

GATEWAY CITIES COUNCIL OF GOVERNMENTS
Environmental Committee
Meeting Minutes

Wednesday, October 26, 2011
6:00 - 8:30 p.m. Meeting

Gateway Cities Council of Governments
16401 Paramount Boulevard, 2nd Floor Conference Room
Paramount, California

I. CALL TO ORDER

Chairman Bill DeWitt called the meeting to order at 6:11 PM.

II. ROLL CALL – BY SELF INTRODUCTIONS

Roll call was taken by self-introduction.

COMMITTEE MEMBERS PRESENT: Chairman Bill DeWitt – City of South Gate; Steve Lefever – Planning Directors Committee Representative (City of South Gate); Elizabeth Warren – FuturePorts; Craig Wong – representing Ron Arias, City of Long Beach Health and Human Services Department; Judith Mitchell – South Coast Air Quality Management District Board; Adrian Martinez– Natural Resources Defense Council; Jorge Rifa – City Managers Committee Liaison (City of Commerce); TL Garrett - Pacific Marine Shipping Association; Douglas Drummond – Port of Long Beach Commissioner; Jesse Marquez – representing Angelo Logan – AQAP Advisory Roundtable Liaison (East Yard Communities for Environmental Justice); Luis Cabrales – AQAP Advisory Roundtable Liaison (Coalition for Clean Air); David Libatique - Port of Los Angeles Commissioner; Paul Nguyen and Elias Saikaly – representing Daniel Ojeda – AQAP Technical Roundtable Liaison (City of Lynwood).

COMMITTEE MEMBERS ABSENT

Ruben Arceo – I-5 JPA Representative (City of La Mirada); Angie Castro – representing Supervisor Gloria Molina; and Karly Katona, Representing Supervisor Mark Ridley-Thomas; Steve Forster (City of La Mirada).

OTHERS PRESENT: LaDonna DiCamillo –BSNF Railway; Andrea Hricko – Advisory Roundtable Member, USC Keck School of Medicine; Cynthia Burch – Katten Muchin Rosenman, LLP; Jerry Wood – GCCOG Staff; Karen Heit – GCCOG Staff; Scott Broten, ICF International; Ed Carr - ICF International; Andrew Papson - ICF International; Jonathan Heller – Human Impact Partners (by webinar); Susan DeSantis – Arellano Associates; Maria Yanez-Forgash – Arellano Associates; Elizabeth Hansburg – Arellano Associates.

III. PLEDGE OF ALLEGIANCE

Member Elizabeth Warren led the Pledge of Allegiance.

IV. AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

V. PUBLIC COMMENTS

There were no public comments.

VI. CONSENT CALENDAR

There were no additions to the meeting minutes of the September 28, 2011 meeting of the Environmental Committee. Chairman William DeWitt made a motion to receive and file the report. Member Doug Drummond seconded the motion to no objection.

VII. REPORTS

A. AQAP Status and Schedule Update – Oral Report by ICF

Overall Status, Schedule and 101 Handout Review

Scott Broten presented a Status and Schedule Update on the AQAP. He reviewed the components of the AQAP and identified those that are part of the I-710 EIR/EIS and those that are part of the GCCOG AQAP process. He presented an assessment of the work completed to date on each task and the scheduled completion dates for the tasks still in process. He paused to allow for questions, but there were no questions from the Committee. At the end of Mr. Broten's presentation, Chairman DeWitt motioned to receive and file the report. Member Steve Lefever seconded the motion to no objection.

B. AQAP Participation Framework Committees Reports – Oral Report by Arellano Associates.

Next, Susan DeSantis gave an overview of the Participation Framework and updated the Committee on the current status. She reviewed the meetings that have taken place thus far and highlighted the two Roundtable Committee meetings that are planned in the November to further discuss the recommendations in the Health Impact Assessment. The Technical Roundtable is scheduled for November 9, 2011, and the Advisory Roundtable Meeting is scheduled for November 14, 2011. Ms. DeSantis added that staff will follow up with a report to the Environmental Committee on the feedback received at the November Roundtable Meetings.

