

Cunningham, Deborah L@DOT

From: Christopher Sutton <christophersutton.law@gmail.com>
Sent: Friday, August 14, 2015 4:53 PM
To: Affordable Sales Program@DOT
Subject: Comments under APA on Draft ASP Regulations
Attachments: 08-14-2015 Comments and Attachments.pdf

Dear Ms. Kimberly Erickson:

Attached are a total of 24 pages, together constituting further comments on the ASP Regulations:

1. My comment letter of 8-14-2015

Also, there are three attachments to my letter:

1. Caltrans letter of 1-26-2015 to Pasadena Heritage
2. Caltrans Draft Relocation Impact Report
3. Chris Sutton comments of 8-6-2015 to ASP-DEIR

Please include the entirety of these documents in the comments to the ASP Regulations.
Thank you.

- - - Christopher Sutton 8-14-2015

LAW OFFICE OF
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PASADENA, CALIFORNIA 91105-2443
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Friday, August 14, 2015
sent by fax to (916) 654-6378
and emailed: AffordableSales_Program @dot.ca.gov

Kimberly Erickson
ATTN: Affordable Sales Program
California Department of Transportation
1120 N Street, MS 37
Sacramento, California A 95814

RE: Revised Affordable Sale Program Regulations Issued on July 1, 2015:
Regulations Still Violate of Streets & Highways Code § 118.6, APA, & CEQA

Dear Ms. Erickson:

This letter is sent as comments on the Affordable Sales Regulations ("ASP") on behalf of myself, John Kvammen, and other members of **Caltrans Tenants of the 710 Corridor**. My prior comments on the earlier drafts of the ASP regulations remain applicable to the most recent draft. My prior comments were submitted on the following dates:

July 31, 2014	(letter of 5 pages)
August 26, 2014	(letter & attachments of 10 pages)
August 27, 2014	(letter & attachments of 17 pages)
September 2, 2014	(email, letter & exhibits of 69 pages)
February 10, 2015	(email of 2 pages, but Caltrans omitted a 1-26-2015 letter by Caltrans from the copy of my comment posted by Caltrans – a copy that letter is Attachment 1 hereto)
April 13, 2015	(email & letter of 4 pages)

I also testified orally at the public comment hearings on the ASP held on:

April 20, 2015	(comments on one Reporter's Transcript)
April 21, 2015	(comments on one Reporter's Transcript)
May 12, 2015.	(comments on two different Reporters' Transcripts)

I was **prevented by Caltrans staff from speaking** a second time at the two hearings on April 20 and April 21, 2015. Caltrans staff stated to me that Caltrans has a policy of "one speaker" per hearing, **regardless of the time available**. This policy was applied to me and to many other persons. We were prevented from speaking even though there were no other "first time" speakers waiting to speak. At least 45 minutes remained at each of the hearings, while Caltrans staff, consultants, and Court Reporters stood or sat in silence, and

Kimberly Erickson
California Department of Transportation
RE: Revised Affordable Sales Regulations ("ASP")

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the whole audience also sat in silence. These were arbitrary, irrational, and almost surreal events. Caltrans imposed this unfair rule at all three APA hearings. It is an irrational policy that saves no money, but merely prevents persons from speaking a second time and offering new or different comments.

In preventing people from speaking at these hearings, Caltrans violated the APA and the rights of those persons seeking to speak a second time. Because these draft ASP regulations, when finalized, will result in the displacement of about 148 families now living in Caltrans residential units, Caltrans' arbitrary and irrational policy violated free speech, due process, equal protection guarantees, right to petition for redress, and right to defend your home and property contained in the California Constitution at Article One, sections 1, 2, 3, and 7, and also found in the Fourth, Fifth, and Fourteenth Amendments to the United States Constitution. Caltrans thus actively prevented comments from being submitted, and Caltrans will not hear or consider the comments of the people prevented from speaking. Caltrans "first speakers only" ad-hoc policy could also result in 148 families being deprived of their homes and vested property rights in existing tenancies without being afforded the due process provided by the APA. This rule was never formally adopted and violates APA.

At the public comment hearing on May 12, 2015, I was also prevented from speaking second time at the open microphone while everyone stood or sat in silence for one hour; the last half of the hearing. But I was able to deliver some of my longer comments to the "confidential" Court Reporter at the back of the room, Kristina Kae Berg, and those comments appear in the second transcript of that hearing. However, when Caltrans staff found out that I was

I have also submitted written comments on the **DRAFT ENVIRONMENTAL IMPACT STATEMENT ("ASP-DEIR")** released by Caltrans and related to the environmental impacts of the Affordable Sale Regulations. For unknown reasons the review process under the Administrative Procedures Act ("APA") and the California Environmental Quality Act ("CEQA") are being conducted by Caltrans on two entirely separate tracks, with entirely different Caltrans personnel and different Caltrans consultants. Caltrans' policy to separate the documents and public comments under APA and CEQA processes is wasteful for resources and prevent an integration of the two analyses. I hereby incorporate into this letter the entire ASP-DEIR and all written comments and oral testimony submitted on the ASP-DEIR at the hearings on August 6, 2015, and August 10, 2015.

The APA and CEQA Comment Processes Should Be Linked and Held Concurrently

Caltrans has improperly segregated the APA review of the draft ASP Regulations from the CEQA review of the environmental impact of the ASP Regulations. This segregation violates both the APA and CEQA by disconnecting two decision-making processes.

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California Department of Transportation
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The Draft Relocation Impact Report ("DRIR") Shows that the Roberti Law is Violated by these Proposed ASP Regulations: The ASP Regulations Displace 148 Families!

One of the stated goals of the Roberti is to prevent displacement of families and to preserve community integrity. See Government Code §§ 54235 and 54238.4. The DRIR (**Attachment 2 hereto**) shows that these regulations as written will displace 148 families. This is contrary to the goals and text of the Roberti Law, which has the goals of both providing housing and preventing displacement. The draft regulations fail to prevent displacement. See my comments to the ASP Regulations DEIR (**Attachment 3 hereto**)

Sincerely,



**Christopher Sutton
Attorney for Caltrans Tenants of the 710 Corridor
and several individual tenant families**

Three Attachments (21 pages) are incorporated into this letter by this reference:

1. 01-26-2016 Caltrans Letter (Ewing-Toledo) to Pasadena Heritage w/ hist. property list
2. Draft Relocation Impact Report by Caltrans (DRIR)
3. Chris Sutton emailed comments on ASP-DEIR

DEPARTMENT OF TRANSPORTATION

DISTRICT 7, Division of Environmental Planning
100 South Main Street, MS-16A
LOS ANGELES, CA 90012-3606
PHONE (213) 897-9016
TTY (213) 897-4937

Rec'd 2/2/15

Jesse



Serious drought.
Help save water!

