



Alejandro Huerta <alejandro.huerta@lacity.org>

Crossroads Hollywood

1 message

H Wood <hwoodca@gmail.com>

Tue, Jul 25, 2017 at 9:33 PM

To: alejandro.huerta@lacity.org, Hollywoodians Encouraging Logical Planning <HWoodCA@gmail.com>

Dear Mr. Huerta:

Please add the letter from our attorney, Edward W Pilot, and the attached articles to the public record for the Crossroads Hollywood Project.

Thank you

 **2017-7-25 Pilot L to Huerta re Crossroads.pdf**
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Tuesday, July 25, 2017

Via email only to: alejandro.huerta@laCity.org

Mr. Alejandro Huerta
Environmental Analysis Section
Department of City Planning
200 North Spring Street. Room 750
Los Angeles, CA 90012

Re: PROJECT NAME: Crossroads Hollywood, ENV-2015-2026-EIR
SITE LOCATION: 1540-1552 Highland Avenue; 6700-6760 Selma Avenue; 6663-6675 Selma Avenue; 1543-1553, McCadden Place; 1542-1546 McCadden Place; 1501-1573 Las Palmas Avenue; 1500-1570, Las Palmas Avenue; 1600-1608 Las Palmas Avenue; 6665-67131/2 Sunset Boulevard, Los Angeles, California, 90028
COMMUNITY PLAN AREA: Hollywood Community Plan Area
COUNCIL DISTRICT: 13—Mitch O'Farrell
CERTIFIED NEIGHBORHOOD COUNCIL: Central Hollywood

Dear Mr. Alejandro Huerta:

In conjunction with Attorney Richard MacNaughton, this office represents Hollywoodians Encouraging Logical Plan's [HELP], Richard Lee Abrams and Citizens Coalition Los Angeles' [CCLA].

I hereby incorporate by reference Hollywoodians Encouraging Logical Plan's [HELP's] and Citizens Coalition Los Angeles' [CCLA's] Monday, November 23, 2015 comments and all the attachments submitted therewith.

1. The Premises Underlying the Project are Fatally Flawed

The Crossroads Hollywood Project [The Project] is based on land use premises which have been shown to be fatally flawed and detrimental to the Quality of Life of Hollywoodians in particular and to Angelenos in general.

The concentration of apartments and offices in dense buildings along alleged transit corridors, called Transit Oriented Development [TODs] has proven harmful to not only Hollywood but also to other places around the world including Toronto, Vancouver, and Melbourne. TOD's result in huge escalation in housing costs driving from urban areas the lower and middle class. The exorbitant housing costs make mortgages and rents prohibitive for most Family Millennials who search for cheaper alternatives. There has been an exodus of Family Millennials from Los Angeles to Nashville, Denver, and Texas.

Other Millennials do not go so far. There has been a migration to the Inland Empire and most recently, the flight from the high mortgages and rents is resulting in the Gentrification of parts of East Los Angeles, e.g. El Sereno and Boyle Height, and South Los Angeles. This particular type of Gentrification forces out the families who have resided in these neighborhoods for decades because they cannot financially compete with the wealthier Millennials.

The City may not close its eyes to the harm which it causes minorities neighborhoods with its housing policies in other parts of the City. This Project typifies the TODs which are damaging parts of Los Angeles many miles from their actual sites.

By concentrating development along transit corridors, development is focused where land costs are the highest and by constructing these massive mixed-use project, the City is promoting projects with the highest construction costs per square foot. The opposite land use policy of decentralization and no additional dense or In-fill projects in the Basin would encourage homes and

offices to be built where land costs are lower and where construction costs would be considerably less. By dispersing offices and homes to very modest low rise limited projects, the need for the most stringent building standards, which applies to high rise mixed-use projects, could be avoided. Also, dispersal of population reduces the traffic congestion which TODs inevitably bring to any area.

2. This Project and Similar Ones Harm Los Angeles Future Tax Base

By escalating housing costs beyond what Family Millennials can afford, this Project and similar ones are instrumental in driving the net emigration from Los Angeles by the Middle Class, especially those who are starting families. Family Millennials overwhelmingly prefer detached homes with yards and decent commuting times.

In some markets, high rents and weak millennial incomes make it all but impossible to raise a down payment (PDF). According to Zillow, for workers between 22 and 34, rent costs now claim upward of 45 percent of income in Los Angeles, San Francisco, New York, and Miami, compared to less than 30 percent of income in metropolitan areas like Dallas-Fort Worth and Houston. The costs of purchasing a house are even more lopsided: In Los Angeles and the Bay Area, a monthly mortgage takes, on average, close to 40 percent of income, compared to 15 percent nationally. February 6, 2017, NewGeography, *The High Cost of a Home Is Turning American Millennials Into the New Serfs*, by Joel Kotkin

Concentrating projects in Hollywood does not meet this demand. As a result, we are losing our highest earning segment of the Middle Class, the office support portion. By making Los Angeles into a High Cost Low Opportunity area, the City is systematically depleting its future tax base. Once people move

to Texas, they are not returning to Los Angeles. <http://bit.ly/2hY8hGD> January 5, 2017, CityWatch, *Scientific Theory of LA's Decline*, by Richard Lee Abrams

3. The City Needs to Adopt a Decentralized Land Use Plan

As far back as 1915, the civil engineers advised the City that it had to follow a decentralized plan for future population growth due to the interplay of LA's mathematics, topography, and finances. The DEIR does not explore this Alternative, which is consistent with the City's General Plan. (A copy of the 1915 *Study of Street Traffic Conditions in the City of Los Angeles* has already been submitted with prior comments)

A decentralized land use plan would significantly lower housing costs which would retain the Family Millennials who are currently fleeing. A decentralized plan with no high rises in the Basin would also significantly reduce the cost of mass transit construction and looking ahead it would reduce future operations and maintenance costs for fixed rail mass transit. Based upon current spending for construction and low ridership, the fixed rail system will be running an annual deficit of at least \$8 Billion in 2017 dollars.

By adopting a decentralized land use plan, there will be no use for additional subways and light rail lines in The Basin. Wiser land use patterns for the entire area exist but the City refuses to admit their existence. See for example, <http://bit.ly/2talLQg> July 10, 2017, CityWatch, *The Fastest Way to Change California and Help LA: A Desert Bridge!*, by Joe Mathews

As discussed in the November 23, 2015 comments (pages 5-12), this Project will significantly aggravate the forces which are causing Los Angeles's decline. Each year LA deteriorates further. According to Inrix, in 2016 Los Angeles achieved the distinction of having the worst traffic congestion in the world and at the same time, fewer people used its mass transit system. The idea that City can coerce people into living in TODs and give up their cars has been

proven completely false. Rather, the smarter, more productive and the more well educated people chose to leave Los Angeles. This trend portends financial disaster for the City. The City cannot continue to drive out its most valuable citizens in order to cater to a discredited land use system which only benefits the pocketbooks of a few developers.

As explained under #18 of the November 23, 2016 comments, the 1988 Hollywood community Plan has no Commerce section and it does not support this project.

4. Judge Chalfant's Discussion of the 1988 Hollywood Community Plan

Unlike the petitioners in the case against the Millennium Towers, future petitioners herein have brought the defective nature of the 1988 Hollywood Community Plan to the City's attention during this administrative phase. Judge Chalfant 4-30-2015 Decision in Millennium noted:¹

Following the City Council's approval of the Project, the superior court in La Mirada invalidated the entire HCPU. Pet. RJN, Ex. G. The City elected not to appeal the decision, and rescinded its adoption of the HCPU. Pet. RJN, Ex. H. Since consistency with a general plan or one of its elements is required for any portion of local government land use, the absence of a valid general plan or its valid relevant elements precludes enactment of actions, including approval of entitlements. *Neighborhood Action Group v. County of Calaveras*, (1984) 156 Cal.App.3d 1176, 1184

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¹A copy of Judge Chalfant's decision has already been added to the Administrative Record for this project

Moreover, the court agrees with the Opposition [The City] (Opp. at 36) that Petitioners waived their land use consistency argument by failing to discuss the FEIR's reliance on the 1988 HCP. When a petitioner challenges an administrative decision as unsupported by substantial evidence, it is the petitioner's burden to demonstrate that the record does not contain sufficient evidence to support the agency's decision. *State Water Resources Control Board Cases*, (2006) 136 Cal.App.4th 674, 749. A recitation of only the part of the evidence that supports the petitioner's position is not the "demonstration" contemplated by this rule. If a petitioner contends that some issue of fact is not sustained, the failure to set forth in his brief all the material evidence on the point and note merely his own evidence constitutes a waiver. *Id.* (quoting *Foreman & Clark Corp. v. Fallon*, (1971) 3 Cal.3d 875, 881

Since HELP and CCLA have already included their objections to the Project's reliance on the defective 1988 Hollywood Community Plan in their November 23, 2016 comments, Judge Chalfant's requirement has been satisfied.

