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October 20, 2021

Re: I-710 Task Force Community Engagement and the I-710 Clean Truck Program

Dear Supervisors Barger and Solis and Director Tavares,

On behalf of the undersigned organizations and members of the Coalition for Environmental Health & Justice (“CEHAJ”), we write regarding Los Angeles County Metropolitan Transportation Authority’s (“Metro”) and California Department of Transportation’s (“Caltrans”) efforts to improve their community engagement with the communities of the I-710 Corridor. After decades of community opposition to the proposed expansion of the I-710 Corridor and the U.S. Environmental Protection Agency’s March 25, 2021 letter corroborating many of the community’s concerns, Metro suspended the FEIR/EIR process. Subsequently, Metro and Caltrans initiated the I-710 South Corridor Task Force (“I-710 Task Force”), as the focal point of Metro’s engagement strategy to constructively and collaboratively work with the Task Force members, including CEHAJ, to accomplish the following outcomes by March 2022:

1. Review and re-assess the Purpose and Need of improvements to the I-710 corridor between the SPB Ports and SR-60;
2. Develop multimodal strategies to meet the Purpose and Need, in alignment with the existing regional and state policy framework;
3. Identify an array of projects and programs, prioritized in the near-term to long-term, that will realize the goals to meet the needs of stakeholders and corridor users;

4. Create a prioritized investment plan that will allow Metro and Caltrans—in partnership with 710 South Corridor Task Force members and local, regional, state, and federal agencies—to implement these projects and programs; and
5. Report to the Metro Board and State of California with the outcomes of the 710 Task Force work by March 2022.

Meaningful community engagement is essential, and we believe that the plan for re-engaging stakeholders along the corridor, specifically community stakeholders, falls short of the commitments made since the inception of the I-710 Task Force. As we have raised repeatedly, both Metro and Caltrans have harmed I-710 Corridor residents with their disregard of community input and their failure to allow community stakeholders to have a real seat at the table. We ask that Caltrans and Metro commit to meaningful community engagement in alignment with their equity principles¹. Our coalition submits this letter to raise specific concerns that threaten a transparent public process as Metro and Caltrans consider the future of the I-710 Corridor Project. We appreciate the openness Metro and Caltrans have shown thus far to discussing our suggestions, but we hope to see a demonstrated change in approach moving forward.

Concern No. 1: Adequate Notice of Meetings and Meeting Materials.

Metro has consistently failed to release the Task Force meeting agenda and discussion items in a timely or effective manner. It is our understanding that in partnership with Caltrans, Metro will conduct a series of workshops with the I-710 Task Force over the next six to eight months to accomplish the Task Force’s overarching goals. The I-710 Task Force has been described as working in parallel and collaboratively with the Gateway Cities Council of Governments (“GCCOG”) and the 710 Technical Advisory Committee to provide recommendations for the future of the I-710 Corridor Project.

¹ Metro’s Equity Platform calls on the agency to “Listen and Learn” and states that “[a]uthentic listening and learning requires meaningful engagement. Community-driven conversations are essential, but they require trust. In order for Metro to build trust, the agency must intentionally collaborate and listen to community experiences. Our engagement efforts must also work to ensure that community members are left feeling heard, reflected and respected. Hence, Metro must work to show how community input informs and shapes our decisions, actions, and investments.” See the full Platform here: <https://www.metro.net/about/equity-race/> Caltrans’ Equity Statement similarly commits the agency to “meaningfully engage communities most impacted by structural racism in the creation and implementation of the programs and projects that impact their daily lives by creating more transparent, inclusive, and ongoing consultation and collaboration processes. We will achieve our equity commitments through an engagement process where everyone is treated with dignity and justice. We will reform our programs, policies, and procedures based on this engagement to avoid harm to frontline and vulnerable communities. We will prioritize projects that improve access for and provide meaningful benefits to underserved communities.” See full statement here: <https://dot.ca.gov/about-caltrans/equity-statement>.

The first meeting of the I-710 Task Force was held on September 13, 2021. Materials for the 6:00 p.m. meeting, including the agenda, were only made available to several Task Force members at 12:27 p.m. that same day—less than 24 hours before the start of the meeting. Receiving these materials just hours before the scheduled meeting not only violated the spirit of the Metro Board resolution to meaningfully “reengage” with stakeholders through a process that focuses on collaboration, but also allowed very little opportunity for community stakeholders to prepare for the meeting. Furthermore, an opportunity for public comment was only available following statements from decision-makers, and allowing for public comment during different points of the meetings may ensure there is ample participation.

The materials circulated also lacked the focused direction expected of an advisory group with limited time to discuss several multi-dimensional development and community concerns. The packet did not include the slides that would be used during staff presentations introducing the objectives of the I-710 Task Force. The materials that were included lacked any discussion about the process for community engagement and offered little by way of details concerning roles and decision-making authority. Moreover, what detailed information was provided was outdated, consisting of rehashed old ideas about the I-710 project that had long been abandoned or recently suspended. This only added confusion about the process and the role that community stakeholders would be playing in the entire process.

