



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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**Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the
Proposed West Santa Ana Branch Transit Corridor Project
(Proposed Project) (SCH No.: 2017061007)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Los Angeles County Metropolitan Transportation Authority (Metro) is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include the CEQA air quality analysis for operational impacts from freight relocation, recommended project design features and mitigation measure, and South Coast AQMD permits that the Lead Agency should include in the Final EIS/EIR.

Based on the Draft EIS/EIR, the Proposed Project consists of construction of a 20-mile light rail transit system with up to 12 stations. The overall purpose of the Proposed Project is to provide high-quality and reliable transit service to meet the future mobility and connectivity needs of communities in southeastern Los Angeles County. The Proposed Project encompasses 98 square miles and includes three designated AB 617 communities: 1) East Los Angeles, Boyle Heights, West Commerce, 2) Southeast Los Angeles, and 3) South Los Angeles. The Draft EIS/EIR evaluated four Build Alternatives for the Proposed Project and identified Alternative 3 as the preferred Build Alternative for the Proposed Project. Construction is anticipated to begin in 2022 and will be completed in 2028¹. Once operational, the Proposed Project is anticipated to reduce between 70,800 to 437,800 vehicle miles traveled (VMT) in the analysis year 2042².

Based on a review of the Draft EIS/EIR and supporting technical documents, South Coast AQMD staff has four main comments. A summary of these comments is provided as follows with additional details provided in the attachment.

1. CEQA Air Quality Analysis for Operational Impacts from Freight Relocation: The Draft EIS/EIR stated that segments of any of the Build Alternatives would require relocation and reconstruction of existing freight tracks. If any of the Build Alternatives is selected for the Proposed Project, it could bring emissions from freight activities closer to sensitive receptors. However, the Draft EIS/EIR did not provide additional information or analysis of the environmental impacts associated with this direct impact of Proposed

¹ Draft EIR. Page 4-879.

² *Ibid.* Chapter 3. Transportation. Pages 3-111 to 3-112.

Project. The Lead Agency should provide more information on freight relocation, freight activities on the relocated tracks, and analyze the direct and indirect air quality and health risk impacts from the relocated freight activities on nearby sensitive receptors in the Final EIS/EIR.

2. Recommend Project Design Features: In the Draft EIS/EIR, the Lead Agency is committed to implementing Mitigation Measure AQ-1 (Vehicle Emissions), which requires the use of on-road haul and vendor delivery trucks that meet 2010 emission standards and off-road construction equipment that meets Tier 4 emission standards. To be consistent with the provisions of the Metro Green Construction Policy, which applies to all Metro's construction activities and requires the use of next cleanest piece of equipment or vehicle, Mitigation Measure AQ-1 should be the starting point for the Proposed Project as a project design feature. Additionally, to further reduce the Proposed Project's construction emissions, if one of the Build Alternative is selected, South Coast AQMD staff recommends that the Lead Agency include new project design features in the Final EIS/EIR to require the use of zero-emission (ZE) or near-zero-emission (NZE) on-road haul trucks and Tier 4 Final or better off-road equipment during construction as they are the next cleanest construction equipment or vehicle envisioned in the Metro Green Construction Policy and are feasible to implement at the Proposed Project.
3. Additional Recommended Mitigation Measure: In the Draft EIS/EIR, the Lead Agency assumed that maximum daily truck activity would not exceed 150 hauling trucks and 100 material deliveries regardless of the Build Alternative ultimately selected and used this assumption to quantify the Proposed Project's construction emissions. South Coast AQMD staff recommends that the Lead Agency make this underlying assumption used in construction emission calculations a CEQA mitigation measure in the Final EIS/EIR.
4. Responsible Agency and South Coast AQMD Permits: In the Draft EIS/EIR, the Proposed Project's various construction and operational activities may involve the use of stationary source equipment that requires permits from South Coast AQMD. South Coast AQMD should be identified as a CEQA Responsible Agency for the Proposed Project in the Final EIS/EIR.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Air Quality Specialist, at amullins@aqmd.gov, should you have any questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
LAC210803-11
Control Number

ATTACHMENT**South Coast AQMD Staff's Summary of Air Quality Analysis in the Draft EIS/EIR**