5. Failure to Access Cumulative Impacts

The Project's DEIR does not discuss the population patterns in Hollywood nor does it discuss the cumulative impacts which the Project would have on Hollywood in light of the other proposed projects. Failure to assess the cumulative impacts is another CEQA defect. The City's material failures in this regard are non-excusable.

The failure to study the cumulative traffic impacts on surface streets and the 101 Freeway is particularly egregious in light of Judge Chalfant's extensive discussion in the Millennium case of the need to study cumulative impacts. Judge Chalfant 4-30-2015 Millennium Decision.

In light of the DEIR's failure to have any relevant population data including data related to the vacancy rates for the type of construction which this project proposes, the public cannot make meaningful comment. When there is a high vacancy rate, however, and number of people who are likely to live in this Project is decreasing, it is a material failure to discuss the impact of constructing units into a real estate glut.

The Millennial generation reached its peak birth year 26 years ago. Thus, each year there will be fewer new Young Millennials to replace the Family Millennials who are leaving the City. After age 25, Millennials are considered to have transitioned from Young Millennials to Family Millennials at which time their desire for apartment living precipitously drops.

The DEIR is devoid of any substantial or credible evidence that there will be any demand for this type of housing. A project which is only 1/3 full is a terrible financial drag on the community, but at the same time it significantly increases the demands on the infrastructure. There is ample demographic evidence that all Millennials, especially Family Millennials, prefer the suburbs. They shun congested traffic once they start families and this Project along with others in Hollywood are making the entire area undesirable and too expensive at the same time. This is a most curious situation – low demand in face of escalating housing prices.

6. A Major Factor in LA's Rising Housing Costs Is Destruction of Rent Controlled Properties

One needs to understand the role that the destruction of over 22,000 rent controlled properties since 2001 has artificially inflated housing costs. Each time a rent controlled unit is destroyed, the mathematical average for housing costs increases as the lowest rental units are removed. When this destruction of the lowest cost apartments happens thousands of times, the elimination of these cheapest rentals impacts overall housing costs. Put simply, the average of \$500

and \$1,000 is lower than the average of \$7,000 and \$10,000.

7. Spot Up-Zoning Artificially Raises Housing Costs

“Spot Up-Zoning” refers to the ability of developers to obtain all the exemptions, exceptions and up-grades they desire. The term is not limited to the few situations which the zone itself is actually changed. Because the City has unanimously approved 100% of all Up Zoning, residential property is no longer priced at its Living Space Value but at its much higher Development Potential Value. These high prices become the comparables for all residential housing whether a developer is interested in a particular property. Thus, the cumulative impact of projects such a Crossroad Hollywood is extraordinarily harmful to all Angelenos by making housing unaffordable.

To the extent some families make the sacrifice to pay the exorbitant mortgage and rental prices, they are devastating their disposable income which harms the local business community. When a family has to spend an extra \$2,000 to \$3,000 per month on housing, that is an additional \$2,000 to \$3,000 which it does not have to save or purchase consumer goods and services. The detrimental impact of excessively high mortgages and rents harms the entire community. <http://bit.ly/2ugzatL> July 20, 2017, CityWatch, *Exposed: LA is Pursuing Plan for Never-Ending Traffic Gridlock*, by Richard Lee Abrams

8. Black Lung Lofts

The City has been forced to admit that living within 500 feet of freeway is an undue risk to residents’ health. The concentrations of the toxic fumes is not acceptably lower along Sunset Boulevard, especially in light of the snail’s pace at which the congested traffic creeps along much of the day. See for example <http://bit.ly/2tATSC6> July 24, 2017, CityWatch, *Living in a Black Lung Loft? How LA Politics and ‘Smart Planning’ Ignore Medical Science*, by Richard Lee Abrams

The City violates CEQA by its refusal to study the health impacts of more residents and hence more cars with this small area of Hollywood. The configuration of the tall buildings also tends to trap the toxicity within the residential zone. Rather than admit that these problems exist, the City ignores them. This is the same approach which the City took with Mobility Plan 2035 which refused to study the health impacts of vehicle emissions for cyclists in Bike Lanes in major streets. <http://bit.ly/2rnQgpV> June 12, 2017, CityWatch, *Citizens Group Sues City Over Toxic Bike Lanes ... Mayor Not Listening*, by Richard Lee Abrams <http://bit.ly/2sK0621> July 10, 2017, CityWatch, *Garcetti's Toxic Bike Lanes: Criminal Liability Could Rival Flint's Poisoned Water*, by Richard Lee Abrams

9. Summary

The only acceptable Alternative is the No Project Option. Los Angeles in general and Hollywood in particular has already gone way too far in concentrating offices and apartments in the Basin. It has given us exorbitant housing prices, the worst traffic congestion in the world, increased crime, a gigantic jump in homelessness, lethal Black Lung Lofts and Black Lung Bike Lanes, Gentrification in East Los Angeles and South Los Angeles as the Middle Class is being forced to hunt for cheaper housing in traditionally Hispanic and Black Community. These policies have driven Family Millennials away from not only Los Angeles, but also other states. These tax payers will never return to Los Angeles and that loss also impacts our schools since fewer children mean less state educational subsidizes, but the fixed costs remain the same. Corruption is rampant at City Hall while Los Angeles has become the least favorable place for the Business Services Section of the Middle Class.

The only thing that this Project can do to help the City is to adopt the No Project Alternative.

Mr. Alejandro Huerta
Tuesday, July 25, 2017
Crossroads Hollywood, ENV-2015-2026-EIR

Very truly yours,

Edward W. Pilot

Edward W. Pilot

EWP: ra

encls.

electronically signed

Enclosures for addition to Administrative Record:

1. <http://bit.ly/2hY8hGD> January 5, 2017, CityWatch, *Scientific Theory of LA's Decline*, by Richard Lee Abrams
2. <http://bit.ly/2talLQg> July 10, 2017, CityWatch, *The Fastest Way to Change California and Help LA: A Desert Bridge!*, by Joe Mathews
3. <http://bit.ly/2rnQgpV> June 12, 2017. CityWatch, *Citizens Group Sues City Over Toxic Bike Lanes ... Mayor Not Listening*, by Richard Lee Abrams
4. <http://bit.ly/2sK0621> July 10, 2017, CityWatch, *Garcetti's Toxic Bike Lanes: Criminal Liability Could Rival Flint's Poisoned Water*, by Richard Lee Abrams
5. <http://bit.ly/2ugzatL> July 20, 2017, CityWatch, *Exposed: LA is Pursuing Plan for Never-Ending Traffic Gridlock*, by Richard Lee Abrams
6. <http://bit.ly/2tATSC6> July 24, 2017, CityWatch, *Living in a Black Lung Loft? How LA Politics and 'Smart Planning' Ignore Medical Science*, by Richard Lee Abrams

Scientific Theory of LA's Decline

RICHARD LEE ABRAMS / 05 JANUARY 2017



(/index.php/los-angeles/12377-scientific-theory-of-la-s-decline)

LOS ANGELES (/INDEX.PHP/LOS-ANGELES)

CORRUPTION WATCH-According to the "Osmosis Theory of LA's Decline," populations tend to move from areas of high costs and low opportunity (HC-LO) to areas of low costs and high opportunity (LC-HO.) Darwin's survival of the fittest has a say here too. The smarter the person, the more likely he or she will move away from Los Angeles. In other words, the more talented middle class is "osmosisizing" itself away from "high cost-low opportunity" Los Angeles to "low cost-high opportunity" areas like Texas, the South, Nashville and Arizona. (Photo above: uncollected trash in Koreatown, Los Angeles.)

