

GATEWAY CITIES COUNCIL OF GOVERNMENTS

Environmental Committee

AGENDA

*Wednesday, January 25, 2012
7:00 - 8:30 p.m. Meeting*

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

STAFF REPORTS AND OTHER WRITTEN DOCUMENTS ARE AVAILABLE IN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS OFFICES, 16401 PARAMOUNT BOULEVARD, PARAMOUNT, CALIFORNIA. ANY PERSON HAVING QUESTIONS CONCERNING ANY AGENDA ITEM MAY CALL THE COG STAFF AT (562) 663-6850.

FOR YOUR INFORMATION: The Environmental Committee will hear from the public on any item on the agenda or an item of interest that is not on the agenda. The Environmental Committee cannot take action on any item not scheduled on the agenda. These items may be referred for administrative action or scheduled on a future agenda. Comments are to be limited to three minutes for each speaker, unless extended by the Environmental Committee, and each speaker will only have one opportunity to speak on any one topic. You have the opportunity to address the Environmental Committee at the following times:

- A. AGENDA ITEM: at this time the Environmental Committee considers the agenda item OR during Public Comments, and
- B. NON-AGENDA ITEMS: during Public Comments, comments will be received for a maximum 20-minute period; any additional requests will be heard following the completion of the Environmental Committee agenda; and
- C. PUBLIC HEARINGS: at the time for public hearings.

Please keep your comments brief and complete a speaker card for the Chair.

- I. **CALL TO ORDER**
- II. **ROLL CALL – BY SELF INTRODUCTIONS**

III. PLEDGE OF ALLEGIANCE

IV. AMENDMENTS TO THE AGENDA - This is the time and place to change the order of the agenda, delete or add any agenda item(s).

V. PUBLIC COMMENTS - Three minutes for each speaker.

VI. CONSENT CALENDAR

A. Minutes of the October 26, 2011 meeting of the Environmental Committee

VII. REPORTS

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

10 Min. SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

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

10 Min. SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

C. I-710 HIA Work Product Peer Review- Oral Report by Karen Heit

45 Min. SUGGESTED ACTION: CONCUR WITH THE RECOMMENDATIONS IN THE STAFF REPORT AND/OR GIVE DIRECTION TO STAFF

D. COG Engineer's Report - Oral Report by Jerry Wood

10 Min. SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

VIII. MEETING SCHEDULE REVIEW

IX. COMMENTS FROM ENVIRONMENTAL COMMITTEE CHAIR MEMBERS

X. ADJOURNMENT

NOTICE: New items will not be considered after 8:30 p.m. unless the Environmental Committee votes to extend the time limit. Any items on the agenda that are not completed will be forwarded to the next regularly scheduled Environmental Committee meeting.

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE COG OFFICE AT (562) 663-6850. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE COUNCIL OF GOVERNMENTS TO MAKE REASONABLE ARRANGEMENT TO ENSURE ACCESSIBILITY TO THIS MEETING.

CONSENT CALENDAR
ITEM A
APPROVAL OF MINUTES

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.

VII. STAFF REPORTS ITEM C

Gateway Cities Air Quality Action Plan
(AQAP)

Health Impact Assessment Peer Review
Status Report

TO: Environmental Committee
FROM: Richard, Powers, Executive Director, Gateway Cities COG
BY: **Karen Heit**, Director of Transportation, Gateway Cities COG
SUBJECT: Peer Review Process

Background

In November, the Transportation Committee approved the following action for the Final Draft Work Product HIA.

- 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. The Peer Review shall include inputs and comments from the Technical Working Group and the Round tables and Committees, and
- C. At the conclusion of the Peer Review, a final draft HIA report and the peer review reports shall be submitted to Caltrans.

The Transportation Committee also directed staff to report back on the status of the Peer Review Process.

Issue

Metro and COG staff, assisted by Arellano Associates and ICF, has been negotiating with the National Academy of Sciences to conduct a fair and impartial peer review process.

