

# GATEWAY CITIES COUNCIL OF GOVERNMENTS

## Transportation Committee

### AGENDA

Wednesday, June 29, 2011  
4:30 p. m. Meeting

Lakewood City Hall – Executive Board Room  
5050 North Clark Avenue  
Lakewood, California

**STAFF REPORTS AND OTHER WRITTEN DOCUMENTS ARE AVAILABLE IN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS OFFICES, 16401 PARAMOUNT BOULEVARD, PARAMOUNT, CALIFORNIA. ANY PERSON HAVING QUESTIONS CONCERNING ANY AGENDA ITEM MAY CALL THE COG STAFF AT (562) 663-6850.**

**FOR YOUR INFORMATION:** The Transportation Committee will hear from the public on any item on the agenda or an item of interest that is not on the agenda. The Transportation Committee cannot take action on any item not scheduled on the agenda. These items may be referred for administrative action or scheduled on a future agenda. Comments are to be limited to three minutes for each speaker, unless extended by the Transportation Committee, and each speaker will only have one opportunity to speak on any one topic. You have the opportunity to address the Transportation Committee at the following times:

- A. AGENDA ITEM: at this time the Transportation Committee considers the agenda item OR during Public Comments, and
- B. NON-AGENDA ITEMS: during Public Comments, comments will be received for a maximum 20-minute period; any additional requests will be heard following the completion of the Transportation Committee agenda; and
- C. PUBLIC HEARINGS: at the time for public hearings.

**Please keep your comments brief and complete a speaker card for the Chair.**

- I. **CALL TO ORDER**
- II. **ROLL CALL – BY SELF INTRODUCTIONS**
- III. **PLEDGE OF ALLEGIANCE**

**IV. AMENDMENTS TO THE AGENDA** - This is the time and place to change the order of the agenda, delete or add any agenda item(s).

**V. PUBLIC COMMENTS** - Three minutes for each speaker.

**VI. MATTERS FROM STAFF**

**VII. CONSENT CALENDAR:** All items under the Consent Calendar may be enacted by one motion. Any item may be removed from the Consent Calendar and acted upon separately by the Transportation Committee.

A. Approval of Minutes – Minutes of the Transportation Committee Meeting of June 1, 2011, are presented for approval. Approval receives and files the minutes of June 1, 2011 Transportation Committee meeting.

CONSENT CALENDAR ACTION:

A MOTION TO APPROVE THE RECOMMENDATIONS FOR CONSENT CALENDAR ITEM.

**VIII. REPORTS**

A. MTA Board Recap by Director DuBois , MTA Director

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

B. Gateway Cities Council of Governments Air Quality Action Plan (AQAP)  
Approve Composition of Environmental Committee

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

C. MTA Green Construction Policy

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

D. Nomination of Two Community Members to the Metro Gateway Cities Service Council

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

## **IX. REPORTS – COMMITTEES/AGENCIES**

- A. Matters from Metro Gateway Cities Service Council by David Hershenson, MTA – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

- B. Matters from I-5 JPA – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

- C. Matters from I-710 EIR/EIS Corridor Project – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

- D. Matters from SR-91/I-605/I-405 Major Corridor Project – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

- E. Matters from the California High Speed Rail Authority – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

- F. Matters from the Orangeline Development Authority – Oral Report

SUGGESTED ACTION: A MOTION TO HEAR REPORT, POSSIBLE ACTION AND/OR GIVE DIRECTION TO STAFF

## **X. MATTERS FROM TRANSPORTATION COMMITTEE MEMBERS**

## **XI. ADJOURNMENT**

NOTICE: New items will not be considered after 5:30 p.m. unless the Transportation Committee votes to extend the time limit. Any items on the agenda that are not completed will be forwarded to the next regular Transportation Committee meeting scheduled for Wednesday, August 3, 2011 4:30 PM.

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE COG OFFICE AT (562) 663-6850. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE COUNCIL OF GOVERNMENTS TO MAKE REASONABLE ARRANGEMENT TO ENSURE ACCESSIBILITY TO THIS MEETING.

**VII. CONSENT CALENDAR**  
**Item A**  
**Approval of Minutes**  
**June 1, 2011**

**MINUTES OF THE MEETING  
OF THE GATEWAY CTITIES COUNCIL OF GOVERNMENTS  
TRANSPORTATION COMMITTEE  
Chair - MTA Director Diane DuBois**

**Gateway Cities COG Office  
16401 Paramount Blvd., Paramount, CA 90723  
June 1, 2011**

CALL TO ORDER: MTA Director Diane DuBois called the meeting to order at 4:37 pm. Roll-call was taken by self-introduction.

COMMITTEE MEMBERS PRESENT: Diane DuBois – MTA Director, Gil Hurtado – South Gate, Stan Carroll- La Habra Heights, Ray Dunton – Bellflower, Dana Lee – Long Beach Transit, Mohammed Mostahkami – South Gate, Ken Farfsing –Signal Hill, Bill Pagett – Paramount, Tom Modica – City of Long Beach, Gene Daniels – Paramount.

COMMITTEE MEMBERS ABSENT: Representative – Supervisor Don Knabe’s Office, Eric Shen – Port of Long Beach.

OTHERS PRESENT: Niki Tennant – Assemblymember Lowenthal’s Office, Richard Powers – COG Staff, Jerry Wood – COG Staff, Nancy Pfeffer – COG Staff, Karen Heit – COG Staff, David Hershenson – MTA. Wally Shidler – Gateway Cities Service Sector, Yvette Kirrin – I-5 JPA, Tony Mereno –City of La Mirada, Ayman Salana – TRC, Juan Carlos Velasquez - CH2MHill.

The May 4, 2011 Meeting Minutes were approved as presented.

Director Diane DuBois gave an accounting of the May MTA Board Meeting. She covered the approval of the FY 2012 budget. Noting that for the second year in a row, MTA was able to approve a balanced budget. She also covered the actions to place rules and protection on the Measure R Capital Contingency account and the use of repaying financing costs associated with Measure R.

She covered the Supervisor Ridley-Thomas Motion to underground a portion of the Crenshaw/LAX line at the Park Mesa section and build a Leimert Park Station. She reviewed the compliance with the grade separation policy for Park Mesa and station spacing guidelines for Leimert/Vernon. The Board voted to include the Leimert Station, if possible, within the existing budget.

She discussed the Villaraigosa/DuBois/Wilson Motion to encourage work at the I-405 at the OC County Line, moving the project forward to study environmental impacts.

Consent calendar was approved with no objections.