On the eve of the second I-710 Task Force meeting, CEHAJ representatives still have not received the meeting materials or understand the scope of topics to be discussed. This failure turns the purpose of the Task Force on its head. We understand that Metro has committed to providing earlier notice of meeting agendas and materials and look forward to seeing these commitments acted on, in addition to the other community engagement strategies we raised on October 19, 2021 during the Community Engagement Strategy meeting.

Concern No. 2: Premature Re-Initiation of the I-710 Clean Truck Program.

Metro staff have prepared a draft motion directing Metro’s CEO to separately reinitiate and fund the I-710 Clean Truck Program (“I-710 CTP” or “Program”) that had originally been part of the now defunct Alternative 5C of the I-710 Corridor Project. CEHAJ is on record raising concerns about the proposed I-710 CTP, including the need for the Program to be more aggressive to address our dire air quality crisis, the lack of specificity and mileposts, and the opaque process through which the I-710 CTP was being designed following the selection of Alternative 5C. Even so, CEHAJ was given less than two weeks’ notice that this draft motion would go in front of a Metro Committee for a vote.

It appears Metro plans to reinitiate the I-710 CTP independently and recommit the \$50 million in seed funding that CEHAJ specifically opposed without a good-faith evaluation of the Program’s

impacts. A new version of the draft motion with substantial revisions is moving forward at the Finance, Budget, and Audit Committee meeting. Not only was this revised draft motion not provided to CEHAJ or other community stakeholders for meaningful input, but no additional information on what the I-710 CTP will entail has been provided. Rather than engage with community stakeholders to re-design the Program, Metro seems to be reverting back to its historic practice of developing the I-710 Corridor Project behind closed doors. We expect more from Metro, as well as Caltrans and GCCOG to the extent they are also advocating for a revival of the CTP without full community engagement.

It is not even clear at this time what the Committee would be voting to pursue. Based on technical documents submitted to U.S. EPA last year,² the proposed Program would “lean more heavily to [near zero emission, natural gas] trucks” and merely “encourage the transition to [zero-emission] trucks in the mid- and out-years of the Program.” In fact, “a fixed percentage of ZE trucks (or any percentage of ZE trucks) [would not be] necessary for the Program in order to reduce diesel trips in the I-710 Corridor as the deployment of NZE trucks satisfies this requirement.”³ Furthermore, the proposed Program would allow a diesel truck replaced by a “clean” truck to be sold or utilized elsewhere in the region,⁴ which would simply subject other frontline communities to toxic diesel pollution. More is said about Metro’s resistance to zero-emissions solutions below, but this language highlights how this Program falls short of the demands articulated by corridor community members.

Deployment of the I-710 CTP is premature because it comes prior to community engagement and input and runs counter to the I-710 Task Force’s purpose. Metro and Caltrans committed to conducting a series of workshops with Task Force members “to develop a shared vision and set of objectives, strategies, and outcomes to advance Metro’s priorities of social equity, environmental sustainability, and economic vitality for LA County.” Specifically, the I-710 Task Force is commissioned to provide recommendations on the scope of the I-710 Corridor Project and an investment plan. In parallel, the I-710 Ad Hoc Committee and GCCOG were ordered to provide input that the Task Force would incorporate into its recommendations that would be presented to the Metro Board. It makes no sense for Metro to shield the I-710 CTP from the I-710 Task Force evaluation process when the program specifically will impact corridor communities and stakeholders.

² These documents were only made available following a public records request by a LA Streetsblog reporter and were not shared directly with the public by Metro or Caltrans.

³ I-710 Clean Truck Program Response to Technical Questions (July 27, 2020), p. 3.

⁴ It is also not clear how the proposed I-710 CTP would ensure that these diesel trucks are not sold to fleets that will continue to deploy them along the I-710, particularly since Metro has projected that overall daily truck trips along the I-710 will increase based on planned corridor improvements. See Draft I-710 Clean Truck Program, Program Description (Sept. 18, 2020), p. 19.

Furthermore, the I-710 CTP must comply with CEQA and allow community stakeholders adequate time to review the final contents of any proposed CTP before a budget is set. If the I-710 CTP proceeds now, Metro and Caltrans have skipped the fundamental steps of environmental review. To date, the comprehensive final contents of the I-710 CTP have not been provided to the public beyond references to the now dead Corridor Project. The parameters and objectives of the project remain undefined and what Metro is funding remains unclear.

Concern No. 3: Metro has resisted full commitment to the zero-emissions technology that the region requires and the community demands.

We remain concerned that Metro is not working on a true zero-emissions Clean Truck Program. The further revised October 21, 2021 Draft Motion to the Finance, Budget, and Audit Committee by Directors Dutra and Hahn (“Draft Motion”) for example, recommends deployment of “cleanest possible” trucks where zero-emissions trucks are not “feasible” due to infrastructure constraints and “other reasons”- leaving a broad opening for further investment in combustion-based technology and infrastructure. This hesitancy is reiterated in other parts of the Draft Motion including a call to seek data collection and research that will facilitate conversion to ZE and “Near Zero” technology.⁵ It bears highlighting that nowhere in the CTP does Metro call for the elimination of diesel trucks on the I-710 and the plan, in its current form, does not provide a clear pathway to getting zero-emissions trucks deployed.

