



Angela Leet
District 7 Councilwoman

Louisville Metro Council

Erin R. Hinson
Legislative Assistant

Robley Rex VAMC
Attn: Replacement VAMC Activation Team Office
800 Zorn Avenue
Louisville, KY 40206.

January 30, 2015

Dear VAMC Activation Team Office,

My name is Councilwoman Angela Leet and I represent over 25,000 constituents of Louisville Metro's District 7. I also hold a Master of Engineering from the J.B. Speed School of Engineering at the University of Louisville and worked full time as a licensed environmental engineer in the state of Texas for nearly 10 years. I have spent a great deal of time listening and talking to the residents of District 7 and today I write to you on their behalf.

This letter represents a response regarding the Draft Environmental Audit (EA) dated December 15, 2014.

Based upon a review of the EA, it is clear that the conclusions regarding the traffic impacts of the proposed VA Louisville VA Hospital Replacement Project ("the Project") were based upon faulty and/or incomplete information related to existing and projected traffic volumes, as a result, I am requesting that the VA undertake a supplemental traffic study to consider the complete known traffic data prior to making the determination as to whether to issue an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). The EA fails to provide sufficient evidence and analysis for determining the appropriateness of a FONSI. The failure to undertake an EIS would be irresponsible to the surrounding community, unlawful, and in violation of 38 CFR 26.6.

The VA's specific criteria for Typical Classes of action that normally do require an EIS are:

- (1) Section 38 CFR 26.6(a)(1)(ii) Acquisition of land in excess of 10 acres for development of a VA medical center facility. The 36-acre site will be used to construct an 800,000 square foot medical facility, plus two multistory parking garages.
- (2) Section 38 CFR 26.6(a)(2)(ii) An increase in average daily vehicle traffic volume of at least 20 percent on access roads to the site or the major roadway network. The EA, section 3.13.3 Environmental consequences, indicates a 39% and 31% increase in traffic at Hwy 22 & I264 VA entrance and a 9% and 13% increase at US Hwy 22 & US Hwy 42

during the morning and evening peak hours, respectively. The weighted increase for both locations is 19% and 26%, respectively.

You will note there are significant flaws including lack of transparency and calculation issues concerning the presented traffic analysis as follows:

- (a) No assumptions/criteria used in the traffic study are provided (i.e.; traffic count in and out of the current Zorn location that should include employees, visitors, patients, ambulatory traffic, deliveries, daily totals, peak hour totals, and non-peak totals.)
- (b) Peak evening hour for the US Hwy 22 & I-264 entrance reflect 4 pm to 5pm.
- (c) Traffic study should factor additional traffic count from the consolidation of the current downtown administration office and outpatient clinics at Shively, DuPont, & Newburg.
- (d) Traffic study should factor additional traffic count from the planned development at the corner of Brownsboro & Lime Kiln/Herr lane that will include 519 upscale apartment units.
- (e) Traffic study does not include year 2023 when the hospital starts operation
- (f) Current ADT at Hwy 22 & I264 VA entrance shows 21,400 increasing to 24,300 by 2040. However, just the addition of VA employees alone will increase traffic by 2,500 to 5,000 in and out of the VA on the first day of operation.
- (g) Based upon the 917 in VA traffic in a 1 hour peak period equates to 21,600 trips a day and if reduced by 50%, 10,800 trips a day, which increases ADT at the US Hwy 22 & I-264 by 50%.
- (h) The analysis should also factor and analyze non-peak hours
- (i) Page 62 states “the proposed action would significantly contribute to the degradation of the LOS at the Hwy 22 and I-264 intersection, but mitigates it with KYTC improvements but provides no conclusive substantial evidence.

Why does the EA neither provide criteria used in the analysis, nor analyze information available as outlined in a-e above? The failure to utilize this information can only lead to the conclusion that the EA fails to provide sufficient information and analysis upon which FONSI can be supported.

(3) Section 38 CFR 26.6(a)(2)(iii) Probable conflict with, or significant affect on, local or regional zoning or comprehensive land use plans. The EA, section 3.8 Land Use, concludes the new facility will “generally” be consistent with the comprehensive plan and existing zoning. The prior developer incorporated high end residential patio homes backing up to bordering homes, upscale restaurants, retail, significant green space, and walking paths that complimented the character of the surrounding community. VA building heights are *NOT IN COMPLIANCE* and the facility will definitely *NOT* compliment the character of the community or offer a community feel. The intent of the Jefferson County’s Land Development Code 2.8.1 Planned Development (PD) District is to promote diversity and integration of uses and structures in a planned development through flexible design standards that:

- * Create new development that is livable, diverse, and sustainable;
- * Promote efficient and economic uses of land;
- * Respect and reinforce existing communities, integrating new development with existing development to ensure compatibility;
- * Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- * Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;
- * Lower development and building costs by permitting smaller networks of utilities and streets and the use of shared facilities;
- * Protect and enhance natural resources;
- * Promote the development of land that is consistent with the applicable form district;
- * Encourage a variety of compatible architectural styles, building forms, and building relationships within a planned development; and
- * Preserve the historic development patterns of existing neighborhoods.

Why does the EA conclude the new facility will “GENERALLY” be consistent with the comprehensive plan and existing zoning when it is clearly in contradiction with the above PD zoning intent?

ADDITIONAL EA FLAWS

Socioeconomics, section 3.10, page 54. The EA states, “The PEA analysis concludes that the development at the project site would not have adverse socioeconomic effects, therefore, no additional site-specific impact analysis for the Proposed Action is necessary”. However, the March 2012 PEA does not analyze any surrounding site-specific data and is based upon state, county, and city demographics only which is flawed.

The EA acknowledges issues during construction such as noise disruption, visual and land disturbance, and potential negative impact to property values, but states it will be temporary or short-term. However, assuming the project progresses on time and on budget will take 6 years to complete. This is a long-term impact to the surrounding community, not a short-term or temporary impact. Furthermore, conclusions are flawed if significance is avoided by terming an action temporary.

The EA uses a “No Action” alternative for impact analysis, which appears to be an improper baseline.

Many mitigations pertaining to traffic, zoning, and property values, for instance, lack supporting backup data and analysis to conclude a FONSI. Conclusions are vague and words such as “generally” are used throughout the report.

CONCLUSION

Per NEPA regulations, “A Federal agency must prepare an EIS if it is proposing a major federal action significantly affecting the quality of the human environment.” The proposed almost 1 million square foot Medical Facility is a major Federal Action that will

significantly impact a densely populated residential community at a highly congested location.

The EA, upon which the FONSI will be based, fails to consider impact of the addition of thousands of cars a day to an area recognized for its gridlock under current conditions.

For these aforementioned reasons and in an effort to ensure the best medical care for our Veterans and the health and safety of all Louisvillians, I respectfully request that an EIS be completed.

Sincerely,

A handwritten signature in blue ink that reads "Angela Leet". The signature is written in a cursive, flowing style.

Angela Leet
District 7 Councilwoman