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

October 8, 2010

Mr. Ray Tellis
Federal Transit Administration
Los Angeles Metropolitan Office
888 S. Figueroa Street, Suite 1850
Los Angeles, California 90017

Subject: Draft Environmental Impact Statement for the Regional Connector Corridor Project, Los Angeles, California (CEQ # 20100352)

Dear Mr. Tellis:

The Environmental Protection Agency (EPA) has reviewed the above-referenced document. As described in the Draft Environmental Impact Statement (DEIS), this project proposes to construct a light rail connector in downtown Los Angeles that will directly link the tracks of the Metro Gold Line light rail system with the Metro Blue Line and future Metro Expo Line. Our comments are provided 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. EPA has rated this project as Lack of Objections (LO) (see enclosed *Summary of EPA Rating Definitions*).

We commend the Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) for seeking to improve public transportation service, especially in an area of high transit dependence, high traffic congestion, and impacted air quality. We believe this project, with the level of ridership anticipated, has the potential to increase use of multiple transit lines, reduce air quality and greenhouse gas emissions impacts from vehicles, and improve the overall livability of the Los Angeles region.

We are particularly encouraged to see the addition of the Fully Underground LRT Alternative, which was identified through community engagement and has evolved to best address community concerns (as evidenced by the Little Tokyo Community Council letter of support; Appendix EE). We believe, based upon the technical analysis presented in the DEIS, that this alternative is likely to provide for the greatest environmental benefit, while also uniquely addressing concerns that were raised during the public outreach effort. As such, we are supportive of the recommendation by Metro staff that the Fully Underground LRT Alternative be designated the Locally Preferred Alternative.

We also appreciate that the DEIS uses plain language and illustrative graphics to make the technical information more easily understood by the public. In particular, the comparison and

screening of alternatives provides the public and decision-makers with a clear summary of the benefits and impacts of the various alternatives. Our few concerns, as described below, focus on how the DEIS addresses air quality impacts and smart growth.

Air Quality

Construction Emissions

EPA commends Metro for commitments in the DEIS to mitigate air quality impacts from construction, including:

- Retrofitting off-road engines with add-on control devices such as catalytic oxidizers and diesel particulate filters to reduce NOx and PM10 emissions.
- Requiring contractors to use up-to-date (2014 or later) equipment during project construction to control emissions of VOC and CO.
- Applying water or a stabilizing agent to exposed surfaces in sufficient quantity to prevent generation of dust plumes.
- Requiring contractors to utilize measures set forth in the South Coast Air Quality Management District Rule 403 section (d)(5) to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.
- Covering all trucks hauling soil, sand, and other loose materials with tarps or other enclosures that would reduce fugitive dust emissions.
- Limiting traffic speeds on unpaved roads to 15 mph.
- Suspending operations on unpaved surfaces when winds exceed 25 mph.
- Suspending heavy equipment operations during first and second stage smog alerts.
- Covering/watering on-site stockpiles of debris, dirt, or rusty materials.
- Requiring contractors to utilize electricity from power poles rather than temporary diesel or gasoline generators, as feasible.
- Prohibiting heavy-duty trucks from idling in excess of five minutes.
- Configuring construction parking to minimize traffic interference.
- Limiting construction activity that affects traffic flow on the arterial system to off-peak hours, as feasible.

As the project is located in the South Coast Air Basin, which is classified as non-attainment for ozone and particulate matter (PM_{10} and $PM_{2.5}$), we recommend that the Final EIS (FEIS) provide commitments for the following additional mitigation measures to ensure air quality impacts from construction are mitigated to the greatest extent possible:

Mobile and Stationary Source Controls:

- Reduce use, trips, and unnecessary idling from heavy equipment. 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.
- Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with the above-stated commitments.

- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- Where appropriate, use alternative fuels such as natural gas and electric.

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 emissions control devices 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.)
- 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 populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

Localized Air Quality Impacts due to Increased Congestion

While the project may decrease air quality impacts and concentrations of mobile source air toxics (MSATs) in the area as a result of increased transit ridership and lower automobile use, localized impacts may result from increased congestion at intersections whose level of service would decline as a result of the project. This is particularly concerning for the At-Grade Emphasis LRT alternative which, after mitigation, would continue to have impacts to at least 15 intersections. EPA encourages FTA and LACMTA to consider whether sensitive receptors such as schools, hospitals, or residential facilities for the elderly, are located near those intersections, and if so, implement mitigation measures to protect the impacted populations.

Recommendations:

- Determine whether increased congestion at identified intersections would result in air quality impacts on any sensitive receptors in the vicinity of those intersections.
- If adverse impacts would occur, propose mitigation for those impacts and include this information and mitigation measures in the FEIS.

Smart Growth

While the project has great potential to enhance livability in the Los Angeles region, we believe it could be integrated with additional smart growth and sustainability principles, including many of those recommended as part of the HUD/DOT/EPA Partnership for Sustainable Communities (http://www.epa.gov/smartgrowth/partnership/). For additional information on smart growth as it relates to transportation infrastructure, see *Pedestrian and Transit-Friendly Design: A Primer for Smart Growth* (http://www.epa.gov/smartgrowth/pdf/ptfd_primer.pdf).

Recommendations:

- The FEIS should include discussion of actions that can be taken during project development to foster the implementation of smart growth strategies in the project area including coordination of different transit options to ensure multi-modal opportunities are available at all station locations, ensuring the ability to easily transfer between transit options, and improving pedestrian and bicycle facilities in the project area.
- We urge FTA and LACMTA to coordinate with local municipalities in the pursuit of zoning ordinances that encourage smart growth in the project area, thereby increasing the project's potential to enhance livability in the downtown Los Angeles area.

Community Involvement

EPA commends FTA and LACMTA on their involvement with communities in the vicinity of the project area. It appears from the DEIS that coordination between government agencies, the Little Tokyo community, business owners, and other individuals has been ongoing and transformative throughout the project planning process. EPA encourages FTA and LACMTA to continue to consider the long-term needs of, and potential benefits to, the community in determining future project actions.

Recommendations:

- The FEIS should evaluate all mitigation measures suggested by the Little Tokyo Working Group to determine their effectiveness and feasibility.
- Identify where implementation of community mitigation measures has been rejected and provide a discussion of the reasons for rejection.

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 one copy and one disc to the address above (mail code: CED-2). If you have any questions, please contact Clifton Meek, the lead reviewer for this project, at 415-972-3370 or meek.clifton@epa.gov.

Sincerely,

Connell Dunning

Connell Dunning, Transportation Team Supervisor
Environmental Review Office
Communities and Ecosystems Division

Enclosures:
Summary of EPA Rating Definitions

cc: Dolores Roybal-Saltarelli, Los Angeles County Metropolitan Transportation Authority
Ray Sukys, Federal Transit Administration

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

Category "1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the review may suggest the addition of clarifying language or information.

Category "2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are wit the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. T identified additional information, data, analyses, or discussion should be included in the final EIS.

Category "3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternativ analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. E believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they sho have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NE and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplementa revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referra the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.