Director DuBois introduced Ken Coleman, Metro Director of Highway Programs. Coleman discussed the addition of highway maintenance and enhancements as a special demonstration project. Coleman discussed the freeways as part of the community and the gateway to our communities. He talked about an effort to audit Caltrans maintenance efforts to identify best practices and identify places for improvements. He talked about landscape maintenance and improvements. He discussed the need to work with the communities to create solutions. Strategies include using vegetation as a deterrent for graffiti and securing access to bridges and overcrossings.

The I-110 and the I-710 freeways were identified as project demo areas. He discussed the Caltrans attitude towards construction zones and the lack of care exhibited during construction. Caltrans methodology and reporting systems are at fault for taking too long – reports go to Sacramento before they return to District 7.

Lastly Coleman discussed the need for a community working group to involve the community in identifying solutions. He set a timeline for starting to work through the plan. A question was raised about the limitation of interchanges, landscaping would be confined to interchanges graffiti removal will be all through the freeway. Caltrans permitting process is being challenged as well as their maintenance methodology. Mike Miles will report to the MTA Board on maintenance issues as well as construction. Jerry Wood offered the use of existing working groups for the I-710 Corridor. Tom Modica requested that the I-710 project be extended south of the I-405. Coleman offered to work with Long Beach. Coleman said there was a budget of \$5 million in Prop. C 25%.

Karen Heit introduced the COG Air Quality Action Plan (AQAP) framework and identified the need for the Environmental Committee and defined its membership. Scott Broten, from ICF discussed the month's activities with the AQAP Technical Working Groups and the I-710 HIA working group. He indicated that both technical committees are making recommendation on protocols, data needs and research questions. He discussed the upcoming finalization of the Compendium.

Karen Heit introduced the Roundtable Ground rules for conducting the roundtable discussions. There were several minor changes before the ground rules were adopted.

David Hershenson reported on the July 16-17 closure of the I-405 for that weekend. The entire freeway will be closed for 53 hours between the I-10 and the US – 101. Hershenson offered information that all cities could place on their websites.

Yvette Kirrin, I-5 JPA Executive Director, gave a report on the I5 project referencing the Powerpoint that was attached to the agenda. She discussed the Carmenita Interchange contract award and the status of the ROW acquisition. Jon Grace gave a report that the MTA would be moving Prop. IB money from the Alondra portion of the construction project to the Florence Avenue segment to accommodate the lack of bond funding. Questions were asked about freeway closures.

Transportation Committee Meeting Minutes  
June 1, 2011

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Jerry Wood, COG Transportation Engineer, gave a report on the various studies for the I-710 Corridor project. He indicated that the draft EIR/EIS is still expected to be released in the spring of 2012. He covered the 3P aspect of the Freight Movement Corridor and the activities associated with trying to get green vehicle technology underway.

Wood covered the SR-91/I-605/I-405 project and the traffic modeling that would give some insight into the issues with the Orange County improvements.

Director DuBois spoke about the State of the COG meeting and the need for a TC meeting to address a few items prior to the June 29<sup>th</sup> meeting.

Mike Kodama OLDA Executive Director, spoke about the Antelope Valley Antonovitch/Najarian Motion 6/27 South Gate 6/28 Garden Grove SCASG workshops on the PEROW/WSAB final alternatives.

The meeting adjourned at 5:35 pm.

**VIII. REPORTS**  
**ITEM B**

Gateway Cities Council of Governments Air  
Quality Action Plan (AQAP) Approve  
Composition of Environmental Committee

**TO:** Transportation Committee

**FROM:** Diane Dubois, MTA Director

**BY:** Karen Heit, Transportation Deputy

**SUBJECT:** Gateway Cities Council of Governments Air Quality Action Plan (AQAP)  
Approve Composition of Environmental Committee

### **Issue**

The Transportation Committee is tasked with the creation of an Environmental Committee to help the COG in forming recommendations for the GCCOG Air Quality Action Plan (AQAP). This committee will have broad representation from interested stakeholders and will make recommendations to the Transportation Committee for eventual approval by the Gateway Cities Council of Governments Board.

### **Background**

The attached framework lists representative organizations for this committee. The following individuals have committed to participate: Jorge Rifa, City Manager Representative - City of Commerce, Wendell Johnson, Public Works Director, SR-91/I605/I-405 and I-710 TAC's- City of Compton, Steve Forester, Public Works Director – City of La Mirada, Dr. Mike Walter – Port of Long Beach Commissioner.

Some of the representation from the AQAP Technical Advisory Roundtables will self-select after they meet in the beginning of July. These names will be reported to this Committee as they are selected.

