



South Coast Air Quality Management District

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SENT VIA USPS AND E-MAIL:

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**Draft Environmental Impact Report (Draft EIR) for the
Willowbrook Transit Oriented District (TOD) Specific Plan (“Proposed Project”)
(Project No. R2015-02007-(2); Permit No. RADV201500004; Environmental Assessment No.
RENV201500136) (SCH NO. 2015101106)**

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

On March 3, 2017, the SCAQMD’s Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP), which was later approved by the California Air Resources Board of Directors on March 23rd. The 2016 AQMP¹ is a regional blueprint for achieving air quality standards and healthful air in the South Coast Air Basin (Basin). Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and lays out the challenges facing the Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment. Achieving NOx emission reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attaining the ozone NAAQS as expeditiously as practicable.

SCAQMD staff understands that one of the project objectives is to “create an attractive environment for pedestrians, bicyclists, Metro riders, and local transit users [...]”² by integrating multimodal transportation choices with compatible, transit-oriented land use strategies. This project exemplifies the County of Los Angeles’s (County or Lead Agency) leadership in promoting sustainable communities development – a commitment that is reassured by the County in its Strategic Plan 2015-2020³. SCAQMD staff believes that the proposed project is consistent with the goals of the 2016 AQMP by improving access to transit and encouraging more walking and biking. This will help cut emissions from mobile sources, protect public health from air pollution, and achieve healthful air in the Basin.

¹ South Coast Air Quality Management District. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

² Draft EIR. Section 2, *Project Description*. Page 2-29.

³ Los Angeles County Department of Regional Planning. June 2015. *Strategic Plan 2015-2020*. Accessed at: http://planning.lacounty.gov/assets/upl/general/strategic-plan_2015-2020.pdf.

Project Description

The Lead Agency proposes to develop land use strategies to allow the future development of 1,952 residential dwelling units and 2,666,035 square feet of non-residential uses (medical, retail, commercial, office, light manufacturing, etc.) on 312 acres over a 20-year period. The proposed project is bounded by Interstate 105 (I-105), a multimodal transit facility, and the Los Angeles County Metropolitan Transportation Authority (Metro) Green Line to the north⁴; commercial uses to the east; and residential uses to the south and west. The proposed project is bisected by a railroad track that is used for the Metro Blue Line⁵. Construction is expected to begin in year 2018⁶.

Air Quality and Health Risk Assessment Analyses

In Section 3.2, *Air Quality*, of the Draft EIR, 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 the construction emissions would exceed SCAQMD's regional air quality CEQA significance thresholds for ROG, NO_x, and CO, and that the localized construction emissions would exceed SCAQMD's localized air quality CEQA significance thresholds for NO_x, PM₁₀ and PM_{2.5}. The Lead Agency also found that the operational emissions would exceed SCAQMD's regional significance thresholds for ROG, NO_x, CO, PM₁₀ and PM_{2.5}. After mitigation, these impacts would remain significant and unavoidable⁷. For the proposed project's long-term health risks, the Lead Agency stated that the proposed project "would allow the development of residential uses to be located within 500 feet of a freeway [...], and it] would have the potential to expose sensitive receptors to [toxic air contaminants] (TACs) from mobile sources to an extent that health risks could result"⁸. Moreover, the Lead Agency stated that "new sensitive receptors would be exposed to TAC emissions from Metro trains"⁹. After incorporating Mitigation Measure AIR-8, the Lead Agency found that "TAC emissions that would be exposed to sensitive uses would be reduced to less than significant"¹⁰.

General Comments

SCAQMD staff has concerns about the air quality and health risk assessment analyses in the Draft EIR. First, the Lead Agency did not estimate the long-term health risks to people who will live and work at the proposed project. Second, the Lead Agency's finding that the implementation of Mitigation Measure AIR-8 would reduce the long-term health risks from TAC emissions to less than significant was not supported by substantial evidence. Additional details are included in the attachment. The attachment also includes a discussion of mitigation measures.

