



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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CEQA-comments@lausd.net

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Mitigated Negative Declaration (MND) for the Proposed McKinley Avenue Elementary School Comprehensive Modernization Project

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 modernize McKinley Avenue Elementary School, demolish 56,000 square feet of existing academic buildings, remodel 1,850 square feet of existing academic buildings, and construct 72,478 square feet of new academic buildings (Proposed Project). The Proposed Project is located at 7812 McKinley Avenue on the northeast corner of East 79th Street and McKinley Avenue in the community of Southeast Los Angeles. Upon review of the MND and aerial photographs, SCAQMD staff found that single- and multi-family residential units are adjacent to the Proposed Project¹. Construction is anticipated to begin in July 2021 and will be completed by December 2024². In order to allow the school to remain in operation during construction, 15 relocatable buildings will be added on campus³.

SCAQMD Staff's Summary of Air Quality Analyses

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's regional and localized construction and operational air quality impacts would be less than significant⁴. The air quality analyses took into consideration of the Lead Agency's standard conditions of approval for air quality (SC-AQ), which requires that the Proposed Project commit to implementing all feasible measures to reduce air quality impacts to below SCAQMD's significance thresholds during construction and operation. One such measure, SC-AQ-4, requires that the Proposed Project use construction equipment rated at Tier 3 or Tier 4 emission limits for engines between 50 and 750 horsepower⁵. As such, the Lead Agency has committed to using construction equipment rated at Tier 3 emissions limits during construction for the Proposed Project⁶.

¹ MND. Section 2 Environmental Setting "2.2 Surrounding Land Uses" Page 11.

² MND. Section 3 Project Description "3.2 Construction and Phasing and Equipment" Page 26.

³ *Ibid.*

⁴ MND. Section 4 Environmental Checklist and Analysis "III. Air Quality" Page 43-50.

⁵ *Ibid.* Page 43.

⁶ *Ibid.* Page 47.

SCAQMD Staff's General Comments

The Lead Agency found that the Proposed Project's localized construction air quality impacts would result in 3.6 pounds per day (lbs/day) of PM_{2.5}, which is slightly below SCAQMD's Localized Significance Thresholds for the South Central Los Angeles Source Receptor Area of 4 lbs/day⁷. To further reduce the Proposed Project's potential localized construction impacts on sensitive receptors that will be on campus (e.g., students and teachers) during construction and those who live adjacent to the Proposed Project, SCAQMD staff recommends that the Lead Agency require the use of Tier 4 construction equipment of 50 horsepower or greater, and incorporate additional methods to ensure enforceability of anti-idling requirements. SCAQMD staff also recommends an additional construction mitigation measure as a resource that the Lead Agency should consider for incorporation into the Final MND. Additionally, SCAQMD staff has comments regarding permitted equipment. Please see the attachment for more information.

Conclusion

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. Please provide SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details 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 do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, if the Lead Agency makes a finding that the additional recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting or substituting these mitigation measures in the Final MND (CEQA Guidelines Section 15074.1).

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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
LAC190314-05
Control Number

⁷ *Ibid.*

ATTACHMENT**Recommended Changes to Standard Conditions of Approval for Air Quality (SC-AQ)-4:**

1. SCAQMD staff recommends that the Lead Agency incorporate the following changes to portions of SC-AQ-4 in the Final MND to further reduce the Proposed Project's localized construction impacts on sensitive receptors at and adjacent to the Proposed Project.

SC-AQ-4

- Use construction equipment that meets, or exceeds, the California Air Resources Board ~~rated by~~ and the United States Environmental Protection Agency ~~as having at least Tier 3 (model year 2006 or newer) or~~ Tier 4 (model year 2008 or newer) emission limits for engines between 50 and 750 horsepower or greater. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filters (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions⁸. A list of CARB verified DPFs are available on the CARB website⁹. To ensure that Tier 4 construction equipment or better will be used during the Proposed Project's construction, SCAQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.
- Restrict non-essential diesel engine idle time, to not more than five consecutive 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 and operators understand the idling requirement, post signs at the entry of the construction site and throughout the Proposed Project site stating that idling longer than five minutes is not permitted.

Additional Recommended Mitigation Measure:

2. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse impacts. To further reduce the Proposed Project's localized construction impacts on sensitive receptors, SCAQMD staff recommends that the Lead Agency encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

⁸ California Air Resources Board. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

⁹ *Ibid*. Page 18.

SCAQMD Permits and Compliance with SCAQMD Rules

3. If the Proposed Project contains process boilers¹⁰ that may be disturbed during demolition, renovation, and new construction activities, it is recommended that the Lead Agency consult with SCAQMD's Engineering and Permitting staff to determine if any change, such as termination or modification, to an existing permit from SCAQMD is required, and if compliance with other applicable SCAQMD rules is required and should be discussed in the Air Quality Section of the Final MND. Additionally, in the event that the Proposed Project will require new stationary equipment that requires a permit from SCAQMD, the Lead Agency should identify SCAQMD as a Responsible Agency for the Proposed Project in the Final MND. Questions on permits and applicable SCAQMD rules can be directed to SCAQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit SCAQMD's webpage at: <http://www.aqmd.gov/home/permits>.

¹⁰ Appendix A *Air Quality and GHG Emissions Background and Modeling Data*. CalEEMod Summer Printout, "1.3 User Entered Comments and Non-Default Data" Page 2.