January 26, 2015

Pasadena Heritage
651 South Saint John Avenue
Pasadena, CA 91105-2913
Attn: Susan N. Mossman, Executive Director

Subject: Historic Outreach for SR-710 Surplus Property Sale Project, Los Angeles County, California

Dear Ms. Mossman:

As you know, the California Department of Transportation (Caltrans) is proposing to sell the surplus properties originally purchased for a surface freeway project on State Route 710, between the I-10/SR710 Interchange and the I-210/SR134 Interchange, in the cities of Pasadena, South Pasadena and Los Angeles.

This action will be the subject of an Environmental Impact Report currently in preparation. As a state agency that owns historical resources within the project area we are also subject to Public Resources Code 5024 and 5024.5.

The California State Legislature enacted Public Resources Code 5024 and 5024.5 as part of a larger effort to establish a state program to preserve historical resources. These sections of the code require state agencies to take a number of actions to ensure preservation of state-owned historical resources under their jurisdiction. With relation to PRC 5024 and 5024.5, historical resources are defined as those listed or eligible for listing in the National Register or as a California Landmark. Under PRC 5024(f) and 5024.5, state agencies must provide notification and submit documentation to the State Historic Preservation Officer (SHPO) for any project having the potential to affect state-owned historical resources, and to request the SHPO's comments on the project.

At this time we are soliciting any written comments you may have regarding the sale of the state-owned historic resources in your community (see attached list). It is our intent to prepare and record Historic Covenant and Notice of Restrictions for the subject historic resources to preserve their historic status. We ask that you submit your comments to the above address within 15 days of receiving this letter. If you have any questions, please contact me at Kelly.ewing-toledo@dot.ca.gov.

Sincerely,

Kelly Ewing-Toledo
Historic Resources Coordinator
Caltrans Division of Environmental Planning
District 7, Los Angeles

"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"

ATTACHMENT #1

City of Pasadena NUMBER	STREET	DESCRIPTION	STATUS
216	ARLINGTON DR.	Pasadena Avenue Historic District	
180	ARLINGTON DR.	Pasadena Avenue Historic District	
181	ARLINGTON DR.	Pasadena Avenue Historic District	
169	ARLINGTON W. DR.	Pasadena Avenue Historic District	
235	BELLEFONTAINE ST.	Markham Place Historic District	
203	BELLEFONTAINE ST.	Markham Place Historic District	
206-216	CALIFORNIA BLVD. W.	Markham Place Historic District	Individually eligible property
202-204	CALIFORNIA BLVD. W.	Markham Place Historic District	
190 (595 S. Pasadena Ave)	CALIFORNIA BLVD. W.	Markham Place Historic District	Individually eligible property
231	COLUMBIA ST.	Pasadena Avenue Historic District	
181	COLUMBIA ST.	Pasadena Avenue Historic District	
177	GLENARM ST.	Pasadena Avenue Historic District	
185	GLENARM ST.	Pasadena Avenue Historic District	
165	HURLBUT ST.	Pasadena Avenue Historic District	
177	HURLBUT ST.	Pasadena Avenue Historic District	
218	MADELINE DR.	Pasadena Avenue Historic District	
205	MADELINE DR.	Pasadena Avenue Historic District	
230	MADELINE DR.	Pasadena Avenue Historic District	
202	MADELINE DR.	Pasadena Avenue Historic District	
215	MADELINE DR.	Pasadena Avenue Historic District	
225	MADELINE DR.	Pasadena Avenue Historic District	
535	S. PASADENA AVE.	Markham Place Historic District	1 building (Parsonage) is district contributor. 3 Mid-Century buildings non-contributors but Individually eligible properties
1190	S. PASADENA AVE.	Pasadena Avenue Historic District	
1207	S. PASADENA AVE.		Not a district contributor, Individually eligible property
1199	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
1191	S. PASADENA AVE.	Pasadena Avenue Historic District	
1200	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
1150	S. PASADENA AVE.	Pasadena Avenue Historic District	
1140-1142	S. PASADENA AVE.	Pasadena Avenue Historic District	
1120	S. PASADENA AVE.	Pasadena Avenue Historic District	
1112	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
1100	S. PASADENA AVE.	Pasadena Avenue Historic District	
1090	S. PASADENA AVE.	Pasadena Avenue Historic District	
1080	S. PASADENA AVE.	Pasadena Avenue Historic District	
1059	S. PASADENA AVE.	Pasadena Avenue Historic District	
1051	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
1041	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
1030	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

