

MEMORANDUM

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FROM: Terry A. Hayes Associates Inc.
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DATE: October 25, 2021

SUBJECT: Letter of Applicability for the CEQA Statutory Exemption of the La Verne Pedestrian Bridge Project

1. INTRODUCTION AND PROJECT DESCRIPTION

The City of La Verne in cooperation with the San Gabriel Valley Council of Governments (SGVCOG) is proposing the installation of the La Verne Pedestrian Bridge (proposed project) across Arrow Highway and the Metrolink rail corridor, at the future Metro L (Gold) Line La Verne Station adjacent to the Los Angeles County Fairgrounds. The proposed project includes the construction of a pedestrian bridge in close proximity to the Metro L (Gold) Line La Verne Station currently under construction. The proposed project is located on both sides of Arrow Highway, between Fairplex Drive/E Street to the west, and North White Avenue to the east. The proposed pedestrian bridge overcrossing will serve as a critical connector and signal to visitors that they are in the core of the La Verne Transit Oriented Development (TOD) area. The northern walkway of the pedestrian bridge would be adjacent to a future parking facility that would replace a vacant industrial building for sale, as described in the Metro Gold Line Foothill Extension Environmental Review.¹ The proposed project is expected to make the area convenient for visitors to access and significantly reduce conflicts between pedestrian and vehicle movements. This memorandum documents why the proposed project is statutorily exempt from the California Environmental Quality Act (CEQA). **Figure 1** depicts the location of the proposed project.

2. CALIFORNIA ENVIRONMENTAL QUALITY ACT

On September 28, 2020, Governor Newsom approved Senate Bill (SB) 288 which exempts from the requirements of the California Environmental Quality Act (CEQA) certain projects, including projects for the institution or increase of new bus rapid transit, bus, or light rail services on public rail or highway rights-of-way, as specified, whether or not the right-of-way is in use for public mass transit, as specified, and projects for the designation and conversion of general purpose lanes, high-occupancy toll lanes, high-occupancy vehicle lanes, or highway shoulders, as specified. The bill additionally exempts transit prioritization projects, projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses, projects carried out by a city or county to reduce minimum parking requirements, and projects for pedestrian and bicycle facilities.

¹ Metro Gold Line Foothill Extension Construction Authority, *Metro Gold Line Foothill Extension – Azusa to Montclair Final Environmental Impact Report*, February 2013. Accessed August 24, 2021.