C. I-710 Construction Staging Emissions Final Report – Presentation by ICF

Ed Carr began his report on the Construction Staging Emissions. He reviewed the construction period (16 years) and segments (seven) as well as the assumptions of the model used to predict emissions, which included a close look at Alternative 6 consisting of

four freight corridor lanes and ten general purpose lanes. He discussed the assumed construction schedule, which called for a "late finish" and a moderate pace working daylight hours 20 days per month. He discussed the assumption that the construction fleet would turnover every year, which is reasonable considering the length of the project. Lastly, he clearly stated that the analysis performed did not assume the L.A. County Metropolitan Transit Authority's "Green" Construction Policy would be used.

Next Mr. Carr went over the Roadway Construction Emissions Model originally developed for use by the Sacramento AQMD and used here to predict the sum daily and monthly emissions over the seven construction periods as well as the peak daily emissions for each segment in the 16-year construction period. He also reviewed how that model had been adjusted in order to account for the length of the project, the construction vehicle turnover post-recession, and the source of construction vehicles from across the state. Next, he reviewed the emissions levels for NOx, PM10 and PM2.5 as predicted by the model relative to the Southern California AQMD significance thresholds of 100 lbs. per day. He reported that the times when the thresholds are exceeded are limited and that the major source of the PM emissions is fugitive dust generated during construction activities. Lastly he reviewed mitigation measures that could be used to reduce the emissions during the construction activities. At the conclusion of his presentation, several Environmental Committee members posed questions.

Jesse Marquez, filling in for Advisory Roundtable Liaison Member Angelo Logan, asked about the cumulative effect of the emissions from the 710 Project combined with those of other projects that could be built concurrent with the 710 expansion including Port of Long Beach's expansion of Pier S, proposed concrete block facility, and SCIG. GCCOG Staff Jerry Wood responded that the analysis presented here fulfills the request of analysis for the 710 Project; he added that the cumulative effect of all construction activities would be taken up in the Gateway Cities AQAP. Advisory Roundtable Liaison Member Luis Cabrales asked a clarifying question to which Mr. Carr reconfirmed that LACMTA Green Construction Standards were not part of the assumptions used. Member Adrian Martinez asked if the Staging and Phasing Emissions Final Report would contain the projected emissions of Greenhouse Gas. Mr. Carr and Mr. Wood confirmed that it would; however, this information was not included in the PowerPoint presentation just given. Jesse Martinez asked about the impact of the emissions on the public and how those might be mitigated. He gave an example of placing air filters in school buildings in affected areas. Mr. Wood responded that this suggestion was among the recommendations that had been developed during the Roundtable meetings and is implied in recommendation #3 of the five (5) recommendations on pages 11 and 12 of the Environmental Committee Agenda Reports attached to the meeting agenda. In sum, it says that if analysis before and after construction show that emissions thresholds exceed the standards, there are planned mitigation measures to address the issue.

Referring to these same five (5) recommendations, Member Adrian Martinez asked if they were to be voted on as a group or if they would be identified individually. Chairman DeWitt responded that they to receive them as a group as part of the recommendation. Jerry Wood clarified that the staff recommendation was to identify them individually in the motion.

Chairman DeWitt requested a motion to accept the recommendations as written on the bottom of page 12. Member Doug Drummond moved, and Member T.L. Garrett seconded the motion.

Member A. Martinez asked if they were accepting the full report or the PowerPoint just presented. COG staff member J. Wood responded that the Committee would be accepting the key findings as reported in the presentation but not the whole report as it has not yet been released. Member Steve Lefever clarified that by accepting the presentation, the Environmental Committee would be concurring with the findings as presented. Mr. Wood confirmed; and added that when the documents are released, everyone will be able to review them. Member Drummond added that he thinks J. Marquez's concern has been addressed in the staff report (again referring to recommendation #3 on page 12 of the attachment to the meeting agenda). Member Judith Mitchell agreed with Member Drummond's assessment that J. Marquez's concern was implicit in #3 as written, but that the following language could be added to the end of #3 in order to make it explicit: "taking into consideration impacts on surrounding communities."