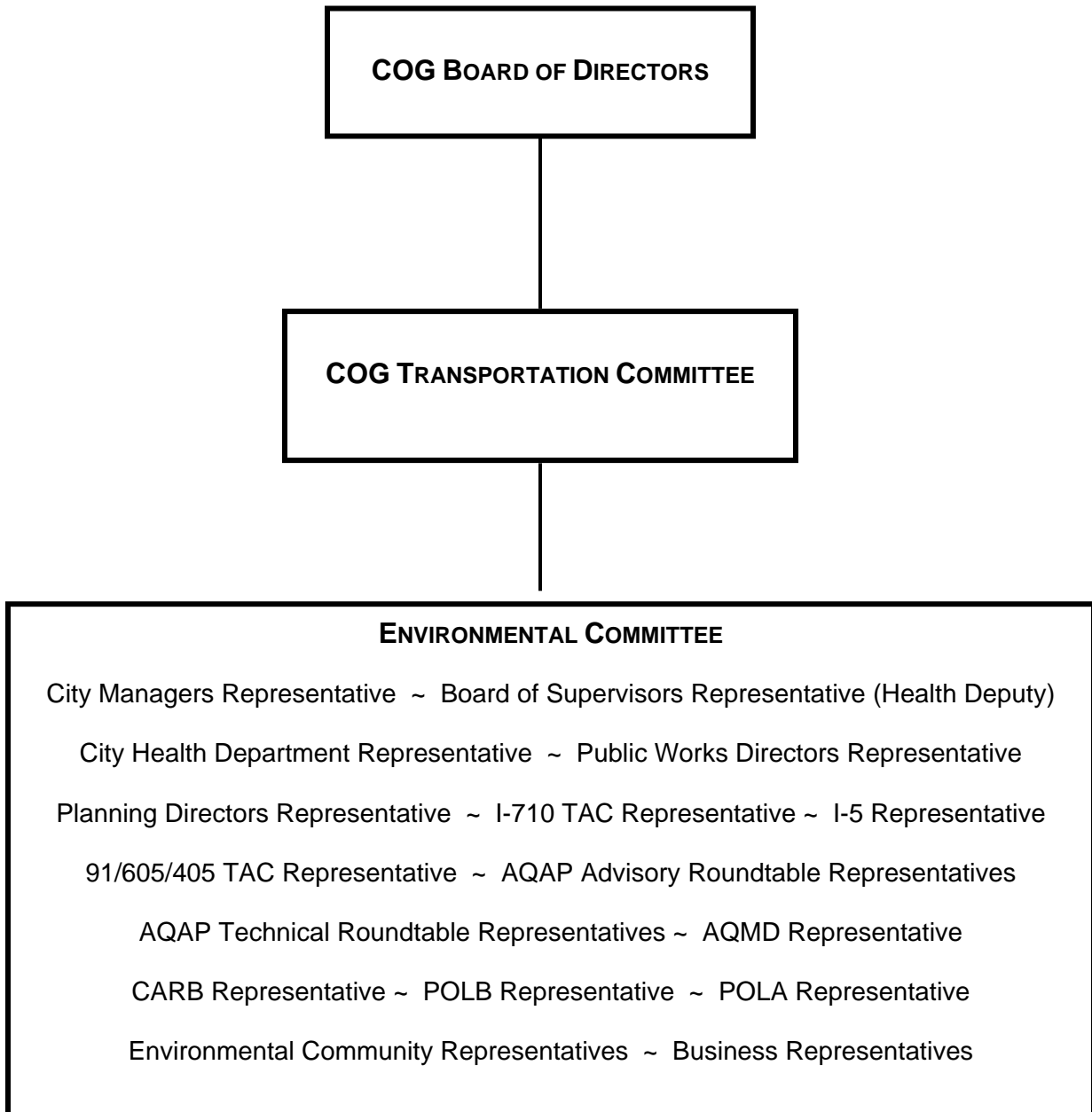
### **Recommendation**

Approve the composition of the Environmental Committee.

### **Attachment**

AQAP Adoption Framework

## AIR QUALITY ACTION PLAN ADOPTION FRAMEWORK



**VIII. REPORTS**  
**ITEM C**  
**MTA Green Construction Policy**

**TO:** Transportation Committee  
**FROM:** Diane Dubois, MTA Director  
**BY:** Karen Heit, Transportation Deputy  
**SUBJECT:** MTA Green Construction Policy

### **Issue**

The MTA Board of Directors is scheduled to adopt a “green” construction equipment policy in July. This policy will require the use of less polluting, alternative fueled, construction equipment for MTA funded construction projects. Adoption of this policy will help mitigate concerns over construction generated air quality degradation associated with the I-5 and future I-710 construction. The policy intent is consistent with the Gateway Cities COG clean air goals.

The Draft Policy (attached) has requirements that may be disadvantageous to local jurisdictions. These requirements must be worked out before the policy can have broad application.

### **Background**

MTA Director, Richard Katz, proposed the attached Motion for the implementation of a Green Construction Policy. The Board approved the motion in December of 2010 and charged staff with the development of a policy. Staff was instructed to work with the Ports of Los Angeles and Long Beach, and other entities that require green construction equipment.

The policy requires compliance with CARB off-road engine standards  
The policy as written describes a construction project as:

*“Construction Project is defined as a project that **is funded entirely or in part by funds programmed by LACMTA or performed on LACMTA property.** If the project is performed in collaboration with another agency or agencies or parties, including where the other agency or agencies or parties have the lead responsibility for construction, this Green Construction Policy shall be incorporated into all agreements, including Memoranda of Understanding, between LACMTA and the other agency or agencies or parties, so that this Green Construction Policy shall apply to even those projects that LACMTA funds, in whole or in part, that are performed in conjunction with another agency or agencies or parties.”*

Using this definition, the policy applies to all construction projects including Prop A & C and Measure R Local Return funded projects.

There are approximately 1650 local return funded projects (Prop. A & C, Measure R)

certified by the MTA each year. Two-thirds of Prop. A local return funds are used for transit service or transit capital; Prop C and Measure R Local Return funds are primarily used to fund street improvement and rehabilitation projects which would be subject to the policy as it is currently written.

There is no dollar threshold for the application of this policy. Contractors working for cities would be subject to MTA equipment documentation and inspection while the contracting entity (city) would be left out of the process.

At the MTA Streets and Freeways subcommittee concern was expressed about the lack of city and Council of Governments input on this policy. The original Motion did ask that other stakeholders be consulted. The subcommittee was also concerned about the policy's potential financial and delay impact on projects; an area the staff did not address. The policy's Best Practices were also called into question by the subcommittee. The Streets and Freeways subcommittee requested that the policy be bifurcated and its applicability to MTA funded local projects be delayed until the policy was fully vetted to the local level. This recommendation will be passed on to the Technical Advisory Committee (TAC) for the July TAC meeting and on to the MTA Board.

At the MTA Measure R Committee, a Motion by Chair Knabe and Directors DuBois and O'Connor (attached) was passed to refer the policy to the TAC for input delaying any action on the policy until TAC has had a chance to discuss the policy. MTA staff was also tasked with preparing an outreach plan as soon as possible and presenting that to the Board via a memo. The Measure R Committee also requested that the staff report back on the cost of staffing for such an effort under two scenarios: the policy as proposed and the policy applied to MTA managed projects only. This information will be presented at the July Measure R Committee.

**Recommendation:**

Recommend staff work with the GCCOGs Streets and Freeways and TAC representatives to make appropriate changes to the Green Construction Policy.

**Attachments:**

Katz Motion - December 9, 2010

Knabe, O'Connor and DuBois Motion - June 6, 2011

Green Construction Policy – June 2011

**Motion by Director Richard Katz**

MTA Board Meeting

December 9, 2010

**"Clean/Green Construction Policy"  
(Reduced Emission Construction Equipment)**

Reducing harmful emissions and particulates from diesel engines is one of the most important air quality challenges facing this country.

According to the U.S. Environmental Protection Agency (EPA), "Non-road diesel engines can contribute significantly to the levels of particulate matter (PM) and nitrogen oxides (NO<sub>x</sub>) in the air."

Nationwide diesel emissions from mobile sources alone accounted for approximately 300,000 tons of directly emitted fine particulate matter (PM 2.5) and 6.4 million tons of nitrous oxides (NO<sub>x</sub>) in 2009.

Even with more stringent heavy-duty highway and non-road engine standards taking effect over the next decade, millions of diesel engines are already in use and will continue to emit large amounts of particulate matter and air toxics.

These contribute to serious public health problems, including asthma, lung cancer and various other cardiac and respiratory diseases.

Furthermore, these problems result in premature deaths, millions of lost work hours, missed school days and unavoidable health care costs.

