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures*, page 237, 2010. Available: <http://capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

⁷³ Handy, Lovejoy, Boarnet, Spears, *Impacts of Transit Service Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions*, 2013.

⁷⁴ California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures*, page 242, 2010. Available: <http://capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

tools, such as Google Maps and Metro’s trip planner, to find ways to get to LAX via public transit or alternative modes. Through expanded promotions and marketing that capture passengers’ attention at all stages of the trip-making process, in conjunction with the increasing availability of non-auto options to get to LAX in the future, passenger VMT is anticipated to be reduced. No data is available on the magnitude of such a reduction in an airport setting. For this reason, the reduction in VMT from such a program cannot be quantified. Nonetheless, such a program would serve to reduce passenger VMT.

In addition to the four primary VMT reduction strategies, pages 4.8-54 and 4.8-55 of the Draft EIR provide additional VMT reduction strategies that may be implemented. As explained, the effectiveness of these strategies to reduce VMT is difficult to estimate at this time due to the lack of available research or data. However, these additional VMT reduction strategies are included as part of MM-T (ATMP)-1, VMT Reduction Program, because, as a matter of professional judgment, they appear to have the potential to result in further decreases in VMT, even if there is insufficient data or research to quantify that decrease. Regardless, the actual effectiveness of the VMT reduction strategies selected for implementation would be validated through annual monitoring and reporting, as further described below.

Based on the anticipated effectiveness of the above-mentioned VMT reduction strategies, the following summarizes the ability of the strategies to mitigate each of the three types of VMT impacts addressed in the Draft EIR.

- **Ability of Strategies to Mitigate Employment VMT Impact:** The employment VMT mitigation requirement will be considered to be fully satisfied if, at buildout of Concourse 0 and Terminal 9, airport-wide employment VMT is reduced by 16,450 daily VMT, which is equivalent to meeting a performance goal of 20.4 VMT per employee associated with the proposed Project. Based on the strategies available for employment VMT, LAWA’s ability to control, monitor, and report on the implementation of such strategies, and LAWA’s ability to augment the program with additional strategies as needed, it is anticipated that the employment VMT impacts associated with the proposed Project would be reduced to a level that is *less than significant*.
- **Ability of Strategies to Mitigate Passenger VMT Impact:** Unlike employment VMT, the available strategies for reducing passenger VMT are limited, are not within the control of LAWA, and are more difficult to monitor and report. The VMT reduction strategies related to passengers are primarily incentive-based, with no research available on the application of these strategies in an airport context, no certainty as to their effectiveness in reducing VMT, and limited opportunity to document or demonstrate their ability to reduce passenger VMT. As explained above, the Project is expected to result in a net increase of passenger-related 32,786 VMT per day, as compared to Projected Future Conditions Baseline (2028). The significance threshold is “no net increase in passenger-related VMT.” Thus, in order to avoid this impact, LAWA would have to implement programs that would result in a reduction of 32,786 VMT per day. Given the limitations of the research and strategies to reduce passenger VMT, the passenger VMT impact associated with the proposed Project would be *significant and unavoidable*. LAWA would nevertheless implement those strategies listed above that are designed to reduce passenger VMT.
- **Ability of Strategies to Mitigate Induced VMT Impact:** LAWA has not identified any potentially feasible mitigation measures to substantially lessen or avoid induced VMT. Induced VMT occurs on surface roads that are outside of LAWA’s control and involve persons who are not traveling to or from LAX. Induced VMT refers to VMT that is unrelated to airport operations but related to the improved roadway operations on nearby surface streets as a result of the roadway improvements that are part of the proposed Project. LAWA does not have the authority or ability to regulate such travel. In addition, LAWA has not identified a measure that would prevent or discourage such travelers. Induced VMT can be addressed only on a regional scale, through long-term land use

changes and major transit investments. As such, the induced VMT impact associated with the proposed Project would be *significant and unavoidable*.

VMT Reduction Strategies Suggested by Commenters

A number of comments received on the Draft EIR identified VMT reduction strategies that the commenters stated should be required or at least considered for the proposed Project. In many cases, the VMT reduction strategies identified in the comments were previously considered by LAWA and were determined to be infeasible, are a variation of strategies that are already recommended for the proposed Project in the Draft EIR, or are already being implemented at LAX. In cases where a VMT reduction strategy identified by a commenter was not already included in the Draft EIR and such a strategy(s) would be feasible, or potentially feasible subject to further evaluation, that strategy has been added to Mitigation Measure MM-T(ATMP)-1 as part of the Final EIR. **Table 1** below lists the VMT reduction strategies identified in comments on the Draft EIR, along with an indication of whether the recommended strategies are already included, in whole or in part, within the Draft EIR. For strategies that were not included in the Draft EIR, the table provides an explanation as to why it was not included.

Mitigation Monitoring Program

As part of Mitigation Measure MM-T (ATMP)-1, and as described in the Draft EIR, in conjunction with the selection and implementation of VMT reduction strategies, LAWA shall implement an annual monitoring and reporting process to validate the level of LAX employee VMT reduction attained each year. In the event the resultant VMT per employee or VMT equivalent for the reporting year is greater than 20.4, adjustments to the existing VMT reduction strategies or additional VMT reduction strategies shall be implemented. The annual monitoring shall also report on the reductions associated with passenger VMT, as accomplished through reduction strategies that apply to passenger VMT.

In the event that the amount of employee VMT reduction for the reporting year exceeds the amount required to mitigate the employee VMT impact, the excess reduction (VMT reduction above and beyond the level of reduction needed to achieve the employee VMT performance goal of 20.4 VMT per employees) can be credited toward reduction of the passenger VMT impact.

Monitoring and reporting on the effectiveness of the VMT reduction strategies would occur on an annual basis, beginning one year after initial operation of Concourse 0 or Terminal 9, whichever is operational first. The annual monitoring shall be such that, if the VMT per employee performance goal of 20.4 or VMT equivalent is achieved for five consecutive years, the VMT mitigation requirement for the proposed Project will be considered to have been achieved (Note: The Draft EIR indicates that the VMT employee performance goal would be considered achieved if it is met for three consecutive years; however, that period has been extended to five consecutive years – please see Chapter F3, *Corrections and Clarifications to the Draft EIR*. This extension would serve to further confirm that LAWA has achieved the identified target for reducing employee VMT).

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
City of Manhattan Beach (ATMP-AL006-18)	Annual monitoring of VMT reduction strategies should continue through 2045 to align with the regional aviation activity forecast and to provide assurance to the neighboring communities that project related VMT impacts will remain a priority in the long term	No	The duration of the VMT monitoring program is indicated in Section 4.8.5.2.2 of the Draft EIR as being for a period of three years of sustained VMT reduction from the applicable Project employment VMT baseline. LAWA has subsequently revised the Final EIR to extend that period to five years of sustained VMT reduction as reflected in Chapter F3, <i>Corrections and Clarifications to the Draft EIR</i> . That monitoring duration is considered sufficient to demonstrate the efficacy of the VMT reduction measures being implemented. As such, it is unnecessary to extend the VMT reduction monitoring period through 2045.
Los Angeles City Council District 11 (ATMP-AL008-5)	Reduce fares for FlyAway and transit serving LAX. Fare reductions should be automatic if/when VMT target is not met.	No	Per federal regulations, LAWA cannot subsidize public transit fares for regular mass transit service. The FlyAway service is continually evolving based on demand, ridership, and cost. Over time the routes may change to focus on areas where potential ridership is greater. Also, technology associated with operations continues to evolve, such as the ability of apps to provide real-time information of when the bus will arrive at pick-up and drop-off locations, and other such passenger conveniences to help improve ridership.
Los Angeles City Council District 11 (ATMP-AL008-6)	Work with operators to improve transit service	Yes	As described in Section 4.8.5.2.2, LAWA is coordinating with Metro regarding Metro's micro-transit shuttle program. LAWA will coordinate with transit providers to help market and promote services to LAX, recognizing that only the transit providers have the ability to modify transit services and LAWA's coordination with transit providers can focus only on improved services that are specific to LAX riders. This would be accomplished as part of the Market and Promote Alternative Transportation Options VMT reduction strategy described in Section 4.8.5.2.2 of the Draft EIR.
Los Angeles City Council District 11 (ATMP-AL008-7)	Establish curbside management to encourage pick-up outside CTA and with future people mover	No	The LAX Landside Access Modernization Program has already committed to improving pick-up and drop-off options at LAX with new facilities outside the CTA such as the Intermodal Transportation Facility (ITF) West and ITF East stations of the Automated People Mover (APM). As such, this existing commitment cannot be a new additional mitigation measure for the LAX Airfield and Terminal Modernization Project. It should be noted, however, that the proposed Project includes a new APM station at Terminal 9 and an elevated corridor that would provide passengers at Concourse 0 with access to the CTA East APM station, which would serve to encourage the use of the APM.

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
Los Angeles City Council District 11 (ATMP-AL008-8)	Build additional bus-only lanes that feed into the for CTA and the LAX Landside Access Modernization Program area	No	In coordination with the LAX Landside Access Modernization Program, Metro is developing the Airport Metro Connector (AMC) station at Aviation Boulevard/96th Street, which will be a major multi-modal transportation center with a connection to the LAX APM system (see https://www.metro.net/projects/lax-extension/). Metro and other municipal bus operators are updating their bus routes/operations in the LAX area in light of the future AMC. The addition of the AMC station will help provide an efficient connection to the LAX APM for passenger and employee access to and from the CTA without having municipal buses travel on local streets to drop off passengers near the CTA. Terminal facilities proposed as part of the LAX Airfield and Terminal Modernization Project (Concourse 0 and Terminal 9) will be accessible from the LAX APM. It should also be noted that LAWA cannot build or fund bus lanes that serve the general public, as that is prohibited under federal requirements related to revenue diversion.
Los Angeles City Council District 11 (ATMP-AL008-9)	Expand coverage area and scope of Transportation Management Organization (TMO) to include office buildings in Westchester, Playa del Rey, El Segundo	No	LAWA's establishment of a TMO is already a requirement of the LAX Landside Access Modernization Program; therefore, it cannot be credited as a mitigation measure for the LAX Airfield and Terminal Modernization Project. LAWA has implemented a TMO for LAX employees and has been working with and will continue to collaborate with existing transportation management programs adjacent to LAX.
Los Angeles City Council District 11 (ATMP-AL008-10)	Commit to a robust mitigation monitoring and reporting of employee VMT and passenger VMT, and monitor and manage airport traffic through the operational life of the project	Yes	LAWA's commitment to monitor and manage traffic at LAX has been ongoing for several decades and is anticipated to continue into the foreseeable future. LAWA agrees with the commenter regarding the importance of a robust mitigation monitoring and reporting program. In the Draft EIR (page 4.8-57), LAWA committed to monitoring and reporting of the effectiveness of the employee VMT reduction strategies annually until the target was reached for three consecutive years. LAWA has subsequently revised the Draft EIR to extend that period to five years of sustained VMT reduction – please see Chapter F3, <i>Corrections and Clarifications to the Draft EIR</i> .
City of Los Angeles Department of Transportation (ATMP-AL009-3)	In evaluating potential future modifications to the FlyAway program, consider expanding the geographic reach of the service and explore incentives that can increase ridership.	Yes	The recommendation to expand the geographic reach of FlyAway service to increase ridership is included in Mitigation Measure MM-T (ATMP)-1 of the Draft EIR on page 4.8-55.

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
City of Los Angeles Department of Transportation (ATMP-AL009-4 to 9)	<p>LAWA should collaborate with LADOT during construction to develop VMT reduction program that includes:</p> <ul style="list-style-type: none"> ▪ Transit system enhancements ▪ Evaluate curbside management strategies ▪ Consider emerging technologies ▪ Explore expansion of LAX TMO service area ▪ Explore use of big data and digital platforms 	Yes	<p>Several of the VMT reduction strategies presented in the Draft EIR include elements or certain aspects of the strategies suggested by LADOT. While LAWA has no control over and cannot fund public transit improvements, as part of the TMO, LAWA will explore options to incentivize employees to take alternate commute options and will explore strategies to work with stakeholders such as airlines, to promote mass transit or FlyAway transit options for their passengers. As noted above, the LAX Landside Access Modernization Program has already committed to improving pick-up and drop-off options at LAX and facilities outside of the CTA such as the ITF West and ITF East stations of the APM. LAWA has already started to implement new technologies as part of its Ground Transportation Management System, such as the Mobility Data Specification Platform (MDS). MDS will enable comprehensive and standardized two-way digital communications between LAWA and commercial fleet companies operating at LAX. In addition, LAWA is currently preparing a Request for Proposals (RFP) for a new FlyAway service contract that will include consideration and incorporation of emerging technologies, such as a technology platform that provides booking, payment, and real time arrival information as well as a back-end data dashboard that provides dynamic updates on FlyAway operations. It is anticipated that the RFP will be released in August or September 2021. Similarly, the use of new technologies, data collection, and analysis will assist in evaluating FlyAway service areas and refining the routes to improve ridership.</p>

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-113)	The portion of MM-T (ATMP)-1 that calls for LAWA to provide enhanced commuter incentives, could be strengthened — and made enforceable — by requiring that LAWA offer financial incentives for its employees (e.g., a monthly pre-tax deduction to pay for transit or vanpool expenses) that provides financial incentives to encourage employees to bike, take transit, and carpool to work.	Yes	As indicated in Section 4.8.5.2.2 of the Draft EIR, the expanded incentives and commuter benefits for LAWA employees and other LAX employers in Mitigation Measure MM-T (ATMP)-1 are included as additional strategies that could be implemented by LAWA to reduce VMT. The Draft EIR identifies the specific, quantifiable target that the program must achieve in order to avoid a significant impact with respect to employee VMT. The list of additional strategies included in the Draft EIR was not used to calculate the anticipated reduction in airport-wide employment VMT of more than 16,450 daily VMT. Rather, the list of strategies serves as a menu of approaches that can be used in order to achieve the identified target. Because the employee incentives and benefits proposal is one of several strategies on this menu, it is not necessary to identify the specific level of incentives or benefits that would be provided. Rather, the commitment is to achieve the identified reduction in employee VMT, and the employee incentive/benefit is one of several means of attaining it. Providing additional details regarding how this strategy would be implemented at this time would not change the conclusion of the Draft EIR. LAX is committed to reducing employee VMT, as described on pages 4.8-56 and 4.8-57 of the Draft EIR, and the annual monitoring reports prepared once either Concourse 0 or Terminal 9 becomes operational would include a full list and description of the incentives and commuter benefits that were offered in the preceding year and the VMT per employee.
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-116 and 229)	Micro-transit shuttle should include El Segundo as well	Yes	As discussed on pages 4.8-53 and 4.8-54 of the Draft EIR, the intent of the on-demand micro-transit shuttle service is to provide an alternative transportation option to the automobile for both employees and passengers of LAX. Future on-demand micro-transit service will take into account potential ridership, service areas, density, and other planning tools. El Segundo could, along with other communities in the general vicinity of LAX, be considered based on these criteria.
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-230)	Suggesting improved bike network particularly for access from El Segundo to LAX	No	LAWA does not have jurisdiction over bicycle facilities outside of the City of Los Angeles, which includes having no authority to build bicycle facilities in the City of El Segundo. For this reason, the proposal to expand the network of bike facilities located in the City of El Segundo is infeasible. It should be noted, however, that the LAX Landside Access Modernization Program includes expansion of, and improvements to, the bicycle network that connects with the existing bike path along Aviation Boulevard. The LAX Landside Access Modernization Project also includes the APM providing access to the CTA from the ITF West and ITF East, which provides connections to regional transit and regional bike networks.

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-112)	Provide additional information regarding existing ride-share program and opportunities for expansion	Yes	Such information would be developed, updated, and refined as part of ongoing implementation of the Expand LAWA's Rideshare Program measure described on page 4.8-52 of the Draft EIR.
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-114)	Provide additional information regarding study to price parking to reduce VMT; commit to increase price of parking until identified VMT reductions are achieved.	Yes	Conducting a study to price parking to reduce VMT is noted on pages 4.8-54 and 4.8-55 of the Draft EIR as an additional VMT reduction strategy. As indicated therein, the study would need to take into account the prevalence of widespread off-campus parking facilities that operate within a competitive parking market in order to determine what on-campus price points would deter passengers and employees from driving, rather than simply pushing them to use off-campus options. Based on the outcome and findings of the study, LAWA would commit to parking price changes if feasible and needed for additional VMT reductions.
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-115)	Commit to modifications and expansion of FlyAway bus service	Yes	That suggestion is already covered by the FlyAway measure presented on page 4.8-55 of the Draft EIR.
Law Office of Shute, Mihaly & Weinberger on behalf of City of El Segundo (ATMP-AL010-117)	LAWA should install bus stop improvements within El Segundo. EIR should add collaboration between LAWA and El Segundo to improve active stops, focusing on safety and convenience	No	LAWA has no jurisdiction or authority to make improvements within the City of El Segundo. For this reason, the proposal for LAWA to install bus stop improvements within El Segundo is infeasible. As part of the VMT reduction strategy presented in Section 4.8.5.2.2 of the Draft EIR to market and promote alternative transportation options, LAWA will collaborate with El Segundo on ideas to improve active stops that serve LAX in the interest of reducing LAX employee and passenger VMT.
Law Office of Gideon Kracov on behalf of USWW and UNITE HERE Local 11 (ATMP-PC035-37 and 55)	<ol style="list-style-type: none"> Offsite van pools, neighborhood shuttles, expand public transit, public transit subsidies, bike share/car share, advertising, 	<ol style="list-style-type: none"> Yes Yes No Yes Indirectly Yes 	<ol style="list-style-type: none"> See pages 4.8-52 and 4.8-53 of the Draft EIR regarding expansion of LAX Rideshare Program, which includes vanpools. See pages 4.8-53 4.8-54 of the Draft EIR regarding on-demand micro-transit shuttles. LAWA has no authority or ability to expand public transit; however, as part of the market and promote alternative transportation options described on page 4.8-54 of the Draft EIR, LAWA will coordinate with

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
	<p>7. Pedestrian network improvements,</p> <p>8. on site traffic calming,</p> <p>9. protected bike lanes,</p> <p>10. cycle tracks or separated trails,</p> <p>11. bike storage and other non-automotive improvements.</p>	<p>7. No</p> <p>8. No</p> <p>9. No</p> <p>10. No</p> <p>11. No</p>	<p>public transit providers on ideas to encourage the use of public transit by LAX employees and passengers, especially in light of the new transportation facilities being developed near LAX (i.e., the AMC and LAX Landside Access Modernization Program facilities).</p> <p>4. See page 4.8-55 of the Draft EIR regarding transit subsidies for LAX employees.</p> <p>5. Expanding LAWA's Rideshare Program, as described on pages 4.8-52 and 4.8-53 of the Draft EIR, would allow for bike sharing and car sharing comparable to how carpooling reduces single occupancy vehicle trips.</p> <p>6. See page 4.8-54 of the Draft EIR, which includes advertising as a means to market and promote alternative transportation options.</p> <p>7. Improvements to the pedestrian and bikeway network in the vicinity of the proposed Project are already included as part of the LAX Landside Access Modernization Program. The proposed LAX Airfield and Terminal Modernization Project is designed to fit with, and accommodate, those improvements. No additional pedestrian or bike improvements have been identified.</p> <p>8. It is unclear as to how traffic calming measures applicable to the Project elements (C0, T9, roadway improvements serving T9 and the CTA) would serve to reduce VMT.</p> <p>9 & 10. Improvements to the bikeway network in the vicinity of the proposed Project, including a multi-use path, are already included as part of the LAX Landside Access Modernization Program to provide access to LAX facilities. The proposed LAX Airfield and Terminal Modernization Project is designed to fit with, and accommodate, those improvements. No additional pedestrian or bike improvements have been identified.</p> <p>11. Improvements associated with the LAX Landside Access Modernization Program and the AMC include bike paths to/from those facilities and the provision of bike storage equipment, which will be available to LAX employees and passengers wishing to take the APM for travel into and out of the CTA. That means of supporting bicycle use outside of the CTA is considered better and safer than bicyclists using the roadway system within the CTA (i.e., Concourse 0) and Terminal 9.</p>

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
			In general, the VMT mitigation program developed for the proposed LAX Airfield and Terminal Modernization Project comprehensively studied the applicable mitigation measures that would be effective in reducing VMT. These measures were based on empirical data relating to their effectiveness. With implementation of Mitigation Measure MM-T (ATMP)-1, VMT Reduction Program, the proposed Project would expand the vanpool program, add an on-demand micro-transit service, and market and promote other transportation solutions and modes. In addition, the LAX Landside Access Modernization Program will provide bicycle facilities at the ITF West as well as connect mass transit to the APM in order to discourage driving and parking at LAX, and the LAX Airfield and Terminal Modernization Project has been designed to accommodate and “fit” with those improvements.
Law Office of Gideon Kracov on behalf of USWW and UNITE HERE Local 11 (ATMP-PC035-41)	Expanded public transit service from neighborhoods where service/hospitality workers live to LAX/AHEZ at times needed for all shifts of work; free or reduced transit passes for LAX/AHEZ workers; and free or reduced parking at LAX/AHEZ for workers who carpool.	Yes	As part of Mitigation Measure MM-T (ATMP)-1, LAWA would expand existing pilot programs that offer micro-transit shuttles for employees living in the airport area to full programs with expanded service areas. Another program included in the mitigation measure is the expansion of LAWA’s existing rideshare program, which currently serves LAWA employees, to all LAX workers. With respect to reduced transit passes for LAX/AHEZ workers, please see the discussion in this table for suggestions in ATMP-PC035-37 and 55 above. Expanded benefits for workers who carpool is identified as an additional potential component of Mitigation Measure MM-T (ATMP)-1 which would be considered for implementation if needed to achieve the required reduction in employment VMT.

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
Law Office of Gideon Kracov on behalf of USWW and UNITE HERE Local 11 (ATMP-PC035-42)	Quality job creation that expands housing opportunities near LAX/AHEZ for employees via: (a) Operational jobs that provide real living wages able to afford an apartment in Los Angeles, which housing experts estimate must be \$33/hour in 2015; and/or (b) Airlines contribute to an affordable housing fund directly for service workers living in neighborhoods surrounding the airport that would promote employees living closer to LAX/AHEZ; and/or (c) Operational jobs that provide “real” healthcare, which must be increased from the current LAX living wage law.	No	The City of Los Angeles and LAWA have a number of policies and programs aimed at improving the economic benefit of jobs linked to LAX projects. These are described in Response to Comment ATMP-PC035-2. However, LAWA does not have any authority or control over housing and does not have the authority to require airlines to contribute to an affordable housing fund as suggested by the commenter. In addition, LAWA is unaware of evidence supporting the assumption that increasing wages or benefits will reduce per-employee VMT; such policies may have other benefits, but LAWA is unaware of evidence that reducing VMT is among them. Notwithstanding, it should be noted that there are already high concentrations of LAX employees living in close proximity (i.e., within 3 to 7 miles) to LAX, as evidenced in Figure 4.8-1 of the Draft EIR.
ARSAC (ATMP-PC038-79)	Off-duty parking lot should be set up for inactive buses, shuttles, TNC's, etc. so they do not park in Westchester Central Business District (CBD). Should have public restrooms and convenience store of vending machines. Perhaps a shuttle to Westchester CBD.	No	LAWA currently provides a holding lot, with toilet facilities and a scheduled food truck, adjacent to the future ITF West, located away from the Westchester Central Business District. This lot is available free of charge to all permitted commercial vehicles, including transportation network company (TNC) vehicles, for waiting to pick up passengers/employees from LAX. This holding lot is open 22 hours a day, from 3:00 a.m. to 1:15 a.m. LAWA does not have any control over where private shuttles, buses, and TNCs layover when not in service. Whether these vehicles park in the Westchester Central Business District, or elsewhere, when they are not in service is not an environmental impact requiring mitigation under CEQA.
ARSAC (ATMP-PC038-81)	Prohibit FlyAway buses on Sepulveda between Centinela and Westchester Pkwy between 11pm and 6am	No	The FlyAway service runs 24 hours/day on public streets and is aimed at reducing automobile trips to/from LAX. Prohibiting this service will result in more automobile traffic on Sepulveda Boulevard than currently exist with the service in place. Restricting the hours of operation of FlyAway buses, as suggested by the commenter, would not reduce passenger VMT and could, instead, increase VMT by forcing buses to take less direct travel routes during those hours. In addition, there is no evidence suggesting that this restriction is necessary in order to avoid or lessen a significant environmental effect.

Table 1
VMT Reduction Strategies

Source of Comment Suggesting VMT Reduction Strategy	Description of VMT Reduction Strategy	Is VMT Reduction Strategy Already Included in the Draft EIR?	Response
ARSAC (ATMP-PC038-83)	Promote mass transit to and from LAX	Yes	Mitigation Measure MM-T (ATMP)-1, VMT Reduction Program includes several strategies to promote the use of public transit by employees and passengers. Such measures are included under the Market and Promote Alternative Transportation Options, Expand Incentives and Commuter Benefits, and Explore Incentive Measures from LAWA Mobility Strategic Plan.
ARSAC (ATMP-PC038-86)	TNC operators must have airport badge and fingerprint	No	Airport badging and fingerprinting for TNC operators is a TNC operational issue, and not a VMT reduction strategy.
ARSAC (ATMP-PC038-88)	Create staging lot for taxis, limos, town cars, TNCs, shuttles	No	As noted above, LAWA already provides for such a lot.
ARSAC (ATMP-PC038-92)	Continue VMT monitoring until closure of LAX	No	The duration of, and criteria for, the VMT monitoring program is described on page 4.8-57 of the Draft EIR. The Final EIR has been revised to extend the recommended program from three to five years – see Chapter F3, <i>Corrections and Clarifications to the Draft EIR</i> . The monitoring would now be required for a period of five years of sustained VMT reduction from the applicable project baselines and must meet the required VMT reduction for five consecutive years. Once those VMT reduction criteria are met, VMT monitoring would no longer be required. Please see Chapter F3, <i>Corrections and Clarifications to the Draft EIR</i> .
ARSAC (ATMP-PC038-93)	FlyAway should have access to CTA after ATMP, same fares or less compared to ground transport. Short headway, no long distances. Advertise and promote FlyAway better. Accept different forms of payment.	Yes	The FlyAway service is continually evolving based on demand. Over time the routes, headways, and fares may change to better address the needs of passengers. LAWA would monitor use of the FlyAway service, and adjust the service in light of demand, as one component of implementing Mitigation Measure MM-T (ATMP)-1, VMT Reduction Program as a means of reducing passenger VMT to the extent it is feasible to do so.
Neighborhood Council of Westchester Playa (ATMP-PC025-9)	Assess penalties for failure to achieve VMT reduction targets; direct penalties to Westchester Playa community	No	. There is no evidence that directing fines and penalties to the Westchester Playa community would reduce airport related VMT.

F2.2 Comments and Individual Responses

Section F2.2 of Chapter F2 the LAX Airfield and Terminal Modernization Project Final EIR includes all written comments received on the Draft EIR and a response to each comment. Presented below are excerpts from Section F.2.2 that present the comments received from the Law Office of Gideon Kracov, on behalf of Service Employees International Union, United Service Workers West and UNITE HERE Local 11, and responses to those comments. The comments herein are provided exactly as they appear in the Final EIR. Responses to comments received from other commenters, including responses to comments that are referenced in the responses to comments from the Law Office of Gideon Kracov, are provided in the Final EIR. Topical Responses, which are provided in Section F2.1 of Chapter F2 of the Final EIR, and many of which are referenced in the responses to the comments from the Law Office of Gideon Kracov, are provided previously in this attachment.

ATMP-PC035 Sisson, Jordan R. Law Office of Gideon Kracov, on behalf of 3/15/2021
Service Employees International Union,
United Service Workers and UNITE HERE
Local 11

ATMP-PC035-1

Comment: On behalf of Service Employees International Union, United Service Workers West (“USWW”) and UNITE HERE Local 11 (“Local 11”) (collectively “Commenters”), this Office provides the City of Los Angeles (“City”) Los Angeles World Airports (“LAWA”) the following comments[1] regarding the Draft Environmental Impact Report (SCH No. 2019049020) (“DEIR”)[2] for the above-referenced Airfield and Terminal Modernization Project (“ATMP” or “Project”) located at the Los Angeles International Airport (“LAX”).

In short, Commenters find that the DEIR fails to adequately analyze Project impacts and mitigation related to traffic, vehicle miles traveled (“VMT”), noise, air quality, and greenhouse gas (“GHG”) emissions, and also lacks an adequate project description and any overriding consideration findings. As such, Commenters urge the City/LAWA to stay action on any Project approvals until the issues identified below have been addressed in a recirculated DEIR pursuant to the California Environmental Quality Act, Pub. Res. Code § 21000 et seq., (“CEQA”) and 14 Cal. Code Regs. § 15000, et seq. (“CEQA Guidelines”).

[1] Please note that pages cited herein are either to the page’s stated pagination (referenced herein as “p. ##”) or the page’s location in the referenced PDF document (referenced herein as “PDF p. ##”).

[2] Inclusive of all appendices referenced herein as (“APP-##”).

Response: The comment is noted and will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and Terminal

Modernization Project. As required by Section 15124 of the State CEQA Guidelines, the Project Description “should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.” Chapter 2 of the Draft EIR provides the required detailed description of the proposed Project and complies with Section 15124. Project-related impacts associated with vehicle miles traveled (VMT), noise, air quality, and greenhouse gas emissions, and mitigation measures to address those impacts, are evaluated in Sections 4.8, 4.7, 4.1.1, and 4.4 of the Draft EIR, respectively. Please see Topical Response TR-ATMP-T-1 regarding impacts to traffic. As noted in that topical response, based on State and local requirements, traffic impacts (e.g., level of service, congestion) are no longer considered impacts on the environment and, therefore, are not addressed in the Draft EIR. As required by Section 15093 of the State CEQA Guidelines, LAWA will prepare a Statement of Overriding Considerations that addresses the specific economic, legal, social, technological, or other benefits of the proposed Project that outweigh the Project’s unavoidable adverse environmental effects. In accordance with Section 15093(c), the Statement of Overriding Consideration will be included in the record of the Project approval and will be mentioned in the Notice of Determination. The Statement of Overriding Considerations is not required to be published concurrently with publication of a Draft EIR. Responses to the remainder of the comments in this letter are provided in Responses to Comments ATMP-PC035-2 through ATMP-PC035-99 below.

In preparing the Final EIR for the proposed Project, LAWA has reviewed all of the comments received, including the comments in this comment letter, and has carefully considered the responses to these comments and other information provided in the LAX Airfield and Terminal Modernization Project Final EIR. None of the information provided in the Final EIR meets the criteria for recirculation of an EIR as outlined in Section 15088.5 of the State CEQA Guidelines.

ATMP-PC035-2

Comment: This Project can and must do better. Rising inequality threatens Los Angeles’ prosperity. There are serious challenges in the region concerning affordable housing and living wage jobs — and COVID has made things even more difficult for our members. USWW and Local 11 work to stem this rising tide of inequality and fight to make our region a place of opportunity for all—a place where their members can work and afford to live. LAWA must better consider to what extent this Project will ensure better permanent service jobs for airline service/hospitality workers near LAX who will feel the significant air quality, GHG, and other impacts caused by the Project. True community and worker benefits—as identified below—are needed if this Project is to be approved.

Response: The comment is noted and will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and Terminal Modernization Project. The purpose of an EIR is to focus on a project’s physical environmental effects as required by CEQA. Purely economic impacts are not required to be analyzed under CEQA (State CEQA Guidelines Section 15064(e)). Nevertheless, this issue is of importance to LAWA. The proposed Project would result in a daily total of approximately 4,700 new long-term employees associated with the operation of

Concourse 0 and Terminal 9 and thousands of construction jobs between 2022 and 2028. Some of the policies and programs aimed at improving the economic benefit of jobs linked to LAX projects are described below.

Pursuant to Los Angeles Administrative Code, Division 10, Chapter 1, Article 11, Section 10.37 et seq., contractors/ subcontractors who have agreements with the City, including those associated with LAX, must comply with all applicable provisions of the Living Wage Ordinance, including paying their employees a minimum "living wage" that generally includes health benefits (or an increased cash wage if benefits are not included) and provides compensated days off. More information about this program can be found here: City of LA Living Wage Ordinance Info.[1] Pursuant to LAWA's First Source Hiring Program (FSHP) Policy, any contracts awarded in association with the proposed Project would be subject to the applicable provisions of the FSHP for LAX airport jobs.[2] This program targets local residents for early access to available LAX airport jobs. LAX employers receive prompt, cost-free referrals of qualified applicants. To provide local residents with access to well-paying construction careers, LAWA established the HireLAX Apprenticeship Readiness Program (HireLAX). About 80 percent of HireLAX graduates work in construction. For more information on this program, please visit: <https://www.lawa.org/lawa-employment/lawa-hirelax/hirelax>. [3] Finally, in accordance with the Board of Airport Commissioners' Resolution 23437, all concessionaires associated with Concourse 0 or Terminal 9 would be subject to LAWA's Labor Peace Agreement requirements.[4]

In addition to these programs, LAWA has established a Certified Service Provider Program (CSPP) under which it issues Certified Service Provider License Agreements (CSPLA) to advance airport safety and security by certifying individuals and/or businesses providing specific services at LAX. The goals of the CSPP include improving vehicle and equipment safety, and enhancing employee training at LAX. The program applies to entities that provide services to airlines, tenants, consortiums, and/or service providers at LAX.[5]

The potential for the proposed Project to result in impacts to housing was evaluated in the Initial Study, which is included in Appendix A of the Draft EIR. As concluded in the Initial Study, the proposed Project would not displace existing housing or people. The proposed Project would have no impacts on housing and no mitigation would be necessary. Moreover, LAWA does not have any authority or control over housing, including affordable housing. However, the City of Los Angeles has plans to address affordable housing in the City. Specifically, the Department of City Planning is currently working alongside the Housing and Community Investment Department (HCIDLA) to update the Housing Element of the City's General Plan, also called "the Plan to House LA." [6] The draft plan includes a goal to increase housing production, with an emphasis on housing production that is affordable to lower income households. Policies and programs for implementing this goal include locating new sources of local financing for affordable housing, targeted loan programs for homeowners, and land use changes to increase sites where affordable housing can be built. The Housing Element projects a significant increase in housing production at all income ranges compared to prior cycles.

Responses to the commenter's later comments concerning community and worker benefits are provided in responses to comments below.

[1] City of Los Angeles Department of Public Works, Bureau of Contract Administration, Living Wage Ordinance (LWO). Available: <https://bca.lacity.org/living-wages-ordinance-lwo>; accessed July 10, 2021.

[2] City of Los Angeles, Los Angeles World Airports, First Source Hiring Program Policy, February 27, 2020.

[3] City of Los Angeles, Los Angeles World Airports, HireLAX. Available: <https://www.lawa.org/lawa-employment/lawa-hirelax/hirelax>; accessed July 10, 2021.

[4] City of Los Angeles, Los Angeles World Airports, Labor Peace Agreements. Available: <https://www.lawa.org/lawa-businesses/lawa-administrative-requirements/labor-peace-agreement>; accessed July 10, 2021.

[5] City of Los Angeles, Los Angeles World Airports, Certified Service Provider Program (CSPP) – Certified Service Provider License Agreement (CSPLA). Available: <https://www.lawa.org/cspp>, accessed July 9, 2021.

[6] City of Los Angeles, Los Angeles Housing Element 2021-2029, released July 1, 2021. Available: <https://planning.lacity.org/odocument/5c38d3af-c5af-4c6c-b14e-1959b23e9295/Full.HE.Doc.LowRez.pdf>.

ATMP-PC035-3

Comment: This comment letter incorporates by this reference in their entirety the following comment letters: 1) expert traffic comments by RK Engineering Group; 2) expert noise comments by RK Engineering Group; and 3) expert air quality/GHG comments by SWAPE (attached hereto as Exhibits A, B, and C [respectively]).

Response: Please see Responses to Comments ATMP-PC035-48 through 59 regarding comments from RK Engineering Group concerning the Draft EIR's transportation analysis; ATMP-PC035-60 through 71 regarding comments from RK Engineering Group concerning the Draft EIR's noise analysis; and ATMP-PC035-72 through 99 regarding comments from SWAPE concerning the Draft EIR's air quality and greenhouse gas emissions analyses.

ATMP-PC035-4

Comment: I. STANDING OF COMMENTERS

USWW represents more than 40 thousand property service workers across California, including approximately 3,700 employees at LAX (pre-COVID) with an additional 1,300 security/janitorial workers living within approximately six miles of LAX. USWW and its sister local unions have many members, including public sector and healthcare workers, who reside and work in Los Angeles where this Project is located.

Local 11 represents more than 25,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix,

Arizona—including more than 5,600 workers at LAX and 900 in the Airport Hospitality Enhancement Zone (“AHEZ”) (pre-COVID).

Members of USWW and Local 11 join together to fight for improved living standards and working conditions. Making these comments to public officials in connection with matters of public concern compliance with applicable zoning rules and compliance with the CEQA is protected by the First Amendment, the Noerr-Pennington doctrine, and is within the core functions of the union. Unions have standing to litigate land use and environmental claims. (See *Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.) So too, they have public interest standing given that the Project relates to LAWA’s public duty to comply with applicable zoning and CEQA laws, and where USWW and Local 11 seek to have that duty enforced. (See e.g., *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 914-916, n6; *La Mirada Avenue Neighborhood Assn. of Hollywood v. City of Los Angeles* (2018) 22 Cal.App.5th 1149, 1158-1159; *Weiss v. City of Los Angeles* (2016) 2 Cal.App.5th 194, 205-206; *Save the Plastic Bag Coalition v. City of Manhattan Beach* (2011) 52 Cal.4th 155, 166, 169–170.)

Response: The comment regarding the standing of the commenters is noted. Whether the commenters have standing is a legal issue that is outside the scope of the EIR. The comment will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and Terminal Modernization Project. No further response is required because the comment does not raise any significant environmental issues. (See Public Resources Code Section 21091(d); State CEQA Guidelines Sections 15088(c), 15204(a).)

ATMP-PC035-5

Comment: II. THE DEIR FAILS TO SATISFY CEQA’S EIR REQUIREMENTS

A. BRIEF BACKGROUND ON CEQA

CEQA requires lead agencies to analyze the potential environmental impacts of its actions in an environmental impact report. (See, e.g., Pub. Res. Code § 21100; *Cmtys. for a Better Env’t v. S. Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310.) The EIR is the very heart of CEQA. (*Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652.) “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” (*Cmtys. for a Better Env’t v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 109.)

CEQA’S PURPOSE: CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. (See CEQA Guidelines § 15002(a)(1).) To this end, public agencies must ensure that its analysis “stay in step with evolving scientific knowledge and state regulatory schemes.” (*Cleveland National Forest Foundation v. San Diego Assn. of Governments (“Cleveland II”)* (2017) 3 Cal.5th 497, 504.) Hence, an analysis which “understates the severity of a project’s impacts impedes meaningful public discussion and skews the

decisionmaker's perspective concerning the environmental consequences of the project, the necessity for mitigation measures, and the appropriateness of project approval." (Id., on remand ("*Cleveland III*") (2017) 17 Cal.App.5th 413, 444; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564 [quoting *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392].)

Second, CEQA requires public agencies to avoid or reduce environmental damage by requiring implementation of "environmentally superior" alternatives and all feasible mitigation measures. (CEQA Guidelines § 15002(a)(2) & (3); see also *Citizens of Goleta Valley*, 52 Cal.3d at 564.) If a project has a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any significant unavoidable effects on the environment are "acceptable due to overriding concerns." (Pub. Res. Code § 21081; see also CEQA Guidelines § 15092(b)(2)(A) & (B).)

STANDARD OF REVIEW FOR EIRS: Although courts review an EIR using an 'abuse of discretion' standard, that standard does not permit a court to "'uncritically rely on every study or analysis presented by a project proponent in support of its position ... [,] [a] clearly inadequate or unsupported study is entitled to no judicial deference.'" (*Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal.App.4th 1344, 1355 [quoting *Laurel Heights*, 47 Cal.3d at 409 n. 12].) A prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process." (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722; see also *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946.)

SUBSTANTIAL EVIDENCE: Under CEQA, substantial evidence includes facts, a reasonable assumption predicated upon fact, or expert opinion supported by fact; not argument, speculation, unsubstantiated opinion or narrative, clearly inaccurate or erroneous evidence, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment. (See e.g., Pub. Res. Code §§ 21080(e), 21082.2(c), and CEQA Guidelines §§ 15064(f)(5) & 15384.) As such, courts will not blindly trust bare conclusions, bald assertions, and conclusory comments without the "disclosure of the 'analytic route the . . . agency traveled from evidence to action.'" (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404 405 [quoting *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515]; see also *Citizens of Goleta Valley* (1990) 52 Cal.3d at 568-569.)

Response: This comment is noted. LAWA acknowledges the comment's characterization of CEQA's requirements for an EIR. In developing the Draft and Final EIR, LAWA has taken all of CEQA's requirements for EIRs into consideration and has produced a Final EIR that complies with CEQA, the State CEQA Guidelines, and all applicable case law interpreting CEQA and the State CEQA Guidelines. The comment will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and

Terminal Modernization Project. No further response is required because the comment does not raise any significant environmental issues. (See Public Resources Code Section 21091(d); State CEQA Guidelines Sections 15088(c), 15204(a).)

ATMP-PC035-6

Comment: B. THE DEIR ANALYSIS OF TRAFFIC IMPACTS IS GROSSLY INADEQUATE AND MUST BE REDONE

CEQA requires analysis of traffic impacts related to a project. (See *Kings County Farm Bureau v. Hanford* (1990) 221 Cal.App.3d 692, 727.) In particular, CEQA requires analysis of project-related traffic impacts in a manner that does not minimize cumulative impacts. (See e.g., *Cleveland III*, 17 Cal.App.5th at 444-445 [traffic analysis based on methodology with known data gaps that underestimated traffic impacts necessarily prejudiced informed public participation and decisionmaking]; *Kings County Farm Bureau*, 221 Cal.App.3d at 718, 727 [rejecting determination that less than one percent to area emissions was less than significant because analysis improperly focused on the project-specific impacts and did not properly consider the collective effect of the relevant projects on air quality]; *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1072 [upheld the use of same thresholds for immediate and cumulative impacts when its application was “undoubtedly more stringent cumulative-impact threshold”]; *Al Larson Boat Shop, Inc. v. Board of Harbor Comm’rs*, (1993) 18 Cal.App.4th 729, 749 [upheld where cumulative impacts were not minimized or ignored].) The relevant inquiry is not only the relative amount of increased traffic that the Project will cause, but whether any additional amount of Project traffic should be considered significant in light of the already serious problem. (See *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025.)

A prejudicial abuse of discretion occurs under CEQA “if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process.” (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722; see also *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946.) The EIR must disclose information that is needed for a reasoned analysis of the issues. (See *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, 104.)

While the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not to ‘uncritically rely on every study or analysis presented by a project proponent in support of its position.’ A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” (*Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal.App.4th 1344, 1355 [emphasis added] [quoting *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376, 391 409, fn. 12].) Substantial evidence in the record must support any foundational assumptions used for the impact analyses in the EIR. (See e.g., *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 568 [EIR must contain facts and analysis, not just bare

conclusions]; *Laurel Heights*, 47 Cal. 3d at 392-93 [agency's conclusions must be supported with substantial evidence].)

As pointed out in expert traffic comments (attached hereto as Exhibit A) the DEIR's traffic analysis contains several flaws that fail to analyze the full extent of the Project's long-term impacts, as well as fails to impose all reasonable feasible mitigation measures. While the expert traffic comment letter speaks for itself, Commenters wish to highlight some of the findings about the DEIR's inadequate traffic analysis, including:

Response: The commenter refers to several court cases associated with cumulative impacts and increased traffic/congestion. Regarding cumulative conditions, Section 4.8.6 of the Draft EIR describes the cumulative transportation impacts associated with three main topics:

- (1) Cumulative Impacts Associated with Plans, Programs, Ordinances, and Policies
- (2) Cumulative Impacts Associated with VMT, and
- (3) Cumulative Impacts Associated with Hazards

The baseline used for the transportation analysis already accounts for other transportation improvement projects that are approved, funded, and scheduled for completion prior to 2028. The analysis of cumulative transportation impacts takes into account all proposed projects that are reasonably foreseeable, focusing on whether the proposed Project has a cumulatively considerable contribution to the combined impacts.

The cumulative analysis concluded the proposed Project would not result in inconsistencies with Plans, Programs, Ordinances, and Policies. Furthermore, no cumulative impacts would occur relative to employee VMT. Cumulative impacts for both passenger VMT and induced VMT were identified as significant and unavoidable, and no other mitigation beyond that presented in Draft EIR mitigation measures (MM-T (ATMP-1)) are feasible.

Concerning the comment on increased traffic and related congestion, as described on page 4.8-18 of the Draft EIR, regulatory changes at the state level have resulted in the "elimination of auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts for land use projects and plans in California." Please see Topical Response TR-ATMP-T-1 regarding CEQA transportation analysis requirements. In addition, the Freeway Safety Analysis described in Section 4.8.2.4.2 and Section 4.8.5.5.1 used capacity analysis to calculate vehicle queue lengths at freeway off-ramps and determined that the proposed Project would not have a negative effect on traffic safety. Please see Topical Response TR-ATMP-G-3 regarding transportation impacts beyond the build-out year. Therefore, the Draft EIR adequately addresses the issue of transportation analysis from a long term/cumulative perspective.

ATMP-PC035-7

Comment: • The DEIR fails to perform a Level of Service ("LOS") analysis even though local traffic guidelines in effect at the time compelled as much.

Response: Please see Topical Response TR-ATMP-T-1 regarding the assessment of transportation effects associated with the LAX Airfield and Terminal Modernization Project that are not subject to CEQA. As noted therein, the Draft EIR was not required to include a Level of Service (“LOS”) analysis. However, LAWA completed a Non-CEQA Transportation Assessment in accordance with the City of Los Angeles Transportation Assessment Guidelines in April 2021. The Non-CEQA Transportation Assessment is available at <https://www.lawa.org/atmp/documents>.

ATMP-PC035-8

Comment: • The DEIR fails to analyze long-term vehicle miles traveled (“VMT”) impacts beyond 2028, even though such impacts are admitted.

Response: Please see Topical Response TR-ATMP-G-3 regarding the reasons why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. For the reasons explained therein, the Draft EIR’s analysis of VMT impacts is accurate and appropriate. In addition, Topical Response TR-ATMP-G-3 includes a general analysis of impacts beyond 2028; this analysis includes a discussion of VMT impacts.

ATMP-PC035-9

Comment: • The DEIR’s VMT analysis fails to account for all VMTs, specifically non-passenger trips (e.g., employees and other trips) for this regional serving use. This is inconsistent with local VMT traffic assessment guidelines, which underestimates the full impact of the project.

Response: The content of this comment is substantively the same as that of comment ATMP-PC035-54; please refer to Response to Comment ATMP-PC035-54.

ATMP-PC035-10

Comment: • While the DEIR admits significant unavoidable passenger VMT impacts, no mitigation measures are offered to help relieve this increase in VMT as a result of the project. The DEIR incorrectly proclaims that there is no feasible mitigation to reduce this impact when, in fact, there are numerous additional measures available (e.g., additional off-site van pools and neighborhood shuttles for passengers, expand public transit services, provide public transit subsidies, provide bike-share and car-share programs, improve pedestrian and bicycle infrastructure, etc.).

Response: Please see Topical Response TR-ATMP-T-2 regarding VMT mitigation measures and monitoring for the LAX Airfield and Terminal Modernization Project. As indicated therein, MM-T (ATMP)-1, VMT Reduction Program, in the Draft EIR describes the list of VMT reduction strategies considered available for reducing VMT impacts associated with

the proposed Project. As stated on page 4.8-57 of the Draft EIR, Mitigation Measure MM-TR (ATMP)-1 which addresses employee VMT also includes strategies for reducing passenger VMT. For passenger VMT, the available strategies for reducing VMT are more limited than they are for addressing passenger VMT, are not within the control of LAWA, and are more difficult to monitor and report. As further explained in the topical response, the VMT reduction strategies related to passengers are primarily incentive-based, with no research available on the application of these strategies in an airport context, no certainty as to their effectiveness in reducing VMT, and limited opportunity to document or demonstrate their ability to reduce passenger VMT. Consequently, the Draft EIR acknowledges that the passenger VMT impact associated with the proposed Project would be significant and unavoidable. The topical response also addresses the additional VMT reduction strategies requested by the commenter.

ATMP-PC035-11

Comment: • The DEIR fails to specify any transportation impacts during the seven-year construction phase of the project.

Response: The content of this comment is similar in nature to the content of comment ATMP-AL010-133; please refer to Response to Comment ATMP-AL010-133.

ATMP-PC035-12

Comment: The DEIR's consistency analysis with the City's Mobility Plan 2035 is entirely lacking, whereby it looks to merely three measures of the plan, when the Plan includes more than 50 different policies that should be analyzed.

Response: The content of this comment is substantively the same as comment ATMP-PC035-58; please refer to Response to Comment ATMP-PC035-58.

ATMP-PC035-13

Comment: In sum, as highlighted by the traffic expert comment letter, the DEIR's traffic/VMT analysis and conclusions rely upon faulty assumptions, data gaps, and missing relevant information—which ultimately ignores and minimizes the ATMP's traffic/VMT impacts—and thus violates CEQA. (See e.g., *Cleveland III*, 17 Cal.App.5th at 444-445; *Al Larson Boat Shop, Inc.*, 18 Cal.App.4th at 749; *San Joaquin Raptor/Wildlife Rescue Center*, 27 Cal.App.4th at 722; *Citizens of Goleta Valley*, 52 Cal. 3d at 568.)

Response: The comment is a summary reference to the allegations made by the commenter's traffic consultant in Exhibit A of the comment letter. Specifically, the comment is an overall allegation about the sufficiency of the Draft EIR's transportation analysis, as a concluding statement to the six bullet points that precede the comment. Those bullet points are addressed in the Responses to Comments ATMP-PC035-7 through ATMP-PC035-12, and

the related claims by the commenter's traffic consultant asserted to substantiate those claims are addressed in Responses to Comments ATMP-PC035-51 through ATMP-PC035-58 below.

ATMP-PC035-14

Comment: C. THE DEIR VASTLY UNDERSTATES NOISE IMPACTS AND CUTS OFF IMPACT ANALYSIS IN 2028

An EIR must disclose and feasibly mitigate noise impacts. (See *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019.) These impacts must be explained with "plain language" and draw an explicit connection between increased exposures to their likely human-health effects (e.g., headaches, nuisance, etc.). (See CEQA Guidelines § 15140; see also *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1987) 193 Cal.App.3d 1544, 1548; *Bakersfield Citizens*, 124 Cal.App.4th at 1219.) Furthermore, a lead agency may not ignore cumulative noise impacts by claiming an area is already heavily impacted by noise and, therefore, project-related additions would be insignificant. (See *Los Angeles Unified*, 58 Cal.App.4th at 1025.)

