

## Environmental Subject Working Group

March 31, 2009

Commerce City Hall, Emergency Operations Center

# MEETING SUMMARY

## INTRODUCTION

On Tuesday, March 31, 2009, the I-710 Project Team met with the Environmental Subject Working Group (ESWG) at Commerce City Hall.

The meeting was attended by 25 individuals, including five officially designated members of the ESWG, nine interested members of the public, and 11 representatives of the I-710 Project Team.

ESWG members in attendance were Frances Keeler (Future Ports), Angelo Logan (Commerce LAC), David Randall (Montebello Unified School District), Clara Solis (East LA LAC), and Susan Ahn (Long Beach Unified School District). Other meeting attendees included Elina Green, Andrea Hricko, Liz Garcia (City of Commerce), Jose Zambrano (Commerce LAC), Paul Simon (LA County Public Health), Jennifer Lucky (Human Impact Partners), Ian MacMillan (Los Angeles Unified School District), Serena Lin (LAFLA), and Robert Cabrales (Communities for a Better Environment).

In attendance from the Project Team were Julia Lester and Mo Arellanes (ENVIRON); Jayna Goodman (LSA); Mark Sillings, Pat McLaughlin, and Jesse Froehlich (MIG); Jack Waldron (URS); Devon Cichoski and Adrian Alvarez (Metro); Jerry Wood (GCCOG); and Brian Manor (Caltrans).

The purpose of the meeting was to:

1. Review the Air Quality / Health Risk Assessment (AQ/HRA) process with the ESWG and get their feedback on the AQ/HRA Draft Protocol, which had been provided by electronic or hard copy to all group members prior to the meeting. Julia Lester of ENVIRON was in attendance to present and facilitate feedback on the Draft Protocol. The review documents included:
  - o A cover letter introducing the purpose of the AQ/HRA and the Review Draft Protocol



Metro



- A white paper explaining project-level and cumulative AQ/HRA for the I-710 project
  - The AQ/HRA Review Draft Protocol, including an executive summary and appendices
  - Letters of response to the Review Draft Protocol from:
    - SCAQMD
    - USEPA
2. Address a list of other environmental concerns that had been brought up by the ESWG at previous meetings, including noise, construction impacts, and water management. Jayna Goodman of LSA was present to provide information related to these environmental issues.

MIG facilitator Mark Sillings called the meeting to order at 6:10 pm, and thanked participants for attending. After a round of self-introductions, Mr. Sillings reviewed the meeting agenda, noting that the Project Team would be seeking the group's feedback on the AQ/HRA Draft Review Protocol during the meeting. Group members were also encouraged to submit comments in writing to Julia Lester by April 6.

Mr. Sillings then gave a brief recap of items covered at the previous meeting of the ESWG on February 19, including GCCOG's Air Quality Action Plan, an AQ/HRA status report, and an overview of alternative technologies as they relate to air quality. Mr. Sillings also reviewed the other handouts participants had been given, including the Subject Working Group Charge and a graphic illustrating the flow of information among groups as part of the I-710 EIR/EIS public outreach and decision-making processes.

One participant raised a question regarding the flow of information, indicating that, according to the graphic, the ESWG's feedback would be filtered through the TAC, CAC, and possibly the LACs before reaching the Project Committee. Mr. Sillings and Ms. Lester explained that the feedback from tonight's meeting would be used to inform team and committee discussion of the AQ/HRA Draft Protocol, but that the SWG could also present findings to the CAC to help frame that group's recommendations to the Project Committee.

A general concern was expressed as to how various issues that had been raised in the Tier 2 Report and subsequently at scoping meetings would be incorporated into the process. Jayna Goodman explained that each of those concerns had been assigned to the appropriate technical experts for study, and disposition would be reported on as part of the Draft EIR/EIS analysis process. Those issues related to EIR/EIS categories will be addressed in the Draft EIR/EIS. Issues that do not fall under the purview of the project will be described in a report, along with an explanation of why they are not included in the Draft EIR/EIS document. A follow-up concern was raised that comments may not be captured with enough detail in summary documents.

