



South Coast Air Quality Management District

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SENT VIA E-MAIL:

October 11, 2022

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**Draft Environmental Impact Report (Draft EIR) for the Proposed
Boyle Heights Community Plan Update Project (ENV-2016-2906-EIR) (Proposed Project)
(SCH No. 2016091010)**

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 Lead Agency under the California Environmental Quality Act (CEQA) for the Proposed Project. The following comments include information on the Community Emissions Reduction Plan (CERP) for the designated Assembly Bill 617 (AB 617) East Los Angeles, Boyle Heights, West Commerce (ELABHWC) community and recommended revisions to the air quality impact analysis, mitigation measures, and Health Risk Assessment (HRA) that the Lead Agency should include in the Final EIR.

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

Based on the Draft EIR, the Proposed Project consists of amendments to both the text and the General Plan Land Use Map of the Boyle Heights Community Plan.¹ Such amendments are intended to accommodate forecasted housing, population, and employment growth in the Proposed Project site by directing growth to already urbanized areas.² The amendments also reflect the City of Los Angeles's policies to direct growth where it can be supported by existing transportation infrastructure. The Proposed Project encompasses a 6.67 square-mile area, is located immediately east of Downtown Los Angeles, and is roughly bounded to the north by the I-10 Freeway and to the south and west by Union Pacific and Santa Fe Railroad lines. The US 101, I-5, SR-60, and I-10 freeways traverse through the Proposed Project site as well.³ The Proposed Project is anticipated to guide development through the year 2040.⁴ During this period the Proposed Project anticipates a new growth of approximately 10,351 residential units, 12,474,119 square-feet of commercial land uses, 27,868,018 square-feet of industrial land uses, and 10,494,360 square-feet of public facilities land uses (from 2016 existing conditions).⁵

South Coast AQMD Staff's Comments on the Draft EIR

Information on the CERP for the Designated AB 617 ELABHWC Community

¹ Draft EIR. Executive Summary. Page 2.0-3 through 2.0-4.

² *Ibid.*

³ *Ibid.* Page 2.0-1 through 2.0-2.

⁴ *Ibid.* Page 2.0-3.

⁵ *Ibid.* Air Quality. Page 4.2-44.

The Proposed Project area is heavily impacted by air pollution generated from sources such as heavy-duty diesel trucks, warehouses, and railroad activities, and includes the AB 617-designated ELABHWC community. An AB 617-designated community requires South Coast AQMD to work with a Community Steering Committee (CSC) to develop a Community Emissions Reduction Plan (CERP) that identifies air quality priorities and actions to reduce air pollution in the community. The South Coast AQMD's Governing Board adopted the AB 617 ELABHWC Community CERP on September 6, 2019.⁶ The Draft EIR for the Proposed Project serves as the first-tier, programmatic level environmental analysis that can provide guidance to subsequent, project-level environmental analyses. South Coast AQMD staff recommends that the Lead Agency review the actions included in Chapter 5 of the adopted CERP and continue working with South Coast AQMD's AB 617 staff to explore whether additional mitigation measures can be identified and implemented by future development projects at the Proposed Project.

South Coast AQMD's latest Multiple Air Toxics Exposure Study (MATES), MATES V, which was published in September 2021,⁷ shows the air toxics cancer risk as 695 per million in the Proposed Project area.⁸ According to MATES V this translates to the Proposed Project's cancer risks as being higher than 97% - 99% of the South Coast AQMD population.⁹ However, the Draft EIR for the Proposed Project uses the older version, MATES IV data from 2012-2013,¹⁰ to estimate the cancer risks from exposure to air toxics in the Proposed Project area.¹¹ South Coast AQMD staff recommends that the Lead Agency use the most recent MATES data to update the cancer risk estimates in the Final EIR to better characterize air toxics levels in the background of this heavily impacted area.