At the same time, climate change affects air quality, weather patterns, sea level rise, ecosystems, and agriculture.

Reducing greenhouse gas (GHG) emissions from diesel engines through improved fuel economy or idle reduction strategies can help address climate change, improve our nation's energy security, and strengthen our economy.

Locally, public agencies like Los Angeles World Airports have included requirements to use less polluting low sulfur fuel in its construction contracts.

Other strategies include the use of particulate traps and filters, retrofitting equipment and using alternative fuel.

Given Los Angeles' undesirable leader as one of the most polluted air basins in the U.S., we should take proactive measures now to reduce diesel emissions related to MTA activities.

The U.S. Environmental Protection Agency estimates that every \$1 spent on clean diesel projects produces up to \$13 of public health benefits.

I MOVE that the MTA Board direct the CEO to develop a draft "Clean/Green Construction Policy" for MTA-funded construction projects and report back during the March 2011 Board cycle on the following:

1. Identify what types of owned, leased, and contracted (including construction contracts) diesel equipment MTA currently uses or is likely to use in the future. MTA staff also shall:
  - A. Research the availability of such equipment to contractors and the construction industry
  - B. Provide cost comparison for green or alternative fueled vehicles (this would compare the cost of new construction equipment that meets 2010 US EPA PM2.5 emission standards to the cost of retrofitting, re-powering, or buying alternatively fueled construction equipment)
2. Evaluate adopted clean/green construction equipment policies in other U.S. cities and public agencies, including but not limited to: the City of San Francisco, City of Pittsburg (PA), and Los Angeles World Airports (LAWA)
  - A. Convene a peer group of major, mid-size and small contractors and subcontractors to elicit recommendations on how best to structure and implement a "Clean/Green Construction Policy" at MTA
  - B. Seek additional input from other stakeholder groups regarding how best to structure and implement a "Clean/Green Construction Policy" at MTA
3. Identify potential sources of funds to pay for a green construction equipment policy, including the South Coast Air Quality Management District, the California Air Resources Board, U.S. DOT and U.S. EPA.
4. Based on the above, recommend practical and cost-effective emission reduction actions to be included in upcoming construction equipment purchases, procurements (including but not limited to upcoming Measure R transit and highway construction contracts), and other construction contracts funded entirely or in part by MTA

I FURTHER MOVE that a final "Clean/Green Construction Policy" shall be subject to future Board approval.

###

**EMAC9**

**Motion by Directors Knabe, O'Connor, and Dubois**

**Executive Management and Audit Committee – June 15, 2011**

**Construction Committee – June 16, 2011**

**Measure R Project Delivery Committee – June 18, 2011**

**Metro Green Construction Policy Outreach**

Staff has spent a great deal of time seeking guidance from outside stakeholders in the drafting of this important landmark policy.

We believe that it would be appropriate to refer this draft policy to the TAC Committee for their review and comment with a report back to the respective committees in the July, 2011 Committee cycle.

We, therefore, Move that the draft policy be referred to the TAC Committee for review and comment and that the item be continued to the July 2011 Executive Management, Construction and Measure R committees respectively.

## EMAC10



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

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Los Angeles, CA 90012-2952

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**EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE  
CONSTRUCTION COMMITTEE  
MEASURE R PROJECT DELIVERY COMMITTEE  
JUNE 16, 2011**

**SUBJECT: GREEN CONSTRUCTION POLICY**

**ACTION: ADOPT GREEN CONSTRUCTION POLICY**

**RECOMMENDATION**

Adopt the Los Angeles County Metropolitan Transportation Authority (LACMTA) Green Construction Policy.

**ISSUE**

Expediting the LACMTA's Measure R Initiative through the America Fast Forward Program will reduce overall emissions and get people out of their cars and onto transit sooner. However, the potential to create significant harmful emissions from traffic congestion and those associated with construction activities and existing non-mitigated legacy construction equipment usage remains high. This concern is echoed by the US Environmental Protection Agency (USEPA), the South Coast Air Quality Management District (SCAQMD), and various non-profit environmental organizations in the last few months through comment letters to LACMTA's environmental documents, or in public meetings. Specifically, the USEPA and the SCAQMD have recommended through those forums that the LACMTA either implement best management practices or require the use of cleaner on-road and off-road equipment to mitigate particulate matter (PM) and nitrogen oxide (NO<sub>x</sub>) compound emissions.

\* The development and implementation of a Green Construction Policy was advanced in a motion sponsored by Director Richard Katz and approved by the LACMTA Board of Directors on December 9, 2010. This motion recognizes that reduction of harmful emissions from diesel engines used during construction can significantly reduce the harmful effects of PM, NO<sub>x</sub>, and greenhouse gas emissions. An LACMTA Board approved Green Construction Policy will facilitate agency-wide and uniform implementation of cost-effective solutions to this recognized air quality issue.

## DISCUSSION

Staff presented a Draft Green Construction Policy during the March 2011 Executive Management and Audit Committee meeting. Additional guidance was given by our Board of Directors during that meeting to ensure the development of a comprehensive policy, consistent with the intent of Director Katz's December 2010 motion and more importantly to the policies, guidelines, or framework of other jurisdictions within our region specifically those of the Port of Los Angeles, Port of Long Beach, and Los Angeles World Airports (LAWA).

Since March, staff had conducted separate meetings with various stakeholders that included non-profit environmental organizations, construction contractors, manufacturers of retrofit equipment; as well as representatives of the South Coast Air Quality Management District, Port of Los Angeles, Port of Long Beach, and Los Angeles World Airports. The meetings were designed not only to develop a more comprehensive LACMTA Green Construction Policy but to gain consensus on language and provisions that should be included in the policy. The Green Construction Policy included in Attachment A has been vetted out and discussed among all stakeholders and represent language that is acceptable to all stakeholders.

When adopted by our Board, this policy complements our Board adopted Environmental Policy that commits to, among other things, operating and maintaining LACMTA vehicles and facilities to minimize negative impacts on the environment; ensure the planning, design, construction, and operation of our facilities and services consider environmental protection and sustainable features; and build relationships with our contractors, vendors, consultants, and transit partners during planning, design, construction, operation and procurement to protect and enhance the environment.

This policy also institutionalizes key air quality mitigation measures prepared through the environmental clearance process for any project at LACMTA. These mitigation measures provide minimum requirements (as indicated in the proposed LACMTA Green Construction Policy's Best Management Practices section) to protect human health and the environment.

Staff's recommendation to adopt this LACMTA Green Construction Policy is in line with the clean construction requirements already existing in New York, Illinois (Cook Co.), and Rhode Island (Providence), among others. Locally, the Port of Los Angeles, Port of Long Beach, and LAWA have already incorporated clean construction requirements into their specifications.