The National Academy of Sciences was established in 1863 to address the government's urgent need for an independent advisor on scientific matters. As science began to play an ever increasing role in the national priorities and public life, the National Academy of Sciences expanded to include the National Research Council in 1916, the National Academy of Engineering in 1964, and the institute of Medicine in 1970.

The National Academy of Sciences (NAS), National Academy of Engineering (NAE), and the Institute of Medicine (IOM) are private, nonprofit membership organizations that elect the nation's leading scientist, engineers, and medical professionals and engage in a wide variety of activities to advance research and knowledge in science, engineering, and medicine. Most policy studies done at the request of the government are conducted by the National Research Council (NRC), operated jointly by NAS and the NAE.

The governing board of NAS accepted the project at its January meeting (See Attachment A – Prospectus and Schedule). COG and Metro staff, along with the consultant team, will engage the Environmental Committee, as well as the Technical and Advisory Roundtables and

interested public, in a review of the proposed research questions submitted to the NAS, and receive any suggestions for the peer reviewers. This information, as well as all of the inputs received from the Environmental Committee and Roundtables, and all written correspondence, will be forwarded to the NAS for use in the peer review process. A public input session will be conducted by NAS as part of the peer review process.

Recommended Action

It is recommended that the Environmental Committee receive and file this report.

ATTACHMENT A
Prospectus, Schedule and
Peer Review Study Process Brochure

January 12, 2012

For Action

New Project

Division on Earth and Life Studies

SUMMARY DATA

PIN: TBD

REVIEW OF THE I-710 HEALTH IMPACT ASSESSMENT

Board on Environmental Studies and Toxicology (BEST)

STATEMENT OF TASK

A committee of the National Research Council (NRC) will conduct an independent review of the draft health impact assessment (HIA) for the I-710 corridor project in Southern California. The committee will prepare a brief report that addresses the following questions:

- Does the HIA use appropriate and scientifically defensible data and methods?
- On the basis of the committee's expertise, do there appear to be data or information missing from the assessment?
- Were the causal associations in the HIA between stressors and effects supported by the data?
- Are the conclusions of the HIA supported by the data?
- Are the HIA recommendations potentially effective and consistent with the project's projected health impacts?
- Were the data, methods, and conclusions presented appropriately in a clear, logical, accurate, and unbiased manner?
- Was the HIA balanced in its analyses (that is, did it weigh both positive and negative studies)?
- Has the draft HIA appropriately acknowledged and characterized uncertainties in the data, assumptions, and model results, and has it appropriately reflected such uncertainties in its findings and recommendations?
- Are the conclusions and recommendations potentially useful for health-based decision-making?

Origin: Informal request from Los Angeles County Metropolitan Transportation Authority and Gateway Cities Council of Governments

Keywords: health impact assessment, peer review, interstate improvements

FACA COMPLIANCE

Yes

TYPE OF ACTIVITY

Type: Consensus Study: ad hoc

Balance/Conflict: Yes - General Scientific and Technical Studies and Assistance

<u>Product(s)</u>	<u>Report</u> <u>Review</u>	<u>Explanation (if different</u> <u>than default)</u>
Consensus Report	Yes	

Classified: intentionally left blank

ESTIMATED COSTS AND SPONSORS

Cost:

Duration: 8 Months

Sponsors:

<u>Name</u>	<u>Potential</u>
Los Angeles County Metropolitan Transportation Authority	

Limitation: 0% from for-profit financially interested sponsors

EARLIER WORK AND COLLABORATIONS

Earlier Work:

Risk Assessment in the Federal Government: Managing the Process (BEST 1983)

Science and Judgment in Risk Assessment (BEST 1994)

Does the Built Environment Influence Physical Activity? Examining the Evidence (TRB 2005)

Metropolitan Travel Forecasting: Current Practice and Future Direction (TRB 2007)

Science and Decisions: Advancing Risk Assessment (BEST 2009)

Improving Health in the United States: The Role of Health Impact Assessment (BEST 2011)

Collaborating Units:

Major Units:

Performing Units:

Outside Collaborations:

Intentionally left blank

APPROVAL RECORD

BEST (xx/xx/2011)

DELS (xx/xx/2011)

