APPENDIX D

PUBLIC WORKSHOP COMMENTS AND RESPONSES TO COMMENTS

12/21/99 PUBLIC WORKSHOP

COMMENTS AND RESPONSES TO COMMENTS

PUBLIC WORKSHOP – 12/21/99

Comment D1-1: Regarding transit buses, because alternative fuel transit buses cost substantially more than conventional diesel transit buses, transit agencies will have a funding short-fall when replacing buses. As a result, some transit agencies will reduce service. This could cause indirect environmental impacts from bus riders driving to their destinations rather than taking the bus.

Response D1-1: The SCAQMD has conducted research with regard to funding sources for alternative fuel buses and has identified sufficient funding sources that a funding short-fall is not anticipated for transit buses. First, it should be noted that the federal government provides 83 percent of the total funding for alternative fuel transit buses. One state funding source is the AB 2766 Subvention funds. Forty percent of the funds collected each year from a four-dollar surcharge on vehicle registration created by AB 2766 go to local governments based on a pro-rated share of the population and must be used to reduce mobile source emissions. Cities can use their funds to purchase alternative-fuel vehicles. The SCAQMD receives 30 percent of the AB 2766 funds and subvenes over $15 million each year to the cities and counties, which could also be used for alternative fuel vehicles.

Another state funding source is the Carl Moyer Program. The Carl Moyer Program provides grants for the extra capital cost of vehicles and equipment that pollute less than the current standard. The Carl Moyer Program is intended to reduce emissions primarily from equipment that has traditionally been powered by heavy-duty diesel engines.

There are also federal funding sources available that could further offset the costs of alternative fuel transit buses. The Transportation Equity Act of the 21st Century (TEA-21) includes programs that apply to alternative fuels. To receive TEA-21 funding or any federal funding, however, a project must be included in the Regional Transportation Plan (RTP). Another possible federal funding source is the Congestion Mitigation and Air Quality Improvement Program. Additional information on funding sources for transit buses is being prepared as part of the rule promulgation support documents. The analysis of potential adverse impacts does not rely in any way on this information.

Aside from funding, the Los Angeles Metropolitan Transit Authority (MTA) testified at this workshop that it has a policy currently in place regarding replacement of buses with alternative clean fuel bus. Further, MTA is unable to reduce levels of bus service because of conditions imposed on it under a federal court order. In general, based on the available funding sources, it is likely that the major transit agencies, MTA, RTA, OCTA, and Omnitrans, will be able to secure sufficient funding to make up any shortfalls from purchasing alternative clean fuel buses.

To address the issue of loss of service, the SCAQMD assumed that small transit agencies and Proposition A transit agencies (these transit agencies do not receive federal funding) in Los Angeles County would take buses out of service because of funding shortfalls. The analysis in Chapter 4 indicated that no significant adverse environmental impacts would occur from removing buses from service. For more information on the methodology, assumptions, and results the reader is referred to the indirect air quality and transportation/circulation impacts discussions in Chapter 4.

Comment D1-2: Relative to transit buses, a comment was made that funding shortfalls resulting from the higher capital costs of alternative fueled vehicles would result in transit agencies operating their diesel buses longer (longer turnover rate) than would otherwise be the case.

Response D1-2: With regard to funding, the reader is referred to the response to comment #D1-1. With regard to a longer turnover rate, the net effect would not be an adverse air quality impact; instead the potential benefits of PR 1192 would be reduced. Chapter 4 of this Draft PEA includes an analysis of the indirect air quality impacts of a longer diesel bus turnover rate. For more information on the methodology, assumptions, and results the reader is referred to the indirect air quality impacts discussion in Chapter 4.

Comment D1-3: The SCAQMD should include clarification of how PR 1190 fits into the SCAQMD's overall strategy of reducing TACs.