1000	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
900	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
888	S. PASADENA AVE.	Pasadena Avenue Historic District	
876	S. PASADENA AVE.	Pasadena Avenue Historic District	
866	S. PASADENA AVE.	Pasadena Avenue Historic District	Individually eligible property
779	S. PASADENA AVE.	Markham Place Historic District	Individually eligible property
765	S. PASADENA AVE.	Markham Place Historic District	Individually eligible property
763	S. PASADENA AVE.	Markham Place Historic District	Individually eligible property
737	S. PASADENA AVE.	Markham Place Historic District	
894	S. PASADENA AVE.	Pasadena Avenue Historic District	
801	S. PASADENA AVE.	Markham Place Historic District	Individually eligible property
703	S. PASADENA AVE.	Markham Place Historic District	
679	S. PASADENA AVE.	Markham Place Historic District	Individually eligible property
696	S. ST. JOHN AVE.	Markham Place Historic District	Individually eligible property
762	S. ST. JOHN AVE.	Markham Place Historic District	
734	S. ST. JOHN AVE.	Markham Place Historic District	
726	S. ST. JOHN AVE.	Markham Place Historic District	
714	S. ST. JOHN AVE.	Markham Place Historic District	
678	S. ST. JOHN AVE.	Markham Place Historic District	
650	S. ST. JOHN AVE.	Markham Place Historic District	
646	S. ST. JOHN AVE.	Markham Place Historic District	
640	S. ST. JOHN AVE.	Markham Place Historic District	
628	S. ST. JOHN AVE.	Markham Place Historic District	
620	S. ST. JOHN AVE.	Markham Place Historic District	
602	S. ST. JOHN AVE.	Markham Place Historic District	
600	S. ST. JOHN AVE.	Markham Place Historic District	
584	S. ST. JOHN AVE.	Markham Place Historic District	
670	S. ST. JOHN AVE.	Markham Place Historic District	
224 & 232	W. STATE ST.	Pasadena Avenue Historic District	Individually eligible property
214	W. STATE ST.	Pasadena Avenue Historic District	
180	W. STATE ST.	Pasadena Avenue Historic District	Individually eligible property
214	W. STATE ST.	Pasadena Avenue Historic District	
225	W. STATE ST.	Pasadena Avenue Historic District	
237	W. STATE ST.	Pasadena Avenue Historic District	
245	WIGMORE DR.	Pasadena Avenue Historic District	
230	WIGMORE DR.	Pasadena Avenue Historic District	
212	WIGMORE DR.	Pasadena Avenue Historic District	
231	WIGMORE DR.	Pasadena Avenue Historic District	
215	WIGMORE DR.	Pasadena Avenue Historic District	

State of California
Department of Transportation
DRAFT RELOCATION IMPACT REPORT

Surplus Property Sales
Los Angeles/Pasadena/South Pasadena
710 Property Sales
07-LA-710- 27.5/32.2- 0700000063

SUMMARY OF RELOCATION IMPACT REPORT:

It is estimated that this project will displace a total of 148 occupant households from the neighborhood of El Sereno within the city of Los Angeles, and the cities of Pasadena and South Pasadena. There is sufficient housing stock within the greater replacement area for displacees with similar amenities, access to transportation, utilities, schools, and public services to the displacement areas. Finding affordable replacement housing will present a challenge, requiring a high degree of advisory assistance and cooperation/consultation with agencies such as Housing and Urban Development, when necessary. Occupants who become homebuyers will not be displaced. To increase the potential for occupants to obtain financing to purchase, assistance from other agencies (such as California Housing Finance Agency) will be sought to make more financing products available to prospective buyers than are readily available in the general lending market. This project is anticipated to take a full five years from declaration of the first occupied residential parcel as surplus, to transfer of the last property. To administer the relocation program as proposed, district staff workload is anticipated to increase by 4 PYs (Person Years) for the duration of the project.

The undersigned has completed this report of the above-referenced project and recommends approval of the report.



Kimberly Erickson, Senior Right of Way Agent

The undersigned has reviewed and approved this report.



Jennifer Lowden, Assistant Division Chief
Headquarters Right of Way and Land Surveys

Distribution: Original File

c: Region/District R/W Manager
Region/District R/W Branch Managers
Branch-Design

Project Manager
Environmental Planning

Attachments:
Attachment A- Project Map/Displacement Area Map
Attachment B- Replacement Area Map
Attachment C- Comparative Data

ATTACHMENT #2

SUMMARY AND PROJECT DATA

- A. **Purpose of Study:**
The purpose of this study is to provide the Department of Transportation, local agencies and the public with information as to what effect a proposed surplus property sales project would have on the residential and nonresidential occupants within the proposed project area. Specifically, this report is concerned with potential problems that may be caused by the displacement of those currently occupying surplus property.
- B. **Limits and Purpose of Project:**
Streets and Highways Code section 118.6 states that the California Department of Transportation (Caltrans) to the greatest extent possible, will offer to sell or exchange property that has been determined by Caltrans to be excess to their needs. Government Code sections 54235 through 54238.7 known as the Roberti Act, as amended by Senate Bill 416 in 2013, includes priorities for disposal of residential properties originally acquired for the State Route 710 (SR-710) extension in the cities of Los Angeles, South Pasadena, and Pasadena and includes requirements that the agency impose terms, conditions, and restrictions to ensure that housing remain available for low or moderate income households. Upon formally adopting Affordable Sales Program regulations, Caltrans intends to meet the goal of the legislature to dispose of surplus properties originally acquired for the SR-710 extension while preserving and expanding the availability of low and moderate income housing.
- C. **General Description of Properties:**
In the northern State Route 710 project area, Caltrans currently holds title to 460 properties originally acquired for the SR-710 extension project. They include single-family residential properties, multi-family properties (ranging from duplexes to small apartment buildings), and commercial/industrial and unimproved properties. Of these properties, there are approximately 312 occupied single-family residences, 45 vacant single-family residences, and 41 occupied multi-family units. The remaining properties consist of unoccupied residential, commercial/industrial, vacant land, and special use properties.
- D. **Basis of Findings:**
The sources used in the preparation of this report were both primary and secondary in nature, and are identified in *Sources* and in Attachment C.
- E. **Describe the Displacement Area:**
The displacement area includes properties along the SR-710 from Alhambra's Valley Boulevard to the Foothill Freeway (I-210) in Pasadena at California Boulevard. Affected properties are in the neighborhood of El Sereno, the City of Pasadena, and the City of South Pasadena.

El Sereno

El Sereno is the easternmost neighborhood in the City of Los Angeles. According to the official boundaries of the LA-32 Neighborhood Council, as certified by the City of Los Angeles DONE on May 21, 2002, it 4.9 square miles. The Los Angeles Times reports (per the 2000 US Census) that El Sereno has a population of 43,766, with a population density of 9,826 people per square mile. It is adjacent to the City of Alhambra to the east, the neighborhood of Lincoln Heights to the west, the neighborhoods of Arroyo Seco and Highland Park and the City of South Pasadena to the north, and the unincorporated communities of Boyle Heights and East Los Angeles to the south. It is bordered by I-10 to the south, I-710 to the east and is approximately 1 mile east of I-5.

