



# South Coast Air Quality Management District

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E-mailed: August 27, 2010  
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## **Review of the Draft Environmental Impact Report (Draft EIR) for the Downtown Downey Specific Plan**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comment is intended to provide guidance to the lead agency and should be incorporated into the revised draft or final Environmental Impact Report (draft or final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about potential health risk impacts to future sensitive receptors (i.e., residences) within the project boundaries. Specifically, Figure 3.1-2 in the draft EIR indicates that high density residential uses mixed with commercial and retail uses will be located adjacent to an existing rail line that is owned by Union Pacific (UP) Railroad Company. Therefore, the AQMD staff requests that the lead agency determine the current average number of locomotives travelling daily along this line, including the amount of switching/idling activity. If the amount of daily rail activity exceeds the existing levels inventoried by the Federal Railroad Administration (FRA), then the AQMD staff recommends that the lead agency require that any future project with residential use located adjacent to this rail line conduct a health risk assessment. Further, AQMD staff recommends that the lead agency consider additional feasible mitigation to reduce the project's air quality impacts during construction.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any

other questions regarding air quality that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review  
Planning, Rule Development & Area Sources

Attachment

IM:DG

ORC091228-04  
Control Number

### Rail Activity and Future Project Planning

1. The AQMD staff recognizes the proposed project provides regional air quality benefits by increasing residential densities near employment, commercial and retail uses. The proposed project provides mixed land use designations (i.e., flexible retail, office, and residential space) in several districts throughout the downtown area of the city. However, AQMD staff is concerned that the proposed project would allow increased residential use in close proximity to an active rail line, a potentially significant source of toxic air emissions. Specifically, the lead agency proposes to place dense mixed use development along the southern border of the Firestone Boulevard Gateway District directly adjacent to the UP rail line.

The AQMD staff has reviewed data available from the FRA's website (<http://safetydata.fra.dot.gov/OfficeofSafety/>) and based on the most recent (1988) inventory of crossings at Paramount Boulevard approximately twenty (20) trains per day pass along the existing rail line located south of the project site. Given the potential health risk impacts from diesel emissions associated with train locomotives the AQMD staff requests that the lead agency present updated information about the current number of daily train movements on this line. AQMD staff conducted a screening analysis specific to this rail line within the specific plan boundary and found that health risks from locomotive diesel exhaust emissions are less than significant assuming that less than 20 Tier 2 line haul locomotives (operating at notch one) traverse the line each day. In the event that the lead agency finds that this rail line exceeds twenty (20) total trains or ten (10) switching trains per day the AQMD requests that the lead agency require any future development containing residential uses that is proposed in the project area to conduct a health risk assessment (HRA). Further, the AQMD staff recommends the lead agency establish a policy in the proposed specific plan that requires any potentially significant air quality impacts to future residences to be mitigated to a less than significant level, if feasible.

### Construction Equipment Mitigation Measures

2. Given that the lead agency's air quality analysis of construction activities demonstrates that the criteria pollutant emissions exceed the AQMD's daily regional significance threshold for NOX, AQMD staff recommends that the lead agency consider adding the following mitigation measures to further reduce air quality impacts from the project, if feasible:
  - Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
  - Reroute construction trucks away from sensitive receptor areas,
  - Improve traffic flow by signal synchronization,
  - Consistent with measures that other lead agencies in the region (including the ports of Los Angeles and Long Beach) have enacted, require all on-site

construction equipment to meet EPA Tier 2 or higher emissions standards according to the following schedule:

- ✓ April 1, 2010, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ❖ For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:  
[www.aqmd.gov/ceqa/handbook/mitigation/MM\\_intro.html](http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html).

CEQA Guidelines 15168(c) and 15082 for Program EIR's

3. Given that the proposed project is a master plan which is intended to guide future development in downtown Downey and establish new land use designations the AQMD staff recommends that the lead agency carefully examine all future projects subject to the specific plan and if additional potentially significant impacts are identified (e.g., a health risk assessment identifies a risk greater than one in one hundred thousand), the lead agency should prepare the necessary CEQA document pursuant to the CEQA Guidelines 15168(c). Finally, AQMD staff requests that pursuant to Section 15082 of the CEQA Guidelines the lead agency place the AQMD on future notices of activity.