There are other factors in LA's plight. Because babies cannot move out on their own, newborns are not renting apartments and buying houses. The elderly often own their own homes and have their costs covered. Thus, the new births and the "not-dying" of the Boomers do not mean LA is seeing an increased demand for housing.

The crucial element of population mathematics is that Los Angeles is driving out the most vital segment of its population, that is, the family age middle class. As they leave the City, we lose our future. (We have previously discussed in CityWatch (<http://www.citywatchla.com/index.php/the-la-beat/12357-la-s-non-stop-war-against-rent-control-the-single-family-home-and-other-long-term-wealth-creators>) on December 29, 2016, why LA has a lower demand for housing while housing prices rise.)

Two Productive Segments of LA's Middle Class

Los Angeles' middle class of child rearing age spans two "generations." There are Family Millennials, born between 1981 and 1998. Their peak birth year was twenty-five years ago. Thus, there are fewer younger Millennials each year and an increasing number of the older Millennials are becoming Family Millennials, age 25 and above.

Los Angeles' other middle class "generation" is its Generation Xers, who are between the ages of 35 to 49 years old. Los Angeles already is deficient in its number of Gen Xers. While Garcetti and others were raving about the young Millennials living on groups of two and three in lofts in DTLA, they covered up the fact that the Gen Xers were leaving the City.

Many in this group, who were between 27 and 41 years old when the Crash of 2008 hit, have mostly decided to leave dense urban areas. Although this generation is smaller than the Baby Boomers above them and the Millennials below them, Gen Xers are vital for any urban area for the next two decades. They are wealthier and more entrepreneurial than Family Millennials and their prior departure is one of the reasons Los Angeles has lost more employers than any other urban area over the prior decade.

People with the entrepreneurial spirit are precisely the type that leaves the high cost-low

opportunity of Los Angeles for the low cost-high opportunity areas in Texas. In fact, Austin (the capital of Texas,) was the grand winner in attracting Gen X entrepreneurial. Since 2000, Austin's Gen Xers have increase by 44.9% despite the fact that the size of this population segment has declined 6.6% nationally and Los Angeles is doing even worse than the national average.

As Joel Kotkin and Wendell Cox wrote in NewGeography.com ([http://www.newgeography.com/content/005493-generation-xs-moment-of-power-is-almost-here?utm_source=feedburner&utm_medium=email&utm_campaign=Feed:+Newgeography+\(Newgeography.com+-+Economic,+demographic,+and+political+commentary+about+places\)](http://www.newgeography.com/content/005493-generation-xs-moment-of-power-is-almost-here?utm_source=feedburner&utm_medium=email&utm_campaign=Feed:+Newgeography+(Newgeography.com+-+Economic,+demographic,+and+political+commentary+about+places))) in December 2016, "This makes sense as this is the age when home ownership is most critical and people are looking for the maximum income relative to costs. Being in your late 30s to 50 does not mean you have lost the ability to dream, but it does make addressing reality far more imperative than when in your 20s."

Thus, a significant number of Gen Xers have left Los Angeles and the age group just below them, Family Millennials, is doing likewise. Both generations leave for basically the same reason -- LA is high cost with low opportunity. People want their children to do better than they are doing. Thus, families move to the low cost-high opportunity areas.

Losing both GenXers and Family Millennials is Financially Devastating to Los Angeles

According to Val Srinivas and Urval Goradia, writing in "The Future of Wealth in the United States Mapping Trends in Generational Wealth," (<https://dupress.deloitte.com/dup-us-en/industry/investment-management/us-generational-wealth-trends.html>) for the Deloitte University Press in November 2015, "...Generation X will experience the highest increase in share of national wealth through the forecast period, growing from under 14 percent of total net wealth in 2015 to nearly 31 percent by 2030. In contrast, "The Millennial generation will experience the fastest growth rate of net wealth. However, the generation's share of national household wealth will remain below 20 percent."

By 2030, the Gen Xers and Family Millennials will control about 50% of the nation's wealth. Any urban area that loses the middle class from both these generations will lack the financial wherewithal to sustain itself. The middle class has proven it will not raise its families in cramped high rises in Hollywood or DTLA or at Gehry's Folly at 8160 Sunset. The on-going destruction of Valley Village's residential areas is particularly ominous for the viability of the entire Valley.

Los Angeles' Absurd Solution is to Spend Billions on Construction

Politicos have fallen in love with the disastrous notion that Los Angeles should make construction of extremely dense Transit Oriented Districts [TODs] and Infill projects its main business. This idea is a perversion of the Keynesian principle that during a recession, spending money helps a society to recover. If the government cannot find something worthwhile to construct, then, Keynes said, it can pay people to dig holes and fill them up again. The money paid to the workers will be spent in the stores, that will then make it possible to hire more employees and buy more products from suppliers.

This principle is sound, but Keynes never encouraged spending money on harmful projects. (If there were a bona fide housing shortage, residential construction would satisfy Keynes's requirements, but our Crash of 2008 was caused by spending billions of dollars to build into a glut – which is exactly what Los Angeles is doing.)

As mentioned in a prior article, destroying rent-controlled housing in order to build luxury housing is atrocious macro-economic policy and harms society. Furthermore, the subsidy of unwanted luxury housing harms the Price System by misleading people into thinking that financing more high rises is a wise use of investment capital. Again, this dynamic plus massive fraud resulted in the Crash of 2008.

It seems that both California's Governor and LA City leaders think that deficit spending on construction should be Los Angeles' prime business. While the spending of billions of dollars will have a short term stimulus, the long term impact will be devastating.

The Crucial Exodus Time is Nigh

When people expect prices to rise, people buy before the increase. The Family Millennials and Generation Xers are beginning to realize that home prices in Austin, Texas, outside Nashville and Atlanta, etc. are rising. Now is the time for them to jettison LA and buy where costs are still low and opportunity is high. As Gen Xers and Family Millennials see that home prices in other areas of the nation are beginning to increase, their departure rate from LA will accelerate. The few Gen Zers who are still here will soon realize that they need to unload their properties in LA before the next crash as well as buy elsewhere before those housing prices significantly increase.

The temporary inflation in R-1 prices will benefit the Gen Xers who did not move away prior to the Crash of 2008. As they move to higher management levels, they can afford better homes. They realize that selling their R-1 homes in Valley Village is their last chance to get their money out of their Valley homes. The financial pressure to escape from LA is irresistible.

A Gen Xer can sell an LA home for \$1 million and buy a larger home in Texas for only

\$450,000. The housing cost differential between Los Angeles and Texas and Nashville and Atlanta, etc. is so great, that the equity in an LA home may allow a Gen X family to buy a better home for all cash. At the very least, the family will have a whopping down payment with a very small mortgage. For Gen Xers, opportunity is knocking twice.

The Impact of Measure S

The Neighborhood Integrity Initiative is officially on the March 2017 ballot as Measure S. If it passes, it will halt the most dramatic threat to LA's future, i.e., the mega projects, which are at the root of the extortion and bribery running LA City Hall.

Even if Measure S passes, however, Infill developers will continue to bid up the prices of residences way beyond their value as mere living space. If all single homes were re-zoned R-1, no matter what higher zoning surrounded them, families could afford to look for a home in LA. Such a down zoning would prevent the Infill developers from bidding up home prices and a family could feel secure that its residential neighborhood would be safe from developers for decades. The opposite will continue to be the situation for LA. Residential prices will temporarily escalate as Infill developers bid up the purchase prices.

Science Will Prevail

Despite misinformation from City Hall and its apologists like Christopher Thornberg of Beacon Economics and Joel Singer of California Association of Realtors on Channel 4's Conan Nolan's show, the osmosis-like movement of talented middle class from Los Angeles to the suburbs in Arizona, Texas and the rest of the Sun Belt will prevail. Has there ever been a time in history when people voluntarily moved away from low cost-high opportunity areas to high cost-low opportunity areas?

(Richard Lee Abrams is a Los Angeles attorney. He can be reached at:

Rickleeabrams@Gmail.com (mailto:Rickleeabrams@Gmail.com). Abrams views are his own and do not necessarily reflect the views of CityWatch.) Edited for CityWatch by Linda Abrams.

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The Fastest Way to Change California and Help LA: A Desert Bridge!

JOE MATHEWS / 10 JULY 2017



(/index.php/los-angeles/13558-the-fastest-way-to-change-california-and-help-la-a-desert-bridge)

LOS ANGELES (/INDEX.PHP/LOS-ANGELES)

CONNECTING CALIFORNIA--What's the fastest way to change California?