CEQA Air Quality Impact Analysis During Construction and Operation

Operation - Baseline Year

The Draft EIR uses the operational emission changes between 2016 Existing Conditions scenario and 2040 Proposed Plan scenario and compares that to South Coast AQMD's Regional Thresholds to determine if the Proposed Project has significant air quality regional impacts during operations.¹² However, this approach is not optimal and may be confusing to decision makers and the public. Especially for projects with multi-year construction, using existing environmental conditions as a baseline to compare the impacts in future years to determine the significance of air quality impacts may underestimate a project's actual impacts due to adopted state and federal rules and regulations, and technology advancements that are independent of the project. To determine the level of significance in regional air quality impacts for operation, the lead agency should select

⁶ South Coast AQMD. September 2019. Assembly Bill 617 East Los Angeles, Boyle Heights, West Commerce Community Emissions Reduction Plan. Accessed at: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/east-la/cerp/carb-submittal/final-cerp.pdf>

⁷ MATES V Multiple Air Toxics Exposure Study. August 2021. Accessed at: <http://www.aqmd.gov/docs/default-source/planning/mates-v/mates-v-final-report-9-24-21.pdf?sfvrsn=6>

⁸ MATES V Multiple Air Toxics Exposure Study, MATES Data Visualization Accessed at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>

⁹ *Ibid.*

¹⁰ MATES IV Multiple Air Toxics Exposure Study. May 2015. Executive Summary. Page ES-3. Accessed at: <http://www.aqmd.gov/docs/default-source/air-quality/air-toxic-studies/mates-iv/mates-iv-final-draft-report-4-1-15.pdf>

¹¹ Draft EIR. Air Quality. Page 4.2-15.

¹² *Ibid.* Page 4.2-45, Table 4.2-12.

a future operational baseline year (e.g. 2040, 2028, or etc.), and compare emissions estimated without the Proposed Project to emissions estimated with the Proposed Project, for that same year.

Operation - Emissions from Permitted and Non-Permitted Stationary Sources

Furthermore, the Proposed Project is expected to largely increase the industrial and commercial land uses. The associated operational emission estimates in the Draft EIR include the mobile sources, area sources, and energy sources (only natural gases fuel consumptions) but do not include the potential emission increases from permitted and non-permitted stationary sources (e.g. emergency diesel generators, firewater pumps, combustion or non-combustion industrial equipment). Therefore, South Coast AQMD recommends the lead agency revise the air quality regional operational impacts, re-evaluate the reasonable and foreseeable operational emissions, and make the appropriate significant determinations in the Final EIR.

Overlapping Construction and Operation Activities

The Draft EIR has separate air quality impact assessments for the construction and operation phases of the Proposed Project. Although the Proposed Project is expected to have multi-year concurrent construction and operation periods, the air quality impacts from the overlapping construction and operational activities are not evaluated in the Draft EIR. The emissions from the overlapping construction and operational activities should be conservatively analyzed, combined, and compared to South Coast AQMD's regional air quality CEQA operational thresholds to determine the level of significance and the overlapping air quality impacts need to be evaluated and addressed in the Final EIR.

Construction - Cleanup Activities

The Hazardous and Hazardous Materials Section of the Draft EIR states that implementation of the Proposed Project would involve redevelopment of sites currently or historically used for industrial uses that may have used hazardous materials in their operations.¹³ There is also the possibility that future grading and excavation activities may uncover previously undiscovered contaminated soil.¹⁴ As such, soil decontamination measures may take place and it is possible that such contaminated soil would require export off-site.¹⁵

South Coast AQMD staff found that the Lead Agency quantified the Proposed Project's regional construction emissions from demolition and building activities but did not quantify emissions from contaminated soil removal and hauling activities.¹⁶

Since cleanup activities could include the removal and disposal of contaminated soil, and depending on the type of contamination, contaminated soil may not be accepted at the landfill site 20 miles away (according to the Hauling Trip Length used in the CalEEMod Construction output files¹⁷) from the Proposed Project site, such soil 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 longer than 20 miles. If it is reasonably foreseeable at the time of the release of the Draft EIR that

¹³ Draft EIR. Hazards and Hazardous Materials. Page 4.8-56.

¹⁴ *Ibid.* Page 4.8-57.

¹⁵ *Ibid.*

¹⁶ *Ibid.* Air Quality. Pages 4.2-40 through 4.2-42.