Member Drummond (first) and T.L. Garrett (second) accepted Member Mitchell's friendly amendment to the motion. All the members *voted yes, with the exception of* Member A. Martinez who *voted no*. After this vote, at 7:15, Member A. Martinez left the meeting.

D. I-710 HIA Final Draft Report – Presentation by HIP

Jonathan Heller began his presentation of the HIA final draft by reviewing the public participation process that has taken place with the Technical and Advisory Roundtables and Technical Working Group. He reviewed the HIA goals and highlighted the change to Goal #3, which was to focus the connection between the health related issues discussed and the I-710 Project. Mr. Heller said that, prior to the revision the goal was to look at health related issues in the region that were beyond the scope of the I-710. While the revision does not change the analysis already completed, it incorporates the concept of proportionality as it relates to the discussion of responsibility for implementing HIA recommendations.

Next, Mr. Heller reviewed the Mobility Chapter. He emphasized active transport as a source of physical activity, which is known to improve health outcomes. He emphasized that in general, people prefer not to walk and bike along arterials. Member David Libatique asked to what degree were speed and perceived safety a factor in individuals' decisions to use active transport. Mr. Heller responded that it is a very substantial factor in decisions such as parents allowing children to ride bikes and whether or not to walk to a neighborhood store. Member Jesse Marquez asked if the HIA looked at any safety issues surrounding the draft effect of trucks zooming past pedestrians walking along truck routes. Mr. Heller said no, that the study did not consider that, nor was he aware of any studies that considered that question. Mr. Heller reviewed the existing conditions related to mobility where he mentioned that diabetes and obesity rates are higher in neighborhoods near the I-710. Chairman DeWitt asked how much higher. Mr. Heller said between 5% and 10% higher. He further clarified that diseases are complex and multi-factoral and that active transport and exercise are contributing factors, but not the only causes of these diseases. Mr. Heller continued his presentation and reviewed the predicted mobility impacts under each of the build alternatives. He also defined the assessment terms as used in the Summary Table of Health Outcomes. Mr. Heller explained that the predicted increase in traffic volume would translate to people walking and biking less, so health could be negatively impacted, but it is difficult to quantify by how much less. He said that the data regarding chronic disease is very strong, but less so for mental illness. Member T.L. Garrett asked a clarifying question about whether the predicted higher rate of traffic congestion was reflected in the

“magnitude” assessment. Mr. Heller responded no, that the predicted increased traffic congestion was reflected in the “direction” of the change, in this case negative, and that the “magnitude” represented the number of people that will be affected by that negative impact. Taken together, they reflect the anticipated negative impact of increased traffic congestion that will affect a significant portion of the population. Member Garrett acknowledged the clarification. Lastly, Mr. Heller reviewed the mobility recommendations.

Next Mr. Heller moved to the Air Quality Chapter. He identified the largest contributor to air pollution in the L.A. region as traffic emissions and the established link between air pollutants and negative health outcomes including respiratory disease. He emphasized that those living near busy roadways have a higher exposure level to air toxics, and that often, these are low-income and minority residents. Mr. Heller said that from his research, the air quality related health status in the study area near the I-710 is similar to the health status in the rest of L.A. County. Jesse Marquez took issue with this finding and said that the MATES modeling study shows residents near the I-710 have higher rates of cancer than the rest of L.A. County. Mr. Heller acknowledged that this data had recently been made available and he is incorporating it into the report. Mr. Heller noted a change to the Summary Table of Health Outcomes where the magnitude values should be changed from “Not Determined” to “Minor”. He then went over the Air Quality Recommendations, which included multi-jurisdictional planning efforts to keep sensitive receptors away from pollutant sources, use of cleaner emissions or zero emission trucks, and continued monitoring of sensitive receptor sites. If levels were found to be high and the pollutants were attributable to the 710, then recommendations call for retrofitting sensitive receptor sites. Jesse Marquez asked about incentives for truck companies to switch to cleaner trucks. Mr. Heller acknowledged this suggestion and noted its inclusion in a section of the HIA that discusses incentives for businesses.

