



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

July 20, 2021

[Jan.green.rebstock@lacity.org](mailto:Jan.green.rebstock@lacity.org)

Dr. Jan Green Rebstock  
City of Los Angeles, Public Works Department  
Bureau of Engineering, Environmental Management Group  
1149 South Broadway, Sixth Floor, Mail Stop 939  
Los Angeles, California 90015

**Draft Environmental Impact Report (EIR) for the  
Sixth Street Park, Arts, River, and Connectivity Improvements Project (Proposed Project)  
(State Clearinghouse No.: 2017041045)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments include recommended revisions to the CEQA air quality impact analysis for regional construction impacts and air quality mitigation measures that the City of Los Angeles (Lead Agency) should include in the Final EIR.

**South Coast AQMD Staff's Summary of the Proposed Project and CEQA Air Quality Impact Analysis**

Based on the Draft EIR, the Lead Agency will develop recreational and stormwater management facilities on 13 acres (Proposed Project). The Proposed Project is located on the northwest corner of South Boyle Avenue and Seventh Street in the communities of Central City North and Boyle Heights within the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community.

In the Draft EIR, the Lead Agency analyzed the Proposed Project's regional air quality impacts from construction activities associated with hauling construction materials and importing or exporting soil. During the grading phase, the Proposed Project will import and export 16,700 cubic yards of soil, resulting in 835 haul truck trips<sup>1</sup>. The Lead Agency calculated criteria pollutants emissions from construction activities after incorporating air quality mitigation measures, including the use of 2007 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and Tier 4 off-road construction equipment of greater than 50 horsepower<sup>2</sup>. The Lead Agency concluded that the mitigated maximum daily emissions from NO<sub>x</sub> would be 28 pounds per day (lbs/day), which would not exceed South Coast AQMD regional air quality CEQA significance threshold for NO<sub>x</sub> at 100 lbs/day for construction<sup>3</sup>. The Lead Agency also concluded that the Proposed Project's regional construction air quality impacts from other criteria pollutants would be less than significant with mitigation.

---

<sup>1</sup> Draft EIR. Air Quality and Greenhouse Gas Impact Assessment. CalEEMod Output Files. Page 2.

<sup>2</sup> Draft EIR. MM-AQ-1. Page 3.2-14.

<sup>3</sup> MND. Page 4-19.

South Coast AQMD Staff's Comments*CEQA Air Quality Impact Analysis for Regional Construction Impacts Associated with Truck Trip Length*

Based on a review of the Hazards and Hazardous Materials Section and the Utilities and Service Systems Section of the Draft EIR, South Coast AQMD staff found that implementation of the Proposed Project requires excavation of soil contaminated with Resource Conservation and Recovery Act level heavy metals, polychlorinated biphenyls, or total petroleum hydrocarbon diesel range organics that would need to be disposed at Class 1 hazardous waste landfills and Class 2 landfills<sup>4</sup>. Solid waste generated from the Proposed Project's construction activities will be collected by the Central Los Angeles Recycling and Transfer Station (CLARTS), and from CLARTS, waste is transferred to a landfill or recycling facility. Based on the Proposed Project's location, the closest landfill to the Proposed Project is the Puente Hills Landfill in the City of Industry<sup>5</sup>.

In the Air Quality Section, the Lead Agency used a default one-way trip length of 20 miles to quantify the Proposed Project's construction emissions from importing and exporting soil and might have underestimated the Proposed Project's soil hauling emissions. According to the City of Los Angeles Sanitation and Environment Department, hazardous waste is not accepted at CLARTS<sup>6</sup>. The Puente Hills Landfill that is located at 13130 Crossroads Parkway South in the City of Industry was owned and/or operated by the Los Angeles County Sanitation Districts, and on December 31, 2014, it ceased operation as one of six major Class III landfills within the County<sup>7</sup>. It is likely that contaminated soil will not be accepted by CLARTS or transferred to the Puente Hills Landfill for disposal. Additionally, depending on the type of contamination, contaminated soil may need to be disposed at a permitted hazardous disposal facility outside Los Angeles County with a one-way trip length that is likely longer than 20 miles. During the grading phase, 835 truck trips would take place for hauling 16,700 cubic yards of soil. Using a one-way truck trip length of 20 miles likely underestimated the Proposed Project's construction emissions. Therefore, South Coast AQMD staff recommends that the Lead Agency identify the permitted hazardous disposal facilities that the Proposed Project will use to dispose contaminated soil, disclose them in the Final EIR, and re-calculate the Proposed Project's construction emissions from haul truck trips based on the appropriate one-way trip length. If the Lead Agency finds, after revisions, that the Proposed Project's regional air quality impacts from construction activities would be significant, mitigation measures will be required (CEQA Guidelines Section 15126.4).