Residential uses are the primary land uses in El Sereno, comprising approximately 52 percent of the land within the community, followed by public uses (15 percent). The neighborhood of El Sereno is primarily a built-out community, with opportunities for future development likely involving infill or the repurposing of land that is currently occupied by existing homes and businesses. There are five business districts in El Sereno, one City library in the neighborhood, eight places of worship and several schools serving the displacement area. There are no hospital facilities in El Sereno and the LAPD does not operate any police stations within El Sereno. The City of Los Angeles operates and maintains three parks, one community center, and two recreation centers in the neighborhood, and there are public transportation services provided by Metro, Foothill Transit, LADOT DASH, and Monterey Park Spirit Bus. Commuter rail service in the neighborhood is provided by Metrolink at the El Sereno Metrolink Station.

Elderly residents, who are 65 years and older, comprise a slightly smaller share of El Sereno than the County overall (10.5 percent versus 10.9 percent). Transit dependent residents comprise 34.9 percent of neighborhood residents, versus the County overall rate of 25.2 percent. Average household size in the neighborhood of El Sereno (3.58 persons) is slightly larger than the County overall (2.98 persons), while the median household income is lower than the County overall (\$44,368 versus \$56,266).

Pasadena

The City of Pasadena is 23.1 square miles, and located approximately ten miles northeast of Downtown Los Angeles. According to the 2010 US Census, Pasadena has a population of 137,122. Population density is estimated at 5,936 people per square mile. It is adjacent to the City of La Canada Flintridge and the unincorporated community of Altadena to the north, the Cities of Sierra Madre and Arcadia to the east, the Cities of South Pasadena and San Marino and the unincorporated communities of San Pasqual and East Pasadena to the south, and the Cities of Los Angeles and Glendale to the west. The city is located approximately 4 miles from the northern terminus of I-710. I-210 runs through the central part of Pasadena, SR 134 runs through western Pasadena, and SR 110 passes through the southwest portion of the City as Arroyo Parkway.

Residential uses are the primary land uses in Pasadena, comprising approximately 57 percent of the land within the community, followed by public uses (17 percent). The City of Pasadena is primarily a built-out community, with opportunities for future development likely involving infill or the repurposing of land that is currently occupied by existing homes and businesses. There are seven main districts in Pasadena, five of which are within .5 miles of the displacement area. The Pasadena Central Library services the city with nine branches, four of which are within close proximity (.5 miles) to the displacement area. The Pasadena Police Station, Huntington Memorial Hospital, several places of worship and schools are within close proximity to the displacement area. A total of nineteen parks, community centers, and recreation centers are located in area, and public transportation services are provided by Metro, Foothill Transit, and the Pasadena ARTS. Metro operates six Gold Line light rail stations within Pasadena.

Elderly residents, who are 65 years and older, comprise a larger share of Pasadena than the County overall (13.5 percent versus 10.9 percent). Transit dependent residents comprise 20.1 percent of residents, versus the County overall rate of 25.2 percent. Average household size in the City of Pasadena (2.42 persons) is slightly smaller than the County overall (2.98 persons), while the median household income is higher than the County overall (\$67,920 versus \$56,266).

South Pasadena

The City of South Pasadena is approximately 3.4 square miles in size and located east of SR 110 and approximately 2 miles south of I-210. It is bordered by Pasadena to the north, the City of San Marino

to the east, the City of Los Angeles and Alhambra to the south, and the City of Los Angeles to the west. According to the 2010 US Census, South Pasadena has a population of 25,619. Population density is estimated at 7,535 people per square mile.

Residential uses are the primary land uses in South Pasadena, comprising approximately 79 percent of the land within the community, followed by commercial and service uses (7 percent). South Pasadena is primarily a built-out community, with opportunities for future development likely involving infill or the repurposing of land that is currently occupied by existing homes and businesses. There are three main business districts in the City of South Pasadena. The South Pasadena Public Library, the South Pasadena Police Station, four places of worship, and several schools are within .5 miles and service the displacement area. There are no hospital facilities in the City of South Pasadena.

Elderly residents, who are 65 years and older, comprise a slightly larger share of South Pasadena than the County overall (12.1 percent versus 10.9 percent). Transit dependent residents comprise a considerably smaller share of South Pasadena residents (8.4) versus the County overall rate of 25.2 percent. Average household size in the South Pasadena (2.43 persons) is slightly smaller than the County overall (2.98 persons), while the median household income is higher than the County overall (\$84,914) versus (\$56,266).

F. Estimated displacement units:

- This report assumes that all occupied parcels currently held by Caltrans for the SR-710 Extension Project will be sold.
- Currently, 175 of the 398 residential properties are rented at affordable rates.
- Caltrans will not subdivide ownership of multi-family residential properties. It is assumed that all 41 surplus multi-family properties and 45 vacant single-family residences will be acquired by housing entities. Housing entities are assumed to purchase an additional 64 single family residences for concurrent resale to current occupants. Proposed regulation requires housing entities to initially offer properties for either sale or rent to current tenants at fair market or affordable rents, based on income eligibility. Thus, it is estimated that current occupants of the multi-family properties and the 64 occupied single-family residences acquired by entities will not be displaced.
- It is further assumed that, of occupied residential properties not purchased by housing related entities (all single family residences), approximately 100 will be sold at affordable prices to current occupants. The remaining 148 single family properties will be sold at fair market value to non-occupants, thus resulting in 148 anticipated displaced households. The estimates used in this report are based on these assumptions.
- Nonresidential displacements are not anticipated. Proposed regulations require Caltrans to prioritize fair market offers of nonresidential parcels first to former owners, then to current tenants in good standing. Based on feedback during the rulemaking process for the Affordable Sales Program regulations and (lack of) inquiries made to Caltrans from former owners, it is anticipated that former owners of the nonresidential properties will not be interested.
- Alternatives are not explored in this Draft Relocation Impact Report, as the proposed rulemaking seeks to sell the maximum number of surplus properties originally acquired by Caltrans for the 710 Extension project.

RELOCATION IMPACT REPORT (Cont.)
(Form #)

Est. Displaced Single Family Residences: 148
 Est. Displaced Multi-family Units: 0
 Est. Displaced Nonresidential: 0

TOTAL DISPLACEMENTS: 148

G.	Adequate relocation resources exist for:	Yes	No
	Residential tenants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Businesses	N/A	
	Nonprofit Organizations	N/A	
	Agriculture	N/A	

1. The replacement neighborhood studied is described as follows:

Like the displacement area, the replacement area includes a large geographic area including several neighborhoods and cities. Replacement neighborhoods are within 15 miles of all potential displacements associated with this project. See Attachment B.