CONTEXT

The Gateway Cities Council of Governments (GCCOG) is an organization in southern California whose mission is to improve the transportation, air quality, housing, and economic development in the region. It consists of 27 cities in southeast Los Angeles County, the County of Los Angeles, and the Port of Long Beach. In 2004, GCCOG began developing the Gateway Cities Air Quality Action Plan (AQAP), which will assess “the future air quality and health within Gateway Cities assuming air pollution improvement projects and programs occur.” One component of the AQAP is a health impact assessment (HIA) that evaluates various alternatives proposed in the I-710 Corridor Project, which seeks to reduce traffic congestion along an 18-mile stretch of this interstate. The goals of the I-710 HIA are to provide information on the adverse and beneficial health impacts of the alternatives being considered, contribute relevant information to other I-710 analyses, provide a venue for stakeholder participation, identify community health concerns, and create a model for future transportation and infrastructure HIAs.

The I-710 HIA has been drafted and reviewed by technical or advisory working groups or round tables involved in the process. Some have expressed support for the HIA and other tools that can improve understanding of health impacts in the region. A few have noted additional data that might be considered, and others have provided suggestions for improving the assessment. Several have raised concerns about the scientific basis and the presentation of some of the

findings. Others have noted that the recommendations, although worthwhile, appear to be outside the scope or might not be practical or feasible. Of particular concern is that the assessment does not allow a decision-maker to distinguish between the alternatives. Whether the comments are supportive or suggest improvements, a nearly universal comment is that the HIA be subjected to an independent peer review, particularly given the possibility that this assessment could serve as a model for other large infrastructure projects.

The National Research Council (NRC) recently released a report, *Improving Health in the United States: The Role of Health Impact Assessment*, which provided a framework and guidance for conducting HIA in the United States. One of the challenges noted in the report was the need to ensure the quality and credibility of HIA. Peer review was suggested as one approach to increasing the legitimacy of conclusions and their acceptance and utility in the decision-making process. The NRC is uniquely qualified to conduct a review, and thus the GCCOG and the Los Angeles County Metropolitan Transportation Authority have requested the NRC to conduct an independent peer review of the I-710 HIA.

Origin:

Informal request from Los Angeles County Metropolitan Transportation Authority and Gateway Cities Council of Governments

PLAN OF ACTION

Expertise Required:

exposure assessment; air-quality, noise, and traffic-safety modeling; toxicology; epidemiology; public health; health impact assessment; transportation planning/engineering; urban planning; social sciences

Consideration of Balance:

Committee members with relevant knowledge and expertise will be sought from academia, industry, consulting firms, and public interest organizations. The committee will be formed in accordance with the National Academies policies concerning conflict of interest and bias to ensure a balanced and objective review. It will also seek to achieve diversity in terms of age, gender, geographic distribution, and other factors.

Preliminary Work Plan:

The committee will hold about 2 meetings. One public meeting will be held in California to gather information from the sponsor, researchers, the public, and other interested parties. A

prepublication version of the report will be provided in 6 months, and the final version published by the National Academies Press in 8 months. Some information to be reviewed by the committee may be required to remain confidential until the report is released.

Details of Outside Collaboration:

Intentionally left blank

**TENTATIVE PROJECT SCHEDULE FOR THE
COMMITTEE TO REVIEW THE DRAFT I-710 HEALTH IMPACT ASSESSMENT**

[Assumption that contract is in place by January 16, 2012.]

January 16, 2012	Solicit recommendations for committee
Late January 2012	Submit provisional committee slate for approval
Early February 2012	Receive approval for provisional committee slate and request calendars from provisional committee members
Late March 2012	Hold first committee meeting in California; meeting would include public session to hear from sponsors and other stakeholders.
Early May 2012	Hold second committee meeting in Washington, DC
Early June 2012	Submit report to review
Mid-June 2012	Receive review comments
Early July 2012	Send final report to the committee for sign-off
Mid-July 2012	Receive sign-off by Report Review Committee
Late July 2012	Release pre-publication of committee report and hold report briefing in California
Late August 2012	Final report published by National Academies Press

interest, no individual can be appointed to serve (or continue to serve) on a committee of the institution used in the development of reports if the individual has a conflict of interest that is relevant to the functions to be performed. For more information, see the National Academies' Web site at www.national-academies.org.