Mr. Heller then moved to review Traffic Safety Chapter. He began by saying that he recently received additional information from Metro on the Project’s planned safety measures and is currently analyzing it. He anticipates that the conclusions regarding the individual build alternatives may change based on this new information. The findings that will remain consistent are supported in the literature, namely that traffic collisions occur in areas with higher volumes of traffic, pedestrians and bikers; therefore, any increase in traffic volume may offset the safety measures built into the project. It is not a given that traffic safety will improve. Mr. Heller then reviewed the Summary Table of Health Outcomes and the recommendations. He paused to take questions, but there were none. Chairman DeWitt gave him the go ahead to proceed with his presentation.

Mr. Heller reviewed the Jobs and Economic Development Chapter. He identified the following anticipations and uncertainties. Predicted job growth in the study area is based on the assumption that the Port of Long Beach will be fully built out. While the planned expansion of the Port will generate additional jobs, it is not known if those jobs will locate within the study area, within the Gateway Cities subregion, or farther inland. Mr. Heller said that those location choices could be influenced by congestion levels, which may be different under the build alternatives. He questioned whether the predicted increase in the number of jobs would lead to changes in health outcomes, saying that much will depend on whether the jobs generated would pay a living wage. This conclusion is based on health literature that shows the largest predictor of lifespan is income. At present, many jobs associated with warehousing and goods movement do not pay living wages; however, Alternative 6B does have the potential to generate a new sector of jobs associated with green technology, which

may be higher paying. Mr. Heller then reviewed the recommendations which include tracking the portion of jobs filled by local residents as well as providing job training for residents to prepare them for high tech, higher paying jobs, which could positively impact health in the region. After reviewing the recommendations, Mr. Heller paused to take questions. There were no questions from the Committee. Chairman DeWitt gave Mr. Heller the go ahead to continue his presentation.

Next, Mr. Heller reviewed the Neighborhood Resources Chapter. He relayed the literature findings that tie neighborhood completeness with physical activity and health outcomes. In addition, the literature shows that people's perceptions of their environment affect their decisions about walking/biking to neighborhood stores and using public recreation spaces like parks. He predicted that the increase in traffic volume on arterials will not improve residents' perceptions of their environment for people living adjacent to the freeway. He added that the expansion of the I-710 brings the possibility of improvement for areas farther away from the freeway, but the potential for a decrease in measures of social cohesion and neighborhood wealth in neighborhoods adjacent to the freeway. In sum, it is difficult to quantify the impact on neighborhood resources because much will depend on the investment or lack of investment on the part of business and government, which is difficult to predict.

Mr. Heller moved on to a brief summary of the Noise Chapter. He summarized for the Committee the federal and state standards, which advise keeping noise emissions levels below 67 dBA. He compared this standard to the World Health Organization (WHO) guideline, which is more stringent. He relayed that at the time of his analysis, the noise modeling data for the I-710 was not available and therefore his assessment is qualitative. Using the information that was available, Mr. Heller predicted that noise emission levels in the corridor would increase under all the build alternatives based on the increased traffic on arterials and at goods movement facilities. Noise emissions for the I-710 are currently being modeled and will be able to give more specific results. Mr. Heller then went over the recommendations. Jesse Marquez commented that he would like to see the Project follow the WHO standards. He advised the Council of the availability of "near-noiseless" technology such as maglev trains and hydrogen fuel cell trucks. At the end of his presentation, Mr. Heller paused for questions; none were asked. Mr. Heller then shared his thoughts on the HIA Process.

Mr. Heller took issue with the Staff Report that was sent out to Environmental Committee Members prior to the meeting because it reviews an earlier version of the HIA and many of the issues raised are ones that have already been addressed in meetings with stakeholders and the project team and will be revised in the second draft currently under revision. He also felt that the HIA process has been rushed with insufficient time given to the public engagement portion. He feels the meetings and the HIA document would be stronger if more time was allotted for stakeholder input. Lastly, Mr. Heller welcomed the idea of a peer review of the HIA but expressed concern that the process would not be an objective one if the current COG staff were charged with assembling the review panel. Mr. Heller suggested that the L.A. County Department of Public Health would be an appropriate agency to lead the peer review process.