(/#facebook) (#twitter) (#google_plus)
 (https://www.addtoany.com/share?url=http%3A%2F%2Fwww.citywatchla.com%2Findex.php%2Flos-angeles%2F13558-the-fastest-way-to-change-california-and-help-la-a-desert-bridge&title=The%20Fastest%20Way%20to%20Change%20California%20and%20Help%20LA%3A%20A%20Desert%20Bridge!)

Assuming you don't have the power to set off a major earthquake, your best bet would be to connect the two small desert cities of Palmdale and Victorville.

These two working-class places aren't often associated with political power, but building world-class infrastructure to bridge the 50 miles between the two cities might be the most powerful current idea in California. Strong Palmdale-Victorville connections could transform Southern California's traffic and economy, boost the West's energy markets, and reconfigure the path of American trade with Asia and the rest of North America. It might even save the California high-speed rail project.

Why is connecting these two small cities potentially so valuable? Because California, for all its glorious north-south highways, has long lacked fast, efficient and safe east-west connections across its mountains and deserts. So to bridge Palmdale and Victorville is to connect the Antelope and Victor Valleys, two fast-growing exurban regions that host two of the continent's most important highways. The result would be a dynamic High Desert Corridor.



(By connecting Palmdale and Victorville, the High Desert Corridor would link the Interstate 5 and Interstate 15 corridors as well as the California high speed rail and Xpress West high speed rail projects. Image courtesy of High Desert Corridor JPA.)

Palmdale's home region, the Antelope Valley, in Los Angeles County, now has more than 500,000 people (more than the city of Sacramento); its highways make it part of the Interstate 5 corridor, which goes from Tijuana, Mexico to British Columbia. Fifty miles east, the Victor Valley, where Victorville is the anchor town, has some 400,000 people (as many as Oakland), and sits right on Interstate 15, which not only moves Southern Californians to Vegas every weekend but also transports goods from San Diego County all the way to Alberta, Canada.

Current connections between Interstates 5 and 15 are problematic and primitive. Truckers either have to navigate through the awful traffic of the Southern California basin, or must find a way across the High Desert. Look at a map, and the natural place to do that—those 50 miles between Palmdale and Victorville—requires driving on surface

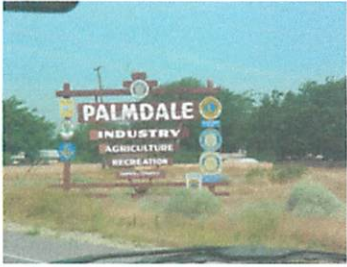
streets, or the 138, known officially as Pearblossom Highway but unofficially as Blood Alley, since it's one of America's most dangerous roads. It's also traffic-clogged; the Palmdale-Victorville drive took me nearly two hours recently.

Good news: This infrastructure gap creates an enormous opportunity. Which brings me to the High Desert Corridor, a decade-old proposal that is one of the most underrated ideas in California. Backed by a joint powers authority of Los Angeles and San Bernardino counties, the High Desert Corridor would build not one connection between Palmdale and Victorville, but four.

First would come a 56-mile freeway connecting the two cities, with some of the stretch tolled to help finance the public-private partnership running the project. Second, the High Desert Corridor would establish a high-speed rail right of way, with the goal of connecting the California High-Speed Rail's proposed station at Palmdale with the planned, private Xpress West high-speed rail project between Las Vegas and Victorville.

The history of the California desert is filled with grand plans that went nowhere. But the High Desert Corridor isn't a grand plan—it's a tightly focused connection.

The third piece of the connection involves energy: Underground alongside the freeway and rail would run electric transmission lines. The corridor would also devote space to green energy production, as well as charging stations and alternative fuel stations for cars and trucks. And finally, in a nod to politics and younger generations, the High Desert Corridor would have a nearly 40-mile bikeway constructed between Palmdale and U.S. 395, connecting to existing paths near Adelanto.



The impact would be continental, and would go beyond the convenience of connecting the 5 and the 15. Today, international trade is slowed in the LA Basin, where the ports of Long Beach and Los Angeles are overburdened and dense traffic makes things even slower. There is also little land left for the additional warehouses and logistics infrastructure to support the ports.

Advocates of the corridor say it could become a new "inland international port," if land for logistics is closely connected to rail and airports in the corridor, allowing cargo to be moved between transportation modes. Such a port would support trade, spawn more businesses and allow the logistics industry to expand beyond the basin, and thus bring more jobs to the desert for local residents, shortening their commutes.

At the same time, the project could address air and energy concerns in Los Angeles by taking trucks off of Los Angeles' roads, while providing infrastructure to hasten electric and alternatively fueled trucks. The transmission line could make it easier to manage the Western grid, better connecting California energy with neighboring states.

The high-speed rail piece of the High Desert Corridor would connect San Francisco, Burbank, Los Angeles Union Station, and Anaheim to Las Vegas. In the near term, that would take many Californian Vegas-goers off the roads. In the long term, it might inspire the development of high-speed rail in the West (Phoenix and Salt Lake City would be natural next steps) and better integrate the Western states into a regional economy worthy of the 21st century.

The corridor is definitely green—the energy piece could stimulate more green energy in the desert—but it is also a dodge. Air quality rules in the Los Angeles basin limit heavy manufacturing; supporters of the High Desert Corridor are betting that manufacturers will flock to the desert, since it is outside the basin and its air regulation.

Be skeptical of all this if you wish. The history of the California desert is filled with grand plans that went nowhere. But the High Desert Corridor isn't a grand plan—it's a tightly focused connection. The environmental reviews are complete, and the next steps are figuring out the exact route, and the costs of acquiring the right of ways.

Current estimates of the project's overall cost are \$8 billion. That's a lot—but high-speed rail is projected to cost at least nine times that. Supporters had hoped to fund much of the expense with federal earmarks, but Congress has eliminated them. So the project will require a mix of private and public money, and be built in phases (rail first). Los Angeles County's transportation tax, Measure M, will provide some dough.

But the state should step up. California politics is dominated by the coasts, and especially the Bay Area, which is why big funds were lavished on the new Bay Bridge. It's now time to look south and east, and build the next great California bridge in the High Desert.

(Joe Mathews is Connecting California Columnist and Editor at Zócalo Public Square (<http://www.zocalopublicsquare.org/>)... where this column first appeared. Mathews is a Fellow at the Center for Social Cohesion at Arizona State University and co-author of California Crackup: How Reform Broke the Golden State and How We Can Fix It (UC Press, 2010)

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Citizens Group Sues City Over Toxic Bike Lanes ... Mayor Not Listening

RICHARD LEE ABRAMS / 12 JUNE 2017



(/index.php/los-angeles/13402-citizens-group-sues-city-over-toxic-bike-lanes-mayor-not-listening)

LOS ANGELES (/INDEX.PHP/LOS-ANGELES)

ROAD DIET OVERDOSE-Why does Mayor Garcetti think that it is a good idea to expose children to high levels of toxic fumes by constructing Bike Lanes in heavily trafficked thoroughfares?

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(<https://www.addtoany.com/share?url=http%3A%2F%2Fwww.citywatchla.com%2Findex.php%2Flos-angeles%2F13402-citizens-group-sues-city-over-toxic-bike-lanes-mayor-not-listening&title=Citizens%20Group%20Sues%20City%20Over%20Toxic%20Bike%20Lanes%20%E2%80%A6%20Mayor%20Not%20Listening>)

The **Exide Plant in Vernon** was closed years ago due to the toxic harm it was causing to the surrounding community, especially to children. Although the source of the toxicity is in Vernon, it impacts children living in Los Angeles, e.g. Boyle Heights. Who would suggest re-opening the Exide plant knowing about the health dangers it poses to children?

In 2013, **Malibu moved some of its classes** due to concerns about asbestos and other toxic substances such as polychlorinated biphenyls [PCBs] in its classrooms. The Santa Monica-Malibu School District removed dangerous substances from its classrooms. Who would suggesting re-introducing asbestos and PCB's into those classrooms?

There is a general consensus that as a society we should not expose our children to toxic chemicals, fibers, and fumes. So why does Mayor Eric Garcetti insist on placing Bike Lanes for our kids where toxic auto emissions are the most concentrated and dangerous?