Response D1-3: The proposed fleet vehicle rules are one component of the SCAQMD's overall strategy for reducing risks associated with exposure to TACs from both stationary and mobile sources. Other efforts to reduce TAC emissions include recent amendments to Rule 1401 – New Sources Review of Toxic Air Contaminants, and currently proposed amendments to Rule 1402 – Control of Toxic Air Contaminants from Existing Sources. Other components may include specific incentive programs to further control TAC emissions or accelerate the phase-out of diesel particulate emissions sources. The SCAQMD is currently in the process of preparing an Air Toxics Control Plan. The Air Toxics Control Plan is expected to include a comprehensive list of strategies to control or reduce TAC emissions in the district. The proposed fleet vehicle rules, stationary source control strategies, and possibly other fleet vehicle rules are expected to be part of the Air Toxics Control Plan. For additional information on the Air Toxics Control Plan, the commentator is referred to Chapter 2 of the Draft PEA.

Comment D1-4: The SCAQMD should quantify the benefits of the proposed fleet vehicle rules.

Response D1-4: The benefits of the proposed fleet vehicle rules are provided in the direct air quality impacts discussion of Chapter 4 of this Draft PEA. Both

criteria pollutant reductions and the relative reduction in toxicity per vehicle type are identified. The reader is referred to Chapter 4 for that discussion.

Comment D1-5: The SCAQMD should consider CARB's urban transit bus rule as a project alternative.

Response D1-5: CARB adopted its urban transit bus rule on February 24. 2000. Since this rule has been adopted by CARB, it is cannot be considered a feasible alternative because affected urban transit bus fleets will be required to comply with its requirements depending on which compliance path, either clean diesel or alternative clean fuel, affected bus fleet operators choose. Adopting PR 1192 would preclude transit agencies from choosing the diesel path, however. The effects of adopting CARB's urban bus fleet rule relative to the proposed fleet vehicle rules, including PR 1192, are evaluated in Chapter 5 of the Draft PEA. Alternative B – CARB HDV Standards, not only takes into account the effects of CARB's urban transit bus rule, but similar standards for other HDVs expected to be adopted by CARB in the 2007 time frame.

Comment D1-6: The SCAQMD should analyze the relative characteristics of the various alternative fuels allowed under the proposed fleet vehicle rules compared to gasoline and diesel.

Response D1-6: Table 4-8 in Chapter 4 of this Draft PEA includes information on the relative characteristics, such as emissions, etc., between the various types of mobile source combustion fuels. The reader is, therefore, referred to that table.

Comment D1-7: There are currently no certified alternative fuel engines available for over-the-road motor coaches. Adoption of the proposed fleet vehicle rules would mean that motor coaches could not operate in the district. As a result, there could an increase of 700,000 vehicle trips per year in the district, with the associated increase in mobile source emissions.

Response D1-7: Over-the-road motor coaches are not regulated by the currently proposed fleet vehicle rules.

Comment D1-8: The proposed fleet vehicle rules will require construction of AFV refueling stations. Additional refueling stations will require additional land and may cause land use impacts.

Response D1-8: The Draft PEA includes an analysis of the additional infrastructure anticipated for each type of alternative fuel to support the conversion of affected fleets to alternative fueled vehicles (AFVs). Regarding any analysis of siting or land use issues, the NOP/IS did not identify any land use issues. The reason for this is that it is anticipated that, based on modifications to PR 1190 since the

December 21, 1999 workshop, light- and medium-duty fleet vehicles, which will be regulated by proposed Rule 1191, will not require infrastructure changes because replacement vehicles would consist of CARB-certified LEV or cleaner vehicles such as ULEVs and SULEVs as required by the proposed rule. These vehicles can operate on conventional reformulated gasoline. Further, most affected fleets typically have centralized refueling and maintenance yards where fleet vehicles are maintained, refueled, and often garaged. It is assumed that infrastructure changes such as construction of EV charging stations or natural gas compressors will largely occur at existing maintenance and refueling sites. If AFV refueling stations must be constructed at sites other than existing maintenance and refueling sites, it is anticipated that they will be sited in appropriately zoned areas, which are not expected to require changes to existing zoning ordinances. At the December 21, 1999 workshop for PR 1190, a representative from Pickens Fuel Corporation testified that they had built five natural gas refueling stations in 1999 and are expecting to build 10 more this year (2000). Further, it was indicated that no siting problems had been encountered as part of the refueling station siting process.

Finally, because siting alternative fuel refueling stations is a land use issue, the responsibility of proper siting of alternative fuel refueling stations belongs to the local public agencies with general land use authority, i.e., cities or counties. See also response to comment #1-19.