2. The relocation areas are comparable in terms of amenities, public utilities, and accessibility to public services, transportation and shopping. Yes No

Each displacement city/neighborhood has varying amenities, access to public services, transportation, shopping, and other neighborhood characteristics. Similarly, the neighborhoods and cities within the greater relocation area possess varying characteristics. However, care was taken to ensure that within the relocation area identified there are several neighborhoods and cities with similar amenities to those of the respective cities/neighborhoods of displacement area.

3. There are not public projects in the area that will displace other families or make additional housing available concurrently with the subject project.

4. Last Resort Housing Program payments will not be utilized to relocate residential households being displaced. The purpose of this project is to meet the intended goal of the Legislature of preserving and expanding the availability of low and moderate income housing supply by disposing of real property previously acquired for the State Route 710 Extension project (pursuant to the "Roberti Act", Government Code section 54235). Relocation benefits and payments will be made pursuant to the Roberti Act.

5. There are special/significant relocation problems associated with this project. Proposed regulations to implement the Affordable Sales Program give priority to current occupants meeting eligibility criteria. Occupants who become homebuyers will not be displaced. To increase the potential for occupants to obtain financing to purchase, Caltrans is working with California Housing Finance Agency to make more financing products available to prospective buyers than are readily available in the general lending market. In anticipation of this sales project, homebuyers workshops have also been provided to interested tenants occupying properties that may be sold as surplus. Occupants who do not purchase will be provided advisory assistance to find and relocate to comparable housing, and Caltrans will seek assistance from agencies such as Housing and Urban Development to find affordable housing.

6. A field office will not be required for this project.

DETAILED ANALYSIS:

H. DISPLACEMENT AREA

A. Residential Displacements

Residential displacements include an estimated 148 single-family residences from the El Sereno neighborhood within the city of Los Angeles, the city of Pasadena, and the city of South Pasadena. Most residences were built between 1897-1976 and range in size from 562-6,830 square feet. There are several 2-3 bedroom/1bath properties in the 1,000-1,400 square foot range. Architectural styles, quality of condition and construction also vary widely among the displacement properties.

1. Average monthly rental rate for residential rental units owned by Caltrans within the displacement area: approximately \$1,085. As a result of the Affordable Rent Program implementation (regulations adopted January 2014), this figure is significantly lower than average fair market rent for the area.

B. Business and Nonprofit

It is anticipated that neither businesses, nor nonprofits, will be displaced by the property sales.

C. Agricultural Impact

No agricultural impact anticipated. With the exception of small urban farms and neighborhood gardens, there are no agricultural parcels within the scope of this project. Further, the proposed regulations require Caltrans to prioritize fair market offers of nonresidential parcels first to former owners, then to current tenants in good standing.

II. REPLACEMENT AREA

A. Describe in relationship to the local town/community and to the Displacement Area:

The displacement area comprises a large footprint, including one neighborhood and two cities of varying characteristics and amenities. Similarly, the replacement area identified for this project includes a large footprint adjacent to the project area, including several neighborhoods and cities with varying characteristics and amenities. The area encompasses portions of the San Gabriel Valley and Los Angeles County roughly outlined in Attachment B, with a specific focus on the cities of Alhambra, Altadena, Arcadia, Glendale, Monrovia, Monterey Park, San Gabriel, San Marino; those portions of El Sereno, Pasadena, and South Pasadena that are not within the displacement area; and Northeast Los Angeles which includes the neighborhoods of Atwater Village, Cypress Park, Eagle Rock, Glassell Park, Highland Park, Montecito Heights and Mount Washington.

1. Estimated housing stock (total housing units for sale and for rent on Attachment C, w/exception of figures specific to 90032 zip code to avoid double counting Northeast LA counts): 12,128 units; 7,979 for rent and 4,149 for sale
2. Vacancy rate expressed as a range: 3.3%-7.2%
3. Estimated median value and monthly rental rates of comparable, typical, single family homes that are DS&S within the replacement area.

Average median value for single family homes in El Sereno, Pasadena, and South Pasadena is \$639,367. Of all replacement areas identified, median value for the city of San Gabriel is most similar at \$654,900. Thus, San Gabriel was used as the most comparable area to survey single

family listings and rental rates. Values for single family residences between 1,000-1,400 square feet were used derive the median value of \$549,000; while single family residences between 2-3 bedrooms in San Gabriel were used to derive the monthly rental rate of \$2,100 for homes considered typical and comparable to the average displacement dwelling.

B. Business and Nonprofit Replacement:

1. Number of business sites that will be available for rent, purchase, or development:
N/A

D. Residential Replacement:

1. Replacement neighborhoods are homogeneous to those in the displacement area. (See Item II. A. above.)
2. General condition of displacement neighborhood: Average to Good.
3. Condition of units being displaced: Average.
4. Condition of units in replacement area. Average to Very Good.
5. Number of mobile home parks directly impacted by the project. None.

E. Comparative Data: see Attachment C

III. RELOCATION RESOURCES

- A. This project is anticipated to take a full five years from declaration of the first occupied residential parcel as surplus, to transfer of the last property. To administer the relocation program as proposed, district staff workload is anticipated to increase by 4 PYs (Person Years) for the duration of the project.
- B. Market availability is expected to remain adequate through the time of displacement. While Los Angeles County can be considered a scarce housing market, the life of this excess land sales project is projected for a full five years. Thus, the replacement market will not be flooded with an unmanageable number of displacees in need of replacement housing at once. In addition, there are no other public projects identified within the areas that will displace other families concurrently with the excess land sales project.

