



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report (Draft EIR) for the Proposed West Carson Transit Oriented District Specific Plan (SCH No.: 2017011010)

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 EIR.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to develop a Specific Plan that provides comprehensive direction for the development of the project area and facilitates implementation of the goals and policies of the County of Los Angeles 2035 General Plan, including the vision for the transit-oriented district (TOD) priority areas (Proposed Project). The Proposed Project would result in a net increase of 2,271 residential dwelling units and approximately 1.7 million square feet of non-residential uses, including commercial, industrial, public (e.g., parks), and medical uses on 319.3 acres. Approximately 985,977 square feet of the existing structures would be demolished¹. Based on a review of Figure 3-3 in the Draft EIR, SCAQMD staff found that some of the West Carson Residential Uses and Mixed Use Development 1 and 2 are located in proximity to Interstate 405 (I-405) Freeway. The Proposed Project is expected to be developed over 20 years or more².

SCAQMD Staff's Air Quality Analysis

The Lead Agency quantified the Proposed Project's construction and operational emissions and compared them to SCAQMD's regional air quality CEQA significance thresholds. After incorporating Mitigation Measures AQ-1 and AQ-2³, the Lead Agency found that the Proposed Project's mitigated construction emissions would remain significant and unavoidable for NOx. Mitigation Measure AQ-1 requires the use of Tier 4 emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower, and Mitigation Measure AQ-2 requires compliance with SCAQMD Rule 403 for controlling fugitive dusts. The Proposed Project's operational emissions were calculated based on a worst-case impact scenario with overlapping construction and operational activities and were found to exceed SCAQMD air quality CEQA thresholds of significance for operation for VOC, NOx, CO, PM10, and PM2.5 emissions after incorporating Mitigation Measures AQ-3 and AQ-5⁴. Although the Lead Agency did not conduct localized significance thresholds (LSTs) analysis or health risk assessment (HRA) analysis because they could only be conducted at a project, not applicable for a program-level analysis, the Lead Agency concluded that sensitive receptors could be exposed to substantial pollutant concentrations or diesel particulate matter (DPM), resulting in a significant impact⁵.

¹ Draft EIR. Page 5.2-24.

² *Ibid.* Page 5.2-27.

³ *Ibid.* Page 1-15 and 16. Page 5.2-24.

⁴ *Ibid.* Page 1-17 and 18. Page 5.2-26.

⁵ *Ibid.* Page 5.2-27.

SCAQMD's 2016 Air Quality Management Plan

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)⁶, which was later approved by the California Air Resources Board on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air 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.

General Comments

SCAQMD staff has reviewed the Air Quality Analysis in the Draft EIR and has comments on the LSTs and HRA analyses. Please see the attachment for more information. Additionally, as described in the 2016 AQMP, to achieve NOx emissions 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 attain the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to NOx emissions. Therefore, SCAQMD staff has recommendations on additional mitigation measures to further reduce NOx emissions and VOC emissions. Finally, the attachment includes recommendations to include discussions on SCAQMD rules.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

SCAQMD staff is available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact me at lsun@aqmd.gov if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

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Control Number

⁶ 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>.

ATTACHMENT

Localized Significance Thresholds (LSTs) and Health Risk Assessment Analyses

1. When specific development is reasonably foreseeable as a result of the goals, policies, and elements in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in a CEQA document. In the Draft EIR, the Lead Agency stated that “because of the scale of development activity associated with buildout of the project, for this broad-based program EIR analysis, it is not possible to determine whether the scale and phasing of individual projects would result in the exceedance of the localized emissions and health risk thresholds and contribute to known health effects⁷.” SCAQMD staff is concerned with this analysis. Detailed comments are discussed below.

Localized Significance Thresholds (LSTs) Analysis

- a) To analyze and disclose a worst-case impact scenario that is reasonably foreseeable at the time the Draft EIR is prepared, SCAQMD staff recommends that the Lead Agency use its best efforts, based on already available Project information such as square feet, construction scenarios, and areas of disturbance, to quantify the Proposed Project’s localized emissions and disclose the localized air quality impacts in the Final EIR. SCAQMD guidance for performing a localized air quality analysis is available on SCAQMD website⁸. Alternatively, the Lead Agency should consider to include a new air quality mitigation measure to require a project-level LSTs analysis prior to issuance of a grading permit as follows:

Prior to issuance of a grading permit for new development projects that are one acre or larger, the applicant/developer shall provide modeling of the localized emissions (NO_x, CO, PM₁₀, and PM_{2.5}) associated with the maximum daily grading activities for the proposed development. If the modeling shows that emissions would exceed SCAQMD’s air quality CEQA localized thresholds for those emissions, the maximum daily grading activities of the proposed development shall be limited to the extent that could occur without resulting in emissions in excess of SCAQMD’s significance thresholds for those emissions.

This mitigation measure ensures that the Lead Agency has adequately analyzed the Proposed Project’s localized air quality impacts to justify deferring the LSTs analysis, that a project- or site-specific LSTs analysis will be completed in a later stage, and that any nearby sensitive receptors are not adversely affected by the Proposed Project’s construction activities that are occurring in close proximity.