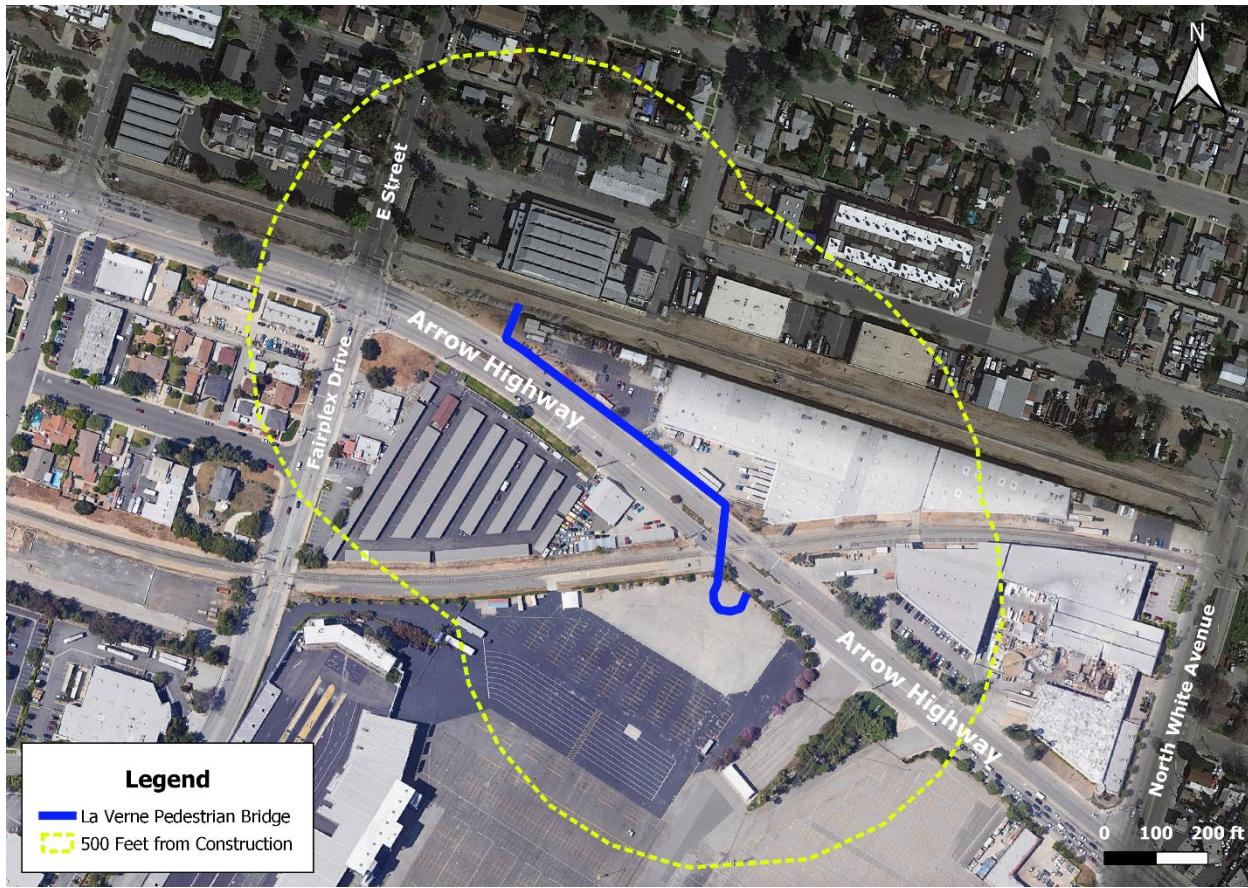


Figure 1: Project Location

With approval of SB 288, Section 21080.25 has been added to the California Public Resources Code (PRC). Section 21080.25(b)(1) identifies the following type of projects as exempt from the requirements of CEQA:

Pedestrian and bicycle facilities, including new facilities. For purposes of this paragraph, “bicycle facilities” include, but are not limited to, bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code.²

The proposed project meets the definition of a “pedestrian facility” as it consists of a new pedestrian bridge across Arrow Highway providing a safe and convenient connection between Metro L (Gold) Line riders and the Los Angeles County Fairgrounds.

Section 21080.25(c) states that a project exempt from CEQA under PRC Section 21080.25 shall meet all of the following criteria:

1. A public agency is carrying out the project and is the lead agency for the project.
2. The project is located in an urbanized area.
3. The project is located on or within an existing public right-of-way.
4. The project shall not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles, such as extended merging lanes. The project shall not include the addition of any auxiliary lanes.

² https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB288

5. The construction of the project shall not require the demolition of affordable housing units.
6. For a project exceeding one hundred million dollars (\$100,000,000) in 2020 United States dollars, a project exempt from this division under this section shall also meet all of the following:
 - A. The project is incorporated in a regional transportation plan, sustainable communities strategy, general plan, or other plan that has undergone a programmatic-level environmental review pursuant to this division within 10 years of the approval of the project.
 - B. The project's construction impacts are fully mitigated consistent with applicable law.
 - C. (i) The lead agency shall complete and consider the results of a project business case and a racial equity analysis. The Office of Planning and Research may set standards for the project business case and the racial equity analysis or delegate that authority to metropolitan planning organizations.
 - (ii) The project business case required under this subparagraph shall set forth the rationale for why the project should be implemented to solve a problem or address an opportunity, outline strategic goals and objectives of the project, evaluate other options to achieve the project's objectives, describe the economic costs and benefits of the project, describe the financial implications of the project, and establish what is required to deliver and operate the project.
 - (iii) The racial equity analysis required under this subparagraph shall identify the racial equity impacts of the project, identify who will benefit from and be burdened by the project, and, where significant or disproportionate impacts exist, suggest strategies, designs, or actions to mitigate those impacts.
 - D. The lead agency shall hold noticed public meetings.
 - E. The lead agency shall give public notice of the meetings in subparagraph (D) to the last known name and address of all the organizations and individuals that have previously requested notice and shall also give the general public notice.