IV. HOUSING IMPACT

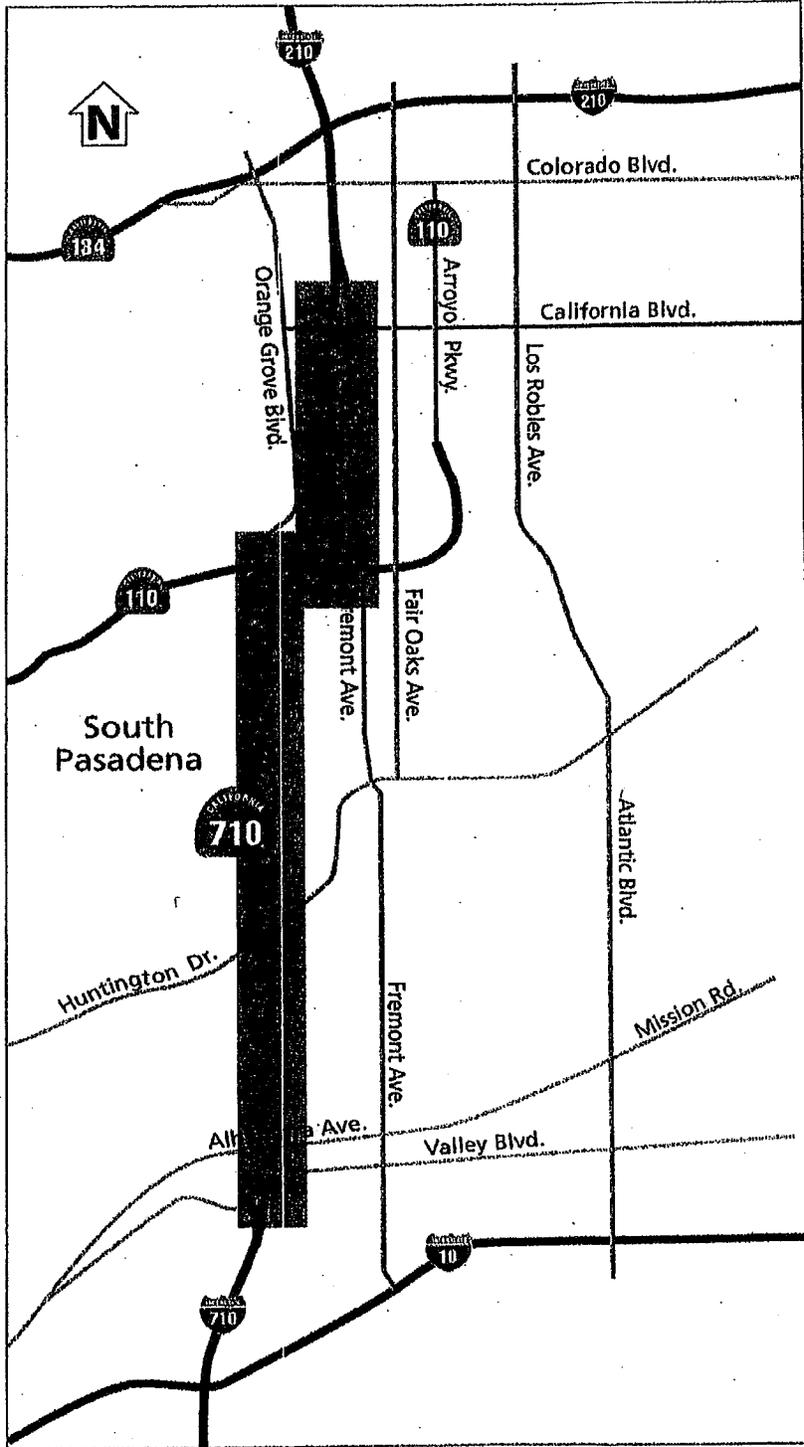
- A. This project will not significantly impact the local housing stock for the community as there are no plans for demolition (or conversion to nonresidential use) of the existing housing stock associated with this excess land sales project.

FINAL CONCLUSION: It is estimated that this project will displace a total of 148 occupant households from the neighborhood of El Sereno and the cities of Pasadena and South Pasadena. There is sufficient housing stock within the greater replacement area for displaced with similar amenities, access to transportation, utilities, schools, and public services to the displacement areas. Finding affordable replacement housing will present a challenge, requiring a high degree of advisory assistance and cooperation/consultation with agencies such as Housing and Urban Development, when necessary. Occupants who become homebuyers will not be displaced. To increase the potential for occupants to obtain financing to purchase, assistance from other agencies (such as California Housing Finance Agency) will be sought to make more financing products available to prospective buyers than are readily available in the general lending market.

This project is anticipated to take a full five years from declaration of the first occupied residential parcel as surplus, to transfer of the last property. To administer the relocation program as proposed, district staff workload is anticipated to increase by 4 PYs (Person Years) for the duration of the project.

**Sources: Area descriptions, housing, and community data from 710 North Study Community Impact Assessment, May 16, 2014
Assumptions and property data from Standardized Regulatory Impact Assessment Report Proposed Affordable Sales
Program Regulations, March 2015
Caltrans property types/descriptions/rates from Right of Way Property Management System, Jan. 27, 2015, March 24, 2015
General real estate market listing and rental rate information from Zillow and Trulia, March 2, 2015, March 25, 2015*

Attachment A- Displacement/Project Map



Attachment C- Comparative Data

	Displacement	Alhambra	Altadena (CDP)	Arcadia	Zip Code 90032, incl. El Sereno	Glendale	Pasadena
Total Housing Units	148	30,915	15,947	20,686	13,521	76,269	29,551
% Owner Occupied	-	40.8%	71.6%	63.1%	49%	38.1%	45%
% Renter Occupied	-	59.2%	28.4%	36.9%	51%	61.9%	55%
Total Housing Units Vacant	-	1,698	735	1,094	756	4,000	4,281
Vacancy Rate	-	5.5%	4.6%	5.3%	5.6%	5.2%	7.2%
Housing Units For Sale	-	162	99	138	91	358	580
Housing Units For Rent	-	972	224	519	329	2,585	2,158
Persons per Household	2.42-3.58 ⁱ	2.82	2.78	2.83	3.58	2.7	2.42
Median Housing Value	\$381,800- \$864,300 ⁱⁱ	\$551,500	\$661,400	\$1,107,400	\$381,800	\$675,900	\$672,000
Median Monthly Rent	Average approx \$1,085	\$2,321	\$2,605	\$3,031	\$1,985	\$2,733	\$2,578

Attachment C- Comparative Data (cont.)