Here, as pointed out in the expert noise comment letter (attached hereto as Exhibit B), the DEIR's noise analysis contains several flaws that mask all potential impacts from the ATMP, which need to be mitigated to the maximum extent feasible. While this expert comment letter speaks for itself, Commenters highlighted the following findings made by the noise experts:

Response: Section 4.8 of the Draft EIR provides a comprehensive evaluation of potential impacts related to aircraft noise, roadway traffic noise, and construction noise, and includes the identification of feasible mitigation measures for significant impacts. Every effort has been made to present the analysis in understandable terms, as is the entirety of the section. The section begins with an explanation of the general characteristics of noise, an overview of noise descriptors, and a detailed discussion of the effects of noise on humans, all of which serve to help the reader better understand the technical aspects of the noise analysis. The section includes analyses of cumulative noise impacts. The analysis of cumulative noise impacts does not conclude that, because LAX is already heavily impacted by noise, Project-related additions would be insignificant, as inferred by the commenter. Regarding the commenter's reference to specific comments in "Exhibit B," which accompanies the comment letter, please see Responses to Comments ATMP-PC035-61 through ATMP-PC035-71 which address the March 15, 2021 noise review performed by RK Engineering Group, Inc. (i.e., Exhibit B of the comments submitted by Jordan Sisson, on behalf of Gideon Kracov, Attorney at Law).

ATMP-PC035-15

Comment: • The DEIR's noise analysis delivers contradictory statements and appears to dismiss the widely recognized fact that environmental noise affects human health. The California

Noise Control Act explicitly declares that excessive noise is a serious hazard to the public health and exposure to certain levels of noise can result in physiological and psychological damage.

Response: Please see Topical Response TR-ATMP-N-1 regarding health effects of noise.

ATMP-PC035-16

Comment: • The DEIR relies on unsubstantiated 29 decibel (“dBA”) attenuation for classrooms, which is nine more than the widely accepted 20 dBA attenuation standard.

Response: The content of this comment is similar to comment ATMP-PC035-63; please refer to Response to Comment ATMP-PC035-63.

ATMP-PC035-17

Comment: • The DEIR fails to provide any data that the 28 schools identified within the applicable 65-dBA Community Noise Equivalent Level (“CNEL”) contour around LAX would achieve this even the excessive 29 dBA noise attenuation.

Response: The content of this comment is similar to comment ATMP-PC035-63; please refer to Response to Comment ATMP-PC035-63.

ATMP-PC035-18

Comment: • The DEIR fails to provide maximum exterior noise levels (“Lmax”) at exposed schools. This is critical in establishing the environmental setting of the school.

Response: The content of this comment is similar to comment ATMP-PC035-65; please refer to Response to Comment ATMP-PC035-65.

ATMP-PC035-19

Comment: • The DEIR fails to consider long-term noise impacts beyond 2028, even though LAX is planned to generate an additional 165,316 annual aircraft operations by 2045—a level that exceeds Burbank Airport operations from last year.

Response: Please see Topical Response TR-ATMP-G-3 regarding the reasons why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. For the reasons explained therein, the Draft EIR’s analysis of noise impacts is accurate and appropriate. In addition, Topical Response TR-ATMP-G-3 includes a general analysis of impacts beyond 2028; this analysis includes a discussion of noise impacts.

ATMP-PC035-20

Comment: • The DEIR's CNEL contour maps make no changes to the new terminal location, which is unlikely given that the Project is proposing new terminals in place of parking lots. This will impact nearby sensitive receptors (e.g., hotel patrons).

Response: The content of this comment is similar to comment ATMP-PC035-68; please refer to Response to Comment ATMP-PC035-68.

ATMP-PC035-21

Comment: • The DEIR fails to provide supporting documentation underlying its noise modeling that makes verification impossible and, thus, the conclusions are unsubstantiated

Response: The comment does not identify the supporting documentation that was purportedly missing from the Draft EIR. For this reason, it is not possible to provide a response to this comment. Because the introductory statement preceding the list of bulleted assertions, including this bullet, references the comment letter prepared by the commenter's noise consultant, it is believed that this comment pertains to the assertion presented in comment ATMP-PC035-69; please refer to Response to Comment ATMP-PC035-69.

ATMP-PC035-22

Comment: • The DEIR fails to use actual field measurements to determine construction noise impacts. This is particularly important when determining nighttime noise impacts.

Response: This comment is similar in content to comment ATMP-AL010-87; please refer to Response to Comment ATMP-AL010-87.

ATMP-PC035-23

Comment: • The DEIR does not include all reasonable feasible mitigation measures, such as a requirement for active construction noise monitoring at adjacent noise sensitive receptors anytime construction activities take place during nighttime hours. Active nighttime noise monitoring would help ensure actual construction noise levels (not based on computer models) do not exceed the nighttime noise standards in the City of Los Angeles or exceed existing ambient nighttime noise levels by more 5 dBA.

Response: The content of this comment is similar to comment ATMP-PC035-38; please refer to Response to Comment ATMP-PC035-38.

ATMP-PC035-24

Comment: In sum, as highlighted by the expert noise comment letter, the DEIR’s noise analysis relies on missing relevant data, false assumptions, fails to draw explicit connections to real noise impacts—which ultimately minimizes noise impacts suggesting the area is already impacted—and thus violates CEQA. (See e.g., *Cleveland III*, 17 Cal.App.5th at 444-445; *San Joaquin Raptor/Wildlife Rescue Center*, 27 Cal.App.4th at 722; *San Franciscans for Reasonable Growth*, 193 Cal.App.3d at 1548; *Los Angeles Unified*, 58 Cal.App.4th at 1025.)

Response: The comment is a summary reference to the allegations made by the commenter’s noise consultant in Exhibit B of the comment letter. Please see Responses to Comments ATMP-PC035-61 through ATMP-PC035-71 which address the March 15, 2021 noise review performed by RK Engineering Group, Inc.

ATMP-PC035-25

Comment: D. AIR QUALITY & GHG IMPACTS ARE UNDERESTIMATED IN THE DEIR WHICH FAILS TO SHOW ITS WORK

Air quality impacts and their concomitant impacts on human health must be studied in the CEQA document. (See *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1220 [quoting CEQA Guidelines § 15126.2(a)].) Courts have recognized the threat of toxic air contaminants (“TACs”), such as the carcinogenic threat posed by diesel particulate matter (“DPM”) emitted from highway vehicles and particularly from heavy-duty trucks. (See *Cleveland III*, 17 Cal.App.5th at 438-439 [citing a growing body of scientific evidence, including several studies and estimates by California Air Resources Board, showing proximity to heavy traffic volumes is associated with increased respiratory symptoms, risk of heart and lung disease, elevated mortality rates, and that DPM resulted in 720 excess cancer cases per million in the San Diego region in 2000].) Hence, CEQA requires an agency to correlate transportation-related emissions to anticipated adverse health impacts. (Id. at 33; see also *Berkeley Keep Jets Over the Bay Com. v. Board of Port Comrs.* (2001) 91 Cal.App.4th 1344, 1367–1371.)

Response: The Draft EIR includes a detailed analysis of air quality impacts and their related impacts on human health in Sections 4.1.1 and 4.1.2 of the Draft EIR, respectively, with supporting information provided in Appendix C. With respect to the analysis of air quality impacts, the CEQA Protocol for Conducting an Air Quality Impact Analysis of Criteria Air Pollutants (Protocol) for the proposed Project is provided as Appendix C.8, Modeling Protocols, of the Draft EIR. This protocol describes the air quality impact analysis methods and assumptions that were used to generate Project-related pollutant emissions and concentrations estimates that were compared to appropriate significance thresholds under CEQA. The source types incorporated into the air quality analysis include:

- aircraft engines
- on-board auxiliary power units (APU)

- ground support equipment (GSE)
- ground access vehicles (passenger, employee, cargo)
- new terminal and concourse space/water heating and emergency generator units
- construction equipment and construction activities that generate air pollutant emissions

Section 3.4 of the protocol provides a more detailed description of ground access vehicles included in the analysis: “Ground access vehicles include on-road vehicle activity associated with passengers, air cargo, tenant operations, and airport employee (LAWA and tenant) travel to and from LAX. The vehicle fleet mix will be obtained from the ATMP traffic analysis prepared for the EIR, supplemented by information obtained from CARB’s EMFAC model. The EMFAC model also provides criteria pollutant emission factors for engine exhaust, evaporative emissions, tire wear, and brake wear. The traffic analysis is expected to provide the number of vehicle trips on the design day (peak month, average day or PMAD). The traffic analysis is also expected to provide the vehicle miles traveled for trips that begin or end at the airport.” As such, the air quality modeling conducted for the proposed Project, and the human health risk assessment which relies on the air quality modeling, incorporate transportation-related emissions. The evaluation and discussion of air quality and human health risk impacts is provided in Section 4.1 of the Draft EIR.

The methodology for evaluating impacts on human health is described in the Final Supplement 1 – Human Health Risk Assessment Methodology to the CEQA Protocol for Conducting an Air Quality Impact Analysis of Criteria Pollutants, which is included in Appendix C.8, Modeling Protocols, of the Draft EIR. The results of the analysis are documented in Appendix C.6, Human Health Risk Assessment Technical Report, of the Draft EIR. As stated in that appendix, “[t]he human health risk assessment (HHRA) presented in this technical appendix estimates cancer risks, chronic (long-term) non-cancer health hazards, and acute (short-term) non-cancer health hazards associated with exposure to toxic air contaminants (TAC) that would be emitted during construction and operation of the Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project (proposed Project).” The Technical Report specifically mentions diesel particulate matter (DPM) in numerous places as a major source of total incremental cancer risks as well as a primary contributor to cumulative chronic non-cancer health hazards.

Regional air quality in the South Coast Air Basin is described in Section 4.1.1 of the Draft EIR and in Section 4.3 of Appendix C.6. The discussion identifies air pollutants of concern, regulatory standards for the protection of human health and the environment, and existing conditions in the region. Section 4.1.1.1 of the Draft EIR describes criteria pollutants that were evaluated in the air quality analysis and their general health effects. Sections 4.1.1.2.6, 4.1.1.5.1.1, and 4.1.1.5.2.1 address specific human health effects related to the proposed Project’s significant air pollutant emissions.

The Multiple Air Toxics Exposure Study (MATES) conducted by the South Coast Air Quality Management District (SCAQMD) estimates cancer risk from TAC emissions throughout the South Coast Air Basin by conducting a comprehensive monitoring program, an updated emissions inventory of TAC, and a modeling effort to fully

characterize health risks for those living in the South Coast Air Basin.[1] The study found that the largest contributors to inhalation cancer risk are diesel engines and that current impacts associated with ongoing releases of TAC (e.g., from vehicle exhaust) and from sources of TAC from past and present projects in the region are substantial. Although the MATES-IV study is an appropriate estimate of present cumulative impacts of TAC emissions in the South Coast Air Basin, it does not, however, have sufficient resolution to determine the fractional contribution of current LAX operations to TAC in the air shed. The Draft EIR provides information concerning MATES and its role in the analysis. (Draft EIR, page 4.1.2-9.)

With respect to linking health effects in the surrounding communities to emissions from LAX, please see Response to Comment ATMP-PC028-4 regarding epidemiological studies that have been performed at other airports in large metropolitan areas to help determine whether individuals living near airports have a greater incidence of disease than populations living in other areas.

[1] South Coast Air Quality Management District, Multiple Air Toxics Exposure Study (MATES-IV) for the South Coast Air Basin, May 2015.

ATMP-PC035-26

Comment: So too, the California Supreme Court demands robust GHG analysis to assess a project's impact on climate change. Lead agencies must provide the contours of their logical argument and fill the analytical gap to support their significance determinations with substantial evidence and reasoned explanation. (See *Center for Biological Diversity v. Cal. Dept. of Fish and Wildlife* ("Newhall Ranch") (2015) 62 Cal.4th 204, 227.) Under CEQA Guidelines § 15064.4(b), acceptable methods include comparing the increased GHG emissions to (a) the pre-project baseline emissions, or (b) an adopted numeric threshold, or (c) determine the project's compliance with an officially adopted plan intended to reduce a project's cumulative contribution to the effects of climate change (e.g., climate action plans, GHG reduction plans). (Id. at 229-231.) While agencies enjoy discretion in the choice of methodology, CEQA requires the analysis be "based to the extent possible on scientific and factual data ... stay[ing] in step with evolving scientific knowledge and state regulatory schemes." (*Cleveland II*, 3 Cal.5th at 515, 519 [quoting CEQA Guidelines § 15064(b)].)

Moreover, merely because "a project is designed to meet high building efficiency and conservation standards ... does not establish that its [GHG] emissions from transportation activities lack significant impacts." (*Newhall Ranch*, 62 Cal.4th at 229 [citing Natural Resources Agency].)[3] This concept is known as 'additionality' whereby GHG emission reductions otherwise required by law or regulation are appropriately considered part of the baseline and, pursuant to CEQA Guideline § 15064.4(b)(1), a new project's emission should be compared against that existing baseline.[4] Hence, a "project should not subsidize or take credit for emissions reductions which would have occurred regardless of the project." [5] In short, as observed by the Court, newer developments must be more GHG-efficient. (See *Newhall Ranch*, 62 Cal.4th at 226.)

As pointed out in the air quality/GHG comment letter (attached hereto as Exhibit C), the DEIR fails to adequately evaluate the Project's air quality, health risk, and GHG impacts. Findings on DEIR insufficiency include:

[3] See Final Statement of Reasons for Regulatory Action: Amendments to State CEQA Guidelines Addressing Analysis and Mitigation of GHG Emissions Pursuant to SB-97 ("Final Statement of Reasons") (Dec. 2009), p. 23 (while a Platinum LEED® rating may be relevant to emissions from a building's energy use, "that performance standard may not reveal sufficient information to evaluate transportation-related emissions associated with that proposed project"),

http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf.

[4] See Final Statement of Reasons, p. 89; see also California Air Pollution Control Officers Association ("CAPCOA") (Aug. 2010) Quantifying Greenhouse Gas Mitigation Measures, pp. 32, A3 ("in practice is that if there is a rule that requires, for example, increased energy efficiency in a new building, the project proponent cannot count that increased efficiency as a mitigation or credit unless the project goes beyond what the rule requires; and in that case, only the efficiency that is in excess of what is required can be counted."), <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

[5] Ibid., CAPCOA, at p. A-3.

Response: The Draft EIR includes a detailed analysis of impacts related to greenhouse gas (GHG) emissions in Section 4.4 of the Draft EIR, with supporting information provided in Appendix C. As described in Sections 4.4.2 and 4.4.4 of the Draft EIR, the methodology and significance thresholds used to assess the Project's impacts with respect to GHG emissions are based on acceptable methods and guidance. Specifically, Project-related GHG emissions were compared to baseline (2018) emissions, and the Project's potential to conflict with adopted plans, policies, or regulations adopted to reduce GHG emissions was evaluated. Furthermore, as documented in Section 4.4 and Appendix C, the analysis is supported by substantial evidence.

With respect to the assertion that the Draft EIR does not adequately evaluate the Project's air quality, health risk and GHG impacts, please refer to Response to Comment ATMP-PC035-32, and Responses to Comments ATMP-PC035-73, ATMP-PC035-74, ATMP-PC035-77, ATMP-PC035-78, and ATMP-PC035-79, which respond to comments provided in Exhibit C of this comment letter. Please also see Response to Comment ATMP-AL010-172 regarding GHG calculations for the individual stationary emissions categories. These responses demonstrate that the air quality, GHG, and human health risk analyses were adequately conducted.

ATMP-PC035-27

Comment: • The DEIR utilizes incomplete/unsubstantiated input parameters for its air quality and GHG modeling (e.g., underestimates land uses, failure to analyze construction trips, underestimates off-road construction equipment emissions, and underestimates

architectural coating emissions, etc.). As a result, neither the air quality, health risks, or GHG conclusions can be relied upon.

Response: The content of this comment is similar to comments ATMP-PC035-73, ATMP-PC035-74, and ATMP-AL010-172; please refer to Responses to Comments ATMP-PC035-73, ATMP-PC035-74, and ATMP-AL010-172. These responses demonstrate that the impact analysis was adequately conducted for air quality.

ATMP-PC035-28

Comment: • While admitting significant and unavoidable air quality/GHG emissions, the DEIR fails to consider and implement numerous feasible mitigation measures—as required under CEQA.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding air quality and greenhouse gas mitigation measures for the LAX Airfield and Terminal Modernization Project. As explained therein, the Draft EIR considers and recommends all feasible mitigation measures.

ATMP-PC035-29

Comment: • The DEIR’s Health Risk Assessment (“HRA”) relies on incomplete/unsubstantiated modeling and, thus, DEIR’s air model underestimates emissions associated with the Project’s construction and operational activities. As a result, toxic air contaminants (“TAC”) are underestimated.

Response: The content of this comment is similar to comment ATMP-PC035-77; please refer to Response to Comment ATMP-PC035-77.

ATMP-PC035-30

Comment: • The DEIR’s HRA fails to disclose total emissions from operational sources and, thus, cannot be verified to ensure the HRA fully accounts for all sources.

Response: The content of this comment is similar to comment ATMP-PC035-78; please refer to Response to Comment ATMP-PC035-78.

ATMP-PC035-31

Comment: • The DEIR fails to analyze the ATMP’s air quality and GHG impacts beyond 2028 and, thus, the DEIR fails to consider the long-term operational impacts of the Project.

Response: Please see Topical Response TR-ATMP-G-3 regarding the reasons why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. For the reasons explained therein, the Draft EIR's analysis of air quality and GHG impacts is accurate and appropriate. In addition, Topical Response TR-ATMP-G-3 includes a general analysis of impacts beyond 2028; this analysis includes a discussion of impacts associated with GHG emissions.

ATMP-PC035-32

Comment: • The DEIR's GHG analysis fails to consider performance-based standards under the California Air Resources Board's ("CARB") 2017 Scoping Plan to ensure Project consistency with relevant GHG plans. For example, the DEIR estimates the Project would achieve 20.40 VMT per employee, which exceeds that anticipated under CARB's 2017 Scoping Plan.

Response: The proposed Project is evaluated for consistency with the 2017 Climate Change Scoping Plan on pages 4.4-35 and 4.4-38 in Section 4.4 of the Draft EIR. Each lead agency has broad discretion to select appropriate technical methods for analyzing GHG emissions, including analyzing consistency with plans and policies such as the 2017 Climate Change Scoping Plan. (See State CEQA Guidelines Section 15064.4(a).) As discussed below, the Draft EIR's approach to this analysis was reasonable, and the commenter's suggested approach is not appropriate for the proposed Project.

The 2017 Climate Change Scoping Plan establishes GHG emission reduction targets, and programs and policies to meet those targets. These targets, programs and policies apply State-wide. They are not designed to translate into "the percentage of reduction that would or should be required from individual projects." (*Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 205, 225-226.) As such, it is not meaningful to provide an analysis of how Project-related vehicle miles traveled (VMT) specified in the comment would compare to goals in the 2017 Climate Change Scoping Plan because the VMT reduction in the 2017 Climate Change Scoping Plan is a statewide goal, and as the California Supreme Court has noted, there is insufficient evidentiary basis to translate that statewide goal into a significance threshold for a specific, local project. Rather, consistency with the 2017 Climate Change Scoping Plan was evaluated based on the proposed Project's ability to reduce GHG emissions, which is the overarching goal of the 2017 Climate Change Scoping Plan. Section 4.4 of the Draft EIR provides estimates of the proposed Project's GHG construction and operations emissions and describes (on pages 4.4-35 and 4.4-38) why those GHG emissions would not be consistent with the State's ability to achieve the GHG reduction targets established by the State under various Executive Orders. For these reasons, Section 4.4.5.2 of the Draft EIR states that these GHG impacts would be significant.

The performance standard cited in the comment – 19.83 VMT per employee as of 2030 – has not been endorsed by either SCAG or CARB as an appropriate efficiency metric for purposes of assessing consistency with the 2017 Climate Change Scoping Plan. The performance standards appear to have been fashioned by the commenter's consultant; the consultant appears to have based these standards on what may be County-wide population and VMT projections. These projections encompass the entire region and

encompass all uses within the region. The projections do not focus on a particular segment of the population (employees) at a particular location (LAX). For this reason, translating these ratios from one context to another is inappropriate. Neither SCAG nor any other agency has suggested that this calculation should be applied to employees at a particular facility. For additional information, please see Response to Comment ATMP-PC035-84.

ATMP-PC035-33

Comment: • The DEIR’s GHG analysis fails to consider performance-based standards under the Southern California Association of Governments’ (“SCAG”) 2020 Regional Transportation Plan/Sustainable Communities Strategies (“RTP/SCS”). For example, the DEIR estimates 20.40 VMT per employee exceeds the 19.2 VMT anticipated in target year 2045 under SCAG’s 2020 RTP/SCS.

Response: Please see Response to Comment ATMP-PC035-32 regarding how VMT reduction goals relate to evaluating consistency with GHG emission reduction plans. As with the 2017 Climate Change Scoping Plan, SCAG’s 2020 RTP/SCS does not include mandates for individual projects. Therefore, it is not appropriate to compare the proposed Project’s VMT to regional goals in the 2020 RTP/SCS. Please refer to Responses to Comments ATMP-PC035-32 and ATMP-PC035-84 for additional information on the invalidity of using these VMT data as targets.

ATMP-PC035-34

Comment: In sum, as highlighted by the expert comment letter, the DEIR’s air quality and GHG analysis relies on faulty assumptions, missing scientific data, and analytical gaps showing the Project is meeting its additionality requirement—which ultimately minimizes emission impacts—and thus violates CEQA. (See e.g., *Citizens of Goleta Valley*, 52 Cal. 3d at 568; *Newhall Ranch*, 62 Cal.4th at 226-229; *Cleveland II*, 3 Cal.5th at 515, 519.)

Response: The comment is a summary reference to the allegations made by the commenter’s air quality consultant in Exhibit C of the comment letter. Please see Responses to Comments ATMP-PC035-73 through ATMP-PC035-99. With regards to the concept referred to as “additionality,” which is related to the greenhouse gas emissions (GHG) analysis, please see, in particular, Responses to Comments ATMP-PC035-32, ATMP-PC035-33, ATMP-PC035-74, ATMP-PC035-83, and ATMP-AL010-172.

ATMP-PC035-35

Comment: E. THE DEIR HAS AN IMPROPER AND INACCURATE PROJECT DESCRIPTION

An “accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” (*San Joaquin Raptor Rescue Ctr. v. Cnty. of Merced* (2007) 149

Cal.App.4th 645, 654-655 [quoting *Cnty. of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199] [emphasis in original].) As one court explained, “only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the ‘no project’ alternative), and weigh other alternatives in the balance.” (*Citizens for a Sustainable Treasure Island v. City & Cnty. of San Francisco* (2014) 227 Cal.App.4th 1036, 1052.) Hence, an accurate project description is an “indispensable component of a valid EIR.” (*Western Placer Citizens for an Agr. and Rural Env’t v. Cnty. of Placer* (2006) 144 Cal.App.4th 890, 898.)

Here, a reoccurring criticism in the attached comment letters is the DEIR’s narrow, self-serving timeline of assessing the Project’s impacts. First, the DEIR anticipates that the current airport configuration is a “constraint on growth” starting in 2028. (DEIR, p. 2-17.) But the ATMP’s improvements (e.g., extending Terminal 1 and constructing a new passenger terminal with additional gates) (DEIR, p. 2-1, 2-9, Fig. 2-1) are characterized as merely “modernization” of LAX to accommodate continued growth in airline passengers over “several decades” (DEIR, p. 2-18). This is internally inconsistent with the claim that the Project is not growth-inducing. The DEIR fails to: 1) explain how the anticipated growth at LAX was not already accounted for by the SCAG’s 2020 RTP/SCS, which noted several modernization projects already approved and ongoing at LAX;[6] or 2) describe how the ATMP will not prematurely expand LAX’s capacity that will lead to the airport maintaining or even significantly increasing its regional share of air travel—contrary to what SCAG anticipates (DEIR, Tbl. 2-1 [LAX’s regional passenger share anticipated to drop from regional 76.75 % to 64.42 % from 2017 to 2045]). In both scenarios, impacts will be more significant than those forecast in the 2020 RTP/SCS.

Second, and more fundamentally, the DEIR’s impact analysis arbitrarily limits its analysis to 2028 when project construction is to end. This ignores the impacts associated with nearly 45 million annual passengers (“MAP”) anticipated post-2028. (DEIR, APP-B [110.8 MAP in 2028 to 155.6 MAP in year 2045].) Essentially, the DEIR ignores the entire operational and longer-term impacts of the Project (i.e., post-2028). (See e.g., DEIR, p. 4.1.1-34 & 36 [air impacts associated only for 2028 modeled].) For example, there is no explanation of how air emissions from this post-2028 growth will comport with the emissions anticipated for the air basin in a manner consistent with the Clean Air Act (“CAA”) and applicable State Implementation Plan (“SIP”). This is a blatant abuse of discretion lacking in substantial evidence. A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” (*Berkeley Keep Jets*, 91 Cal.App.4th at 1355.)

In sum, the DEIR’s project description and truncated analysis is inaccurate and misleading, which distorts the public decisionmaking process—which violates CEQA. (See *Citizens for a Sustainable Treasure Island*, 227 Cal.App.4th at 1052.) To say post-2028 growth is limited without the Project (on the one hand), and then fail to analyze the impacts of post-2028 growth as an impact of the ATMP (on the other) is a major error. Furthermore, this truncated concept of the Project serves only to chop-up the full impacts of the ATMP, which also violates CEQA. (See e.g., *San Joaquin Raptor/Wildlife Rescue Center v. Cnty. of Stanislaus* (1994) 27 Cal.App.4th 713, 730 [held use of “truncated project concept” violated CEQA]; *Bozung v. LAFCO* (1975) 13 Cal.3d 263, 283-284 [CEQA mandates “that environmental considerations do not become submerged by

chopping a large project into many little ones—each with a minimal potential impact on the environment - which cumulatively may have disastrous consequences.”).) A project’s CEQA review must assess “the whole of an action” to ensure that all of the project’s environmental impacts are considered. (CEQA Guidelines § 15378.) Before undertaking a project, the lead agency must assess the environmental impacts of all reasonably foreseeable phases of a project, and a public agency may not segment a large project into two or more smaller projects to mask serious environmental consequences or evade CEQA review. (See e.g., CEQA Guidelines § 15378(a); *McQueen v. Bd. of Supervisors* (1988) 202 Cal.App.3d 1136, 1146-47.)

[6] SCAG (2020) RTP/SCS, Aviation and Airport Ground Access Technical Report, p. 38 (noting several LAX projects), https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_aviation-and-airport-ground-access.pdf?1606001540.

Response: With respect to the commenter’s assertions that the proposed Project is growth-inducing, please see Section 2.3.1.2.2 of the Draft EIR. As explained there, the annual activity forecast and regression analysis prepared by LAWA’s aviation experts determined that aircraft operations would be the same in 2028 with or without the proposed Project, and that the proposed Project would not result in increased aviation and/or passenger activity levels or capacity at LAX. This analysis is supported by substantial evidence as documented in Appendix B.1 of the Draft EIR. Please Topical Response TR-ATMP-G-1 for further discussion of the validity of this forecast.

With respect to the comment that the Draft EIR should have analyzed impacts beyond 2028, please see Topical Response TR-ATMP-G-3 regarding the reasons why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. In addition, Topical Response TR-ATMP-G-3 includes, for informational purposes, a general analysis of impacts beyond 2028. Please also see Responses to Comments ATMP-AL010-31 through ATMP-AL010-46 regarding allegations that implementation of the proposed Project would relieve capacity constraints and would induce additional growth at LAX beyond 2028.

The commenter states that the EIR’s project description is inadequate or incomplete. The EIR identifies and describes all of the Project’s components (Chapter 2 of the Draft EIR), including enabling projects that must be completed in order to accommodate the proposed Project (Section 2.5 of the Draft EIR). The project description includes all of the information required by CEQA. (state CEQA Guidelines, Section 15124.)

The comment that the Draft EIR has “chopped up” the proposed Project is incorrect. The Draft EIR appropriately analyzes the whole of the proposed Project, as well as cumulative impacts from reasonably foreseeable future projects, as required by CEQA.

Regarding how the air pollutant emissions associated with the proposed Project relate to the Federal Clean Air Act (CAA), a CAA general conformity evaluation was completed in conjunction with the Draft Environmental Assessment for the Project that is being processed through the Federal Aviation Administration pursuant to the National Environmental Policy Act. The Draft Environmental Assessment and Draft General Conformity Determination are available for review online at www.lawa.org/ATMP under

“Documents”. As indicated in that document, the FAA proposes to conclude that the LAX Airfield and Terminal Modernization Project, as proposed, conforms to the purpose of the approved State Implementation Plan and is consistent with all applicable requirements.

ATMP-PC035-36**Comment:** F. THE DEIR FAILS TO ADOPT ALL FEASIBLE MITIGATION

CEQA disfavors formulation of mitigation measures to post-approval studies with no performance standards to guide the mitigation. (See e.g., CEQA Guidelines § 15126.4(a)(1)(B); *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92-93.) A lead agency may only defer the formulation of mitigation measures when it possesses “‘meaningful information’ reasonably justifying an expectation of compliance.” (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308 [quoting *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 77 fn. 5]; see also *Sacramento Old City Association v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1028-29 [mitigation measures may be deferred only “for kinds of impacts for which mitigation is known to be feasible”].)

CEQA requires lead agencies to “craft mitigation measures that would satisfy enforceable performance criteria.” (*City of Maywood v. Los Angeles Unified School Dist.* (2012) 208 Cal.App.4th 362, 407.) The imposition of specific, performance-based mitigation measures helps “[e]nsure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug.” (*Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935; see also *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 280–281.) Nor may a lead agency rely on mere compliance with existing laws or unrealistic mitigation measures of uncertain efficacy/feasibility. (See e.g., *Cleveland III*, 17 Cal.App.5th at 433 [“none of these measures had any probability of implementation, their inclusion in the EIR was illusory.”]; *Californians for Alternatives to Toxics v. Department of Food and Agriculture* (2005) 136 Cal.App.4th 1, 17 [“[c]ompliance with the law is not enough to support a finding of no significant impact under the CEQA.”]; *Kings County Farm Bureau*, 221 Cal.App.3d at 727 [finding groundwater purchase agreement inadequate mitigation because there was no evidence that replacement water was available].)

Here, another reoccurring criticism in the attached comment letters is the DEIR’s failure to implement all feasible mitigation measures for admitted significant impacts. Here, the DEIR admits the ATMP will have significant, unmitigated air quality, GHG, noise, and transportation impacts. (DEIR, pp. 1-24 – 1-25.) However, the Project fails to impose all feasible mitigation measures—as confirmed by expert comments attached hereto, including numerous measures that the DEIR fails to show to be infeasible. These measures, as set forth in the expert comment letters, include:

Response: The commenter’s statement that the Draft EIR “admits the ATMP will have significant, unmitigated air quality, GHG, noise, and transportation impacts” is incorrect. Mitigation

for air quality impacts is provided in Sections 4.1.1.5.1.2 and 4.1.1.5.2.2 of the Draft EIR; mitigation for greenhouse gas emissions is provided in Section 4.4.5.1.4 of the Draft EIR; mitigation for noise impacts is provided in Sections 4.7.1.5.1.3 and 4.7.3.5.2.2 of the Draft EIR; and mitigation for transportation impacts is identified in Section 4.8.5.2.2 of the Draft EIR. However, the Draft EIR acknowledges that, even with implementation of mitigation, impacts related to air quality, GHG emissions, aircraft noise, and transportation (specifically passenger VMT, induced VMT, and cumulative VMT impacts) would remain significant and would, therefore, be unavoidable.

With respect to the feasibility and/or applicability of the air quality and GHG mitigation measures identified by the commenter in comment ATMP-PC035-39 and comments ATMP-PC035-86 through ATMP-PC035-97, please see Topical Response TR-ATMP-AQ/GHG-1.

With respect to the commenter's statements in comments ATMP-PC035-38 and ATMP-PC035-71 that the Draft EIR does not include all reasonably foreseeable mitigation measures for reducing potential noise impacts, as identified in Section 4.7.3.5.2.3, with implementation of Mitigation Measures MM-CN (ATMP)-1, MM-CN (ATMP)-2, MM-CN (ATMP)-3, and MM-C (ATMP)-1, significant impacts associated with construction equipment noise impacts would be reduced to a level that is less than significant. Therefore, no additional mitigation is required. Please see Response to Comment ATMP-PC035-38 for additional discussion of the commenter's recommended mitigation.

With respect to the feasibility of the transportation mitigation measures identified by the commenter in comments ATMP-PC035-37 and ATMP-PC035-55, please see Topical Response TR-ATMP-T-2.

ATMP-PC035-37

Comment: TRAFFIC (Exhibit A, p. 4 [highlighted for your convenience]):

mitigation measures that can be included to reduce the VMT impact, including: provide additional off-site van pools and neighborhood shuttles for passengers, expand public transit services, provide public transit subsidies, provide bike-share and car-share programs, and encourage passengers (such as through advertisement) to use other modes of transportation getting to and from the airport. Additionally, there are other improvements that the project could do to improve pedestrian and bicycle infrastructure which has been shown to reduce VMT. Thus, additional mitigation measures should also include improvements to the pedestrian network, on-site traffic calming improvements, protected bike lanes, cycle tracks or separated bike trails, additional secured bike storage and end of trip facilities, and other non-automotive improvements to help reduce the projects affect upon VMT.

Response: The content of this comment is substantively the same as comment ATMP-PC035-55; please refer to Response to Comment ATMP-PC035-55.

ATMP-PC035-38

Comment: NOISE (Exhibit B, p. 5[highlighted for your convenience]):

Section 4.7.3.5.2.2, Mitigation Measures. The DEIR does not include all reasonably feasible mitigation measures for reducing potential noise impacts. The Construction Noise Control Plan should include a requirement for active construction noise monitoring at adjacent noise sensitive receptors anytime construction activities take place during nighttime hours. Active nighttime noise monitoring would help ensure actual construction noise levels (not based on computer models) do not exceed the nighttime noise standards in the City of Los Angeles or exceed existing ambient nighttime noise levels by more 5 dBA. The monitoring program should monitor and establish the adequate baseline noise levels for each receptor prior to commencing any activity. The monitoring program should also notify construction management personnel when noise levels approach and/or exceed the applicable thresholds. Construction activity should cease or be modified in order to ensure violations do not occur. Repeated violations should result in fines or other penalties.

Response: As indicated in the construction equipment noise evaluation methodology description presented in Section 4.7.3.2.2 of the Draft EIR, and as reflected in the impacts analysis presented in Section 4.7.3.5.2, construction equipment noise is evaluated in terms of Community Noise Equivalent Level (CNEL). As described in Sections 4.7.1.1.2 and 4.7.3.2.2. of the Draft EIR, CNEL represents the noise exposure level over a 24-hour period, whereby a noise penalty of approximately 5 dBA is applied to noise occurring between 7:00 p.m. and 10:00 p.m., and a noise penalty of 10 dBA is applied to noise occurring between 10:00 p.m. and 7:00 a.m. These penalties are applied to the time period when noise is considered more intrusive due to the types of activities that are likely to be affected, including sleep. As stated on page 4.7.1-5 of the Draft EIR, CNEL also accounts for the typically lower ambient noise levels during these hours. The construction equipment noise threshold of significance presented in Section 4.7.3.4.2 of the Draft EIR is based on a 5 dBA or more increase in the existing ambient exterior CNEL, which already accounts for the potential for construction-related noise at nighttime being more intrusive to nearby noise-sensitive receptors. As such, the commenter's suggestion to require active construction noise monitoring at adjacent noise-sensitive receptors anytime construction activities take place during nighttime hours is both unwarranted and contrary to the noise metric that is the basis for determining significant impacts. CNEL represents the overall 24-hour noise level with penalties applied during specific hours, and impacts and the mitigation of impacts are not determined based on only certain hours within that 24-hour period. Additionally, it should be noted that, as stated on page 4.7.3-7 of the Draft EIR, the daily CNEL values estimated for the construction activities and the staging area are very conservative because they assume that all construction equipment associated with each type construction activity or at the staging area would be in use at the same time, and that all construction equipment would be used in every hour of the day. Mitigation Measure MM-CN (ATMP)-1, Construction Noise Control Plans, requires site-specific analysis and a plan to reduce construction noise so that it does not exceed an increase of 5 dBA at noise-sensitive receptors. Additionally, to field-verify the effectiveness of construction noise attenuation measures, such as noise curtains, noise blankets, temporary sound walls, or their equivalent if needed, Mitigation Measure MM-CN (ATMP)-1 has been modified to

require that noise measurements be taken at the closest noise-sensitive receptors to confirm that the attenuated construction noise levels are less than 5 dBA over the existing exterior noise level. Please see Chapter F3, Corrections and Clarifications to the Draft EIR, regarding incorporation of these changes into the Final EIR.

ATMP-PC035-39

Comment: AIR QUALITY & GHGs (Exhibit C, pp. 12-18 [highlighted for your convenience]):

- Ground Support Equipment Conversion:
 - o Transition all baggage tugs, belt loaders, lifts, pushback tractors, and utility carts at SDIA that are owned and operated by airlines and their ground handling contractors to service aircraft, shall be transitioned to alternative fuels (i.e., electric, natural gas, renewable diesel, biodiesel).

- Renewable Electricity:
 - o Power project-related buildings with 100 percent renewable electricity.
- Clean Vehicle Parking:
 - o Designate 10 percent of new parking stalls for a combination of low-emitting, fuel-efficient, and carpool/vanpool vehicle.
- Electric Vehicle Chargers:
 - o Install electric vehicle charging ports at three percent of new parking stalls and another three percent would be “EVSE-ready.”
- Ground Transportation Clean Vehicle Program:
 - o Implement a Commercial Ground Transportation Clean Vehicle Program.
- Bicycle Facilities:
 - o Install shower stalls and lockers, as well as covered bicycle storage for employees.
- Employee Parking Cash-Out Program:
 - o Implement a parking cash-out program for employees.

- Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions).
- Instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.
- Before starting onsite ground disturbance, demolition, or construction activities, submit a Construction Emissions Minimization Plan for review and approval. The plan shall include estimates of the construction timeline, with a description of each piece of off-road equipment required. The description may include, but is not limited to, equipment type, equipment manufacturer, engine model year, engine certification (Tier rating), horsepower, and expected fuel usage and hours of operation. For off-road

equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. Make the Construction Emissions Minimization Plan available to the public for review onsite during working hours. Post at the construction site a legible and visible sign summarizing the plan. State that the public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. Post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

Develop and implement a phased carbon management program that is consistent with the standards of ACI “Level 3+” Airport Carbon Accreditation Program, or equivalent, including calculation of annual carbon emissions from airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing an annual biennial carbon footprint report as a component of the Airport’s broader environmental sustainability program.

CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures

Measures – Energy

Building Energy Use

- Obtain Third-party HVAC Commissioning and Verification of Energy Savings

Lighting

- Install Higher Efficacy Public Street and Area Lighting

- Limit Outdoor Lighting Requirements

Alternative Energy Generation

- Establish Onsite Renewable or Carbon-Neutral Energy Systems

- Establish Onsite Renewable Energy System – Solar Power

- Utilize a Combined Heat and Power System

Measures – Transportation

Land Use/Location

- Increase Destination Accessibility

- Increase Transit Accessibility

- Orient Project Toward Non-Auto Corridor

- Locate Project near Bike Path/Bike Lane

Neighborhood/Site Enhancements

- Provide Pedestrian Network Improvements, such as:

- Compact, mixed-use communities
- Interconnected street network
- Narrower roadways and shorter block lengths
- Sidewalks
- Accessibility to transit and transit shelters
- Traffic calming measures and street trees
- Parks and public spaces
- Minimize pedestrian barriers

- Provide Traffic Calming Measures, such as:

- Marked crosswalks
- Count-down signal timers
- Curb extensions
- Speed tables
- Raised crosswalks

- Raised intersections
- Median islands
- Tight corner radii
- Roundabouts or mini-circles
- On-street parking
- Planter strips with trees
- Chicanes/chokers

Incorporate Bike Lane Street Design (on-site)

Provide Bike Parking in Non-Residential Projects

Provide Electric Vehicle Parking

Commute Trip Reduction Programs

Implement Commute Trip Reduction (CTR) Program – Voluntary

- Carpooling encouragement
- Ride-matching assistance
- Preferential carpool parking
- Flexible work schedules for carpools
- Half time transportation coordinator
- Vanpool assistance
- Bicycle end-trip facilities (parking, showers and lockers)
- New employee orientation of trip reduction and alternative mode options
- Event promotions and publications
- Flexible work schedule for employees
- Transit subsidies
- Parking cash-out or priced parking
- Shuttles
- Emergency ride home

Implement Commute Trip Reduction (CTR) Program – Required

Implementation/Monitoring

- Established performance standards (e.g. trip reduction requirements)
- Required implementation
- Regular monitoring and reporting

Implement Subsidized or Discounted Transit Program

Provide Ent of Trip Facilities, including:

- Showers
- Secure bicycle lockers
- Changing spaces

Implement Commute Trip Reduction Marketing, such as:

- New employee orientation of trip reduction and alternative mode options
- Event promotions
- Publications

Implement Preferential Parking Permit Program

Price Workplace Parking, such as:

- Explicitly charging for parking for its employees;
- Implementing above market rate pricing;
- Validating parking only for invited guests;
- Not providing employee parking and transportation allowances; and
- Educating employees about available alternatives.

Implement Employee Parking “Cash-Out”

Transit System Improvements

Transit System Improvements, including:

- Grade-separated right-of-way, including bus only lanes (for buses, emergency vehicles, and sometimes taxis), and other Transit Priority measures. Some systems use guideways which automatically steer the bus on portions of the route.
- Frequent, high-capacity service
- High-quality vehicles that are easy to board, quiet, clean, and comfortable to ride.
- Pre-paid fare collection to minimize boarding delays.
- Integrated fare systems, allowing free or discounted transfers between routes and modes.
- Convenient user information and marketing programs.
- High quality bus stations with Transit Oriented Development in nearby areas.
- Modal integration, with BRT service coordinated with walking and cycling facilities, taxi services, intercity bus, rail transit, and other transportation services.

Implement Transit Access Improvements, such as:

- Sidewalk/crosswalk safety enhancements
- Bus shelter improvements

Expand Transit Network

Increase Transit Service Frequency/Speed

Provide Bike Parking Near Transit

Provide Local Shuttles

Road Pricing/Management

Implement Area or Cordon Pricing

Improve Traffic Flow, such as:

- Signalization improvements to reduce delay;
- Incident management to increase response time to breakdowns and collisions;
- Intelligent Transportation Systems (ITS) to provide real-time information regarding road conditions and directions; and
- Speed management to reduce high free-flow speeds.

Required Project Contributions to Transportation Infrastructure Improvement Projects

Vehicles

Utilize Alternative Fueled Vehicles, such as:

- Biodiesel (B20)
- Liquefied Natural Gas (LNG)
- Compressed Natural Gas (CNG)

Measures – Water

Water Supply

Use Gray Water

Use Locally Sourced Water Supply

Water Use

Adopt a Water Conservation strategy

Design Water-Efficient Landscapes (see California Department of Water Resources

Model Water Efficient Landscape Ordinance), such as:

- Planting vegetation with minimal water needs, such as native species;
- Choosing vegetation appropriate for the climate of the project site;

- Choosing complimentary plants with similar water needs or which can provide each other with shade and/or water.

Plant Native Trees and Vegetation

Measures – Vegetation

Vegetation

Urban Tree Planting

Create New Vegetated Open Space

Measures – Construction

Construction

Use Alternative Fuels for Construction Equipment

Urban Tree Planting

Use Electric and Hybrid Construction Equipment

Limit Construction Equipment Idling Beyond Regulation Requirements

Institute a Heavy-Duty Off-Road Vehicle Plan, including:

- Construction vehicle inventory tracking system;
- Requiring hour meters on equipment;
- Document the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment; and
- Daily logging of the operating hours of the equipment.

Implement a Construction Vehicle Inventory Tracking System

Measures – Miscellaneous

Miscellaneous

Establish a Carbon Sequestration Project, such as:

- Geologic sequestration or carbon capture and storage techniques, in which CO₂ from point sources is captured and injected underground;
- Terrestrial sequestration in which ecosystems are established or preserved to serve as CO₂ sinks;
- Novel techniques involving advanced chemical or biological pathways; or
- Technologies yet to be discovered.

Establish Off-Site Mitigation

Use Local and Sustainable Building Materials

Require Environmentally Responsible Purchasing, such as:

- Purchasing products with sustainable packaging;
- Purchasing post-consumer recycled copier paper, paper towels, and stationary;
- Purchasing and stocking communal kitchens with reusable dishes and utensils;
- Choosing sustainable cleaning supplies;
- Leasing equipment from manufacturers who will recycle the components at their end of life;
- Choosing ENERGY STAR appliances and Water Sense-certified water fixtures;
- Choosing electronic appliances with built in sleep-mode timers;
- Purchasing 'green power' (e.g. electricity generated from renewable or hydropower) from the utility; and
- Choosing locally-made and distributed products.

Response: This comment lists the same mitigation measures identified in comments ATMP-PC035-86 through ATMP-PC035-97, which are each addressed in Topical Response TR-ATMP-AQ/GHG-1. Please refer to Topical Response TR-ATMP-AQ/GHG-1.

ATMP-PC035-40**Comment:** G. THE DEIR FAILS TO IDENTIFY OVERRIDING CONSIDERATIONS

The DEIR should identify facts relating to a CEQA-compliant statement of overriding considerations. (See *Lawler v. City of Redding* (1992) 7 Cal.App.4th 778 [vacating city's approval of a sports facility on city-owned land in an unincorporated area until adopting measures to sufficiently mitigate noise impacts].) When approving a project that will have significant environmental impacts not fully mitigated, a lead agency must adopt a "statement of overriding considerations" finding that the project's benefits outweigh its environmental harm. (Pub. Res. Code § 21081(b); see also CEQA Guidelines § 15043; *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222.) An overriding statement expresses the larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like. (See *Concerned Citizens of S. Central LA v. Los Angeles Unif. Sch. Dist.* (1994) 24 Cal.App.4th 826, 847.) It must fully inform and disclose the specific benefits expected to outweigh environmental impacts, supported by substantial evidence. (See CEQA Guidelines §§ 15043(b) & 15093(b); see also *Sierra Club*, 10 Cal.App.4th at 1223.) However, an agency may adopt a statement of overriding considerations only after it has imposed all feasible mitigation measures to reduce a project's impact to less than significant levels. (See CEQA Guidelines §§ 15091 & 15126.4.) Hence, decisionmakers may not approve a project when feasible mitigation measures can substantially lessen or avoid such impacts. (See e.g., Pub. Res. Code § 21002; CEQA Guidelines § 15092(b)(2).) So too, additional overriding considerations may be necessary to adequately override those additional impacts that the DEIR underestimates.

To the extent that overriding considerations are needed, key among the findings that the lead agency must make is that:

"Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report ... [and that those] benefits of the project outweigh the significant effects on the environment." (Pub. Res. Code § 21081(a)(3) & (b), emphasis added.)

Here, the DEIR fails to identify significant impacts and/or incorporate feasible mitigation measures. Nor does the DEIR identify any overriding considerations. To the extent the City considers approving the Project with significant environmental impacts, the City should consider the overriding benefits to service/hospitality workers near LAX and the Airport Hospitality Enhancement Zone ("AHEZ") that will suffer the brunt of significant air quality, GHG, and other impacts caused by the ATMP development. Considerations should include, at a minimum: a) the number of construction and operational jobs that will be for "highly trained workers" and what the likely salary and wage ranges of these jobs will be; and b) to what extent this Project will ensure better permanent service jobs for contracted airline service/hospitality workers.

Response: Please see Response to Comment ATMP-PC035-1 regarding the Statement of Overriding Considerations that LAWA will prepare for the proposed Project. As with the Statement

of Overriding Considerations, LAWA will prepare findings in accordance with Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines. As required, these findings will be made available prior to consideration of the proposed Project by the Board of Airport Commissioners. Section 21081(a)(3) of the Public Resources Code does not require an EIR to identify significant impacts on employment opportunities for highly trained workers or to incorporate mitigation measures or other benefits for workers. Nor does Section 21081(a)(3) require an EIR to consider the number of construction or operational jobs for highly trained workers, or the salary of those jobs. To the contrary, under CEQA, “[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment” (Section 15064(e) of the State CEQA Guidelines). Rather, Section 21081(a)(3) allows a public agency to consider the provision of employment opportunities for highly trained workers as a reason to find that a specific mitigation measure or alternative identified in the EIR is infeasible.

With regard to the commenter’s assertion that the Draft EIR fails to identify significant impacts and/or incorporate feasible mitigation measures, significant impacts of the proposed Project are identified in Chapter 4 of the Draft EIR and are summarized in Section 1.4 and Section 5.2; significant and unavoidable impacts are summarized in Section 1.4.1 and Section 6.1. Feasible mitigation measures to address significant impacts are also identified in Chapter 4. Specifically, significant impacts to air quality, and related mitigation measures, are identified in Section 4.1.1; significant impacts related to greenhouse gas emissions, and related mitigation measures, are identified in Section 4.4; significant impacts to noise, and related mitigation measures, are identified in Section 4.7; and significant impacts related to transportation, and related mitigation measures, are identified in Section 4.8. The significant unavoidable impacts of the proposed Project will be addressed in the CEQA Findings and Statement of Overriding Considerations.

ATMP-PC035-41

Comment: Furthermore, the City/LAWA should consider the following that ultimately serves to reduce the Project’s significant VMT, GHG, and mobile-emissions impacts:

- Expanded public transit service from neighborhoods where service/hospitality workers live to LAX/AHEZ at times needed for all shifts of work;
- Free or reduced transit passes for LAX/AHEZ workers;
- Free or reduced parking at LAX/AHEZ for workers who carpool;

Response: Mitigation for impacts related to vehicle miles traveled (VMT) is addressed in Section 4.8.5.2.2 of the Draft EIR. In addition, please see Topical Response TR-ATMP-T-2 regarding mitigation for transportation impacts and Topical Response TR-ATMP-AQ/GHG-1 regarding mitigation for GHG and mobile emissions impacts. The Draft EIR includes Mitigation Measure MM-T (ATMP)-1, which is a broad mitigation measure that includes a number of VMT reduction programs. As part of this mitigation measure, LAWA would expand existing pilot programs that offer micro-transit shuttles for employees living in the airport area to full programs with expanded service areas. Another program

included in the mitigation measure is the expansion of LAWA's existing rideshare program, which currently serves LAWA employees, to all LAX workers. With respect to reduced transit passes for LAX/AHEZ workers, please see Table 1 in Topical Response TR-ATMP-T-2. Expanded benefits for workers who carpool is identified as an additional potential component of Mitigation Measure MM-T (ATMP)-1, which would be considered for implementation if needed to achieve the required reduction in employment VMT. With implementation of Mitigation Measure MM-T (ATMP)-1, the proposed Project's impact on employment VMT would be less than significant. Please see Topical Response TR-ATMP-T-2 for further discussion of this issue.