At the conclusion of Mr. Heller's comments, Chairman DeWitt recognized two people waiting to make public comment: LaDonna DiCamillo, representing BNSF Rail and a Member of the Technical Roundtable, and Andrea Hricko, Member of the Advisory Roundtable.

Ms. DiCamillo introduced herself as a member of the TRT and an employee of BNSF Rail. She mentioned a colleague who sits on the Advisory Roundtable and is an employee of Union Pacific. She said that she and her colleagues are still working through the data and preparing comments on the HIA. She expressed concern that since the full document has not been released, it is unclear about how the conclusions were drawn. She concurred with J. Heller's assessment that the HIA process has been rushed and the document is not complete. She supports a peer review, and asked the Environmental Committee to hold off on sending the HIA to Caltrans until the final draft and a peer review are completed.

Andrea Hricko introduced herself as a public health advocate, member of the ART, and professor at the Keck School of Medicine at USC. She said the HIA process is important because there are impacts on the health of the residents living near that I-710 that are beyond the scope of the EIR/EIS and will not be considered except in the HIA. She said that the Project Committee wanted the HIA to be part of the I-710 EIR/EIS, but that the COG staff changed the meeting minutes and took it out because of concern that it would slow down the EIR process. She expressed concern that the COG staff is manipulating the public process in an effort to accelerate completion of the EIR.

Chairman DeWitt then resumed speaking. He said that this is the first time that a study like this is being done in the United States, and that it is attempting to bring together people on opposite sides of the spectrum: those that are corridor builders and truckers and think the highway should be expanded without regard to public health and those that would like all the health issues in the County to be paid for by the Project. He expressed his desire to see the process move forward and his confidence in the peer review process.

Environmental Committee member T.L. Garrett proposed a reordering and alternative language to the Recommended Actions contained in the Staff Report on page 17 of the Environmental Committee Agenda Reports attached to the meeting's agenda. His alternate language proposed referring to the "final draft" as a "preliminary draft" and to limit the submission to the project team and Caltrans to "informational purposes only." After some discussion, T.L. Garrett made a motion to change the language as he described. Member Judith Mitchell seconded the motion. At that time, Member Jorge Rifa made a friendly amendment to Mr. Garrett's motion to refer to the "final draft", not as a "preliminary draft" as Mr. Garrett proposed, but as a "work product" in light of the fact that all agreed that the HIA was not complete. Mr. Garrett asked if at the end of the peer review process, the HIA could be called a draft. Mr. Rifa said that could be discussed once it was completed. Mr. Garrett said he was amenable to Mr. Rifa's friendly amendment to his proposed language; i.e. using the term "work product" instead of "preliminary draft".

Jesse Marquez made a substitute motion to continue the discussion and place the item on the next meeting's agenda on November 30th. Member Luis Cabrales seconded Mr. Marquez's substitute motion, saying there are too many open-ended questions and information unavailable to make a final decision at this time. The Committee then had an informal show of hands indicating support for continuing the item until the next meeting. Mr. Garrett asked COG staff if the Committee failed to make a recommendation at this meeting if it would delay the consideration of the HIA by other groups. COG staff member Karen Heit confirmed that yes, if the Environmental Committee failed to take action that the process to get the document to Caltrans would be delayed.

Andrea Hricko interjected and expressed concern that the Environmental Committee had not discussed the peer review and who would be on the peer review committee. Chairman DeWitt confirmed that the Committee had discussed it. He then called for a show of hands on the motion to continue the decision to the next meeting. At this time there were three (3) in favor and seven (7) opposed. Chairman DeWitt acknowledged that the motion had failed and motioned that the Committee would now return to Mr. Garrett's motion to change the language. Member Elizabeth Warren seconded Chairman DeWitt's motion.

The Committee then returned to discussing Mr. Garrett's motion and the proposed change of language. Member David Libatique questioned why the HIA needed to be sent to Caltrans. Mr. Garrett said that Caltrans wanted to see and review the HIA. COG staff member Jerry Wood expressed support for Mr. Garrett's change to the Staff Recommended Actions and confirmed Caltrans' desire to review the HIA. He stated that the Gateway Cities will decide who will be on the peer review committee, and that it will be an open and transparent process. He also acknowledged that the HIA process had been fast moving and reminded the Environmental Committee of the Project Committee's request to have the HIA available to be considered by Caltrans for inclusion in the I-710 EIR/EIR process.

