



# South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

October 25, 2017

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## **Mitigated Negative Declaration (MND) for the Proposed 800 – 824 S. Western Avenue and 801 S. Oxford Avenue (ENV-2016-3609)**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

### SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish an existing 11,450-square-foot commercial building, adaptively reuse an existing 66,400-square-foot commercial building, and construct two buildings totaling 229,138 square feet with 96 residential units and 148 hotel rooms on 1.41 acres (Proposed Project). Based on a review of aerial photographs, SCAQMD staff found that the Proposed Project would be located approximately 100 feet from a gasoline dispensing station. Construction is expected to begin in 2017 and be completed in late 2019.

### SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Section, the Lead Agency quantified the construction and operational emissions and compared them to SCAQMD's regional and localized air quality CEQA significance thresholds to determine the significance of air quality impacts. The Lead Agency found that during the construction phase, construction activities would produce PM10 and PM2.5 emissions that would exceed the SCAQMD's localized air quality CEQA significance thresholds. However, after incorporation of mitigation measure (MM)-3-1, PM10 and PM2.5 emissions would be reduced to below the localized thresholds of significance<sup>1</sup>.

### SCAQMD Staff's Comments

SCAQMD staff has comments about the existing mitigation measure, the Proposed Project's proximity to a gasoline dispensing station, and guidance on siting sensitive receptors near sources of air pollution. Comments are provided as follows.

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<sup>1</sup> Draft MND. *Air Quality*. Page 80.

### *Recommended Changes to the Existing Mitigation Measure (MM)-3-1*

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant impacts. To further reduce the significant PM10 and PM2.5 emissions during the construction phase, SCAQMD staff recommends the following change to MM-3-1 that the Lead Agency should include in the Final MND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website<sup>2</sup>.

**MM-3-1:** All off-road construction equipment greater than 50 hp shall meet USEPA Tier 3<sup>4</sup> emission standards, to reduce NOx, PM10, and PM2.5 emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology 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. At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.

### *Health Risk Assessment due to the Proposed Project's Proximity to a Gasoline Dispensing Station*

Based on the project description, future residents at the Proposed Project would be sited less than 100 feet from the gasoline dispensing station and have a high chance to be exposed to toxic emissions from the station. Therefore, SCAQMD staff recommends that the Lead Agency conduct a Health Risk Assessment (HRA) to disclose the potential health risks to the people who will live and work at the Proposed Project. Guidance for performing a gasoline dispensing station HRA ("*Emission Inventory and Risk Assessment Guidelines for Gasoline Dispensing Stations*") can be found at: [http://www.aqmd.gov/docs/default-source/planning/risk-assessment/gas\\_station\\_hra.pdf](http://www.aqmd.gov/docs/default-source/planning/risk-assessment/gas_station_hra.pdf).

### *Guidance on Siting Sensitive Receptors Near Sources of Air Pollution*

SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*<sup>3</sup> in 2005. Additionally, the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*<sup>4</sup> recommends avoiding siting residences within 300 feet of a large gas station or 50 feet for a typical gas station. These Guidance documents provide recommended policies that local

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<sup>2</sup> South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa>.

<sup>3</sup> South Coast Air Quality Management District. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>.

<sup>4</sup> California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>.

governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review and consider these Guidance documents when making local planning and land use decisions.

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Ryan Bañuelos, Air Quality Specialist, CEQA, at (909) 396-3479, if you have any questions.

Sincerely,



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LAC171005-03  
Control Number