From an informal survey of transit agencies nationwide [through the American Public Transportation Association (APTA)], it appears that only a handful of our peers have considered clean/green construction equipment requirements. There appears to be no transit agency at this time that has adopted such a policy. With the adoption of this policy, we will be the industry leader in the APTA community.

## EMAC10



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**EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE  
CONSTRUCTION COMMITTEE  
MEASURE R PROJECT DELIVERY COMMITTEE  
JUNE 16, 2011**

**SUBJECT: GREEN CONSTRUCTION POLICY**

**ACTION: ADOPT GREEN CONSTRUCTION POLICY**

**RECOMMENDATION**

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**ISSUE**

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The development and implementation of a Green Construction Policy was advanced in a motion sponsored by Director Richard Katz and approved by the LACMTA Board of Directors on December 9, 2010. This motion recognizes that reduction of harmful emissions from diesel engines used during construction can significantly reduce the harmful effects of PM, NO<sub>x</sub>, and greenhouse gas emissions. An LACMTA Board approved Green Construction Policy will facilitate agency-wide and uniform implementation of cost-effective solutions to this recognized air quality issue.

#### **FINANCIAL IMPACT**

LAWA and Port of Los Angeles staffs have been implementing clean construction requirements in their construction activities. Specifically to LAWA, they have indicated that the cost to implement these requirements in total, including the labor associated with contractor bid costs, an Independent Third Party Monitor, environmental management contractor staff, plus the cost for retrofitting the off-road construction vehicles with diesel emission control systems, is approximately 0.3% of the overall construction costs on one of their \$150 million projects. In LAWA staff's opinion, the costs to do the same level of effort would conservatively be around 0.5% on a typical construction project.

The Contractor or equipment owner (in cases where construction equipment is leased) is responsible for all costs of purchase, installation, and maintenance of retrofit device or any new construction equipment required by the policy. The Contractor shall also be responsible for any compliance costs to be incurred by any of their subcontractors. Finally, no Contractor shall be given a competitive advantage or disadvantage as a result of the policy. Costs for complying with the policy shall not be considered by LACMTA in evaluating bids.

As indicated in the policy, the LACMTA will provide information to the Contractor and their subcontractors in identifying and applying for grants and loans that are available for the greening of existing construction equipment or purchase of new green construction equipment.

#### **ALTERNATIVES CONSIDERED**

Rejection of the recommended Board action is inconsistent with the intent of the Board approved motion to develop this policy. Rejection of the staff recommendation is also inconsistent with the provisions of our Board adopted Environmental Policy that specifically commits to specific actions in mitigating environmental and human health impacts, while maintaining sustainable operations.

#### **NEXT STEPS**

After the proposed Green Construction Policy is adopted by the LACMTA Board, staff will incorporate the requirements of this policy in all future procurement contracts. It is not retroactive. Staff will encourage Contractors of existing construction projects to implement the provisions of this policy to the greatest extent feasible. Finally, staff will work with air quality management agencies such as the SCAQMD and the California Air Resources Board in setting up the enforcement guidelines of the policy.

**ATTACHMENT**

A. Green Construction Policy

Prepared by: Cris B. Liban, Environmental Compliance and Services Department  
Manager

ATTACHMENT A

**LACMTA GREEN CONSTRUCTION POLICY**

**POLICY STATEMENT**

The Los Angeles County Metropolitan Transportation Authority (LACMTA) will only use greener, less polluting construction equipment and vehicles; and implement best practices to meet or exceed air quality emission standards in all construction projects funded entirely or in part by the LACMTA or performed on LACMTA property.

**PURPOSE**

This policy provides requirements for 1) identifying and mitigating air emission impacts on human health, environment, and climate of on-road and off-road construction equipment and generators used in our construction and development activities; 2) implementing appropriate Best Management Practices (BMP) to complement equipment mitigations; and 3) implementing strategies to ensure compliance with this policy.

This policy is effective and enforceable immediately upon adoption for all new construction projects. This policy will not be retroactive. However, for all existing construction projects [i.e., where contracts have already been awarded], LACMTA will encourage all Contractors to implement the provisions of this policy to the greatest extent feasible. The intent of this policy is to reduce harmful air emissions (particularly particulate matter and nitrogen oxides) while minimizing any significant impact to cost and schedule in any existing construction project. Nothing in this policy shall require a retrofit that does not meet California OSHA standards.

**COMMITMENTS**

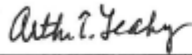
The LACMTA is an international leader in implementing environmental and sustainability principles in all of its planning, construction, operations, and procurement activities. The LACMTA commits to the following construction equipment requirements, construction BMPs, and implementation strategies for all of its construction projects funded entirely or in part by the LACMTA or performed on LACMTA property.

The LACMTA will work with other agencies such as the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD) in the implementation of this policy. Where the construction activity is to be performed outside of SCAQMD jurisdiction but within Los Angeles County, the LACMTA will work through the most appropriate air quality management jurisdiction such as the Antelope Valley Air Quality Management District (AVAQMD) regarding the most appropriate applicable inter-jurisdiction air quality district provisions of this policy.



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Krishniah N. Murthy  
Executive Director, Project Transit Delivery



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Arthur T. Leahy  
Chief Executive Officer

**CONSTRUCTION EQUIPMENT**

Through this Green Construction policy, the LACMTA commits to ensuring that all of the on-road and off-road equipment used in its construction activities are green and less-polluting as follows:

**Construction Equipment (excluding On-Road Equipment)**

- 1) Construction equipment shall incorporate, where feasible, emissions-reducing technology such as hybrid drives and specific fuel economy standards.
- 2) Idling shall be restricted to a maximum of 5 minutes, except as provided in the exceptions to the applicable CARB regulations regarding idling.
- 3) Equipment Engine Specifications:
  - a. **Prior to December 31, 2011:** All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier-2 off-road emission standards at a minimum. In addition, all construction equipment greater than 50 hp shall be retrofitted with a CARB-verified Level 3 Diesel Emissions Control Device system (DECS).
  - b. **From January 1, 2012, to December 31, 2014:** All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier-3 off-road emission standards at a minimum. In addition, all construction equipment greater than 50 hp shall be retrofitted with a CARB-verified Level 3 DECS. Any emissions control device used by the Contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - c. **From January 1, 2015 and onwards:** All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier-4 off-road emission standards at a minimum. In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emissions control device used by the Contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

On-Road Equipment

- 1) Trucks or equipment hauling material such as debris or any fill material shall be fully covered while operating at, to and from the LACMTA construction project.
- 2) Idling shall be restricted to a maximum of 5 minutes, except as provided in the exceptions to the applicable CARB regulations regarding idling.
- 3) EPA Standards:
  - a) **Prior to December 31, 2013:** All on-road heavy-duty diesel trucks or equipment with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater shall meet or exceed the EPA 2007 on-road emission standards for PM10 (0.01 g/bhp-hr); or shall be equipped with a CARB verified Level 3 diesel particulate filter.
  - b) **From January 1, 2014 and onwards:** All on-road heavy-duty diesel trucks or equipment with a GVWR of 19,500 pounds or greater shall comply with EPA 2007 on-road emission standards for PM10 and NO<sub>x</sub> (0.01 g/bhp-hr and at least 1.2 g/bhp-hr, respectively).

