

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

February 27, 2012

Ms. Olga Estrada
Environmental Analysis
Caltrans District 11
MS – 242
4050 Taylor Street
San Diego, CA 92110

Subject: EPA Comments on the Final Environmental Impact Statement for State Route 76 South Mission to Interstate 15 Highway Improvement Project (CEQ# 20120018)

Dear Ms. Estrada:

The Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Report/Environmental Impact Statement (FEIS) for the State Route 76 South Mission to Interstate 15 Highway Improvement Project 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. We note that NEPA compliance for this project has been delegated from the Federal Highway Administration (FHWA) to California Department of Transportation (Caltrans) pursuant to the *Memorandum of Understanding Between the FHWA and Caltrans Concerning the State of California's Participation in the Surface Transportation Project Delivery Pilot Program (June 2007)*.

EPA has coordinated with the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service to provide early regulatory agency input for this transportation project pursuant to the NEPA/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU). EPA appreciates the efforts of Caltrans in including EPA in the environmental impact statement development through this forum.

EPA rated the Draft Environmental Impact Statement as Environmental Concerns – Insufficient Information (EC-2) due to the need for an expanded indirect effects analysis for waters of the U.S. for each of the alternatives and to further identify avoidance and minimization opportunities for the Existing Alignment Alternative. EPA's primary concerns were resolved in the FEIS. EPA will continue to be available to provide feedback on refinements of the conceptual mitigation plan and to further assist on minimizing project impacts to environmental resources.

EPA appreciates the additional qualitative analysis provided on mobile source air toxics in the FEIS Response to Comments. While EPA is not recommending further analysis, we continue to disagree with claims in the FEIS that "...available technical tools do not enable us to predict the project-specific health impacts of the emission changes associated with implementation of the proposed project" (p. 3-237). Tools and models are available that EPA (as well as other agencies) routinely use effectively. Both EPA and California Office of Environmental Health Hazard Assessment have long-standing experience and

published, peer-reviewed guidance for evaluating long-term health effects, including cancer risk. EPA recommends that the Record of Decision update incorrect statements regarding technical shortcomings and uncertain science.

We look forward to continuing our coordination with Caltrans. If you have any questions, please contact Susan Sturges (415-947-4188) or Elizabeth Goldmann (415-972-3398), lead reviewers for this project.

Sincerely,

/s/

Connell Dunning, Transportation Team Supervisor
Environmental Review Office

CC via email:

John Chisholm, California Department of Transportation
Sally Brown, U.S. Fish and Wildlife Service
Stephanie Hall, U.S. Army Corps of Engineers
Tim Dillingham, California Department of Fish and Game
Mike Porter, California Regional Water Quality Control Board San Diego Region