



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 Parkview Project (ENV-2019-4650)

South Coast Air Quality Management District (South Coast AQMD) 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.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to build 127 apartment units in three buildings totaling 134,941 square feet on a 3.25-acre vacant site (Proposed Project)¹. The Proposed Project is located on the northeast corner of Compton Avenue and East 41st Street in the community of Southeast Los Angeles. The nearest sensitive receptors to the Proposed Project include Thomas Jefferson High School and residential uses². Construction of the Proposed Project is expected to last approximately 26 months, and operation of the Proposed Project is expected in 2022³.

South Coast AQMD Staff's Summary of the 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 South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be significant for NO_x at 108.76 pounds per day (lbs/day)⁴. The Proposed Project would also result in significant localized air quality impacts for PM₁₀ at 11.33 lbs/day⁵. The Lead Agency has committed to implementing Mitigation Measure (MM)-AQ-1, which requires the use of Tier 3 off-road construction equipment⁶, to reduce the significant regional NO_x emissions and localized PM₁₀ emissions to less than significant to 72.02 lbs/day and 9.58 lbs/day, respectively.

Recommended Changes to Mitigation Measure MM-AQ-1

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. While the Proposed Project's regional NO_x emissions and localized PM₁₀ emissions during construction were reduced to below South Coast AQMD's air quality CEQA significance thresholds after implementation of MM-AQ-1, South Coast AQMD staff recommends that the Lead Agency incorporate the following changes to MM-AQ-1 to further reduce the emissions in the Final MND.

¹ MND. Page 7.

² MND. Pages 52-53.

³ MND. Page 27.

⁴ MND. Page 46.

⁵ MND. Page 49.

⁶ MND. Page 47.

MM-AQ-1: The Construction Contractor shall use of off-road diesel construction equipment ~~≥150~~ 50 horsepower that complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 4 Final emissions standards and will ensure that all construction equipment be tuned and maintained in accordance with the manufacturer's specifications. Such equipment should be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB certified Level 3 Diesel Particulate Filters (DPF). Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions⁷. A list of CARB verified DPFs are available on the CARB website.

To ensure that Tier 4 Final construction equipment or better would be used during the Proposed Project's construction, South Coast AQMD 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 South Coast AQMD 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. In the event that construction equipment cannot meet the Tier 4 Final engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim or reduction in the number and/or horsepower rating of construction equipment, and/or limiting the number of daily construction haul truck trips to and from the Proposed Project.

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 South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses 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 recommended changes to the mitigation measure is not feasible, the Lead Agency should describe the specific reasons for rejecting the recommended changes to the mitigation measure in the Final MND (CEQA Guidelines Section 15074.1). South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Margaret Isied, Assistant Air Quality Specialist, at misied@aqmd.gov or (909) 396-2543, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:MI

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Control Number

⁷CARB. 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.