



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) for the Proposed Rose Hill Courts Redevelopment Project (SCH No.:2018091035)

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 EIR/EIS.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish 100 existing residential units, and construct 156,926 square feet with 185 residential units and 6,366 square feet of office uses on 5.24 acres (Proposed Project). The Proposed Project will also include 125,022 square feet of open space. The Proposed Project is located at 4446 Florizel Street on the southwest corner of Florizel Street and McKenzie Street in the community of El Sereno within the City of Los Angeles.

The Lead Agency conducted a Phase I Environmental Site Assessment (ESA) and found that the soil at the Proposed Project site is impacted with lead¹. The Lead Agency has committed to Mitigation Measure HAZ-1 in the Hazards and Hazardous Materials Section of the Draft EIR/EIS, which requires a Soil Management Plan (SMP) be prepared for the site in accordance with the applicable requirements of the Department of Toxic Substances Control (DTSC) and the County of Los Angeles Fire Department (LAFD)². Prior to the start of grading and excavation activities, a qualified environmental consultant will be retained to prepare the SMP³.

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 associated with demolition and construction of residential units 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 construction and operational air quality impacts associated with demolition, construction, and operation of the residential units would be less than significant⁴. No mitigation for air quality was included⁵. The Lead Agency also included discussions on applicable South Coast AQMD rules⁶, including Rule 402 – Nuisance⁷, Rule 403

¹ Draft EIR/EIS. Hazards and Hazardous Materials. Page 4.7-11.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.* Air Quality. Page 4.2-29.

⁵ *Ibid.*

⁶ *Ibid.* Page 4.2-10 through 4.2-11; 4.2-27.

⁷ South Coast AQMD Rule 402 – Nuisance. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

– Fugitive Dust⁸, Rule 445 – Wood-Burning Devices⁹, Rule 1113 – Architectural Coatings¹⁰, and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities¹¹.

South Coast AQMD Staff's Comments on the Construction Air Quality Analysis

In the Hazards and Hazardous Materials Section of the Draft EIR/EIS, the Lead Agency stated that due to the presence of lead at the site, a SMP will be prepared prior to the commencement of excavation and grading construction activities¹². Implementation of the SMP will require soils to be removed and properly disposed of in accordance with the requirements of DTSC and LAFD¹³. However, at this time, the amount of soil that will need to be removed from the Proposed Project was not identified in the Hazards and Hazardous Materials Section of the Draft EIR/EIS.

While the Air Quality Section in the Draft EIR/EIS quantified the Proposed Project's emissions from demolition and construction of the proposed residential units, it did not quantify emissions from implementation of the SMP, which will include soil removal activities and may take place concurrently with grading and excavation construction activities for the proposed residential units¹⁴. Additionally, soil removal activities will likely involve the use of heavy-duty, diesel-fueled trucks. Their emissions should be included in the air quality analysis of the Final EIR/EIS. The Lead Agency should also use its good faith, best efforts to provide information on the scope, types, and duration of the soil removal activities. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the air quality analysis to provide such information, quantify emissions from soil removal activities and any actions or controls identified in the SMP, and include those emissions in the Proposed Project's construction emissions profile to be compared to South Coast AQMD's air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR/EIS. Alternatively, the Lead Agency should include a new air quality mitigation measure in the Air Quality Section of the Final EIR/EIS to commit to evaluating subsequent soil removal activities through a CEQA process prior to commencing the Proposed Project's construction activities, including the soil removal activities.

If there is any information in the subsequent CEQA process suggesting that the soil removal activities or any actions or controls that will be identified in the SMP, after consultation with the DTSC and LAFD, would result in significant adverse air quality impacts not analyzed in the Final EIR/EIS for the Proposed Project, or substantially more severe air quality impacts than those analyzed in the Final EIR/EIS for the Proposed Project, the Lead Agency should commit to reevaluating the Proposed Project's air quality impacts through a CEQA process (CEQA Guidelines Section 15162).

South Coast AQMD Rules and Permits

Since the Proposed Project will include the removal of soils which contain lead, the Lead Agency should include a discussion to demonstrate compliance with South Coast AQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Containments¹⁵ in the Final EIR/EIS. In addition, prior to

⁸ South Coast AQMD Rule 403 – Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

⁹ South Coast AQMD Rule 445 – Wood-Burning Devices. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-445.pdf>.

¹⁰ South Coast AQMD. Rule 1113 – Architectural Coatings. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>.

¹¹ South Coast AQMD Rule 1403 – Asbestos Emissions form Demolition/Renovation Activities. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.

¹² Draft EIR/EIS. Hazards and Hazardous Materials. Page 4.7-15.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ South Coast AQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Containments. Accessed at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.

the commencement of soil removal activities, the Lead Agency should consult with South Coast AQMD's Engineering and Permitting staff to determine whether or not any permits, plans, or additional compliance measures will need to be filed and approved by South Coast AQMD prior to start of the soil removal activities during construction of the Proposed Project.

It is also important to note that generally, operation of portable engines and portable equipment units of 50 brake horsepower or greater that emit particulate matter require a permit from South Coast AQMD or registration under the Portable Equipment Registration Program (PERP) through the California Air Resources Board (CARB)¹⁶. The Lead Agency should consult with South Coast AQMD's Engineering and Permitting staff to determine if there is any diesel-powered equipment during construction and the soil removal process that will require a South Coast AQMD permit or if the equipment will need to be registered under the PERP through CARB.

If a permit from South Coast AQMD is required, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Final EIR/EIS. Any assumptions used in the Air Quality Analysis in the Final EIR/EIS will be used as the basis for permit conditions and limits for the Proposed Project. Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>. For more information on the PERP Program, please contact CARB at (916) 324-5869 or visit CARB's webpage at: <https://ww2.arb.ca.gov/our-work/programs/portable-equipment-registration-program-perp>.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR/EIS. 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, informative, or useful to decision makers and to the public who are interested in the Proposed Project.

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 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

LS:AM

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Control Number

¹⁶ South Coast AQMD. *Portable Equipment Registration Program (PERP)*. Accessed at: <http://www.aqmd.gov/home/permits/equipment-registration/perp>