Comment D1-9: With the exception of PR 1191, the proposed fleet vehicle rules require development of AFV refueling infrastructure. Refueling stations will become centralized, which means that fleet vehicles will have to travel farther to refuel. This could result in higher emissions than anticipated by the SCAQMD.

Response D1-9: Based on this and similar comments received on the proposed fleet vehicle rules, the environmental impact analysis in Chapter 4 took into consideration that affected fleet vehicle rules might have to drive further to refuel. That analysis assumed that affected fleet vehicles (except for light- and medium-duty vehicles) would drive five additional miles to a refueling station. In spite of driving the additional miles to reach a refueling station, the analysis showed that the proposed fleet vehicle rules would produce a net air quality benefit, although not as great as would otherwise occur. For more detailed information, the reader is referred to Chapter 4 of this Draft PEA.

Comment D1-10: School districts affected by PR 1195 have a fixed source of funding for purchasing school buses. Consequently, they will be unable to acquire funding to make up the capital cost shortfall to purchase alternative fuel school buses. Since funding used for educating the students would not be diverted to purchase alternative fuel school buses, school districts might eliminate bus service for their students. Eliminating bus service for students could create safety impacts because statistics show that it is 184 times safer for students to take a bus to school compared

to driving to school in a passenger vehicle. In addition, there could be indirect air quality, traffic, and energy impacts from the increased number of vehicle trips to transport students to school.

Response D1-11: The SCAQMD has met with local school districts to discuss funding and other issues related specifically to school buses. As a result of these meetings and separate discussions with the school districts, the SCAQMD has included a waiver provision in PR 1195, that would exempt a school district from the provisions of the rule if they can demonstrate a fiscal hardship with regard to acquiring the additional funding necessary to purchase alternative fuel buses. As a result, no adverse environmental or other impacts are expected from shifting resources away from other programs or eliminating school buses.

1/12/00 PUBLIC WORKSHOP

COMMENTS AND RESPONSES COMMENTS

PUBLIC WORKSHOP – 1/12/00

Comment D2-1: Because of the additional capital costs of purchasing alternative fuel transit buses, some of the smaller transit agencies will keep their old, dirty buses longer (longer turnover rate), thus, losing the emission benefits of purchasing new diesel transit buses.

Response D2-1: The reader is referred to the response to comment D1-1.

Comment D2-2: Because of the additional capital costs of purchasing alternative fuel transit buses, some of the smaller transit agencies might reduce service by eliminating some buses routes or lines.

Response D2-2: The reader is referred to the responses to comments D1-1 and D1-2.

Comment D2-3: The SCAQMD needs to consider the fact that greater penetration of CNG vehicles has inherent risks because CNG fuel tanks are under pressure and, therefore, have a greater risk of explosion.

Response D2-3: There are inherent fire and explosion risks associated with all mobile source combustion fuels, including gasoline and diesel. The "Hazards" section in Chapter 4 of this Draft PEA includes an analysis of the relative hazards, such as toxicity and physical, and chemical properties associated with gasoline, diesel, and the alternative clean fuels expected to be used. The reader is referred to the "Hazards" section of Chapter 4 for more detailed information.

Comment D2-4: CNG transit buses typically have a smaller range than comparable diesel buses. Consequently, more buses would be needed to serve the same routes now served by diesel buses.

Response D2-4: For light- and medium-duty vehicles regulated by PR 1191, no range limitations are anticipated because these vehicles would continue to operate on reformulated gasoline. These vehicles would likely require servicing at the same rate as existing vehicles. The SCAQMD acknowledges that most heavy-duty alternative fuel vehicles have range limitations. Whether these range limitations are problematic depends on the specific situation where the vehicle is being utilized. For example, the SCAQMD is aware of the successful use of alternative-fueled vehicles (compressed natural gas) utilized in waste hauling, transit bus, street sweeping, and school bus applications where the range issue has not significantly affected the effective utilization of these vehicles. Notwithstanding the preceding, since the implementation of the proposed fleet vehicle rules regulating heavy-duty vehicles is gradual in that they only apply to the acquisition of replacement fleet vehicles, the fleet operator will have considerable flexibility in determining the specific situation

where this particular vehicle be utilized, in order to minimize any range limitations associated with the use of a particular vehicle, if any. In addition, this issue may not even be relevant since the proposed rule may not result in the use of alternative-fueled vehicles as a condition of rule compliance if clean diesel and after combustion control equipment on diesel engines can comply with the relevant criteria in the proposed rules affecting heavy-duty vehicles.