The entire world has known for decades that auto emissions are toxic. In 2006, Institute of Transport and Logistics Studies at the University of Sydney, Australia, conducted detailed research about the specific health impact of fine particulate matter (such as pathogens) leading to serious health problems like lung cancer. One of the most important findings of the study is that the aggregate toxicity in the general area of a roadway is not the most important factor, but rather it is the specific hot spots, like being behind a diesel truck or being inside a vehicle with air conditioning, are most significant.

Citing a 2004 study of the California Highway Patrol, the Sydney study noted that air quality inside a CHP patrol car could be non-hazardous when the roadside monitors found the outside ambient air to be toxic. "For instance, in a study of fine particulates in state trooper vehicles in California, Riediker et al., (2004) found that levels of PM levels in state trooper vehicles were not only lower than might be deemed hazardous, but actually lower than levels from roadside monitors." (Sydney Study, page 13.)

Studies from around the world show that while health risks from exposure to toxic fumes are greatest in the roadways themselves, the filtration systems in vehicles reduce the level of fumes to a non-hazardous level. Moving Bike Lanes *away from major streets* to bike paths with vegetation or to side residential streets with trees also solve the problem. Children who are riding their bikes on Reseda Boulevard have no air conditioning to protect them.

The additional aggravating factor for children riding in Garcetti Bike Lanes in major thoroughfares is that they are exercising, and thus, often inhaling the particulate matter deep into their lungs. This would not be the case if they were riding in a car or walking. Placing Bike Lanes on heavily trafficked roads is akin to sprinkling lead paint on school lunches.

The City Is Sued, (yep, Garcetti does it again) over its Toxic Bike Lanes

In 2015, Hollywoodians Encouraging Logical Planning (HELP), the Citizens Coalition Los Angeles (CCLA) and others advised the City that Mayor Garcetti's Mobility Plan 2035 proposal to place Bike Lanes for children and others in heavily trafficked streets was an unacceptable health risk. Although LA has already had access to worldwide literature on the subject, HELP and CCLA handed over hundreds of pages of studies showing the danger to children. But Mayor Garcetti ignored those studies.

HELP and CCLA told the City that it had a duty under California's environmental law (CEQA) to study the health impact of Bike Lanes in major streets. If there was some basis for the Mayor's belief that toxic fumes in Bike Lanes would be harmless, perhaps the Environmental Impact Report (EIR) would show why LA was unique. More likely, the EIR would show that what causes cancer in Australia, Europe and Canada, also causes cancer in Los Angeles.

People need to understand why toxic Bike Lanes are so near and dear to Mayor Garcetti. They are used to create "Road Diets." These are artificial means to clog (slow down) traffic, but this increases toxic fumes by prolonging trips. When bike lanes are placed in major roads, they remove vehicle lanes and cause traffic congestion (<http://www.laweekly.com/news/plan-to-reduce-car-lanes-in-playa-vista-sparks-backlash-from-silicon-beach-residents-8311102>).

The theory seems to be that if Garcetti can make driving a car sufficiently aggravating, then people will use mass transit. Others contend that the desire to force people to use the subway is not a proper justification for exposing children to carcinogens. Also, most Angelenos do not think that intentionally making Los Angeles traffic congestion worse is a proper goal for City Hall. According to Inrix 2016 Traffic Scorecard, Los Angeles already has the worst traffic congestion in the entire world. How much worse does the Mayor want it to become?

Both HELP and CCLA sued the City over these toxic Garcetti Bike Lanes, alleging that the City has a duty under CEQA to study the health risks of such major changes to the City's infrastructure. (Fix the City, Inc. has also sued the City over Mobility Plan 2035, and all Petitioners' lawsuits have been "related" before Judge Hogue, Department 86, Stanley Mosk Courthouse, downtown Los Angeles.)

About a year ago, the City Attorney's office said it would settle the lawsuits, which meant there would be a study of the health risks of Bike Lanes; but it needed a little time to finish the settlement. Thus, no trial date was set. Then, the Garcetti Administration wanted an additional continuance, and then another continuance and then another one. On Friday, June 9, 2017, on Channel 11, Mayor Garcetti announced more Bike Lanes for LA. That same morning, he sought an additional continuance with no trial date to be set. HELP and CCLA said that if the City would stop working to add Bike Lanes until the health study was conducted, they would agree to the continuance. But the Garcetti Administration refused to stop work on the Bike Lanes while still trying to avoid a trial date. Judge Hogue set the trial date for January 26, 2018.

The Garcetti Administration was then asked again to *voluntarily* stop work on the Bike Lanes until the trial, but said "No."

The attitude of this Administration is mind boggling. Suppose the Exide Plant were to reopen or suppose asbestos and PCBs were re-added to classrooms? Suppose we started using lead paint on children's toys? In no rational world do we intentionally expose children to new carcinogens. As residents of Silicone Beach have seen, they will get the toxic Garcetti Bike Lanes whether they like it or not.

(Richard Lee Abrams is a Los Angeles attorney and a CityWatch contributor. He can be reached at: Rickleeabrams@gmail.com (mailto:Rickleeabrams@gmail.com). Abrams views are his own and do not necessarily reflect the views of CityWatch.) Edited for CityWatch by Linda Abrams.

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Garcetti's Toxic Bike Lanes: Criminal Liability Could Rival Flint's Poisoned Water

RICHARD LEE ABRAMS / 10 JULY 2017



(/index.php/los-angeles/13566-garcetti-s-toxic-bike-lanes-criminal-liability-could-rival-flint-s-poisoned-water)

LOS ANGELES (/INDEX.PHP/LOS-ANGELES)

CORRUPTION WATCH-The hubris that comes with holding public office is usually rational. Public officials so seldom are held accountable for their actions that they never think of possible criminal liability for their behavior. The times, they may be changing.

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(<https://www.addtoany.com/share?url=http%3A%2F%2Fwww.citywatchla.com%2Findex.php%2Flos-angeles%2F13566-garcetti-s-toxic-bike-lanes-criminal-liability-could-rival-flint-s-poisoned-water&title=Garcetti%20%20Toxic%20Bike%20Lanes%20%20Criminal%20Liability%20Could%20Rival%20Flint%20%20Poisoned%20Water>)

Consider these words from the Michigan Attorney General's Office in June 2017:

"FLINT, MI – Michigan Attorney General Bill Schuette today announced the third legal action of his Flint Water Investigation, filing 18 criminal charges against four current and two former employees from two state departments. The charges are a result of actions taken by officials at the Michigan Departments of Environmental Quality and

Health and Human Services that contributed to the Flint water poisoning crisis by withholding vital information from the public about ongoing lead poisoning and allowing the continued distribution of corrosive water from the Flint Water Treatment Plant."

Notice the key words, "withholding vital information from the public." These officials did not actively poison people. These officials knew that illness and death would happen to some if residents went about their normal activities in Flint, i.e., *drinking the water*. These officials did not know exactly who would be injured or killed, but under the law one does not have to know the identity of the victim in order to be criminally liable.

Los Angeles Officials May be Held Criminally Liable for Battery and Homicide

We have the same situation in Los Angeles. In Flint, they concealed the amount of lead and other toxins in the water supply, and here, LA Mayor Garcetti and his staff have concealed the amount of toxicity in Bike Lanes in the major streets. So what is the difference between Flint, Michigan and Los Angeles California? In Michigan, they take action when public officials injure and/or injury people. In Los Angeles, no one does anything.

The City knows that the pollution level in Bike Lanes in major thoroughfares is a significant health risk. Under the Villaraigosa administration, city officials admitted the need to study the adverse health impacts of Bikes Lanes.