¹⁷ Appendix. 4.2 Air Quality. PDF Page 10.

the Proposed Project would likely involve remediation of contaminated soil, the Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of any reasonably foreseeable soil remedial or mitigation activities, quantify emissions from those activities, and include those emissions in the Proposed Project's regional construction emissions profile to be compared to South Coast AQMD's regional air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. If those emissions are not included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record. If the reason for not including them in the Final EIR is because remedial or mitigation measures have not been fully developed or approved prior to the certification of the Final EIR, the Lead Agency should commit to evaluating the air quality impacts from those activities through a CEQA process when the measures become known and prior to allowing the commencement of any soil remedial or mitigation activities at the Proposed Project.

Localized Air Quality Impact

South Coast AQMD recommends that lead agencies perform individual project-specific modeling in determining localized air quality impacts once the more detailed development plan for individual specific projects from the Proposed Project Community Plan Updates become available.

Recommended Revisions to Existing Mitigation Measures (MM) AQ-2, AQ-5, & AQ-7

In the Draft EIR, the Lead Agency found that the Proposed Project would result in significant and unavoidable regional air quality impacts from nitrogen oxides (NO_x) emissions during construction.¹⁸ According to the CalEEMod output files, haul truck exhaust and off-road equipment used during demolition and grading activities are the primary source of NO_x emissions during construction of the Proposed Project.¹⁹ CEQA requires that the Lead Agency consider MMs to minimize significant adverse impacts (CEQA Guidelines Section 15126.4) and that all feasible MMs that go beyond what is required by law be utilized to minimize or eliminate any significant adverse impacts. The Lead Agency included MM AQ-2, AQ-5, and AQ-7 which require the following: construction equipment shall achieve emission reductions that are no less than what could be achieved by Tier 3 diesel emission control strategies, all off-road diesel-powered construction equipment 50 horsepower or greater shall meet the U.S. EPA Tier 4 emissions standards, and construction haul truck operators for demolition debris and import/export of soil shall use trucks that meet California Air Resource Board's (CARB) 2010 engine emissions standards at .01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr. of NO_x emissions.²⁰

Given the potential proximity of sensitive receptors to future Proposed Project construction sites,²¹ and given that the Proposed Project is meant to guide development through 2040,²² South Coast AQMD staff recommends that the Lead Agency consider including revisions to the air quality mitigation measures in the Final EIR to further reduce the Proposed Project's significant and unavoidable air quality impacts during construction. It is reasonably foreseeable that the

¹⁸ Draft EIR. Air Quality. Page 4.2-42.

¹⁹ Appendix. 4.2 Air Quality. Page 12 & 14.

²⁰ Draft EIR. Air Quality. Page 4.2-47 through 4.2-49.

²¹ *Ibid.* Page 4.2-61.

²² *Ibid.* Executive Summary. Page 2.0-3.

aforementioned Tier 3 and Tier 4 emission standards, along with CARB's 2010 truck engine emissions standards, may not be the cleanest technology available when construction occurs later during the approximately 18-year time span of the Proposed Project. One of CARB's strategies for reducing emissions from off-road construction equipment aims to start implementing off-road Tier 5 in 2027/2028.²³ Furthermore, the Governor's Executive order in September 2020 (N-79-20) requires CARB to develop and propose a full transition to Zero Emissions (ZE) off-road equipment by 2035, where feasible.²⁴ The Proposed Project serves as a blueprint for Boyle Heights' future development. The Draft EIR for the Proposed Project serves as a planning-level document and there is no defined development schedule for future projects. Therefore, South Coast AQMD staff recommends that the Lead Agency revise MM AQ-2, AQ-5, and AQ-7 to commit to using the cleanest technology for construction during future development projects, if available and feasible, and includes the revision in the Final EIR. If the revisions are not included in the Final EIR, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