---

<sup>4</sup> Draft EIR. Page 3.17-6.

<sup>5</sup> Draft EIR. Page 3.16-3.

<sup>6</sup> City of Los Angeles. CLARTS Facts and Services. Accessed at:

[https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd/s-lsh-wwd-s-cl/s-lsh-wwd-s-cl-af?\\_afLoop=11339668849486601&\\_afWindowMode=0&\\_afWindowId=py5xjmluy&\\_adf.ctrl-state=esjuboubd\\_473#!%40%40%3F\\_afWindowId%3Dpy5xjmluy%26\\_afLoop%3D11339668849486601%26\\_afWindowMode%3D0%26\\_adf.ctrl-state%3Desjuboubd\\_477](https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd/s-lsh-wwd-s-cl/s-lsh-wwd-s-cl-af?_afLoop=11339668849486601&_afWindowMode=0&_afWindowId=py5xjmluy&_adf.ctrl-state=esjuboubd_473#!%40%40%3F_afWindowId%3Dpy5xjmluy%26_afLoop%3D11339668849486601%26_afWindowMode%3D0%26_adf.ctrl-state%3Desjuboubd_477).

<sup>7</sup> Los Angeles County. Countywide Siting Element – Existing Solid Waste Disposal Facilities. Accessed at: [http://dpw.lacounty.gov/epd/nas/epd/epd\\_dms/TSKFRC%60JOLEE%60TaskForce%60PUB\\_Y%60FREQ\\_N%601\\_1\\_12\\_2015%60%60REC\\_N%600000\\_00%600000\\_00%60TFMPAC%60CSE%20Chapter%203%20Redline\\_11\\_10\\_15%6039.pdf](http://dpw.lacounty.gov/epd/nas/epd/epd_dms/TSKFRC%60JOLEE%60TaskForce%60PUB_Y%60FREQ_N%601_1_12_2015%60%60REC_N%600000_00%600000_00%60TFMPAC%60CSE%20Chapter%203%20Redline_11_10_15%6039.pdf).

*Recommended Revisions to Existing Air Quality Mitigation Measure*

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. The Draft EIR included an air quality mitigation measure (MM-AQ-1), which requires, among others, the use of 2007 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). South Coast AQMD staff recommends that the Lead Agency require cleaner haul trucks to strengthen the mitigation. The recommended additions and changes to the portion of MM-AQ-1 related to haul trucks are shown in underline and ~~strikethrough~~, respectively.

**Implement MM-AQ-1: Newer/Tier 4 Engines in Haul Trucks and Construction Equipment**

- Include in all construction contracts the requirement to use zero-emission (ZE) or near-zero emission (NZE) on-road haul trucks (e.g., material delivery trucks and soil import/export) such as heavy-duty trucks with natural gas engines that meet the California Air Resources Board (CARB)'s adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), and ensure that supportive infrastructure will be available for ZE/NZE trucks. At a minimum, require the use of ~~2007~~ 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the future development projects, the lead agency should require that operators maintain records of all trucks associated with the future development projects' construction and make these records available to the lead agency upon request. The records will serve as evidence to prove that each truck called to the future development projects during construction meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by contractors working on the future development projects and conduct regular inspections of the records.

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. 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. Further, if the Lead Agency makes the finding that the recommended revisions to the existing air quality mitigation measure are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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 me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov) if you have questions or wish to discuss the comments.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

LAC210527-02

Control Number