



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Mitigated Negative Declaration (MND) for the Proposed ENV-2018-3039 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 demolish approximately 26,636 square feet of existing structures, including a gasoline service station with 12 pumps to construct a six-story, 81,772-square-foot building with 119 residential units on 0.61 acres (Proposed Project). Based on a review of Figure II-1, *Project Location Map*, Figure II-2, *Aerial Photograph of the Project Site and Surrounding Land uses*, Figure III-1, *Air Quality Sensitive Receptors*, in the MND and aerial photographs, SCAQMD staff found that the Proposed Project is located next to Interstate 405 (I-405) and is within 100 feet of the off-ramp¹. Construction of the Proposed Project is expected to occur over 25 months, with final buildout occurring in 2020².

SCAQMD Staff's Summary and General Comment on Air Quality Analysis

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. The Lead Agency found that the Proposed Project's construction and operational air quality impacts would be less than significant. However, the Lead Agency did not include a discussion on the long-term health risks to residents who will live next to I-405. Therefore, to facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead Agency perform a mobile source health risk assessment in the Final MND. Detailed comments are included in the attachment.

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 certification 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 or useful to decision makers and to the public who are interested in the Proposed Project.

¹ MND. Pages II-2 and III-13.

² MND. Page II-27.

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 Robert Dalbeck, Assistant Air Quality Specialist, at rdalbeck@aqmd.gov or (909) 396-2139, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:RD

LAC190102-02

Control Number

ATTACHMENTHealth Risk Assessment (HRA) 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 a close proximity of I-405, SCAQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project will include, among others, construction of a six-story apartment building with 119 dwelling units. Based on a review of Figure II-1, *Project Location Map*, Figure II-3, *Aerial Photograph of the Project Site and Surrounding Land uses*, Figure III-1, *Air Quality Sensitive Receptors* in the MND and aerial photographs, SCAQMD staff found that the Proposed Project is located next to Interstate 405 (I-405) with an annual average daily traffic (AADT) of 310,000 vehicles, including an AADT of 10,726 diesel-fueled trucks at Post Mile 30.856 in 2016³. Residents living at the Proposed Project would be exposed to diesel particulate matter (DPM). DPM is a toxic air contaminant and a carcinogen. Therefore, SCAQMD staff recommends that the Lead Agency consider health impacts on future residents living at the Proposed Project by performing a mobile source HRA⁴ analysis to disclose the potential health risks in the Final MND⁵. This will facilitate the purpose and goal of CEQA on public disclosure and provide decision-makers with substantial evidence to make an informed decision on project approval.

Guidance on Siting Sensitive Receptors Near a High-Volume Freeway and 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 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 2005⁶. 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.

³ California Department of Transportation. Caltrans Traffic Volume Data for 2016. Route 405, Post mile 30.856. Accessed at: <http://www.dot.ca.gov/trafficops/census/>.

⁴ 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/airquality-analysis-handbook/mobile-source-toxics-analysis>.

⁵ 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.

⁶ 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>.

Limits to Enhanced Filtration Units

3. Many strategies are available to reduce exposure, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Because of the potential adverse health risks involved with siting sensitive receptors near freeways, it is essential that any proposed strategy must be carefully evaluated before implementation. Here, the Lead Agency is committed to install MERV 13 filters at the Proposed Project⁷. Because the Proposed Project is located next to I-405 and within 100 feet of the off-ramp, SCAQMD staff recommends that the Lead Agency go beyond the standards in the Los Angeles Municipal Code (LAMC) Section 99.04.504.6 by requiring the installation of MERV 15 filters or better at the Proposed Project in the Final MND.

SCAQMD staff also recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁸, 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. Moreover, 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 prior to assuming that they will sufficiently alleviate exposures to DPM emissions.

Enforceability of Enhanced Filtration Units

4. To ensure that the enhanced filtration units are enforceable throughout the lifetime of the Proposed Project and that they are effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency provide additional details on ongoing, regular maintenance, and monitoring of filters in the Final MND. To facilitate a good faith effort at full disclosure and provide useful information to future residents at the Proposed Project, at a minimum, the Final MND should include the following information:
 - Disclose the potential health impacts to prospective residents from living in a close proximity to freeways and the reduced effectiveness of the air filtration system when windows are open and/or when residents are outdoors (e.g., in the common usable open space areas);
 - Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
 - Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected and maintained regularly;
 - Disclose the potential increase in energy costs for running the HVAC system to prospective residents;
 - Provide information to residents on where the MERV filters can be purchased;
 - Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;

⁷ MND. Page III-77.

⁸ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

- Identify the responsible entity such as residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
- Identify, provide, and disclose ongoing cost sharing strategies, if any, for replacing the enhanced filtration units;
- Set City-wide or Proposed Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units to document and verify the implementation of LAMC Section 99.04.504.6 at the Proposed Project; and
- Develop a City-wide or Proposed Project-specific process for evaluating the effectiveness of the enhanced filtration units.