Comment D2-5: Has the SCAQMD taken into consideration that recently adopted legislation will allow single occupancy ULEV vehicles to drive in the carpool lanes?

Response D2-4: The SCAQMD evaluated potential transportation/circulation impacts from implementing the proposed fleet vehicle rules in Chapter 4 of this Draft PEA. In general, transportation/circulation impacts as described by the commentator are not anticipated for the following reasons. First, PR 1191 would allow affected fleet owners to replace light- and medium-duty vehicles with LEVs, ULEVs and/or SULEVs, as specified in the rule, rather than requiring a specified alternative fuel. Based upon surveys conducted by the SCAQMD, light- and medium-duty vehicles comprise approximately 81 percent of all fleet vehicles that would be regulated by the proposed fleet vehicle rules. Consequently, the types of congestion identified by the commentator, i.e., more vehicles on the road and increasing congestion in the vicinity of centralized refueling stations are expected to be approximately equivalent to current conditions.

For heavy-duty replacement vehicles regulated by the remaining proposed fleet vehicle rules, the Draft PEA analyzes the potential increase in vehicle miles traveled from more centralized fueling stations. It is anticipated that there will be an increase in the number of alternative fueled heavy-duty vehicles because it is considered to be relatively unlikely that current diesel technologies will be able to comply with the methanol equivalency criteria in the near term. As a result, there could be centralized refueling stations requiring heavy-duty vehicles to travel more miles per refueling trip. The analysis in Chapter 4 assumes that each heavy-duty vehicle will travel an extra five miles per fueling trip. Based upon the number of vehicles affected, the number of fueling trips per affected vehicle, and the distribution over the district of affected heavy-duty fleet vehicles, significant traffic congestion impacts from the proposed fleet vehicle rules are not anticipated. The commentator is referred to the analysis of transportation/circulation impacts in Chapter 4 of this Draft PEA.

As noted by the commentator, AB 71 allows specified single occupancy vehicles (SOV) alternative fueled vehicles to use high occupancy vehicle (HOV) lanes as follows. Beginning in July 2000, through December 31, 2003, SOV ULEVs would be allowed to use HOV lanes and beginning January 1, 2004, through December 31, 2007, SOV SULEVs would be allowed to use HOV lanes. As noted in AB 71, HOV lanes are currently "uncongested and underutilized." Consequently the intent of AB

71 is to provide an incentive to accelerate the penetration of ULEVs and SULEVs, as well as improve traffic flow, thus providing air quality benefits. Although PR 1191 will increase the fleet penetration of ULEVs and SULEVs in the district, this is not anticipated to cause congestion in HOV lanes for several reasons. First, the total population of fleet vehicles is relative small compared to the total vehicle population in the district. AB 71 specifies a limited three-year schedule where only SOV ULEVs would be allowed to use the HOV lanes and a different three-year period that only SOV SULEVs would be allowed to use the HOV lanes. There would be no overlap in HOV lane usage by ULEVs and SULEVs. Further, AB 71 contains a provision that allows the Governor to remove individual HOV lanes or portions of those lanes during periods of peak congestion from the access provisions of AB 71 if the California Department of Transportation makes the following findings: 1) the lane, or portion thereof, exceeds a level of service C, or 2) the operation or projected operation of the ULEV and SULEV vehicles in the HOV lanes, or portions thereof, will significantly increase congestion. Finally, PR 1191 would regulate light- and medium-duty public agency fleets, including private fleets under contract to public agencies. Public agency fleets, particularly fleets for city governments, are used primarily for city business within the confines of each individual city. As a result, for most vehicle trips by city fleet vehicles, it is not necessary to travel by freeway because vehicle trip lengths are relatively short and vehicle trip originations and destinations may not be easily accessible to local freeway systems. Consequently, public agency fleets regulated by PR 1191 are not expected to unduly burden HOV lanes.