In the Air Quality Analysis Section of the Draft EIS/EIR, the Lead Agency quantified the Proposed Project's maximum daily construction emissions and also quantified maximum daily operational emissions with and without the Proposed Project in future analysis year 2042. The Lead Agency compared both construction and operational emissions to South Coast AQMD's recommended regional air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be significant if Build Alternatives 1 or 2 is selected as the Proposed Project, with an estimated 118 pounds per day (lbs/day) of NOx emissions³, which is above South Coast AQMD's CEQA significance threshold for regional construction NOx emissions at 100 lbs/day. Mitigation Measure AQ-1 would require the use of on-road diesel-fueled haul and vendor delivery trucks to meet 2010 emission standards to reduce construction-related NOx emissions; however, the Lead Agency found that Build Alternatives 1 and 2 would still result in significant and unavoidable air quality impacts with NOx emissions at 118 lbs/day during construction⁴. The Lead Agency also found that since the Proposed Project would reduce regional daily VMT, the Proposed Project's regional operational impacts in future analysis year 2042 for all Build Alternatives would result in a net reduction of regional emissions compared to the future analysis year without the Proposed Project. Therefore, regional operational air quality impacts for all Build Alternatives were found to be less than significant⁵.

In the Draft EIS/EIR, the Lead Agency also quantified the Proposed Project's localized construction emissions and compared them to the applicable South Coast AQMD's localized significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's localized construction air quality impacts would be less than significant⁶.

South Coast AQMD staff's detailed comments on the CEQA air quality impacts analysis is provided as follows.

1. CEQA Air Quality Analysis for Operational Impacts from Freight Relocation

Based on the Draft EIS/EIR, approximately 8.1 miles of Build Alternatives 1, 2, and 3 and approximately 1.3 miles of Build Alternative 4 would require relocation and reconstruction of existing freight rail tracks⁷. The relocations would only differ by a few feet and would remain within the rail right-of-way, resulting in the freight tracks being relocated in proximity to sensitive receptors (i.e. residential units) at two locations, and at one of the locations, freight tracks would be brought within 50 feet from inhabited structures⁸. The Proposed Project is located in a densely populated area that includes three designated AB 617 communities. If any of the Build Alternatives is selected for the Proposed Project, relocation of freight rail tracks, which is a direct impact of the Proposed Project, has the potential to bring emissions from freight activities closer to sensitive receptors. Sensitive receptors are people that have an increased

³ Draft EIR. Appendix J Air Quality. Pages 7-6 to 7-10

⁴ *Ibid.*

⁵ Draft EIR. Chapter 4, Section 4.5. Air Quality. Pages 4-210 to 4-214.

⁶ *Ibid.* Appendix J Air Quality. Pages 7-18 to 7-22.

⁷ *Ibid.* Page 4-609.

⁸ Draft EIS/EIR. Chapter 4, Section 4.7 Noise and Vibration. Page 4-254.

sensitivity to air pollution or environmental contaminants. Therefore, the environmental impacts associated with freight activities occurring at the relocation sites should be analyzed and disclosed in the Final EIS/EIR. The Lead Agency should provide more information on freight relocation and freight activities and analyze the direct and indirect air quality and health risk impacts from the relocated freight activities on nearby sensitive receptors in the Final EIS/EIR. If the direct and indirect air quality and health risk impacts from freight relocation are not included in the Final EIS/EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record.

2. **Recommended Project Design Features**

In the Draft EIS/EIR, the Lead Agency is committed to complying with the Metro Green Construction Policy. To further reduce emissions from off-road and on-road construction equipment during construction of Build Alternatives 1 and 2, the Lead Agency also committed to implementing Mitigation Measure AQ-1 (Vehicle Emissions), which requires the use of off-road construction equipment that meets Tier 4 emission standards and on-road construction haul and vendor delivery trucks that meet 2010 emission standards.

The Metro Green Construction Policy applies to all Metro's construction activities such as those for the Proposed Project's Build Alternatives, and the Policy requires the use of next cleanest piece of equipment or vehicle⁹. To be consistent with the Metro Green Construction Policy, South Coast AQMD staff recommends that the Lead Agency make the requirements outlined in Mitigation Measure AQ-1 the starting point for the Proposed Project. Additionally, to further reduce the Proposed Project's construction emissions, if one of the Build Alternative is selected, South Coast AQMD staff recommends that the Lead Agency include new project design features in the Final EIS/EIR to require the use of zero-emission (ZE) or near-zero-emission (NZE) on-road haul trucks and Tier 4 Final or better off-road equipment during construction as they are the next cleanest construction equipment or vehicle envisioned in the Metro Green Construction Policy and are feasible to implement during construction of the Proposed Project. The recommended additions and changes to Mitigation Measure AQ-1 are shown in underline and ~~strikethrough~~, respectively.