Sensitive Receptors and HRA

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants and include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project will include, among others, 10,351 residential units. The Proposed Project area is bordered and/or is traversed by the US 101, I-5, SR-60, and 1-10 freeways as well as Union Pacific and Santa Fe Railroad lines. The Proposed Project may allow for development in areas of Boyle Heights that could place residential units within 500 feet of freeways.²⁵ The Proposed Project may also site new distribution facilities adjacent or near sensitive uses.²⁶ In the Draft EIR, MM AQ-9 requires applicants of distribution centers within 1,000 feet of sensitive uses to prepare an HRA to determine potential cancer risks. If such cancer risks are found to exceed South Coast AQMD's standards, MM AQ-9 then requires that the applicant identify opportunities to reduce emissions and associated risks.²⁷ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* 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 with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory.^{28,29}

Operation

The Draft EIR states that the Proposed Project's heavy industrial use operations that involve high volumes of truck activity could result in a potentially significant and unavoidable impact due to sensitive receptor exposure to substantial pollutant concentrations.³⁰ Even after implementation of

²³ Presentation accessed at: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/combined-construction-carb-amp-aqmp-presentations-01-27-21.pdf>

²⁴ *Ibid.*

²⁵ Draft EIR. Project Description. Page 3.0-41.

²⁶ *Ibid.* Air Quality. Page 4.2-61.

²⁷ *Ibid.* Page 4.2-62.

²⁸ CARB's Air Quality and Land Use Handbook: A Community Health Perspective can be accessed at: <http://www.arb.ca.gov/ch/handbook.pdf>

²⁹ CARB's technical advisory can be accessed at: <https://www.arb.ca.gov/ch/landuse.htm>.

³⁰ Draft EIR. Air Quality. Page 4.2-62.

MM AQ-9, the Draft EIR states that it cannot be determined that distribution centers or large warehouses in the Proposed Project area would fall under the South Coast AQMD cancer risk threshold of 10 in 1 million.

Construction

The Draft EIR states that the Proposed Project's construction impacts would be less than significant with MMs incorporated,^{31 32} implementation of MMs AQ-1 through AQ-8 would reduce criteria pollutants and toxic air contaminants (TAC). The Draft EIR further states that this conclusion was reached after a qualitative evaluation of recent projects approved within the City of Los Angeles (City). Specifically, a review was done on several published EIRs for the largest development projects recently analyzed in the City and none of these EIRs showed a significant impact resulting from construction TACs.³³ From this review, only one EIR demonstrated a potential impact related to TACs and the application of a standard MM reduced the impacts to less than significant. The review also found that the MM identified in the published EIR was similar to one of the MMs included in the Proposed Project for construction. Given the above, the Draft EIR concludes that the Proposed Project could result in substantial pollutant concentrations at sensitive receptors during construction activities *before* mitigation and as a result, the impact is considered potentially significant.³⁴

According to the CalEEMod output files, the Proposed Project may include future developments with up to 150 heavy-duty truck haul trips with a trip length of 40 miles each and up to 10 pieces of offroad construction equipment operating at 8 hours/day.³⁵ Nearby sensitive receptors of such future construction development could potentially be exposed to diesel particulate matter (DPM) from daily truck trips to and from the construction site, idling of trucks visiting the construction site, and DPM emissions from offroad construction equipment. DPM is a toxic air contaminant and a carcinogen. From the Draft EIR it is not clear if the qualitative analysis took into consideration such parameters when analyzing the published EIRs for the largest development projects recently analyzed in the City.

Therefore, the Proposed Project's construction health risk impacts may have been underestimated in the Draft EIR. Each of the published EIRs mentioned in the Draft EIR has their unique project parameters. Usually, projects have their own estimated number of maximum haul truck trips and hauling trip length number. Projects usually have their own estimated maximum number of offroad construction equipment and specific number of hours that each piece of offroad equipment will be used. Each project differs in acreage, duration, and intensity of construction activity. Each project varies in how close it is to a sensitive receptor. Consequentially, the qualitative analysis in the Draft EIR used to determine the Proposed Project's construction impacts would be less than significant with MMs incorporated lacks substantial evidence. For these reasons, South Coast AQMD staff recommends that the Lead Agency revise the construction HRA to provide additional information demonstrating that the use of published EIRs for the largest development projects recently approved in the City is appropriate to substantiate the conclusion that the Proposed

³¹ *Ibid.* Page 4.3-53.