Generators

Every effort shall be made to utilize grid-based electric power at any construction site, where feasible. Where access to the power grid is not available, on-site generators must:

- 1) Meet a 0.01 gram per brake-horsepower-hour standard for PM, or
- 2) Be equipped with BACT for PM emissions reductions.

Exceptions

These on-road and off-road construction equipment and generator requirements shall apply unless any of the following circumstances exist and the Contractor provides a written finding consistent with project contract requirements that:

- 1) The Contractor intends to meet the requirements of this policy as to a particular vehicle or piece of equipment by leasing or short-term rental, and the Contractor has attempted in good faith and due diligence to lease the vehicle or equipment that would comply with this policy, but that vehicle or equipment is not available for lease or short-term rental within 200 miles of the project site, and the Contractor has submitted documentation to LACMTA showing that the requirements of this Exception provision apply.

### **CONSTRUCTION EQUIPMENT**

Through this Green Construction policy, the LACMTA commits to ensuring that all of the on-road and off-road equipment used in its construction activities are green and less-polluting as follows:

#### **Construction Equipment (excluding On-Road Equipment)**

- 1) Construction equipment shall incorporate, where feasible, emissions-reducing technology such as hybrid drives and specific fuel economy standards.
- 2) Idling shall be restricted to a maximum of 5 minutes, except as provided in the exceptions to the applicable CARB regulations regarding idling.
- 3) Equipment Engine Specifications:
  - a. ***Prior to December 31, 2011:*** All off-road diesel-powered construction equipment greater than 50 horsepower (hp) shall meet Tier-2 off-road emission standards at a minimum. In addition, all construction equipment greater than 50 hp shall be retrofitted with a CARB-verified Level 3 Diesel Emissions Control Device system (DECS).
  - b. ***From January 1, 2012, to December 31, 2014:*** All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier-3 off-road emission standards at a minimum. In addition, all construction equipment greater than 50 hp shall be retrofitted with a CARB-verified Level 3 DECS. Any emissions control device used by the Contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - c. ***From January 1, 2015 and onwards:*** All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier-4 off-road emission standards at a minimum. In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emissions control device used by the Contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- 2) The Contractor has been awarded funding by SCAQMD or another agency that would provide some or all of the cost to retrofit, repower, or purchase a piece of equipment or vehicle, but the funding has not yet been provided due to circumstances beyond the Contractor's control, and the Contractor has attempted in good faith and due diligence to lease or short-term rent the equipment or vehicle that would comply with this policy, but that equipment or vehicle is not available for lease or short-term rental within 200 miles of the project site, and the Contractor has submitted documentation to LACMTA showing that the requirements of this Exception provision apply.
- 3) Contractor has ordered a piece of equipment or vehicle to be used on the construction project in compliance with this policy at least 60 days before that equipment or vehicle is needed at the project site, but that equipment or vehicle has not yet arrived due to circumstances beyond the Contractor's control, and the Contractor has attempted in good faith and due diligence to lease or short-term rent a piece of equipment or vehicle to meet the requirements of this policy, but that equipment or vehicle is not available for lease or short-term rental within 200 miles of the project, and the Contractor has submitted documentation to LACMTA showing that the requirements of this Exception provision apply.
- 4) Construction-related diesel equipment or vehicle will be used on an LACMTA or LACMTA-funded construction project site for fewer than 10 calendar days per calendar year. The Contractor shall not consecutively use different equipment or vehicles that perform the same or a substantially similar function in an attempt to use this Exception to circumvent the intent of this policy.

In any of the situations described above, the Contractor shall provide the next cleanest piece of equipment or vehicle as provided by the step down schedules in Table A for Off-Road Equipment and Table B for On-Road Equipment.

<b>Table A. Off-Road Compliance Step Down Schedule*</b>		
<b>Compliance Alternative</b>	<b>Engine Standard</b>	<b>CARB-verified DECS (VDECS)</b>
1	Tier 4	N/A**
2	Tier 3	Level 3
3	Tier 2	Level 3
4	Tier 1	Level 3
5	Tier 2	Level 2
6	Tier 2	Level 1
7	Tier 2	Uncontrolled
8	Tier 1	Level 2

Equipment less than Tier 1, Level 2 shall not be permitted.

**Table B. On-Road Compliance Step Down Schedule\***

<b>Compliance Alternative</b>	<b>Engine Model Year</b>	<b>CARB-Verified DECS (VDECS)</b>
1	2010	N/A
2	2007	N/A**
3	2004	Level 3
4	1998	Level 3
5	2004	Uncontrolled
6	1998	Uncontrolled

*Equipment with a model year earlier than Model Year 1998 shall not be permitted.*

**\*How to use Table A and Table B:** For example, if Compliance Alternative #3 is required by this policy but a Contractor cannot obtain an off-road vehicle that meets the Tier 2 engine standard that is equipped with a Level 3 DECS (Compliance Alternative #3 in Table A) and meets one of the above exceptions, then the Contractor shall use a vehicle that meets the next compliance alternative (Compliance Alternative #4) which is a Tier 1 engine standard equipped with a Level 3 DECS. Should the Contractor not be able to supply a vehicle with a Tier 1 engine equipped with a Level 3 DECS in accordance with Compliance Alternative #4 and has satisfied the requirements of one of the above exceptions as to the Contractor's ability to obtain a vehicle meeting Compliance Alternative #4, the Contractor shall then supply a vehicle meeting the next compliance alternative (Compliance Alternative #5), and so on. If the Contractor is proposing an exemption for on-road equipment, the step down schedule in Table B should be used. A Contractor must demonstrate that it has satisfied one of the exceptions listed in the selected Compliance Alternative # before it can use a subsequent Compliance Alternative. The goal is to ensure that the Contractor has exercised due diligence in supplying the cleanest fleet available.