Conclusion

In closing, SCAQMD staff encourages the County to continue creating livable, sustainable, and healthy communities that can benefit air quality and ensure that the Basin is on track to attain the NAAQS. Pursuant to the Public Resources Code Section 21092.5 and the CEQA Guidelines Section 15088, the Lead Agency is required to provide SCAQMD with written proposed responses to all comments contained herein prior to the certification of the Final EIR.

⁴ The multimodal transit facility includes Metrolink train service, the Metro Green Line, six Metro bus routes, and local buses and shuttles that connect passengers with the wider Metro rail and bus network.

⁵ Notice of Availability, Figure 2-3, *Specific Plan Subareas*.

⁶ Draft EIR, Section 3.2 *Air Quality*, Page 3.2-26.

⁷ *Ibid*, Page 3.2-33.

⁸ *Ibid*, Page 3.2-36.

⁹ *Ibid*.

¹⁰ *Ibid*, Page 3.2-38.

SCAQMD staff is available to work with the Lead Agency to address any other air quality and health risk questions that may arise. Please contact Gordon Mize, Air Quality Specialist, CEQA IGR, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
JW:LS:GM
LAC170511-09
Control Number

ATTACHMENT

Health Risk Assessment from Mobile Sources and Other Sources of Air Pollution

1. Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways, SCAQMD staff recommends that, prior to approving the project, Lead Agencies consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

Based on a review of aerial photographs, SCAQMD staff found that the proposed project be located approximately 10 feet from the I-105, which has an average daily volume of 244,000 vehicles¹¹ including approximately 13,128 diesel fueled trucks. Because of the close proximity to the existing freeway, residents would be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen. Additionally, the proposed project is bisected by the Metro Blue Line railroad tracks that run north-south of the project area. A federal database¹² indicates that these railroad tracks show daily train activity including approximately six trains powered by diesel-fueled locomotive engines. Diesel particulate matter emitted from diesel powered engines (such as trucks and locomotives) has been classified by the state as a toxic air contaminant and a carcinogen. Furthermore, the proposed project is located within a manufacturing zone (M Zone), which includes four SCAQMD permitted facilities within one quarter mile¹³.

However, after a review of the Air Quality section, SCAQMD staff found that the Lead Agency did not quantify the long-term health risks¹⁴ to sensitive receptors at the proposed project from exposure to TAC emissions to determine the level of significance. Although a mitigation measure was proposed, the Lead Agency did not quantify the level of significance after incorporating that mitigation. Therefore, the Lead Agency's finding that "after the implementation of Mitigation Measure AIR-8, TAC emissions that would expose sensitive receptors would be reduced to less than significant"¹⁵ is not supported by substantial evidence¹⁶ as required by the CEQA Guidelines Section 15091. Therefore, SCAQMD staff recommends that the Lead Agency provide substantial evidence in the Final EIR to support this finding by conducting a health risk assessment (HRA)¹⁷ to disclose the potential health risks to the people who will live and work at the proposed project. The Lead Agency should compare the results to the SCAQMD's CEQA significance threshold of 10 in one million to determine the CEQA significance before and after incorporating Mitigation Measure AIR-8.

¹¹ Caltrans 2015 annual average daily traffic (Annual ADT) and truck volumes: <http://www.dot.ca.gov/trafficops/census/>.

¹² Federal Railroad Administration Office of Safety Analysis. June 7, 2017. Accessed at: <http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/crossing/xingqryloc.aspx>. Please see also Draft EIR, Section 3.2, *Air Quality*. Page 3.2-36.

¹³ Based on a search of the SCAQMD's Facility Information Detail (FIND) database, SCAQMD staff found that the following SCAQMD permitted facilities were located in the vicinity of the proposed project: Facility IDs 800267, 108370, 164981, and 166050. The FIND database is available at: <http://www.aqmd.gov/home/tools/public/find>. This information is to assist the Lead Agency's evaluation of the proposed project's long-term health risks.