ATMP-PC035-42

Comment: • Quality job creation that expands housing opportunities near LAX/AHEZ for employees via:

a. Operational jobs that provide real living wages able to afford an apartment in Los Angeles, which housing experts estimate must be \$33/hour in 2015[7]—LAX's current living wage of \$16.50/hour is not enough even when healthcare costs are not considered. This is necessary for workers to be able to afford to live near LAX/AHEZ and not commute longer distance that increase VMT and mobile-emissions;

and/or

b. Airlines contribute to an affordable housing fund directly for service workers living in neighborhoods surrounding the airport that will promote employees living closer to LAX/AHEZ;

and/or

c. Operational jobs that provide real healthcare, which must be increased from the current LAX living wage law requiring merely \$5.55/hour for healthcare.[8]

[7] Southern California Public Radio (89.3KPPC) (1/15/15) LA Residents Need To Make \$33 An Hour To Afford The Average Apartment ("You need to earn at least \$33 an hour — \$68,640 a year — to be able to afford the average apartment in Los Angeles County, according to Matt Schwartz, president and chief executive of the California Housing Partnership, which advocates for affordable housing."), <https://www.scpr.org/blogs/economy/2015/01/15/17806/la-residents-need-to-make-34-an-hour-to-afford-ave/>.

[8] California USSW service employee's health and welfare trust fund has been quoted healthcare costs for a family Kaiser plan for LAX employees that cost up to \$9.40/hour for family coverage.

Response: The comment is noted and will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and Terminal Modernization Project. Please see Response to Comment ATMP-PC035-2 regarding economic considerations, including jobs and affordable housing. As noted in Response

to Comment ATMP-PC035-2, the City of Los Angeles and LAWA have a number of policies and programs aimed at improving the economic benefit of jobs linked to LAX projects. However, LAWA does not have any authority or control over housing and does not have the authority to require airlines to contribute to an affordable housing fund as suggested by the commenter. Please also see Table 1 of Topical Response TR-ATMP-T-2.

ATMP-PC035-43

Comment: H. DEIR RECIRCULATION IS REQUIRED

CEQA requires a lead agency to recirculate an EIR when significant new information is added to the EIR following public review but before certification. (See Pub. Res. Code § 21092.1.) New information is significant if “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project” including, for example, “a disclosure showing that ... [a] new significant environmental impact would result from the project.” (CEQA Guidelines § 15088.5.) Here, recirculation is required because the DEIR fails to analyze the Project’s real impacts (i.e., post-2028) and fails to implement all feasible mitigation measures and/or demonstrate proposed mitigation measures are infeasible (to name a few of the fatal flaws of this DEIR). Neither the public nor decisionmakers can meaningfully comment and consider the Project’s impacts absent this information and, thus, a recirculated DEIR that addresses the issues discussed herein is necessary.

Response: The comment is noted and will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and Terminal Modernization Project. Please see Topical Response TR-ATMP-G-3 regarding the assessment of future environmental effects associated with the LAX Airfield and Terminal Modernization Project beyond the buildout year of 2028. Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the feasibility of the air quality and GHG mitigation measures identified by the commenter in comment ATMP-PC035-39 and comments ATMP-PC035-86 through ATMP-PC035-97; Topical Response TR-ATMP-T-2 regarding the feasibility of the transportation mitigation measures identified by the commenter in comments ATMP-PC035-37 and ATMP-PC035-55; and Response to Comment ATMP-PC035-38 regarding the need for and appropriateness of the mitigation recommended by the commenter in comments ATMP-PC035-38 and ATMP-PC035-71.

The LAX Airfield and Terminal Modernization Project Draft EIR is complete, adequate, and meets the requirements of CEQA. In preparing the Final EIR for the proposed Project, LAWA has reviewed all of the comments received, and has carefully considered the responses to these comments and other information provided in the LAX Airfield and Terminal Modernization Project Final EIR. None of the information provided in the Final EIR meets the criteria for recirculation of an EIR as outlined in Section 15088.5 of the State CEQA Guidelines.

ATMP-PC035-44**Comment:** III. CONCLUSION

In closing, Commenters urge the City/LAWA to stay all action on the Project until the issues discussed herein are resolved in a recirculated, CEQA-compliant DEIR. Faults in the DEIR include incomplete analysis and mitigation of traffic, air quality, noise, GHG impacts, an inadequate project description, and the absence of overriding considerations.

Response: The comment is noted and will be included in the Final EIR for consideration by the decision-makers prior to taking any action on the LAX Airfield and Terminal Modernization Project.

The commenter's claims regarding the traffic analysis and mitigation are raised in comments ATMP-PC035-7 through ATMP-PC035-13 and in comment ATMP-PC035-37, and in the related claims by the commenter's consultant in comments ATMP-PC035-51 through ATMP-PC035-58. Please see the responses to these comments as well as Response to Comment ATMP-AL010-133 and Topical Responses TR-ATMP-G-3, TR-ATMP-T-1, and TR-ATMP-T-2.

The commenter's claims regarding the air quality and greenhouse gas (GHG) emissions analyses and mitigation are raised in comments ATMP-PC035-25 through ATMP-PC035-34 and comment ATMP-PC035-39, and in the related claims by the commenter's consultant in comments ATMP-PC035-72 through ATMP-PC035-76 and ATMP-PC035-80 through ATMP-PC035-99. Please see the responses to these comments as well as Response to Comment ATMP-AL010-172, and Topical Responses TR-ATMP-G-3 and TR-ATMP-AQ/GHG-1.

The commenter's claims regarding the noise analysis and mitigation are raised in comments ATMP-PC035-14 through ATMP-PC035-24 and comment ATMP-PC035-38, and in the related claims by the commenter's consultant in comments ATMP-PC035-60 through ATMP-PC035-71. Please see the responses to these comments as well as Responses to Comments ATMP-AL010-72, ATMP-AL010-86, and ATMP-AL010-87, and Topical Responses TR-ATMP-G-3 and TR-ATMP-N-1.

The commenter's claims regarding the project description are raised in comment ATMP-PC035-35; please see the Response to Comment ATMP-PC035-35 and Topical Response TR-ATMP-G-3. The commenter's claims regarding the statement of overriding considerations are raised in comment ATMP-PC035-40; please see Response to Comment ATMP-PC035-40.

As reflected in the responses identified above, the LAX Airfield and Terminal Modernization Project Draft EIR is complete, adequate, and meets the requirements of CEQA. In preparing the Final EIR for the proposed Project, LAWA has reviewed all of the comments received, and has carefully considered the responses to these comments and other information provided in the LAX Airfield and Terminal Modernization Project Final EIR. None of the information provided in the Final EIR meets the criteria for recirculation of an EIR as outlined in Section 15088.5 of the State CEQA Guidelines.

ATMP-PC035-45

Comment: This Project can and must do better. Rising inequality threatens Los Angeles' prosperity. There are serious challenges in the region concerning affordable housing and living wage jobs — and COVID has made things even more difficult for our members. USWW and Local 11 work to stem this rising tide of inequality and fight to make our region a place of opportunity for all—a place where their members can work and afford to live. LAWA must better consider to what extent this Project will ensure better permanent service jobs for airline service workers who will feel the significant air quality, GHG, and other impacts caused by the Project. True community and worker benefits are needed if this Project is to be approved.

Response: The content of this comment is substantively the same as comment ATMP-PC035-2; please refer to Response to Comment ATMP-PC035-2.

ATMP-PC035-46

Comment: On behalf of Commenters, this Office requests, to the extent not already on the notice list, all notices of CEQA actions and any approvals, determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (Pub. Res. Code §§ 21092.2, 21167(f) and Gov. Code § 65092 and LAMC § 197.01.F.) Please send notice by electronic and regular mail to: Jordan R. Sisson, Esq., 801 S. Grand Avenue, 11th Fl., Los Angeles, CA 90017, jordan@gideonlaw.net.

Response: This comment is noted. The commenter's physical mailing address and electronic mailing address have been added to the Project mailing list to receive future notices related to the proposed Project.

ATMP-PC035-47

Comment: Thank you for your consideration of these comments. Commenters reserve the right to supplement these comments at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) We ask that this letter and attachments are placed in the administrative record for the Project.

Response: This comment is noted. The comment letter, including attachments, will be included in the administrative record for the Project.

ATMP-PC035-48

Comment: RK ENGINEERING GROUP, INC. (RK) is pleased to provide this review of the LAX Airfield and Terminal Modernization Project Draft Environmental Impact Report (DEIR), dated October 2020, with respect to transportation impacts. The project consists of airfield, terminal and landside improvements to the Los Angeles International Airport (LAX).

Los Angeles World Airport (LAWA) proposes to implement airfield, terminal and landside roadway improvements at LAX. The proposed project consists of several primary elements, (including airfield improvements) that would enhance operational management and safety within the airfield, new terminal facilities to upgrade passenger processing capabilities and enhance the passenger experience, and an improved system of the roadways to better access the Central Terminal Area (CTA) and new facilities while reducing congestion. It is anticipated that the project construction would occur from Year 2021 to Year 2028 (when full completion of the project is expected).

The project is an extensive multi-phase construction project which will occur over several years (2021 to 2028) and has the potential of impacting the public roadway and transportation system both during construction and with future operation of the expanded facilities.

Response: The comment is an introduction to the March 15, 2021 transportation review performed by RK Engineering Group, Inc. (Exhibit A of the comments submitted by Jordan Sisson, on behalf of Gideon Kracov, Attorney at Law) and includes a general summary of project description information contained in Chapter 2 of the Draft EIR. Regarding the commenter's specific comments pertaining to the proposed Project's effects on the public roadway and transportation system during construction and operations, please see Responses to Comments ATMP-PC035-49 through ATMP-PC035-59 below.

ATMP-PC035-49

Comment: RK has reviewed the DEIR and its appendices with respect to the proposed project and the impact to transportation systems in the vicinity of the site. The Transportation Impact Analysis primarily focused on the project's Vehicle Miles Traveled (VMT) impacts, consistency with the local and regional transportation/land use plans, geometric design hazards and freeway safety analysis in the area. A traditional Level of Service (LOS) analysis of the roadway systems in the study area was not provided as part of the DEIR or its appendices.

Response: Please see Topical Response TR-ATMP-T-1 regarding the assessment of transportation effects associated with the LAX Airfield and Terminal Modernization Project that are not subject to CEQA. As noted therein, the Draft EIR was not required to include a Level of Service ("LOS") analysis. However, LAWA completed a Non-CEQA Transportation Assessment in accordance with the City of Los Angeles Transportation Assessment Guidelines in April 2021. The Non-CEQA Transportation Assessment is available at <https://www.lawa.org/atmp/documents>.

ATMP-PC035-50

Comment: RK has identified several deficiencies with respect to the assessment of the impacts to the public roadway system. These deficiencies include failing to analyze the full extent of the project's long term impact and a lack of meaningful analysis of the project's impact on the adequacy of existing transportation infrastructure within the study area to accommodate the increased throughput capacity and efficiency of the LAX facilities. The DEIR also does not consider all reasonably feasible mitigation measures for reducing potential impacts. Furthermore, the construction impacts of the project, which are expected to last until Year 2028 are glossed over, and the vehicular impacts during construction with respect to roadway, intersection and parking have not been analyzed in the DEIR.

Response: The "deficiencies" alleged by the commenter are subsequently presented individually in comments ATMP-PC035-51 through ATMP-PC035-58; please see Responses to Comments ATMP-PC035-51 through ATMP-PC035-58 below.

ATMP-PC035-51

Comment: Comments

The following comments are offered with respect to the transportation impacts of the LAX Airfield and Terminal Modernization Project DEIR:

1. The DEIR did not assess the Level of Service (LOS) impacts to the roadways and intersections in the project study area. The Notice of Preparation (NOP) for the DEIR was dated April 2019, and at that time, the Los Angeles Department of Transportation (LADOT) Traffic Study Guidelines dated January 2016 were in effect. Even though the DEIR is dated October 2020, the guidelines in affect at the time of the NOP should have been utilized. Those guidelines require a detailed LOS analysis of those intersections where the project would have a potential impact upon the existing and future levels of service. While RK acknowledges that transportation impacts under CEQA should now generally be based on VMT, leaving out the LOS analysis presents incomplete information as to the actual impact of this project on the local and area-wide roadway system. The expected impacts of the increased employment and passenger activity at LAX between now and Year 2028 when the project is completed must be associated with the project.

Response: Please see Topical Response TR-ATMP-T-1 regarding the assessment of transportation effects associated with the LAX Airfield and Terminal Modernization Project that are not subject to CEQA, which was conducted in accordance with the City of Los Angeles Transportation Assessment Guidelines.

As the commenter notes, the Notice of Preparation for the proposed Project was issued in April 2019. At that time, the State CEQA Guidelines had been amended to provide that a project's impact on automobile delay was no longer considered an environmental

impact for purposes of CEQA. (State CEQA Guidelines Section 15064.3 (a).) A lead agency could elect to be governed by these provisions immediately upon their adoption, which occurred in December 2018. (State CEQA Guidelines Section 15064.3 (c).) Thus, notwithstanding the publication date of the Notice of Preparation, LAWA had discretion to focus on vehicle miles traveled, rather than vehicle delay, as the appropriate metric to analyze transportation impacts. In addition, the shift from level of service (delay) analysis to vehicle miles traveled became mandatory in July 2020. (State CEQA Guidelines Section 15064.3 (c).) The Draft EIR was issued in October 2020. By that time, LADOT had amended its guidelines to be consistent with the mandatory requirements of State CEQA Guidelines Section 15064.3. The commenter's statement that LAWA should have continued to use level-of-service analysis as the appropriate metric is therefore legally incorrect. (See *Citizens for Positive Growth & Preservation v. City of Sacramento* (2019) 43 Cal.App.5th 609.) The commenter's suggested approach would therefore be inconsistent with CEQA.

ATMP-PC035-52

Comment: 2. The DEIR does not disclose the full extent of the project's transportation impact by failing to analyze long-term conditions (i.e. year 2045). The transportation analysis is based on project impacts in year 2028, yet as discussed in Section 2.3.1.2.2, and supported by the data in Appendix B, "airfield congestion is not projected to be a constraint on growth until after year 2028". Hence, one of the primary purposes of the project is to reduce potential constraints on growth after year 2028. This is evident when looking at the Activity Forecast Report, provided in Appendix B, Table 3-5, which shows that the total unconstrained annual passengers at LAX will grow from 110.8 Million Annual Passengers in year 2028 to 155.6 Million Annual Passengers in year 2045. The result is that the project would cause a substantially greater increase in VMT and traffic generation, compared to "without" project conditions, after year 2028. Yet the DEIR conceals the long term impacts of the project by only analyzing near-term conditions in year 2028. The final EIR should address all reasonably foreseeable long term impacts (i.e. year 2045) from the project, as is reported elsewhere in the DEIR.

Response: Please see Topical Response TR-ATMP-G-3 regarding the bases for why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. Please also see Responses to Comments ATMP-AL010-31 through ATMP-AL010-46 regarding allegations that implementation of the proposed Project would relieve capacity constraints and would induce additional growth at LAX beyond 2028.

With respect to the commenter's assertions that proposed Project would cause a substantially greater increase in VMT and traffic generation, compared to "without" project conditions, after year 2028, please see Section 2.3.1.2.2 of the Draft EIR. As explained there, the annual activity forecast and regression analysis prepared by LAWA's aviation experts determined that aircraft operations would be the same in 2028 with or without the proposed Project, and that the proposed Project would not result in increased aviation and/or passenger activity levels or capacity at LAX. This analysis is supported by substantial evidence as documented in Appendix B.1 of the Draft EIR.

Please Topical Response TR-ATMP-G-1 for further discussion of the validity of this forecast.

ATMP-PC035-53

Comment: 3. The total trip generation without the proposed project will be 399,752 daily trips, as shown in Table 4.8-4, whereas with the total trip generation with the project is only projected to be 407,942 daily trips, as shown in Table 4.8-8. This is only an increase of 8,190 daily trips, which calculates to be only a 2% increase in daily trips. Since the existing number of daily trips is noted as 316,128 daily trips, this indicates that the growth in daily trips with the project from Existing Conditions to the With Project Conditions (Year 2028) is 91,814 daily trips, however, the project is only responsible for 8,190 of those trips which is less than 10% of the total projected growth. As discussed in comment #2 above, the project trip generation would likely be substantially higher in year 2045 than year 2028. Failing to disclose the full extent of project trip generation and project VMT results in underreported impacts.

Response: The Proposed Project trip generation and VMT forecast for year 2028 is based on the Project's design day air traffic and passenger throughputs plus the employee trips plus trips related to cargo operation. As stated in DEIR Chapter 2, Description of the Proposed Project, the proposed project does not generate any new passenger- or cargo-related trips. The commenter correctly notes that the Proposed Project would only add 8,190 new trips relative to Projected Future Conditions Baseline (2028), which are generated by the 4,700 new employees. As noted in the DEIR chapter 2, The passenger activity level of 110.8 MAP projected for LAX in 2028 is the same for both Projected Future Conditions Baseline (2028) and Proposed Project (2028). The Proposed Project does not increase the level of passenger activity.

Regarding the commenter's assertion that project trip generation would likely be substantially higher in 2045 than year 2028, that claim is made in the earlier comment (i.e., comment ATMP-PC035-52). Please see Response to Comment ATMP-PC035-52.

ATMP-PC035-54

Comment: 4. The DEIR does not analyze and disclose the full impact of the project's net effect on VMT. Threshold 4.8-3 incorrectly evaluates the VMT from "passengers" only. Instead, Threshold 4.8-3 should be based on the total project service population VMT, including passengers, employees and other trips. For regional serving uses, the City of Los Angeles Transportation Assessment Guidelines require that regional serving projects should be evaluated to determine whether the project would result in a net increase in "total" VMT. By not evaluating VMT impacts from the entire service population of the project, including employees, the project impacts are underreported.

Response: The respondent asserts that the Draft EIR does not analyze and disclose the full impact of the proposed Project's net effect on VMT because Threshold 4.8-3 incorrectly evaluates the VMT from "passengers" only. This statement is incorrect. A second

threshold -- Threshold 4.8-2 -- focuses on employees. As stated in Section 4.8.2.2.3 of the Draft EIR, a Project-specific methodology was developed by LAWA in consultation with LADOT to address the unique VMT characteristics of the proposed Project. Because the majority of the VMT associated with LAX is generated by passengers and employees, separate methodologies were developed for evaluating VMT associated with each of these users. The Daily VMT per Employee metric is consistent with the approach suggested by the Governor's Office of Planning and Research (OPR) and the LADOT TAG for assessing employee VMT. The Daily Passenger VMT metric was developed in the absence of a recommended approach by OPR or LADOT for airport passengers but was discussed and coordinated with LADOT. The assessment of passenger VMT differs from employee VMT in that LAX is considered a regional serving land use and, as such, it includes passenger trips from beyond Los Angeles County. Thus, in accordance with the LADOT TAG guidance for regional serving venues, it is appropriate to analyze employees differently than the patrons because their travel choices and the available travel demand management strategies are dramatically different for these two groups.

ATMP-PC035-55

Comment: 5. The transportation mitigation measures in the DEIR are inadequate and do not include all reasonably feasible requirements for reducing VMT. According to Page 4.8-56 of the DEIR, the project has a significant and unavoidable impact as a result of total passenger VMT in comparison to the baseline conditions. It would require a reduction of 32,786 VMT per day to meet the passenger related VMT criteria. However, no mitigation measures are offered to help relieve this increase in VMT as a result of the project. CEQA requires significant impacts be mitigated to the maximum extent feasible. THE DEIR incorrectly proclaims that there is no feasible mitigation to reduce this impact. However, there are in fact numerous additional mitigation measures that can be included to reduce the VMT impact, including: provide additional off-site van pools and neighborhood shuttles for passengers, expand public transit services, provide public transit subsidies, provide bike-share and car-share programs, and encourage passengers (such as through advertisement) to use other modes of transportation getting to and from the airport. Additionally, there are other improvements that the project could do to improve pedestrian and bicycle infrastructure which has been shown to reduce VMT. Thus, additional mitigation measures should also include improvements to the pedestrian network, on-site traffic calming improvements, protected bike lanes, cycle tracks or separated bike trails, additional secured bike storage and end of trip facilities, and other non-automotive improvements to help reduce the projects affect upon VMT.

Response: As discussed on page 4.8-56 of the Draft EIR, the strategies available for reducing passenger VMT are limited, are not within the control of LAWA, and are more difficult to monitor and report. In addition, there is insufficient data or research available to quantify the VMT reductions that would be achieved through these strategies in a setting like LAX. Please see Topical Response TR-ATMP-T-2 regarding vehicle miles traveled (VMT) mitigation measures and monitoring for the LAX Airfield and Terminal Modernization Project. As indicated therein, MM-T (ATMP)-1 in the Draft EIR describes the list of potential VMT reduction strategies considered available for reducing VMT impacts associated with the proposed Project. The list includes strategies to reduce

passenger VMT. The topical response also addresses all of the additional VMT reduction strategies requested by the commenter.

ATMP-PC035-56

Comment: 6. The DEIR offers very little in terms of transportation impacts during construction, which is expected to occur for at least seven years. Typically, most major projects such as the proposed project would make estimates for each phase of construction of the traffic impacts associated with the hundreds of construction workers and numerous trips made by construction vehicles that need to travel to and from the project site. None of this type of evaluation was included in the DEIR and future plans are left open to figure out how the transportation system will be accommodated during construction. With the combination of continued passenger growth at the airport, the disruption of traffic conditions as a result of the construction work and the addition of hundreds of additional vehicles, including large trucks, there will be substantial impacts to traffic flow and delays to the motoring public both using the airport and traveling on the near-by roadways.

Response: The content of this comment is similar in nature to the content of comment ATMP-AL010-133; please refer to Response to Comment ATMP-AL010-133.

ATMP-PC035-57

Comment: The impacts of parking, the large number of construction workers, and equipment/materials storage have not been addressed in the DEIR. It raises questions, such as: How and where will construction workers park and to what extent will this affect parking for the public at the airport? If shuttle buses will be employed by the project to transport construction workers from off-site parking facilities, then to what extent will this affect airport operations? The potential impacts during construction have not been adequately evaluated and the DEIR continually differs mitigation of these issue into the future.

Response: As described in Section 4.8.1 of the Draft EIR, the transportation impacts analysis was prepared in accordance with the requirements of CEQA, including the 2018 amendments to the State CEQA Guidelines and the City of Los Angeles Department of Transportation's (LADOT's) Transportation Assessment Guidelines (TAG). Neither CEQA nor the LADOT TAG require the assessment of parking impacts. It should be noted, however, that construction-related parking needs and logistics of equipment/materials storage associated with large development projects at LAX have for many years been, and continue to be, successfully accommodated and managed by LAWA. This is accomplished primarily through the LAX Coordination and Logistics Management (CALM) Team, which often manages the construction logistics for several large projects that are under construction at the same time.

ATMP-PC035-58

Comment: 7. The DEIR leaves out several key policy objectives when assessing whether the project would conflict with an applicable program, plan, ordinance, or policy addressing the circulation system (including transit, roadways, bicycle and pedestrian facilities) that was adopted to protect the environment. For example, Table 4.8-11 only analyzes the project's consistency with three (3) policies from of the Los Angeles Mobility Plan 2035. However, there are in fact over fifty (50) different policies in the Mobility Plan 2035, many of which the project would likely conflict with. For example, the DEIR has not demonstrated how the project is consistent with Mobility Plan 2035 policies to enhance roadway safety (Policy 1.1), promote complete streets (Policy 1.2), ensure multi-modal detour facilities are provided during construction (Policy 1.6), expand bicycle network (Policy 2.6), maintain the vehicle network (Policy 2.7), accommodate people with disabilities (Policy 3.2), increase transit service (Policy 3.4), implement first and last mile solutions to transit service (Policy 3.5), support integrated and dynamic transportation database (Policy 4.2), encourage zero emissions vehicle (Policy 5.4). The DEIR should assess consistency with all applicable policy measures.

Response: The commenter states that additional policies from the City's Mobility Plan 2035 should be considered in the EIR. As explained in Section 4.8.5.1 of the Draft EIR, a review was conducted to determine whether the proposed Project would conflict with a transportation-related City or regional plan, program, ordinance, or policy that was adopted to protect the environment. Transportation policies or standards adopted to protect the environment are those that support multimodal transportation options and a reduction in VMT. The three policies analyzed for the City's Mobility Plan 2035 in Table 4.8-11 are the most relevant to the land use and roadway network modifications that would be implemented with the proposed Project. The other policies noted by the commenter, such as promoting complete streets, expanding the bicycle network, increasing transit service, and encouraging zero emissions vehicles, were not included in Table 4.8-11 because they are not directly relevant to the proposed Project. This is because the proposed Project is not anticipated to result in an impact based merely on whether it would or would not implement an adopted plan, program, ordinance, or policy. Rather, the policy analysis in the EIR is intended to ensure the proposed Project does not conflict with nor preclude the City from implementing adopted plans, programs, ordinances, or policies. In this case, the proposed Project is not in conflict with, and would not interfere with the City's attainment of, the policies cited by the commenter. Specifically:

- Policy 1.1 – enhance roadway safety. The road improvements incorporated into the proposed Project would enhance roadway safety. In particular, road access to and from the CTA from Sepulveda Boulevard would be improved by the provision of a dedicated roadway system, much of which would be elevated above local roadways with more favorable connections to Sepulveda Boulevard (i.e., more removed from the traffic congestion and vehicle weaving movements near the Sepulveda Tunnel).
- Policy 1.2 – promote complete streets. Roadways proposed as part of the Project are specifically designed to provide dedicated access to and from terminal facilities. While such access, being mostly on elevated roadways, is not suitable for pedestrians and bicycles, the proposed road improvements would build upon the LAX Landside Access

Modernization Project, which is designed to improve access to LAX by tying into local and regional public transit systems and multi-modal transportation. By integrating roadways into the LAX Landside Access Modernization Project, the proposed Project would advance, and would not hinder, the City's "complete streets" policy.

- Policy 1.6 – ensure multi-modal detour facilities are provided during construction. LAWA has significant experience managing transportation during construction. LAWA would prepare a Logistic Plan, and its existing Coordination and Logistics Management (CALM) Team would manage transportation throughout the construction period. Temporary roadways available during construction would accommodate shuttles, buses and other, similar vehicles. Temporary traffic control would comply with applicable standards (e.g., California Manual on Uniform Traffic Control Devices for Streets and Highways).
- Policy 2.6 – expand bicycle network. The LAX Landside Access Modernization Project includes expansion of, and improvements to, the bicycle network that connects with the existing bike path along Aviation Boulevard, which connects to the bike paths on Imperial Highway that extend into neighboring communities. The LAX Landside Access Modernization Project also includes the Automated People Mover providing access to the CTA from the ITF West and ITF East, which provide connections to regional transit and regional bike networks. The proposed LAX Airfield and Terminal Modernization Project is designed to accommodate and "fit" with those improvements.
- Policy 2.7 – provide vehicular access to the regional freeway system. The proposed Project does not include changes to, nor is it in close proximity to, the regional freeway system.
- Policy 3.2 – accommodate people with disabilities. All facilities constructed as part of the proposed Project would comply with applicable requirements with respect to access for those with disabilities.
- Policy 3.4 – increase transit service. The proposed Project accommodates public transit. Although LAWA does not have authority over public transit systems, Mitigation Measure MM-T (ATMP)-1, VMT Reduction Program, includes several strategies to promote the use of public transit. In addition, the LAX Landside Access Modernization Project includes extensive improvements to provide seamless connections between LAX and regional and local transit systems, and the proposed LAX Airfield and Terminal Modernization Project is designed to integrate with those improvements.
- Policy 3.5 – implement first and last mile solutions to transit service. The proposed Project is designed to integrate with the LAX Landside Access Modernization Project, which provides connections to local and regional transit systems.
- Policy 4.2 – support integrated and dynamic transportation database. LAWA works closely with Los Angeles Department of Transportation (LADOT) in developing airport-related transportation database information and in coordinating roadway operations communication systems (i.e., Automated Traffic Surveillance and Control [ATSAC] systems) in the airport area.

- Policy 5.4 – encourage zero emissions vehicles. As set forth in MM-AQ/GHG (ATMP)-4, the Terminal 9 parking facility would include electric vehicle (EV) charging infrastructure beyond the amount required by code. Please refer to Topical Response TR-ATMP-AQ/GHG-1. The proposed Project is consistent with this policy.

Under CEQA, a project is considered consistent with an applicable plan if it is consistent with the overall intent of the plan and would not preclude the attainment of its primary goals. A project does not need to be in perfect conformity with each and every policy. The proposed Project would not prevent the City of Los Angeles from meeting the additional policies noted by the commenter.

ATMP-PC035-59

Comment: Conclusions

RK Engineering Group, Inc. has reviewed the LAX Airfield and Terminal Modernization Project DEIR with respect to transportation impacts. Several shortcomings within the analysis have been identified, and as a result, not all potentially significant impacts have been identified.

In particular, the DEIR fails to analyze the full extent of the project impact, which will occur after year 2028, when the modernization project would allow for significantly more growth in passenger travel. The DEIR also does not disclose the potential roadway safety and operational impacts from construction, passenger vehicle and employee traffic.

Furthermore, the DEIR does not apply all reasonably feasible mitigation measures to mitigate significant VMT impacts to the maximum extent feasible.

Response: The comment is a general summary of the assertions made in the eight paragraphs that precede the statement. Please see Responses to Comments ATMP-PC035-51 through ATMP-PC035-58 above.

ATMP-PC035-60

Comment: RK ENGINEERING GROUP, INC. (RK) is pleased to provide this review of potential environmental noise impacts from the LAX Airfield and Terminal Modernization Project. This review is based on the information provided in the Los Angeles International Airport Airfield and Terminal Modernization Project Draft Environmental Impact Report, October 2020 (hereinafter referred to as DEIR).

Los Angeles World Airport (LAWA) proposes to implement airfield, terminal and landside roadway improvements at LAX. The proposed project consists of several primary elements, (including airfield improvements) that would enhance operational management and safety within the airfield, new terminal facilities to upgrade passenger processing capabilities and enhance the passenger experience, and an improved system

of the roadways to better access the Central Terminal Area (CTA) and new facilities while reducing congestion. It is anticipated that the project construction would occur from Year 2021 to Year 2028 (when full completion of the project is expected).

The project is an extensive multi-phase construction project which will occur over several years (2021 to 2028) and has the potential of impacting surrounding residential neighborhoods, schools and businesses from increased construction and operational noise.

Response: The comment is an introduction to the March 15, 2021 noise review performed by RK Engineering Group, Inc. (Exhibit B of the comments submitted by Jordan Sisson, on behalf of Gideon Kracov, Attorney at Law) and includes a general summary of project description information contained in Chapter 2, Description of the Proposed Project, of the Draft EIR. Regarding the commenter's specific comments pertaining to Project-related construction and operational noise, please see Responses to Comments ATMP-PC035-61 through ATMP-PC035-71 below.

ATMP-PC035-61

Comment: The purpose of this letter is to review the DEIR from a noise impact standpoint and provide comments to help ensure that all potential impacts from the project are adequately identified and the effects mitigated to the maximum extent feasible.

Response: Please see Responses to Comments ATMP-PC035-62 through ATMP-PC035-71 below.

ATMP-PC035-62

Comment: Comments

The following comments are offered with respect to the noise impacts of the LAX Airfield and Terminal Modernization Project DEIR:

1. Section 4.7.1.1.3, Effects of Noise on Humans. The DEIR delivers contradictory statements and appears to dismiss the widely recognized fact that environmental noise affects human health. Specifically, the statement on page 4.7.1-13 that says, "the effects of noise on health are too speculative for further evaluation in this CEQA document" is misleading. The California Noise Control Act explicitly declares that excessive noise is a serious hazard to the public health and exposure to certain levels of noise can result in physiological and psychological damage.[1] CEQA standards dictate that an EIR convey a meaningful idea of the health consequences from the project's environmental impacts to allow for informed agency decision making and informed public participation. Therefore, the final EIR should take additional steps to correlate the potential health effects of noise exposure to the identified project impacts.

[1] California Health and Safety Code, Division 28. Noise Control Act, 4600, et.al.

Response: Please see Topical Response TR-ATMP-N-1 regarding health effects of noise.

ATMP-PC035-63

Comment: 2. Section 4.7.1.2.3, Classroom Disruption. The DIER references noise level data from “LAX school sound insulation efforts” that shows the average noise reduction at schools near LAX is 29 dBA with windows closed. However, it does not provide the data to substantiate this statement. The widely accepted industry standard for exterior-to-interior noise reduction from building shell insulation is 20 dBA, as identified in Table 4.7.1-2. Therefore, additional evidence should be provided to support the use of 29 dBA exterior-to-interior noise reduction for schools. As will be seen, this assumption is a key factor in the assessment of impacts to classroom disruption. Furthermore, by using the average observed interior noise reduction, it is likely that potential building shell noise reduction at schools with inferior insulation would be overestimated. It is therefore recommended that the classroom disruption analysis be based on building performance for each specific classroom/building within the study area or utilize the industry standard 20 dBA noise reduction. As it is now, the DEIR appears to be using overly generous assumptions and is not analyzing the full extent of potential impacts.

Response: Section 4.7.1.2.3 of the Draft EIR discusses the screening criteria of 84 and 94 dBA exterior noise exposure for schools to be below 55 dBA and 65 dBA in the classroom for small group and large group settings, respectively.

As part of their school sound insulation efforts, LAWA has conducted exterior and interior noise measurements at several schools throughout the area.[1] According to information provided by LAWA’s Noise Management office, the average difference between outside and inside measured noise levels with windows closed at these schools was 29 dBA. Therefore, in order to attain interior noise levels inside the classroom of 55 dBA and 65 dBA for small and large group settings, exterior noise levels would need to be less than 84 and 94 dBA, respectively.

It should be noted that any change in the assumption of exterior-to-interior noise reduction would apply both to the existing baseline and to the proposed Project. As indicated in Section 4.7.1.4 of the Draft EIR, the threshold of significance related to aircraft-related noise impacts on schools is: “Cause a substantial increase in the amount of time that aircraft-induced noise would affect classroom learning, as compared to baseline conditions.” The impacts analysis presented in Section 4.7.1.5.3 of the Draft EIR accounts for future increases and changes in aircraft operations associated with the proposed Project in 2028, as compared to 2018 baseline conditions. Any change in the assumption of exterior-to-interior noise reduction would not affect the differences between the existing baseline and the proposed Project relative to aircraft volumes, types, and operational characteristics, as currently assumed in the Draft EIR. As such, the basic nature and magnitude of the differences in noise characteristics between the existing baseline and the proposed Project that are presented in Section 4.7.1.4 as the basis for determining significant impacts would not materially change with a revised assumption for exterior-to-interior noise reduction.

[1] City of Los Angeles, Los Angeles World Airports, Final Environmental Impact Report for Los Angeles International Airport (LAX) Specific Plan Amendment Study, (SCH 1997061047), Section 4.10, Noise, January 2013. Available: <https://www.lawa.org/lawa->

our-lax/environmental-documents/documents-certified/specific-plan-amendment-study/documents.

ATMP-PC035-64

Comment: 3. Section 4.7.1.3.2, Environmental Setting. In relationship to the issue of classroom disruption discussed in Comment #2, the DEIR does not substantiate the screening criteria of 84 and 94 dBA exterior exposure for schools to be below 55 dBA and 65 dBA in the classroom, respectively. Figure 4.7.1-6 and Table 4.7.1-6 identify 28 schools that are located within the existing LAX 65 dBA CNEL contour. Yet no evidence has been provided that shows that all of the school buildings in all of the 28 schools would provide at least 29 dBA of building insulation, as has been assumed in the study. Absent substantial evidence, the DEIR should assume a maximum exterior-to-interior building noise reduction of 20 dBA with windows closed. As a result, additional noise impacts may likely occur beyond what has been reported.

Response: The content of this comment is similar to comment ATMP-PC035-63; please refer to Response to Comment ATMP-PC035-63.

ATMP-PC035-65

Comment: 4. Section 4.7.1.3.2, Environmental Setting. The final EIR should provide a table indicating the exterior Lmax noise level exposure at all schools identified in Figure 4.7.1-6 and Table 4.7.1-6. Since this information is used as the basis for establishing the existing environmental setting and for analyzing the project's impact to school exposure, it is important that the data be provided for all sensitive noise receptors (schools) within the study area (65 dBA CNEL contour).

Response: Section 4.7.1.5.3.2 identifies changes in school exposure to aircraft noise with the implementation of the proposed Project in 2028. The threshold of significance for classroom learning conditions is such that a significant impact would occur if the proposed Project would "[c]ause a substantial increase in the amount of time that aircraft-induced noise would affect classroom learning, as compared to baseline conditions" (see Section 4.7.1.4 of the Draft EIR).

The commenter's assertion that the Lmax exterior noise level was used for analyzing the impacts of the proposed Project with respect to classroom learning is incorrect. The maximum exterior noise level reached at each school was not modeled for this Draft EIR because the determining factor for assessing whether there is an impact to classroom learning is based on whether there is a substantial increase in the amount of time that aircraft-induced noise would affect classroom learning, as defined by interior single event maximum noise levels, not the exterior Lmax reached at each school.

The interior noise levels that would indicate a disruption to classroom learning are greater than 55 dBA Lmax for large group settings and greater than 65 dBA Lmax for small group settings. These interior levels are calculated based on an assumption of an

outside-to-inside noise reduction with windows closed of 29 dBA, which is based on pre- and post-measurement data collected for the LAWA school sound insulation efforts. As such, exterior noise levels would need to exceed 84 dBA Lmax and 94 dBA Lmax for the 55 dBA Lmax and 65 dBA Lmax thresholds, respectively. Table 4.7.1-13 indicates the number of schools that would experience interior noise exposure levels greater than 55 dBA Lmax and greater than 65 dBA Lmax with implementation of the proposed Project as compared to baseline conditions. No schools would be newly exposed to interior noise levels above 55 or 65 dBA Lmax.

In addition, Table 4-7-1.14 provides the total number of minutes (events multiplied by average durations) per school day that exceed an exterior noise level of 84 decibels Lmax, which equates to an interior noise level of 55 dBA Lmax at each of the schools listed. Implementation of the proposed Project would not increase the total number of minutes per school day that exceed an exterior noise level of 84 decibels Lmax at any school.

ATMP-PC035-66

Comment: 5. Section 4.7.1.5, Project Impacts. The DEIR fails to consider the full extent of project noise impacts by not analyzing long-term conditions (i.e. year 2045). The buildout noise analysis year in the DEIR is year 2028, yet as shown in Appendix B, Table 3-7, LAX is expected to generate an additional 165,316 annual aircraft operations in Year 2045, as compared to Year 2028. This would result in substantially higher noise levels and additional impacts beyond what has been analyzed in the EIR. To put it into perspective, the Hollywood Burbank Airport, which is one of the top 10 busiest airports in the State of California[2], generated approximately 146,095 total annual aircraft operations last year[3]. Thus, a significant amount of planned growth, which can be directly and/or cumulatively attributed to the project, was not accounted for in the DEIR.

[2] Federal Aviation Administration. Website:

https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/media/cy18-commercial-service-enplanements.pdf

[3] Hollywood Burbank Airport. Website: https://hollywoodburbankairport.com/about-us/history_facts/

Response: Please see Topical Response TR-ATMP-G-3 regarding the reasons why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. In addition, Topical Response TR-ATMP-G-3 includes a general analysis of impacts beyond 2028; this analysis includes a discussion of noise impacts. For the reasons explained therein, the Draft EIR's analysis of noise impacts is accurate and appropriate.

ATMP-PC035-67

Comment: 6. Section 4.7.1.5, Project Impacts. As discussed in Section 2.3.1.2.2, and supported by the data in Appendix B, "airfield congestion is not projected to be a constraint on growth until after year 2028". Hence, one of the primary purposes of the airfield, terminal and landside improvements is to reduce potential constraints on growth after year 2028. Yet the DEIR conceals the long term impacts of the project by only analyzing near-term

conditions in year 2028. Based on the data shown in Appendix B, Activity Forecasts Reports, the impacts of the “with project” versus “without project” scenarios would likely be much more substantial in year 2045 than in year 2028. The final EIR should address all reasonably foreseeable long term impacts (i.e. year 2045) from the project, as reported elsewhere in the DEIR.

Response: Please see Topical Response TR-ATMP-G-3 regarding the bases for why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. With respect to the commenter’s assertions that the proposed Project is designed to reduce potential constraints on growth after year 2028, please also see Responses to Comments ATMP-AL010-31 through ATMP-AL010-46 regarding allegations that implementation of the proposed Project would relieve capacity constraints and would induce additional growth at LAX beyond 2028. Please also see Section 2.3.1.2.2 of the Draft EIR. As explained there, the annual activity forecast and regression analysis prepared by LAWA’s aviation experts determined that aircraft operations would be the same in 2028 with or without the proposed Project, and that the proposed Project would not result in increased aviation and/or passenger activity levels or capacity at LAX. This analysis is supported by substantial evidence as documented in Appendix B.1 of the Draft EIR. Please see Topical Response TR-ATMP-G-1 for further discussion of the validity of this forecast.

ATMP-PC035-68

Comment: 7. Section 4.7.1.5, Project Impacts. Figures 4.7.1-7 through 4.7.1-10 show the 2028 Forecast “Proposed Project” CNEL Contours (65-75 dB). However, upon review of the CNEL contour map, there is no change in noise levels in the vicinity of the proposed Terminal 9 and Concourse 0. This seems unlikely, especially near Concourse 0, which would be replacing an existing parking lot with an active terminal for Southwest Airlines. Given the close proximity to the existing Hyatt Regency Hotel and neighboring office buildings along Sepulveda Boulevard, further detail of the potential noise impacts from planes taxing in and out of the area should be provided.

Response: Figure 4.7.1-7 of the Draft EIR illustrates the aircraft noise contours (65, 70, and 75 CNEL) projected to occur in 2028 (the buildout year of the proposed Project) and identifies the land uses that would be newly exposed as compared to 2018 baseline conditions. Figure 4.7.1-8 of the Draft EIR identifies the area that is projected to experience a 1.5 dBA increase in noise exposure levels within the 65 CNEL contour for the Proposed Project (2028) compared to 2018 baseline conditions. Figures 4.7.1-9 and 4.7.1-10 of the Draft EIR are included for informational purposes. Figure 4.7.1-9 shows Future Without Project (2028) 65-75 CNEL contours compared to 2028 proposed Project and 2018 baseline conditions. Figure 4.7.1-10 shows the areas projected to experience a 1.5 dBA increase in noise exposure levels within the 65 CNEL contour for the Future Without Project (2028) scenario compared to proposed Project (2028) and 2018 baseline conditions. The area of interest to the commenter, including the existing Hyatt Regency Hotel located at the northeast corner of Sepulveda Boulevard and Century Boulevard, is currently exposed to exterior noise levels due to aircraft of between 70 CNEL and 75 CNEL, as shown in Figure 4.7.1-6 of the Draft EIR. As can be surmised from that figure,

those existing aircraft noise levels are largely influenced by aircraft departures occurring on Runways 24L and 25R.

As described in Section 4.7.1.5.1 of the Draft EIR, implementation of the proposed Project would generate operational aircraft noise that would increase noise levels at exterior use areas of noise-sensitive uses to 65 CNEL or above during operations, as compared to existing baseline conditions; this would be a significant operational impact. Table 4.7.1-11 provides the increase in acreage between the 2028 proposed Project and baseline (2018) conditions, showing an increase of 205 acres in the 65-70 CNEL contour, and 58 acres each to the 70-75 and 75+ CNEL contours. These increases in contour size and associated increases in noise-sensitive uses being exposed to exterior noise levels of 65 CNEL or more would occur several miles east of the airport. The increases in aircraft noise levels anticipated to occur in 2028 compared to 2018 would occur because of the future increase in aircraft activity. This projected increase in aircraft activity is expected to occur, and aircraft noise levels are projected to be the same, with or without the proposed Project.

As noted in Section 4.7.1.5 of the Draft EIR, "[a]lthough the proposed Project would reconfigure some of the taxiways and runway exits in the North Airfield, these improvements would not alter runway configurations or orientations, and would not result in changes to departure or approach noise." Similarly, the development of Concourse 0 and Terminal 9 would not increase the number of aircraft operations projected to occur at LAX regardless of the proposed Project. As such, the future aircraft noise exposure levels within the area of concern, including at the existing Hyatt Regency Hotel, would continue to be dominated by aircraft arrivals and departures on the north and south runway systems. As a large international airport, minor changes in taxiway noise, such as taxiing to and from aircraft gates, would not result in a notable change to the shape of the noise contours presented in the Draft EIR. Additionally, it should be noted that based on the proposed layouts of Concourse 0 and Terminal 9, as shown in Figures 2-8 and 2-9, respectively of the Draft EIR, there would be a large multi-story structure (i.e., the concourse itself and the terminal itself) located between the aircraft gates areas and where the existing Hyatt Regency Hotel is located. The presence of large structures located between a noise source and a noise receptor is a recognized form of sound attenuation. In that regard, it should also be noted that the Hyatt Regency Hotel is currently located north of the existing LAX Commuter Terminal; for this reason, the hotel is currently not shielded from aircraft noise associated with existing taxiing operations in and around that area (i.e., no large structures in the intervening path of sound travel).

ATMP-PC035-69

Comment: 8. Section 4.7.2, Roadway Noise. The computed noise levels shown in Table 4.7.2-3, 4.7.2-4, and 4.7.2-5 cannot be verified as there is limited supporting data provided in Appendix F. For example, the actual ADT along roadway segments does not appear to be provided.

Response: Section 1 in Appendix F.2 of the Draft EIR describes the modeling methodology and approach used for the assessment of roadway traffic noise impacts associated with the proposed Project. Roadway traffic volume data used to calculate roadway traffic noise were obtained from Fehr & Peers, which were developed through the Project Travel Demand Model that is described in Section 4.8.2 of the Draft EIR, with additional information related to the Model assumptions and calculations provided in Appendix G of the Draft EIR. The Project Travel Demand Model includes an extensive network of local and regional roadways. The following figures depict the local roadways that pertain to the roadway traffic noise analysis completed for the Draft EIR. Figures 1 and 2 indicate the Average Daily Traffic (ADT) volumes for existing (2019) conditions and for future With Project (2028 buildout) conditions, respectively, and Figures 3 and 4 present such information for peak hour traffic, as derived from the Project Travel Demand Model.

ATMP-PC035-70

Comment: 9. Section 4.7.3, Construction Traffic and Equipment Noise and Vibration. The DEIR incorrectly utilizes 24-hour CNEL noise levels to evaluate whether construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday or before 8:00 a.m. or after 6:00 p.m. on Saturday, or at any time on Sunday. The impact analysis should be based upon actual field measured Leq noise levels during nighttime hours only to determine significance during the nighttime hours. The existing CNEL noise levels shown in Table 4.7.3-1 do not represent the actual nighttime noise levels near the noise sensitive receptors. Nighttime noise levels are significantly quieter than what has been reported using the CNEL metric. Thus, the findings shown in Table 4.7.3-5 are not accurate and additional noise impacts would be expected.

Response: Regarding the use of CNEL, this comment is similar in content to comment ATMP-AL010-88; please refer to Response to Comment ATMP-AL010-88. Regarding noise measurements, this comment is similar in content to comment ATMP-AL010-87; please refer to response to comment ATMP-AL010-87.

ATMP-PC035-71

Comment: 10. Section 4.7.3.5.2.2, Mitigation Measures. The DEIR does not include all reasonably feasible mitigation measures for reducing potential noise impacts. The Construction Noise Control Plan should include a requirement for active construction noise monitoring at adjacent noise sensitive receptors anytime construction activities take place during nighttime hours. Active nighttime noise monitoring would help ensure actual construction noise levels (not based on computer models) do not exceed the nighttime noise standards in the City of Los Angeles or exceed existing ambient

nighttime noise levels by more 5 dBA. The monitoring program should monitor and establish the adequate baseline noise levels for each receptor prior to commencing any activity. The monitoring program should also notify construction management personnel when noise levels approach and/or exceed the applicable thresholds. Construction activity should cease or be modified in order to ensure violations do not occur. Repeated violations should result in fines or other penalties.

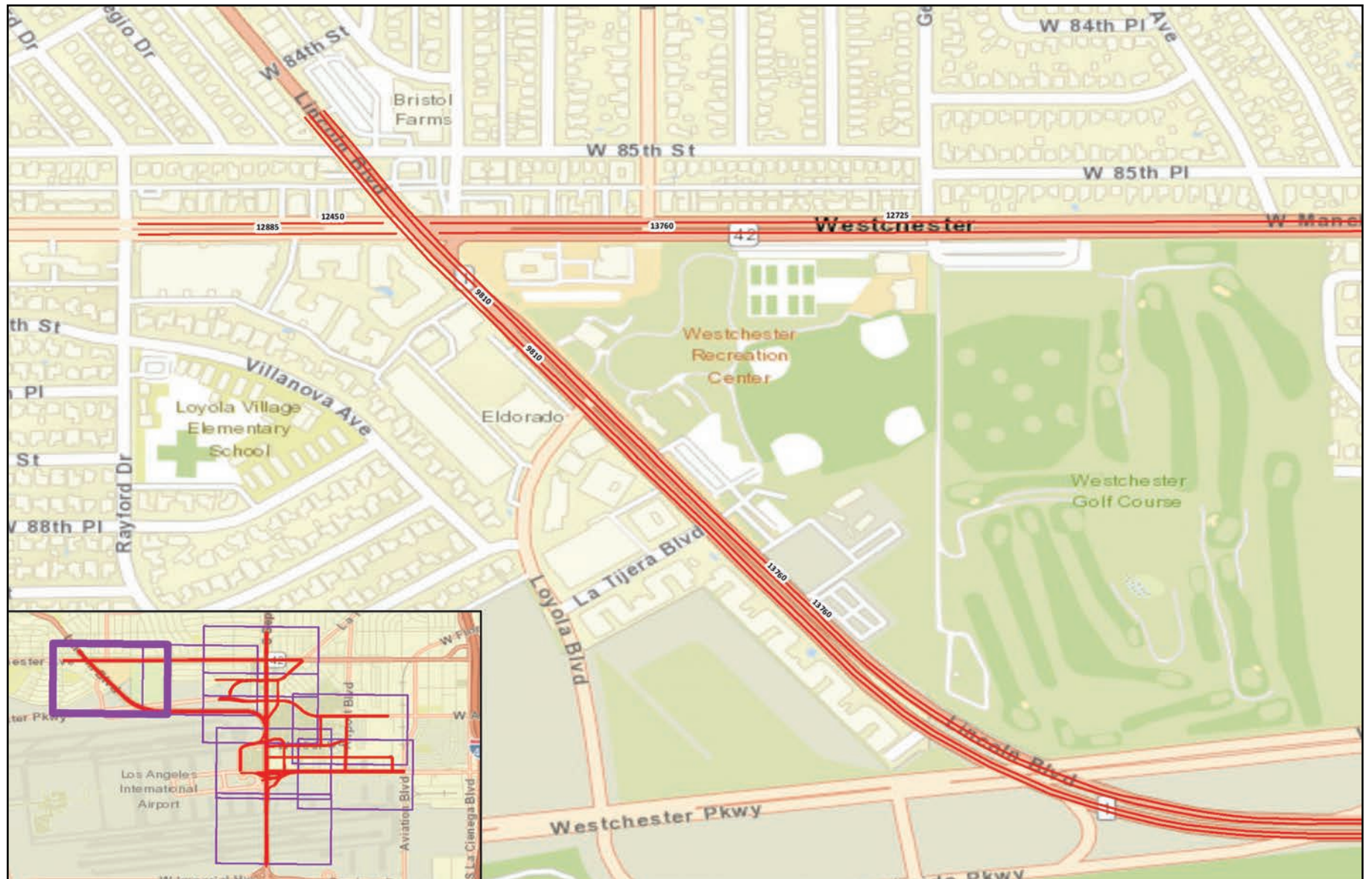
Response: The content of this comment is the same as comment ATMP-PC035-38; please refer to Response to Comment ATMP-PC035-38.