\*\*Tier 4 or 2007 Model Year equipment not already supplied with a factory-equipped diesel particulate filter shall be outfitted with Level 3 VDECS.

**BEST MANAGEMENT PRACTICES**

In addition to equipment requirements, the Best Management Practices (BMPs) listed below are imposed on all construction projects that are fully or partially funded by LACMTA or performed on LACMTA property. LACMTA may also require additional BMPs that are based on BACT guidelines and that may also include changes to construction practices and design to reduce or eliminate human health, environmental, and climate change impacts.

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BMPs shall include, at a minimum:

- 1) Use of diesel particulate traps or best available control technology, as feasible;
- 2) Maintain equipment according to manufacturers' specifications;
- 3) Restrict idling of construction equipment and on-road heavy-duty trucks to a maximum of 5 minutes when not in use, except as provided in the exceptions

- 2) The Contractor has been awarded funding by SCAQMD or another agency that would provide some or all of the cost to retrofit, repower, or purchase a piece of equipment or vehicle, but the funding has not yet been provided due to circumstances beyond the Contractor's control, and the Contractor has attempted in good faith and due diligence to lease or short-term rent the equipment or vehicle that would comply with this policy, but that equipment or vehicle is not available for lease or short-term rental within 200 miles of the project site, and the Contractor has submitted documentation to LACMTA showing that the requirements of this Exception provision apply.
- 3) Contractor has ordered a piece of equipment or vehicle to be used on the construction project in compliance with this policy at least 60 days before that equipment or vehicle is needed at the project site, but that equipment or vehicle has not yet arrived due to circumstances beyond the Contractor's control, and the Contractor has attempted in good faith and due diligence to lease or short-term rent a piece of equipment or vehicle to meet the requirements of this policy, but that equipment or vehicle is not available for lease or short-term rental within 200 miles of the project, and the Contractor has submitted documentation to LACMTA showing that the requirements of this Exception provision apply.
- 4) Construction-related diesel equipment or vehicle will be used on an LACMTA or LACMTA-funded construction project site for fewer than 10 calendar days per calendar year. The Contractor shall not consecutively use different equipment or vehicles that perform the same or a substantially similar function in an attempt to use this Exception to circumvent the intent of this policy.

In any of the situations described above, the Contractor shall provide the next cleanest piece of equipment or vehicle as provided by the step down schedules in Table A for Off-Road Equipment and Table B for On-Road Equipment.

<b>Compliance Alternative</b>	<b>Engine Standard</b>	<b>CARB-verified DECS (VDECS)</b>
1	Tier 4	N/A**
2	Tier 3	Level 3
3	Tier 2	Level 3
4	Tier 1	Level 3
5	Tier 2	Level 2
6	Tier 2	Level 1
7	Tier 2	Uncontrolled
8	Tier 1	Level 2

Equipment less than Tier 1, Level 2 shall not be permitted.

to the applicable CARB regulations regarding idling for off-road and on-road equipment;

- 4) Maintain a buffer zone that is a minimum of 1,000 feet between truck traffic and sensitive receptors, where feasible;
- 5) Where applicable, work with local jurisdictions to improve traffic flow by signal synchronization;
- 6) Configure construction parking to minimize traffic interference;
- 7) Enforce truck parking restrictions, where applicable;
- 8) Prepare haul routes that minimize traversing through congested streets or near sensitive receptor areas;
- 9) Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site, as feasible;
- 10) Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable;
- 11) Use electric power in lieu of diesel power where available; and
- 12) Traffic speeds on all unpaved roads to be 15 mph or less.

#### **IMPLEMENTATION**

The following shall be incorporated to ensure proper compliance with this policy.

##### **Notification**

Contractors of construction activities that are located within 1,000 feet of sensitive receptors shall notify each of these sites in writing at least 30 days before construction activities begin. Notification shall include the name of the project, a description of the location, the acreage of the construction site, the type and quantity of equipment and vehicles that will be operating at or near the site, the start date and reasonably anticipated duration of the construction, any special considerations such as contaminated waste removal or other hazards, and contact information for a community liaison who can answer any questions.

##### **Enforcement**

Each solicitation by LACMTA for a construction project contract, each solicitation for a construction project funded entirely or in part by funds programmed by the LACMTA, and each contract entered into as a result of such solicitation, and

each agreement for funding, shall include provisions authorizing enforcement of the requirements of this policy.

Violations of any of the requirements of this policy shall be deemed to be a material breach of the Contractor agreement, and LACMTA shall have available all remedies including warnings, fines, requirement to remove equipment, institution of special assessments, and termination of contract.

LACMTA shall work with the SCAQMD (or another air quality district jurisdiction if outside of SCAQMD jurisdiction but within Los Angeles County) for the inspection of construction sites and affected off-road and on-road equipment and generator as well as compliance with air quality district rules. These inspections will be conducted without advance notice to the Contractor, and will monitor the Contractor's compliance with the requirements of this policy and with appropriate air quality district rules.

#### Records

Prior to Notice to Proceed (NTP) to commence construction project and to be verified afterwards consistent with project contract requirements and through enforcement provisions above, the Contractor shall submit to LACMTA the following information for all construction equipment to be used in all construction projects funded entirely or in part by the LACMTA or performed on LACMTA property:

- 1) A certified statement that all construction equipment used conform to the requirements specified above;
- 2) A list of all the equipment and vehicles [i.e., for off-road equipment, include the CARB-issued Equipment Identification Number (EIN)] to be used;
- 3) A copy of each Contractor's certified EPA rating and applicable paperwork issued either by CARB, SCAQMD and any other jurisdiction that has oversight over the equipment; and
- 4) The name, business address, e-mail address, and phone number for the individual person responsible for each of the pieces of equipment and vehicles subject to this policy.

If an unanticipated need for the use of equipment or a vehicle arises after construction has commenced or after the Contractor has submitted the information required by the above subsections (1)-(4), the Contractor shall provide such information for the unanticipated equipment or vehicle within 14 days after an identified emergency or when the need arises and prior to the use of the equipment or vehicle.

to the applicable CARB regulations regarding idling for off-road and on-road equipment;

- 4) Maintain a buffer zone that is a minimum of 1,000 feet between truck traffic and sensitive receptors, where feasible;
- 5) Where applicable, work with local jurisdictions to improve traffic flow by signal synchronization;
- 6) Configure construction parking to minimize traffic interference;
- 7) Enforce truck parking restrictions, where applicable;
- 8) Prepare haul routes that minimize traversing through congested streets or near sensitive receptor areas;
- 9) Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site, as feasible;
- 10) Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable;
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- 12) Traffic speeds on all unpaved roads to be 15 mph or less.