Metro’s reluctance to fully commit to zero-emissions is even more distressing when you consider the impact that prolonging dependency on combustion technology, like that of fossil gas powered trucks, will have on communities and our region. Gas powered trucks do not offer the benefits they are often touted to bring. While gas trucks may not emit “diesel” particles, they still emit particulate pollution that includes ultrafine particles linked to serious health impacts.⁶ A 2019 study of gas and diesel truck emissions, for example, found that even though the emitted particle mass from certain gas engine technologies may be lower, the much smaller particle size from gas trucks can potentially create new health concerns for those exposed over time.⁷

⁵ The call for “Near Zero” technology echoes similar commitments stated in the September 25, 2021 Report to the Planning and Programming Committee titled “I-710 South Corridor Improvements Environmental Process Status Update and Response to Motion 47”, available at <https://metro.legistar.com/LegislationDetail.aspx?ID=5135427&GUID=D5470BBA-672C-4905-9CC4-43893106319C>

⁶ Compressed natural gas vehicles are not a clean solution for transport: Review of the latest evidence shows high levels of particle emissions, Transport & Environment, June 16, 2020, available at https://www.transportenvironment.org/sites/te/files/publications/2020_06_TE_CNG_particle_report.pdf

⁷ Dedicated to Gas: An Innovate UK Research Project to Assess the Viability of Gas Vehicles, Cenex, October 2019, available at <https://www.cenex.co.uk/app/uploads/2019/11/324-003-004-Dedicated-to-Gas-Assessing-the-Viability-of-Gas-Vehicles.pdf>

Moreover, the infrastructure tied to refueling gas trucks is prone to unaccounted-for leaks of methane⁸ — a potent greenhouse gas that is known to have irreversibly damaging climate impacts.⁹ Some studies have even found that when considering the complete “well-to-wheel” fuel chain, switching to gas trucks may do more harm than not switching at all.¹⁰ From a public health, air quality and climate perspective, gas trucks do not offer an alternative to zero-emissions.

Metro must ensure the I-710 CTP does not promote the legacy of harming the health and wellbeing of Black and Brown communities. Cities and communities along the I-710 corridor already bear the brunt of air pollution, toxic contamination, disproportionately higher levels of pollution-related health problems, unstable and poorly paid jobs, and other social injustices. The I-710 Task Force should be utilized as a forum for community stakeholders to articulate support for zero-emissions technologies and to provide concrete bases for such support for the Metro Board’s consideration. The region’s transportation goals cannot simply be to mitigate additional truck traffic, but rather they must make the I-710 corridor a zero-emission corridor that addresses this legacy of harm. It is completely unacceptable to start with combustion technology that is not zero-emissions when options exist that can get us to zero-emissions without a transitional period. A “near zero” approach that invests in fossil gas ignores the direction Metro received from the California Air Resources Board strongly supporting the electrification of the I-710.¹¹ Finally, the I-710 Task Force should be utilized as a forum for community stakeholders to articulate support for zero-emissions technologies and to provide concrete bases for such support for the Metro Board’s consideration.

In conclusion, we ask that Metro meaningfully partner with communities to develop a better I-710 Corridor Project, including the I-710 CTP. By partnering with communities and meeting as equals, Metro would set itself as an example that other transportation agencies will follow. We appreciate

⁸ See, e.g. Plant et al, Large Fugitive Methane Emissions from Urban Centers Along the U.S. East Coast (July 2019) <https://agupubs.onlinelibrary.wiley.com/doi/full/10.1029/2019GL082635> and Zachary Weller et al, A National Estimate of Methane Leakage from Pipeline Mains in Natural Gas Location Distribution Systems (June 2020) <https://pubs.acs.org/doi/10.1021/asc.est.0c00437>

⁹ Global Methane Assessment: Benefits and Costs of Mitigating Methane Emissions, UN Environment Programme, May 6, 2021, available at <https://www.unep.org/resources/report/global-methane-assessment-benefits-and-costs-mitigating-methane-emissions>

¹⁰ Mottschall, Moritz, Kasten, Peter and Rodriquez, Felipe, Decarbonization of on-road freight transport and the role of LNG from a German Perspective, International Council on Clean Transportation (ICCT), December 15, 2020, at p. 50, available at https://theicct.org/sites/default/files/publications/LNG-in-trucks_May2020.pdf; see also, LNG Trucks: A dead-end bridge, Transport & Environment (September 27, 2021), available at <https://www.transportenvironment.org/discover/lng-trucks-a-dead-end-bridge/>

¹¹ Letter from Richard W. Corey, Executive Officer of the California Air Resources Board to Michael Cano, Deputy Executive Officer, Los Angeles County Metropolitan Transportation Authority, dated March 5, 2020.

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Oct. 20, 2021

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your consideration of this letter and we look forward to working together on innovative equitable solutions.

Sincerely,

Laura Cortez

East Yard Communities for Environmental Justice

Sylvia Betancourt

Long Beach Alliance for Children with Asthma

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Cc: Metro Finance, Budget, and Audit Committee, Metro Board of Directors, Stephanie Wiggins