³² *Ibid.* Page 4.2-62.

³³ *Ibid.* Page 246.

³⁴ *Ibid.* Page 4.2-55 through 4.2- 57.

³⁵ Appendix. 4.2 Air Quality. Page 207.

Project's construction impacts would be less than significant with MMs incorporated. This revision should then be included in the Final EIR.

Future Project-level HRA

Notwithstanding the court rulings, South Coast AQMD 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 South Coast AQMD staff's concern about the potential public health impacts of siting sensitive populations within proximity of freeways, rail, distribution centers, and other sources of air pollution, South Coast AQMD staff recommends that, prior to approving future individual development projects, the lead agency consider the project-level health risk impacts of toxic air contaminants on people who will live in a new project and provide mitigations where necessary.

Additional Recommended Mitigation Measures

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. Since the Proposed Project has the potential to result in significant and unavoidable emissions, particularly from NOx emissions during construction³⁶ and VOC and TAC-related emissions (associated with distribution centers) during future operations,³⁷ and to further reduce the Proposed Project's construction and operational air quality impacts, South Coast AQMD staff recommends that the Lead Agency include the following project-level mitigation measures in the Final EIR to further reduce emissions from future construction and operation activities.

Construction

- Require the use of electric or alternative-fueled (i.e., non-diesel) construction equipment, if available, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors.
- Owners and operators of future development projects shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections of future development projects.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide the electrical infrastructure and electrical panels shall be appropriately sized. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment.
- Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary.
- Provide dedicated turn lanes for the movement of construction trucks and equipment on- and off-site, where applicable.

³⁶ Draft EIR. Air Quality. Page 4.2-42.

³⁷ *Ibid.* Page 4.2-39 & 4.2-53.

- Ensure that vehicle traffic inside the project site is as far away as feasible from sensitive receptors.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- Suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts.
- Configure construction parking to minimize traffic interference.
- Require covering of all trucks hauling dirt, sand, soil, or other loose materials.
- Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip.
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- Replace ground cover in disturbed areas as quickly as possible to minimize dust.
- Pave roads and road shoulders, where applicable.
- Sweep streets at the end of the day with South Coast AQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water).

Operation

- Require ZE or near-zero emissions (NZE) heavy-duty trucks for future development projects during operation. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule³⁸ and the Heavy-Duty Low NOx Omnibus Regulation³⁹, ZE and NZE trucks will become increasingly more available to use. The Lead Agency can and should require future development projects to have a phase-in schedule to incentivize these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs.

³⁸ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

³⁹ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

- Require future development projects to provide electrical infrastructure and electrical panels, which should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment. Maximize use of solar energy by installing solar energy arrays.
- Limit the daily number of trucks allowed at future development projects to the levels analyzed in the subsequent, project-level environmental analyses for these projects. If higher daily truck volumes are anticipated to visit the site, an additional analysis should be done through CEQA prior to allowing this higher activity level.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations that the Lead Agency should consider and include in the Final EIR for future development projects to further reduce air quality and health risk impacts include the following:

- Design future development projects such that any truck check-in point is inside the site to ensure no trucks are queuing outside.
- Design a future development project to ensure that truck traffic inside the project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the future development project site.
- Create buffer zones between warehouses and sensitive land uses

Health Risk Reduction Effectiveness

Many strategies are available to reduce air pollutant exposures, including, but not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. The City of Los Angeles (in which the Proposed Project is located) also adopted a Clean Up Ordinance (Ordinance Number 184,245) in 2016 that mandates that regularly occupied areas in mechanically ventilated buildings within 1,000 feet of a freeway be provided with air filtration media for outside and return air that meet a Minimum Efficiency Report Value (MERV) of 13.⁴⁰

Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate

⁴⁰ Draft EIR. Air Quality. Page 4.2-28.

filters,⁴¹ a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption. 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. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste. 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 diesel particulate matter emissions.

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 and 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 Evelyn Aguilar, Air Quality Specialist, at eaguilar@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

SW:EA

LAC220802-02

Control Number

⁴¹This 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 South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.