## **AQ/HRA PROTOCOLS DISCUSSION**

Ms. Lester gave a PowerPoint presentation outlining the development and status of the AQ/HRA Draft Protocol, also referring participants to their own printed handouts of the presentation. She clarified that the purpose of the presentation was not to go through the Protocol item-by-item (as had been done at the previous ESWG meeting), but rather to

highlight which elements are included in the Draft Protocol as part of the AQ/HRA process (consistent with the Caltrans Standard Environmental Reference (SER) and the proposed I-710 Project full dispersion modeling of air quality and health risk); and those elements which are currently not included, but have been requested for inclusion and/or consideration by SCAQMD and USEPA Region IX staff in their responses to the Review Draft. Ms. Lester also emphasized that Caltrans and the other funding partners had not yet reached a decision regarding additional elements still under consideration for possible inclusion in the Draft Protocol, and that the Project Team was seeking the group's input related to these items both at the meeting, and in writing by April 6. Ms. Lester encouraged participants to ask questions and provide feedback throughout her presentation.

Ms. Lester reviewed areas of technical consensus in the Draft Protocol (i.e., those consistent with the Caltrans SER and proposed I-710 Project full dispersion modeling of traffic-related air quality and health risk), emphasizing that the current elements slated for analysis are enough to allow the Technical Team to move forward with the AQ/HRA analyses, and in fact, represent more analysis than has been done in the past for Caltrans freeway projects.

Ms. Lester also reviewed two other categories of elements: (1) those *not* included in the Protocol and (2) those still under discussion, which were identified in the comments from SCAQMD and USEPA Region IX staff on the Review Draft. Ms. Lester again noted that Caltrans has not formally responded to SCAQMD's and USEPA's requests. It is anticipated that in some cases, it will not be possible to address specific elements requested for inclusion in the AQ/HRA (for example, quantitative analysis of monetary impacts/benefits associated with changes in project-specific PM<sub>2.5</sub> concentrations) due to technical limitations for studying these elements on a project-specific basis. She stated that other elements not yet included but still under discussion can be added to the Protocol at a later date if Caltrans makes a decision to include the additional analysis (or analyses). Caltrans' decisions will be shared with the ESWG when they are drafted.

The group's primary topics of concern and discussion related to the AQ/HRA Draft Protocol included:

### ***Public Access to Caltrans Decisionmakers***

Some of those present expressed concern over the lack of opportunity for public scrutiny of the Caltrans decision making process, specifically for determining significance thresholds for air pollutants. Individual commenters expressed the view that Caltrans lacks in-depth knowledge of emerging science related to air quality issues (such as ultrafine particulate matter), and that there are no public venues similar to a Port Commission where decisionmakers can be presented with and educated on important scientific information. One participant expressed concern over a letter in which Caltrans stated they would not complete an AQ/HRA for a project because they did not believe nearby homes (within 100 feet of the project) were at risk.

MIG facilitator Pat McLaughlin suggested inviting Ron Kosinski, Caltrans District 7 Deputy District Director for Environmental Planning, to the next ESWG meeting as a resource to address the group's concerns. The group agreed to include a segment in their next agenda to interface with Caltrans.

### ***Significance Thresholds***

Apart from Caltrans' process for determining significance thresholds, the group was concerned that significance thresholds would not be determined prior to the AQ/HRA, and questioned the relevance of an AQ/HRA in the absence of significance thresholds. Ms. Lester clarified that with regard to the AQ/HRA, the Draft Protocol provides a blueprint for the technical process and that significance would be determined by the lead agency during the EIR/EIS process, based on the results in the AQ/HRA reports.

Ms. Lester also restated that the goal of the Draft Protocol review process is to “freeze” (or hold constant) the consensus items (i.e., those consistent with the Caltrans SER and proposed I-710 Project full dispersion modeling of traffic-related air quality and health risk) so that the Technical Team can begin analysis of the required elements. Most elements not included as proposed analyses—including those raised in air agency and ESWG comments—will remain under discussion. Additional elements can be incorporated into the Draft Protocol if Caltrans, in consultation with the other funding partners, decides to incorporate them as additional analyses.

### ***Construction Impacts***

There was considerable discussion relating to the importance of analyzing construction impacts in the AQ/HRA, particularly for a project of this scale and the expected duration of construction. Issues of concern include phasing, lane closures, slowing, and arterial impacts; and the effects of all of these aspects on air quality and other measures of human and environmental health. Full dispersion modeling of construction activity air quality and health risk impacts is currently not included in the Draft Protocol. Ms. Lester explained that Caltrans has not yet decided whether to include this level of analysis of construction impacts in the analysis, but that this item is under discussion. Ms. Lester did point out that the I-710 Project is different from other types of projects discussed since it depends on funding and other factors that have not been decided upon yet. This uncertainty related to timing limits the ability to define the construction activities sufficiently to conduct the type of analysis raised in the comments.