ATMP-PC035-72

Comment: We have reviewed the October 2020 Draft Environmental Impact Report (“DEIR”) for the Airfield & Terminal Modernization Project (“Project”) located in the City of Los Angeles (“City”). The Project proposes the development of Taxiway D Extension West, Runway 6L-24R Exits, Concourse 0, Terminal 9, as well as the removal and replacement of 15 of the 18 West Remote Gates and roadway system improvements, on the 3,800-acre airport property.

Our review concludes that the DEIR fails to adequately evaluate the Project’s air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An updated EIR should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the project may have on the surrounding environment.

Response: This comment summarizes the conclusions of the report that was submitted as part of comment letter ATMP-PC035. Responses to the specific comments provided in the report are provided in Responses to Comments ATMP-PC035-73 through ATMP-PC035-99 below.



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

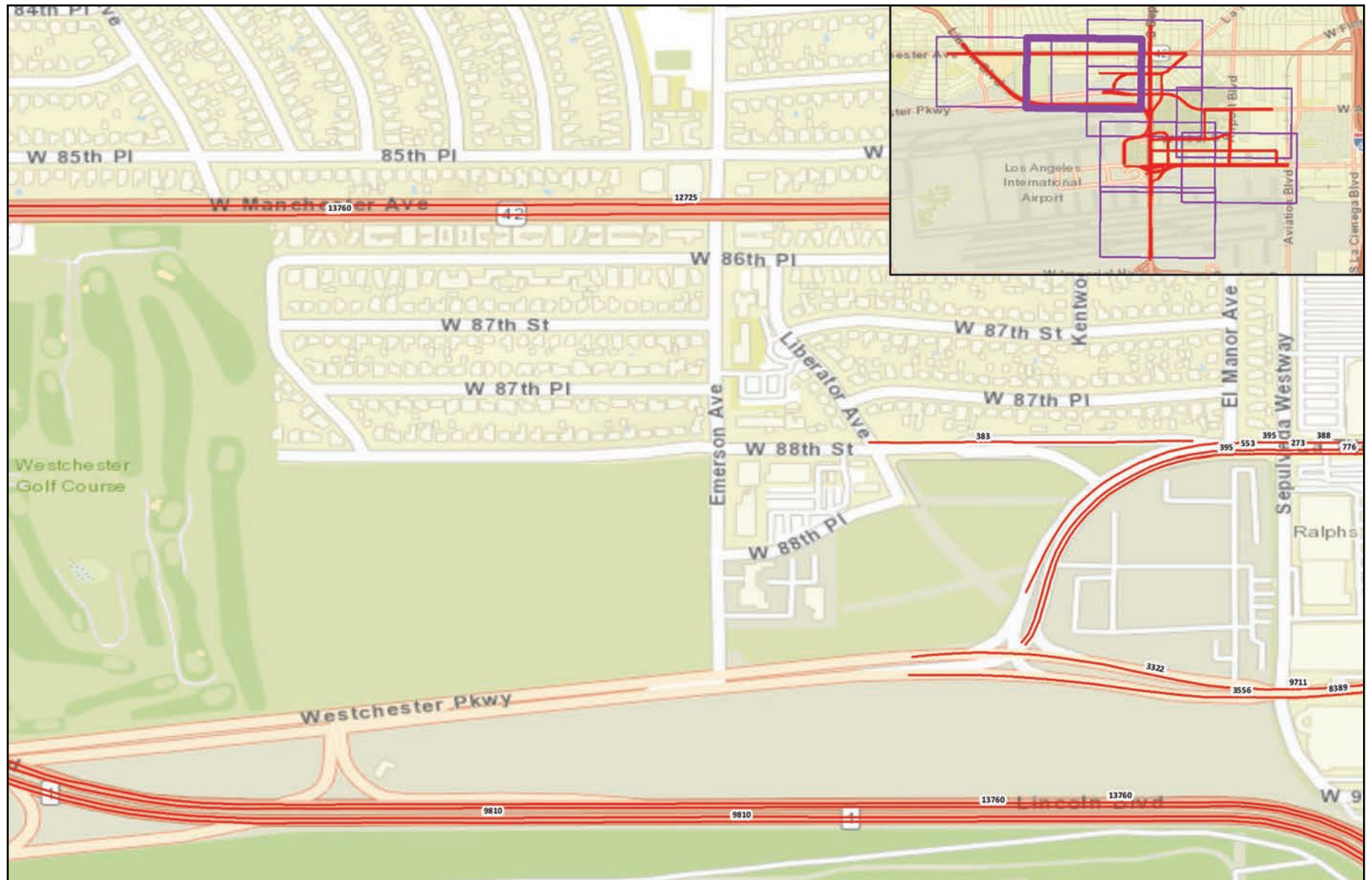
Prepared by: CDM Smith, July 2021

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

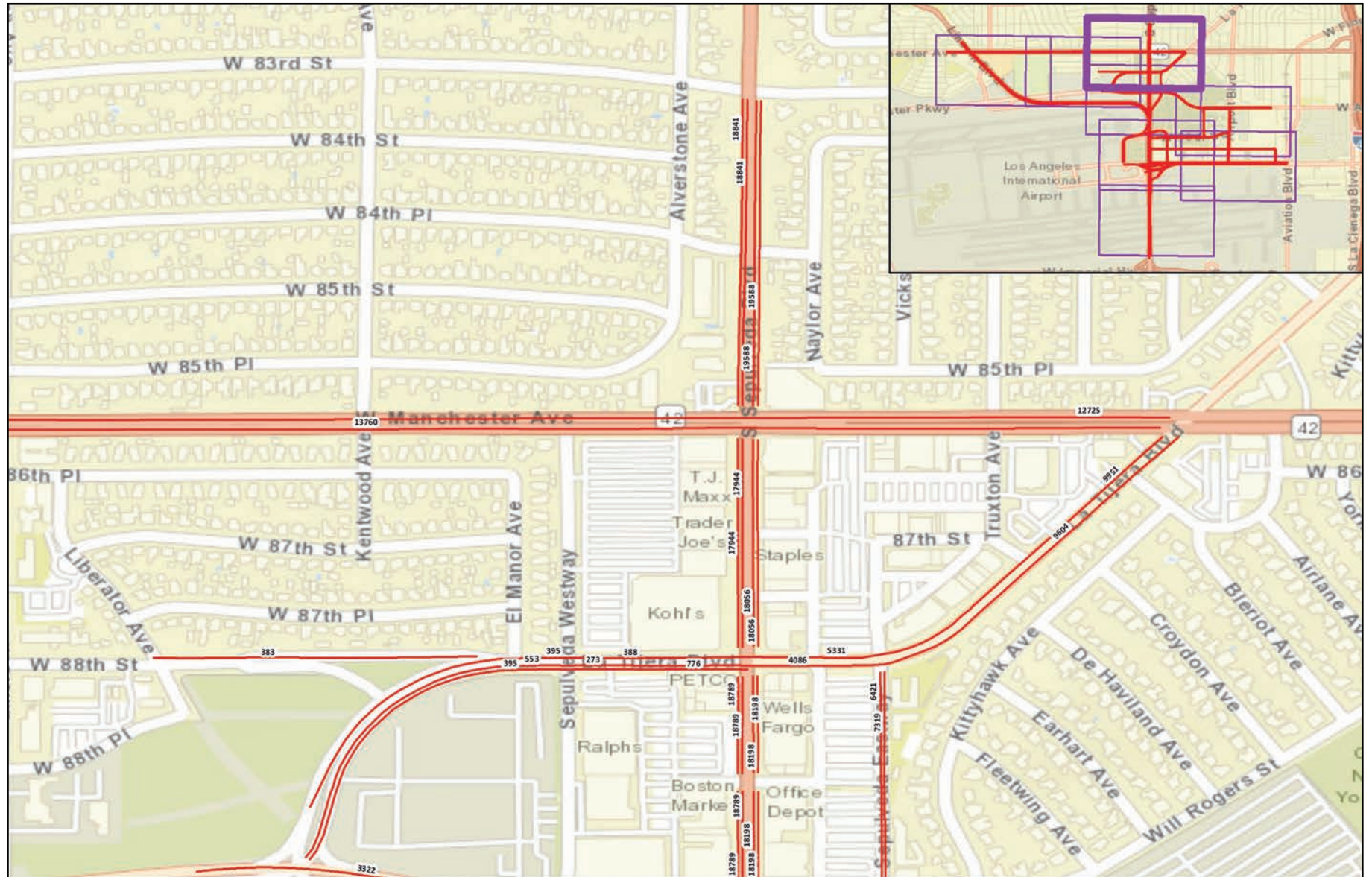
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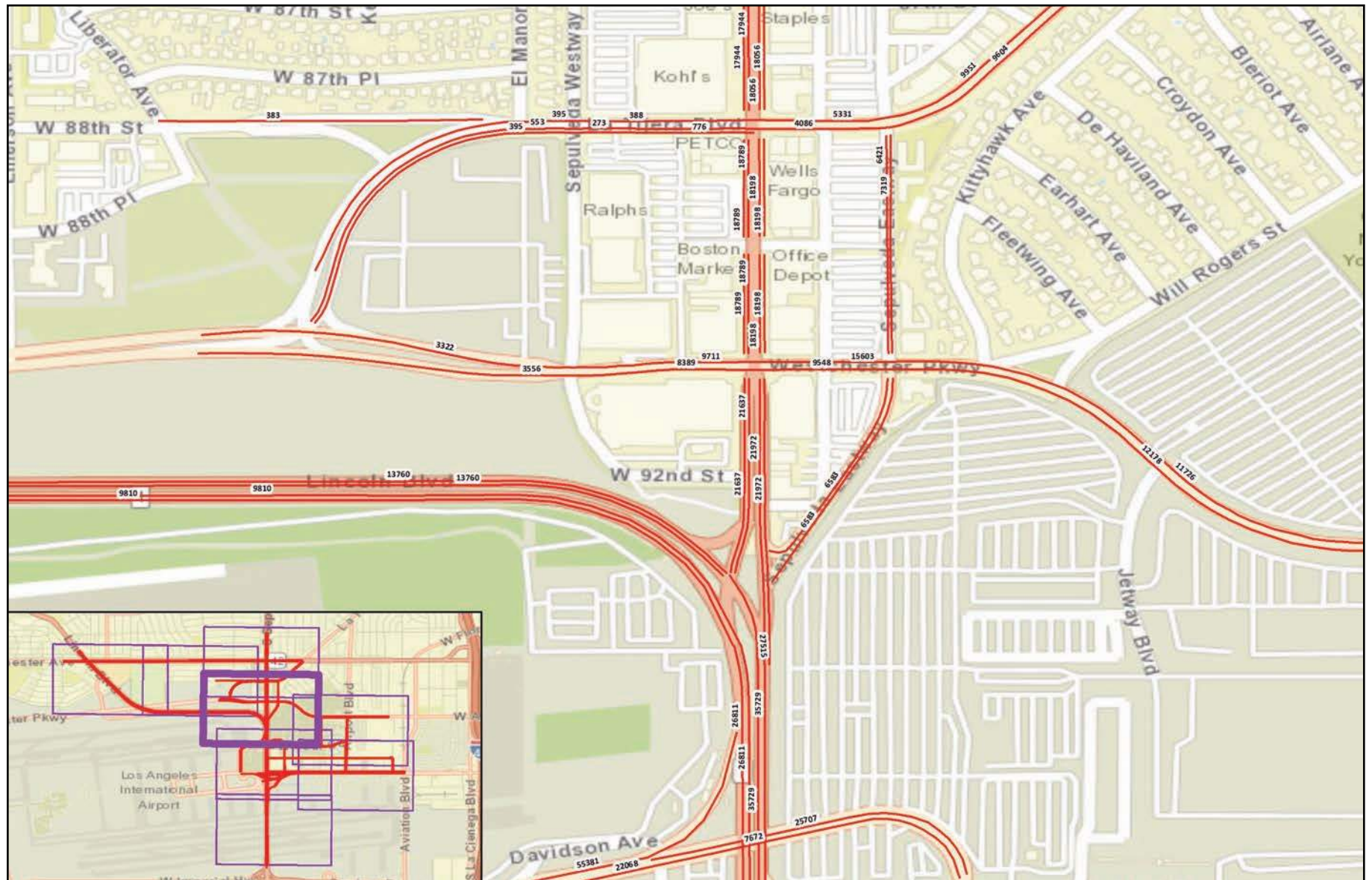
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Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, July 2021

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

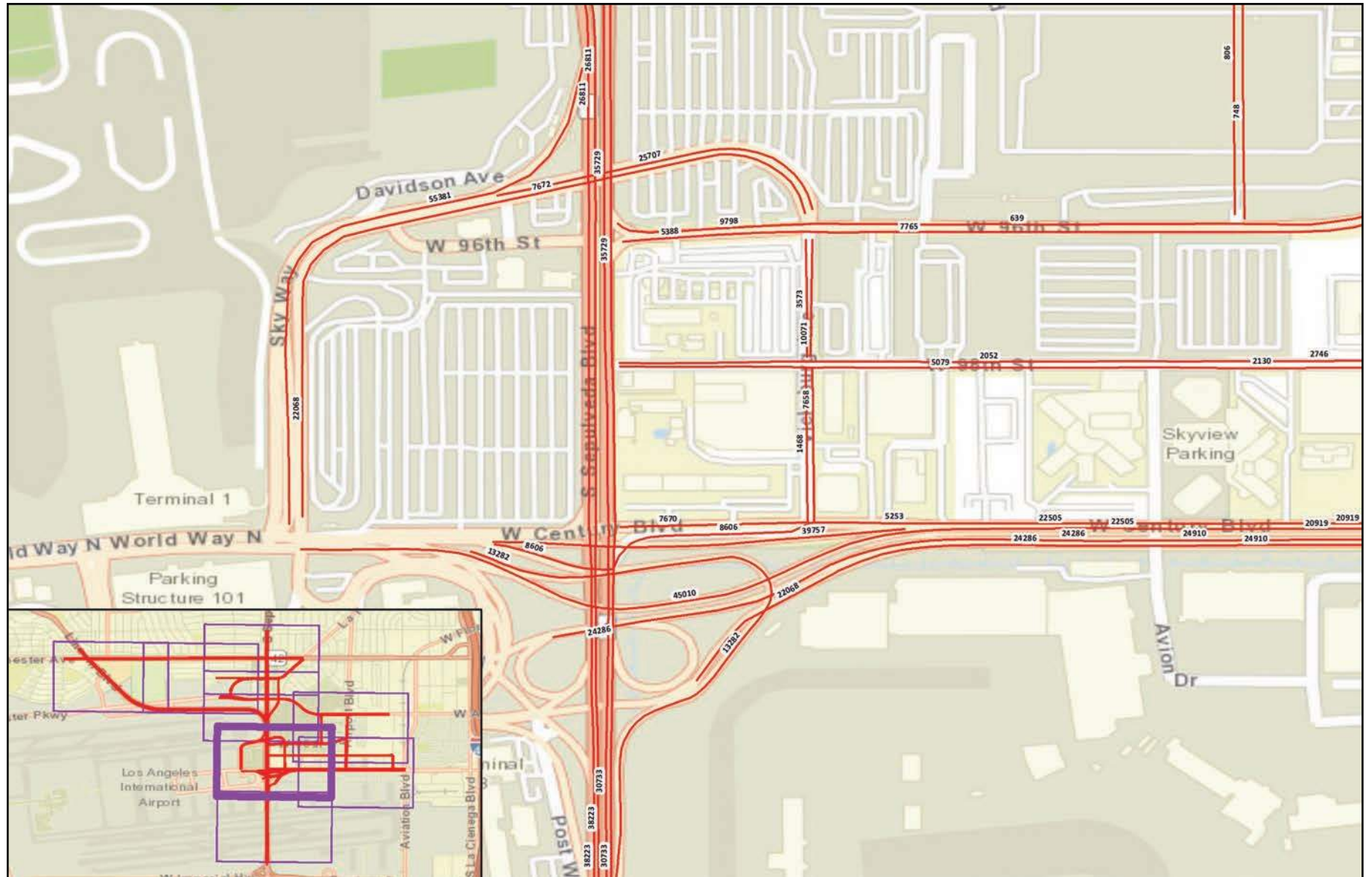
Prepared by: CDM Smith, July 2021

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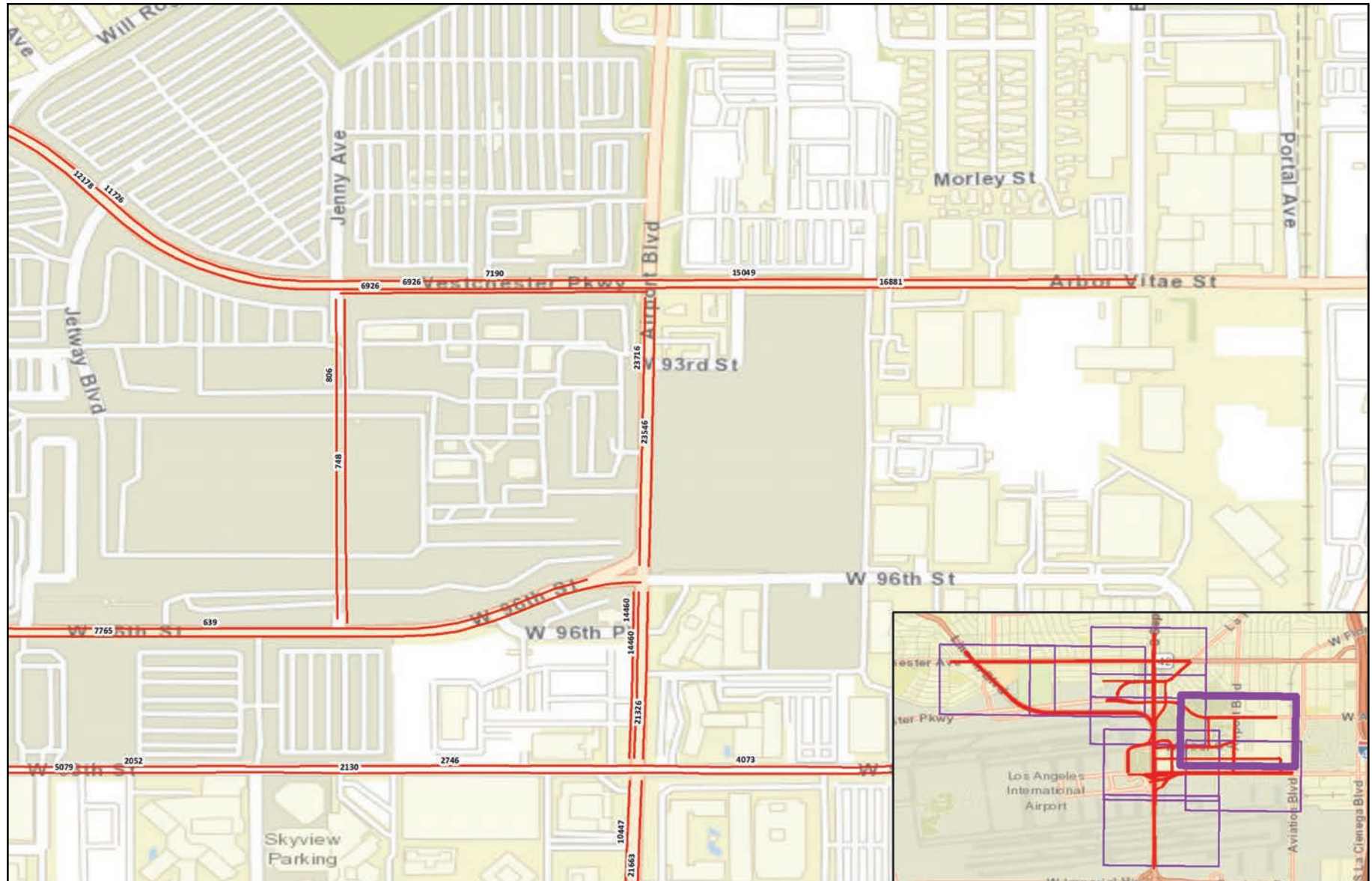
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Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, July 2021

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

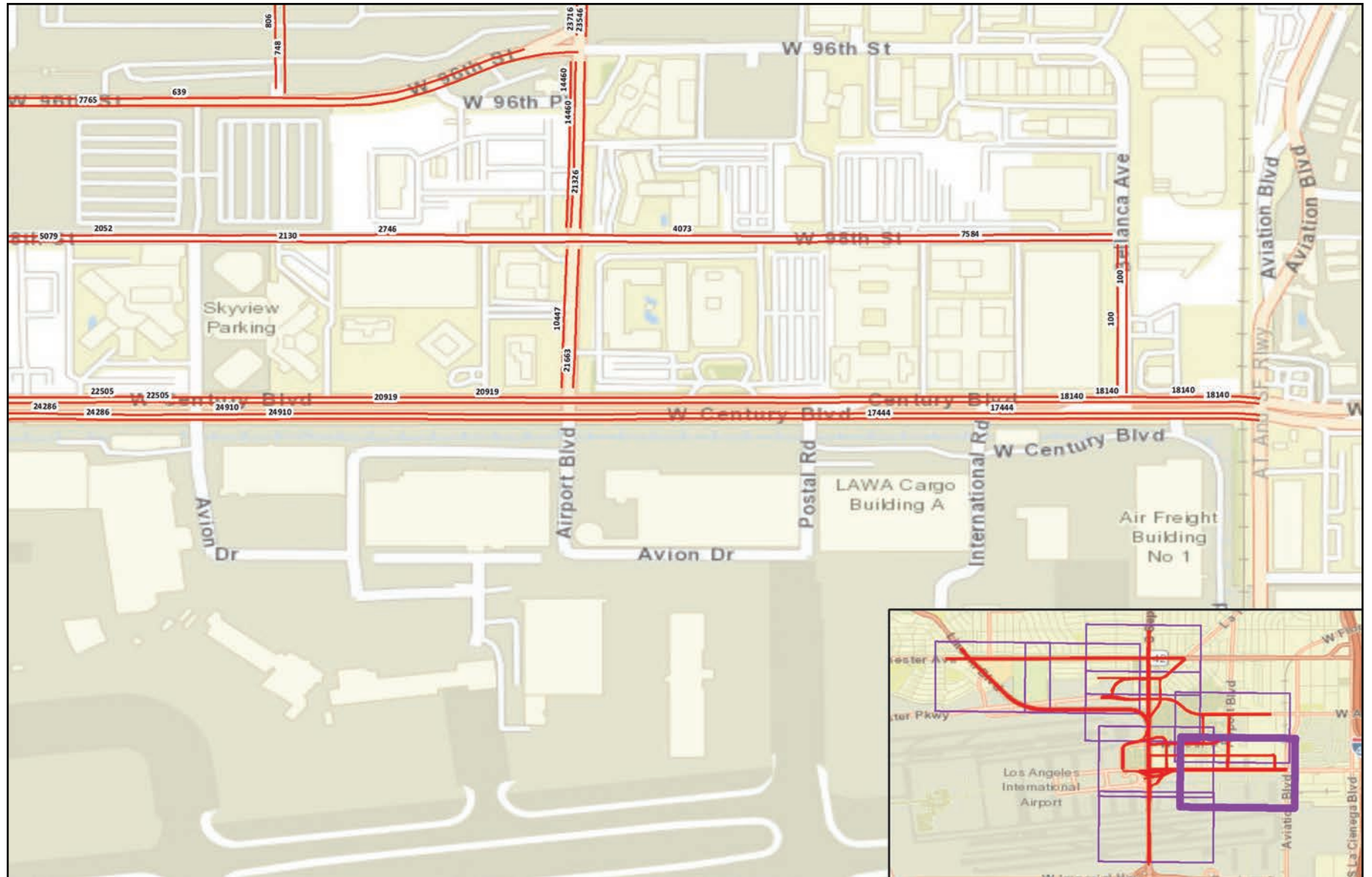
Prepared by: CDM Smith, July 2021

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, July 2021

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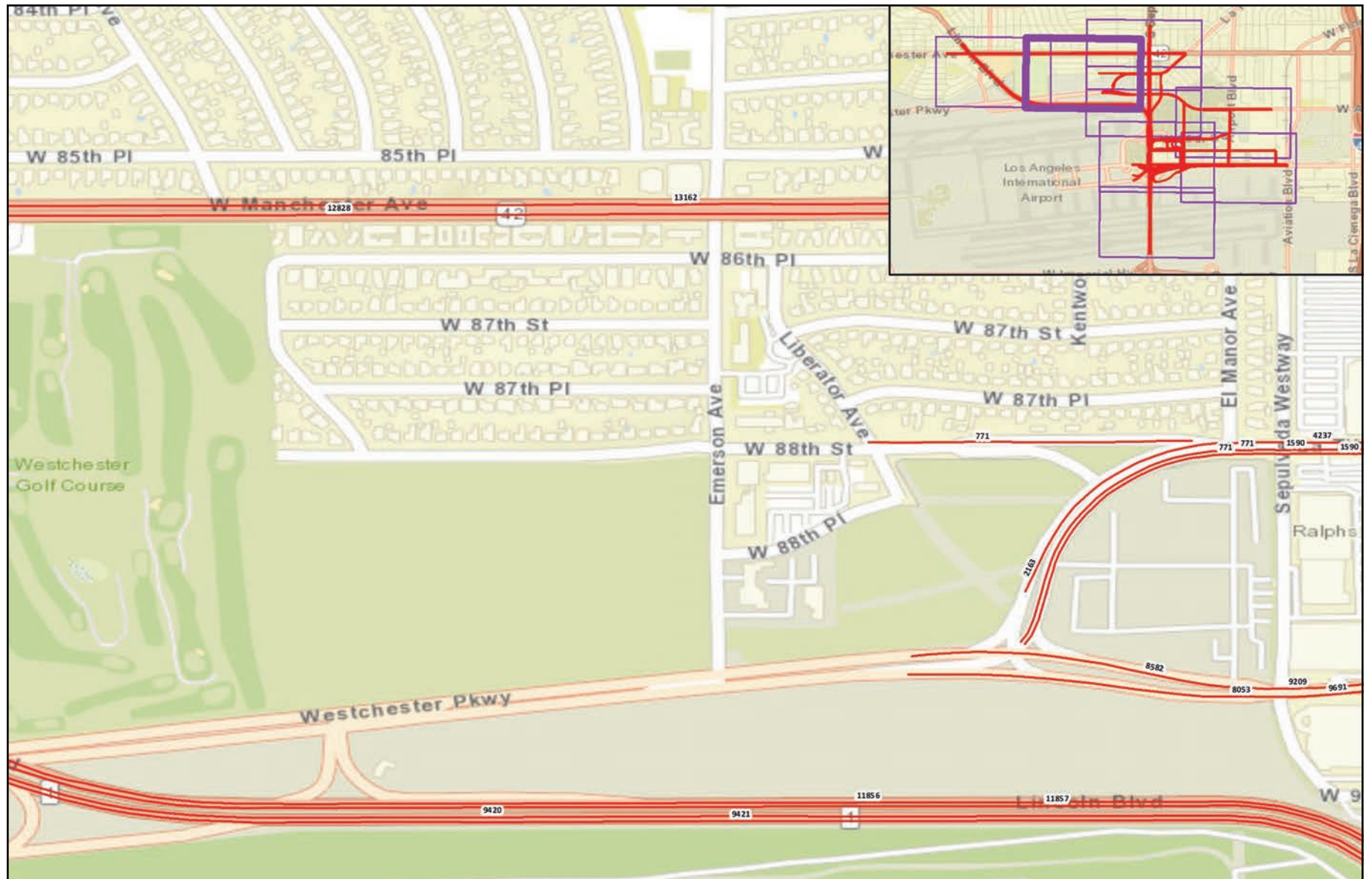
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Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Average Daily Traffic (ADT) - Panel 8 of 8
2019 Existing Conditions

Figure
1h



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

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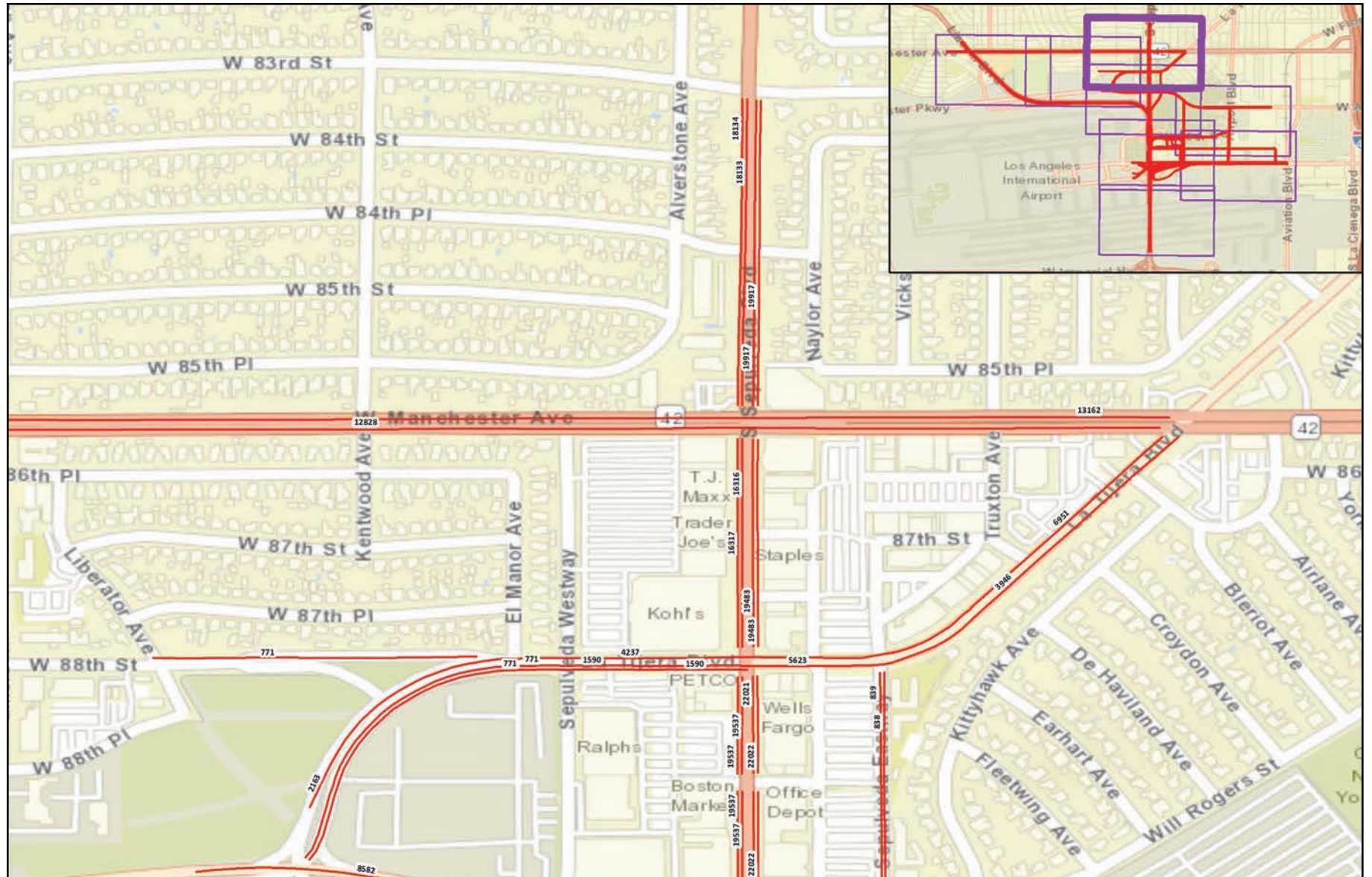
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Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Average Daily Traffic (ADT) - Panel 2 of 8
2028 with Project

Figure
2b



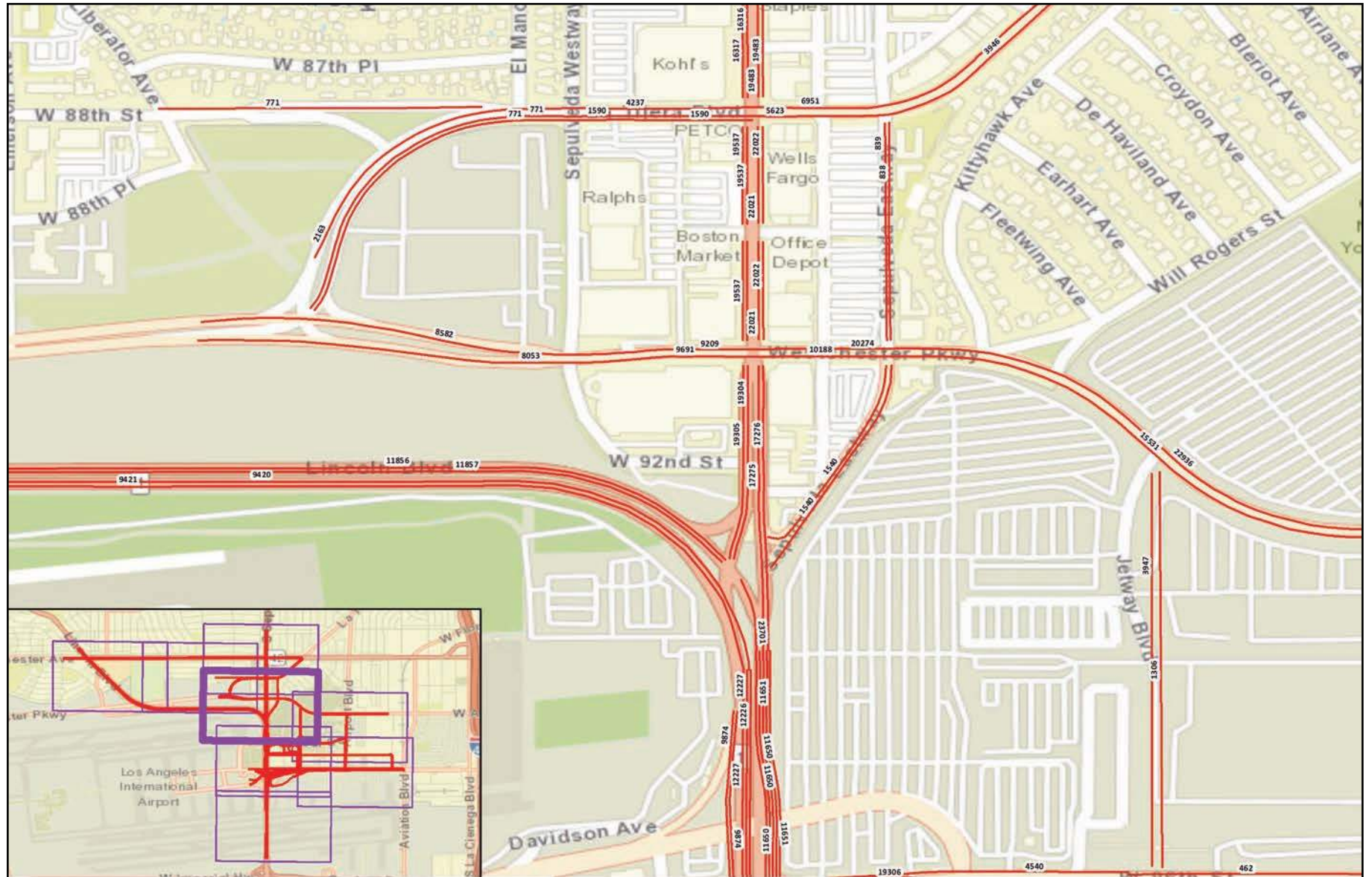
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Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

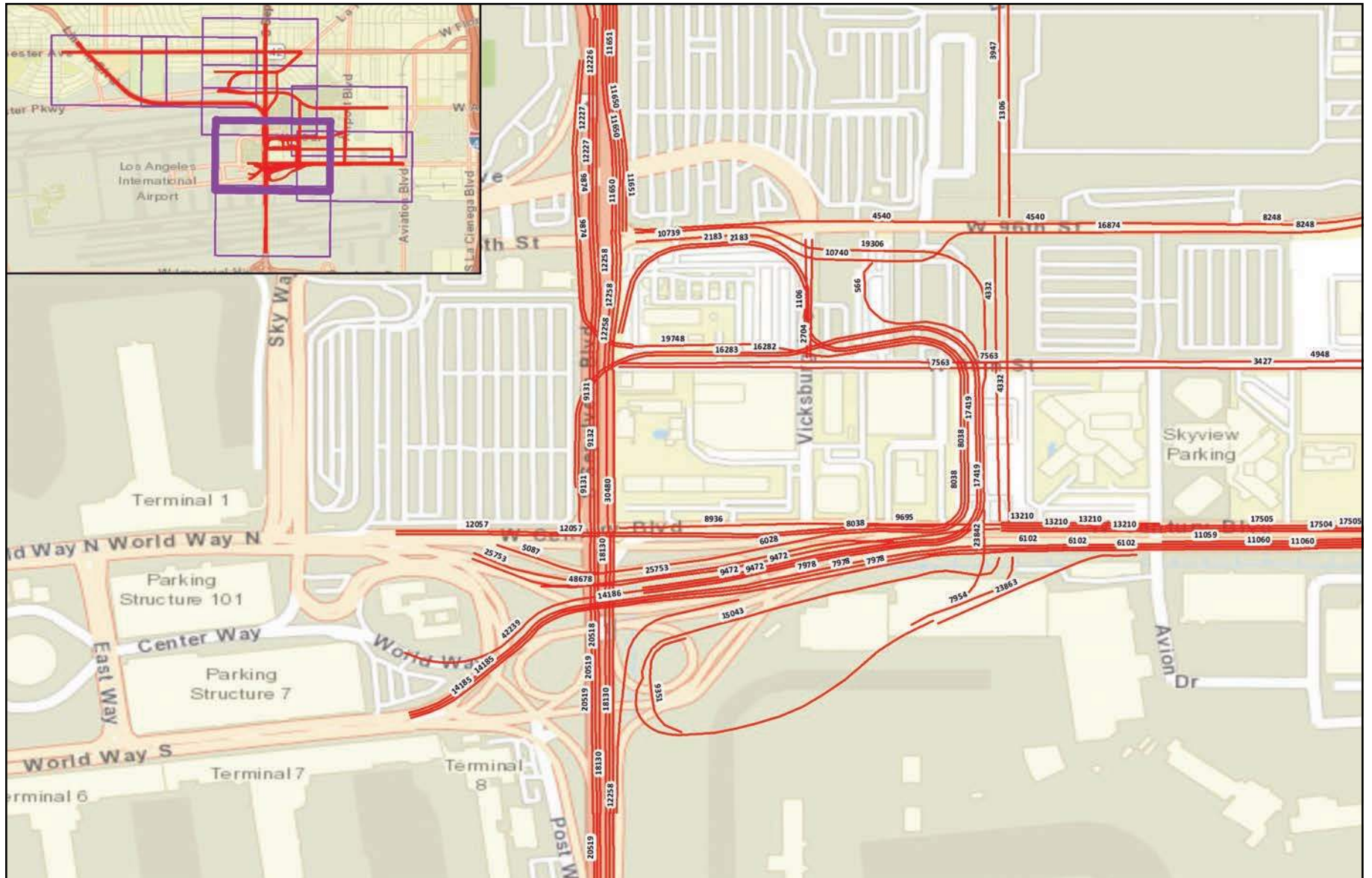
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 Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Average Daily Traffic (ADT) - Panel 4 of 8
 2028 with Project

Figure
 2d





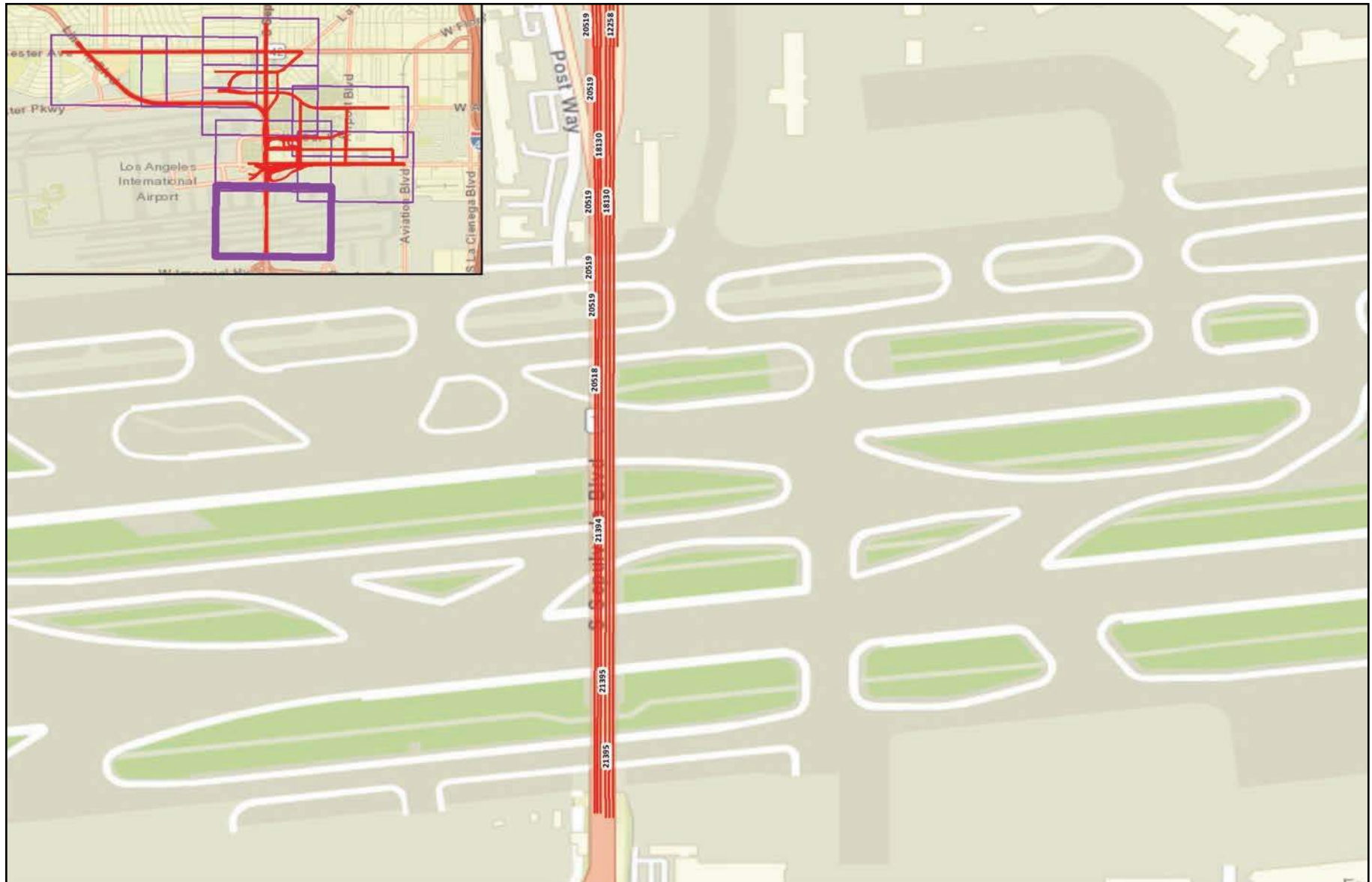
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Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

 XXX Traffic volumes are indicated on or slightly above roadway for each direction of travel
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Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

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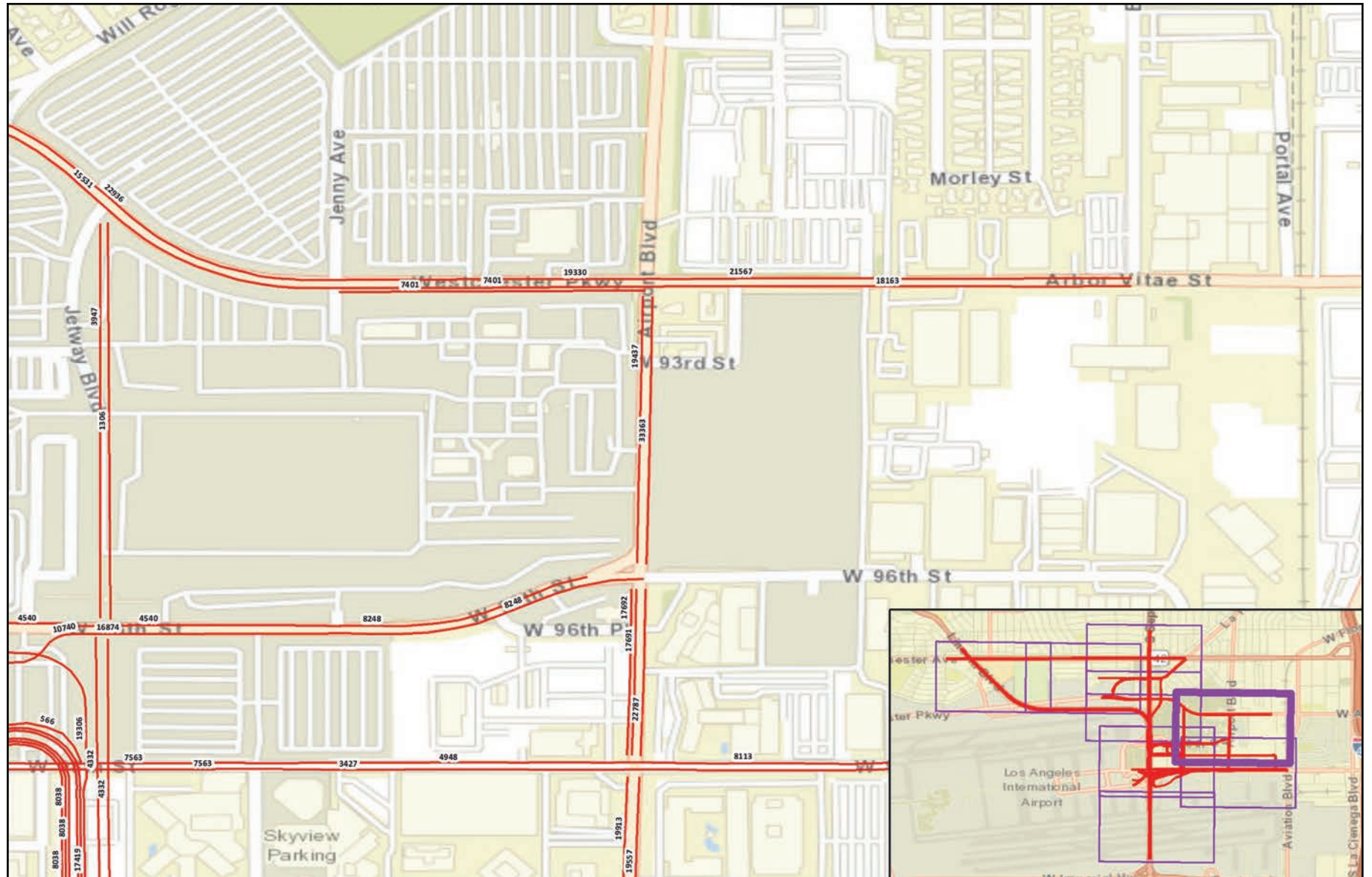
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Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Average Daily Traffic (ADT) - Panel 6 of 8
2028 with Project

