UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

July 3, 2007

Lucinda Eagle
U.S Department of Transportation
Federal Transit Administration, Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Subject: Draft Environmental Impact Statement for the AC Transit East Bay Bus Rapid Transit (CEQ #20070168)

Dear Ms Eagle:

The Environmental Protection Agency (EPA) has reviewed the above-referenced document 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 are enclosed.

EPA is highly supportive of the project goals to reduce vehicle miles traveled, reduce vehicle emissions, and provide expanded transportation choices for multiple Bay Area commuters. We look forward to the successful implementation of this project. While we have not identified environmental impacts requiring substantive changes to the document, we have identified areas where more information is requested. EPA has rated this document LO, *Lack of Objections*. Please see the attached *Rating Factors* for a description of our rating system.

We appreciate the opportunity to review this DEIS. When the Final EIS is released for public review, please send 1 copy to the address above (mail code: CED-2). If you have any questions, please contact Nancy Levin of my staff at 415-972-3848 or Levin.nancy@epa.gov.

Sincerely,

for Nova Blazej, Manager
Environmental Review Office

Enclosures: EPA's Detailed Comments; DEIS Rating Factors

cc: Jim Cunradi, AC Transit District

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EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE EAST BAY BUS RAPID TRANSIT, ALAMEDA COUNTY, CA JULY 3, 2007

Air Quality

The Draft Environmental Impact Statement (DEIS) states that the project area will experience exceedences of the federal 24-hour standard for particulate matter less than 2.5 microns in diameter (PM2.5), but that the effect of the project would not constitute an adverse impact (page 4-135). The Final EIS (FEIS) should clarify how the threshold for adverse impact (5% of the federal standard) was determined and explain the basis for this determination.

The DEIS also states that by 2025 the PM2.5 concentrations will fall below the federal 24-hour standard. However, even if concentrations fall below the federal standard, construction and operation of the proposed project may result in human exposure to diesel exhaust, which includes PM2.5. Exposure to diesel exhaust may contribute to respiratory irritation and lung damage. Diesel exhaust is classified by EPA as a "likely" human carcinogen at environmental exposure levels (*Health Assessment Document for Diesel Engine Exhaust*, EPA 2002). Construction for the project is likely to occur within the vicinity of sensitive receptors, such as schools, hospitals, parks, and recreation centers.

Given the well known and adverse health effects for PM2.5 and diesel exhaust exposure, the potential for this project, especially diesel construction emissions, to contribute to PM2.5 concentrations, and anticipated exceedences of federal 24-hour PM2.5 standards in 2010, we recommend that FTA avoid and minimize human exposure to PM2.5 and diesel exhaust from the project to the greatest extent possible.

The construction emissions mitigation detailed in Section 4.16.9.2 is commendable and we encourage Federal Transit Administration (FTA) to commit to these measures in the FEIS and Record of Decision. In addition to these measures, we recommend additional mitigation measures for the FEIS below (see Recommendations).

We understand that the project may be implemented in stages, depending on the availability of funding. We recommend that FEIS identify initial changes to the current bus system to reduce pollutant emissions and consider the opportunities presented by the BRT to acquire newer, less polluting busses.

Recommendations

- The FEIS should clarify how the threshold for adverse impact (5% of the federal 24-hour standard for PM 2.5) was determined and explain the basis for this determination.
- The FEIS should include measures to avoid and minimize human exposure to project-related diesel exhaust and PM 2.5 to the greatest extent possible.
- In addition to the construction mitigation measures in Section 4.16.9.2, consider including the following measures:

- Establish an activity schedule designed to minimize traffic congestion around the construction site and to minimize impacts to sensitive receptors in the project area, such as schools, hospitals, parks, and athletic centers.
- Utilize EPA-registered particulate traps and other appropriate controls to reduce emissions of diesel particulate matter and other pollutants at the construction site.
- Locate construction equipment and staging zones away from sensitive receptors as well as away from fresh air intakes to buildings and air conditioners.
- Reduce use, trips, and unnecessary idling from heavy equipment.
- Lease newer and cleaner equipment (1996 or newer).
- Periodically inspect construction sites to ensure construction equipment is properly maintained at all times.

- Should the project be implemented in phases, the FEIS should identify initial changes to the current bus system such as the elimination of unnecessary idling, installation of effective emission control systems on newer buses, and replacement of the oldest buses in the fleet with less polluting buses. The adoption of a bus rapid transit project may provide an opportunity to acquire newer buses that can use improved, less polluting diesel technology or alternative fuels, such as liquefied natural gas, fuel cells, and hybrid technologies.

Noise and Vibration

The document references the FTA guidance manual *Transit Noise and Vibration Impact Assessment* (April 1995). An updated version of this document was published in May 2006 and is available online at http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf.

Recommendation:

- Review the updated guidance document to insure that analyses included in the FEIS are based on the most current analysis standards.