	Monrovia	Monterey Park	Northeast Los Angeles	San Gabriel	San Marino	South Pasadena
Total Housing Units	14,473	20,850	158,820 ⁱⁱⁱ	13,237	4,477	11,118
% Owner Occupied	49.5%	55.4%	46% ^{iv}	49.2%	91.4%	45.7%
% Renter Occupied	50.5%	44.6%	54% ^v	50.8%	8.6%	54.3%
Total Housing Units Vacant	711	887	9,370 ^{vi}	695	147	651
Vacancy Rate	4.9%	4.3%	est 5.9% ^{vii}	5.3%	3.3%	5.9%
Housing Units For Sale	88	58	2,529 ^{viii}	64	21	52
Housing Units For Rent	358	382	Not available	387	26	368
Persons per Household	2.65	3.01	3.1	3.13	3.02	2.43
Median Housing Value	\$567,100	\$549,800	\$400,000 ^x	\$654,900	\$2,209,100	\$864,300
Median Monthly Rent	\$2,380	\$2,353	Not available	\$2,468	\$4,723	\$2,895

- Median Housing Values and rental rates from Zillow (accessed 3/2/15 and 3/22/15) unless otherwise specified
- Persons per household from 2010 Census unless otherwise specified

Attachment C- Comparative Data (cont.)

- Total housing units, vacancy rates/data, units for sale, units for rent, occupancy rates by type from 2010 census unless otherwise specified
- Limited information available for the region of Northeast Los Angeles, thus countywide statistics are applied to regional data in some cases (as specified)

ⁱ Range for El Sereno, Pasadena, South Pasadena

ⁱⁱ Range for El Sereno, Pasadena, and South Pasadena

ⁱⁱⁱ city-data.com/neighborhood/northeast-los-angeles-los-angeles-ca, accessed 3/2/15

^{iv} city-data.com/neighborhood/northeast-los-angeles-los-angeles-ca, accessed 3/2/15

^v city-data.com/neighborhood/northeast-los-angeles-los-angeles-ca, accessed 3/2/15

^{vi} derived by applying general LA County vacancy rate to Total Housing Units

^{vii} Rate for Los Angeles County, per 2010 Census

^{viii} Current listings for Northeast Los Angeles region, per ietrealstate.com/northeast-la.php, accessed 3/2/15

^{ix} Dataquick for home sales in January 2015 for Los Angeles Selected Area of North East LA

710 Surplus Property Sale Draft EIR

Public Comment Form

Your comment has been submitted.

Thank you for providing comments on the SR-710 Surplus Property Sale Draft Environmental Impact Report. We appreciate your feedback. A response to your comment will be included in the Final Environmental Impact Report.

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Topics

Alternatives

Caltrans fails to provide an alternative in the DEIR that provides relocation assistance, relocation payments, and replacement housing to the 148 families that Caltrans has concluded in its Displacement Relocation Impact Report ("DRIR") will occur as a result of the Affordable Sales Program. Government Code section 54235 in the Roberti Law and Public Resources Code sections 21000 through 21004 in CEQA together mandate that the displacement of families as a result of the sale of surplus Caltrans properties is an adverse environmental impact that must be minimized and mitigated to the maximum extent feasible. The DEIR fails to analyze alternatives to the proposed Affordable Sale Program that could minimize family displacements. One such alternative would be for Caltrans to use local income data to determine "area median income" and "150 percent of area median income" instead of using county-wide income data. Caltrans is using local data to calculate market values of properties and market rental rates, which raises those dollar amounts above what many Caltrans tenants can afford, and Caltrans use of county-wide income data sets the eligible income level lower, thereby disqualifying many tenants from buying or renting at a price or rental rate based on their own actual income. Caltrans' use of differential data sources is predicted by its own DRIR to lead to the displacement of about 148 families under the Affordable Sales Program who could otherwise remain in their homes if Caltrans were to use local income data, as allowed by the U.S. H.U.D. regulations cited in the Roberti Law at

ATTACHMENT #3

Section 54236(h). CEQA section 21004 mandates Caltrans to use its discretionary power to minimize adverse environmental impacts such as the displacement of families. The DEIR needs to analyze alternatives that do so. The DEIR's failure to analyze such alternatives is a violation of CEQA and the goals of the Roberti Law. Also, Caltrans has failed to provide an alternative in the DEIR that provides for the active restoration and preservation of vacant residences owned by Caltrans and already determined to be eligible for inclusion on the National Register of Historic Places. Caltrans needs to commit funds derived from the sales of other properties to keep it in compliance with the U.S. Historic Preservation Act and to ensure the restoration and preservation of the approximate 100 structures now owned by Caltrans within the SR 710 North Corridor that are eligible for inclusion on the National Register of Historic Places. Just two of these vacant structures are 1199 and 1200 S. Pasadena Avenue in Pasadena 91105. Otherwise Caltrans could be barred from receiving federal funds for this transportation corridor or other transportation projects. The DEIR needs to analyze an alternative that restores and preserves all the historic properties now owned by Caltrans in the SR 710 North Corridor.

Community Demographics and Character

Caltrans has concluded in a Displacement Relocation Impact Report that about 148 families will be displaced by the Affordable Sales Program. This displacement is caused in part by Caltrans selecting different geographic areas from which to derive data regarding "area median income" and "market value" and "market rent." Caltrans relies on county-wide data from all of Los Angeles County to determine "median income," "very low income," "low income," and "moderate income." Yet Caltrans uses real estate sales data and rental data from the cities of Pasadena, South Pasadena, Los Angeles, and adjoining communities to determine "market value" for sales prices and "market rent" for rental rates on properties in the SR 710 North Corridor. This use of differential data sources has a perverse impact that will lead to the predicted displacement of families, including families with one or more disabled family members. By using these differential types of data, the values for property sales and property monthly rental rates are set much higher than most of the existing tenants in the properties can afford. Yet, by using county-wide income data these same tenants are determined to be above the income categories which would entitle them to purchase or rent the properties at a price derived from their actual income. Caltrans' use of county-wide income data places most existing tenants above the income category of "150 per cent of area median income" found in Government Code section 54237(a)(3) in the Roberti Law. Caltrans has chosen to select a county-wide data source for calculating "area median income" instead of using data of the median income from the three zip codes where the properties are located and where the tenants reside. Caltrans needs to use consistent data sources. To be fairer to the existing tenants, to further the affordable housing and community preservation goals of the Roberti Law, and to reduce family displacements, Caltrans must either use county-wide data for both income and value determinations, or use local zip codes for both income and value determinations. Using consistent data sources will reduce the number of predicted displacements that will be caused under