Figure
2f



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

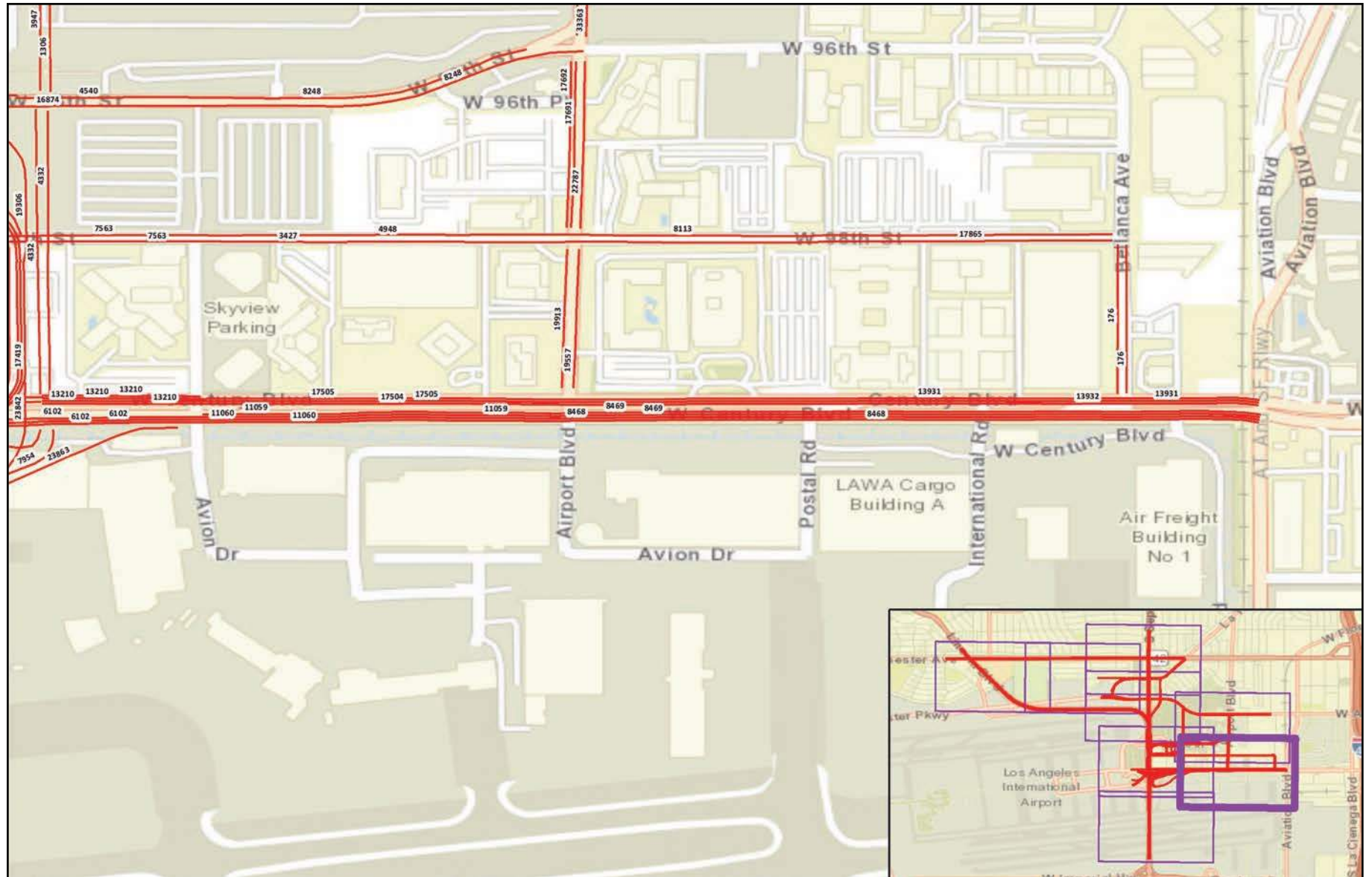
Prepared by: CDM Smith, June 2021

Legend

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

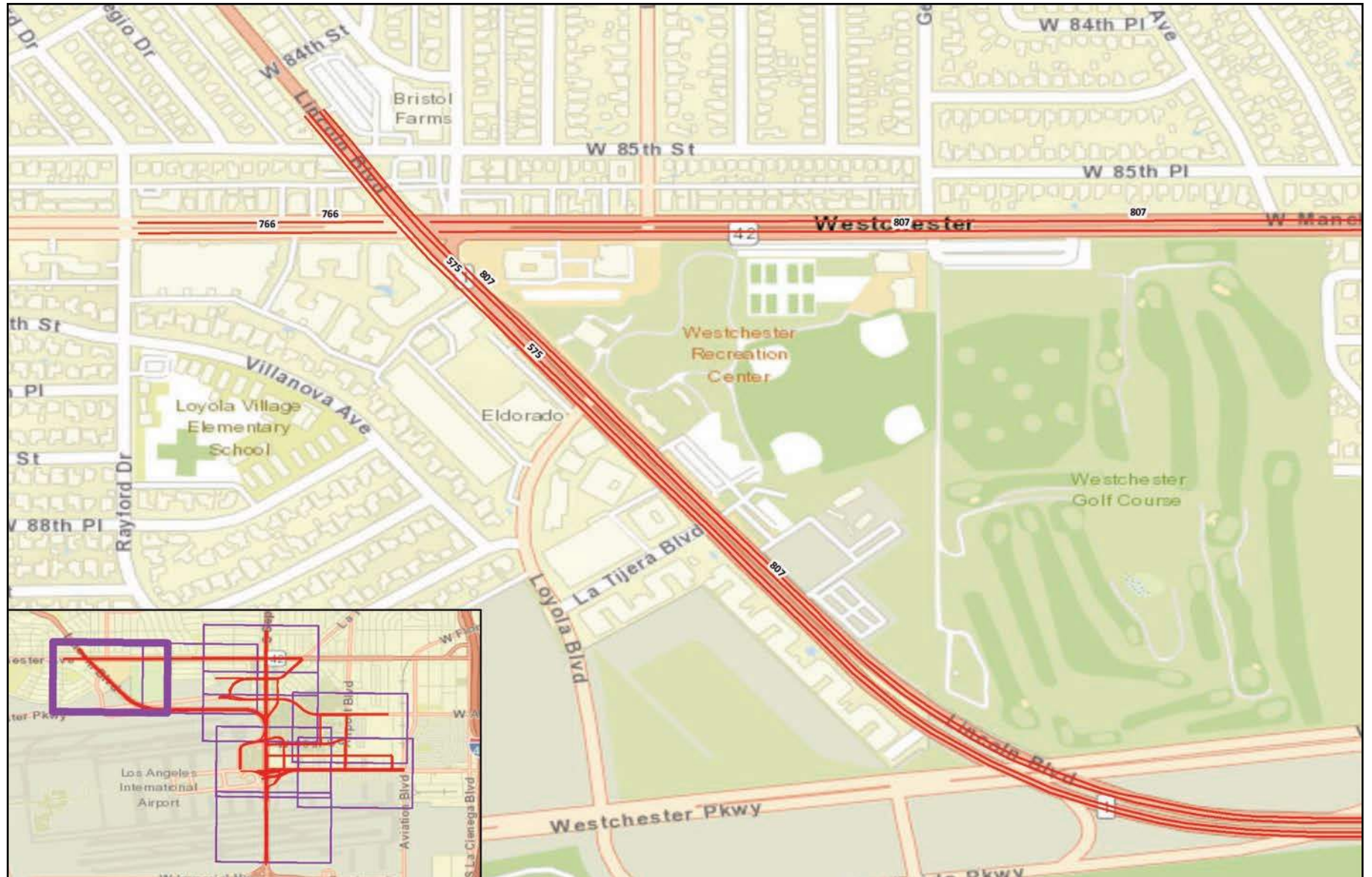
Prepared by: CDM Smith, June 2021

Legend

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

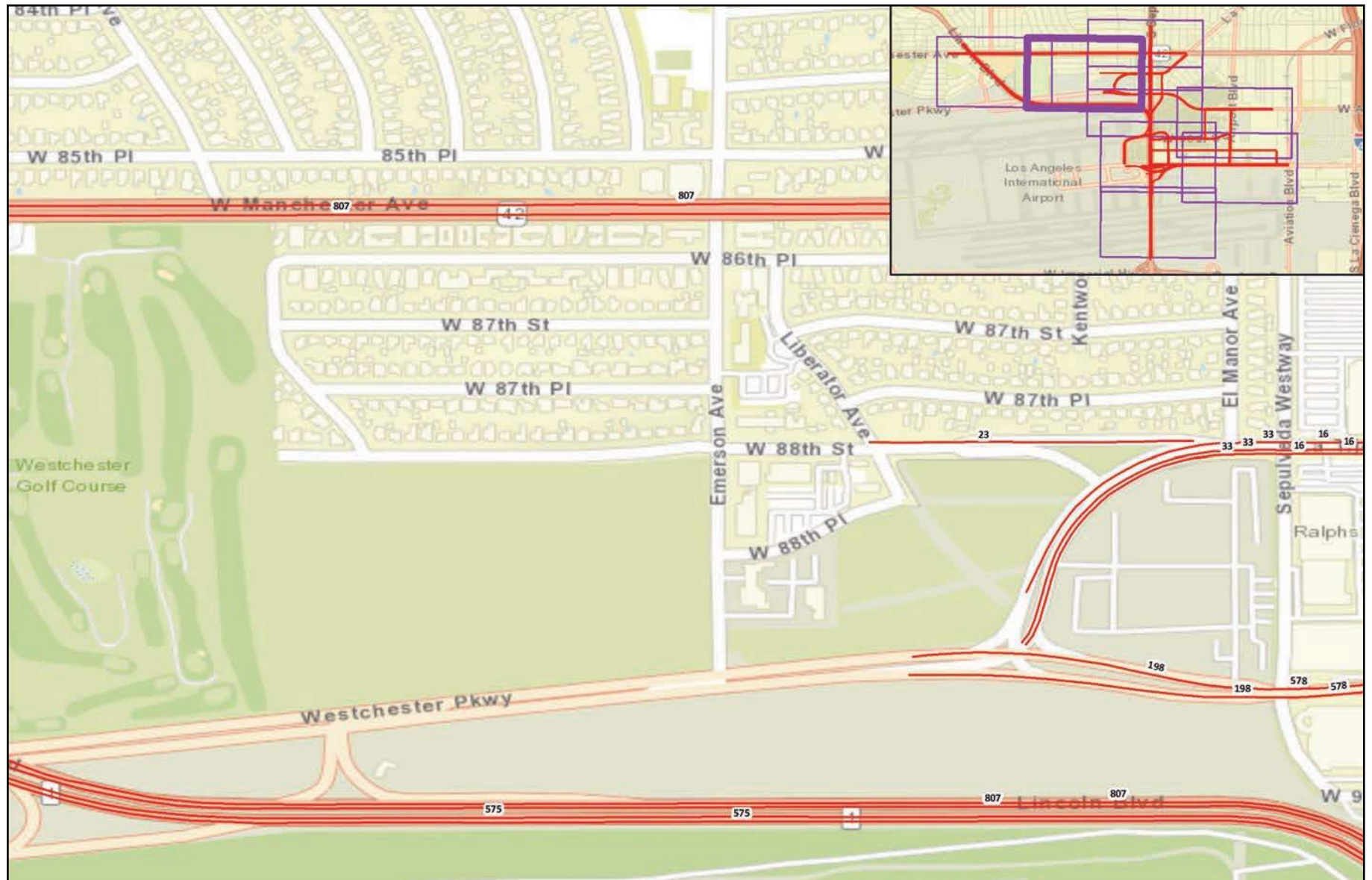
Prepared by: CDM Smith, June 2021

Legend

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

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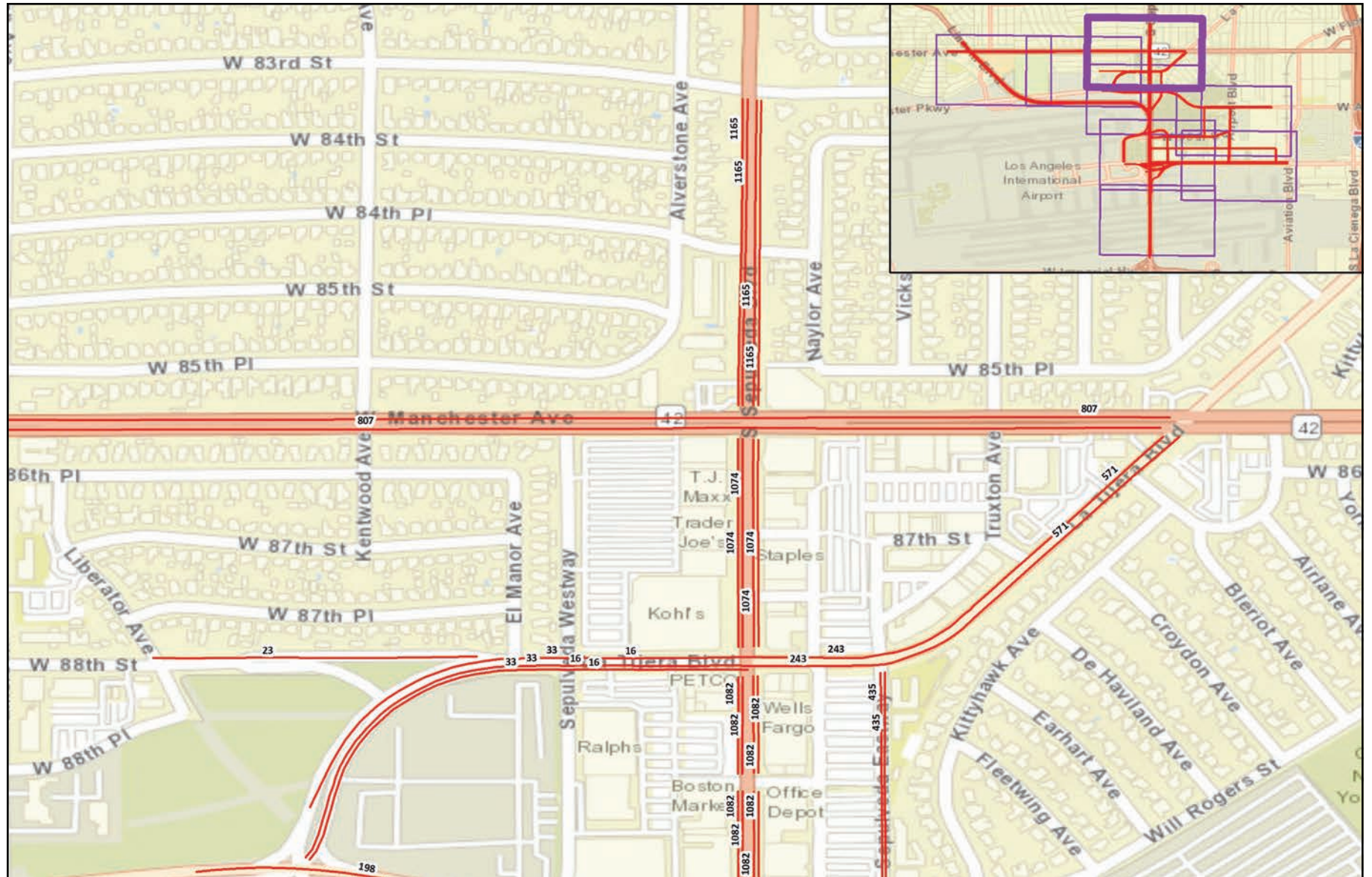
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Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Peak Hour Traffic - Panel 2 of 8
2019 Existing Conditions

Figure
3b





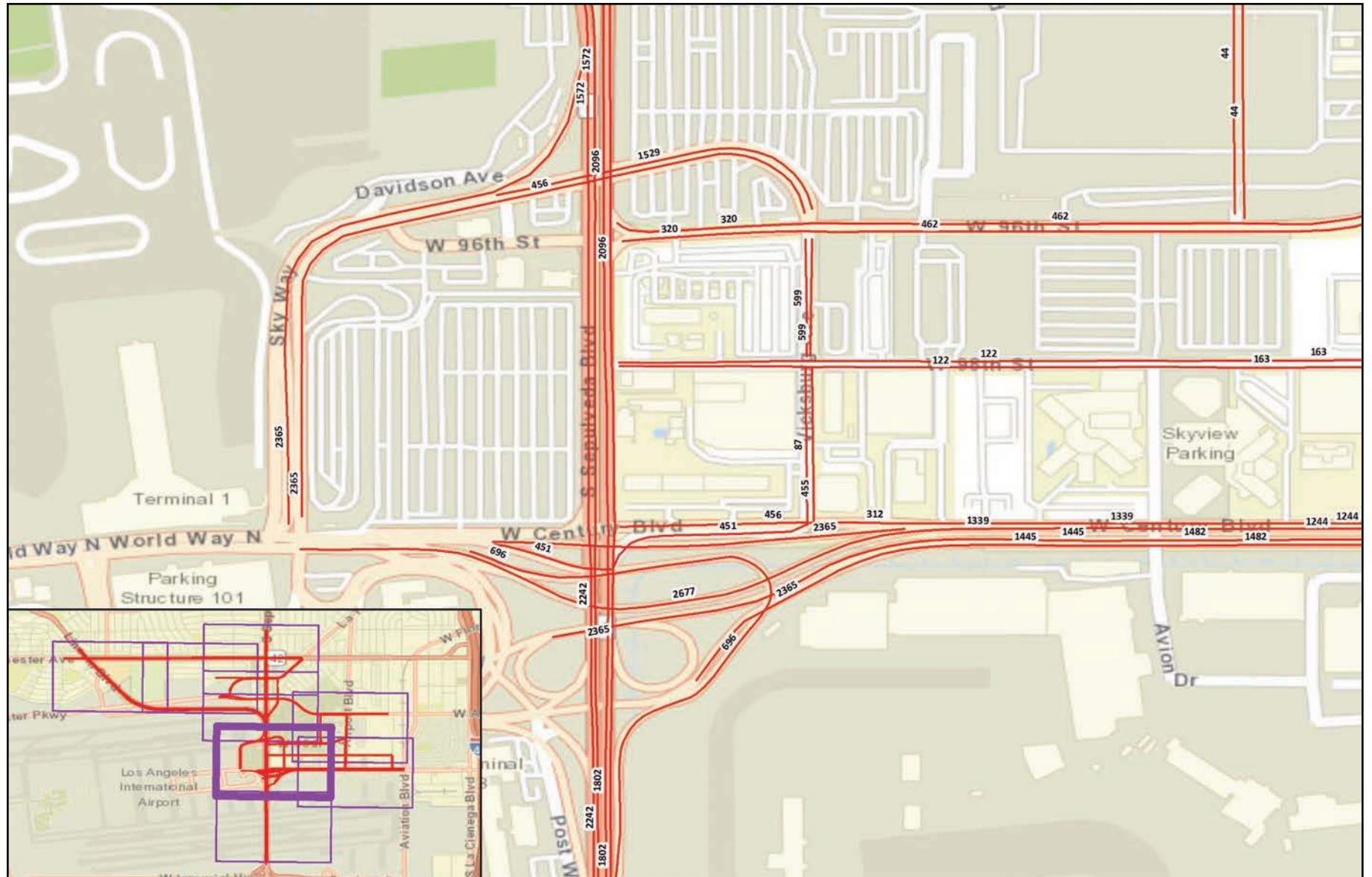
Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

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 Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

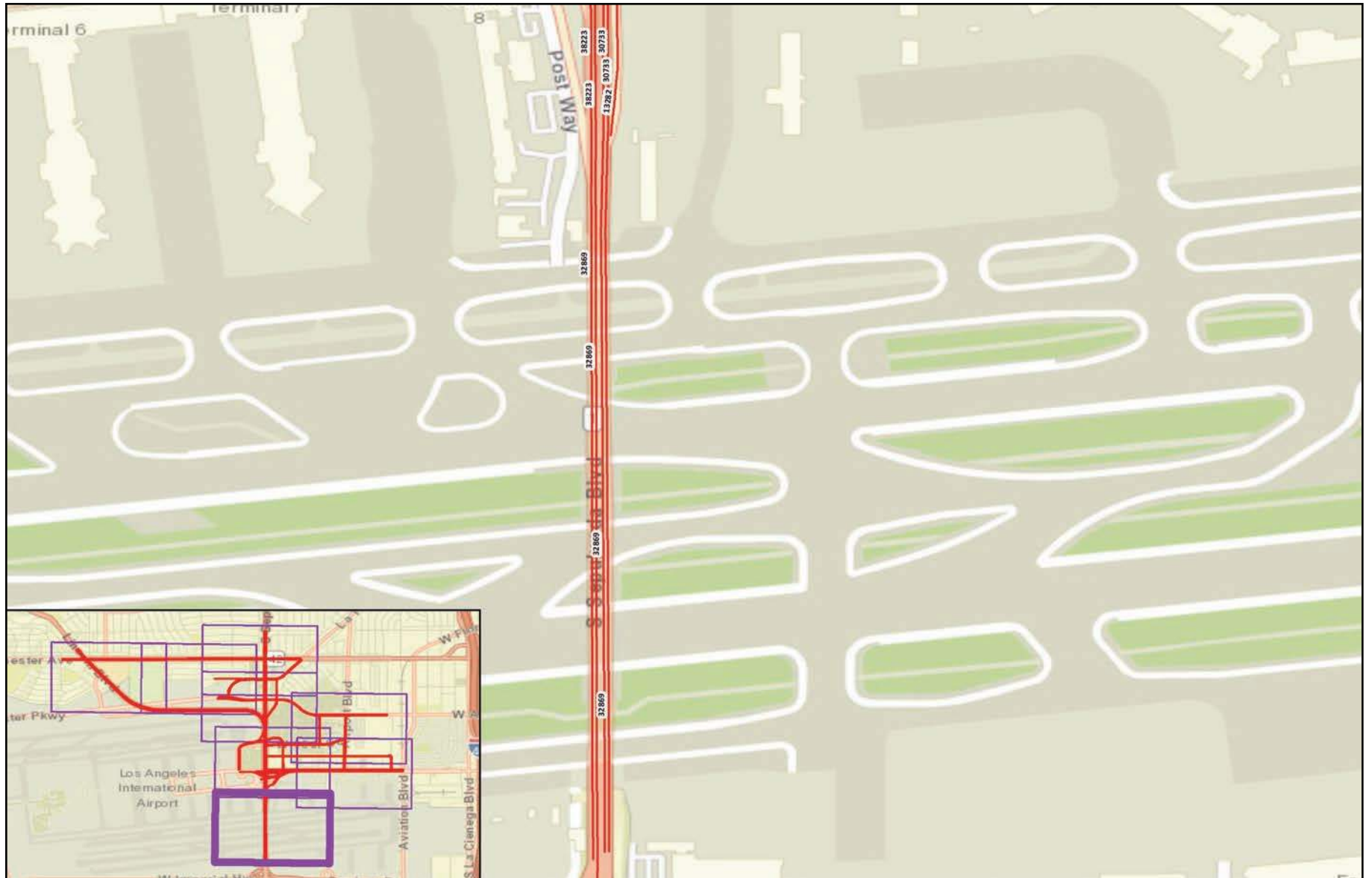
Prepared by: CDM Smith, June 2021

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

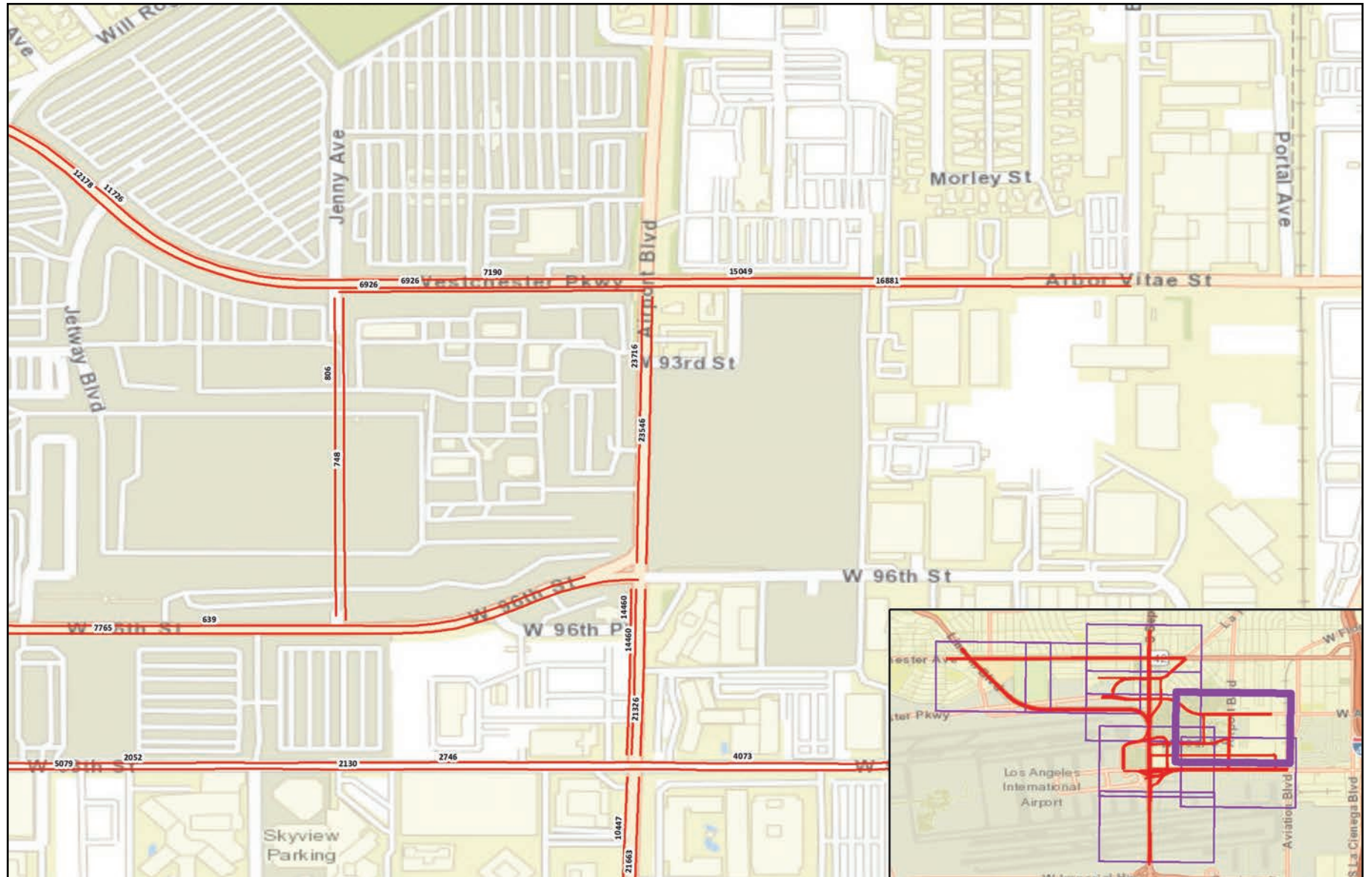
Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend



Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

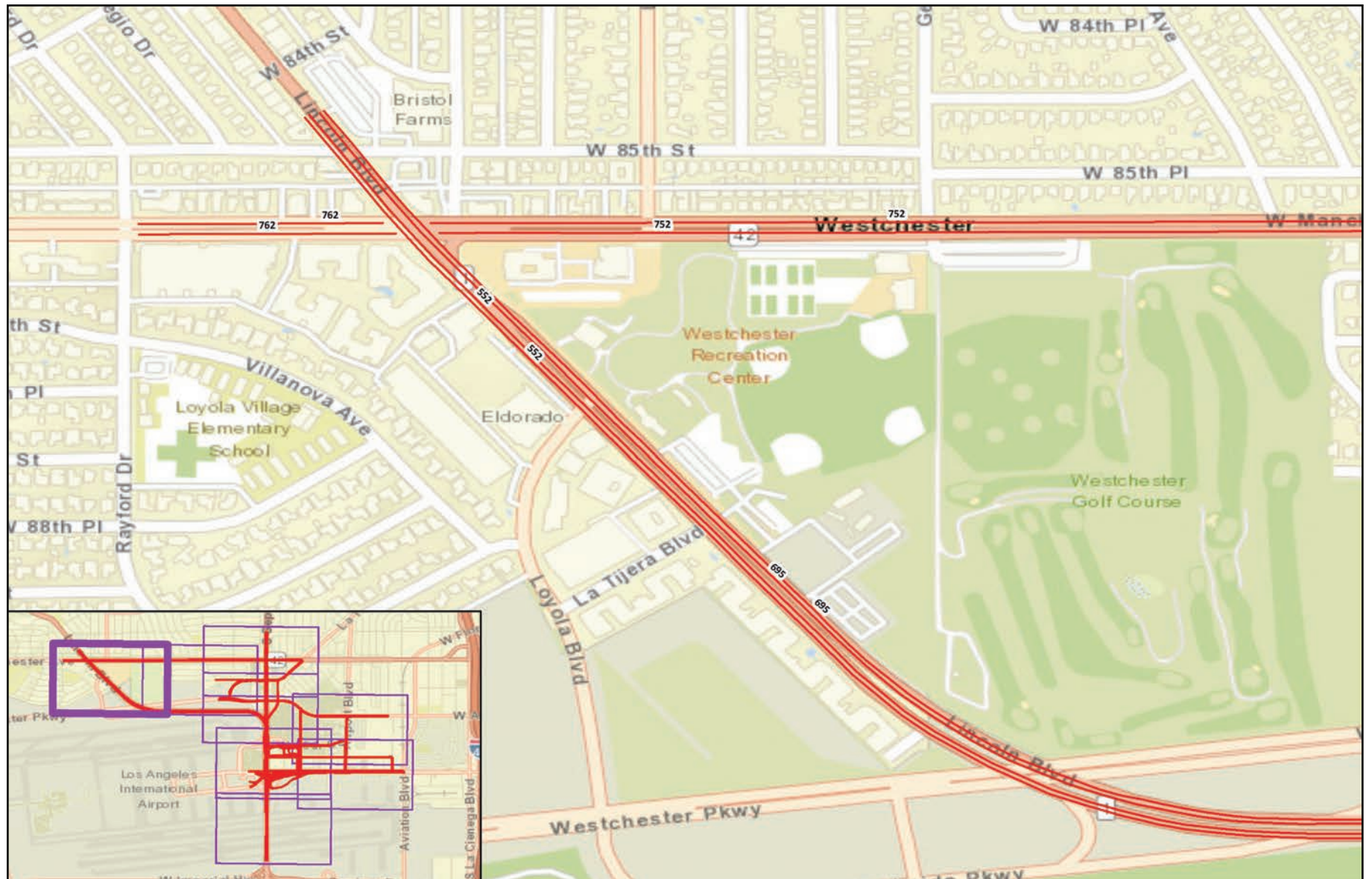
Prepared by: CDM Smith, June 2021

Legend

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Traffic volumes are indicated on or slightly above roadway for each direction of travel



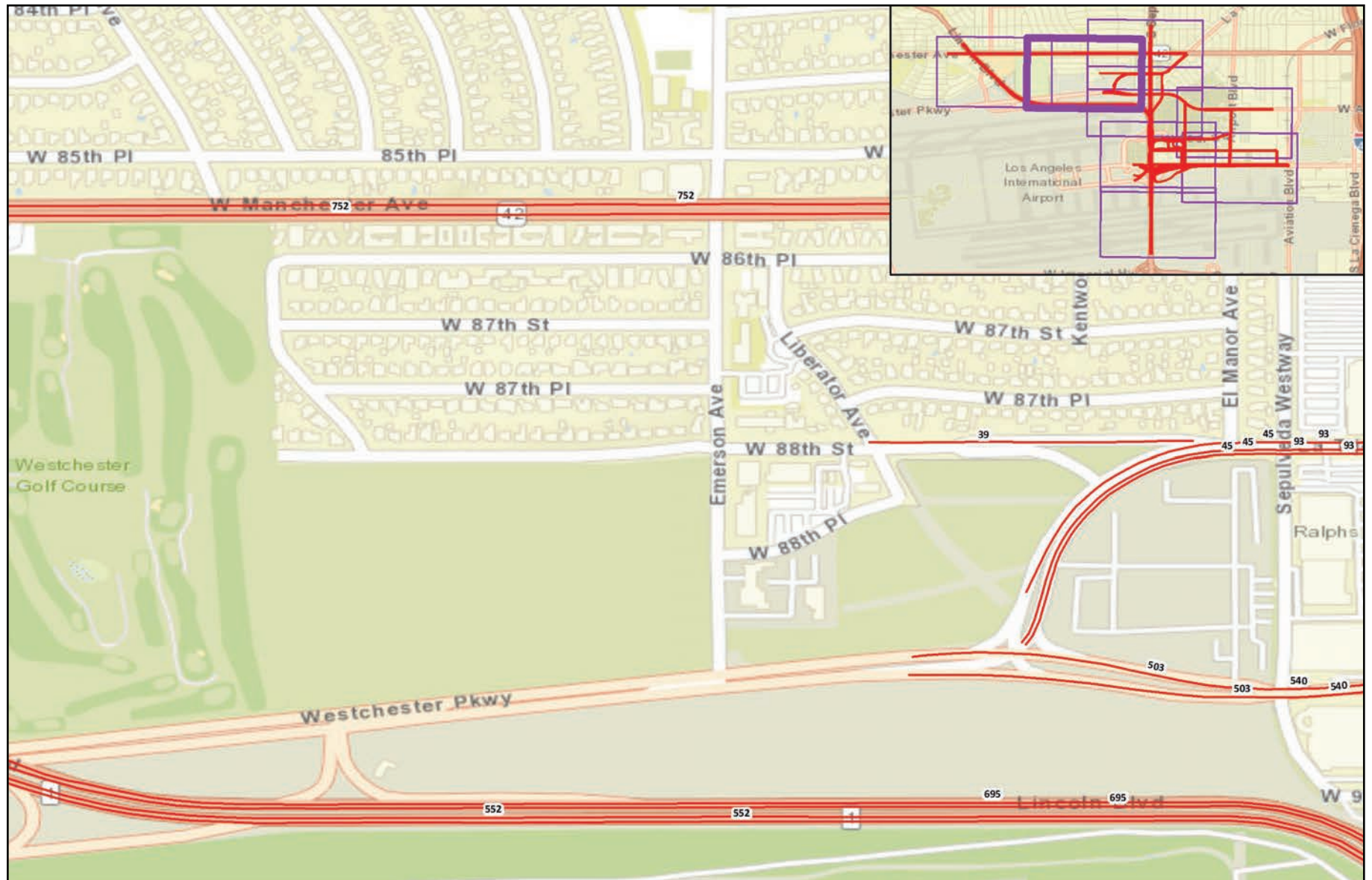
Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

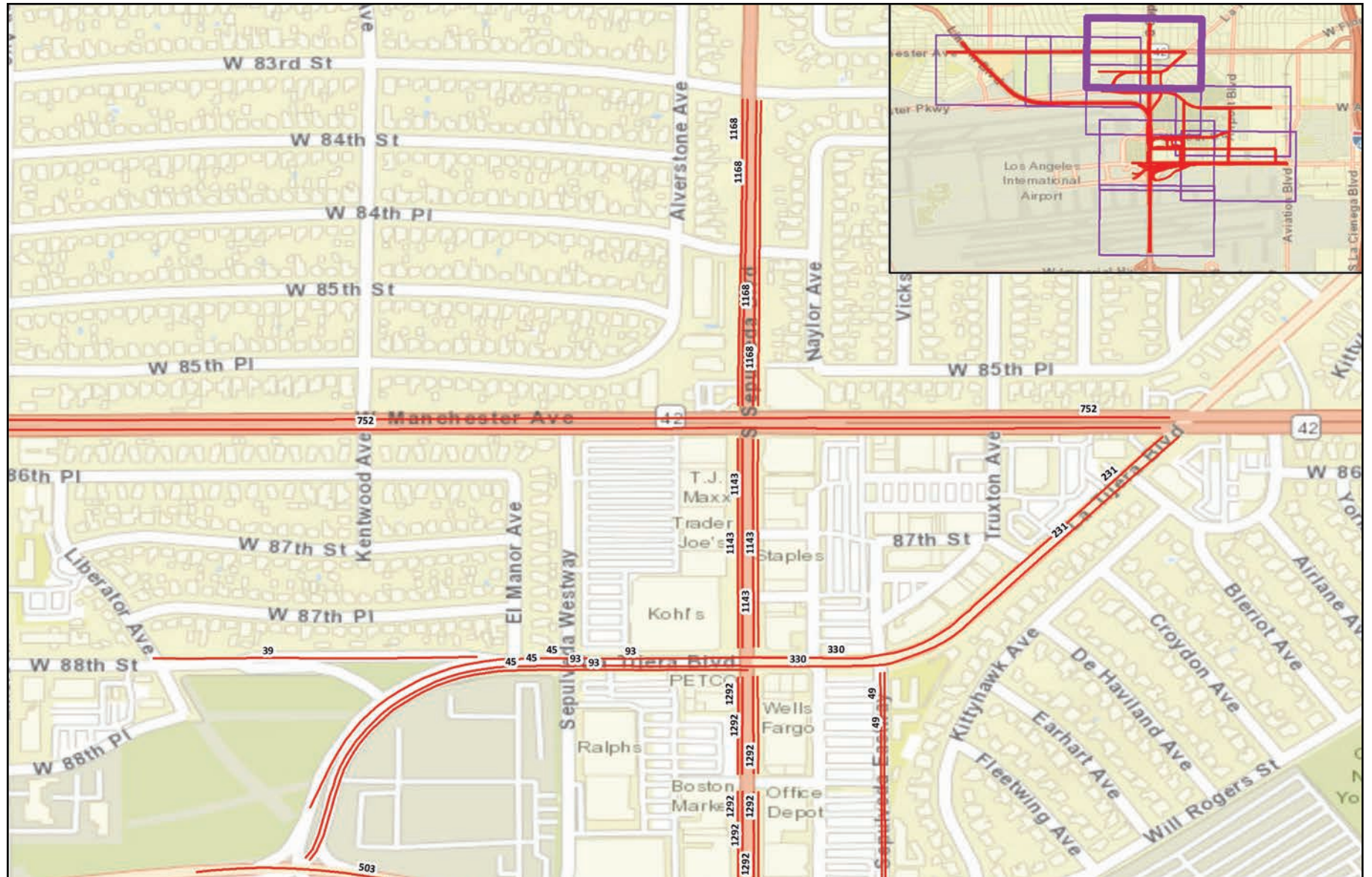
Prepared by: CDM Smith, June 2021

Legend

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—XXX—

Traffic volumes are indicated on or slightly above roadway for each direction of travel





Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

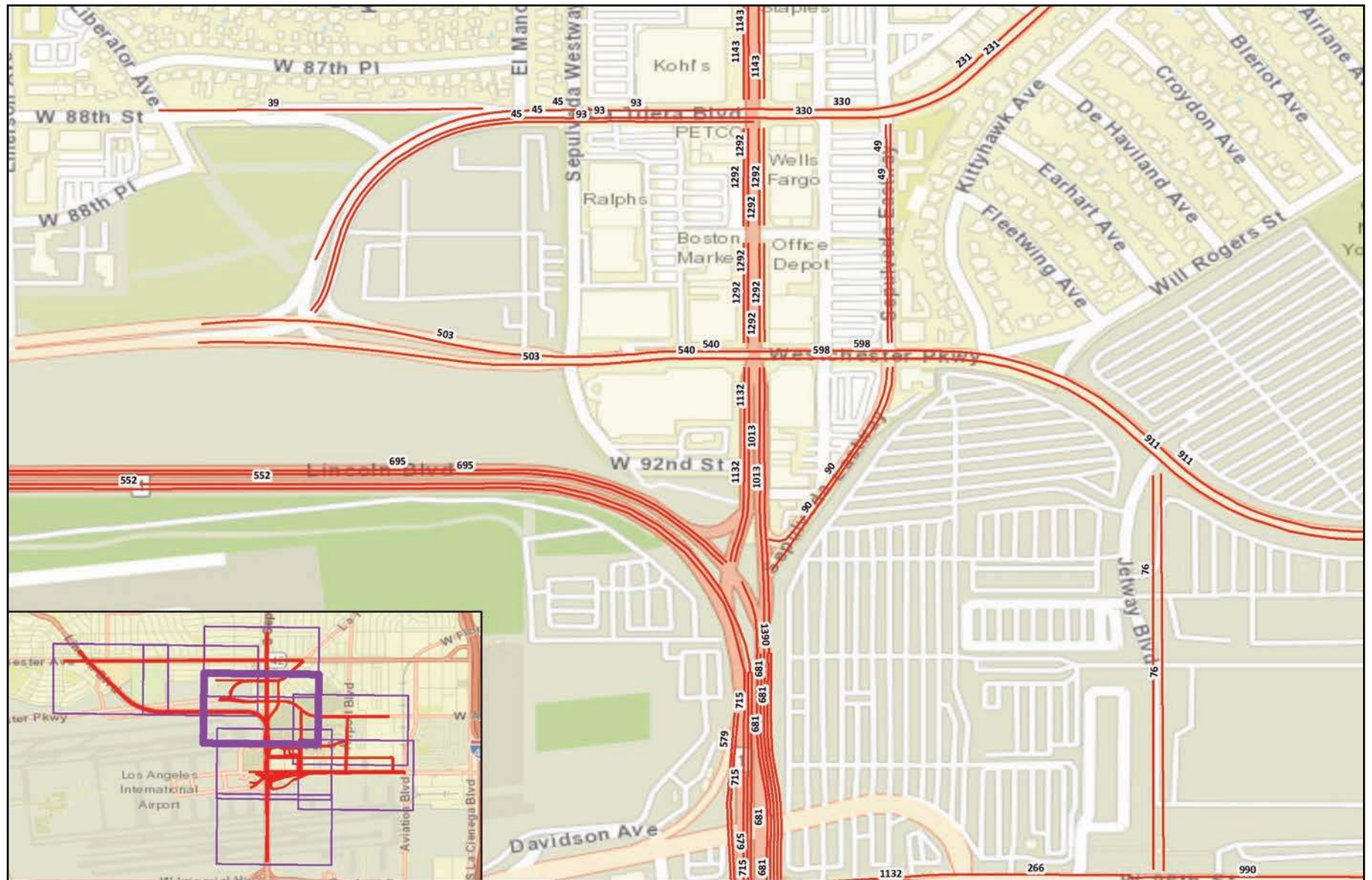
Legend

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 Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Peak Hour Traffic - Panel 3 of 8
2028 with Project

Figure
4c



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

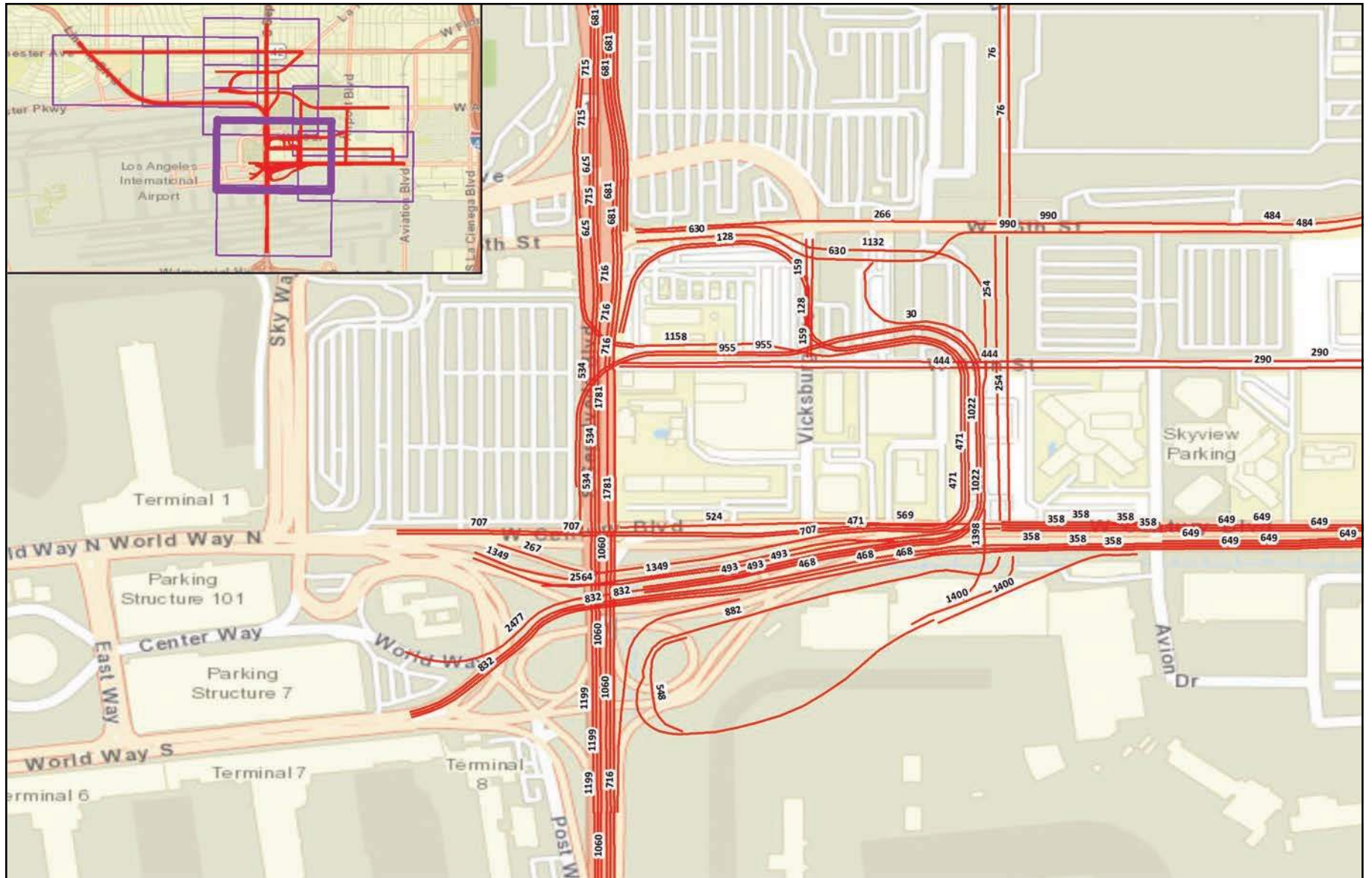
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 Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Peak Hour Traffic - Panel 4 of 8
2028 with Project

Figure
4d



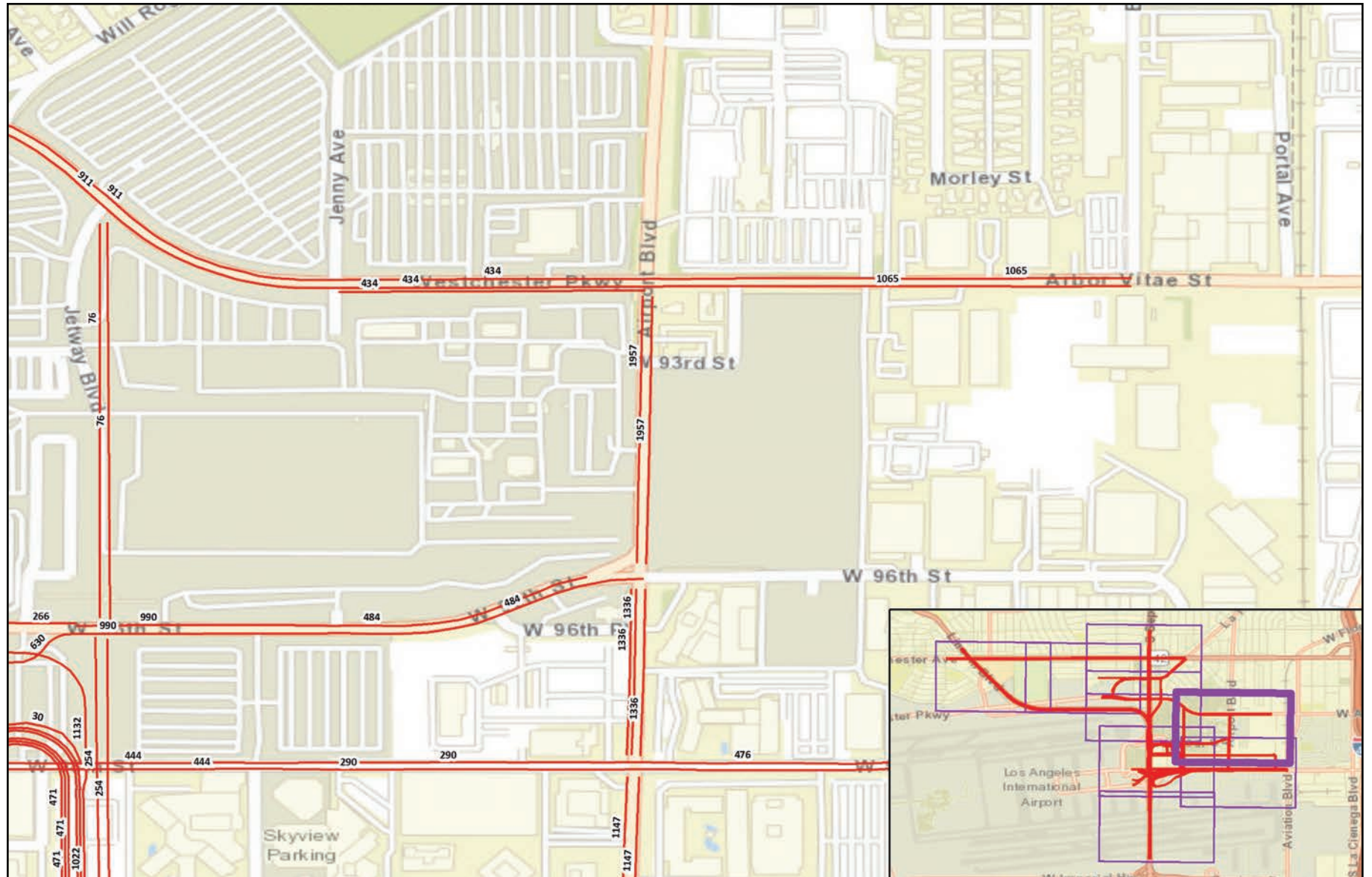
Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

XXX
 XXX
 Traffic volumes are indicated on or slightly above roadway for each direction of travel



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

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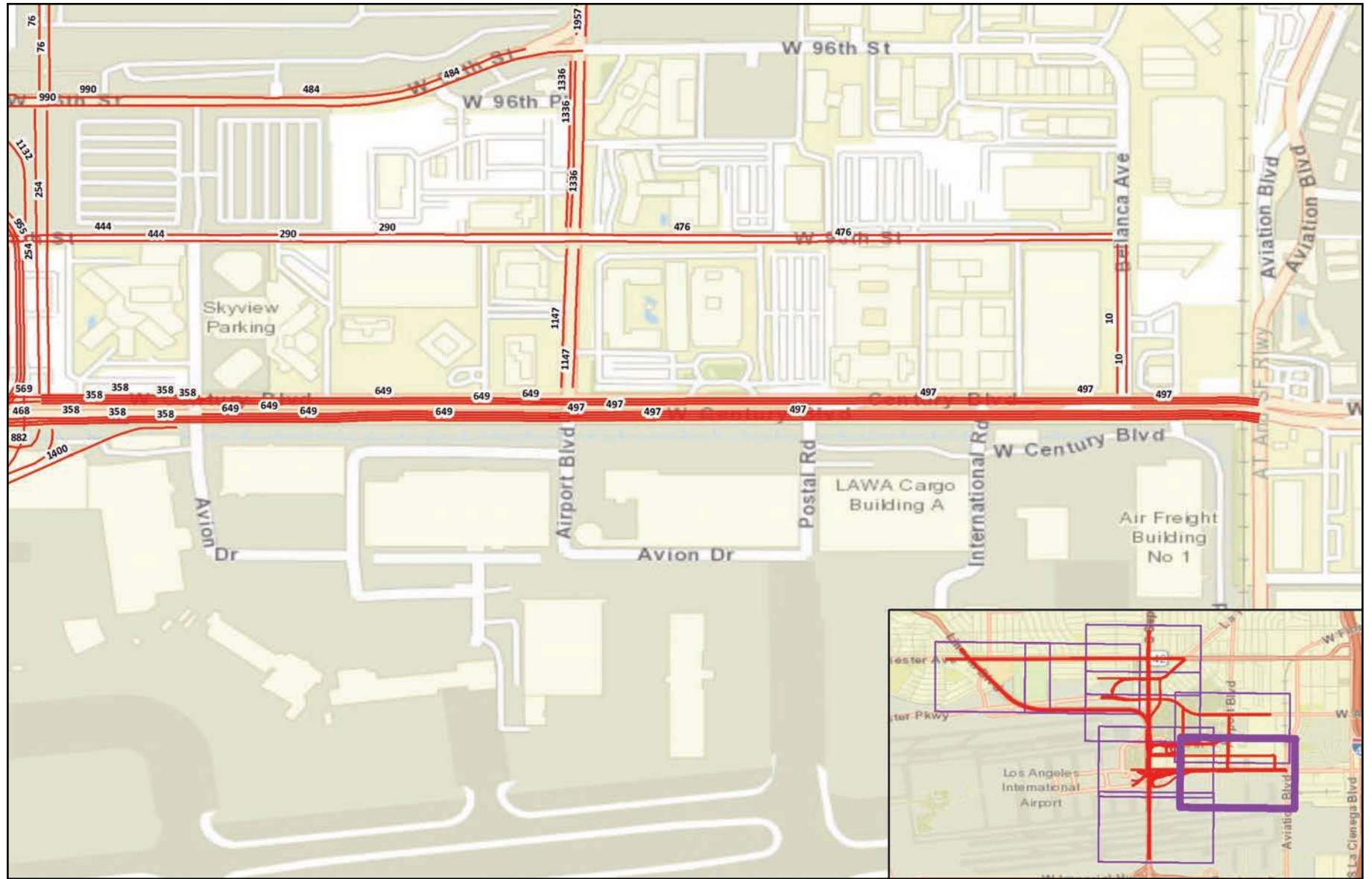
—XXX—

Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Peak Hour Traffic - Panel 7 of 8
2028 with Project

Figure
4g



Not to Scale

Sources: HMMH, ESRI, Fehr & Peers, OpenStreetMap, May 2021

Prepared by: CDM Smith, June 2021

Legend

XXX

—XXX—

Traffic volumes are indicated on or slightly above roadway for each direction of travel

LAX Airfield and Terminal Modernization Project

Peak Hour Traffic - Panel 8 of 8
2028 with Project

Figure
4h

ATMP-PC035-73**Comment:** Air Quality**Inadequate Analysis of Architectural Coating Emissions**

The Air Quality, Human Health Risk Assessment, Greenhouse Gas Emissions, and Energy (“AQ & GHG Report”), provided as Appendix C to the DEIR, estimates that architectural coating activities associated with the proposed Concourse 0 East Interior Fit-Out, Concourse 0 West Interior Fit-Out, Terminal 9 East Fit-Out, and Terminal 9 West Fit-Out would result in VOC emissions of 12-, 16-, 13-, and 13-pounds per day (“lbs/day”), respectively (Appendix C, pp. 29). However, the AQ & GHG Report’s analysis of the Project’s architectural coating-related VOC emissions is unsubstantiated, as it relies upon an underestimated Concourse 0 land use size.