Mitigation Measure Project Design Feature AQ-1 (Vehicle Emissions):

- Require the use of zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks (e.g. material or soil import/export trucks) such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹⁰ and the Heavy-Duty Low NOx Omnibus Regulation¹¹, ZE and NZE trucks will become increasingly more available

⁹ Los Angeles County Metropolitan Transportation Authority. July 21, 2011. Green Construction Policy. Accessed at: [Green Construction Policy.pdf \(metro.net\)](#).

¹⁰ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹¹ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus

to use, especially during the construction lifetime of the Proposed Project, which begins in 2022 and is anticipated to end in 2028. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require On-road vehicles registered with the California Air Resource Board's 2010 engine emissions standards¹² of 0.01 grams per brake horsepower-hour (g/bhp-hr) of particulate matter and 0.2 g/bhp-hr of nitrogen oxide emissions would be used during construction. Include these truck requirements in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance. Operators would maintain records of all trucks associated with project construction to document that each truck used meets these emissions standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

- Additionally, require that all Off road vehicles or equipment greater than 50 horsepower (hp) shall would meet Tier 4 Final emission standards requirements, or better (e.g. near-zero emissions, or zero-emissions) at a minimum. Include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification shall be available upon request at the time of mobilization of each applicable unit of equipment. Require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance. In the event that construction equipment cannot meet the Tier 4 Final or better engine certification, the project representative or contractor must demonstrate through future studies with written findings supported by substantial evidence that is approved by the lead agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim or reduction in the number and/or horsepower rating of construction equipment and/or limiting the number of construction equipment operating at the same time. All equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their contractor(s) should be made available for inspection and remain on-site for a period of at least two years from completion of construction.

Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹² CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

- The Lead Agency should include and identify sufficient electricity supplies and necessary infrastructures to support the use of ZE or NZE technologies in the Final EIS/EIR, where appropriate.

3. Additional Recommended Mitigation Measure

In the Draft EIS/EIR, the Lead Agency assumed that, “[...] maximum daily truck activity would not exceed 150 hauling trucks and 100 material deliveries” during the Proposed Project’s construction, regardless of Build Alternative selected¹³. This underlying assumption was used by the Lead Agency to quantify the Proposed Project’s maximum daily construction emissions. Additionally, each Build Alternative is unique. For example, each Build Alternative will require different amounts of soil import and export ranging from 7,000 cubic yards of soil export to over 1,000,000 cubic yards of soil export¹⁴. To ensure that the Proposed Project’s construction emissions from truck trips associated with soil hauling and material deliveries are not underestimated, if a Build Alternative is selected, South Coast AQMD staff recommends that the Lead Agency incorporate a new condition or mitigation measure in the Final EIS/EIR that will limit the amount of maximum daily truck activity to no more than 150 daily haul trucks and 100 daily material deliveries along the Proposed Project’s corridor, regardless of Build Alternative.

4. Responsible Agency and South Coast AQMD Permits

In the Draft EIS/EIR, Build Alternatives 1 and 2 will include underground construction activities which would involve a tunnel boring machine (TBM)¹⁵. TBMs are used to cut through rock and may require additional equipment such as a blending plant and storage silos, both of which require permits from South Coast AQMD. Additionally, the Proposed Project will include operation of one Maintenance and Storage Facility (MSF) that will house a traction power substation and a paint and body shop¹⁶. If stationary generators or coating spray booths are used during the MSF’s operation, permits from South Coast AQMD are required. Therefore, the Final EIS/EIR should identify South Coast AQMD as a CEQA Responsible Agency for the Proposed Project. Any assumptions used in the Final EIS/EIR will be used as the basis for permit conditions and limits for the Proposed Project. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology is being used by South Coast AQMD for determining operational health risks for permitting applications and also for all CEQA projects where South Coast AQMD is the Lead Agency. Please contact South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD’s webpage at: <http://www.aqmd.gov/home/permits>.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIS/EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will

¹³ Draft EIR. Appendix J Air Quality. Page 7-4.

¹⁴ *Ibid.*

¹⁵ Draft EIS/EIR Chapter 4. Affected Environment and Environmental Consequences. Page 4-610.

¹⁶ Draft EIS/EIR. Chapter 2. Project Description. Page 2-46.

not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the finding that the recommended project design features and additional mitigation measure are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIS/EIR (CEQA Guidelines Section 15091).