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**Recirculated Mitigated Negative Declaration (RMND) for the Proposed Ferrante Apartments Project
(ENV-2015-0490)**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff incorporates by reference comments on the MND for the proposed project, dated March 2, 2016¹. The following comments on the RMND are meant as guidance for the Lead Agency and should be incorporated into the Final RMND.

Project Description

The Lead Agency proposes to demolish an existing ten-story, 730,597-square-foot office building and a four-story, 267,340-square-foot parking structure, and construct a seven-story, 1,814,680-square-foot mixed-use building with 1,500 residential units and 30,000 square feet of retail space (“proposed project”). Approximately 2,584 vehicle spaces and 1,680 bicycle spaces will be provided in a six-level parking structure with four levels below grade, one level at grade, and one level above grade. Soil hauling of approximately 505,000 cubic yards during soil disturbance activities will occur over 170 days, resulting in approximately 200 daily truck trips. Construction will take approximately two years to complete beginning in 2017. The proposed project is located in a developed urban area. The Downtown Magnet High School is to the north of the proposed project, and further north is the Hollywood Freeway (U.S. Highway 101). Directly east of the proposed project is the Harbor Freeway (Interstate 110 or I-110). To the south of the proposed project is the multi-family residential building, and further south is a parking lot and I-110. Commercial and retail uses are to the west of the proposed project.

Mobile Source Health Risk (HRA) Assessment

Based on a review of the air quality analysis, SCAQMD staff found that the Lead Agency conducted an HRA for the two-year construction period but did not estimate long-term health risks to people living and working at the proposed project from the exposures to mobile sources generated from nearby freeway vehicles. Based on a review of aerial photographs and the project description, SCAQMD staff found that the proposed project would cause future residents to be in proximity to the U.S. Highway 101 and I-110 Interchange and directly east of the I-110, which has an average daily volume of 285,000 vehicles², including approximately 6,327 diesel fueled trucks. Because of the proximity to the existing freeways, residents would be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen.

¹ South Coast Air Quality Management District. March 2, 2016. “Draft Mitigated Negative Declaration (DMND) for the Proposed Ferrante Apartments Project (ENV-2015-0490-MND)”. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/march/MNDferrante.pdf?sfvrsn=4>.

² Caltrans 2015 annual average daily traffic (Annual ADT) and truck volumes. Accessed at: <http://www.dot.ca.gov/trafficops/census/>.

Notwithstanding the court rulings, SCAQMD 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 SCAQMD's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways, SCAQMD staff will continue to recommend that, prior to approving the project, Lead Agencies consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

One of the basic purposes of CEQA is to inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)). Since future residences at the proposed project would be exposed to toxic emissions from the nearby sources of air pollution (e.g., diesel fueled highway vehicles), SCAQMD staff believes that the Lead Agency should take this opportunity to estimate potential health risks to these residents using its best efforts to find out and a good-faith effort at full disclosure in the Final RMND. Otherwise, the Lead Agency has not demonstrated, supported by substantial evidence, that public health will not be significantly impacted by the proposed project. Therefore, SCAQMD staff recommends that the Lead Agency conduct an HRA³ to disclose the potential health risks to the people who will live and work at the proposed project.

Guidance Regarding Residences Sited Near a High-Volume Freeway or Other Sources of Air Pollution

SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and the SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, the SCAQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>.

Numerous health studies have demonstrated potential adverse health effects associated with living near highly travelled roadways. In traffic-related studies, the additional non-cancer health risk attributable to proximity is seen within 1,000 feet and is strongest within 300 feet⁴. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet⁵. As a result of these studies, the California Air Resources Board (CARB) developed the Air Quality and Land Use Handbook⁶ that recommends avoiding new sensitive land uses (such as housing) within 500 feet of a freeway. Additional research has shown that the near roadway environment also contains elevated levels of many pollutants that adversely affect human health, including some pollutants that are unregulated (e.g., ultrafine particles) and whose potential health effects are still emerging.⁷ Guidance⁸ on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

³ South Coast Air Quality Management District. "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>.

⁴ California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective". Page 6. Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ See Chapter 9 of the 2012 AQMP for further information. Accessed at: [http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-\(february-2013\)/chapter-9-final-2012.pdf](http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-(february-2013)/chapter-9-final-2012.pdf)

⁸ In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective. This Technical Advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume

Mitigation Measures and Limits to Enhanced Filtration Units

In the event that the Lead Agency, after performing an HRA for analyzing long-term health risks, finds that the maximum cancer risk for the proposed project would exceed the SCAQMD's CEQA significance threshold of 10 in one million, the identification and evaluation of mitigation measures are required to reduce health impacts below the significance level before the Final RMND is considered for adoption (CEQA Guideline Section 15070(b)).

Many mitigation measures have been proposed for other projects to reduce exposure, including, but are not limited to, building filtration systems, sound walls, vegetation barriers, etc.⁹ Because of the potential adverse health risks involved with siting housing near a freeway, it is essential that any proposed mitigation measure must be carefully evaluated in order to determine if those health risks would be brought below recognized significance thresholds.

In the event that enhanced filtration units on housing residents are proposed as a mitigation measure for this proposed project, the Lead Agency should consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters¹⁰, costs were expected to range from \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and it does not account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters also have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units, if proposed as a mitigation measure, should therefore be evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures.

Pursuant to the CEQA Guidelines Section 15074, prior to approving the proposed project, the Lead Agency shall consider the RMND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the RMND.

SCAQMD staff is available to work with the Lead Agency to address the comments raised in this letter and any other air quality and health risk questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA IGR Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,

Lijin Sun

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Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. Accessed at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁹ *Ibid.*

¹⁰ This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see the 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.