In addition to the above requirements, before granting an exemption, the lead agency shall certify that the project will be completed by a skilled and trained workforce (PRC Section 21080.25[d][1]) and the lead agency shall not enter into a construction contract with any entity unless the entity provides an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code (PRC Section 21080.25[d][2]).

3. CEQA DETERMINATION

As discussed, the proposed project constitutes a new pedestrian facility as defined in Section 21080.25(b)(1). The City of La Verne is the lead agency responsible for the proposed project under CEQA Guidelines Section 15367, which states that a “lead agency” is “the public agency that has the principal responsibility for carrying out or approving a project.” As lead agency, the City of La Verne has determined, based on the information in this memorandum, that the proposed project would be statutorily exempt from the CEQA pursuant to PRC Section 21080.25 (b)(1).

The proposed project meets the requirements outlined in PRC Section 21080.25(c) as follows:

1. A public agency is carrying out the project and is the lead agency for the project.

The City of La Verne is a public agency carrying out the project and is the lead agency for the project.

2. The project is located in an urbanized area.

The project is located in the City of La Verne in a fully built out urbanized environment. According to the 2010 US Census Urbanized Area Reference Map, the entire City of La Verne is located within the Los Angeles – Long Beach – Anaheim Urban Cluster.³

3. The project is located on or within an existing public right-of-way.

The proposed project is located almost entirely within public right-of-way including a northern touchdown point within the Metro-owned parking lot associated with the Metro L (Gold) Line station with all support columns being located within the sidewalk along Arrow Highway or within the existing Arrow Highway median. The southern touchdown point is located within a vacant parcel owned by the Los Angeles County Fair Association.⁴ The intent of the proposed project is to provide public access to and from the proposed pedestrian bridge via a public access easement through the Los Angeles County Fair Association-owned parcel.

4. The project shall not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles, such as extended merging lanes. The project shall not include the addition of any auxiliary lanes.

No changes to automobile capacity on Arrow Highway, or any other public street are proposed as part of the project. The proposed project consists of a bridge over Arrow Highway with minimal changes to the street geometry required other than minor. Arrow Highway would continue to provide three lanes of through traffic in each direction.

5. The construction of the project shall not require the demolition of affordable housing units.

No demolition of housing would be required as part of the proposed project. The project inhabits portions of the Metro L (Gold) Line station parking lot, sidewalks along Arrow Highway, and a vacant parcel currently used for parking associated with the Los Angeles County Fairgrounds.

6. For a project exceeding one hundred million dollars (\$100,000,000) in 2020 United States dollars, a project exempt from under Section 21080.25 shall meet requirements 21080.25(c)(6)(A,B,C,D, and E)

The cost for the project is anticipated to be less than \$100,000,000 in 2020 United States dollars; therefore, the project is not required to meet additional requirements under Section 21080.25(c)(6).

Finally, the City of La Verne certifies that the project will be completed by a skilled and trained workforce in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. The City of La Verne intends to include applicable requirements within all construction contracts issued for the proposed project.

³ https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua51445_los_angeles--long_beach--anaheim_ca/DC10UA51445.pdf

⁴ <https://portal.assessor.lacounty.gov/parceldetail/8378015005>

3. REFERENCES

Los Angeles County Assessor, *Property Report for AIN: 8378-015-005*,
<https://portal.assessor.lacounty.gov/parceldetail/8378015005>. Accessed: October 20, 2021.

Metro Gold Line Foothill Extension Construction Authority, *Metro Gold Line Foothill Extension – Azusa to Montclair Final Environmental Impact Report*, February 2013. https://foothillgoldline.org/wp-content/uploads/converted-images/uploads/1.0_-_Project_Description.pdf. Accessed August 24, 2021.

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https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB288 Accessed October 20, 2021.

United States Census Bureau, *2010 Urbanized Area Reference Map - Los Angeles--Long Beach--Anaheim, CA*. https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua51445_los_angeles--long_beach--anaheim_ca/DC10UA51445.pdf