



# South Coast Air Quality Management District

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E-Mailed: November 18, 2011  
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November 18, 2011

Ms. Claire Bowin  
Los Angeles Department of City Planning  
200 North Spring Street, Room 667  
Los Angeles, CA 90012

## **Review of the Draft Environmental Impact Report (Draft EIR) for the Cornfield Arroyo Seco Specific Plan Project**

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 air quality analysis in the Draft EIR the AQMD recognizes the potential regional air quality benefits from the mix of land uses and transit oriented development in the proposed project. However, the AQMD staff is concerned about the potential health risk impacts from placing sensitive land uses (e.g., residential, hospital, school and park uses) within close proximity to significant emissions sources, such as the 5 Freeway, the 110 Freeway, industrial facilities, rail lines, and a major rail yard. Also, the AQMD staff is concerned that the lead agency did not attempt to evaluate these emissions sources nor provide adequate mitigation to address these significant public health impacts. Therefore, the lead agency should include mitigation in the Final EIR that requires performance standards that implement the use of buffers between industrial or freeway uses and sensitive land uses as specified by the CARB Handbook<sup>1</sup>. Further, AQMD staff recommends that the lead agency conduct a localized construction air quality analysis and provide additional mitigation measures to minimize the project's significant regional construction air quality impacts pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines. Details regarding these comments are attached to this letter.

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR.

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<sup>1</sup> California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

Further, staff is available to work with the lead agency to address these issues and any other questions 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,

A handwritten signature in black ink that reads "Ian V. MacMillan". The signature is written in a cursive style with a large initial "I" and "M".

Ian MacMillan

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

Attachment

IM:DG

LAC110923-02  
Control Number

### Performance Standards, Siting Criteria, and Health Risk Assessment

1. The AQMD staff recognizes that the proposed project may provide regional air quality benefits by fostering transit oriented development through a mix of land uses that could reduce the overall vehicle miles traveled (VMT) in the region. However, the AQMD staff is concerned that the proposed project could pose significant health risk impacts to future residents from emissions sources that have not been quantified and disclosed in the draft EIR. Specifically, the lead agency is proposing mixed land uses that consist of commercial, residential, and educational uses that are either adjacent or in close proximity to industrial land uses, the 110 Freeway and the 5 Freeway which are prominent sources of TACs. For example, in Figure 2-1 of the Draft EIR the lead agency indicates that future zoning would allow new residential units to be placed on blocks 34 and 39 of the specific plan area which are located adjacent to the 5 Freeway that carries approximately 248,000 vehicles per day and 15,000 trucks per day. Other potentially significant sources of emissions include the LATC railyard<sup>2</sup>, various rail lines with diesel locomotives, and numerous industrial facilities with point sources of toxic emissions.

The lead agency determined that Mitigation Measure AQ-2 that prohibits the placement of sensitive land uses within 300 feet of a freeway would reduce the project's health risk impacts to insignificant. The Draft EIR indicates that some residential projects could be placed within 300 feet of a freeway with an "acceptable" HRA. The lead agency has not defined what constitutes an acceptable HRA. The lead agency also does not provide a quantitative health risk assessment (HRA) that demonstrates the overall health risk impacts from the operation of the proposed project nor does the lead agency demonstrate the effectiveness of Mitigation Measure AQ-2. Further, this mitigation measure does not account for any potential health risk impacts from industrial land uses that may emit TACs. Absent a quantitative HRA and effective mitigation the lead agency is unable to demonstrate that the proposed project will impose insignificant health risk impacts to existing and future sensitive receptors, therefore, the AQMD staff recommends that the lead agency revise the draft EIR to include mitigation that contain the following performance standards:

- Any new project located within the specific plan area that potentially exposes sensitive receptors to TACs shall include the site specific buffers identified in Table 1-1 of the CARB Handbook<sup>3</sup>. Where it is infeasible to include the aforementioned buffers the lead agency shall conduct a Health Risk Assessment that demonstrates less than significant health risk impacts to any sensitive land uses that surround the project site or the project itself. Any project that demonstrates significant health risk impacts shall be mitigated to less than significant levels.

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<sup>2</sup> A recent HRA conducted by the ARB found that risks could be as high as 100 in a million from this facility in the project area. The HRA can be accessed at: <http://www.arb.ca.gov/railyard/hra/hra.htm>

<sup>3</sup> California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

- Any project that requires a health risk assessment shall prepare the necessary CEQA document pursuant to the Public Resources Code 15168(c). Also, AQMD staff requests that pursuant to Section 15168(e) the lead agency place the AQMD on future notices of activity.

#### Localized Construction Emissions Analysis

2. The lead agency did not conduct a localized construction air quality analysis to determine how construction of the proposed project may impact residences in the project area. Further, the lead agency determined that the proposed project will have regional air quality impacts from construction related activities, but did not present the peak daily emissions that are expected from site specific projects that will be constructed in the specific plan area. Therefore, the AQMD staff recommends that the lead agency quantify the daily construction emissions from the proposed project and use the AQMD's localized construction emissions thresholds<sup>4</sup> to make a significance determination and revise the draft EIR to include the following mitigation:
  - Any new project located within the specific plan area shall conduct a localized construction emissions analysis consistent with the AQMD's localized significance methodology and compare the emissions values to the AQMD's localized significance thresholds.<sup>5</sup> Projects that demonstrate significant localized air quality impacts shall be mitigated to less than significant levels.
  - Any project that requires a localized construction emissions analysis shall prepare the necessary CEQA document pursuant to the Public Resources Code 15168(c). Also, AQMD staff requests that pursuant to Section 15168(e) the lead agency place the AQMD on future notices of activity.

#### Construction Equipment Mitigation Measures

3. The lead agency determined that the proposed project will exceed the CEQA regional construction significance thresholds for VOC and NOx emissions; therefore, AQMD staff recommends that the lead agency provide the following additional mitigation measures pursuant to CEQA Guidelines Section 15126.4.
  - Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements,
  - During project construction, all internal combustion engines/construction, equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:

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<sup>4</sup> <http://www.aqmd.gov/ceqa/hdbk.html>

<sup>5</sup> <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>

- ✓ Project Start, 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 SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

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).