Specifically, the DEIR indicates that Concourse 0 would include 745,000-SF of concourse/passenger operations and 318,000-SF of office space for administrative purposes, thus resulting in a total land use size of 1,063,000-SF (p. 1-6). As such, the AQ & GHG Report’s analysis of the Project’s architectural coating emissions should have relied upon a land use size of 1,063,000-SF for Concourse 0. However, review of the AQ & GHG Report demonstrates that the analysis assumes that Concourse 0 East and Concourse 0 West would each only be 372,500-SF, for a total of 745,00-SF (see excerpt below) (Appendix C, pp. 29).

Project #	Project Description	Total Building Area (sqft)
23	C0 East Interior Fit-Out	372,500
42	C0 West Interior Fit-Out	372,500
72	Terminal 9 East Fit-Out	800,345
88	Terminal 9 West Fit-Out	800,345

As demonstrated above, the analysis of Concourse 0 fails to include the proposed office space, underestimating the land use size by 318,000-SF. As a result, the AQ & GHG Report’s analysis of the Project’s architectural coating emissions is inconsistent with the information provided by the DEIR. Thus, by underestimating the size of Concourse 0, the AQ & GHG Report underestimates the VOC emissions associated with the Project’s architectural coating activities and should not be relied upon to determine Project significance.

Response: The commenter states that fugitive volatile organic compound (VOC) emissions presented in Appendix C.1 for the “C0 [Concourse 0] East Interior Fit-Out” and “C0 West Interior Fit-Out” Project components were underrepresented; specifically, that the calculation of VOC emissions did not account for potential addition of 318,000 square feet of office space, as identified in Section 2.4.2.1. The commenter is correct that the 318,000 square feet of office space was inadvertently not included in the construction emissions calculations. As discussed below, the calculations were corrected and accurately reflect expected emissions levels.

Prior to, and independent from, comments received on the Draft EIR, LAWA reevaluated the construction start date for the proposed Project in light of the status of the CEQA

and the NEPA environmental reviews of the proposed Project and determined that a January 2022 start date was more reasonable than an April 2021 construction start date. As a result of this refinement, Project-related construction emissions were reevaluated. The updated construction emissions calculations, including the revised calculations related to architectural coatings, were based on the total floor areas noted in the Draft EIR: 1,275,600 square feet for Concourse 0, which includes the additional 318,000 square feet of office area (see Concourse 0 total square footage indicated on page 2-24 of the Draft EIR), and 1,413,600 square feet for Terminal 9 (see Terminal 9 total square footage indicated on page 2-28 of the Draft EIR). In addition, as discussed below, the refined construction-related fugitive VOC emissions calculations assumed the use of architectural coatings in compliance with SCAQMD Rule 1113.[1] Please see Chapter F3, Corrections and Clarifications to the Draft EIR, for the refined construction emissions, including revised VOC emissions for the correct square footages for architectural coatings noted above. As shown in Chapter F3, none of the refined peak day construction emissions would exceed the peak day construction emissions presented in Table 4.1.1-8 of the Draft EIR; therefore, no new air quality significant impacts were identified.

The construction-related fugitive VOC emissions calculations presented in Appendix C.1 and throughout the Draft EIR were extremely conservative estimates of actual expected Project-related emissions. The methodology employed for the proposed Project construction emission calculations was based on CalEEMod default building area assumptions. The CalEEMod User Guide version 2016.3.2 assumes a total surface coating factor of 2 times the floor square footage.[2] While appropriate for a typical general office structure, this assumption is very conservative for, and not representative of, airport terminals, which have expansive open spaces devoted to non-office activities, such as ticketing, baggage claim, concourses, and, in particular, large open areas for passengers to sit while waiting to board aircraft. For example, for the LAX Terminal 1.5 Project Final Initial Study/Mitigation Negative Declaration,[3] a recently published study for a terminal construction project at LAX inclusive of both terminal space and office space, interior layout and design plans were analyzed to estimate the actual total surface coating area. The analysis concluded that the actual total surface coating area would be less than half of the default CalEEMod assumption. The Terminal 1.5 analysis included 146,000 square feet of office space and 272,000 square feet of typical terminal space; approximately 35 percent of the total addition would be office space. The office space in Concourse 0 would be approximately 30 percent of the total area, a comparable ratio to Terminal 1.5. The proposed Project analysis made no corrections to the estimated architectural coating emission estimates to account for the installation of non-coated glass windows and skylights, which would be prevalent throughout the design of Concourse 0 and Terminal 9. Therefore, the use of the CalEEMod total surface coating factor contributed to the conservative nature of the analysis provided in the Draft EIR.

Moreover, the proposed Project fugitive construction calculations assumed a VOC concentration of 250 grams of VOC per liter of coating for architectural construction coatings based on USEPA maximum allowable VOC concentrations. In reality, more stringent VOC regulations, promulgated in SCAQMD Rule 1113, restrict VOC concentrations to levels that are far lower than 250 grams of VOC per liter of coating. Although it would be speculative to presume the precise quantity of coatings that would be used during the construction of Concourse 0 and Terminal 9 under each regulated

architectural coating category, Table 1 presents the most applicable regulated coating categories to terminal construction and their respective regulated VOC concentration limits. As shown, the most applicable VOC concentration limits for architectural coatings related to the construction of Concourse 0 and Terminal 9 range from 50 to 150 grams of VOC per liter of coating (40 percent to 80 percent lower than the coating VOC concentration assumed for the architectural coating calculations in the Draft EIR). Therefore, inclusion of low-VOC architectural coatings in the refined emissions analysis is supported by substantial evidence.

Table 1. SCAQMD Rule 1113 VOC Limits Potentially Applicable to Project Construction	
Architectural Coating Category	VOC Limit
Building Envelope Coatings	100
Concrete-Curing Compounds	100
Concrete Surface Retarders	50
Default	50
Fire-Proofing Coatings	150
Flats	50
Floor Coatings	50
Nonflat Coatings	50
Primers, Sealers, and Undercoaters	100
Roof Coatings	50
Rust Preventative Coatings	100
Waterproofing Sealers	100
Waterproofing Concrete/Masonry Sealers	100

In addition to these considerations, Mitigation Measure MM-GHG (ATMP)-3 calls for LAWA to develop and adopt a Green Procurement Policy, which would apply to the proposed Project. The policy would require LAWA to identify requirements and standards for products (including architectural coatings) that have a reduced effect on human health and the environment when compared with competing products and services that serve the same purpose. This measure would serve to further ensure that low-VOC architectural coatings would be considered throughout construction of Concourse 0 and Terminal 9 in lieu of higher VOC alternatives.

For the reasons described above, the VOC emissions resulting from the construction of Concourse 0 and Terminal 9 would be lower than initially estimated in the Draft EIR, and VOC emissions associated with proposed Project architectural coating activities were not underestimated.

[1] South Coast Air Quality Management District, Rule 1113 – Architectural Coatings, amended February 5, 2016. Available:

<http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf?sfvrsn=17>.

[2] California Air Pollution Control Officers Association, California Emissions Estimator Model, Appendix A Calculation Details for CalEEMod, prepared by BREEZE Software in collaboration with the South Coast Air Quality Management District and the California

Air Districts, October 2017. Available: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf.

[3] City of Los Angeles, Los Angeles World Airports, Final Mitigated Negative Declaration and Initial Study for Los Angeles International Airport (LAX) Terminal 1.5 Project, (Los Angeles City File No. NG-16-275-AD), November 2016. Available: <https://www.lawa.org/en/lawa-our-lax/environmental-documents/documents-certified/lax-terminal-15>.<https://www.lawa.org/en/lawa-our-lax/environmental-documents/documents-certified/lax-terminal-15>.

ATMP-PC035-74

Comment: Failure to Adequately Analyze Construction Trips

While the AQ & GHG Report considers the construction-related emissions associated with worker trips, it fails to consider emissions associated with hauling and vendor trips required by Project construction (Appendix C.1, pp. 146-153). This is incorrect, as vendor and hauling, as well as worker, trips result in short-term construction-related emissions associated with on-road vehicles.[1] Thus, by failing to consider the hauling and vendor trips required for Project construction, the AQ & GHG Report underestimates the Project's construction-related emissions and should not be relied upon to determine Project significance.

[1] "CalEEMod User Guide." available at: <http://www.caleemod.com/>, p. 2.

Response: As described in Section 4.1.1.2.1.3 of the Draft EIR, emissions associated with haul and delivery trips for the transport of various materials to and from the Project site were estimated for each Project component. The Construction Equipment Schedule, presented in Appendix C.1 (PDF pages 48 to 145 of Appendix C) of the Draft EIR, details the estimated total work hours needed for each unit of equipment to complete each Project component, including equipment identified as concrete, flat bed, hauling, and delivery trucks. Emissions associated with the equipment listed in the Construction Equipment Schedule, including concrete, flat bed, hauling, and delivery trucks, were estimated using the most applicable OFFROAD2017 or EMFAC2017 emission factors, presented in the Equipment Parameters section of Appendix C.1 (PDF pages 19 and 20 of Appendix C) of the Draft EIR. Therefore, hauling and vendor activity were included in the construction analysis. The air quality and greenhouse gas analyses did not underestimate the Project's construction-related emissions; these analyses were appropriately relied upon to determine the impacts of the proposed Project.

ATMP-PC035-75

Comment: Failure to Evaluate All Operational Emission Sources

Regarding the Project's operational emissions, the DEIR states:

“Sources of operational emissions evaluated in the analysis include aircraft engines and auxiliary power units (APUs); ground support equipment (GSE); ground vehicles used to transport passengers, cargo, and supplies to and from the airport; stationary water and space heaters; emergency generators; and indirect GHG emissions from electrical demand” (p. 4.4-5).

However, the DEIR’s analysis of the Project’s operational emissions fails to take into account emissions associated with water usage and solid waste disposal.[2] This presents an issue, as supplying and treating water, as well as disposing of solid waste, throughout Project operation contributes to operational greenhouse gas (“GHG”) emissions.[3] Thus, by failing to consider emissions associated with solid waste and water, the AQ & GHG Report underestimates the Project’s operational GHG emissions and should not be relied upon to determine Project significance.

[2] “CalEEMod User Guide.” available at: <http://www.caleemod.com/>, p. 2.

[3] “CalEEMod User Guide.” available at: <http://www.caleemod.com/>, p. 44, 46.

Response: The content of this comment is similar to comment ATMP-AL010-172; please refer to Response to Comment ATMP-AL010-172.

ATMP-PC035-76

Comment: Failure to Implement All Feasible Mitigation to Reduce Emissions

As discussed above, the DEIR relies upon an unsubstantiated analysis of the Project’s emissions. However, despite the DEIR’s flawed emissions analysis, the DEIR’s construction-related and operational emissions estimates indicate a significant air quality impact. Specifically, regarding the Project’s construction-related criteria air pollutant emissions, the DEIR states:

“With implementation of Mitigation Measures MM-AQ/GHG (ATMP)-1 and 2, significant impacts associated with construction emissions would be reduced, but not to a level that would be less than significant. Specifically, even with implementation of all feasible construction-related mitigation measures, the proposed Project-related estimated incremental increases in construction-related emissions of CO, VOC, NOX, and SOX would exceed the daily emission thresholds established by SCAQMD. The emissions of CO, VOC, and SOX would exceed the construction emission thresholds during the periods when one of the north runways is closed to safely tie-in the Taxiway D extension. The runway closure period would require aircraft to taxi farther to the open runways. Once these connections are completed, taxi times would drop and would be similar to Without Project taxi times. Although these runway closures would be temporary (approximately 4 to 5 months in two different years) relative to the total proposed Project construction duration, they do represent peak day total construction emissions for all pollutants. Construction emissions of NOX would exceed the construction emission thresholds in several years that do not include the runway closures. No other feasible mitigation measures have been identified that would further reduce these impacts to air quality. Therefore, impacts to air quality from Project-related construction emissions would be significant and unavoidable” (p. 4.1.1-43 – 4.1.1-44).

Furthermore, regarding the Project's operational criteria air pollutant emissions, the DEIR states:

"With implementation of Mitigation Measures MM-AQ/GHG (ATMP)-3 through 7 and MM-T (ATMP)-1, significant impacts associated with operational emissions would be reduced, but not to a level that would be less than significant. Specifically, even with implementation of all feasible operations-related mitigation measures, the Project-related estimated incremental increases in daily operations-related emissions of NOX, SOX, PM10, and PM2.5 would exceed the daily emission thresholds established by SCAQMD. No other feasible mitigation measures have been identified at this time that would further reduce impacts to air quality. Therefore, impacts to air quality from Project-related operational emissions would be significant and unavoidable" (p. 4.1.1-50).

However, while we agree that the Project's construction-related and operational criteria air pollutant emissions would result in significant air quality impacts, the DEIR's conclusion that these impacts are "significant and unavoidable" is incorrect. According to CEQA Guidelines § 15096(g)(2):

"When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment."

As you can see, an impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. However, while the DEIR includes MM-AQ/GHG (ATMP)-1 through 7, as well as MM-T (ATMP)-1, the DEIR fails to implement all feasible mitigation (p. 4.1.1-43, 4.1.1-49). Therefore, the DEIR's conclusion that the Project's air quality impacts are significant and unavoidable is unsubstantiated. To reduce the Project's air quality impacts to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled "Feasible Mitigation Measures Available to Reduce Emissions." [4] Thus, the Project should not be approved until an updated EIR is prepared, including updated, accurate air modeling, as well as incorporating all feasible mitigation to reduce emissions to less-than-significant levels.

[4] See section titled "Feasible Mitigation Measures Available to Reduce Emissions" on p. 12 of this comment letter. These measures would effectively reduce construction-related and operational criteria air pollutant emissions.

Response: This comment refers to the mitigation measures proposed by the commenter in comments ATMP-PC035-86 through ATMP-PC035-97, which are each addressed in Topical Response TR-ATMP-AQ/GHG-1. Please refer to Topical Response TR-ATMP-AQ/GHG-1. As discussed on page 4.4-33 in Section 4.4 and Appendix C.9 of the Draft EIR, LAWA reviewed over 90 possible mitigation measures to determine if they were already being implemented at LAX, were proposed to be included in the proposed Project as a

design/operation feature or as a Project mitigation measure, or were considered to be not applicable to, or infeasible for, the proposed Project. Contrary to the commenter's assertion, the Draft EIR does not exclude any mitigation measures that could feasibly be implemented to address significant air quality impacts.

ATMP-PC035-77

Comment: Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated
The DEIR concludes that the Project's health risk impacts would be less-than-significant as a result of quantitative construction and operational health risk assessments ("HRAs") (p. 4.1.2-14, 4.1.2-16). Specifically, the DEIR estimates the following cumulative cancer risks (see excerpt below) (p. 4.1.2-14, Table 4.1.2-2):

Receptor Type	Cancer Risks ^{1,2,3,4} (per million people)	Threshold (per million people)	Equal to or Exceeds Threshold?
Off-Airport Worker, 25 years	5	10	No
Adult Resident, 70 years	2	10	No
Adult Resident, 30 years	1	10	No
Child Resident, 5 years	0.1	10	No
School Child, 12 years	0.2	10	No

However, the DEIR's analysis of the Project's health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for three reasons.

First, the DEIR's analysis of the Project's toxic air contaminant ("TAC") emissions is incorrect, as it relies upon a flawed analysis of the Project's emissions. As previously discussed, when we reviewed the DEIR's analysis of the Project's emissions, provided in the AQ & GHG Report as Appendix C to the DEIR, we found several inadequacies, as well as inconsistencies with the information disclosed in the DEIR and associated documents. As a result, the DEIR's HRA utilizes underestimated TAC emissions estimates to calculate the cancer risk associated with Project construction and operation. As a result, the DEIR may underestimate the Project's construction-related and operational cancer risks and should not be relied upon to determine Project significance.

Response: As stated in Appendix C.6, Human Health Risk Assessment Technical Report, of the Draft EIR, "[t]he human health risk assessment (HHRA) presented in this technical appendix estimates cancer risks, chronic (long-term) non-cancer health hazards, and acute (short-term) non-cancer health hazards associated with exposure to toxic air contaminants (TAC) that would be emitted during construction and operation of the Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project (proposed Project)." The HHRA was developed as required under State of California statutes and regulations,[1] and was conducted as defined in SCAQMD, CalEPA, and USEPA guidance [2,3,4]. The methodology for the HHRA is documented in the LAX Airfield and Terminal Modernization Project CEQA Protocol for Conducting an Air Quality Impact Analysis for Criteria Air Pollutants, Final Supplement 1 – Human Health Risk Assessment Methodology to the CEQA Protocol, which was presented to SCAQMD prior to the

initiation of the HHRA and is included in Appendix C.8, Modeling Protocols, of the Draft EIR. The health risks were based on concentrations of TAC estimated using dispersion modeling of emissions associated with construction and operation of the proposed Project to downwind receptor locations within the study area around the airport, as defined in the modeling protocols in Appendix C.8 of the Draft EIR. Modeled concentrations were used to estimate human health risks and hazards, which were the basis of the significance determinations for the proposed Project.

As noted in Section 3 of Appendix C.6, diesel particulate matter (DPM) is one of the TAC modeled in the dispersion modeling of emissions and analyzed in the human health risk assessment. Emissions of DPM during the construction phase are expected to contribute the majority of total incremental cancer risks from the proposed Project.

With respect to the contribution of regional air quality to diesel exhaust in the South Coast Air Basin, please see Response to Comment ATMP-PC035-25.

With respect to health effects in the surrounding communities and emissions from LAX, please see Response to Comment ATMP-PC028-4.

With respect to adequacy of the air pollutant emissions analysis, please see Responses to Comments ATMP-PC035-73, ATMP-PC035-74, and ATMP-AL010-172. As described in those responses, architectural coating, construction hauling and vendor truck trips, and air pollutant emissions associated with landscaping and water usage were appropriately included in the air quality impacts analysis and HHRA.

With respect to the other two issues concerning the adequacy of the health risk analysis mentioned in this comment, please see Responses to Comments ATMP-PC035-78 and ATMP-PC035-79 below.

[1] California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Information and Assessment Act of 1987, Section 44300; California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program, Risk Assessment Guidelines, Guidance Manual for Preparation of Health Risk Assessments, February 2015.

[2] South Coast Air Quality Management District, AB 2588 and Rule 1402 Supplemental Guidelines (Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics “Hot Spots” Information and Assessment Act), July 2018. Available: <http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588supplementalguidelines.pdf>.

[3] California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines, Part I: The Determination of Acute Reference Exposure Levels for Airborne Toxicants, March 1999. Available: <https://oehha.ca.gov/air/crnrr/adoption-air-toxics-hot-spots-risk-assessment-guidelines-part-i-technical-support-document>. California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxic Hot Spots Program Risk Assessment Guidelines, Technical Support Document for Exposure Assessment and Stochastic Analysis, August 2012. Available: <https://oehha.ca.gov/air/crnrr/notice->

adoption-technical-support-document-exposure-assessment-andstochastic-analysis-aug. California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines, Technical Support Document for the Derivation of Noncancer Reference Exposure Levels, June 2008. Available: <https://oehha.ca.gov/media/downloads/cnr/noncancertsdfinal.pdf>. California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines, Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow early life stage exposures, May 2009. Available: <https://oehha.ca.gov/media/downloads/cnr/tsdcancerpotency.pdf>. California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program, Risk Assessment Guidelines, Guidance Manual for Preparation of Health Risk Assessments, February 2015.

[4] U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation Manual (Part A), Interim Final, EPA/540/1-89/002, December 1989. Available: https://www.epa.gov/sites/production/files/2015-09/documents/rags_a.pdf.

ATMP-PC035-78

Comment: Second, the Human Health Risk Assessment Technical Report (“HRA Report”), provided as Appendix C.6 to the DEIR, provides the total emissions used in the dispersion analysis of construction sources (see excerpt below) (Appendix C.6, p. 3-2).

Table 3-1 On-Airport Construction TOG and PM₁₀ Emissions for the Proposed Project

Averaging Period	PM ₁₀				TOG			Comments
	Diesel Engine Exhaust	Gasoline Engine Exhaust	Fugitive Dust	Tire & Brake Wear	Diesel Engine Exhaust	Gasoline Engine Exhaust	Paving & Coating	
Peak Daily (lbs)	5.84	0.05	18.78	0.72	36.25	1.26	47.64	Used for Acute Non-Cancer Health Hazard
Peak Annual (tons)	0.53	0.01	1.88	0.07	3.24	0.13	4.33	Used for Chronic Non-Cancer Health Hazard
Average for 14-year Construction Period (tons/year)	0.21	<0.01	0.62	0.03	NA	0.05	1.08	Used for Cancer Risk

However, the HRA Report fails to provide the total emissions used in the dispersion analysis of operational sources. As a result, we cannot verify the DEIR’s operational HRA, and the DEIR’s less-than-significant impact conclusion should not be relied upon.

Response: Total emissions used in the dispersion analysis of operational sources are not summarized in Appendix C.6, Human Health Risk Assessment Technical Report, of the Draft EIR. This information is, however, contained in other appendices of the Draft EIR:

- Appendix C.2, Operational Emissions Calculations, contains the operational emission calculations.
- Appendix C.5, Human Health Risk Assessment Inputs, contains the operations particulate concentrations by source group for both with and without Project. This appendix also includes the aircraft fuel particulates, particulates, and organics toxic air contaminants (TAC) speciation profiles.
- Appendix C.8, Modeling Protocols, contains detailed descriptions of the emissions estimation methodologies.

Information from these Draft EIR appendices was used in the human health risk assessment calculations, and the incremental operational emission concentrations at the peak location are provided in Attachments 1.2 and 1.3 of Appendix C.6 of the Draft EIR. This information is also cited and summarized in the text of the Draft EIR (see Section 4.1.2 of the Draft EIR.)

ATMP-PC035-79

Comment: Third, in order to evaluate the Project's criteria air pollutant emissions, the DEIR compares the 2028 Project scenario with the 2018 baseline scenario, as well as the 2028 with Project scenario to the 2028 without Project scenario (p. 4.1.1-34). However, in order to evaluate the Project's TAC emissions, the DEIR compares the 2028 Project scenario with the 2018 baseline scenario, as well as the 2028 without Project scenario to the 2018 baseline scenario (see excerpt below) (p. 4.1.2-19, Table 4.1.2-4).

Table 4.1.2-4 Incremental Cancer Risks for Maximally Exposed Individuals for 2028 With Project Operations Compared to 2018 Baseline and 2028 Without Project Compared to 2018 Baseline		
Receptor Type	Incremental Cancer Risks ^{1,2,3,4} (per million people)	
	2028 With Project Operations Compared to 2018 Baseline	2028 Without Project Operations Compared to 2018 Baseline
Off-Airport Worker, 25 years	5	-0.2
Adult Resident, 70 years	-4	-4
Adult Resident, 30 years	-4	-3
Child Resident, 9 years	-3	-2
School Child, 12 years	-1	-0.9
Source: Appendix C.6 of this EIR.		
Notes:		
¹ It was assumed that for operations, receptors are exposed to operations-related TAC beginning in 2028 and continuing through the remainder of the receptors' exposure periods.		
² Maximally Exposed Individual (MEI) locations are shown on Figure 4.1.2-4.		
³ The MEI value for the school child cancer risk is at a residential/commercial grid location and not at an existing school location. The highest estimated cancer risk for school children at an existing school is estimated to be -1 in 1 million at Cowan Avenue Elementary School (the school at grid point 176).		
⁴ Negative values indicate a beneficial impact.		

As demonstrated in the table above, the DEIR compares the 2028 Project scenario with the 2018 baseline scenario, as well as the 2028 without Project scenario to the 2018 baseline scenario, and ultimately concludes that Project operation would result in a negative cancer risk (i.e. a beneficial impact). Furthermore, the estimated 70-year adult

resident, 30-year adult resident, 9-year child resident, and 12-year school child cancer risks are negative regardless of whether or not the Project is approved. Given that the majority of estimated cancer risks are negative with or without the proposed Project, the use of the 2018 baseline scenario may be misleading. According to the Association of Environmental Professionals (“AEP”) CEQA Portal Topic Paper on “Baseline and Environmental Setting”:

“For projects that may be implemented over a period of years, or even decades, simply comparing the effects of such a project to a baseline representing existing conditions may not provide a full and accurate picture of the project’s impacts.”[5]

As the proposed Project would be implemented over a period of 7 years, the DEIR should have compared the TAC emissions associated with the 2028 With Project Operations scenario to the 2028 Without Project Operations scenario, consistent with the DEIR’s analysis of the Project’s operational criteria air pollutant emissions. By failing to consider a baseline scenario that provides a full and accurate picture of the Project’s impacts, the DEIR may underestimate the Project’s operational health risk impacts and should not be relied upon.

[5] “Baseline and Environmental Setting.” AEP, August, 2016, available at: <https://ceqaportal.org/tp/Baseline%20and%20Environmental%20Setting%20Topic%20Paper%2008-23-16.pdf>, p. 3.

Response: The baseline analysis was conducted pursuant to, and complies with, the requirements of CEQA. (State CEQA Guidelines Section 15125(a).) The operational emissions comparison using the standard CEQA approach (i.e., baseline as existing conditions at time of the Notice of Preparation [NOP]), is explained in Section 4.1.1.4.1.1 on page 4.1.1-34 of the Draft EIR. The results for the incremental cancer risks for maximally exposed individuals (MEI) during the With Project operational period compared to 2018 baseline conditions are shown in Table 4.1.2-3; this difference was used to determine the significance of Project-related emissions as related to incremental cancer risk in 2028 in accordance with the requirements of CEQA.

The results for incremental cancer risks for MEI for 2028 With Project operations compared to 2028 Without Project conditions are shown on Table 4.1.2-4 on page 4.1.2-19 of the Draft EIR. As stated in the text preceding the table, this comparison is provided for informational purposes only; it was not used as a basis for the significance determination.

The excerpt in the comment from the CEQA Portal Topic Paper on “Baseline and Environmental Setting” is taken out of context. The text surrounding this excerpt states that the use of a “future baseline” (which would be akin to comparing 2028 With Project to 2028 Without Project) is “unusual” and that comparison to an existing conditions baseline is still warranted. The paper notes that the Court’s conclusion is that the exclusive use of a future baseline should apply only to situations where “justified by unusual aspects of the project or the surrounding conditions.”[1] The paper provides guidance based on the California Supreme Court’s decision in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439. In that case, the

Court held that an EIR should describe existing conditions at the time the analysis is performed, and that these existing conditions “normally” constitute the environmental baseline against which a project’s impacts are measured. If, however, the agency determines that such an analysis would be misleading, an agency has discretion to “omit an analysis of the project’s significant impacts on existing environmental conditions and substitute a baseline consisting of environmental conditions projected to exist in the future,” provided the agency explains why “an existing conditions analysis would be misleading or without informational value.” (See State CEQA Guidelines, Section 15125(a).)

In this instance, the Draft EIR’s analysis is consistent with the Neighbors for Smart Rail decision and with State CEQA Guidelines Section 15125(a). The analysis of TAC emissions follows the normal approach by relying on a “baseline” condition that is consistent with environmental conditions at the time the environmental review process commenced.

In order to adopt the approach suggested by the commenter, it would have to be demonstrated that the use of an existing conditions baseline “would be misleading or without informational value.” The commenter has not provided evidence addressing this issue. In this case, an existing conditions baseline is neither misleading nor without informational value. For this reason, LAWA has concluded that it is appropriate to adhere to the approach recommended by State CEQA Guidelines Section 15125(a).

In addition, the CEQA Portal Topic Paper indicates that the comparison to a “future baseline” may be warranted for “projects that may be implemented over a period of years, or even decades.” However, the proposed Project would be implemented over a period of 7 years, which is less than a decade and significantly less than the 20-year time frame that is used as an example in the CEQA Portal Topic Paper.

The air quality analysis results for operational emissions for 2028 With Project compared to 2028 Without Project, shown in Table 4.1.1-11 on pages 4.1.1-46 and 4.1.1-47 of the Draft EIR, were provided “to remove the influence of background growth and differences in motor vehicle emission factors between 2018 and, thereby, to highlight the air pollutant emissions impacts of the proposed Project compared to future emissions that are estimated to occur without the Project.” The results of this analysis indicate that “[t]he combined effect of these changes in emission sources would result in an increase in all pollutant emissions (i.e., CO, VOC, NOX . . . PM10, and PM2.5)[2] under the 2028 With Project scenario as compared to the 2028 Without Project scenario. The increases in traffic from additional employee travel under the With Project scenario, as well as stationary source emissions from the new terminal operations account for the majority of the increased emissions. Although this analysis is presented for informational purposes only, as shown in Table 4.1.1 11, the incremental emissions from operation of the proposed Project compared to the 2028 Without Project scenario would exceed the SCAQMD significance threshold for VOC. This increase in VOC emissions would be associated primarily with emissions generated through the day-to-day operation of the new Terminal 9 and Concourse 0 facilities.” Although the human health impact of this future baseline comparison is not calculated in terms of incremental cancer risk, the exceedance of the SCAQMD significance threshold for VOC, which is a TAC, is clearly stated in the Draft EIR.

As stated in the comment, the Draft EIR text on p. 4.1.2-19 is clear on what is represented in Table 4.1.2-4 and is not misleading. The table provides the 2028 Project Operations compared to 2018 Baseline, as well as the 2028 Without Project Operations compared to 2018 Baseline.

[1] Association of Environmental Professionals. CEQA Portal Topic Paper: Baseline and Environmental Setting, August 23, 2016. Available: <https://ceqaportal.org/tp/Baseline%20and%20Environmental%20Setting%20Topic%20Paper%2008-23-16.pdf>.

[2] The text on page 4.1.1-47 of the Draft EIR incorrectly stated that the conclusions presented in Table 4.1.1-11 show an increase in SO_x under the 2028 With Project scenario as compared to the 2028 Without Project scenario. As shown in Table 4.1.1-11 of the Draft EIR, the operational emissions of SO_x would decrease in this comparison. This typographical on page 4.1.1-47 has been corrected. Please see Chapter F3, Corrections and Clarifications to the Draft EIR.

ATMP-PC035-80

Comment: Failure to Consider Long-Term Impacts

The DEIR fails to consider the full extent of the Project's operational air quality impacts by failing to analyze long-term conditions. The buildout year analyzed in the DEIR's air quality analysis is 2028 (see excerpt below) (p. 4.1.2-19, Table 4.1.2-4).

Table 4.1.2-4

Table 4.1.2-4 Incremental Cancer Risks for Maximally Exposed Individuals for 2028 With Project Operations Compared to 2018 Baseline and 2028 Without Project Compared to 2018 Baseline		
Receptor Type	Incremental Cancer Risks ^{1,2,3,4} (per million people)	
	2028 With Project Operations Compared to 2018 Baseline	2028 Without Project Operations Compared to 2018 Baseline
Off-Airport Worker, 25 years	5	-0.2
Adult Resident, 70 years	-4	-4
Adult Resident, 30 years	-4	-3
Child Resident, 9 years	-3	-2
School Child, 12 years	-1	-0.9
Source: Appendix C.6 of this EIR.		
Notes:		
¹ It was assumed that for operations, receptors are exposed to operations-related TAC beginning in 2028 and continuing through the remainder of the receptors' exposure periods.		
² Maximally Exposed Individual (MEI) locations are shown on Figure 4.1.2-4.		
³ The MEI value for the school child cancer risk is at a residential/commercial grid location and not at an existing school location. The highest estimated cancer risk for school children at an existing school is estimated to be -1 in 1 million at Cowan Avenue Elementary School (the school at grid point 176).		
⁴ Negative values indicate a beneficial impact.		

However, as demonstrated in the Activity Forecasts and Operational Analyses, provided as Appendix B to the DEIR, the Project is expected to generate an additional 165,316 annual aircraft operations in 2045, when compared to 2028 (see excerpt below) (p. 3-12, Table 3-7).

TABLE 3-7 HISTORICAL AND UNCONSTRAINED FORECAST TOTAL UNSCHEDULED OPERATIONS

FISCAL YEAR ¹	AIRCRAFT OPERATIONS		SHARE
	UNSCHEDULED ²	TOTAL ³	UNSCHEDULED ⁴
Unconstrained Forecast ⁵			
2018	71,454	714,543	10.0%
2023	75,190	751,901	10.0%
2028	79,984	799,843	10.0%
2033	85,347	853,471	10.0%
2038	90,240	902,401	10.0%
2043	94,735	947,345	10.0%
2045	96,516	965,159	10.0%

Thus, the DEIR's Activity Forecasts and Operational Analyses indicates a significant amount of planned growth, which was not accounted for in the DEIR's air quality analysis. By failing to analyze the Project's long-term operational air quality impacts, the DEIR fails to consider the full extent of the Project's operational air quality impacts and should not be relied upon.

Response: Please see Topical Response TR-ATMP-G-3 regarding the reasons why 2028 is the appropriate horizon year for evaluating the impacts of the proposed Project. With respect to the commenter's assertions that the proposed Project would generate additional aircraft operations in 2045, please see Section 2.3.1.2.2 of the Draft EIR. As explained there, the annual activity forecast and regression analysis prepared by LAWA's aviation experts determined that aircraft operations would be the same in 2028 with or without the proposed Project, and that the proposed Project would not result in increased aviation and/or passenger activity levels or capacity at LAX. This analysis is supported by substantial evidence as documented in Appendix B.1 of the Draft EIR. Please see Topical Response TR-ATMP-G-1 for further discussion of the validity of this forecast. For all of these reasons, the Draft EIR's analysis of operational air quality impacts is accurate and appropriate.

ATMP-PC035-81

Comment: Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would generate net annual GHG emissions of 204,877 metric tons of carbon dioxide equivalents per year ("MT CO₂e/year"), or an increase of 9.5% from baseline conditions, which indicates a significant GHG impact (see excerpt below) (p. 4.4-29, Table 4.4-5).

Table 4.4-5
Construction (Amortized) and Operational GHG Emissions for the Proposed Project as Compared to 2018 Baseline Conditions

Emission Source	Baseline Conditions (2018)		Proposed Project (2028)		Incremental Difference	
	MT/Yr CO ₂ e	Percent of Total	MT/Yr CO ₂ e	Percent of Total	MT/Yr CO ₂ e	Percent Change
Aircraft	930,589	43	1,142,550	48	212,362	22.8
APUs	45,135	2	48,941	2	3,806	8.4
GSE	27,723	1	19,626	1	(8,098)	(29.2)
Stationary	97,397	5	107,490	5	10,093	10.4
Autos	1,020,793	47	1,005,382	43	(15,410)	(1.5)
Parking	30,186	1	28,742	1	(1,444)	(4.8)
Construction ¹	—	—	3,568	<1	3,568	100
TOTALS²	2,151,823	100	2,356,700	100	204,877	9.5

As a result, the DEIR includes MM-AQ/GHG (ATMP)-1 through MM-AQ/GHG (ATMP)-6 and MM-GHG (ATMP)-1 through MM-GHG (ATMP)-5 (p. 4.4-31 - 4.4-32). However, after the implementation of these mitigation measures, the DEIR concludes that the Project's GHG emissions would be significant and unavoidable, stating:

“The proposed Project would generate GHG emissions directly and indirectly that would have a significant impact on the environment. Mitigation Measures MM-AQ/GHG (ATMP)-1 through MM-AQ/GHG (ATMP)-6, MM-GHG (ATMP)-1 through MM-GHG (ATMP)-5, and MM-T (ATMP)-1 would reduce GHG emissions associated with construction and operation of the proposed Project. However, the vast majority of GHG emissions associated with operation of the proposed Project in 2028 would occur with or without Project implementation and are from aircraft, which LAWA does not own and has no authority to control (i.e., Scope 3 GHG emissions). As described in Section 4.1.1, Air Quality, the USEPA establishes the overall policies and regulations for protecting air quality nationwide, which include setting standards for stationary (e.g., power plants, industrial boilers, incinerators) and mobile (e.g., motor vehicles, off/non-road vehicles, aircraft engines) sources of pollutant emissions, including GHG emissions. Section 233 of the federal Clean Air Act exclusively vests the authority to promulgate emission standards for aircraft and aircraft engines with the USEPA; states and other municipalities are preempted from adopting or enforcing any standard with respect to aircraft engine emissions unless such standard is identical to the USEPA's standards. Implementation of the proposed mitigation measures would reduce Project-related GHG emissions, but not to a level that would be less than significant. No other feasible mitigation measures have been identified that would further reduce GHG impacts. Therefore, impacts associated with Project-related GHG emissions would remain significant and unavoidable” (p. 4.4-33 - 4.4-34).

Furthermore, the DEIR evaluates the Project's consistency with Executive Orders S-3-05, B-30-15, and B-55-18; CARB's 2017 Climate Change Scoping Plan and the City of Los Angeles' Sustainable City pLAn/Green New Deal (p. 4.4-38). However, based on numerous conflicts with these plans, the DEIR concludes that the Project's GHG impact would be significant and unavoidable, stating:

“Implementation of Mitigation Measures MM-AQ/GHG (ATMP)-1 through MM-AQ/GHG (ATMP)-6, MM-GHG (ATMP)-1 through MM-GHG (ATMP)-5, and MM-T (ATMP)-1, presented above in the discussion of Impact 4.4-1, would reduce GHG emissions

associated with construction and operation of the proposed Project. However, as noted in that discussion, even with implementation of these mitigation measure, Project-related GHG emissions would be significant and unavoidable. The reduction in emissions resulting from Mitigation Measures MM-AQ/GHG (ATMP)-1 through MM-AQ/GHG (ATMP)-6, MM-GHG (ATMP)-1 through MM-GHG (ATMP)-5, and MM-T (ATMP)-1 would reduce the severity of Project-related conflicts with certain applicable plans, policies, and regulations adopted for the purpose of reducing emissions of GHG, but would not eliminate these conflicts. Therefore, impacts of the proposed Project with respect to applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs would remain significant and unavoidable” (p. 4.4-38).

However, the DEIR’s analysis of the Project’s GHG impact, as well as the subsequent significant-and-unavoidable GHG impact conclusion, is incorrect for three reasons.

- (1)The DEIR’s quantitative GHG analysis relies upon an unsubstantiated analysis of emissions;
- (2)The DEIR fails to implement all feasible mitigation to reduce the Project’s GHG emissions; and
- (3)The DEIR fails to consider the performance-based standards under CARB’s 2017 Scoping Plan.

Response: This comment introduces the issues raised by the commenter in comments ATMP-PC035-82 through ATMP-PC035-84. Responses to the issues raised in these comments are provided in Responses to Comments ATMP-PC035-74 and ATMP-AL010-172 (which respond to comment ATMP-PC035-82); ATMP-PC035-83, which includes a reference to Topical Response TR-ATMP-AQ/GHG-1; and ATMP-PC035-32 (which responds to comment ATMP-PC035-84). Please see Responses to Comments ATMP-PC035-74, ATMP-AL010-172, ATMP-PC035-83, Topical Response TR-ATMP-AQ/GHG-1, and ATMP-PC035-32.

ATMP-PC035-82

Comment: (1) Incorrect and Unsubstantiated Quantitative GHG Analysis
As discussed above, the DEIR estimates that the Project would generate net annual GHG emissions of 204,877 MT CO₂e/year (p. 4.4-29, Table 4.4-5). However, the DEIR’s quantitative GHG analysis should not be relied upon, as it relies upon an unsubstantiated analysis of the Project’s emissions. As previously discussed, when we reviewed the DEIR’s analysis of the Project’s emissions, provided in the AQ & GHG Report as Appendix C to the DEIR, we found several inadequacies, as well as inconsistencies with the information disclosed in the DEIR and associated documents. As a result, the DEIR’s quantitative GHG analysis may underestimate the Project’s GHG emissions and should not be relied upon to determine Project significance. An updated EIR should be prepared that adequately assesses the potential GHG impacts that construction and operation of the proposed Project may have on the surrounding environment.

Response: Please see Responses to Comments ATMP-PC035-74 and ATMP-AL010-172 regarding the adequacy of the GHG emissions analysis with respect to the issues raised by the

commenter. As discussed in those responses, construction emissions from hauling and vendor trucks and operational emissions from water usage and solid waste disposal were included in the emissions calculations. It should also be noted that Section 4.4 of the Draft EIR found the unmitigated, Project-related GHG emissions would result in a significant impact, and the mitigated emissions were found to be significant and unavoidable.

ATMP-PC035-83

Comment: (2) Failure to Implement All Feasible Mitigation to Reduce GHG Emissions

As discussed above, the DEIR's GHG analysis relies upon a flawed analysis of the Project's emissions. However, despite the DEIR's flawed air model, the DEIR's GHG emissions estimates indicate a significant GHG impact. As a result, the DEIR concludes that the proposed Project's GHG emissions would be significant and unavoidable (p. 4.4-33 - 4.4-34). However, while we agree that the Project's GHG emissions would be significant, the DEIR's conclusion that these impacts are "significant and unavoidable" is incorrect. According to CEQA Guidelines § 15096(g)(2):

"When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment."

As you can see, an impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. However, while the DEIR implements Mitigation Measures MM-AQ/GHG (ATMP)-1 through MM-AQ/GHG (ATMP)-6, MM-GHG (ATMP)-1 through MM-GHG (ATMP)-5, and MM-T (ATMP)-1, the DEIR fails to implement all feasible mitigation (p. 4.4-31- 4.4-33). Therefore, the DEIR's conclusion that the Project's GHG impact is significant and unavoidable is unsubstantiated. To reduce the Project's GHG emissions to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled "Feasible Mitigation Measures Available to Reduce Emissions." [6] Thus, the Project should not be approved until an updated EIR is prepared, including updated, accurate air modeling, as well as incorporating all feasible mitigation to reduce emissions to less-than-significant levels.

[6] See section titled "Feasible Mitigation Measures Available to Reduce Emissions" on p. 12 of this comment letter. These measures would effectively reduce the Project's GHG emissions.

Response: This comment refers to the mitigation measures identified in comments ATMP-PC035-86 through ATMP-PC035-97, which are each addressed in Topical Response TR-ATMP-AQ/GHG-1. Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the feasibility of the mitigation measures identified in comments ATMP-PC035-86 through ATMP-PC035-97. As discussed on page 4.4-33 in Section 4.4 and Appendix C.9 of the Draft EIR, LAWA reviewed over 90 possible mitigation measures to determine if they were already being implemented at LAX, were proposed to be included in the proposed Project as a

design/operation feature or as a Project mitigation measure, or were considered to be not applicable to, or infeasible for, the proposed Project. Contrary to the commenter's statement, the Draft EIR does not exclude any mitigation measures that could feasibly be implemented to address significant GHG impacts.

ATMP-PC035-84

Comment: (3) Failure to Consider Performance-Based Standards Under CARB's 2017 Scoping Plan

As previously mentioned, the Project relies upon the Project's consistency with CARB's 2017 Scoping Plan in order to determine Project significance. However, review of the Project documents demonstrates that the DEIR fails to consider the performance-based standards under the CARB's 2017 Scoping Plan.

i. Passenger & Light Duty VMT Per Capita Benchmarks per SB 375

In reaching the State's long-term GHG emission reduction goals, CARB's 2017 Scoping Plan explicitly cites to SB 375 and the VMT reductions anticipated under the implementation of Sustainable Community Strategies.[7] CARB has identified the population and daily VMT from passenger autos and light-duty vehicles at the state and county level for each year between 2010 to 2050 under a "baseline scenario" that includes "current projections of VMT included in the existing Regional Transportation Plans/Sustainable Communities Strategies (RTP/SCSs) adopted by the State's 18 Metropolitan Planning Organizations (MPOs) pursuant to SB 375 as of 2015." [8] By dividing the projected daily VMT by the population, we calculated the daily VMT per capita at the county level for 2030 (target year under SB 32) (see table below and Attachment A).

2017 Scoping Plan Daily VMT Per Capita			
Los Angeles County			
Year	Population	LDV VMT Baseline	VMT Per Capita
2030	10,868,614	215,539,586	19.83

The DEIR implements MM-T (ATMP)-1, which requires the implementation of a VMT reduction program resulting in a 20.4 VMT per employee value (p. 4.8-56). The below table compares the 2017 Scoping Plan daily VMT per capita value against the DEIR's daily VMT per capita value (see table below and Attachment A).

Daily VMT Per Capita from Passenger & Light-Duty Trucks, Exceedances under 2017 Scoping Plan Performance-Based SB 375 Benchmarks	
Sources	DEIR Modeling
Daily VMT Per Capita	20.40
2017 Scoping Plan Benchmarks, Los Angeles County Specific	
19.83 VMT (2030 Projected) Exceed?	Yes

As shown above, the DEIR's daily VMT per capita exceeds the CARB 2017 Scoping Plan projection for Los Angeles County for 2030. Because the exceeds the CARB 2017 Scoping Plan performance-based daily VMT per capita projection, the Project conflicts with the CARB 2017 Scoping Plan. As such, a Project specific EIR should be prepared for the proposed Project to provide additional information and analysis evaluating the Project's consistency with CARB's 2017 Scoping Plan.

[7] "California's 2017 Climate Change Scoping Plan." CARB, November 2017, available at: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, p. 25, 98, 101-103.

[8] "Supporting Calculations for 2017 Scoping Plan-Identified VMT Reductions," Excel Sheet "Readme." CARB, January 2019, available at: https://ww2.arb.ca.gov/sites/default/files/2019-1/sp_mss_vmt_calculations_jan19_0.xlsx.

Response: Although the population and VMT data cited in this comment is listed in the supporting documentation in the 2017 Scoping Plan, it represents a countywide VMT per capita metric that would include all travel within Los Angeles County. In preparing the supporting documentation, CARB specifically states that the data is "non-binding technical information that acts as an optional aide to local governments..."[1] and, therefore, this data should not be used as mandatory targets for the proposed Project.

Furthermore, while this comment correctly cites Section 4.8 of the Draft EIR, it is comparing the VMT per LAX employee (20.4) to the VMT for the entire population of Los Angeles County (19.83). Therefore, while the employment metric is higher than the countywide VMT per capita, it is not an apples-to-apples comparison. Rather, as discussed on page 4.8-62 of the Draft EIR, "the cumulative passenger levels associated with terminal improvement projects would not conflict with the forecast in the 2020-2045 RTP/SCS; no significant cumulative impact would occur." Because the 2020-2045 RTP/SCS was prepared in response to SB 375 and contains associated VMT and emission reduction goals, but complying with the 2020-2045 RTP/SCS, the proposed Project is subsequently also complying with the VMT reduction goals established by the 2017 Scoping Plan. Be that as it may, as shown on Table 4.4-7 on page 4.4-35 of the Draft EIR, the proposed Project was not found to be consistent with the 2017 Scoping Plan because the Project's increase in GHG emissions compared to existing conditions could hinder the State's ability to achieve statewide GHG emission reduction goals. As such, Section 4.4.5.2 of the Draft EIR states that these GHG impacts would be significant.

The commenter states that "a Project specific EIR should be prepared for the proposed Project to provide additional information and analysis evaluating the Project's consistency with CARB's 2017 Scoping Plan." The LAX Airfield and Terminal Modernization Project EIR is a project-specific EIR. The EIR includes information concerning the proposed Project's consistency with CARB's 2017 Scoping Plan. Please see Draft EIR pages 4.4-35 and 4.4-38. Additional information concerning the Project's consistency with CARB's 2017 Scoping Plan is provided in the Final EIR. (See, for example, Response to Comment ATMP-PC035-32.)

[1] California Air Resources Board, CARB 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals, page 1, January 2019. Available: <https://ww2.arb.ca.gov/resources/documents/carb-2017-scoping-plan-identified-vmt-reductions-and-relationship-state-climate>.

ATMP-PC035-85

Comment: (4) Failure to Consider Performance-based Standards under SCAG's RTP/SCS
The DEIR fails to consider the Project's consistency with SCAG's 2020-2045 RTP/SCS in order to determine the significance of the Project's GHG impact. Specifically, review of the Project documents demonstrates that the DEIR fails to consider the performance-based standards under SCAG's 2020-2045 RTP/SCS, such as daily vehicle miles traveled ("VMT") per capita benchmarks.

i. SB 375 RTP/SCS Daily VMT Per Capita Target

Under the SCAG's 2020 RTP/SCS, daily VMT per capita in Los Angeles County should decrease to 19.2 VMT by 2045.[9] Here, however, the DEIR fails to consider any of the abovementioned performance-based VMT targets.

As previously stated, the DEIR implements MM-T (ATMP)-1, which requires the implementation of a VMT reduction program resulting in a 20.4 VMT per employee value (p. 4.8-56). The below table compares the SCAG's 2020 RTP/SCS daily VMT per capita value for 2045 against the DEIR's daily VMT per capita value (see table below and Attachment A).

Daily VMT Per Capita from Passenger & Light-Duty Trucks, Exceedances under RTP/SCS Performance-Based SB 375 Target	
DEIR Modeling	
Daily VMT Per Capita	20.40
2020 RTP/SCS Benchmark, Los Angeles County	
19.2 VMT (2045 Target) Exceed?	Yes

As shown in the above table, the DEIR's daily VMT per capita value of 20.40 exceeds the Los Angeles County-specific target for 2045 under SCAG's 2020-2045 RTP/SCS. Thus, based on the DEIR's estimate, the Project would exceed the 2045 target VMT per capita value for Los Angeles County, indicating that the Project conflicts with the SCAG's RTP/SCS and SB 375.

[9] "Connect SoCal." SCAG, September 2020, available at: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176, pp. 138.

Response: The content of this comment is similar to comment ATMP-PC035-32; please see Response to Comment ATMP-PC035-32. Please also see Response to Comment ATMP-PC035-84 for additional information on the VMT targets.

ATMP-PC035-86**Comment:** Feasible Mitigation Measures Available to Reduce Emissions

As previously described, the Project may result in potentially significant air quality, health risk, and GHG impacts that should be mitigated further. In an effort to reduce the Project's emissions, we identified several mitigation measures that are applicable to the proposed Project.

First, feasible mitigation measures can be found in the September 2019 Recirculated Draft Environmental Impact Report for the San Diego International Airport's Airport Development Plan.[10] Therefore, to reduce the Project's emissions, consideration of the following measures should be made:

- Ground Support Equipment Conversion:
 - o Transition all baggage tugs, belt loaders, lifts, pushback tractors, and utility carts at SDIA that are owned and operated by airlines and their ground handling contractors to service aircraft, shall be transitioned to alternative fuels (i.e., electric, natural gas, renewable diesel, biodiesel).

