



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Mitigated Negative Declaration (MND) for the Proposed Fallbrook Point Project (ENV-2021-10328) (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Los Angeles is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the CEQA regional air quality impacts analysis for cleanup activities during construction, mobile source health risk assessment, and information about South Coast AQMD rules and permits that the Lead Agency should incorporate in the Final MND.

South Coast AQMD Staff's Summary of Project Information in the MND

Based on the MND, the Lead Agency proposes redeveloping an existing paved parking lot and constructing three buildings totaling 98,614 square feet for warehouse and manufacturing activities on 6.99 acres. The Proposed Project is located at the northwest corner of Fallbrook Avenue and Roscoe Boulevard, situated within a larger Corporate Pointe West Hills Business Park. The 56,114-square-foot warehouse portion with 10 loading docks will involve 45 one-way truck trips per day. Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residence) is within 100 feet of the Proposed Project. Construction of the Proposed Project is anticipated to begin in the final quarter of 2022. Operation is expected to start in 2023.

South Coast AQMD Staff's Comments

CEQA Regional Air Quality Impacts Analysis for Cleanup Activities during Construction

Based on the Hazards and Hazardous Materials Section in the MND and Phase I Environmental Site Assessment (ESA) report, there is a potential for contamination with volatile organic compounds (VOCs) in two areas (SWMU-9 and AOC-12) within the Proposed Project site. It is reasonably foreseeable that cleanup activities for remediating and controlling contaminated soil may occur prior to or concurrently with constructing three buildings. The Lead Agency included Mitigation Measures (MM) HAZ-1 in the MND and recommended further investigation, soil sampling, testing, and preparing a remediation plan to address the contamination and to reduce

concentrations to acceptable levels for the intended use of the areas of the Proposed Project¹. However, the Lead Agency did not analyze air quality impacts from cleanup activities in the MND.

Cleanup activities will likely involve the use of heavy-duty, diesel-fueled trucks for soil export and result in emissions from truck hauling activities and vehicle trips by workers that will be required to conduct cleanup activities. Additionally, cleanup activities will likely require the use of additional equipment that may be different from typical equipment for grading and site preparation for construction. If cleanup activities are reasonably foreseeable at the time the MND was prepared, the Lead Agency should use good faith and best efforts to provide information on the scope, types, and duration of cleanup activities, quantify emissions from cleanup activities, 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 MND. Alternatively, if emissions from cleanup activities are not included in the Final MND, the Lead Agency should include a new air quality mitigation measure in the Air Quality Section of the Final MND to commit to evaluating the potential environmental impacts from cleanup activities through CEQA prior to commencing any cleanup activities. If a new air quality mitigation measure is not included in the Final MND, the Lead Agency should provide reasons supported by substantial evidence in the record to explain why a new air quality mitigation measure is not included.

Based on the emission calculations from the CalEEMod output files, the Lead Agency used the default one-way truck trip length of 20 miles to quantify the Proposed Project's construction emissions from hauling construction materials and importing or exporting soil. The MND identified Sunshine Canyon Landfill as the nearest municipal waste landfill within Los Angeles County that could serve the Proposed Project². If cleanup activities would include removing and disposal of contaminated soil, depending on the type of contamination, contaminated soil may not be accepted at Sunshine Canyon Landfill. It may need to be disposed of at a permitted hazardous disposal facility outside Los Angeles County with a one-way truck trip length that is likely longer than 20 miles. Therefore, South Coast AQMD staff recommends that the Lead Agency identify the permitted hazardous disposal facility that the Proposed Project could use to dispose contaminated soil if the cleanup activities involve transport and off-site disposal of contaminated soil and disclose the information in the Final MND. When quantifying emissions from transport and off-site disposal, the Proposed Project's construction emissions from haul truck trips for the transport and disposal of contaminated soil based on the appropriate one-way truck trip length should be recalculated. If the default one-way truck trip length of 20 miles is not re-calculated for quantifying emissions from haul truck trips for transporting contaminated soil, the Lead Agency should provide reasons for not re-calculating it supported by substantial evidence in the record.

Mobile Source Health Risk Assessment during Operation

Based on the MND and technical appendices review, South Coast AQMD staff found that the MND did not perform a mobile source health risk assessment (HRA). Because the operation of the warehousing portion of the Proposed Project will attract heavy-duty, diesel-fueled vehicular trips (e.g., 45 one-way truck trips per day) that emit diesel particulate matter, which is an air toxic and

¹ MND. Hazards and Hazardous Materials. Page 69.

² *Ibid.* Utilities and Service Systems. Page 116.

carcinogen, it is recommended that the Lead Agency perform a mobile source HRA and compare the Proposed Project's cancer risk to South Coast AQMD CEQA significance threshold of 10 in one million for cancer risk to determine the level of significance for the Proposed Project's health risk impact in the Final MND³. If a mobile source HRA is not included in the Final MND, the Lead Agency should provide reasons for not having it supported by substantial evidence in the record.

Responsible Agency and South Coast AQMD Permits

In the event that cleanup activities at the Proposed Project or implementation of the Proposed Project require the use of stationary equipment, permits from South Coast AQMD are required unless a written permit is not required⁴. The Lead Agency should use good faith effort to include a discussion of equipment that will require South Coast AQMD permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project in the Final MND.

Due to the presence of VOCs in soil, requirements of South Coast AQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil⁵ will apply and should be discussed in the Final MND. If any activities involve using equipment that either emits or controls air pollution, the Lead Agency should consult with South Coast AQMD staff to determine whether or not permits or plans are required and approved by South Coast AQMD prior to the operation and to identify if any other South Coast AQMD Rules, such as Rule 431.2 – Sulfur Content of Liquid Fuels⁶ and Rule 1110.2 – Emissions from Gaseous and Liquid-Fueled Engines⁷, will be applicable and discussed in the Final MND. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 or visit South Coast AQMD's web page for more general information on permits: <http://www.aqmd.gov/home/permits>.

Conclusion

According 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 the Lead Agency's position is at variance with recommendations raised in the comments, the 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 and 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.

³ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁴ South Coast AQMD. Rule 219. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/Rule-219.pdf>.

⁵ South Coast AQMD. Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>.

⁶ South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.

⁷ South Coast AQMD. Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1110-2.pdf>.

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 Dung Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Lijin Sun

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Program Supervisor, CEQA IGR

Planning, Rule Development, and Area Sources

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