the Affordable Sales Program, and better comply with CEQA at Public Resources Code section 21000, 21001, 21001.1, 21002, 21003, and 21004 and Government Code section 54235 in the Roberti Law --- Caltrans has an affirmative duty to reduce and mitigate the impacts of the Affordable Sales Program, and to reduce the number of families predicted to be displaced by the Program. Using median income data from the local zip codes where the tenants reside in Caltrans properties will be the most effective in reducing displacements by raising the calculated level of "150 percent of area median income" so that a greater number of existing tenants can qualify for purchase prices and affordable rents based on the income levels in their local communities. Otherwise, Caltrans should use market data and rental data from the entire county to reduce purchase prices and lower rental rates, but this alternative may not be as effective in lowering the number of families displaced under the Affordable Sales Program. Government Code sections 54235 and 54236(h), CEQS section 21004, California H.C.D. regulations and U.S. H.U.D regulations allow Caltrans to calculate "area median income" in an alternative manner, and CEQA requires Caltrans to do so in a manner which reduces the maximum degree feasible the displacement of families under the Affordable Sale Program. The draft regulations need to be amended to include the goal of community preservation and reducing tenant family displacement as set forth in Government Code section 54235 of the Roberti Law. Those sections mandate Caltrans to reduce the displacement of families when surplus properties are offered for sale, and determine that such displacement is an environmental impact that must be mitigated using funds, resources, and powers available to Caltrans and within its discretion.

Environmental Justice

Caltrans has failed to include in the DEIR or the proposed Affordable Sales Program any analysis of the impact on disabled persons of the Affordable Sales Program. The unreasonably short deadlines for an existing tenant to respond to an offer to sell from Caltrans have no reasonable accommodation process for people who cannot respond within the deadline due to their age or disability or due to the age or disability of members of their household. Likewise, there is no analysis of the economic impacts on households which include one or more disabled persons. Caltrans fails to analyze any alternative price reductions or Caltrans financing of the purchases to accommodate such households. By utilizing market data from local zip codes to determine market values for sales and market rental rates for continued occupancy Caltrans is using data from nearby higher income areas and areas of lower minority populations to set the sales prices and rental rates on properties Caltrans owns in the SR 710 North Corridor. This discriminates against the lower income and higher minority populations within the properties owned by Caltrans. Caltrans' management practices include: deferred maintenance (often for years or decades), not paying for household water and landscaping (usually paid for by private landlords in adjacent area to maintain the property's quality), and using contractors of lower quality work than used for private rental properties. Most higher-quality maintenance contractors refuse to work for Caltrans due to quirky and obnoxious Caltrans personnel and due to extreme delays in

being paid by Caltrans. These endemic Caltrans management traits regarding the SR 710 North Corridor properties do not apply to the privately owned and privately-managed residences in adjacent areas. That is, Caltrans is a terrible property manager, which the employees and Directors of Caltrans District Seven in Los Angeles have admitted for decades. Long term Caltrans management is itself a negative factor in a property's rental value and market value. It is common knowledge in the real estate industry that Caltrans mismanages and neglects the properties it owns, rents, and offers for sale. It is market fact that the quality of all the properties have severely eroded under Caltrans management. Caltrans' reputation as a bad property manager and as having a practice of passive neglect on all properties it owns reduces their rental value and sales market value. This Caltrans "blight" on such properties is not taken into account by Caltrans when it determines rental rates and sales prices. Caltrans assumes it is a perfect property manager, or at least that its management has no economic impact. This a false assumption. This false assumption results in Caltrans setting artificially higher rental rates and high sales prices within the SR 710 North Corridor, where there are greater numbers of lower income and minority persons. The Affordable Sales Program needs to include adjustments downward in sales price and rental rates to reflect the long term, ongoing, and well-know "Caltrans property management blight" on the quality and desirability of the properties owned by Caltrans. Caltrans devalues every property it owns and manages simply by being Caltrans.

Cultural Resources

Caltrans has failed to provide or analyze the past and future impact on historic resources Caltrans has owned for decades that has occurred due to Caltrans mismanagement and neglect and will occur in the future as a result of the Affordable Sales Programs. Particularly on the approximate 100 Caltrans owned properties already eligible for inclusion in the National Register of Historic Places under the federal Historic Preservation Act. Examples are 1199 and 1200 S. Pasadena Avenue in Pasadena 91105.

Other

The Roberti Law (Government Code sections 54235 to 54237.8) is not the only state law under which these properties in the SR 710 North Corridor can be sold by Caltrans. Streets and Highways Code sections 118, 118.1, 118.5, 118.6, and 119 provide an alternative process for sale of the properties in the SR 710 North Corridor. Caltrans has failed to adopt any regulations to implement any alternative sales programs under those laws. Caltrans has continued to violate the third paragraph of Streets and Highways Code section 118.6 by failing to adopt sales and rental regulations under the Administrative Procedures Act which implement Streets and Highways Code sections 118, 118.1, 118.5, 118.6, and 119. The third paragraph of Section 118.6 reads as follows: "The department shall adopt rules and regulations to determine which real property outside of calculated right-of-way lines is no longer needed or used for highway or other public purposes, and which is available for sale or exchange. The

department is authorized to lease all real property not presently needed or used for highway purposes pending the sale or exchange of such property." Despite this requirement in law neither the DEIR for the Affordable Sales Program's proposed regulations include any explanation on how Caltrans determined which properties to offer for sale first and which to offer for sale later. No regulations have been even proposed for the sale of properties by a process other than under the Roberti Law. The sale of vacant land, the sale of properties occupied for commercial purposes, the sale of properties occupied for non-profit purposes, and properties which include vacant structures not currently used for residential purposes could be sold under Streets and Highways Code sections 118, 118.1, 118.5, 118.6, 119 and other laws, but no regulations or analysis or any list of such properties or their potential sale are included in the DEIR or in the Affordable Sales Program. Caltrans has recently offered several vacant land properties for sale to the City of South Pasadena, but failed to adopt regulations for this process or to consider the procedures for sale or lease of properties under Streets and Highways Code sections 100.2, 100.21, 100.22, 100.25, 104.5, 104.6, 104.7, 100.8, 100.9, 100.10, 100.11, 100.12, 100.13, 100.15, and 116. The DEIR and regulations need to consider all the alternative means by which the sales of Caltrans properties are permitted.

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