Health Risk Assessment (HRA) Analysis

- b) As stated in the SCAQMD staff’s summary of Project Description, residences at the Proposed Project will live in proximity to I-405 Freeway. To facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead Agency use applicable Project information that is already available in the Draft EIR to conduct a HRA analysis⁹ and to disclose

⁷ *Ibid.* Page 5.2-27, 34, and 35.

⁸ South Coast Air Quality Management District. Localized Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

⁹ “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>.

the potential health risks in the Final EIR¹⁰. Alternatively, the Lead Agency should include a new air quality mitigation measure requiring the preparation of a project-level HRA analysis to be submitted to the County of Los Angeles Planning Department prior to design review approval for development proposals for new residential uses in the Proposed Project area within 500 feet of I-405 Freeway. This mitigation measure ensures that the Lead Agency has adequately considered the Proposed Project's health impacts and that a project-level HRA analysis will be completed in a later stage to facilitate the disclosure of health impacts to prospective residents.

- c) The Lead Agency should also consider requiring the use of enhanced filtration systems with maximum efficiency rating value (MERV) of 13 or better in residential units within 500 feet of I-405 Freeway to ensure the maximum reduction of health risks from exposures to diesel particulate matter (DPM) emissions from vehicles and trucks traveling on the freeway.
- d) However, enhanced filtration units have limits. In a study that SCAQMD conducted to investigate filters¹¹, a cost burden is expected to be within the range of \$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 residents. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. In addition, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail and disclosed to prospective residences prior to assuming that they will sufficiently alleviate exposures to DPM emissions. Therefore, SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration units.
- e) Because of the limitations, SCAQMD staff recommends that the Lead Agency make the following disclosures to prospective residences and include them as requirements in the Final EIR.
 - Disclosure on potential health impacts to prospective residents from living in proximity to freeways and the reduced effectiveness of air filtration system when windows are open;
 - Disclosure on increased energy costs for running the HVAC system to prospective residents;
 - Recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units;
 - Ongoing cost sharing strategies, if any, for replacing the enhanced filtration units;
 - Identification of the responsible implementing and enforcement agency such as the Lead Agency for ensuring that enhanced filters are installed at residential units before a permit of occupancy is issued;
 - Identification of the responsible entity such as Homeowners Association or property management for ensuring filters are replaced on time, if appropriate and feasible;
 - Criteria for assessing progress in installing and replacing the enhanced filtration units; and
 - Process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

¹⁰ SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

¹¹ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see also 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

- f) Guidance on siting sensitive receptors near a high-volume freeway and other 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* in 2005¹². This Guidance document provides recommended 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. In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Therefore, it is recommended that the Lead Agency review this Guidance document prior to approving the Proposed Project.

Additional Recommended Mitigation Measures

2. To further reduce NO_x and VOC emissions, SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures for air quality impacts in the Final EIR.
- a) Since the Proposed Project would be implemented over a period of 20 years or more, the Lead Agency should take this opportunity to deploy strategies that will foster and facilitate the deployment of the lowest emission technologies possible. SCAQMD staff recommends that the Lead Agency develop performance standards-based technology review at a programmatic level that is generally appropriate for an area-wide and long-range plan such as the Proposed Project. The deployment should include those technologies that are "capable of being accomplished in a successful manner within a reasonable period of time" (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies that are expected to be available in the life of the Proposed Project. As such, SCAQMD staff recommends that the Lead Agency incorporate the performance standards-based technology review or develop other comparable strategies or tools to periodically assess equipment availability, equipment fleet mixtures, and best available emissions control devices, and specify performance standards and appropriate timeline (or schedule) for the technology assessment that supports the NO_x emissions reductions goals and timeline as outlined in the 2016 AQMP.
- b) Require all diesel-fueled trucks including, but not limited to, construction hauling trucks and/or material delivery trucks, accessing the Proposed Project meet the U.S. Environmental Protection Agency (EPA)/California Air Resource Board (CARB) truck engine standard for Model Year 2010 or better. In the event that that 2010 model year or newer diesel haul 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. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

¹² 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/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

- c) Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- d) Limit parking supply and unbundle parking costs.
- e) Maximize the planting of trees in landscaping and parking lots.
- f) Use light colored paving and roofing materials.
- g) Install light colored “cool” roofs and cool pavements.
- h) Require use of electric or alternatively fueled sweepers with HEPA filters.
- i) Require use of electric lawn mowers and leaf blowers.
- j) Use of water-based or low VOC cleaning products.

Compliance with SCAQMD Rule 403(e) and Rule 1403

3. The Lead Agency included a discussion on general compliance with SCAQMD Rule 403 in the Draft EIR. Since the Proposed Project is a large operation of approximately 319.3 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 to comply with SCAQMD Rule 403(e) – Additional Requirements for Large Operations¹³, which includes requirements to provide 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 class¹⁴. Therefore, SCAQMD recommends that the Lead Agency include a discussion to demonstrate specific compliance with SCAQMD Rule 403(e) in the Final EIR. Compliance with SCAQMD Rule 403(e) will further reduce particulate matters from the Proposed Project.
4. Since the Proposed Project would include demolish approximately 985,977 square feet of the existing structures, asbestos may be encountered during demolition. As such, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities¹⁵ in the Final EIR.

¹³ South Coast Air Quality Management District. Rule 403(e). Page 7. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

¹⁴ South Coast Air Quality Management District 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.

¹⁵ South Coast Air Quality Management District. Rule 1403. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.