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

October 26, 2009

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 Crenshaw Transit Corridor Project, Los Angeles, California (CEQ #20090315)

Dear Mr. Tellis:

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.

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 also appreciate that the Draft Environmental Impact Statement (DEIS) uses plain language and illustrative graphics to make the technical information more easily understood by the public. In particular, the discussion of previous and ongoing alternatives analysis and screening provides the public and decisionmakers with a good summary of the benefits and impacts of the various alternatives. In the ongoing alternatives analysis process, EPA encourages FTA and LACMTA to consider the long-term needs of, and potential benefits to, the community in determining the locally preferred alternative for the project.

EPA has some concerns about the air quality analysis for the project and has additional suggestions for water quality impact analysis and mitigation. Therefore, we have rated this document EC-2, *Environmental Concerns, Insufficient Information*. 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 two copies to the address above (mail code: CED-2). If you have any questions, please contact Carolyn Mulvihill, the lead reviewer for this project, at 415-947-3554 or mulvihill.carolyn@epa.gov.

Sincerely,

Connell Dunning

for Kathleen M. Goforth, Manager
Environmental Review Office (CED-2)

Enclosures:
Summary of EPA Rating Definitions
EPA's Detailed Comments

cc: Roderick Diaz, Los Angeles County Metropolitan Transportation Authority
Ray Sukys, Federal Transit Administration
Steve Smith, South Coast Air Quality Management District

EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE CRENSHAW TRANSIT CORRIDOR PROJECT, OCTOBER 26, 2009

## Air Quality

*Air Quality Monitoring Data and Hot Spot Analysis*

The Draft Environmental Impact Statement (DEIS) includes air quality monitoring data for the years 2005 to 2007. Data for 2006 to 2008 is now available and 2007 to 2009 may be available in time for publication of the Final Environmental Impact Statement (FEIS). This updated data will impact the determination of background concentrations of carbon monoxide (CO) and subsequent hot spot analysis. More information is available at http://www.epa.gov/airtrends/values.html.

In addition, while Table 4-26 indicates that the No Build, Transportation Systems Management (TSM), and Bus Rapid Transit (BRT) alternatives would result in the same CO hot spot concentrations, the table doesn't appear to include data for the Light Rail Transit (LRT) alternative. Please verify in the FEIS what the 2030 CO concentrations would be for the LRT alternative.

***Recommendations:***

- Include up-to-date monitoring data in the FEIS. Update calculations of background CO concentrations and potential CO hot spots and include this data, and any measures to mitigate potential impacts, in the FEIS.
- Include CO hot spot concentrations resulting from the LRT alternative in the FEIS.

The DEIS does not include a particulate matter (PM) hot spot analysis and states that FHWA guidance says that "a project may be screened out of the project-level analysis if the 'build' vehicle miles traveled (VMT) is less than or equal to the 'no build' VMT." This statement refers to a method that is no longer current practice. A qualitative PM hot spot analysis must be performed if a project is determined to be a "project of air quality concern." See 40 CFR 93.123 for more information.

***Recommendation:***

- If the project has been determined to be a "project of air quality concern" then include in the FEIS a PM hot spot analysis and mitigation measures proposed for any adverse impacts.

*Air Quality Conformity*

The DEIS contains both general conformity and transportation conformity analyses. However, because the project is proposed to be funded in part by Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) funds, EPA believes that transportation conformity requirements apply to the project, rather than

general conformity. We note that both the thresholds listed in Table 4-24 and the determination of an adverse impact from LRT alternative $NO_X$ emissions, refer to a general conformity analysis. The DEIS does not clearly identify what actions associated with the proposed project would require a general conformity discussion and analysis, so it appears that the information regarding regional operating emissions is provided for purposes of disclosure. While EPA appreciates the additional information provided for disclosure, we note that it is not a necessary component of the conformity process for this project. However, if additional funding, approval, or actions by another federal agency (besides FTA or FHWA) are anticipated, the general conformity analysis should be included.

If FTA determines that a general conformity analysis is in fact required, then the general conformity analysis on pages 4-152 and 4-153 should be clarified to discuss the source of the increased $NO_X$ emissions from the proposed light rail transit (LRT) line. FTA should also provide potential mitigation measures for these impacts.

***Recommendations:***

- If federal funding or action from a federal agency other than FTA and FHWA is anticipated, provide that information in the FEIS and include a general conformity analysis. Clarify the source of increased $NO_X$ emissions from LRT and identify measures to reduce those impacts.
- If FTA and FHWA are the only federal agencies providing funding, approval or associated actions for this project, a general conformity analysis is not necessary for the project.

