



South Coast Air Quality Management District

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200 N. Spring St., Room 750
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Draft Environmental Impact Report (Draft EIR) for the Proposed City Market of Los Angeles Mixed-Use Project (SCH NO. 2013021046)

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the Final EIR. In the project description, the lead agency proposes redevelop an approximately 10 acre Project Site. The project will include the demolition of 91,729 sf of existing structures and the construction of mixed-use residential dwellings, hotels, commercial, retail, educational, and parking structures.

In the Air Quality Section, the lead agency quantified the project's construction air quality impacts and compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the lead agency has determined that construction air quality impacts will exceed the recommended regional daily threshold for NO_x and ROG. Even with mitigation measure CM B-1, the regional construction air quality impacts would remain significant and unavoidable. Mitigation Measure CM B-1 only addresses PM mitigation measures. The lead agency does not provide or address potential mitigation measures for NO_x or ROG. SCAQMD staff recommends that the lead agency include mitigation to minimize these impacts.

The projects daily operational air quality impacts also exceed the regional significance thresholds. The lead agency proposes mitigation measure CM B-2 to help reduce the proposed Project's operational air quality emissions; however, the impacts would still be significant and unavoidable. SCAQMD staff recommends that the lead agency include additional mitigation to further minimize these impacts. Additional details are included in the attachment.

The SCAQMD staff is available to work with the Lead Agency to address these concerns and any other air quality questions that may arise. Please contact Jack Cheng, Air Quality Specialist at (909) 396-2448, if you have any questions regarding these comments. We look forward to reviewing and providing comments for the Final EIR associated with this project.

Sincerely,

Jillian Wong

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Program Supervisor
Planning, Rule Development & Area Sources

JB:JC
LAC 150624-04
Control Number
Attachment

Attachment

Air Quality Impacts

The SCAQMD staff is concerned that the existing sensitive receptors will be exposed to significant regional and localized operational impacts, mostly from the daily haul truck activities that will likely operate using diesel fuel. Sensitive receptors living next the proposed Project site that are exposed to emissions from on-site truck activities (entering the site, queuing before loading and unloading and exiting the site) and sensitive receptors along the truck routes will also be exposed to diesel particulate matter emissions that are determined by the California Air Resources Board (CARB) to be carcinogenic (something that is directly involved in causing cancer).

Based on information in the Draft EIR the entire proposed project site is essentially located within 1,000 feet of existing sensitive receptors. As a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land-use decision making process, the California Air Resources Board (CARB) has provided the CARB Air Quality and Land Use Handbook (CARB Land Use Handbook). Based on guidance from the CARB Land Use Handbook, CARB recommends a buffer of at least 1,000 feet between land uses that will have 100 or more trucks per day.¹

Since the proposed project is expected to generate more than 100 truck trips per day and the proposed haul route is approximately 100 feet from the nearest residential sensitive receptor. SCAQMD staff recommends that the lead agency conduct a mobile source health risk assessment (HRA)² to disclose the potential health risks to the residents from vehicles that use the truck routes.

Construction Mitigation Measures

Based on the air quality analysis in the Draft EIR, the lead agency determined that the proposed Project will result in significant regional air quality impacts during construction. Specifically, the air quality analysis demonstrated that the proposed Project will exceed the SCAQMD's CEQA regional construction significance thresholds for NO_x. Therefore, SCAQMD staff recommends that, pursuant to Section 15126.4 of the CEQA Guidelines, the following measures be included in the Final EIR, in addition to the measures proposed by the lead agency, in order to minimize or eliminate significant adverse air quality impacts:

- 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 NO_x emissions requirements.

¹ CARB Air Quality and Land Use Handbook: <http://www.arb.ca.gov/ch/handbook.pdf>. Guidance is for siting new sensitive land uses within 1,000 feet of a distribution center, Page 4. The buffer is a neutral mitigation measure provided to minimize truck activity emission impacts to sensitive receptors.

² "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis" Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>

- Consistent with measures that other lead agencies in the South Coast Air Basin (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)³ have enacted, require all on-site construction equipment to meet the following:
 - All off road 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 SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "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/home/programs/business/business-detail?title=off-road-diesel-engines>.
- Require the use of electricity from power poles rather than temporary diesel or gasoline power generators.
- Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
- Improve traffic flow by signal synchronization.
- Limit soil disturbance to the amounts analyzed in the Final EIR.
- All materials transported off-site shall securely covered.
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- Water active sites at least twice daily;
- Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces;
- Traffic speeds on all unpaved roads to be reduced to 15 mph or less.
- Construct or build with materials that do not require painting.
- Require the use of pre-painted construction materials.

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>.

³ For example see the Metro Green Construction Policy at:
http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

Additional Operational Mitigation Measures

- Improve walkability design and pedestrian network.
- Increase transit accessibility and frequency by incorporating Bus Rapid Transit lines with permanent operational funding stream.
- Limit parking supply and unbundle parking costs. Lower parking supply below ITE rates and separate parking costs from property costs.

Mobile Source Emissions - Electric Vehicle (EV) Charging Stations

Based on the air quality analysis in the Draft EIR, the Lead Agency determined that the proposed Project will result in significant unavoidable regional air quality impacts during operation. Specifically, the air quality analysis demonstrated that the proposed Project will exceed the SCAQMD's CEQA regional operational significance thresholds for ROG and NOx. Therefore, SCAQMD staff recommends that, pursuant to Section 15126.4 of the CEQA Guidelines, the following measure be included in the Final EIR, in addition to the measures proposed by the Lead Agency, in order to minimize or eliminate significant adverse air quality impacts:

Vehicles that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the lead agency require the proposed project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in. The SCAQMD staff recommends that the lead agency require at least 5% of all vehicle parking spaces include EV charging stations. At a minimum, electrical panels should appropriately sized to allow for future expanded use.