¹⁴ *Ibid*, Page 3.2-35 and 36.

¹⁵ *Ibid*, Page 3.2-38.

¹⁶ Pursuant to the CEQA Guidelines Section 15384, substantial evidence means "[...] enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached [...]." "Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts."

¹⁷ South Coast Air Quality Management District. "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis". Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

Guidance Regarding Residences Sited Near a High-Volume Freeway or Other Sources of Air Pollution

2. 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 at reducing 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 in 2005. This Guidance Document provides suggested policies that local 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 this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>.

Numerous health studies have demonstrated potential adverse health effects associated with living near highly travelled roadways. In traffic-related studies, the additional non-cancer health risk attributable to proximity is seen within 1,000 feet and is strongest within 300 feet¹⁸. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet¹⁹. As a result of these studies, the California Air Resources Board (CARB) developed the Air Quality and Land Use Handbook²⁰ that recommends avoiding new sensitive land uses (such as housing) within 500 feet of a freeway and within 300 feet of a large fueling station. Additional research has shown that the near roadway environment also contains elevated levels of many pollutants that adversely affect human health, including some pollutants that are unregulated (e.g., ultrafine particles) and whose potential health effects are still emerging²¹. Guidance²² on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

SCAQMD's Air Quality CEQA Thresholds of Significance

3. In the Air Quality section, construction activities are characterized to occur "intermittently as various development projects occur within the proposed project area throughout the 20-year buildout period"²³. In the case of overlapping construction and operation activities, SCAQMD staff recommends adding the construction and operational emissions and comparing those emissions to SCAQMD's air quality CEQA significance thresholds for operation²⁴ to determine the level significance.

Mitigation Measure AIR-8 and Limits to Enhanced Filtration Units

4. The Lead Agency proposes to include enhanced filtration units as a mitigation measure²⁵. SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration. For

¹⁸ California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective". Page 6. Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>.

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ See Chapter 9 of the 2012 AQMP for further information. Accessed at: [http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-\(february-2013\)/chapter-9-final-2012.pdf](http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-(february-2013)/chapter-9-final-2012.pdf).

²² In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective. This Technical Advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. Accessed at: <https://www.arb.ca.gov/ch/landuse.htm>.

²³ Draft EIR, Section 3.2 Air Quality, Page 3.2-35.

²⁴ South Coast Air Quality Management District. *SCAQMD Air Quality Significance Thresholds*. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

²⁵ Mitigation Measure AIR-8. Draft EIR. Section 3.2, Air Quality. Page 3.2-37.

example, in a study that SCAQMD conducted to investigate filters²⁶, costs were expected to range from \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and does not account for the times when the residents have their windows or doors open or are in common space areas of the project. Additionally, these filters also have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units, if proposed as a mitigation measure, should therefore be evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures.

Additional Recommended Mitigation Measures to Further Reduce Construction Emissions

5. CEQA requires that all feasible mitigation measures go beyond what is required by law to minimize any significant impacts. In addition to the mitigation measures proposed in the Draft EIR starting on page 3.2-32, SCAQMD staff recommends that the Lead Agency include additional mitigation measures provided below in the Final EIR to further reduce the significant regional and localized construction emissions for regional ROG, NO_x, and CO and localized construction NO_x, PM₁₀ and PM_{2.5}.
 - a) Include in all construction contracts the requirement to use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). In the event that that 2010 model year or newer diesel trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NO_x emissions requirements, at a minimum.
 - b) Enter into a contract that notifies all vendors and construction contractors that vehicle and construction equipment idling time will be limited to no longer than five minutes or another time-frame as allowed by the California Code of Regulations, Title 13 section 2485 - CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. For any vehicle delivery that is expected to take longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. Notify the vendors of these idling requirements at the time that the purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers understand the vehicle and construction equipment idling requirement, post signs at each facility entry gates stating idling longer than five minutes is not permitted.
 - c) Maintain vehicle and equipment maintenance records for the construction portion of the proposed project. All construction vehicles must be maintained in compliance with the manufacturer's recommended maintenance schedule. All maintenance records for each facility and their construction contractor(s) will remain on-site for a period of at least two years from completion of construction.
 - d) Construction areas within the facility or construction site where electricity is and is not available must be clearly identified on a site plan. The use of non-electric onsite mobile equipment shall be prohibited in areas of the facility that are shown to have access to electricity. The use of electric on-site mobile equipment within these identified areas of the facility or construction site will be allowed.
 - e) Include in all construction contracts the requirement to cover all haul trucks delivering or hauling away dirt, sand, soil, or other loose materials.
 - f) Schedule construction activities that affect traffic flow on the arterial system to occur during off-peak hours to the greatest extent practicable.