*Greenhouse Gases and Climate Change*

The section on global climate change should be updated to reflect recent actions by the Environmental Protection Agency (EPA). EPA recommends that the FEIS include the most current information at the time of release of the FEIS. See http://www.epa.gov/climatechange/initiatives/index.html for current information. In particular, the following information should be included:

- On June 30, 2009, EPA granted a waiver of Clean Air Act preemption to California for the state's greenhouse gas (GHG) emission standards for motor vehicles beginning with the 2009 model year.
- In response to the FY 2008 Consolidated Appropriations Act (H.R. 2764; Public Law 110–161), EPA has issued the Final Mandatory Reporting of Greenhouse Gases Rule. Signed by the EPA Administrator on September 22, 2009, the rule requires that suppliers of fossil fuels and industrial GHGs, manufacturers of vehicles and engines outside of the light duty sector, and facilities that emit 25,000 metric tons or more of GHGs per year submit annual reports to EPA. The rule is intended to collect accurate and timely emissions data to guide future policy decisions on climate change.
- On September 15, 2009, EPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) proposed a new

national program that would reduce GHG emissions and improve fuel economy for all new cars and trucks sold in the United States. EPA proposed the first national GHG emissions standards under the Clean Air Act, and NHTSA proposed Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act. This proposed national program would allow automobile manufacturers to build a single light-duty national fleet that satisfies all requirements under both Federal programs and the standards of California and other states.

- On April 17, 2009, the EPA Administrator proposed two related Findings under the Clean Air Act: an Endangerment Finding that six key GHGs constitute a threat to human health and welfare, and a Cause and Contribute Finding that four of these GHGs are emitted from motor vehicles and contribute to atmospheric concentrations. The comment period for this proposal closed on June 23, 2009.

***Recommendation:***

- Include an updated discussion of the regulatory environment for GHGs and climate change in the FEIS to reflect recent actions by EPA.

The DEIS also states that the LRT alternative would result in an increase in GHG emissions compared to the No Build alternative. A phone conversation with the Los Angeles County Metropolitan Transportation Authority (LACMTA) clarified that this increase would result from increased service from "feeder buses" serving the LRT line. This explanation should be included in the FEIS along with supporting data and analyses. EPA also understands that LACMTA has discussed the GHG modeling results with the South Coast Air Quality Management District (SCAQMD) and that the modeling results may be updated for the FEIS. Please include any updated modeling results in the FEIS.

The discussion also states that new LRT stations would potentially lead to transit oriented development (TOD) along the alignment, encouraging increased use of the light rail system. The FEIS should discuss the implications that TOD and increased transit ridership could have on VMT and GHGs.

***Recommendation:***

- Include information about sources of GHGs associated with the LRT alternative, any updated modeling results, and implications of TOD on GHG emissions in the FEIS.

*Mobile Source Air Toxics*

While the project may decrease concentrations of mobile source air toxics (MSATs) in the area as a result of increased transit ridership and lower automobile use, localized MSAT impacts may result from increased congestion at intersections whose level of service would decline as a result of the project. 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 MSAT 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.

**Water Quality**

The DEIS states that the study area drains indirectly to Ballona Creek and Dominguez Creek. It also states that Ballona Creek is a Clean Water Act (CWA) 303(d) listed impaired water body, but the DEIS contains an incomplete list of pollutants. Ballona Creek is currently CWA 303(d) listed as an impaired waterbody for coliform bacteria, dissolved copper, cyanide, lead, selenium, toxicity, trash, viruses (enteric), and zinc. Ballona Creek is no longer impaired by cadmium. Dominguez Creek (lined portion above Vermont Avenue) is CWA 303(d) listed for ammonia, copper, diazinon, indicator bacteria, lead, toxicity, and zinc. This updated information should be included in the FEIS.

Considering the existing impairment of these local water bodies, EPA encourages aggressive efforts to manage stormwater runoff to minimize additional introduction of pollutants. EPA also encourages implementation of "green infrastructure" in onsite stormwater management. "Green infrastructure" mimics natural systems by absorbing stormwater into the ground (infiltration), using trees and other natural vegetation to convert it to water vapor (evapotranspiration), and using rain barrels or cisterns to capture and reuse stormwater. These natural processes manage stormwater runoff in a way that maintains or restores the site's natural hydrology. Features such as bioretention areas, vegetated swales, porous pavement, and filter strips can serve as both stormwater treatment and visual enhancements in station areas. More detailed information on these forms of "green infrastructure" can be found at http://cfpub.epa.gov/npdes/home.cfm?program_id=298.

***Recommendations:***

- Include current CWA 303(d) impairment information in the FEIS.
- Implement aggressive stormwater management, including green infrastructure where possible and identify commitments to specific stormwater management techniques in the FEIS.