"The city knew there was a problem with environmental clearance," said Claire Bowen, city planner of Los Angeles [Under Mayor Villaraigosa]. "Then we looked at what was happening in San Francisco [the court ordered a CEQA review of Bike Lanes and air pollution.] "[CEQA is] an obstacle, and you have to work with that process to look at ways to make it work. To me, it's all part of the mountain you're climbing," Bowen said. "But that's the challenge." – *"Are Bicycle Lanes Really Green? Some City Residents See Red," Znet, Feb 16, 2012, by Jason Dearen.*

When Garcetti instituted his Mobility Plan 2035, he ignored CEQA and the fact that CEQA required review of Bike Lanes. An article from the Journal of Transport Geography (<http://www.sciencedirect.com/science/article/pii/S0966692316302320>) cites:

"They [cyclists] also breathe in various road transportation-related air pollutants that may be harmful to human health in fairly large quantities and during episodes of prolonged exposure: carbon monoxide (CO), black carbon (BC), nitrogen dioxide (NO₂), volatile organic compounds (VOC), ultrafine particles (UFPs), and fine particulate matter (PM_{2.5} and PM₁₀) (Hoek et al., 2013; Schepers et al., 2015). The existence of positive associations between exposure to these pollutants and pulmonary illnesses, such as asthma (Brauer et al., 2003; Salam et al., 2008), cardiovascular diseases (Brugge et al., 2007) and certain types of cancers (lung and prostate) (Gauderman et al., 2007; Parent et al., 2013) has been extensively demonstrated. Moreover, as Int Panis et al. (2010) note, because of their physical activity, cyclists often have much higher respiration rates than people who travel by car (ventilation is 4.3 times higher for cyclists than for car drivers). They consequently inhale more air pollutants over the same period of time."

Bike Paths v Bike Lanes in Major Streets

People need to understand that the lawsuit that HELP and CCLA brought regarding Bike Lanes only asked that there be a limited CEQA review of the health impacts of placing Bike Lanes in major thoroughfares. The exact same position was the city's official stance under the prior Administration. The Study would look at the location of

Bike Lanes – on major streets, on side streets, or in some other configuration, new Bike Paths. In 2015, Harvard University conducted a study (<http://www.sciencedirect.com/science/article/pii/S0048969714006366>) for the Boston area finding:

"Cyclists are exposed to traffic-related air pollution (TRAP) during their commutes due to their proximity to vehicular traffic. Two of the main components of TRAP are black carbon (BC) and nitrogen dioxide (NO₂), which have both been causally associated with increased mortality.

*To assess the impact of cyclists' exposure to TRAP, a battery-powered mobile monitoring station was designed to sample air pollutants along five bike routes in Boston, Massachusetts. The bike routes were categorized into three types: **bike paths**, which are separated from vehicle traffic; **bike lanes**, which are adjacent to traffic; and **designated bike lanes**, which are shared traffic lanes for buses and cyclists. **Bike lanes** were found to have significantly higher concentrations of BC and NO₂ than **bike paths** in both adjusted and unadjusted generalized linear models. Higher concentrations were observed in **designated bike lanes than bike paths**; however, this association was only significant for NO₂. After adjusting for traffic density, background concentration, and proximity to intersections, **bike lanes were found to have concentrations of BC and NO₂ that were approximately 33% higher than bike paths.***

*Distance from the road, vegetation barriers, and reduced intersection density appear to influence these variations. These findings suggest that cyclists can reduce their exposure to TRAP during their commute by using **bike paths** preferentially over **bike lanes** regardless of the potential increase of traffic near these routes."*

The City Has Previously Engaged in Willfully Reckless and Wanton Conduct

The placing of Bike Lanes in major streets where toxic auto emissions pose the greatest health risk is *not* the first time that the City has harmed and even killed citizens. In June 2013, the Los Angeles County Civil Grand Jury found that when the Los Angeles City Council under the leadership of City Council President Eric Garcetti took funds away from the paramedics, he and the other councilmembers *knew* – not suspected or should have known but actually knew – that people would die as a result of the reduction in the number of paramedics. Furthermore, the Grand Jury found that people did in fact die as a result.

In January 2011, Council President Eric Garcetti had touted serious cuts in the Los Angeles Fire Department and reduction of the paramedic services as a means to improve service and responses times. (See 1-21-2011 LAFD Deployment Report) There was no reasonable basis for saying that fewer paramedics would improve the quality of service. As the Grand Jury concluded, the council knew the opposite was true.

What additional action did the District Attorney take? None. If one shoots a gun into a passing bus and kills someone, it does not matter if the shooter does not know the victim. Just like in Flint, Michigan, the identity of the victim is not relevant if the action shows a reckless and wanton disregard for the health or life of another; the person may be convicted of criminal behavior ranging from first degree murder to a form of manslaughter or criminal battery.

As Ms. Bowen said in 2012, the City has known for years about the toxicity of Bike Lanes in major streets. The fact that raises the Garcetti Administration's behavior from the level of a mere civil matter (not following CEQA) is that it

concealed known dangers. The Garcetti Administration has pushed misleading data such as saying that protected Bike Lanes on major streets are "safer" because there are fewer injuries than in Bike Lanes on major streets without protective barriers. Traffic injuries are not the issue: the problem is that the adverse health risks caused by auto emissions makes children cycling in major streets similar to drinking the water in Flint. In Los Angeles, the lead, black carbon (BC) and nitrogen dioxide (NO₂) and fine particulate matter are transmitted by breathing the air; in Flint, the toxic chemicals came through the water.

Flint has thrown a monkey wrench into situation, though. It does not matter whether or not Garcetti ever allows a study of the health impacts, which his Administration verified again on June 29, 2017 he will adamantly oppose. Opposition using *known* scientific data is already evidence of criminal behavior. That is much of the basis of the criminal indictment in Flint: officials knew of the danger yet concealed it from the people who were then exposed to the toxicity.

District Attorney Jackie Lacey Has No Stomach to Oppose Her Campaign Supporters

Angelenos' greatest problem, however, is not Eric Garcetti, but District Attorney Jackie Lacey. The District Attorney's Office has a history of turning a blind eye to criminality at LA City Hall. The DA looked away from the real estate appraisal frauds at the CRA/Garcetti project at 1601 North Vine (even though it was called the poster boy for corruption – a major justification to abolish the entire Community Redevelopment Agency.)

The District Attorney also looked away as then-Councilmember Tom LaBonge and then-Hollywood CD-13 Councilmember Eric Garcetti ran the worldwide criminal Bait and Switch scam to raise \$12 million to "Save the Peak" where the Hollywood Sign was located. There was no danger to the Hollywood Sign. Mt. Lee on which the Sign is located was not under any development threat. Rather, the City wanted to buy Cahuenga Peak, a 140 acres to the west of Mt. Lee, so the City lied to the world, saying the Hollywood Sign was in danger.

The City Council has been operating under a Vote Trading Pact which Penal Code § 86 criminalized in 2006. This pact requires each councilmember to vote Yes for every project another councilmember places on the city council agenda in return for Yes votes on every project he or she places on the city council agenda. Unfortunately in this regard we encounter the Judge Fruin Rule, i.e., the behavior of the Los Angeles City Council is non-justiciable. This means that their actions are above the law – no court can take any action against the City Council.

The Judge Fruin Rule may be a lifesaver for the Garcetti Administration. If the council wishes to operate using as its basis a gigantic bribery racket, then Judge Fruin gives his blessings. So why not extend those blessings to giving children cancer?

(Richard Lee Abrams is a Los Angeles attorney and a CityWatch contributor. He can be reached at:

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Exposed: LA is Pursuing Plan for Never-Ending Traffic Gridlock

RICHARD LEE ABRAMS / 20 JULY 2017



(/index.php/los-angeles/13638-exposed-la-is-pursuing-plan-for-never-ending-traffic-gridlock)

LOS ANGELES (/INDEX.PHP/LOS-ANGELES)

CORRUPTION WATCH-Starting in 2014, Judge Alan Goodman and Judge James Chalfant warned us that Super Gridlock was being planned for Los Angeles, but we weren't listening. Perhaps, we missed them sound the alarm. They used polite legalese.

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 (https://www.addtoany.com/share#url=http%3A%2F%2Fwww.citywatchla.com%2Findex.php%2Flos-angeles%2F13638-exposed-la-is-pursuing-plan-for-never-ending-traffic-gridlock&title=Exposed%3A%20LA%20is%20Pursuing%20Plan%20for%20Never-Ending%20Traffic%20Gridlock)

In January 2014, Judge Goodman in rejecting the Hollywood Community Plan Update said that the city based its plans on fatally flawed data and wishful thinking which subverted the law. Maybe, we would have heeded Judge Goodman, if he had he taken the approach of Paul Revere and used a more stirring phrase like, "The Redcoats are

coming." (By the way, Revere did not say the *"British are coming,"* since that would have been meaningless as we all were British.) Anyway, Revere was clear that the colonists were under attack. Perhaps, Judge Goodman should have used alarmist words, like *"Lies and Myth Are Attacking Hollywood."*

Fifteen months later in April 2015, Judge James Chalfant rejected the Hollywood Millennium Towers due to the devastating impact of traffic gridlock from this single project. In using the prudent words of judicial writing, Judge Chalfant set forth the irresponsible and unlawful way the City was bringing gridlock to Hollywood. In fact, the judge found that the traffic gridlock on the Hollywood Freeway would impact both the San Fernando Valley and DTLA.