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The following shall be incorporated to ensure proper compliance with this policy.

#### **Notification**

Contractors of construction activities that are located within 1,000 feet of sensitive receptors shall notify each of these sites in writing at least 30 days before construction activities begin. Notification shall include the name of the project, a description of the location, the acreage of the construction site, the type and quantity of equipment and vehicles that will be operating at or near the site, the start date and reasonably anticipated duration of the construction, any special considerations such as contaminated waste removal or other hazards, and contact information for a community liaison who can answer any questions.

#### **Enforcement**

Each solicitation by LACMTA for a construction project contract, each solicitation for a construction project funded entirely or in part by funds programmed by the LACMTA, and each contract entered into as a result of such solicitation, and

#### Quantification and Reporting of Emission Reductions

No later than 18 months after the date the LACMTA Board of Directors adopts this policy, and annually thereafter, LACMTA shall develop a summary report presented to the Board and available on the LACMTA website which shall include:

- 1) A description of the implementation of this policy;
- 2) Quantification of the resulting PM and NO<sub>x</sub> emission reductions;
- 3) A list and description of monitoring and enforcement actions;
- 4) A description of other appropriate measures of progress;
- 5) A description of problems encountered and opportunities for additional reductions in emissions; and
- 6) Recommendations for any statutory or policy changes.

#### Implementation and Compliance Costs

The Contractor or equipment or vehicle owner (in cases where the equipment or vehicle is leased) is responsible for all costs of purchase, installation, and maintenance of retrofit devices or any new construction equipment required by this policy. The Contractor shall also be responsible for any compliance costs to be incurred by any of their subcontractors.

The LACMTA will provide information to the Contractor and their subcontractors to aid in the identification of and application for grants and loans that are available for the retrofit or repower of existing construction equipment or purchase of new green construction equipment.

No Contractor shall be given a competitive advantage or disadvantage as a result of this policy. Costs for complying with this policy is a part of the Contractor's bid and will not have any consideration in evaluating bids.

#### DEFINITIONS

*Best Available Control Technology (BACT)* is defined as technology, verified by CARB, for an off-road vehicle that achieves reductions in PM emissions at the highest applicable classification level for diesel emission control strategies. A summary of CARB-verified diesel emission control strategies may be found at <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>. Where this policy requires BACT,

this requirement can be satisfied by a factory installed equivalent device, such as a diesel particulate filter.

*Classification Levels* are defined as levels of diesel emission control retrofit technologies, with Level 3 being the highest classification level, and the only level acceptable for a retrofit under this policy, except as provided for in this policy:

- Level 3 is defined as retrofit technology that reduces diesel PM emissions by 85 percent or greater or reduces engine emissions to less than or equal to 0.01 grams diesel PM per brake horsepower-hour;
- Level 2 is defined as retrofit technology that reduces diesel PM emissions by between 50 and 84 percent;
- Level 1 is defined as retrofit technology that reduces diesel PM emissions by between 25 and 49 percent.

*Construction Project* is defined as a project that is funded entirely or in part by funds programmed by LACMTA or performed on LACMTA property. If the project is performed in collaboration with another agency or agencies or parties, including where the other agency or agencies or parties have the lead responsibility for construction, this Green Construction Policy shall be incorporated into all agreements, including Memoranda of Understanding, between LACMTA and the other agency or agencies or parties, so that this Green Construction Policy shall apply to even those projects that LACMTA funds, in whole or in part, that are performed in conjunction with another agency or agencies or parties.

*Sensitive Receptor Site* is defined as a site that is within the definition provided in the CARB Air Quality and Land Use Planning Guidelines (2005) ([www.arb.ca.gov/ch/landuse.htm](http://www.arb.ca.gov/ch/landuse.htm)) such as schools, daycares, playgrounds, and hospitals.

Quantification and Reporting of Emission Reductions

No later than 18 months after the date the LACMTA Board of Directors adopts this policy, and annually thereafter, LACMTA shall develop a summary report presented to the Board and available on the LACMTA website which shall include:

- 1) A description of the implementation of this policy;
- 2) Quantification of the resulting PM and NO<sub>x</sub> emission reductions;
- 3) A list and description of monitoring and enforcement actions;
- 4) A description of other appropriate measures of progress;
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- 6) Recommendations for any statutory or policy changes.

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The Contractor or equipment or vehicle owner (in cases where the equipment or vehicle is leased) is responsible for all costs of purchase, installation, and maintenance of retrofit devices or any new construction equipment required by this policy. The Contractor shall also be responsible for any compliance costs to be incurred by any of their subcontractors.

The LACMTA will provide information to the Contractor and their subcontractors to aid in the identification of and application for grants and loans that are available for the retrofit or repower of existing construction equipment or purchase of new green construction equipment.

No Contractor shall be given a competitive advantage or disadvantage as a result of this policy. Costs for complying with this policy is a part of the Contractor's bid and will not have any consideration in evaluating bids.

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*Best Available Control Technology (BACT)* is defined as technology, verified by CARB, for an off-road vehicle that achieves reductions in PM emissions at the highest applicable classification level for diesel emission control strategies. A summary of CARB-verified diesel emission control strategies may be found at <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>. Where this policy requires BACT,

## **VIII. REPORTS**

### **ITEM D**

Nomination of Two Community  
Members to the Metro Gateway  
Cities Service Council

**TO:** Transportation Committee

**FROM:** Diane Dubois, MTA Director

**BY:** Karen Heit, Transportation Deputy

**SUBJECT:** Nomination of Two Community Members to the Metro Gateway Cities Service Council

### **Background**

In September 2002, the Los Angeles County Metropolitan Transportation Authority (MTA) Board of Directors adopted a policy for the establishment of Service Councils for its newly created service sectors. One of the five sectors coincides almost exactly with the Gateway Cities COG territory. The COG requested and received recognition as the convening coalition charged with nominating Governance Council members.

At this time, the seat for two vacancies, held by members of the community, will be filled.

### **Issue**

In accordance with the policy and procedures, applications for transit consumer positions were accepted from June 6, 2011 through June 20, 2011. The vacancy was announced on the COG website, the MTA website, by newspaper advertising and by personal contact. Two applications were received from Mr. George Bass and Ms. Cynde Soto, both current members of the Service Council.

In accordance with the COG procedure for filling this vacancy, the Transportation Committee will forward their recommendation verbally to the Board at the meeting.

### **Attachments**

- Gateway Cities MTA Service Sector Council Nominating Policy and Procedure

### **Recommended Action**

It is recommended that the Transportation Committee forward nominations to COG Board and direct staff to submit the Board's nomination to the MTA Board of Directors for final approval.