At this time, Andrea Hricko interjected for a second time, expressing the need for the peer review process to be independent. She said that no one who has been involved in the HIA to date should be involved in the peer review process, herself and COG staff included. She said it would be inappropriate for the COG staff to choose the people who will sit on the peer review committee.

Member Luis Cabrales expressed a desire to see Mr. Garrett's amended language in writing. Chairman DeWitt suggested the Committee recess to make copies of Mr. Garrett's proposed language. The group recessed for five (5) minutes.

Upon return, the Committee members reviewed Mr. Garrett's proposed language. Member Luis Cabrales asked if Caltrans and the peer review committee would receive the comments and input of the TWG, TRT and ART. Mr. Garrett and Mr. Wood confirmed that they would. Mr. Rifa confirmed that once the peer review is completed, it will be forwarded to Caltrans also. Luis Cabrales made a friendly amendment to Mr. Garrett's language to insert the word "independent" before "Peer Review" in item "a." Mr. Libatique made a friendly amendment to add "by decision of the COG Board, the final HIA Report may be submitted to Caltrans" to the end of item "c." in Mr. Garrett's proposed language. Mr. Garrett accepted the friendly amendments to the motion. Chairman DeWitt called for a vote, which passed without objection. The amended language for the Recommended Actions contained in the Staff Report on page 17 of the Environmental Committee Agenda Reports reads as follows:

- a. Authorize an independent Peer Review process (as outlined in the COG staff report) of the work product Health Impact Assessment (HIA) prepared by Human Impact Partners, and;
- b. This Peer Review shall include inputs and comments from the TWG and the Roundtables Committees, and;
- c. At the conclusion of the Peer Review, a final draft HIA report that shall be produced and submitted to the COG Board for consideration, and by decision of the COG Board may be submitted to Caltrans, and;

- d. The work product HIA report to be Peer Reviewed, may be forwarded to the I-710 Project Team and Caltrans prior to finalization and for informational purposes only.

E. COG Engineer's Report– Oral Report by Jerry Wood

Mr. Wood took questions at the podium regarding the HIA process going forward. LaDonna DiCamillo then asked exactly what would be submitted to Caltrans. Mr. Wood and Committee Member Garrett said it would be the whole HIA report once HIP has completed it, plus the Staff Report and the work of the TWG, TRT and ART. Mr. Marquez expressed concern that documents criticizing the HIA should not be forwarded to the peer review committee because they are not qualified to make judgments. Member Libatique asked if the full report or the PowerPoint presentations were being forwarded to Caltrans. Mr. Wood said it would be the whole report once completed. Mr. Libatique asked if the full report was available now. Mr. Wood said no, that it will be available once the I-710 EIR/EIS draft is in circulation.

VIII. MEETING SCHEDULE REVIEW

Chairman DeWitt confirmed that the next meeting of the Environmental Committee will be in January 2012, but the date is yet to be confirmed.

IX. COMMENTS FROM ENVIRONMENTAL COMMITTEE CHAIR OR MEMBERS

Member Luis Cabrales expressed concern that the Committee had not decided how to select the members of the peer review committee. Chairman DeWitt said that it would be considered at the next meeting of the Environmental Committee in January. Jesse Marquez requested an additional chapter be added to the HIA considering the socioeconomic impact of the expanded I-710, including a cost-benefit analysis to look at the costs of maintenance. Chairman DeWitt expressed doubt that resources are available to incorporate an analysis of that magnitude. Mr. Wood suggested that Mr. Marquez put the request in writing to be forwarded to the peer review committee. Although not a Committee Member, Andrea Hricko addressed a question to Mr. Heller asking if the HRA data showing elevated cancer rates in near-roadway neighborhoods was being presented in the HIA. Mr. Heller confirmed receipt of the HRA data.

X. ADJOURNMENT

The meeting adjourned at 9:21 PM.