UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

October 15, 2010

Raymond Tellis
Federal Transit Administration, Region 9
Los Angeles Metropolitan Office
888 South Figueroa Street, Suite 1850
Los Angeles, CA 90017

Subject: Draft Environmental Impact Statement for the Westside Subway Extension, Los Angeles County Metropolitan Transportation Authority, Los Angeles, California (CEQ #20100353)

Dear Mr. Tellis,

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Westside Subway Extension project pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our detailed comments follow. Based upon our review, EPA has rated this document LO, *Lack of Objections*. See attached "Summary of the EPA Rating System" for a description of the rating. The basis for the rating and our recommendations are summarized below and further detailed in our enclosed comments.

We commend the Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (Metro) for seeking to provide public transportation options to residents of the Los Angeles area. We support the potential for this project to increase transit mode share and reduce air quality and greenhouse gas emissions impacts from auto emissions in Los Angeles County, as well as provide time savings for both existing transit riders and automobile users. Our comments below focus on how the DEIS addresses displacement and air quality impacts.

Displacement of Residents and Existing Uses

The DEIS discusses the displacement of existing residential and commercial land uses on pages 4-32. EPA commends FTA and Metro for providing a discussion within the DEIS of the Uniform Relocation Assistance and Real Property Acquisition Policies Act and the California Relocation Act. We encourage Metro to proactively work with the communities to help displaced residents and businesses in the relocation process. We recommend including a plan within the FEIS for mitigation of impacts associated with displacement.

Air Quality

The proposed Westside Subway Extension Project is located in the South Coast Air Basin, which is classified as non-attainment for ozone and particulate matter (PM_{10} and $PM_{2.5}$). Therefore, we strongly recommend all construction and operation emissions be mitigated to the extent feasible.

EPA commends FTA and Metro for commitments in the DEIS to mitigate construction's impact on air quality mitigation, including:

- Watering and application of use of soil stabilizers
- Installing wheel washing equipment and providing street sweeping
- Covering trucks
- Requiring spoil removal trucks to operate at Metro approved emissions level, including standards adopted by the Port of Long Beach's Clean Trucks Program
- Require Metro approval of tunnel locomotives for emissions standards
- Set and maintain work equipment and standards to meet South Coast Air Quality Management District (SCAQMD) standards, including NOx
- Continuously monitor and record air environment

Recommendations:

We recommend the FEIS incorporate the following additional mitigation measures to reduce the impacts of construction emissions:

Fugitive Dust Source Controls:

- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Reduce use, trips, and unnecessary idling from heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification, where applicable, levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, use equipment meeting Tier

3 or greater engine standards and commit to the best available emissions control technology. Tier 3 engine standards are currently available; for some equipment Tier 4 is available for the 2009-model year and should be used for project construction equipment to the maximum extent feasible. Lacking availability of non-road construction equipment that meets Tier 3 or greater engine standards, commit to using the best available emissions control technologies on all equipment.

- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of particulate matter and other pollutants at the construction site.

Administrative controls:

- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet EPA diesel fuel requirements for off-road and on-highway, and where appropriate use alternative fuels such as natural gas and electric.
- Identify sensitive receptors in the project area, such as daycare centers senior housing, and hospitals and specify the means by which you will minimize impacts to these receptors. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

Hazardous Materials Waste Plan

All build alternatives will require the addition of maintenance facility capacity where the potential for misuse of hazardous materials exists. A hazardous materials management plan can reduce the volume and/or toxicity of waste requiring subsequent management as hazardous waste under the Resource Conservation and Recovery Act (RCRA) and California's RCRA implementation provisions.

Recommendation:

Within the FEIS, commit to developing a hazardous materials waste management plan for maintenance facilities. Address potential impacts due to the use of hazardous materials in maintenance and operation, and the expected types and volumes of hazardous materials, associated with maintenance facilities. Evaluate alternate processes, potentially using a smaller volume of hazardous materials and/or less toxic materials. Identify the expected storage, disposal and management plans. Address the proposed methods to control and remediate any spill or discharge of hazardous materials into the

environment. Address the applicability of Federal hazardous waste requirements and also California's requirements that are approved by EPA under RCRA.

Transit Service Changes

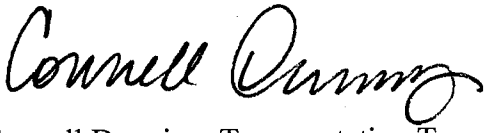
Though we note bus service will be reduced in the build alternatives along the subway corridor itself, we commend Metro and FTA for stating within the DEIS that bus service is not planned to decrease substantially as a result of the project:

> "With the Build Alternatives, no major route restructuring of bus routes would be anticipated. ...cost savings that would be associated with major bus service changes would not be expected" (p. 2-19)

However, should the project require major route restructuring in the future (due to the need to reduce bus routes to fund construction/operation of the project) Metro and FTA should ensure compliance with Title VI of the Civil Rights Act and identify mitigation for any environmental justice impacts that may result at that time.

We appreciate the opportunity to review this DEIS and look forward to future coordination on the project. When the FEIS is released for public review, please send two copies to the address above (mail code: CED-2). If you have any questions, please contact Connell Dunning, Transportation Team Leader, at 415-947-4161, or Chris Ganson, the lead reviewer for this project, at 415-947-4121 or ganson.chris@epa.gov.

Sincerely,



Connell Dunning, Transportation Team Leader
Environmental Review Office

Enclosures:
Summary of EPA Rating Definitions

cc: David Mieger, Los Angeles Metropolitan Transportation Authority