Other considerations. Membership in the three Academies (NAS, NAE, IOM) and previous involvement in National Academies studies are taken into account in committee selection. The inclusion of women, minorities, and young professionals are additional considerations.

Specific steps in the committee selection and approval process are as follows:

- Staff solicit an extensive number of suggestions for potential committee members from a wide range of sources, then recommend a slate of nominees.
- Nominees are reviewed and approved at several levels within the National Academies; a provisional slate is then approved by the President of the National Academy of Sciences, who is also the Chair of the National Research Council.
- The provisional committee list is posted for public comment in the Current Projects System on the Web (<http://www4.national-academies.org/cp.nsf>).
- The provisional committee members complete background information and conflict of interest disclosure forms.
- The committee balance and conflict of interest discussion is held at the first committee meeting.
- Any conflicts of interest or issues of committee balance and expertise are investigated; changes to the committee are proposed and finalized.
- Committee is formally approved.
- Committee members continue to be screened for conflict of interest throughout the life of the committee.

STAGE 3. Committee Meetings, Information Gathering, Deliberations, and Drafting the Report

Study committees typically gather information through: 1) meetings that are open to the public and that are announced in advance through the National Academies Web site; 2) the

submission of information by outside parties; 3) reviews of the scientific literature, and 4) the investigations of the committee members and staff. In all cases, efforts are made to solicit input from individuals who have been directly involved in, or who have special knowledge of, the problem under consideration.

In accordance with federal law and with few exceptions, information-gathering meetings of the committee are open to the public, and any written materials provided to the committee by individuals who are not officials, agents, or employees of the National Academies are maintained in a public access file that is available for examination.

The committee deliberates in meetings closed to the public in order to develop draft findings and recommendations free from outside influences. The public is provided with brief summaries of these meetings that include the list of committee members present. All analyses and drafts of the report remain confidential.

STAGE 4. Report Review

As a final check on the quality and objectivity of the study, all National Academies reports—whether products of studies, summaries of workshop proceedings, or other documents—must undergo a rigorous, independent external review by experts whose comments are provided anonymously to the committee members. The National Academies recruit independent experts with a range of views and perspectives to review and comment on the draft report prepared by the committee.

The review process is structured to ensure that each report addresses its approved study charge and does not go beyond it, that the findings are supported by the scientific evidence and arguments presented, that the exposition and organization are effective, and that the report is impartial and objective.

Each committee must respond to, but need not agree with, reviewer comments in a detailed “response to review” that is examined by one or two independent report review “monitors” responsible for ensuring that the report review criteria have been satisfied. After all committee members and appropriate National Academies officials have signed off on the final report, it is transmitted to the sponsor of the study and is released to the public. Sponsors are not given an opportunity to suggest changes in reports. The names and affiliations of the report reviewers are made public when the report is released.

HOW THE PUBLIC CAN FOLLOW AND PROVIDE INPUT TO STUDIES

The Current Projects System was established with a link from the National Academies home page, www.national-academies.org, to make it easy for members of the general public with interest in the subject to follow the progress of a study and submit comments. The system offers separate views by subject and by project title.

Reports of the National Academies are available from the National Academies Press, 500 Fifth Street, NW, Washington, DC 20001 1-800-624-6242 • www.nap.edu.

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For more than 140 years, the National Academies have been advising the nation on issues of science, technology, and medicine. The 1863 Congressional charter signed by President Lincoln authorized this non-governmental institution to honor top scientists with membership and to serve the nation whenever called upon. Today the National Academies—**National Academy of Sciences, National Academy of Engineering, Institute of Medicine, and National Research Council**—continue that dual mission.

Like no other organization, the National Academies can enlist the nation's foremost scientists, engineers, health professionals, and other experts to address the scientific and technical aspects of society's most pressing problems. Each year, more than 6,000 of these experts are selected to serve on hundreds of study committees that are convened to answer specific sets of questions. All serve without pay.

