

US EPA ARCHIVE DOCUMENT



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

Dec 16 2013

Manuel Sanchez
Federal Highway Administration
401 B Street, Suite 800
San Diego, California 92101

Subject: EPA Comments on the Final Environmental Impact Statement for Interstate 5 North Coast Corridor Project, San Diego County, California (CEQ#20130332)

Dear Mr. Sanchez:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. EPA is both a Cooperating Agency and "Participating Agency" (as defined in 23 USC 139 SAFETEA-LU and MAP-21) for this project. To facilitate timely reviews and pursue innovative strategies in the interest of environmental stewardship and project streamlining, a Working Group Communications Strategy was developed for this project and early interagency coordination through the NEPA/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU)¹ has been underway since 2003. We appreciate Caltrans' regular coordination and communication with our agency in being responsive to the recommendations we have provided for this project.

Previously, EPA reviewed the Draft and Supplemental Draft Environmental Impact Statements (DEIS), provided comments on the administrative draft of the Final EIS, and provided concurrence on the Purpose and Need, Range of Alternatives to be analyzed in the EIS, and the Least Environmentally Damaging Practicable Alternative. In our letter of October 15, 2012, we rated the DEIS as Environmental Concerns-Insufficient Information (EC-2) and recommended that the Final EIS 1) expand the indirect effects analysis for waters of the U.S., 2) confirm the scope of the impacts to waters of the U.S. beyond proximity to the lagoons and clarify the permitting and mitigation strategy for impacts to waters of the U.S., and 3) further assess and mitigate air quality-related impacts of the project. We appreciate Caltrans' on-going coordination with EPA and other resource and regulatory agencies over the past year in order to resolve many of these issues. Following our review of the Final EIS, EPA notes that many of our concerns have been addressed, and we commend Caltrans for their decision to advance work on the Batiquitos Lagoon bridge, which will reduce overall impacts to waters of the U.S. Our remaining concerns regarding analysis of Mobile Source Air Toxics are summarized below.

Mobile Source Air Toxics

Regarding Caltrans response to EPA's recommendations for MSAT analyses (Appendix H, Page H-5.1-16), EPA continues to recommend that Caltrans conduct dispersion modeling of the most significant MSATs in order to better understand MSAT impacts associated with the project, identify hotspots, and inform design and mitigation measures to reduce MSAT impacts. The results of the dispersion modeling, as well as design and mitigation measures, should be included in the Record of Decision (ROD). An analysis of changes in ambient concentration, i.e. dispersion modeling, remains necessary for the project sponsors and the public to properly understand the potential MSAT impacts and to inform design and mitigation measures. This is especially

¹ The NEPA/404 MOU for California federal aid surface transportation projects was revised in 2006. Past concurrence checkpoints (i.e., purpose and need, screening criteria, and range of alternatives) for the Proposed Project followed 1994 NEPA/404 MOU procedures.

important given that the project is an expansion of an already major freeway in close proximity to a number of residences and sensitive receptors. While MSAT emissions will be substantially decreased in the future as a result of EPA rules, the project has a significant potential to exacerbate localized MSAT impacts and shift where they occur. Expanding a roadway and moving it closer to residences can significantly increase MSAT exposure near the roadway because concentrations of MSATs drop off exponentially. Thus, design changes to avoid these hotspot impacts may have major benefits beyond what is already accomplished by EPA rules.

We appreciate the opportunity to review this Final EIS and look forward to further coordination through the remainder of the project permitting process. When the ROD is signed, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at 415-947-4161 or Clifton Meek of my staff at 415-972-3370 or meek.clifton@epa.gov.

Sincerely,

/S/

Connell Dunning, Transportation Team Supervisor
Environmental Review Office
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