Judge Chalfant wrote:

In 2011, "Caltrans stated that trip generation, trip distribution, choice of travel mode, and assignments of trips to the 101 Freeway should be analyzed for all on/off ramps within five miles of the Project site, preferably using the Caltrans Traffic Impact Study Guide ("TISG")." Chalfant 4-30-2015 Decision, page 13.

Such boring words, but a judge's role is to be judicious and make rulings based on facts and the law. As the judge ruled, the City was not free to ignore the directive from CalTrans, which in essence had told the City: "The project will likely bring gridlock to much of the surface streets in Hollywood. Thus, the City must conduct a study of traffic near all the freeway ramps."

The City, however, took its cue from the old Laugh In TV show and gave CalTrans and the public the Flying Fickle Finger of Fate by refusing to follow CalTrans' directive. The judge noted, "The [City's] FEIR fails to analyze traffic impacts to the 101 Freeway as Caltrans directed...."

In layman's words, the City broke the law in order to conceal the fact that The Millennium Project would bring gridlock to much of Hollywood. Had Judge Chalfant been Paul Revere, he could have entitled his decision, "Gridlock is Coming, Gridlock is Coming."

Angelenos Face Intentional Gridlock

Since 2001, the City's traffic congestion has become progressively aggravating. In 2016 Inrix, which rates traffic congestion from around the world, rated Los Angeles at the top of traffic congestion for the entire world. That does not mean LA has maxed out on gridlock. Just because we have the worst in the world does not mean that the City is not planning to significantly aggrandize our traffic nightmares. The worse is yet to come.

Judge Chalfant emphasized the gridlock threat, noting that CalTrans directed the City to analyze the traffic impacts of the Millennium Towers Project in conjunction with another 58 proposed Hollywood projects. 4-30-2015 Chalfant Decision. The City refused to assess the impact of any other projects. The City's motivation is clear. Since the Millennium Project by itself would make the Hollywood Freeway non-functional and bring unbearable traffic tie-ups to surface streets, when all the other small and large projects were included, the results of an honest traffic study would show that The City was deliberately proposing horrible gridlock.

Since the general public does not spend its hours hunting down and studying judicial opinions, almost no one knows that Judge Chalfant's 4-30-2015 decision rejecting the Millennium Tower lays bare the City's aggressive plans to bring unbearable traffic gridlock to this portion of Los Angeles.

The Palladium Project replicas the same traffic nightmare which caused Judge Chalfant to reject the Millennium Towers and it is only two blocks to the south. The same with The Crossroads Project – which is about one block from Hollywood-Highland intersection which has now the distinction of being named the most dangerous in the nation. The scores of smaller In-Fill projects also add a huge strain on Hollywood traffic. The City's game plan is simple – issue false and misleading plans in order to deceive the public.

How Does the Update to the Hollywood Community Plan Deal with Vehicle Traffic Gridlock?

Bike Lanes! Yelp, that's one of the major solutions. The new draft plan states, "Encouraging more people to walk, **bike**, and ride transit in Hollywood will help make the community more livable..." CitySpeak requires translation.

When they City says "encourage" it means people are not acting the way that the City wants. Thus, they need to be encouraged. That takes the form of providing more Bike Lanes to "encourage" people to ride bicycles in major streets. Judge Chalfant did not find the problem was with lack of bicycles, the problem of vehicle gridlock. Taking away travel lanes while attracting thousands of more cars into Hollywood will magnify gridlock.

When the city ignores the most significant legal decisions impacting development in Hollywood, we realize that the City has no solution for gridlock. They don't acknowledge it as they don't want people to think about gridlock. Cars are evil, and hence, we all will be encouraged to be good citizens and walk, bike, and use mass transit.

The Revival of Lies and Myths to Subvert the Law

Just as the City ignores Judge Chalfant, it ignores Judge Goodman who rejected the Hollywood Community Plan due to its use of fatally flawed data. Presently, the City bases it Hollywood Plan firmly on additional fraudulent data. Here's the structure of the fraud. By pretending Hollywood is about to experience a population crush, the City is trying to stampede Hollywoodians into acquiescing in the mind-numbing density. This ploy is an old one.

In 2012, the City falsely represented the population data from Southern California Association of Governments (SCAG) by claiming that in 2005 Hollywood's population was 224,000 people, while the actual SCAG figure was only 200,000 people, which was a decrease of 10,000 people from five years early in 2000. Judge Goodman found that the City had actively concealed the real population data from the public. The City is perpetrating the same fraud in the new Hollywood Plan by providing an ersatz rationalization with more high rise projects and protected bike lanes.

The June 2017 HCPlan cites SCAG as providing the population data that Hollywood had 206,000 people in the year 2016. The SCAG RPT has no population date for Hollywood. The City then asserts that the population will be 226,000 by year 2040; again based on SCAG's RPT which has no population data for Hollywood. This false and misleading conduct is the same behavior which sank the prior Hollywood Community Plan. As Hollywoodians Encouraging Logical Planning (HELP) had advised the City during the administrative phase, "garbage in, garbage out."

However, the City's behavior becomes more egregious. Since the 226,000 population projection for 2040 does not justify all the mega-projects which the City is approving, the City asserts that the "reasonable development" is 243,000 people by 2040. From whence cometh is figure? No source. Table 2-1 of the June 2017 HCPlan provides

no support. The City also conceals the high vacancy rates for new high density construction.

The objective of the continued population frauds is the same today as was in 2012 – to deceive people into approving absurd increases in high density construction and more Bike Lanes along with the fiction that Angelenos should walk more, and thus, unbearable traffic gridlock is good for us. I suppose that if I have to walk an extra 20 blocks after parking my car, the City is doing me a favor by increasing my cardiovascular exercise.

One ruse, for which no rational person should fall, is that protected Bike Lanes will end traffic congestion. Supposedly so many people will be riding their bikes rather than using the Demon Auto that protected Bike Lanes will reduce traffic. Thus, the City proposes that developers be allowed to install bike racks rather than provide off-street parking for cars.

When one reviews the City's Mobility Plan 2035 and its provision for Bike Lanes, when one sees the fraudulent population data in the Hollywood Community Plan to support more Bike Lanes, and when one looks at Hyperion in Silver Lake, at Mar Vista and at Venice, then one realizes that the City is pursuing a plan for never-ending traffic gridlock with a religious fervor that trumps facts and logic.

We need to recognize the religious zeal of the Garcetti Administration to bring about its new order. Like other religious fanatics, it has no doubt in its battle against the forces of evil, e.g. automobiles and detached homes. The purity of its cause justifies its mis-information, deception and subversion of the law. If endless traffic congestion is the cost we must pay for its vision, then so be it.