²⁶ This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see the 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

- g) Require the construction contractor to install and use wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip to prevent drag-out.
- h) Require the construction contractor to apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (e.g., previously graded areas inactive for ten days or more).
- i) Require the construction contractor to replace ground cover in disturbed areas as quickly as possible to minimize dust.
- j) Require the construction contractor to pave road and road shoulders.
- k) Require the construction contractor to sweep streets at the end of the day using SCAQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads. In the event that water sweepers are used, recommend the use of reclaimed water by construction contractor.

Additional Recommended Mitigation Measures to Further Reduce Operational Emissions

6. In addition to the construction mitigation measures identified above, the Lead Agency should incorporate the following operation-related mitigation measures to further reduce the proposed project's significant operational air quality impacts from ROG, NO_x, CO, PM₁₀ and PM_{2.5}.
 - a) Vehicles that can operate at least partially on electricity have the ability to substantially reduce the significant NO_x impacts from this project. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing residence or a common electrical charging area. Therefore, SCAQMD staff recommends the Lead Agency require the proposed project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in. For residences, SCAQMD staff recommends that homes be appropriately wired from the electrical panel to later allow residents to install electrical chargers, if desired. At a minimum, residential electrical panels should appropriately-sized to allow for future expanded use.
 - b) Require at least 5% of all commercial vehicle parking spaces include EV charging stations. At a minimum, electrical panels should be appropriately sized to allow for future expanded use.
 - c) Residential parking shall include community electric vehicle charging station(s). Recommend 5% of parking spaces

Additional Recommended Mitigation Measures to Reduce Health Risk Impacts

7. In the event that the Lead Agency, after performing a HRA, finds that new mitigation measures in addition to Mitigation Measure AIR-8, are required, SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measure to reduce health impacts to sensitive receptors.
 - a) Include setbacks of at least 500 from I-105 and the railroad tracks as recommended in the CARB's guidance document described above.

Compliance with SCAQMD Rule 403(e) for Large Operations

8. The Lead Agency included a discussion on compliance with SCAQMD Rule 403- Fugitive Dust in the Draft EIR²⁷. Based on the project description²⁸, the proposed project is a large operation on 321 acres (50-acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin. The Lead Agency is required

²⁷ Draft EIR, Section 3.2 *Air Quality*, Pages 3.2-14. See also Page 3.2-26.

²⁸ *Ibid*, Project Description Page 2-2 – The Specific Plan area is approximately 312 acres. Also see Section 3.2 *Air Quality*, starting on Page 3.2-27 - The worst-case construction assumptions include grading of 10-acres per day.

to comply with SCAQMD Rule 403(e) – Additional Requirements for Large Operations²⁹. The requirements may include, but are not limited to, Large Operation Notification (Form 403 N), appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class³⁰. Therefore, SCAQMD recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 403(e) in the Final EIR.

²⁹ SCAQMD Rule 403. Last amended June 3, 2005. Available at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf?sfvrsn=4>.

³⁰ SCAQMD Compliance and Enforcement Staff's contact information for Rule 403(e) Large Operations is (909) 396-2608 or by e-mail at dustcontrol@aqmd.gov.