Federal agencies are the primary financial sponsors of the Academies' work. Additional studies are funded by state agencies, foundations, other private sponsors, and the National Academies endowment. The Academies provide independent advice; the external sponsors have no control over the conduct of a study once the statement of task and budget are finalized. Study committees gather information from many sources in public meetings but they carry out their deliberations in private in order to avoid political, special interest, and sponsor influence.

Through this careful study process, the National Academies produce 200–300 authoritative reports each year. Recent reports cover such topics as the obesity epidemic, the use of forensics in the courtroom, invasive plants, underage drinking, the Hubble Telescope, vaccine safety, the hydrogen economy, transportation safety, climate change, and homeland security. Many reports influence policy decisions; some are instrumental in enabling new research programs; others provide program reviews.

STEPS TAKEN TO ENSURE INDEPENDENCE AND OBJECTIVITY

The reports of the National Academies are viewed as being valuable and credible because of the institution's reputation for providing independent, objective, and non-partisan advice with high standards of scientific and technical quality. Checks and balances are applied at every step in the study process to protect the integrity of the reports and to maintain public confidence in them. The study process can be broken down into four major stages: 1) defining the study; 2) committee selection and approval; 3) committee meetings, information gathering, deliberations, and drafting of the report; and 4) report review.

STAGE 1. Defining the Study

Before the committee selection process begins, National Academies' staff and members of their boards work with sponsors to determine the specific set of questions to be addressed by the study in a formal "statement of task," as well as the duration and cost of the study. The statement of task defines and bounds the scope of the study, and it serves as the basis for determining the expertise and the balance of perspectives needed on the committee.

The statement of task, work plan, and budget must be approved by the Executive Committee of the National Research Council Governing Board. This review often results in changes to the proposed task and work plan. On occasion, it results in turning down studies that the institution believes are inappropriately framed or not within its purview.

STAGE 2. Committee Selection and Approval

Selection of appropriate committee members, individually and collectively, is essential for the success of a study. All committee members serve as individual experts, not as representatives of organizations or interest groups. Each member is expected to contribute to the project on the basis of his or her own expertise and good judgment. A committee is not finally approved until a thorough balance and conflict of interest discussion is held at the first meeting, and any issues raised in that discussion or by the public are investigated and addressed.

Careful steps are taken to convene committees that meet the following criteria:

An appropriate range of expertise for the task. The committee must include experts with the specific expertise and experience needed to address the study's statement of task. One of the strengths of the National Academies is the tradition of bringing together recognized experts from diverse disciplines and backgrounds who might not otherwise collaborate. These diverse groups are encouraged to conceive new ways of thinking about a problem.

A balance of perspectives. Having the right expertise is not sufficient for success. It is also essential to evaluate the overall composition of the committee in terms of different experiences and perspectives. The goal is to ensure that the relevant points of view are, in the National Academies' judgment, reasonably balanced so that the committee can carry out its charge objectively and credibly.

POINT OF VIEW IS DIFFERENT FROM CONFLICT OF INTEREST

A point of view or bias is not necessarily a conflict of interest. Committee members are expected to have points of view, and the National Academies attempt to balance these points of view in a way deemed appropriate for the task. Committee members are asked to consider respectfully the viewpoints of other members, to reflect their own views rather than be a representative of any organization, and to base their scientific findings and conclusions on the evidence. Each committee member has the right to issue a dissenting opinion to the report if he or she disagrees with the consensus of the other members.

Screened for conflicts of interest. All provisional committee members are screened in writing and in a confidential group discussion about possible conflicts of interest. For this purpose, a "conflict of interest" means any financial or other interest which conflicts with the service of the individual because it could significantly impair the individual's objectivity or could create an unfair competitive advantage for any person or organization. The term "conflict of interest" means something more than individual bias. There must be an interest, ordinarily financial, that could be directly affected by the work of the committee. Except for those rare situations in which the National Academies determine that a conflict of interest is unavoidable and promptly and publicly disclose the conflict of

