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August 9, 2016

Dr. Philip Fine  
Deputy Executive Officer  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

**Re: Draft 2016 Air Quality Management Plan**

Dear Dr. Fine:

The Orange County Transportation Authority (OCTA) appreciates the opportunity to provide comments on the Draft 2016 Air Quality Management Plan (AQMP). In addition, OCTA appreciates your diligent efforts to include a wide variety of stakeholders in your process as the final 2016 AQMP is developed.

Consistent with many of the strategies proposed in the AQMP, OCTA is currently taking actions that benefit air quality. These include upgrades to our bus fleet, such as: utilizing renewable natural gas, repowering 199 buses with 0.2 grams per brake horse-power engines (down from 2.0 grams per brake horse-power), ordering 0.02 gram per brake horse-power engines for 98 buses in our fleet, and acquiring a hydrogen fuel-cell bus, with another ten hydrogen fuel-cell buses and five electric buses pending a grant award. Other actions by OCTA that benefit sustainability include implementation of a regional network of bikeways, reallocation of transit resources to more efficiently serve high-demand areas, studying opportunities for transit-oriented development, and improving active transportation connectivity to transit services.

Furthermore, OCTA has a voter-approved sales tax measure to fund a multi-modal set of programs and projects that improve mobility in the region, reduce emissions, and preserve and enhance the environment. These include signal synchronization, system preservation, a new streetcar line, enhanced commuter rail services, freeway congestion management, an advanced-mitigation program that has set aside over 1,300 acres as permanent open space in Orange County, and a competitive funding program to mitigate water runoff beyond required standards.

OCTA does, however, have several concerns that we believe deserve further consideration prior to finalizing the AQMP. These concerns are outlined in the discussion below.

### Advanced Clean Transit

The California Air Resources Board's (CARB's) Advanced Clean Transit Regulation is included in the AQMP. This is intended to ensure that nearly every heavy-duty vehicle operated in California in 2023 will meet the 2010 heavy-duty engine emission standard. However, even a highly aggressive full-fleet penetration of 2010-compliant engines would not provide sufficient nitrous oxide (NOx) reductions to attain the federal ozone standard in the timeframe required. This proposed rulemaking also requires transit operators to replace their entire bus fleets with zero-emission technologies between 2018 and 2040.

The basic requirement to update bus fleets does not appear to be cost-effective, considering a battery electric or hydrogen fuel-cell bus costs between \$900,000 and \$1.5 million, plus the cost of fueling/charging infrastructure. A conventional compressed natural gas bus costs about \$600,000. As such, implementation of the CARB regulation for buses could potentially lead to less funding for bus operations, which would likely result in reduced service levels and discretionary transit uses, which would disproportionately affect transit dependent populations in Orange County and the South Coast Air Quality Management District (SCAQMD) region. Given this, OCTA proposes that the Advanced Clean Transit regulation be performance based and technology neutral. This would help to reduce potential service impacts, and account for emission reduction efforts already underway, such as the current OCTA initiatives noted earlier.

Further, this level of investment by all of the transit operators throughout the region is only estimated to reduce NOx emissions by less than 200 pounds per day by 2023, and about 200 pound per day by 2031. This contributes extremely little to the 115 tons per day (tpd) reduction that is targeted for 2023, or the 124 tpd reduction targeted for 2031.

### EGM-01 – Emission Reductions from New Development and Redevelopment Projects

The purpose of this measure is to mitigate and reduce emissions from new development and redevelopment projects. However, the description of EGM-01 is overly broad, and OCTA suggests that SCAQMD work with stakeholders to narrow this description or eliminate the strategy prior to finalizing the 2016 AQMP. Further, there are no quantifiable emission reductions associated with this measure, nor is there a cost-effectiveness analysis.

An EGM-01 working group consisting of affected stakeholders from local governments, the building industry, developers, realtors, other business representatives, environmental/community organizations, and other stakeholders, was established as part of the 2007 AQMP. OCTA respectfully requests inclusion in the working group when, and if, it is reconstituted.

In addressing indirect sources, the SCAQMD should develop implementation and compliance methods that will not unduly restrict local or regional jurisdictions' prerogatives with respect to land use approvals. During rule development, special consideration should be given to assure that any rule adopted will integrate with, and enhance, the California Environmental Quality Act (CEQA) process, and not impede the project approval process in light of CEQA timelines.

#### Incentive Strategies

The 2016 AQMP contains a number of measures that are designed to provide incentives to accelerate the penetration of zero- and near-zero emission technologies. Many of the measures target mobile sources that are regulated by the CARB and the United States Environmental Protection Agency (U.S. EPA).

It is therefore important to demonstrate within the 2016 AQMP that CARB and U.S. EPA are committed to these strategies, since they will likely be the implementing agencies. If they are not committed, these strategies should not be included in the 2016 AQMP, due to SCAQMD's inability to delegate to these agencies.

The Draft 2016 AQMP also notes that as much as \$14 billion in funding must be identified in order to implement the "incentive strategies." Without identification of funding sources, these measures do not seem to be any more useful than the "black box" strategies that were included in previous AQMPs. OCTA is also concerned about the types of funding sources that could be considered and would appreciate involvement in making these determinations. OCTA's primary concern is related to potential increases in regulatory fees, or potential diversion of funds that OCTA depends on to deliver transit service, and the other programs mentioned earlier that contribute toward sustainability and quality of life.

Dr. Philip Fine  
August 9, 2016  
Page 4

### Unquantified Measures

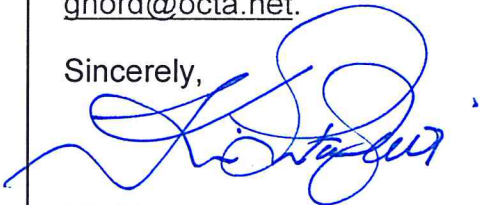
There are a number of measures that have not been quantified in the Draft 2016 AQMP. These are often referred to as "to-be-determined" or "TBD" measures. It may not be appropriate to include these types of measures in the 2016 AQMP, since the inclusion of measures implies some level of commitment toward delivering those measures. This could become problematic, considering an economic analysis cannot be performed without the quantified benefits.

Currently, it appears as though these measures could easily be put in place of the other quantified and committed measures by SCAQMD staff after the 2016 AQMP is approved. This kind of transfer of commitment should not be an action that can be implemented as an administrative change. OCTA also understands that the TBD measures may prove to be more cost effective than some of the other measures, and so it would make sense to pursue them. However, until the time that either a backstop measure is needed or a TBD measure is identified to be more cost effective than one of the currently quantified measures, OCTA requests that the TBD measures either be removed from the plan, or clearly separated from the quantified measures, and called out as uncommitted measures that require further development and evaluation.

Furthermore, should the TBD measures remain in the AQMP, OCTA requests that the 2016 AQMP include a discussion that clearly states the purpose for including these strategies and the process required to incorporate these strategies. This process would preferably include action by the SCAQMD Governing Board and opportunities for public review and comment.

Thank you once again for the opportunity to provide input on the Draft 2016 AQMP. Should you have any questions regarding the comments above, please contact Greg Nord, Principal Transportation Analyst, at 714-569-5885, or [gnord@octa.net](mailto:gnord@octa.net).

Sincerely,



Kia Mortazavi  
Executive Director, Planning

KM:gn

c: Board of Directors  
Executive Staff