[10] "Recirculated Draft EIR for the Airport Development Plan." San Diego International Airport, September 2019, available at: https://files.ceqanet.opr.ca.gov/139992-3/attachment/Qtt7xl7P481vzOyukUOROq593qavlrooz53GfKek3lFply_keeUYEp6nyhlsQfRUIXqzJ7Td9R8gU_Xw0, p. 36-37, Table ES-3.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts. As set forth in Topical Response TR-ATMP-AQ/GHG-1, LAWA does not own or operate baggage tugs, belt loaders, lifts, pushback tractors, or other similar ground support equipment (GSE) at LAX. LAWA has adopted policies requiring airlines and GSE operators to reduce emissions from GSE. LAWA has also adopted an incentive program to accelerate the transition to zero-emission GSE equipment. LAWA will continue to implement these policies and programs. These policies and programs would apply to GSE used in connection with the proposed Project.

ATMP-PC035-87

- Comment:**
- Renewable Electricity:
 - o Power project-related buildings with 100 percent renewable electricity.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts. Topical Response TR-ATMP-AQ/GHG-1 addresses the commenter's proposal.

ATMP-PC035-88

Comment: • Clean Vehicle Parking:
 o Designate 10 percent of new parking stalls for a combination of low-emitting, fuel-efficient, and carpool/vanpool vehicle.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts. Topical Response TR-ATMP-AQ/GHG-1 addresses the commenter's proposal.

ATMP-PC035-89

Comment: • Electric Vehicle Chargers:
 o Install electric vehicle charging ports at three percent of new parking stalls and another three percent would be "EVSE-ready."

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts. Topical Response TR-ATMP-AQ/GHG-1 addresses the commenter's proposal.

ATMP-PC035-90

Comment: • Ground Transportation Clean Vehicle Program:
 o Implement a Commercial Ground Transportation Clean Vehicle Program.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts. Topical Response TR-ATMP-AQ/GHG-1 addresses the commenter's proposal. As explained in this topical response, LAWA is implementing such a program, and this program would apply to the proposed Project.

ATMP-PC035-91

Comment: • Bicycle Facilities:
 o Install shower stalls and lockers, as well as covered bicycle storage for employees.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts.

ATMP-PC035-92

Comment: • Employee Parking Cash-Out Program:
o Implement a parking cash-out program for employees.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts. Topical Response TR-ATMP-AQ/GHG-1 addresses the commenter's proposal. As explained in this topical response, LAWA is implementing a program with numerous incentives to encourage the use of public transit by employees. This program would apply to the proposed Project.

ATMP-PC035-93

Comment: Second, feasible mitigation measures can be found in the February 2021 Nevada County Planning Commission Staff Report for the amendment to expand the existing Truckee Tahoe Airport District Administration Building and off-street parking area.[11] Therefore, to reduce the Project's emissions, consideration of the following measures should be made:

- Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions).

[11] "NEVADA COUNTY PLANNING COMMISSION STAFF REPORT." County of Nevada, February 2021, available at: <https://www.mynevadacounty.com/DocumentCenter/View/37474/Truckee-Tahoe-Airport-Staff-Report-PLN20-0130--AAP20-0006-EIS20-0008PDF>, p. 28-29.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts.

ATMP-PC035-94

Comment: • Instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts.

ATMP-PC035-95

Comment: Before starting onsite ground disturbance, demolition, or construction activities, submit a Construction Emissions Minimization Plan for review and approval. The plan shall include estimates of the construction timeline, with a description of each piece of off-road equipment required. The description may include, but is not limited to, equipment type, equipment manufacturer, engine model year, engine certification (Tier rating), horsepower, and expected fuel usage and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. Make the Construction Emissions Minimization Plan available to the public for review onsite during working hours. Post at the construction site a legible and visible sign summarizing the plan. State that the public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. Post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts.

ATMP-PC035-96

Comment: Develop and implement a phased carbon management program that is consistent with the standards of ACI “Level 3+” Airport Carbon Accreditation Program, or equivalent, including calculation of annual carbon emissions from airport activity, identifying emissions reduction targets, tracking progress toward achieving effective carbon management procedures, and publishing an annual biennial carbon footprint report as a component of the Airport’s broader environmental sustainability program.

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts.

ATMP-PC035-97

Comment: Finally, feasible mitigation measures can be found in CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures.[12] Therefore, to reduce the Project’s emissions, consideration of the following measures should be made:

CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures
Measures – Energy

Building Energy Use

Obtain Third-party HVAC Commissioning and Verification of Energy Savings

Lighting

Install Higher Efficacy Public Street and Area Lighting

Limit Outdoor Lighting Requirements

Alternative Energy Generation

Establish Onsite Renewable or Carbon-Neutral Energy Systems

Establish Onsite Renewable Energy System – Solar Power

Utilize a Combined Heat and Power System

Measures – Transportation

Land Use/Location

Increase Destination Accessibility

Increase Transit Accessibility

Orient Project Toward Non-Auto Corridor

Locate Project near Bike Path/Bike Lane

Neighborhood/Site Enhancements

Provide Pedestrian Network Improvements, such as:

- Compact, mixed-use communities
- Interconnected street network
- Narrower roadways and shorter block lengths
- Sidewalks
- Accessibility to transit and transit shelters
- Traffic calming measures and street trees
- Parks and public spaces
- Minimize pedestrian barriers

Provide Traffic Calming Measures, such as:

- Marked crosswalks
- Count-down signal timers
- Curb extensions
- Speed tables
- Raised crosswalks
- Raised intersections
- Median islands
- Tight corner radii
- Roundabouts or mini-circles
- On-street parking
- Planter strips with trees
- Chicanes/chokers

Incorporate Bike Lane Street Design (on-site)

Provide Bike Parking in Non-Residential Projects

Provide Electric Vehicle Parking

Commute Trip Reduction Programs

Implement Commute Trip Reduction (CTR) Program – Voluntary

- Carpooling encouragement
- Ride-matching assistance
- Preferential carpool parking
- Flexible work schedules for carpools
- Half time transportation coordinator
- Vanpool assistance
- Bicycle end-trip facilities (parking, showers and lockers)
- New employee orientation of trip reduction and alternative mode options
- Event promotions and publications

- Flexible work schedule for employees
- Transit subsidies
- Parking cash-out or priced parking
- Shuttles
- Emergency ride home

Implement Commute Trip Reduction (CTR) Program – Required Implementation/Monitoring

- Established performance standards (e.g. trip reduction requirements)
- Required implementation
- Regular monitoring and reporting

Implement Subsidized or Discounted Transit Program

Provide End of Trip Facilities, including:

- Showers
- Secure bicycle lockers
- Changing spaces

Implement Commute Trip Reduction Marketing, such as:

- New employee orientation of trip reduction and alternative mode options
- Event promotions
- Publications

Implement Preferential Parking Permit Program

Price Workplace Parking, such as:

- Explicitly charging for parking for its employees;
- Implementing above market rate pricing;
- Validating parking only for invited guests;
- Not providing employee parking and transportation allowances; and
- Educating employees about available alternatives.

Implement Employee Parking “Cash-Out”

Transit System Improvements

Transit System Improvements, including:

• Grade-separated right-of-way, including bus only lanes (for buses, emergency vehicles, and sometimes taxis), and other Transit Priority measures. Some systems use guideways which automatically steer the bus on portions of the route.

- Frequent, high-capacity service
- High-quality vehicles that are easy to board, quiet, clean, and comfortable to ride.

- Pre-paid fare collection to minimize boarding delays.
- Integrated fare systems, allowing free or discounted transfers between routes and modes.

- Convenient user information and marketing programs.
- High quality bus stations with Transit Oriented Development in nearby areas.
- Modal integration, with BRT service coordinated with walking and cycling facilities, taxi services, intercity bus, rail transit, and other transportation services.

Implement Transit Access Improvements, such as:

- Sidewalk/crosswalk safety enhancements
- Bus shelter improvements

Expand Transit Network

Increase Transit Service Frequency/Speed

Provide Bike Parking Near Transit

Provide Local Shuttles

Road Pricing/Management

Implement Area or Cordon Pricing

Improve Traffic Flow, such as:

- Signalization improvements to reduce delay;
- Incident management to increase response time to breakdowns and collisions;
- Intelligent Transportation Systems (ITS) to provide real-time information regarding road conditions and directions; and
- Speed management to reduce high free-flow speeds.

Required Project Contributions to Transportation Infrastructure Improvement Projects

Vehicles

Utilize Alternative Fueled Vehicles, such as:

- Biodiesel (B20)
- Liquefied Natural Gas (LNG)
- Compressed Natural Gas (CNG)

Measures – Water

Water Supply

Use Gray Water

Use Locally Sourced Water Supply

Water Use

Adopt a Water Conservation strategy

Design Water-Efficient Landscapes (see California Department of Water Resources

Model Water Efficient Landscape Ordinance), such as:

- Planting vegetation with minimal water needs, such as native species;
- Choosing vegetation appropriate for the climate of the project site;
- Choosing complimentary plants with similar water needs or which can provide each other with shade and/or water.

Plant Native Trees and Vegetation

Measures – Vegetation

Vegetation

Urban Tree Planting

Create New Vegetated Open Space

Measures – Construction

Construction

Use Alternative Fuels for Construction Equipment

Urban Tree Planting

Use Electric and Hybrid Construction Equipment

Limit Construction Equipment Idling Beyond Regulation Requirements

Institute a Heavy-Duty Off-Road Vehicle Plan, including:

- Construction vehicle inventory tracking system;
- Requiring hour meters on equipment;
- Document the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment; and
- Daily logging of the operating hours of the equipment.

Implement a Construction Vehicle Inventory Tracking System

Measures – Miscellaneous

Miscellaneous

Establish a Carbon Sequestration Project, such as:

- Geologic sequestration or carbon capture and storage techniques, in which CO₂ from point sources is captured and injected underground;
- Terrestrial sequestration in which ecosystems are established or preserved to serve as CO₂ sinks;
- Novel techniques involving advanced chemical or biological pathways; or
- Technologies yet to be discovered.

Establish Off-Site Mitigation

Use Local and Sustainable Building Materials

Require Environmentally Responsible Purchasing, such as:

- Purchasing products with sustainable packaging;
- Purchasing post-consumer recycled copier paper, paper towels, and stationary;
- Purchasing and stocking communal kitchens with reusable dishes and utensils;
- Choosing sustainable cleaning supplies;
- Leasing equipment from manufacturers who will recycle the components at their end of life;
- Choosing ENERGY STAR appliances and Water Sense-certified water fixtures;
- Choosing electronic appliances with built in sleep-mode timers;
- Purchasing 'green power' (e.g. electricity generated from renewable or hydropower) from the utility; and
- Choosing locally-made and distributed products

[12] <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Response: Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested here, and by additional commenters, to address significant air quality and/or GHG impacts.

ATMP-PC035-98

Comment: These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. An updated EIR should be prepared to include all feasible mitigation measures, as well as include an updated GHG analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds.

Response: This comment refers to the suggested mitigation measures in comment ATMP-PC035-97. Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested in comment ATMP-PC035-97, and by additional commenters, to address significant air quality and/or GHG impacts. As noted in Topical Response TR-ATMP-AQ/GHG-1, the Draft EIR evaluated almost 100 potentially applicable measures for the reduction of air quality and GHG emissions across a broad range of mitigation types. This extensive evaluation resulted in the identification of 11 mitigation measures that would address air quality and/or GHG emissions. Several of the measures evaluated were not eligible to be considered as mitigation because they were

already being implemented at LAX under existing LAWA programs and requirements, and/or would already be incorporated into the proposed Project as Project features. Of the remaining measures, not every identified measure would result in directly attributable or quantifiable reductions for significant air quality or GHG impacts, nor would every analyzed measure result in effective mitigation of significant Project-related impacts, nor would every measure be effective, nor would every measure be feasible.

ATMP-PC035-99

Comment: The updated EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

Response: This comment refers to the suggested mitigation measures in comment ATMP-PC035-97. Please see Topical Response TR-ATMP-AQ/GHG-1 regarding the evaluation of mitigation measures suggested in comment ATMP-PC035-97, and by additional commenters, to address significant air quality and/or GHG impacts. Further, the mitigation measures identified in the Draft EIR would be incorporated into the Mitigation Monitoring and Reporting Program (MMRP) and would be required to be implemented.

ATMP-PC040

Sisson, Jordan R.

Law Office of Gideon Kracov

1/12/2021

ATMP-PC040-1

Comment: It seems the Draft EIR is missing CalEEMod output files. For example, while it appears the Project relied upon CalEEMod for some aspects of the Project (e.g., energy demand associated with Terminal 9 parking [DEIR, p. 4.3-2]), only some of the CalEEMod assumptions are disclosed (e.g., land use type, size inputs, emissions estimates [Appendix C, PDF page 524])—and the CalEEMod output files are entirely missing. Hence, I am requesting all CalEEMod output files relied upon in the Draft EIR.

Please let me know if you have any questions regarding this request. Also, please confirm receipt of this message—many thanks.

Response: The Draft EIR was not missing any relevant California Emissions Estimator Model (CalEEMod) output data. CalEEMod was only used to model a portion of the operational stationary source emissions associated with Terminal 9 and Concourse 0 (specifically, emissions relating to natural gas usage, architectural coatings, consumer products, landscaping, water usage, and solid waste generation). Regardless of this fact, CalEEMod automatically generates detailed output files for all aspects of construction and operations. Much of the data generated by CalEEMod were not used in the Draft EIR. Therefore, Appendix C of the Draft EIR included a summary of the applicable portions of the output files. This is consistent with CEQA, which does not require an EIR to include the type of highly technical data contained in the CalEEMod output files. “The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail ‘to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.’” (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, quoting *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 405.) Here, the Draft EIR includes detailed analysis of the proposed Project impacts to air quality and energy in Sections 4.1.1 and 4.3, respectively. This analysis is supported by approximately 1,272 pages of technical information included in Appendix C of the Draft EIR. This information satisfies CEQA’s requirements for meaningful analysis and inclusion of technical detail.

Nevertheless, in response to this request from the commenter, LAWA provided the original applicable CalEEMod output files to the commenter on January 20, 2021. Provision of these data merely amplified information already included in the Draft EIR and does not amount to significant new information that would require recirculation of the Draft EIR.

It should also be noted that the Draft EIR did not rely on CalEEMod to model energy demand associated with the Terminal 9 parking facility, as stated by the commenter. Rather, as detailed in Note 2 of Table 4.3-3 on page 4.3-15 in Section 4.3 of the Draft EIR, the Draft EIR only used a demand factor for energy use from CalEEMod. This demand factor was applied to the parking facility square footage to determine energy consumption; no output files were generated.

The Draft EIR analysis was based on the following CalEEMod assumptions: project location (Los Angeles-South Coast County area), climate zone (11), land use setting (urban), operational year (2028), and utility company (Los Angeles Department of Water & Power). These assumptions are included in the CalEEMod files that were provided to the commenter on January 20, 2021.

ATTACHMENT B

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

Introduction

LAWA has reviewed and evaluated the letter from the Service Employees International Union – United Service Workers West (SEIU-USWW) and UNITE HERE Local 11 (referred collectively herein as “Commenters”) to the Board of Airport Commissioners dated September 14, 2021, regarding the Final Environmental Impact Report (EIR) completed for the LAX Airfield and Terminal Modernization Project. LAWA also reviewed the exhibits that were included with the subject letter (Exhibits A-F). The comments reflected in the letter and the exhibits do not raise any new environmental issues or include any significant new environmental information since circulation of the Draft EIR. A number of the comments reiterate the same issues raised by Commenters or other commenters during the review period for the LAX Airfield and Terminal Modernization Project Draft EIR and that were fully addressed in the responses to comments provided in the Final EIR. Other comments do not pertain directly to the EIR or to the California Environmental Quality Act (CEQA) process, pertain to the Draft Environmental Assessment (EA) prepared pursuant to the National Environmental Policy Act (NEPA) which is separate from CEQA, or are not within the scope of the LAX Airfield and Terminal Modernization Project. The supporting evidence of these conclusions is provided below.

Part 1: Evaluation of Comments in Main Body of September 14, 2021, Letter

Comments Regarding Capacity and Analysis of Future Years

The assertion that “the Project would serve an ‘unconstrained’ condition allowing 155.6 million annual passengers in 2045” is incorrect. The EIR includes a long-term (2045) forecast of aviation activity (EIR Appendix B.1). However, the number of total and incremental passengers cited in Commenters’ letter (i.e., 155.6 million total annual passengers and 27.7 million additional annual passengers compared to 2018, respectively) represents the unconstrained forecast, which is independent of, and unaffected by, the LAX Airfield and Terminal Modernization Project. The improvements associated with the proposed Project would not remove existing constraints to growth and would not enable LAX to meet the unconstrained forecast. Therefore, the increase in passenger activity, and the associated environmental impacts, alleged in the Commenters’ letter would not be a consequence of the LAX Airfield and Terminal Modernization Project. Detailed discussions of the aviation forecast are provided in Topical Response TR-ATMP-G-1 and Response to Comment ATMP-PC035-35 of the Final EIR. These responses fully address many of the issues raised in the Commenters’ letter, as demonstrated below.

Future Year Analyses

The Commenters’ letter sets forth several examples of what it alleges to be LAWA’s attempts to “mask the unmistakable growth-inducing result of the ATMP Project.” As demonstrated below, these allegations are without merit.

1. Regarding the claim that the Final EIR provides a new discussion of 2033 impacts “only because it was required per a separate review process under the National Environmental

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

Protection [sic] Act (NEPA),” Topical Response TR-ATMP-G-3 notes the fact that evaluation of operations-related impacts beyond a project build-out year is not required under CEQA. While LAWA had the option to not provide any evaluation beyond 2028, it included in the Final EIR, for informational purposes, an analysis of 2033 conditions based on data contained in the NEPA Draft EA for the proposed Project that was readily available and accessible to the public on LAWA’s website at <https://www.lawa.org/atmp/documents>. With respect to the statement that “increasing the analysis horizon by merely five years is not sufficient because the increase in capacity from this Project would not manifest until after 2033,” the Commenters provide no evidence in support of this claim. Due to uncertainties inherent in aviation forecasting, further discussed in Topical Response TR-ATMP-G-1 and Topical Response TR-ATMP-G-3, it would be speculative to evaluate environmental impacts of the Project beyond 2033.

2. As explained in Topical Response TR-ATMP-G-3, the EIR addresses impacts in 2028 because that is when all of the LAX Airfield and Terminal Modernization Project improvements are anticipated to be completed and the operational characteristics of LAX at that time, as compared to baseline conditions, can be assessed. The impact analyses for 2028 account for the aircraft and passenger activity levels that are projected to occur in 2028; as documented in the EIR, such activity levels would be the same with or without the proposed Project. Further, the Commenters provide no support for the allegation that the proposed Project would increase capacity in outlying years. The tables presented on pages 3 and 4 of the Commenters’ letter are not evidence that the proposed Project would increase capacity. As indicated above, the Commenters’ interpretation of constrained versus unconstrained future passenger levels, as related to the proposed Project, is incorrect. The improvements associated with the proposed Project would not remove existing constraints to growth and would not enable LAX to meet the unconstrained forecast.
3. Substantial evidence supports the EIR’s conclusion that future aircraft and passenger activity levels in 2028 would occur independent of the proposed Project. Specifically, Section 2.3.1.2 and Appendix B.1 of the EIR indicate that LAX can accommodate the future growth projected to occur by 2028, the buildout horizon year for the proposed Project, with or without the Project-related improvements. Further, as discussed on page 4-8 of Appendix B.1 of the EIR, airport operators would likely begin to anticipate potential effects of increasing airfield delays on their operations (and make necessary adjustments) around fiscal year (FY) 2029, with or without the proposed Project.
4. As discussed in Topical Response TR-ATMP-G-3 relative to the San Jose International Airport Master Plan and the Port of Los Angeles project cited by the Commenters, the horizon year that was used for impacts analysis is the buildout year for each of those projects. Neither of the EIRs prepared for those two projects evaluated potential impacts for any year beyond the buildout year, let alone provided an impacts analysis for a horizon year some 17 years beyond buildout, which is what the Commenters claim is necessary for the

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

LAX Airfield and Terminal Modernization Project. Such an analysis beyond project buildout is unnecessary and speculative in nature.

The aircraft and passenger activity levels in 2045 that are cited in the comment represent the unconstrained forecast, and are not representative of future activity levels associated with the proposed Project. The comment misrepresents the proposed Project's relationship to those numbers. The 2045 activity levels for constrained and unconstrained conditions are completely independent of the proposed Project. The increases in future growth that the Commenters are attributing to the proposed Project (i.e., 21.6 percent increase in passenger levels and 13.1 percent increase in annual operations) are contrary to the facts presented in Appendix B.1 of the EIR. Therefore, the Commenters' inference that the EIR should determine the air quality, greenhouse gas (GHG), noise, vehicle miles traveled (VMT), and other impacts associated with these activity levels is without merit.

5. As indicated in Topical Response TR-ATMP-G-3, and supported by substantial evidence in Appendix B.1 of the EIR, the aviation and passenger activity levels projected for 2028 and 2033 would be the same with or without the proposed Project. The Commenters have not provided any facts to the contrary or any substantial evidence in support of the allegation that the proposed Project would result in increased capacity in outlier years.

As noted previously, the assertion that the With Project scenario has 27.7 million more annual passengers than the Without Project scenario is incorrect. Further, the table presented on page 6 of the Commenters' letter represents the unconstrained forecast, and is not representative of future activity levels associated with the proposed Project.

The letter states that "because regulations tend to become more stringent in the future, permitting the MAP now allows activity under the With Project scenario that will be subject to less stringent standards allowing for greater emissions now." The letter provides no supporting evidence for this statement, nor any examples of such an occurrence. The environmental impacts analyses provided in the EIR are well-documented and supported by substantial evidence; impacts have not been ignored or downplayed.

6. Regarding the allegations related to the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Topical Response TR-ATMP-G-3 in the Final EIR notes the fact that the 2045 horizon year in the RTP/SCS is federally mandated and that even the Program EIR prepared for the 2020-2045 RTP/SCS acknowledges that "[t]he long-range planning horizon of more than 20 years necessitates that many of the projects included in the Plan (and the alternatives) are identified at the conceptual level... Not all impacts can be feasibly and/or accurately quantitatively analyzed at a regional level and/or up to the year 2045." Thus, the fact that the SCAG RTP/SCS has a horizon year of 2045 and its Program EIR evaluates impacts, at a

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

program level, out to 2045 does not have any bearing on the project-specific impacts analysis for the LAX Airfield and Terminal Modernization Project.

7. With respect to the comments on the EIR's use of the proposed Project's buildout year of 2028 as the basis for evaluating Project impacts and the additional analysis of 2033 conditions that was provided in the Final EIR for informational purposes, the Commenters are incorrect that implementation of the LAX Airfield and Terminal Modernization Project will result in increased/accelerated aviation and passenger growth at LAX in future years. As previously noted, that claim is not supported by substantial evidence. The Commenters are also incorrect that "numerous expert commenters [are] urging for long-term analysis, which is substantial evidence under CEQA." "Substantial evidence" includes "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." (State CEQA Guidelines, Section 15384, subd. (b).) "Substantial evidence" does not include "argument, speculation, unsubstantiated opinion or narrative [or] evidence which is clearly inaccurate or erroneous . . ." (Pub. Resources Code, Section 21082.2, subd. (c); State CEQA Guidelines, Section 15384, subd. (a).) LAWA evaluated all of the evidence submitted by commenters on the Draft EIR, including expert commenters, and determined that these opinions were not supported by the facts. By contrast, substantial evidence, including expert opinion supported by facts, supports the EIR's conclusions.

Air Quality/GHG Issues

The Commenters' letter identified several air quality and GHG concerns that it alleges are unaddressed in the Final EIR. As demonstrated below, these allegations are without merit.

1. With regard to comments related to the federal Clean Air Act (CAA), Response to Comment ATMP-PC035-35 in the Final EIR addresses how air pollutant emissions associated with the proposed Project have been addressed in compliance with the requirements of the CAA as part of the NEPA review process, including completion of a General Conformity evaluation. For the General Conformity evaluation, a written protocol was prepared that identified the models to be used for the construction and operation air quality analyses, the years to be analyzed, the existing data to be used for background air quality, and the analysis criteria, procedures, approach to, and assumptions for, the evaluation. The protocol was submitted for review and comment to local, state, and federal air quality agencies with jurisdiction in the proposed Project area, specifically the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (USEPA).

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

The Final Air Quality Impact Analysis Protocol for NEPA and General Conformity Evaluations, dated February 4, 2020, is included in Appendix E.2 of the Draft EA.¹

Both the 2012 Air Quality Management Plan and 2016 Air Quality Management Plan published by SCAQMD provided Conformity Set-Aside budgets for oxides of nitrogen (NO_x) and volatile organic compound (VOC) emissions.^{2,3} These budgets may be used, on a first-come-first-served basis, for projects that include a federal action requiring approval or funding from a federal agency. On May 1, 2019, the SCAQMD explicitly noted these budgets in its response to the proposed Project's Notice of Preparation,⁴ stating:

“...South Coast AQMD has set up a tracking system for projects requiring conformity determinations on a first-come-first-serve basis, whereby the project emissions are debited from the applicable set aside accounts until they are depleted.” [page 4]

LAWA is confident that SCAQMD has developed such a tracking system and would not have allocated budgets to the proposed Project if those set aside accounts had already been depleted. In their letter to LAWA dated April 12, 2021, SCAQMD stated that “South Coast AQMD staff has reviewed the proposed project emissions and determined that NO_x and VOC emissions above de minimis thresholds can be accommodated within the general conformity budgets established in the 2016 AQMP.”

It should be noted that the table presented on page 10 of the Commenters' letter was a preliminary draft used for initial discussion between SCAQMD and LAWA regarding the potential request for a conformity budget allocation for the proposed Project. The final request was included in a letter submitted by LAWA to SCAQMD on February 26, 2021.⁵

2. In the first paragraph on page 11 of the Commenters' letter, the Commenters allege that a number of issues raised in comments on the Draft EIR (and Draft EA) were never resolved,

¹ City of Los Angeles, Los Angeles World Airports, *Draft Environmental Assessment for Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project*, Appendix E – Air Quality and Greenhouse Gases, May 2021.

² South Coast Air Quality Management District, *2012 Air Quality Management Plan, Appendix III, Chapter 2*, December 2012.

³ South Coast Air Quality Management District, *2016 Air Quality Management Plan, Appendix III, Chapter 2*, March 2017.

⁴ Sun, Lijin, Program Supervisor CEQA IGR, South Coast Air Quality Management District, Letter to Evelyn Quintanilla, Los Angeles World Airports, *Subject: Notice of Preparation of an Environmental Impact Report for the Proposed Los Angeles International Airport (LAX) Airfield and Terminal Modernization Project*, May 1, 2019. Included as pdf pages 243 to 246 of Appendix A of the LAX Airfield and Terminal Modernization Project EIR.

⁵ Bricker, Samantha, Chief Sustainability and Revenue Management Office, Los Angeles World Airports, Letter to Dr. Sarah Rees, Acting Deputy Executive Director, South Coast Air Quality Management District, *Subject: Los Angeles International Airport Airfield and Terminal Modernization Project - Proposed Project Construction Emissions and General Conformity Budgets*, February 26, 2021.

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

and that various construction and operational emissions were under-reported. Those assertions are incorrect. Please note that comments on the Draft EA pertain to NEPA and are separate from the CEQA review and related decision-making process. Nevertheless, the following provides a response to each allegation in the paragraph, including those related to the Draft EA.

- “... failure to evaluate the potential emission from environmental remediation activities (e.g., demolition of buildings that may contain asbestos and/or lead paint). ...”

As noted in the comment letter, this is a comment on the Draft EA, not the Draft or Final EIR. Both the protocol in the Draft EA (Draft EA Appendix E.2, Section 3.1) and Section 4.1.1.1.1 of the EIR note that lead (Pb) is not directly emitted from operational sources at LAX, and that prior to issuance of any permit for the demolition or alteration of any existing structure(s), a lead-based paint survey would be performed following protocols of the Los Angeles Department of Building and Safety designed to detect all lead-based paint. Should lead-based paint materials be identified, standard handling and disposal practices would be implemented pursuant to federal Occupational Safety and Health Administration (OSHA) and California OSHA regulations to limit worker and environmental risks (as noted in the comment). Any remediation associated with the limited amount of building demolition or alteration would have negligible impact on proposed Project construction emissions included in the LAX Airfield and Terminal Modernization Project Draft EA (or Final EIR).

- “... as well as other unsubstantiated input parameters (e.g., architectural coating emissions, ...”

The original comment submitted by Commenters on the Draft EIR noted that the Concourse 0 size (square feet) used in architectural coating emission calculations was not the same as the size stated in the Draft EIR proposed Project description. That issue was addressed in Response to Comment ATMP-PC035-73, which notes that a number of changes were made to the construction phasing and emissions calculations between the Draft and Final EIR, including revised architectural coating emissions based on the Concourse 0 and Terminal 9 total floor area presented in the Draft EIR proposed Project description. Therefore, architectural coating emissions are fully reported in Chapter F3 of the Final EIR, Table 4.1.1-6.

- “... construction trips, ...”

The original comment submitted by Commenters on the Draft EIR suggested that emissions associated with hauling and vendor trips for project construction were

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

not reported. That comment was addressed in Response to Comment ATMP-PC035-74, which notes that construction vendor and haul truck trips were included in the Draft EIR construction emissions calculations. Off-site construction hauling hours of operations and emissions were included for concrete, flat bed, hauling, and delivery trucks for each phase of the proposed Project, as noted in Appendix C.1 of the Draft EIR. Therefore, hauling and vendor activity were included in the construction emissions analysis.

- *“... all operational sources, etc. ...”*

The original comment submitted by Commenters on the Draft EIR suggests that GHG emissions from electricity, natural gas, water usage, solid waste disposal, and wastewater disposal (“indirect sources”) were omitted from the impacts analysis. That comment was addressed in Response to Comment ATMP-AL010-172, which notes that these indirect source emissions were calculated using the California Emissions Estimator Model (CalEEMod) and included in the Draft EIR, Appendix C.2.

In addition to the specific issues noted above, the Commenters also claim that the air quality modeling for the LAX Airfield and Terminal Modernization Project failed to account for all construction trips, lot acreage, environmental justice issues, and a reasonable range of alternatives. As discussed above, the air quality analysis completed for the proposed Project accounted for construction trips. In addition, construction and operational emissions associated with development of the parcels/lots affected by the Project were estimated and accounted for in the impacts analysis. Regarding environmental justice, Response to Comment ATMP-PC028-7 in the Final EIR notes the fact that CEQA does not require an analysis of environmental justice issues; however, evaluation of potential environmental justice impacts was provided in the Draft EA in accordance with federal requirements. That analysis found that no significant adverse impacts to minority or low-income populations would occur as a result of the proposed Project. Regarding a reasonable range of alternatives, Chapter 5 of the Draft EIR provides and addresses a reasonable range of alternatives, and various responses to comments in the Final EIR – including ATMP-AL007-3, ATMP-AL010-60, and ATMP-AL010-64 – provide additional discussion of that topic.

3. The Commenters allege that the mitigation measures proposed in the Mitigation Monitoring and Reporting Program (MMRP) are inadequate. Consistent with Response to Comment ATMP-AL010-155, the air quality/GHG mitigation measures identified in the EIR were incorporated into an MMRP that includes the full text of each mitigation measure and identifies the timing of implementation, monitoring frequency, and actions indicating compliance for each measure. Certification of the EIR for the proposed Project, and adoption of the MMRP, would commit LAWA to specific, enforceable actions. The Commenters provide seven specific “examples” of mitigation measures in the MMRP that they claim do

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

not meet CEQA mitigation measure requirements. Each of the examples was fully addressed in the Final EIR, as noted below:

- **MM-AQ/GHG (ATMP)-2:** Responses to Comments ATMP-AL010-157 and ATMP-AL010-68 addressed the issues raised in this comment. Under CEQA, “[f]easible’ means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Pub. Resources Code Section 21061.1; see also State CEQA Guidelines, Section 15364 [same definition but with addition of “legal” factors].) In the case of mitigation measure MM-AQ/GHG (ATMP)-2, the measure identifies key considerations that LAWA will rely on to determine feasibility, including renewable diesel fuel availability at comparable pricing, and fuel availability within reasonable proximity of the Project. These considerations (1) afford a measure of economic equity by allowing smaller construction contractors to more reasonably compete with larger contractors for part of the Project implementation, and (2) address the inconsistency of renewable diesel fuel availability within the region. In addition, other LAX projects have included installation of a dedicated renewable diesel fuel storage tank in the construction laydown area and contracting with a mobile fueler to provide renewable diesel fuel. Therefore, the measure is feasible and enforceable. Finally, the potential emissions reductions associated with the use of renewable diesel fuel for the proposed Project were not quantified in the EIR, leading to a conservative finding regarding the significance of construction impacts with respect to air quality emissions after mitigation in Sections 4.1.1.5.1.3 and 4.4.5.1.5 of the EIR.
- **MM-AQ/GHG (ATMP)-3:** As described in Response to Comment ATMP-AL010-155, this measure has been incorporated into an MMRP that includes the full text of the mitigation measure and identifies the timing of implementation, monitoring frequency, and actions indicating compliance for this measure. The fact that the MMRP does not determine how much GHG reduction should be achieved, as stated by the Commenters, does not alter the feasibility or effectiveness of the measure. Certification of the EIR for the proposed Project, and adoption of the MMRP, would commit LAWA to specific, enforceable actions. Because the emission reductions were not quantified, the findings of significance in Sections 4.1.1.5.3.3 and 4.4.5.2.3 of the EIR are conservative.
- **MM-AQ/GHG (ATMP)-4:** Response to Comment ATMP-AL010-158 notes that this measure would be enforced at the time the parking structure is constructed, thus the code(s) applicable at that time would be used to determine the quantity of charging infrastructure installed. Therefore, the measure is feasible and enforceable. The installation of EV charging infrastructure does not directly result in emission reductions; reductions come from the purchase and use of electric vehicles by

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

passengers accessing the airport parking facilities. Response to Comment ATMP-AL010-158 also notes that CARB's model for estimating motor vehicle emissions used in the EIR (EMFAC2017 v1.0.3) assumes that, by Project buildout in 2028, only 3.4 percent of the passenger automobile fleet would be electric plug-in vehicles in the Los Angeles region. Therefore, assuming no change in the current applicable building codes, a five percent increase above those codes would exceed the reasonably foreseeable demand for EV charging spaces. Because the installation of EV charging infrastructure, itself, does not result in direct emission reductions, the EIR does not take any credit for emissions reductions that would occur by installing this infrastructure; therefore, the findings of significance in Sections 4.1.1.5.3.3 and 4.4.5.2.3 of the EIR are conservative.

- **MM-AQ/GHG (ATMP)-5:** This measure is both feasible and enforceable, and includes a schedule for full implementation. The schedule provides a reasonable time to convert the fleet given the capital expense associated with purchasing all-electric vehicles for LAWA's entire light duty fleet. Regarding the comment that the MMRP should explain why the light-duty fleet at Concourse 0 and Terminal 9 would not be all-electric on "day-one of operations," LAWA fleet vehicles are not assigned to particular airport facilities; rather, fleet vehicles are stored in parking lots near LAWA employee locations and are checked out by LAWA staff as needed.
- **MM-AQ/GHG (ATMP)-6:** As noted in Response to Comment ATMP-AL010-159, LAWA is already in the process of assessing the feasibility of an on-site energy generation and storage system. A preliminary solar feasibility study was conducted at LAX which indicated the potential capacity for up to 23.5 megawatts (MW). LAWA is committed to continuing to explore ways to feasibly implement this technology in a cost-effective manner. However, until a project-level assessment is completed and approved, it is infeasible to commit to specific targets as part of the proposed Project. Since the emission reductions for solar implementation were not estimated, the findings of significance after mitigation in Sections 4.1.1.5.3.3 and 4.4.5.2.3 of the EIR are conservative.
- **MM-GHG (ATMP)-3:** The Commenters' assertions regarding this mitigation measure are incorrect. As detailed in Response to Comment ATMP-AL010-190, LAWA has, in fact, progressed in framing the specifics of the Green Procurement Policy. The mitigation measure further states that the policy would "identify ... products or services that have a lesser or reduced effect on ... the environment when compared with competing products or services ..." Therefore, the measure is both feasible and enforceable. Moreover, the MMRP provides a timeline for adoption, stating that "development and adoption of the airport-wide Green Procurement Policy shall occur prior to the commencement of operations in Concourse 0 or Terminal 9, whichever comes first."

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

- **MM-GHG (ATMP)-4:** Response to Comment ATMP-AL010-191 provides detailed information regarding this measure and notes that the measure includes “expanding the number of facilities in the program (including Concourse 0 and Terminal 9).” Section 4.4 of the EIR also notes that the measure includes updating agreements requiring tenant diversion goals, and incorporating necessary provisions from the Green Procurement Policy. Therefore, the measure is both feasible and enforceable. With respect to timing, the MMRP provides a timeline for adoption, stating that the recycling program enhancements will be implemented “[a]fter adoption of the Green Procurement Policy, and prior to the commencement of operations in Concourse 0 and Terminal 9.”
4. Regarding the comment that various mitigation measures suggested earlier in comments on the Draft EIR were dismissed in the Final EIR, it should be noted that each suggested measure was reviewed to determine if it was (1) already included as either an existing LAWA program or policy, included as a design feature for the Project, or already included as a Project Mitigation Measure; (2) ineffective for controlling emissions; (3) technically, economically, or legally infeasible; or (4) would create other unacceptable impacts. If a suggested measure did not fall into one of these categories, then it would have been considered a new, feasible mitigation measure. The review of the suggested measures is included in Topical Response TR-ATMP-AQ/GHG-1 in Chapter F2 of the Final EIR.

Regarding the Commenters’ claim that “the RTC dismisses numerous various mitigations [sic] measures,” LAWA reviewed over 90 potential mitigation measures for air quality and GHGs during the development of the Draft EIR and provided a review of those in the Draft EIR, Appendix C.9, Table C.9-1. The list of potential mitigation measures reviewed in the Draft EIR was obtained from several sources, including measures that could be funded through the FAA Voluntary Airport Low Emissions (VALE) grant program or the FAA Airport Zero Emission Vehicle (ZEV) and Infrastructure grant program, as well as measures included in the Transportation Research Board of the National Academies Airport Cooperative Research Program (ACRP) Report 42 – Sustainable Airport Construction Practices, California AB32 2017 Scoping Plan – Appendix B, SCAQMD Mitigation Measures and Control Efficiencies website, and the California Air Pollution Control Officers Association (CAPCOA) GHG Mitigation Quantification Methodology. Of the 93 potential mitigation measures reviewed in the Draft EIR, 76 (81 percent) were found to be included either in an existing LAWA policy or program, in a design feature of the Project, and/or in a Project mitigation measure. Only 12 were found to be infeasible, for reasons explained in EIR Table C.9-1, and 5 were determined to not be applicable to the sources at LAX.

Returning to the “examples” of dismissed proposed mitigation measures list in the Commenters’ September 14, 2021, letter, each and every one of those measures was dismissed for justifiable reasons, which is evident when reading the full explanations

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

provided in EIR Table C.9-1. The complete and accurate explanations from the Final EIR are provided below for each example cited by the Commenters:

- **ATMP-PC035-86:** The Final EIR appropriately considered the Commenters' suggestion to transition baggage tugs and other equipment to alternative fuels in the responses to comments. As noted in Topical Response TR-ATMP-AQ/GHG-1 (Final EIR, page F2-34), LAWA previously adopted a GSE Emission Policy which imposes requirements on GSE owners and operators to reduce emissions from GSE. Moreover, LAWA enacted an Electric GSE Incentive Program in 2019 to facilitate the conversion of GSE to zero emission drives by offsetting the incremental purchase cost of zero emission equipment relative to conventional fueled equipment. Thus, the existing LAWA programs effectively generate the same potential emissions reductions as suggested in the comment measure.
- **ATMP-PC035-87:** The Final EIR appropriately considered the Commenters' suggestion to "power project-related buildings with 100 percent renewable electricity" in the responses to comments. As noted in Topical Response TR-ATMP-AQ/GHG-1 (Final EIR, page F2-34), LAWA has committed to meet LEED® Silver certification or better for Project-related buildings and the buildings would be constructed in accordance with state regulations, including Title 24 Building Energy Efficiency Standards and the California Green Building Code (CALGreen), as well as local regulations that include requirements for renewable energy and energy efficiency, including the Los Angeles Municipal Code and the Los Angeles Green Building Code (LAGBC). LAWA's electrical needs are met by the Los Angeles Department of Water and Power (LADWP). As discussed in Appendix C.9 of the EIR, LAWA participates in LADWP's Green Power Program, a higher-cost, voluntary program that supports development and use of renewable energy. Moreover, as identified in LAWA's Sustainability Action Plan, LAWA has a goal of supplying 100 percent of the airport's total electricity through renewable sources, including green power purchases, by 2045. Thus, the commitments by LAWA for the Project and for the airport as a whole provide similar benefits as the suggested measure.
- **ATMP-PC035-88:** The Final EIR appropriately considered the Commenters' suggestions regarding parking stalls in the responses to comments. As noted in Topical Response TR-ATMP-AQ/GHG-1 (Final EIR, page F2-35), MM-AQ/GHG (ATMP)-4 requires the Terminal 9 parking facility to be outfitted with electric vehicle (EV) charging infrastructure beyond the minimum amount required by code at the time of design by at least five percent. Applicable building codes at the time of publication of the Draft EIR include CALGreen and the LAGBC. The Los Angeles Municipal Code was revised in 2020, and now requires 30 percent of total parking spaces in new non-residential parking facilities to be capable of supporting future electric vehicle supply equipment (EVSE), and 10 percent of total parking spaces to

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

have EV charging stations (EVCS) installed at opening. Therefore, the currently adopted code already achieves the suggested EV charging spaces in the comment and LAWA would exceed that through implementation of MM-AQ/GHG (ATMP)-4. Thus, the existing codes and MM-AQ/GHG (ATMP)-4 achieve the potential emission reductions of the measure suggested in the comment.

- **ATMP-PC035-91:** The Final EIR appropriately considered “the need for shower/stalls and lockers at Terminal 0 and 9.” As noted in Topical Response TR-ATMP-AQ/GHG-1 (Final EIR, page F2-36), LAWA is including bike paths and bike storage equipment for LAX employees and passengers wishing to take the Automated People Mover (APM) for travel into and out of the Central Terminal Area (CTA) through other projects. That means of supporting bicycle use outside of the CTA is considered better and safer than bicyclists using the roadway system within the CTA (i.e., Concourse 0) and Terminal 9. Thus, this suggested measure was not included as mitigation for the Project.
- **ATMP-PC035-93:** The Final EIR appropriately considered the Commenters’ suggestion to limit idling time to two minutes in the responses to comments. As noted in Topical Response TR-ATMP-AQ/GHG-1 (Final EIR, page F2-38), the most stringent feasibly enforceable construction-vehicle idling plan is included in LAWA’s Design and Construction Handbook (DCH), which requires that contractors prohibit the idling of both on-road and off-road equipment in excess of CARB Vehicle Idling Rules, except where required for safety. Determining specific locations where the CARB rules are superseded by LAWA measures would be difficult to determine and enforce. Moreover, diesel-fueled construction equipment and haul trucks are designed to be operated under a load set by the operator for a given task, and thus do not spend much time at idle. Overall, the reduction of idling time from five minutes to two would be ineffective in controlling NO_x emissions from the Project.
- The next bullet item in the Commenters’ letter is also identified as comment ATMP-PC035-93. Given the text of the comment, it is assumed that the reference was meant to be ATMP-PC035-97 – a list of 49 suggested mitigation measures. Each of those individual suggested measures was appropriately discussed in Topical Response TR-ATMP-AQ/GHG-1 (Final EIR, pages F2-39 through F2-50). Many were found to be the same as or similar to existing LAWA policies/programs, Project features, or Project mitigation measures. The September 14, 2021, letter adds the following comment that is not directly from comment ATMP-PC035-97: “Yet, no explanation why LEED Gold or Platinum is not feasible to off-set the Project’s GHG emission stemming from sources (e.g., air/mobile-sources) that are more difficult to mitigate.” A similar comment was address in Response to Comment ATMP-AL010-162, which noted that the LEED® rating system was not developed specifically for airport-related construction. To achieve LEED® certification, a project must earn a

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

certain number of LEED® points, based on number of incorporated sustainability features from a series of curated lists. While some features on these lists are applicable to airport projects, other features are not. Mandating higher levels of LEED® certification without consideration of the applicable LEED® sustainability features would not serve to further reduce significant Project-related air quality or GHG emissions impacts.

- Finally, the last “example” in the Commenters’ list is a statement that “... there is no discussion of the potential of purchasing Carbon Offsets...” This is not correct. Response to Comment ATMP-AL010-194 specifically discusses this issue, as follows: “As stated on page C.9-6 of Appendix C.9 of the Draft EIR, purchasing offsets by LAWA absent a specific regulatory requirement is prohibited by the FAA’s revenue diversion policies.⁶ As stated in the cited Federal Register notice, “[p]ayments of impact fees must meet the general requirement that airport revenue be expended only for actual documented costs of items eligible for use of airport revenue under this Policy Statement.” Moreover, the policy is consistent with the “statutory prohibition [in 49 U.S.C. Sections 47107, subd. (b) and 47133] on payment of airport revenues that do not reflect the value of services or facilities actually provided to the airport.” As such, while airport revenue may be used for environmental mitigation measures, they may only be used when funding an airport development project that would otherwise be eligible for use of the airport revenue. Because the purchase of offsets would not be required by a specific regulatory action and would not be used to purchase something that would otherwise be eligible for airport revenue, the purchase of offsite carbon offsets would be prohibited. LAWA could also not attempt to circumvent this restriction by adopting its own regulation to establish a carbon offset program because it would still be restricted from using its revenue to purchase offsets per the described FAA policy.”

Noise and Traffic Analyses

The September 14, 2021, letter includes comments on the noise and traffic analyses. Several of these comments raise issues that are addressed above. Responses to the remaining comments are provided below.

- Regarding the comment referencing page F2-27 of the Final EIR, the EIR statement that the number of passenger vehicle trips in 2033 would be the same with or without the proposed Project does not contradict the EIR project description, as claimed by the Commenters. The subject statement in the EIR project description is part of the underlying purpose of the

⁶ U.S. Department of Transportation, Federal Aviation Administration, Policy and Procedures Concerning the Use of Airport Revenue at Section VI(B)(10), 64 Fed. Reg. 7696, 7720 (1999). Available: <https://www.govinfo.gov/content/pkg/FR-1999-02-16/pdf/99-3529.pdf>.

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

Project, as described in Section 2.3.2.1 of the Draft EIR, in noting that the proposed improvements would help LAX to prepare early for the continued aviation growth that is projected by LAWA, SCAG, and the FAA – growth that is projected to occur irrespective of the proposed Project. The fact that passenger levels at LAX in 2033 are projected to be the same with or without the LAX Airfield Terminal Modernization Project is supported by substantial evidence presented in Appendix B.1 of the EIR.

- With respect to the comment on Response to Comment ATMP-PC035-63 of the Final EIR, relative to the assumption of 29 dBA for reducing exterior-to-interior noise levels at schools, the subject response to comment explains that any change in the assumption of exterior-to-interior noise reduction would apply both to the existing baseline condition and to the future condition with the proposed Project. The applicable threshold of significance is whether the project would “[c]ause a substantial increase in the amount of time that aircraft-induced noise would affect classroom learning, *as compared to baseline conditions.*” (emphasis added) The EIR impacts analysis accounts for future increases and changes in aircraft operations associated with the proposed Project in 2028, as compared to 2018 baseline conditions. Any change in the assumption of exterior-to-interior noise reduction would not affect the differences between the existing baseline and the proposed Project relative to aircraft volumes, types, and operational characteristics, as currently assumed in the EIR. As such, the basic nature and magnitude of the differences in noise characteristics between the existing baseline and the proposed Project that are presented in Section 4.7.1.4 of the EIR as the basis for determining significant impacts would not materially change with a revised assumption for exterior-to-interior noise reduction.
- With respect to the comment on Response to Comment ATMP-PC035-71 of the Final EIR, the subject response to comment cross references Response to Comment ATMP-PC035-38. The claims made in the Commenters’ comment letter of September 14, 2021, are essentially the same as those made previously in Comment ATMP-PC035-38, which have been addressed in the response to that comment.

Mitigation and Overriding Considerations

The Commenters’ September 14, 2021, letter refers to LAWA’s response to Commenters’ similar comments on the Draft EIR (Responses to Comments ATMP-PC035-2, ATMP-PC035-41, and ATMP-PC035-42). As documented in Response to Comment ATMP-PC035-2, the purpose of an EIR is to focus on a project’s physical environmental effects as required by CEQA. Purely economic impacts are not required to be analyzed under CEQA (State CEQA Guidelines Section 15064(e)). The issues raised by Commenters’ in Comment ATMP-PC035-2, and repeated in this letter, are not, therefore, significant impacts on the environment that are required to be addressed in the Statement of Overriding Considerations. As noted in Response to Comment ATMP-PC035-2, the proposed Project would result in a daily total of approximately 4,700 new long-term employees associated with the operation of Concourse 0 and Terminal 9 and thousands of construction jobs between 2022 and

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

2028. These jobs would be subject to many existing policies and programs that would benefit workers.

Responses to SEIU-USWW's "white paper" are provided below under "Exhibit F".

Many of the specific measures suggested by Commenters – including a stakeholders table, community benefits commitments, labor standards, and measures related to wages and health care – are not environmental topics that fall within the purview of CEQA. With respect to Commenters' suggested transportation measures, LAWA fully addressed these suggestions in Response to Comment ATMP-PC035-41.

With regards to Commenters' assertions that the EIR provided a "truncated analysis" that relied on a "misleading project description" and "ignores substantial evidence of significant impacts," for reasons documented in the EIR, including the responses to comments provided in Chapter F2 of the Final EIR, the EIR relied on a properly-defined project description and appropriately identified environmental impacts, including impacts on air quality, GHG emissions, transportation (i.e., VMT), noise, and others, and appropriately identified mitigation measures to address significant impacts.

LAX Specific Plan Compliance Determination

As required by Section 7 of the LAX Specific Plan, LAWA prepared a report that evaluated the compliance of the LAX Airfield and Terminal Modernization Project with the LAX Specific Plan. The LAX Specific Plan Compliance Report concluded that the Project complies with the LAX Plan, any design guidelines and standards required by the LAX Specific Plan, and all applicable provisions of the LAX Specific Plan. The report further found that the environmental effects of the Project were assessed in compliance with CEQA. The specific allegations regarding various LAX Specific Plan goals are addressed below.