There was a request for more clarity as to how construction impacts will be considered in the EIR/EIS, if they are not studied in the AQ/HRA. Some indicated that more clarity is needed regarding the relationship between the AQ/HRA and the EIR/EIS processes, and what is included in each.

### ***Timeline for Feedback***

Some expressed concern that the April 6 deadline for feedback did not offer adequate time to review the relevant information and give quality feedback. Ms. Lester clarified that the Draft Protocol will remain a draft throughout the AQ/HRA development process, with the potential to be modified at any time in the process if there is consensus that new regulations or information warrant additions. The April 6 deadline is intended for reaching consensus on the elements already proposed in the Draft Protocol, to allow the Technical Team to move forward with the analysis of elements that are required for the study. “Freezing” (or holding constant) the proposed elements of the draft Protocol will allow the Technical Team to proceed with required analyses while the additional analyses raised in comments are discussed and considered.

The Project Team agreed to produce a timeline of project benchmarks, including completion of the AQ/HRA and the EIR/EIS.

### ***Specific Requests Related to the AQ/HRA Draft Protocol***

The group requested the following specific technical comments on the AQ/HRA Draft Protocol:

- Provide specifics of how new 8-hour Reference Exposure Levels (RELs) will be treated in the AQ/HRA if current modeling techniques don't reflect updates to the RELs.
- Report baseline isopleths and projected isopleths in addition to the differential isopleths that are currently emphasized in the Protocol.

ENVIRON will review these requests and report back to the group.

### ***Other Comments and Concerns***

- Clarification was sought as to whether the AQ/HRA is the only vehicle for air quality assessment to be included in the EIR/EIS. Ms. Lester explained that the AQ/HRA includes all of the standard required studies, and potentially more, depending on Caltrans' decisions on the additional elements requested for inclusion. The purpose of the Draft Protocol review process is to increase consensus on the technical approach to the analyses proposed for the AQ/HRA.
- The question was raised as to how certain elements that are required for analysis under CEQA/NEPA could be excluded from the AQ/HRA. Ms. Lester explained that the lead agency, Caltrans, has a Standard Environmental Reference (SER) that details the types of analyses to be included in the CEQA/NEPA analysis of Caltrans roadway projects. In addition, Ms. Lester noted that CEQA/NEPA specifies that there must be a sound scientific basis and methodology for studying elements in the project-specific context.
- More detail was requested on whether the analysis would include consideration of demographic or population issues. Ms. Lester noted that population issues are addressed in the assessment of incremental cancer burden for the alternatives. The group requested more discussion on this issue in future meetings.
- A participant representing Human Impact Partners offered to arrange a 45-minute presentation to the ESWG on current environmental issues, including science and findings that they believe need to be considered as part of the I-710 Corridor Project EIR/EIS.

Ms. Lester concluded by encouraging group members and members of the public to submit additional comments to her in writing by April 6. She emphasized that comments will be accepted in all forms – formal letters are not required. Email and bullet point comments are sufficient and will assist ENVIRON in reviewing and responding before the Project Committee meeting.

### **NEXT STEPS**

Because of the depth of conversation related to the AQ/HRA Draft Protocol, the group decided to defer discussion of follow-up items related the level of analysis on specific environmental impacts such as noise. The group expressed a desire to meet again before the April 16 CAC

meeting to discuss these items, and others. The group tentatively agreed to meet on Monday, April 13 in the same location, from 6:00 – 9:00 pm (a three-hour meeting) to allow more time for discussion.

The April 13 meeting agenda will include:

- A continuation item on specific approaches and considerations related to environmental issues such as noise, light, visual/aesthetic concerns, economic/social impacts and other environmental impacts. LSA will make a presentation and answer questions.
- Discussion of Caltrans-related policy issues (e.g. significance threshold determination, modeling analysis of construction impacts, ultrafines, quantification of PM2.5 mortality impacts, etc.,) directly with Ron Kosinski or other Caltrans representatives
- Process for presenting ESWG comments or other communication to the CAC
- There was also discussion of and general concurrence by participants that an extended meeting time could accommodate the proposed presentation on emerging scientific findings that could inform the AQ/HRA and EIR/EIS.

Mr. Sillings adjourned the meeting at 8:20 p.m.