*(Richard Lee Abrams is a Los Angeles attorney and a CityWatch contributor. He can be reached at: **Rickleeabrams@Gmail.com** (mailto:Rickleeabrams@Gmail.com). Abrams views are his own and do not necessarily reflect the views of CityWatch.)*

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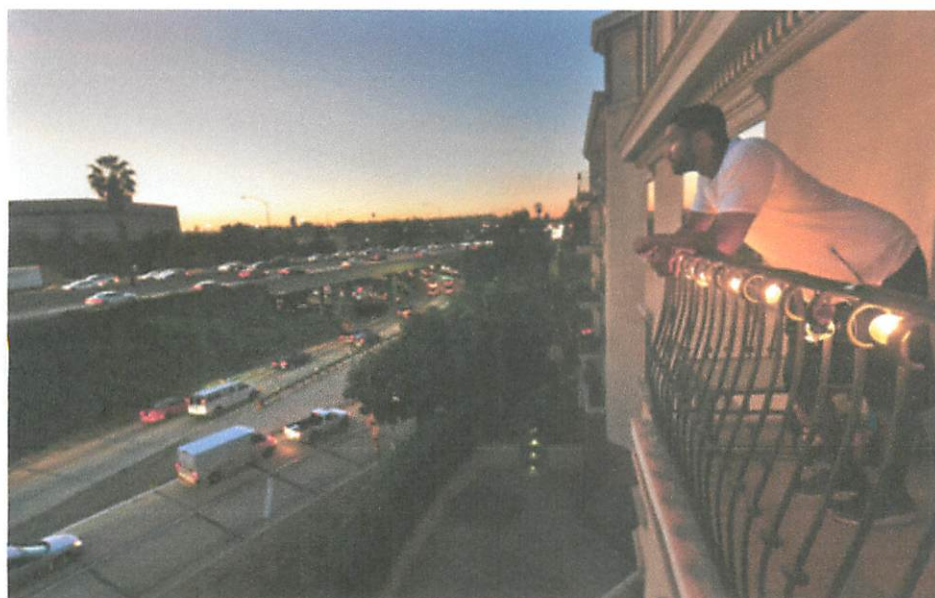


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Living in a Black Lung Loft? How LA Politics and 'Smart Planning' Ignore Medical Science

RICHARD LEE ABRAMS / 24 JULY 2017



(/index.php/los-angeles/13653-living-in-a-black-lung-loft-how-la-politics-and-smart-planning-ignore-medical-science)

LOS ANGELES (/INDEX.PHP/LOS-ANGELES)

CORRUPTION WATCH-Should politics invalidate medical science? Politicos readily allow interests of a tiny segment of society to dictate medical decisions for our children. For years local politicians allowed toxic-spewing industrial plant Exide to poison children who lived nearby. While the plant was physically located in Vernon, many of the 10,000 affected families lived in the city of Los Angeles.

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Starting in 1981, Exide's battery smelting plant was allowed to operate without proper permits. Since Exide has lost its political clout, people are taking some action to remove the toxicity from the soil. The politicians who fronted for the Exide factory knew about the health dangers (https://en.wikipedia.org/wiki/Exide_lead_contamination), but the perpetrators were wealthy and the victims were poor.

Nothing Has Changed

Anyone who believes that Los Angeles politicians and their campaign contributors have changed one iota is woefully naive. Exide is an example how one business could be allowed to contaminate nearby residents with full knowledge that lead is a potent neurotoxin that puts children at-risk for learning disabilities, lower IQs and other developmental problems. The City of Los Angeles, however, is currently ignoring medical science to expose tens of thousands more Angelenos to similar toxicity. In return for the City's blindness, developers fuel the politicians' ambitions.

On July 9, 2017, the *LA Times* (<http://www.latimes.com/local/lanow/la-me-ln-freeway-pollution-filters-20170709-story.html>) published a story on the need for air filters to protect residents who live near freeways. Reporters Chris Keller, Jon Schleuss and David Zahniser pointed out that despite the City's knowledge of the health risks of exposure to toxic auto emissions suffered by people who live with 500 feet of a freeway, it is approving more and more projects within a few feet of freeways.

One of the components of the toxicity is 1,3-butadiene. The EPA has determined that motor vehicle exhaust is a constant source of 1,3-butadiene, something the EPA has classified as carcinogenic in

humans by inhalation. Children are more susceptible to 1,3 Butadiene's adverse impacts due to their smaller size and lung capacity. In 2015 alone, the Garcetti Administration issued building permits for 4,300 homes close to freeways.

We need to be clear: we are not talking about homes constructed prior to our knowing about the cancer link, but rather thousands of units which are currently being approved with full knowledge that some people will get cancer because their new apartments are too close to freeways.

Why are we constructing new apartments within a cancer zone? To make a few developers wealthy. Knowing that politics banishes medical science, a few developers have purchased property within these toxicity zones. The Garcetti Administration has always vigorously supported construction of thousands of apartments with full knowledge that, like Exide, they are poisoning people.

As the July 9 *LA Times* article noted, air filters are close to worthless. Expensive high quality filters may stop the particulate matter, but they remove "none of the toxic exhaust gases." Medical science says that filters do not protect people's health, but medicine plays no role in setting public policy under Smart Planning.

Wealthy political contributors to the mayor and city councilmembers, however, get special consideration. As David Zahniser and Emily Alpert Reyes reported in the *LA Times* (<http://www.latimes.com/projects/la-me-seabreeze/>) on October 30, 2016, Samuel Leung, the developer of the Sea Breeze Project, contributed \$60,000 to the mayor's charity as well as hundreds of thousands of dollars of other campaigns, and received special consideration and approvals for his gigantic project.

Although the air quality control district objected, the City approved developer David Paul's 325 unit project Villaggio Toscano next to the 405-101 interchange on Sherman Oaks. It approved developer Geoffrey Palmer's 526 units Da Vinci apartments and his 913 units Lorenzo apartments along the 110 Freeway in DTLA.

Has any doctor ever recommended the chronic inhalation of carcinogens? Well, yes, back in the 1950's, some doctors advertised cigarettes as good for one's health. But since that time over 50 years ago, has the medical profession been urging people to ingest more carcinogens?

The Link between Black Lung Lofts and Gentrification

These toxic freeway apartments, the traffic slowing Bike Lanes and Gentrification all derive from the City's policy to maximize the wealth of a very few people to the detriment of everyone else. The

Garcetti Administration operates under the rubric of Smart Planning. But it is a sham, a fraud and a deceit that transfers billions of dollars away from virtually all Americans to a tiny cohort of billionaires.

The core principle of Smart Planning is that we should be concentrated into dense population cores since that policy maximizes the land values of the few real estate developers who bought up the land along freeways and major streets years ago. Thus, all *new* development is to be located where these billionaires have purchased property.

The Los Angeles housing market is testament to the collusion between businessmen and politicians, resulting in horrible market dislocations. Housing prices have been driven to insane heights since all residential property is now priced according to its supposed "development value" and not according to its value as *living space*. As a result, the Millennials who have decided to stay in LA rather than move to Nashville, Denver or Austin are on the prowl for housing bargains.

While the Millennials strenuously advocate that poor people should live in the Black Lung Lofts next to the freeways, i.e. "affordable housing," they want more serene abodes for themselves, only to find themselves priced out of the market, except for Boyle Height and South Los Angeles. In those areas, they find detached homes with yards at bargain prices.

But what else is a Millennial to do? Raise his or her family next to a freeway in a cramped apartment filled with toxic fumes, when for less money he or she can buy a small home on the bluffs overlooking DTLA?

Historically, the land south of DTLA was prime residential area and it still has miles of detached homes. Any smart Millennial can figure out that a house in South LA provides a much easier commute to DTLA than Granada Hills. Oops, South LA is ready home to the heart of LA's long time Black community.

Do not look to the City to introduce any type of economic or environmental justice. Smart Planning is adamant that land use policy absolutely, positively must concentrate as many people into as small an area as possible to make sure the developers' land is worth the most. All the City's land use policies flow from that central directive. Gentrification is an inevitable by-product. Unless they can remove the Blacks from South LA and the Mexicans from Boyle Heights, the Millennials, may have to move away.

Why Inflexible Mass Transit is in Vogue

Smart Planning's mass transportation is designed to be as inflexible as possible. The Administration favors subways and light rail lines as they are tied to specific pieces of real estate. Even buses are shunned because a bus can change its route to go to new place, but a subway cannot decide to serve a competitor's high rise. These fixed rail lines make certain that the population is funneled into the few hundred square feet of land owned by a very few people.

Subways and light rail lines cost billions a year to operate and maintain and that requires more ridership than the city can muster. Thus, the city mandates there be *bike lanes* on major streets in order to create as much traffic congestion as possible. The lunatic theory is that people will become so fed up with horrible traffic congestion that they will hike a mile or so and take a light rail line to DTLA or Century City. The fact that bike lanes also give children cancer is a medical fact to be hidden. That is why the Garcetti Administration steadfastly refuses to study the lethal toxicity of auto emissions in the bike lanes on major streets.

While the City of LA has been forced to admit that living within 500 feet of a freeway is an unacceptable health danger, it refuses to admit that riding a bike in auto emissions endangers children's health.

Many horrible things have been happening to Angelenos over the past decade and almost all of them can be traced to the corruption emanating from City Hall's Smart Planning policies. Our Mayor and City Council live and breathe for one thing – to aggrandize the profits of a few developers.

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-CW

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