- *Goal 1.4:* As discussed previously in this evaluation, the allegation that the LAX Airfield and Terminal Modernization Project will expand and accelerate growth at LAX is incorrect. As explained in Section 2.3.1 of the Draft EIR, the aviation demand forecast prepared for LAX projects a future passenger activity level of 110.8 million annual passengers (MAP) in 2028, which could be accommodated by existing facilities at LAX with or without the proposed Project. Documentation regarding projected future growth at LAX is provided in Section 2.3.1.2 and Appendix B.1 of the EIR. Topical Response TR-ATMP-G-1 provides further information regarding the forecast of future aviation and passenger activity at LAX.

With respect to Commenters' reference to regional goals, Table 2-1 of the Draft EIR and the discussion in Response to Comment ATMP-AR002-2 in the Final EIR indicate that LAX's share of the regional demand is projected to decrease in future years with some shifting of activity to other airports in the region. Specifically, SCAG projects that LAX's share of future passenger activity levels at commercial airports within the region will decrease by over 12 percent compared to SCAG's base year (2017) conditions, with an associated shift of some

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

of the future demand to other airports in the region. Other regional airports – including Hollywood Burbank Airport, Long Beach Airport, Ontario International Airport, and John Wayne Airport – and even reliever airports in the region – such as Palmdale Regional Airport and San Bernardino International Airport – will play a critical role in supporting regional air travel demand. It should be noted that, while LAWA has engaged, and will continue to engage, with regional planning agencies and the operators of other commercial airports in the region regarding regional aviation demand issues, LAWA has no authority over the operations, infrastructure, or planned improvements at other airports.

- *Goal 3.2:* Commenters’ assert that the Project would impact local communities without adequate/commensurate public benefits. LAWA has met with community and labor organizations to discuss their concerns related to the LAX Airfield and Terminal Modernization Project and would continue to work with these stakeholders during Project design and implementation. For the proposed Project, LAWA has received letters of support from across the community, including the City of Inglewood, LAX Coastal Chamber of Commerce, the Neighborhood Council of Westchester/Playa, and Drollinger Properties, a large property owner in the Westchester Central Business District, among others.

As documented in the findings of the LAX Specific Plan Compliance Report, construction of the Project is estimated to cost over 6 billion dollars, and would create short-term and long-term employment opportunities during construction and operation of the Project, including opportunities for local and small businesses. The Project would also contribute to the growing tourism industry in the Los Angeles region, which could benefit local business districts. Further, the Project’s roadway and other transportation improvements would improve through-traffic conditions and mobility on the surrounding transportation network, which would benefit the local community.

- *Goal 4.2 – 4.4:* The allegation that the EIR fails to incorporate numerous mitigation measures to reduce air quality impacts is incorrect, for reasons discussed previously in this evaluation and in Topical Response TR-ATMP-AQ/GHG-1.
- *Goal 5.1 – 5.3:* The allegation concerning mitigation measures is addressed previously in this evaluation and in Topical Responses TR-ATMP-AQ/GHG-1 and TR-ATMP-T-2. Comments concerning a stakeholder working group and public benefits are also addressed above in Part 1 of this evaluation.

Conclusion

None of Commenters’ comments on the Final EIR change the conclusions in the Draft EIR or amount to “new significant information” as that term is defined in State CEQA Guidelines Section 15088.5, subdivision (a).

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

Part 2: Evaluation of Comments in Attachments to September 14, 2021, Letter

As indicated in the Introduction, the September 14, 2021, letter included several attachments that are cited in the letter as Exhibits A through F, specifically:

- Exhibit A: Commenter's DEA Letter (7/27/21⁷)
- Exhibit B: SWAPE DEA Letter (7/27/21)
- Exhibit C: CPRA Document Excerpt (email dated 11/13/20, SCAQMD Letter dated (4/12/21)
- Exhibit D: SBIA Draft DEA/GCD Excerpts (Jul. 2019)
- Exhibit E: RK Engineering Noise & Traffic Letters (9/13/21)
- Exhibit F: Turbulence Ahead (Jun. 2021)

As substantiated below, the comments reflected in the exhibits do not raise any new environmental issues or include any significant new environmental information since circulation of the Draft Environmental Impact Report (EIR) completed for the LAX Airfield and Terminal Modernization Project, and many of the comments were already addressed in the Final EIR for the proposed Project. A number of the comments reiterate the same issues raised by SEIU-USWW and UNITE HERE Local 11 or other commenters during the review period for the LAX Airfield and Terminal Modernization Project Draft EIR that were fully addressed in the responses to comments provided in the Final EIR. Other comments are provided that do not pertain directly to the EIR or to the California Environmental Quality Act (CEQA) process, or are not within the scope of the LAX Airfield and Terminal Modernization Project. Nevertheless, the evaluation presented herein responds to, and clarifies, points raised in certain of these new comments. Specifically, the following describes whether the exhibits provide any new comments that are relevant to the LAX Airfield and Terminal Modernization Project and its CEQA review and, if so, whether those comments have already been addressed. For certain exhibits, the discussion below responds to, and/or clarifies, points raised in the new comments.

Exhibit A

This exhibit provides the Commenters' comments on the National Environmental Policy Act (NEPA) Draft Environmental Assessment (EA) for the LAX Airfield and Terminal Modernization Project. All of the issues raised in this exhibit were summarized in the main September 14, 2021, letter, were previously addressed in responses to comments on the Draft EIR as provided in the Final EIR, and/or are specific to the EA prepared for the Project/NEPA process and are not relevant to the

⁷ Although the date of this letter is indicated by the Commenters as being "7/27/21," the date on the first page of the letter that was attached as Exhibit A is dated "March 15, 2021." Nevertheless, it is considered for the purposes of the evaluation presented herein as representing the Commenters' comment letter on the Draft Environmental Assessment for the LAX Airfield and Terminal Modernization Project.

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

EIR/CEQA process for the proposed Project. A Final EA will be published that specifically responds to the comments on the Draft EA.

Exhibit B

This exhibit is a comment letter prepared by the firm SWAPE, on behalf of the Commenters, regarding the NEPA Draft EA for the LAX Airfield and Terminal Modernization Project. All of the issues raised in this exhibit were summarized in the main September 14, 2021, letter, were previously addressed in responses to comments on the Draft EIR as provided in the Final EIR, and/or are specific to the EA prepared for the Project/NEPA process and are not part of the EIR/CEQA process for the proposed Project. A Final EA will be published that specifically responds to the comments on the Draft EA.

Exhibit C

This exhibit was included by Commenters as a reference related to their comments on federal Clean Air Act (CAA) General Conformity set-aside budgets included on pages 8 through 10 of Commenter's September 14, 2021, main letter. The responses to the main letter, above, address this exhibit.

Exhibit D

This exhibit was included by Commenters as a reference related to comments on CAA General Conformity set-aside budgets included on pages 8 through 10 of Commenter's September 14, 2021, main letter. The responses to the main letter, above, address this exhibit.

Exhibit E

Comments in this exhibit are the same as those included on pages 14 to 16 of Commenter's September 14, 2021, main letter. The responses to the main letter, above, address this exhibit.

Exhibit F

Exhibit F of Commenter's September 14, 2021, letter is a June 2021 report, referred to by the Commenters as a "White Paper," titled "Turbulence Ahead: What LAX's Expansion Means for the City of Los Angeles' Legacy on Racial Equity & Environmental Justice." This White Paper was also referenced in a letter from SEIU-USWW to the Board of Airport Commissioners dated September 10, 2021. Responses to the issues raised in this letter are provided below.

General Comments Concerning the Draft EIR

LAWA did not "quietly release" the Draft EIR, as claimed by SEIU-USWW. LAWA provided extensive public notifications throughout all stages of the EIR process. First, LAWA distributed a Notice of Preparation (NOP) in April 2019, over 18 months prior to publication of the Draft EIR, announcing its intent to prepare an EIR for the LAX Airfield and Terminal Modernization Project and held two public scoping meetings. Next, the Notice of Availability of the Draft EIR and the Draft EIR were all posted on LAWA's website in October 2020. Notices were mailed to over 6,000 recipients, emailed

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

to over 600 recipients, and published in four newspapers. Seven separate eBlasts were emailed to the recipients during the Draft EIR public comment period. To provide further information to the public, LAWA posted on its website a virtual Open House with information about the Draft EIR and its findings, and held a virtual public workshop during the public comment period for the Draft EIR. LAWA also provided an extensive public notification process announcing the availability of the Final EIR, even though CEQA does not require any public notification of the availability of a Final EIR.

LAWA did not “rush[] toward approval” of the LAX Airfield and Terminal Modernization Project. As noted above, the Board of Airport Commissioners considered approval of the project 30 months after publication of the NOP and nearly 12 months after publication of the Draft EIR.

EIR Does Not Consider Long-Term Effects

Throughout their report, SEIU-USWW states that the EIR does not address the long-term effects of the LAX Airfield and Terminal Modernization Project. Topical Response TR-ATMP-G-3 in the Final EIR explains in detail why 2028 is the appropriate horizon year for the CEQA analysis. Although not required under CEQA, in response to comments received on the Draft EIR, including comments submitted on behalf of SEIU-USWW, LAWA provided an evaluation of operations-related environmental conditions in 2033 – five years beyond the completion of all Project elements – in the topical response. This analysis addressed all of the environmental resource areas evaluated in the EIR, including effects related to air quality, noise, and vehicle miles traveled (VMT), which are raised in the SEIU-USWW report.

Related to this topic, as noted in the report submitted by SEIU-USWW, the EIR includes a long-term (2045) forecast of aviation activity (EIR Appendix B.1). However, the number of passengers and flights cited in the SEIU-USWW report (i.e., 155 million annual passengers and 250,000 additional flights compared to 2018, respectively) represents the unconstrained forecast. Moreover, the number of additional unconstrained flights is incorrect; the correct number of increased flights in the unconstrained forecast is approximately 225,000 compared to 2018. The constrained passenger forecast for 2045 is approximately 18 percent lower than the unconstrained forecast (127.9 million annual passengers) and the constrained aircraft activity forecast is approximately 93 percent lower than cited in the SEIU-USWW report (the constrained forecast identifies an additional 15,643 flights compared to 2018, not an additional 250,000).

Basis for Moving Forward with the LAX Airfield and Terminal Modernization Project

The SEIU-USWW report states that the most recent major expansion at LAX happened in the early 1980s when Terminal 1 and the Tom Bradley International Terminal were added as the City of Los Angeles prepared to host the 1984 Summer Olympics, and then alleges that the “LAX Airfield and Terminal Modernization Project is moving for similar reasons, with Los Angeles set to host the Olympics in 2028.” As described in Section 2.3.2 of the Draft EIR, which presents the Project objectives, and reiterated in Response to Comment ATMP-AL010-19, the underlying purpose of the

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

proposed Project is to support the ongoing modernization of LAX; provide excellent passenger service; support the economic growth and prosperity of the Los Angeles Region; and work closely with neighboring communities to reduce airport-related impacts. While improving LAX to better accommodate passenger activity associated with the 2028 Olympic and Paralympic Games will be a benefit of the LAX Airfield and Terminal Modernization Project, the basis for moving forward with the Project is much broader and more comprehensive than merely accommodating the Olympics.

Airfield Improvements

The assertion that “[a]irfield improvements include an extension of one of the taxiways and a reconfiguration of taxiway and runway exits, aimed at reducing airfield wait times, which means the airport could accommodate additional flights in the same amount of time” is incorrect.

As discussed in Response to Comment ATMP-AL010-205 in Chapter F2 of the Final EIR, and as documented in Section 3.6 of EIR Appendix B.2, differences in operational conditions resulting from the proposed Project improvements translate into reductions in annualized average delay in 2028. However, the statement that the proposed Project would reduce delays in a manner that would increase the capacity of the airfield is inaccurate. This is due to the following facts, which are also documented in the EIR:

- Estimated reductions in delays are driven by east flow operating conditions. As documented in Section 3.6 of Appendix B.2, the simulated reductions in delay were primarily driven by operational improvements during east flow operating conditions (dictated by changes in wind conditions). East flow operating conditions occur less than two percent of the time at LAX. The remaining 98 percent of the time, LAX operates in west flow. Under west flow operating conditions, the proposed Project taxiway improvements would not provide arrival operational benefits as substantial as those measured in east flow.
- Operating LAX under east flow operating conditions is the sole decision of the FAA based on weather conditions. Neither the airlines nor LAWA control the operating configurations of the airfield at LAX. As documented in Section 3.2 of Appendix B.2, wind speed and wind direction dictate the direction in which the runways are utilized for arrivals and departures (e.g., east flow or west flow). As further documented in Section 3.6 of Appendix B.2, only FAA’s Air Traffic Control (ATC) personnel manages the flow of aircraft and decides when wind conditions require changes in operating configurations such as east flow.
- Airlines would not schedule additional flights based on LAX operating under east flow conditions. That is because these conditions occur only two percent of the time. As stated by LAWA’s aviation experts in Section 3.6 of Appendix B.2, airlines schedule flights based on the typical operating conditions at the airport. Flight scheduling could not realistically be accomplished based on the possibility that the FAA ATC personnel will operate LAX under east flow conditions, which only occurs approximately two percent of the time. That is particularly true where, as here, these relatively infrequent conditions are inherently

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

unpredictable and depend upon weather conditions at LAX. Section 4.4.2 of Appendix B.1 further discusses how airlines prepare and adjust flight schedules between a few months and more than a year prior to flight. In addition, as documented in Section 4.4.1 of Appendix B.1, any changes implemented by the airlines must be in the context of the airlines' overall networks, not just based on LAX operations. Adjusting flight schedules is a complex task which involves considering various factors to optimize flight schedules, considering revenues (including decisions on times, frequencies, competition), constraints (aircraft size, maintenance, flight crews), reliability (flexibility, spare aircraft, reserve crews), and efficiency (aircraft size, gate utilization, flight crews, and maintenance). Topical Response TR-ATMP-G-1 provides additional information regarding the factors influencing airline schedules and passenger demand.

For these reasons, as discussed in Section 3.6 of Appendix B.2, even though the proposed Project improvements would provide an incremental benefit in east flow (in the form of reduced airfield delays), the forecasted aircraft operations and passenger demand (and airline scheduling practices to meet such demand) in 2028 would not change as a result of the airfield improvements included in the proposed Project.

Terminal Improvements

The assertion in the SEIU-USWW report that the proposed new Concourse 0, is “a necessary endeavor for a growing and bottlenecked airline to concentrate this growth at LAX” misstates the underlying purpose and objectives of the Project.

As indicated in the Project objectives, presented in Section 2.3 of the EIR, the terminal improvements associated with the proposed Project would serve to provide for new modern, spacious, and efficient terminal facilities that support the ability to accommodate the projected future growth in passenger levels at LAX and do so in a manner that offers high-quality passenger service and operational flexibility. Both the proposed Concourse 0 and Terminal 9 would address the terminal-related objectives included in Section 2.3 of the Draft EIR:

- Improve passenger experience, increase airlines' efficiency, and reduce busing activity on the airfield through the removal and replacement of most of the West Remote Gates and the elimination of the associated busing of passengers
- Improve international and domestic passenger processing capabilities
- Improve immigration and customs processes for international passengers arriving at LAX
- Provide additional connections to the previously-approved Automated People Mover (APM) system currently under construction
- Provide connections to adjacent terminals that will allow passengers to move between terminals without having to go back through security screening

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

As reflected in Response to Comment ATMP-AL010-42 of the Final EIR, airlines, such as Southwest Airlines, undertake improvements at LAX in order to increase their *share* of passenger operations at LAX, but that does not mean that operations at LAX would increase overall. The same would be true relative to United Airlines and other airlines at LAX.

In addition, Table 2-1 of the EIR and the discussion in Response to Comment ATMP-AR002-2 in the Final EIR indicate that LAX's share of the regional demand is projected to decrease in future years with some shifting of activity to other airports in the region. Specifically, the Southern California Association of Governments (SCAG) projects that LAX's share of future passenger activity levels at commercial airports within the region will decrease by over 12 percent compared to SCAG's base year (2017) conditions, with an associated shift of some of the future demand to other airports in the region. Other regional airports – including Hollywood Burbank Airport, Long Beach Airport, Ontario International Airport, and John Wayne Airport – as well as reliever airports in the region – such as Palmdale Regional Airport and San Bernardino International Airport – will play a critical role in supporting regional air travel demand. In addition, while LAWA has engaged, and will continue to engage, with regional planning agencies and the operators of other commercial airports in the region regarding regional aviation demand issues, LAWA has no authority over the operations, infrastructure, or planned improvements at other airports.

LAWA Adequately Considered Impacts

The Draft EIR clearly documented the estimated impacts on the environment associated with the proposed Project for review by the public and decisionmakers. Chapter 4 of the EIR provides more than 400 pages of analysis of potential environmental impacts associated with the proposed Project improvements, including impacts related to air quality, greenhouse gas (GHG) emissions, noise, and transportation. Further the EIR appendices include over 9,500 pages of technical analyses and data to support the analyses and conclusions in Chapter 4. The LAX Airfield and Terminal Modernization Project EIR is complete, adequate, and meets the requirements of CEQA.

Air Quality Impacts

The operational and direct/indirect construction emissions associated with the proposed Project cited in the tables on page 8 of the SEIU-USWW report reflect emissions numbers included in Section 4.1.1 (Air Quality) of the Draft EIR. As discussed on page F3-37 of the Final EIR, updates to Section 4.1.1 of the Draft EIR were made to reflect several changes, including a shift in the construction schedule to align with a Project start date of January 1, 2022, resulting in changes to the phasing analysis, as well as changes to the air quality modeling inputs and assumptions. These changes resulted in revisions to the modeling results presented throughout the air quality analysis in the Draft EIR and associated corrections and clarifications to various text and tables in Section 4.1.1 of the Draft EIR. The changes in the air quality analysis did not result in any new significant impacts or in a substantial increase in the severity of a significant impact identified in the Draft EIR. However, with the refined analysis, impacts related to operational emissions of fine particulate matter (PM_{2.5}), which are identified in the SEIU-USWW report as exceeding the thresholds, would

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

be less than significant. Note that operational carbon monoxide (CO) and volatile organic compound (VOC) emissions in both the Draft EIR and Final EIR would be lower in 2028 with the proposed Project than they were in 2018.

Relative to reducing air quality impacts, as outlined in Section 4.1.1 of the EIR, LAWA has robust programs aimed at reducing air pollutant emissions, including emissions from ground transportation. The LAX Landside Access Modernization Program includes billions of dollars in improvements aimed at improving ground transportation – including an Automated People Mover (APM), Intermodal Transportation Facilities, and Consolidated Rental Car Facility – that will reduce emissions from ground transportation. The LAX Airfield and Terminal Modernization Project will further enhance these improvements by adding an APM station at Terminal 9. In addition, along with the Electric Vehicle charging stations noted in the SEIU-USWW report, other key programs aimed at reducing emissions from ground transportation include the LAX Alternative Fuel Vehicle Policy and related financial incentives; a Light-Duty Auto Program for LAWA-operated vehicles; a Zero-Emission Bus Program for LAWA-operated buses that requires 100 percent conversion to electric buses by 2031; and policies that require use of cleaner heavy-duty trucks and construction equipment.

In addition to these requirements, mitigation is included in the EIR that will require Project contractors to use renewable diesel fuel in proposed Project construction off-road equipment and on-site, on-road trucks (i.e., on-site water trucks), as feasible based on commercial renewable fuel availability, and will require LAWA to update the airport-wide Electric Vehicle Purchasing Policy to require 100 percent of LAWA's light duty vehicle fleet to be all-electric by 2031.

Environmental Justice

CEQA does not require that an EIR for a proposed project include an analysis of environmental justice issues. The Draft EIR does, however, include an analysis of the proposed Project's potential impact on human health and the environment, on both a project-specific and cumulative basis. In addition, the air quality analysis performed for the proposed Project takes into account the cumulative effect of the proposed Project, in addition to existing emissions in the area. (See Section 4.1.1.6 of the EIR.) As required by NEPA, the Draft EA for the proposed Project addressed environmental justice. The Draft EA determined that no disproportionately high or adverse human health or environmental impacts to minority and low income populations would occur during construction or operations under NEPA. The Draft EA is available on LAWA's website at <https://www.lawa.org/atmp/documents>.

There is also no evidence that the Project would increase gentrification, result in rising rents, or displace any current residents. These social issues are also not environmental impacts that would be required to be addressed under CEQA. (State CEQA Guidelines Section 15131(a) ["Economic or social effects of a project shall not be treated as significant effects on the environment."].)

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

Transportation Impacts

As discussed on page 4.8-56 of the Draft EIR, the strategies available for reducing passenger VMT are limited, are not within the control of LAWA, and are difficult to monitor and report. Specifically, the VMT reduction strategies related to passengers are primarily incentive-based, with no research available on the application of these strategies in an airport context, no certainty as to their effectiveness in reducing VMT, and limited opportunity to document or demonstrate their ability to reduce passenger VMT. In addition, there is insufficient data or research available to quantify the VMT reductions that would be achieved through these strategies in a setting like LAX. Although the SEIU-USWW report states that LAWA should be doing more to address passenger VMT, the report does not provide information documenting the effectiveness of any particular measures, or explain how LAWA can implement, monitor and report on such measures. Topical Response TR-ATMP-T-2 includes VMT mitigation measures and monitoring for the LAX Airfield and Terminal Modernization Project. As indicated therein, Mitigation Measure MM-T (ATMP)-1 in the Draft EIR describes the list of potential VMT reduction strategies considered available for reducing VMT impacts associated with the proposed Project. The list includes strategies to reduce passenger VMT. Notwithstanding, the VMT mitigation program set forth in the EIR provides the ability for reductions in employment VMT that are greater than what is needed to reduce employment VMT impacts to a level that is less than significant; the additional employment VMT reductions would help mitigate passenger VMT and induced VMT impacts. In other words, any excess reductions in employment VMT can be applied as mitigation for passenger VMT and induced VMT impacts.

With regard to the assertion in the SEIU-USWW report that the Project would not support workers struggling with the high cost of transportation, it is important to note that the EIR includes a VMT Reduction Program to mitigate employee VMT impacts, which includes several components that would assist workers. For example, the mitigation program would expand the LAWA rideshare program to all LAX employees (currently it only applies to LAWA employees). LAWA would also expand current pilot programs for on-demand micro-transit shuttles into full programs, and would extend the service area of the shuttles beyond the City of Inglewood and the Metro service area, thereby providing employees with alternatives to traveling in private vehicles or on public transit. In addition, LAWA would work with airport employers on an employee telecommuting program (although it is recognized that most LAX employees need to be on-site to fulfill their job duties). Additionally, it should be noted that the City of Inglewood specifically acknowledged, in its letter of support for the proposed Project, the types of VMT reduction strategies identified in the Draft EIR, including but not limited to those related to worker commutes, as being a benefit of the LAX Airfield and Terminal Modernization Project.

The SEIU-USWW report claims that the Draft EIR fails to include a Level of Service (LOS) impact analysis. As stated in Section 4.8.1 of the Draft EIR and reiterated in Topical Response TR-ATMP-T-1 in Chapter F2 of the Final EIR, the transportation analysis completed for the EIR was conducted in accordance with the City of Los Angeles Transportation Assessment Guidelines and with State law (SB 743; State CEQA Guidelines Section 15064.3). As indicated therein, traffic

ATTACHMENT B

Evaluation of Comments Received September 14, 2021, from the Service Employees International Union – United Service Workers West and UNITE HERE Local 11 on the LAX Airfield and Terminal Modernization Project

congestion is no longer used as a basis for determining significant impacts for land use projects and plans under CEQA.

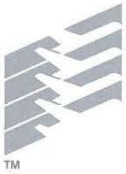
Noise Impacts

LAWA did not dismiss noise impacts associated with the proposed Project. Rather, the EIR evaluated multiple aspects of noise impacts, including aircraft noise, roadway noise, and construction traffic and equipment noise and vibration. Noise contour maps were prepared in accordance with FAA requirements and using the FAA-required noise model (Aviation Environmental Design Tool), which generates noise contours based on aircraft activity, not on facilities located on the ground. In addition, LAWA conducted a detailed review of available studies concerning the health effects of noise in Section 4.7.1 of the EIR and Topical Response TR-ATMP-N-1 of Chapter F2 of the Final EIR.

LAWA takes seriously its responsibility to mitigate aircraft noise impacts. As described in Response to Comment ATMP-PC038-71 of the Final EIR, the Soundproofing Program began in 1997 with the implementation of sound insulation projects within the highest noise-impacted areas of Westchester, Playa del Rey, and South Los Angeles. After an extensive outreach effort to contact all eligible homeowners, LAWA issued a final program participation deadline of June 1, 2010, and closed out the program in 2014. At program completion, LAWA had soundproofed over 7,300 residential dwelling units in the City of Los Angeles near LAX. Homeowners have contacted LAWA about reinstating the program in the City of Los Angeles for eligible homeowners who did not participate in the sound insulation program previously. Recently, LAWA has taken steps to reinstate a “second chance” program for eligible homeowners. Separately, LAWA established the Sound Insulation Grant Program to administer and monitor funding (airport and federal funds) for Residential Sound Insulation Programs implemented by the City of Inglewood, County of Los Angeles (in the unincorporated areas of Lennox, Del Aire, and Athens), and City of El Segundo, which terminated its program in July 2018. Since El Segundo terminated their program, LAWA is looking at developing and implementing a sound insulation program for eligible homeowners in El Segundo. In addition, the Program administers funding for the sound insulation of schools in the Lennox School District and the Inglewood Unified School District. The LAX Airfield and Terminal Modernization Project EIR includes mitigation that would implement new soundproofing for eligible residences located within the City of Los Angeles and in other municipalities/jurisdictions to address homes newly exposed to noise.

Relative to future aircraft noise levels impacting noise-sensitive uses east of LAX, including in Inglewood, as indicated in the SEIU-USWW report, it should be noted that, in its letter of support for the proposed Project, the City of Inglewood specifically acknowledged LAWA’s commitment to extend the Residential Sound Insulation program further to the east as being a benefit of the LAX Airfield and Terminal Modernization Project.

ATTACHMENT C



RESOLUTION NO. 27351

WHEREAS, on recommendation of Management, there was presented for approval, the Los Angeles International Airport Airfield and Terminal Modernization Project, as described in the Final Environmental Impact Report; certification of said Final Environmental Impact Report for the project; adoption of associated documents; and the Los Angeles International Airport Specific Plan Compliance Review Determination set forth in the Executive Director's Report; and

LAX

Van Nuys

City of Los Angeles

Eric Garcetti
Mayor

**Board of Airport
Commissioners**

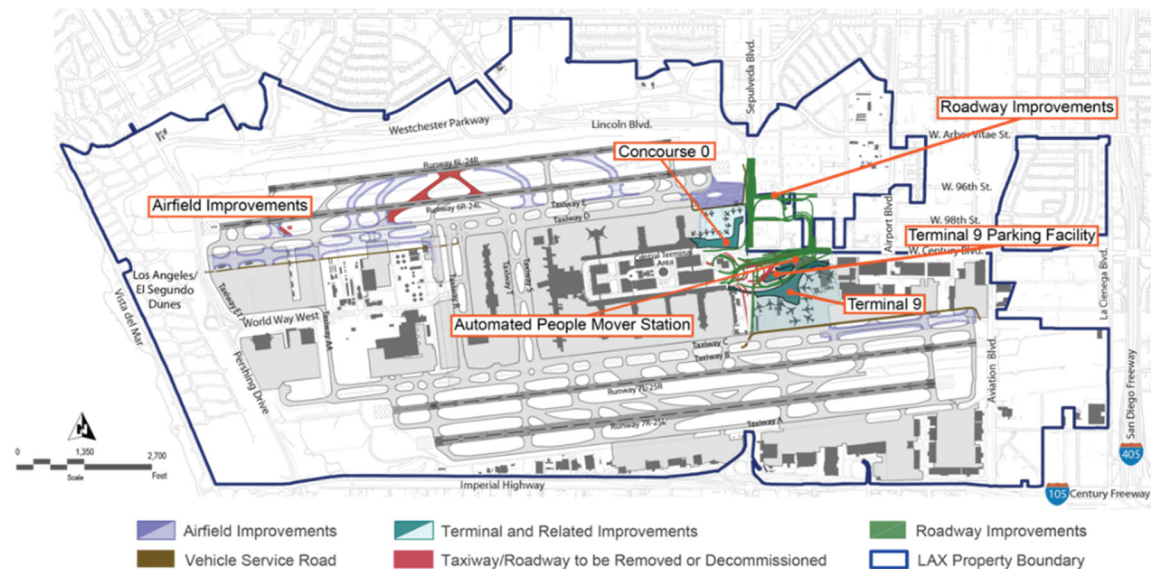
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Justin Erbacci
Chief Executive Officer

WHEREAS, Los Angeles World Airports (LAWA) proposes to implement airfield, terminal, and landside improvements at Los Angeles International Airport (LAX) as part of the its continuing commitment to maintain LAX as a world-class airport. The Airfield and Terminal Modernization Project (ATMP) proposes: (1) airfield improvements that would enhance operational management and safety within the north airfield; (2) new terminal facilities to upgrade passenger processing capabilities and enhance the passenger experience; and (3) an improved system of roadways to better access the Central Terminal Area (CTA) and new facilities, while also reducing traffic congestion on Sepulveda Boulevard; and



WHEREAS, the main elements of the LAX ATMP include:

- **Airfield Improvements** – The proposed airfield improvements would enhance the safety and operational management of the LAX airfield. Said improvements include: reconfiguration of the north airfield runway exits and taxiway intersections to meet current Federal Aviation Administration (FAA) design standards, relocation and reconfiguration of the runway exits to enhance safety, and the westerly extension of Taxiway D from Taxiway P to Taxiway E17.
- **Terminal Improvements** – The construction of a new Concourse 0 and Terminal 9 that would provide for new modern, spacious, and efficient terminal facilities that support the ability to accommodate the projected future growth in passenger levels at LAX and do so in a manner that offers high-quality passenger service and operational flexibility. The proposed improvements would improve the passenger experience, increase airlines' efficiency, and reduce the busing activity on the airfield through removal and replacement of 15 of the 18 West Remote Gates.



Concourse 0 would contain 11 (nine of which are new) narrow-body aircraft gates. Terminal 9 would include up to 12 wide-body aircraft gates, or up to 18 narrow-body aircraft gates or various combinations thereof. To support Concourse 0 and Terminal 9, existing taxiways near the facilities would be modified and improved to facilitate aircraft access to and from the new gates, which would include the easterly extension and improvement of Taxiways D and E in the north airfield, and the easterly extension and improvement of Taxiway C in the south airfield.

- Landside Improvements – Roadway improvements are proposed to provide landside access to the proposed Terminal 9 facility and to develop a comprehensive network of roadway system improvements that would help separate and remove airport-related (i.e., CTA-related) traffic from the local roadway system (e.g., Sepulveda Boulevard) and support access to the previously-approved Intermodal Transportation Facility–West that is linked to the new previously-approved Automated People Mover (APM) system. Other landside improvements include a new APM station near Terminal 9 that would provide an additional connection to the APM system currently under construction, a parking facility to support Terminal 9, and a pedestrian corridor between Terminals 8 and 9 that would bridge across Sepulveda Boulevard. Landside access for Concourse 0 would occur at Terminal 1, which would include a pedestrian connection over World Way to the East CTA Station on the new APM system.
- Other Improvements – Utilities and enabling work are proposed to support development of the above-described LAX ATMP elements; and

WHEREAS, the LAX ATMP would support the ongoing modernization of LAX to provide excellent passenger service, to support the economic growth and prosperity of the Los Angeles region, and to work closely with neighboring communities to reduce airport-related impacts. The Project would support the ongoing modernization of LAX by: enhancing the safety and operational management of the airfield, particularly as related to runway exits; providing a new concourse and terminal to improve the quality of the passenger experience and efficiency of passenger processing; and improving the roadway system to better route airport-related traffic away from the public roads that serve the community. Those improvements would help LAX accommodate the continued aviation growth that is projected by the FAA, Southern California Association of Governments, and LAWA to occur. This growth is expected to occur with or without the LAX ATMP. The LAX ATMP, however, would enable LAX to accommodate the growth in a way that enhances the passenger experience, enhances the safety of the airfield, and reduces airfield and roadway congestion. Additionally, the nature and timing of those improvements are integral to Los Angeles' plans to host the 2028 Olympic and Paralympic Games, with LAX serving as the main gateway for athletes, dignitaries, and visitors from around the world; and

WHEREAS, LAWA has prepared the Environmental Impact Report (EIR) for the LAX ATMP pursuant to the California Environmental Quality Act (CEQA). Prior to publication of the Draft EIR, LAWA circulated a Notice of Preparation (NOP) and Initial Study (IS) for public and agency review from April 4, 2019 to May 6, 2019. During the IS/NOP public review period, LAWA held two Scoping Meetings – on April 13, 2019 and on April 17, 2019. The IS/NOP was made available on the LAWA website. Additionally, LAWA distributed copies to thousands of stakeholders, other agencies, airlines, and other leaseholders at LAX, and placed it at seven local libraries. In accordance with CEQA, LAWA considered all comments received through the IS/NOP process in preparing the Draft EIR; and

WHEREAS, on October 29, 2020, LAWA published the Draft EIR for the LAX ATMP. The Draft EIR was originally circulated for public review for 47 days, which met the CEQA requirement for a 45-day review period, with the review period originally closing on December 14, 2020. In response to requests from the community, LAWA extended the comment period on the Draft EIR twice, first to February 12, 2021, with a second extension to March 15, 2021, for a total public review period of 138 days. The Draft EIR was published on LAWA's website and was also provided on flash

drives to certain agencies and stakeholders. A virtual open house was launched on November 25, 2020 that provided detailed information about the LAX ATMP and Draft EIR analysis. LAWA also held a virtual public meeting on December 1, 2020 that presented information on the proposed Project and the Draft EIR analysis, as well as a question-and-answer session; and

WHEREAS, during the CEQA process, LAWA conducted over 140 meetings/briefings with agencies, businesses, and community groups, as well as elected officials, to (1) present information on the LAX ATMP and its environmental effects; (2) answer questions; and (3) identify potential concerns. Additionally, LAWA mailed notices of the availability of CEQA documents and key public meetings to an extensive database containing over 8,500 addresses and over 750 email addresses; and

WHEREAS, LAWA published the Final EIR for the LAX ATMP on August 18, 2021. The LAX ATMP Final EIR incorporates, and responds to, all comments received on the Draft EIR, and includes corrections and clarifications to the Draft EIR. LAWA provided responses directly to all public agencies that commented on the Draft EIR more than 10 days prior to the meeting at which the Board will consider certification of the Final EIR; and

WHEREAS, regarding the LAX ATMP's environmental impacts, the IS/NOP, included as Appendix A to the Draft EIR, determined that the Project would have no impacts or less than significant impacts on the following resource areas: aesthetics, agriculture and forestry resources, biological resources, cultural resources (archaeological resources), geology and soils, hydrology and water quality, mineral resources, population and housing, public services, recreation, tribal cultural resources, and wildfire. The Draft EIR determined that impacts from the LAX ATMP would be less than significant or could be mitigated to a level that is less than significant for the following resource areas: human health risk, cultural resources (historical resources), energy, hazardous materials, land use and planning, roadway traffic noise, construction traffic and equipment noise and vibration, and utilities (water supply and wastewater generation); and

WHEREAS, project-specific mitigation measures to reduce environmental impacts are described throughout the EIR and are included in the Mitigation Monitoring and Reporting Program (MMRP). Such measures include, but are not limited to, construction-related measures such as requiring:

- increased percentage of construction and demolition waste recycling
- use of on-site rock crushers, when feasible
- use of renewable diesel fuel for on-site construction trucks and equipment
- preparation of construction noise control plans, including provisions for temporary noise barriers, if needed, near noise-sensitive uses
- scheduling construction activities to avoid noise-sensitive times of the day (i.e., nighttime)
- locating stationary sources of construction noise away from noise-sensitive uses; and

WHEREAS, operations-related mitigation measures include numerous design features to reduce energy consumption and associated air pollutant and greenhouse gas (GHG) emissions, such as:

- use of cool roof treatment on Terminal 9 parking facility
- incorporation of solar energy technology, if feasible
- installation of electric vehicle charging system infrastructure beyond code requirements
- policies and programs related to electric vehicle purchasing, organic waste collection and diversion, green procurement, enhanced recycling, and use of reclaimed water for landscaping at Concourse 0 and Terminal 9; and

WHEREAS, also related to mitigation of operations-related impacts is the requirement to update the LAX Noise Exposure Map in the future to include noise-sensitive uses newly exposed to aircraft noise levels of 65 dBA Community Noise Equivalent Level, and the requirement for vehicle miles

traveled (VMT) reduction strategies, particularly as related to reducing LAX employee VMT. Such potential strategies include, but are not limited to:

- expanding LAWA's Rideshare Program
- working through the LAX Transportation Management Organization to encourage and provide support, advice, and guidance to employers across the LAX campus in implementing telecommuting programs
- expanding on-demand micro-transit shuttles
- promoting alternative transportation options to promote various options to get to and from LAX using modes other than a private vehicle; and

WHEREAS, implementation of the ATMP mitigation measures will be monitored and reported in accordance with the requirements of the MMRP. The status of said implementation will be summarized in the annual MMRP status summary report that is prepared and published by LAWA, as required by the LAX Specific Plan, and published on LAWA's website; and

WHEREAS, additionally, the LAX ATMP also incorporates significant sustainability features, including minimum LEED® Silver Certification requirements for the proposed Concourse 0 and Terminal 9 facilities, aircraft gate electrification, energy meters, sustainable landscaping, reclaimed water use requirements, electric vehicle charging stations, smart parking systems, water meters, and water efficient fixtures¹; and

WHEREAS, even with the implementation of said sustainability features and all feasible mitigation measures, as described in the CEQA Findings of Fact and in the Statement of Overriding Considerations, and detailed in the LAX ATMP Final EIR, there are significant adverse environmental impacts that would result from implementation of the Project. Many of those impacts would occur as a result of growth in passenger activity and aircraft operations that is forecasted to occur at LAX by 2028 with or without the LAX ATMP, as determined by LAWA's aviation experts. Additionally, as a result of the COVID-19 pandemic, impacts analyzed in the Draft EIR are most likely commensurate with levels of activity that will occur five or six years beyond 2028. Thus, the Draft EIR's analysis of impacts related to passenger activity levels in 2028 can be considered conservative. The LAX ATMP will result in unavoidable significant impacts, as follows:

Resource Category	Description of Unavoidable Significant Impacts
Air Quality	<ul style="list-style-type: none"> • Construction emissions (Project-related and cumulatively considerable contributions) • Operational emissions (Project-related and cumulatively considerable contributions) • Operational concentrations of PM₁₀
GHG Emissions	<ul style="list-style-type: none"> • Net increase in GHG emissions from construction and operations, combined • Cumulatively considerable contribution to GHG emissions • Conflicts with GHG Reduction Plans/Policies and Regulations
Noise (Aircraft Noise)	<ul style="list-style-type: none"> • Construction-related (for two 4.5-month periods) • Operations-related
Transportation	<ul style="list-style-type: none"> • Passenger VMT • Short-term and Long-term induced VMT • Cumulatively considerable contribution to VMT impacts; and

¹ LAWA has also agreed to implement certain measures prior to initiation of Project-related grading or excavation activities associated with the LAX ATMP in coordination with the Gabrieleño Band of Mission Indians - Kizh Nation Tribal Government. Those measures are identified in the FAA's National Environmental Policy Act Environmental Assessment.

WHEREAS, as documented in the CEQA Findings of Fact for the ATMP, and as set forth in the Statement of Overriding Considerations, the unavoidable significant adverse environmental impacts associated with the construction and operation of the LAX ATMP are acceptable in light of the Project's specific benefits that outweigh its impacts. Those benefits include enhanced safety and operational management of the LAX airfield, the ability to accommodate the forecasted growth in passenger levels in a manner that offers high-quality passenger service and operational flexibility, the ability to separate and remove airport-related traffic from the local roadway system, and the ability to support the City's plans to host the 2028 Olympic and Paralympic Games; and

WHEREAS, in accordance with the requirements of the Los Angeles Department of Transportation (LADOT) *Transportation Assessment Guidelines (July 2020)*, LAWA completed a Non-CEQA Transportation Assessment for the ATMP, separate from the LAX ATMP EIR. The Non-CEQA Transportation Assessment focused on local access and was based on traffic conditions projected to occur in 2028 with the ATMP, as compared to 2028 without the ATMP. The Non-CEQA Transportation Assessment evaluated the ATMP's potential effects related to:

- Pedestrian, Bicycle, and Transit Access
- Project Access, Safety, and Circulation
- Project Construction; and

WHEREAS, LAWA coordinated with LADOT and with Council District 11 to develop the recommendations in the ATMP Non-CEQA Transportation Assessment Report. Additionally, on May 7, 2021, the LADOT submitted a letter summarizing LADOT's review of the ATMP Non-CEQA Transportation Assessment Report and including measures recommended to be implemented as part of the LAX ATMP. The recommendations in the LADOT letter are generally similar and/or complementary to the recommendations in the ATMP Non-CEQA Transportation Assessment Report; and

WHEREAS, as a result of this process, LAWA management recommended that the Board adopt the recommendations in the Non-CEQA Transportation Assessment Report and the LADOT letter, including specific refinements to the proposed design of the Sepulveda Boulevard/98th Street intersection and other recommendations related to transportation system management, such as a series of traffic signal upgrades at intersections along Sepulveda Boulevard between Manchester Avenue and Imperial Highway, and as related to roadway safety enhancements (i.e., follow safety best practices and City of Los Angeles guidelines). Adoption of those recommendations is not required to reduce impacts of the LAX ATMP pursuant to CEQA; those recommendations would not change any of the conclusions of the ATMP Final EIR; and

WHEREAS, in accordance with Section 7 of the LAX Specific Plan, an Executive Director's Report (EDR) has been prepared. The LAX Specific Plan establishes zoning regulations and general procedures for development within the Specific Plan Area in conformance with the goals and objectives of the LAX Plan, as well as other local and regional plans. The LAX Zone applies to the entire Specific Plan Area which is then divided into four land use sub-areas: Airport Airside, Airport Landside, Airport Landside Support, and LAX Northside. The Project is located within the Airport Airside and Airport Landside Sub-areas. Based on the Executive Director's LAX Specific Plan Compliance Review, the EDR finds that the LAX ATMP complies with the LAX Plan and LAX Specific Plan, and its environmental effects have been assessed for compliance with CEQA. The EDR includes the proposed project description, background information, purpose, the requisite findings of fact, the requisite reports received, and a final recommendation of approval. The proposed improvements and facilities associated with the LAX ATMP are consistent with the land uses, goals, and policies of both the LAX Plan and LAX Specific Plan; and

WHEREAS, an EIR was prepared for the Project in compliance with CEQA and the City of Los Angeles CEQA Guidelines. Pursuant to the State CEQA Guidelines Section 15091(e), the location and custodian of documents and materials related to the EIR for the Project is the LAWA Environmental Planning Unit, 6053 West Century Boulevard, Suite 1050, Los Angeles, California 90045; and

WHEREAS, actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of Los Angeles City Charter Section 245;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners adopted the Staff Report; certified that [a] the Final EIR for the LAX ATMP has been completed in compliance with the requirements of the CEQA and the City of Los Angeles CEQA Guidelines, [b] the Final EIR was presented to the Board of Airport Commissioners, as the decision-making body of the lead agency, and said Board considered the information contained in the FEIR and any comments received prior to approving the LAX ATMP, and [c] the LAX ATMP Final EIR represents the independent judgment and analysis of LAWA; found that [a] the LAX ATMP, as defined in the Final EIR, complies with the LAX Plan, any design guidelines and standards required by the LAX Specific Plan, and all applicable provisions of the LAX Specific Plan, as fully set forth in the EDR, and [b] the environmental effects of the LAX ATMP have been assessed in compliance with CEQA; approved the LAX Specific Plan Compliance Review determination as recommended in the EDR; further adopted [a] the LAX ATMP CEQA Findings of Fact, LAX ATMP Statement of Overriding Considerations, and LAX ATMP MMRP, and [b] the Recommendations in the Non-CEQA Transportation Assessment Report and Letter from the LADOT related to access and circulation; and further approved the LAX ATMP as described in the Final EIR.

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I hereby certify that this Resolution No. 27351 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, October 7, 2021.

A handwritten signature in blue ink, appearing to read "Grace Miguel".

Grace Miguel – Secretary
BOARD OF AIRPORT COMMISSIONERS

ATTACHMENT D

Notice of Determination**Appendix D****To:**

☐ Office of Planning and Research
U.S. Mail: *Street Address:*
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: _____
 Address: _____

From:

Public Agency: _____
 Address: _____

Contact: _____

Phone: _____

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: _____

Project Applicant: _____

Project Location (include county): _____

Project Description:

This is to advise that the _____ has affirmed and concurred with LAWA's actions ☐ related to the ☐ Project on _____ including the following determinations: (date)

1. The project [☐ will ☐ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☐ was not] adopted for this project.
6. Findings [☐ were ☐ were not] made pursuant to the provisions of CEQA.

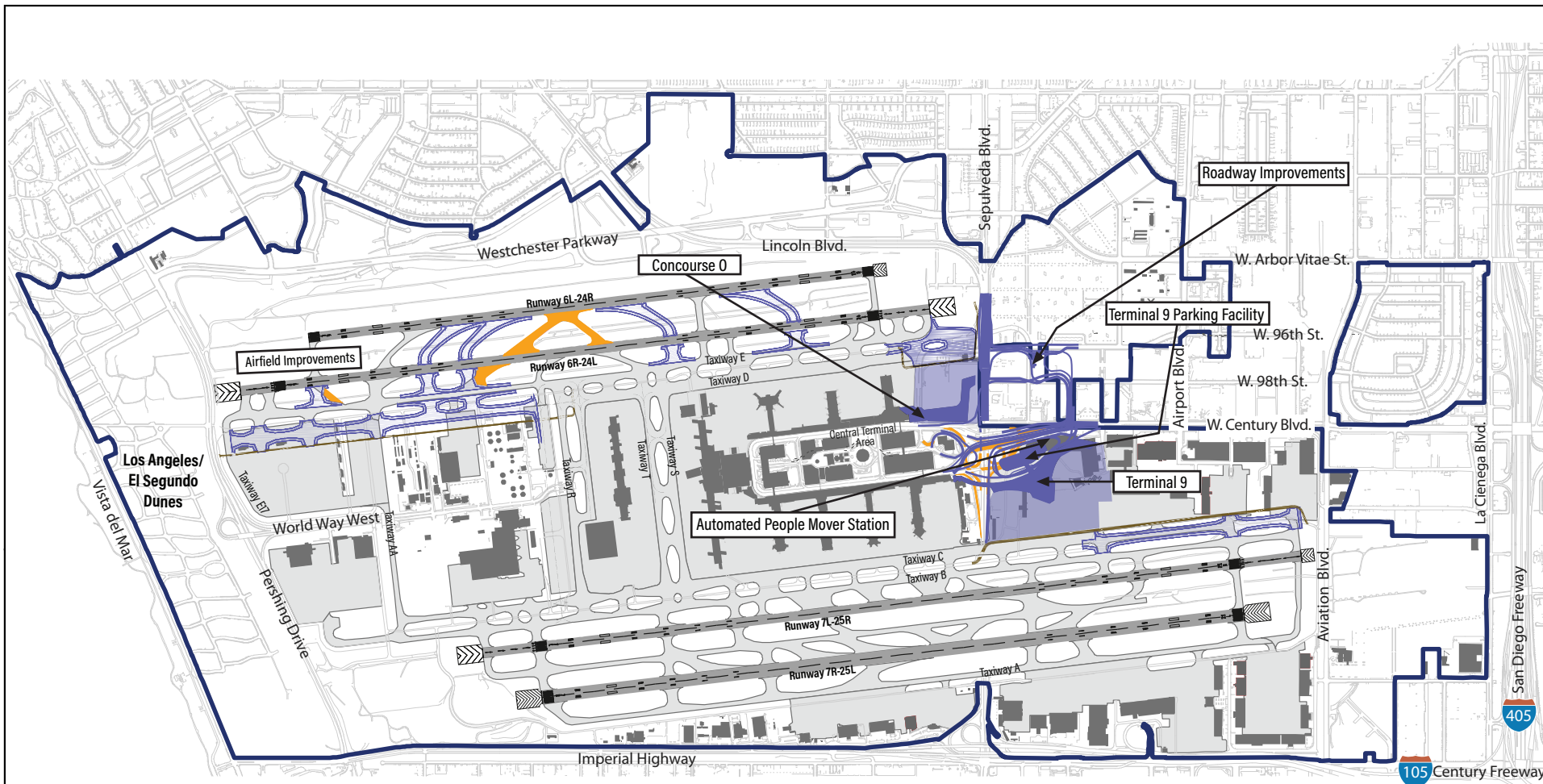
This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

 Signature (Public Agency): _____ Title: _____

Date: _____ Date Received for filing at OPR: _____

Project Description:

The LAX Airfield and Terminal Modernization Project ("Project") will be implemented by LAWA as part of LAWA's continuing commitment to maintain LAX as a world-class airport. The Project consists of several elements, including airfield improvements to enhance safety and operational management within the north airfield, new concourse and terminal facilities to upgrade passenger processing capabilities and enhance the passenger experience, and an improved system of roadways to better access the Central Terminal Area (CTA) and new facilities while reducing congestion. Airfield Improvements (North Airfield): Airfield safety and operational management will be enhanced with the westerly extension of Taxiway D and relocation and reconfiguration of runway exits from the northernmost runway. 15 of the 18 West Remote Gates on the western side of the airport will be removed or decommissioned. New Terminal Facilities: Concourse 0 will be a new easterly extension of Terminal 1 with up to 9 net new gates. Terminal 9 will be a new passenger terminal located southeast of the Sepulveda Boulevard/Century Boulevard intersection with up to 18 new gates. Taxiways in both the north and south airfields will be modified to provide aircraft access to Concourse 0 and Terminal 9. Roadway Improvements: New arrival and departure roadways will improve access to and from the CTA and will provide access to the new Terminal 9 facility. Access to Terminal 9 will be provided by a new station on the approved LAX Automated People Mover (APM) line with a pedestrian connection to Terminal 9. Other landside improvements associated with Terminal 9 include a pedestrian corridor between Terminals 8 and 9 that will bridge across Sepulveda Boulevard, and a parking facility. A figure of the project location is attached to this notice. A complete project description is available in the Environmental Impact Report found at <https://www.lawa.org/atmp/documents> under the "CEQA Environmental Documents" tab.



Sources: Ricondo & Associates, Inc., April 2020 (basemap); Los Angeles World Airports, January 2020 (Airport Layout Plan); CDM Smith, April 2020 (Airport Property Line); Ricondo & Associates, Inc., October 2018 (Project Elements); CF Wright Consulting, July 2020 (Roadway Elements)

Prepared by: CDM Smith, October 2020

Legend

- LAX Property Boundary
- Improvements to be Constructed¹
- Taxiway/Roadway to be Removed/Decommissioned or Demolished

Note:

1. Improvements depicted are conceptual only and do not represent engineered design.

LAX Airfield and Terminal Modernization Project

LAX Airfield and Terminal Modernization Project Overview