



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

February 7, 2018

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Draft Program Environmental Impact Report (Draft PEIR) for the Proposed Cudahy 2040 General Plan Update (SCH No.: 2017071071)

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 PEIR.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to adopt the Cudahy 2040 General Plan (Proposed Project), which will replace the existing 2010 City of Cudahy General Plan, except the Housing Element last updated in 2013. The Proposed Project represents the community's view of its future and expresses the community's development goals for the next 22 years from 2014 to 2040. The Proposed Project would result in up to 1,448 additional dwelling units, an increase of approximately 1.8 million square feet of commercial uses, 1.3 million square feet of industrial uses, and 0.7 million square feet of public and institutional uses.

SCAQMD Staff's Air Quality Analysis

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational air quality emissions and compared those emissions to SCAQMD's regional and localized air quality CEQA significance thresholds. Due to the first-tier environmental analysis at a programmatic level, short-term construction emissions were modeled based on the average annual level of development necessary to reach the realistic build-out projections in the Proposed Project, and was meant to provide a conservative indication of whether development activities would have the potential to result in short-term construction emissions that would exceed SCAQMD daily maximum thresholds for criteria pollutants¹. Operational emissions at completion of buildout were modeled and compared to the existing conditions. Based on the analyses, the Lead Agency found that the Proposed Project's construction emissions would be less than SCAQMD's regional CEQA significance thresholds, except ROG emissions, and that the buildout net operational emissions would be less than SCAQMD's regional CEQA significance thresholds, except NOx emissions. SCAQMD staff has comments regarding the Air Quality Analysis. Please see the attachment for more information.

SCAQMD's 2016 Air Quality Management Plan

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)², which was later approved by the California Air Resources Board on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

¹ Draft PEIR. Section 7: Air Quality. Page 7-19.

² South Coast Air Quality Management District. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

As described in the 2016 AQMP, to achieve NOx emissions reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attain the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to NOx and ROG emissions during the overlapping construction and operational phases. Therefore, SCAQMD staff recommends additional mitigation measures to further reduce NOx and ROG emissions in the attachment.

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD 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, 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 or useful to decision makers and to the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me at lsun@aqmd.gov if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS
LAC180102-07
Control Number

ATTACHMENT

Air Quality Analysis – Interim Milestone Years

1. The Air Quality Analysis years in the Draft PEIR included only two analysis years: baseline year (2014³) and buildout year (2040). By 2040, the Proposed Project is assumed fully built. Although the Proposed Project may not be at peak capacity in earlier years, it is possible that due to higher emission rates of vehicles, trucks, and equipment in earlier years that peak daily emissions may occur before 2040. The overall emission rates of vehicles, trucks, and equipment are generally higher in earlier years as more stringent emission standards and technologies have not been fully implemented and fleets have not fully turned over. Therefore, SCAQMD staff recommends that the Lead Agency include interim milestone years (i.e., year 2020, year 2025, year 2030, and year 2035) in the Air Quality Analysis to ensure the peak daily emissions are identified and adequately disclosed in the Final PEIR. The interim milestone years will also assist in the demonstration of progress overtime from implementing air quality-related mitigation measures and General Plan policies.

Air Quality Analysis – Overlapping Construction and Operational Impacts

2. When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in the PEIR. The degree of specificity will correspond to the degree of specificity involved in the underlying activity which is described in the PEIR (CEQA Guidelines Section 15146). When quantifying air quality emissions, emissions from both construction (including demolition, if any) and operations should be calculated.

Based on a review of the Air Quality Analysis, SCAQMD staff found that the Lead Agency did not analyze a scenario where construction emissions overlap with operational emissions. Since implementation of the Proposed Project is expected to occur within the City over a period of 22 years from 2014 to 2040, an overlapping construction and operation scenario is reasonably foreseeable, unless the Proposed Project includes requirement(s) that will avoid overlapping construction and operational activities. To properly analyze a worst-case impact scenario that is reasonably foreseeable at the time the Draft PEIR is prepared, SCAQMD staff recommends that the Lead Agency identify the overlapping years, combine construction emissions (including emissions from demolition⁴) with operational emissions, and compare the combined emissions to SCAQMD's air quality CEQA operational thresholds of significance to determine the level of significance in the Final PEIR. In the event that the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project's air quality impacts would be significant, mitigation measures will be required pursuant to CEQA Guidelines Section 15126.4. For more information on suggested potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website⁵.

Enforceability of Proposed General Plan Policy: AQE-13

3. SCAQMD staff recommends that the Lead Agency develop strategies or tools to implement the proposed General Plan Policy AQE-13 that "encourage[s] the development and/or implementation of new technologies addressing or mitigating pollutant emissions at transportation facilities and

³ Based on a review of the Draft PEIR, it is unclear which CEQA baseline year was used to analyze air quality impacts. Therefore, SCAQMD staff recommends that the Lead Agency clarify the baseline year in the Final PEIR.

⁴ According to the Draft PEIR, the City of Cudahy "is generally a built-out city, many new projects in the City will likely require the demolition of existing structures to make room for newer ones." Section 7: Air Quality. Page 7-20. Therefore, demolition is reasonably foreseeable during construction.

⁵ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

industrial use locations⁶.” Example strategy includes performance standards-based technology review at a programmatic level such as the city-wide General Plan. Since the Proposed Project would be implemented city-wide over a period of 22 years, the Lead Agency should take this opportunity to deploy strategies that will foster and facilitate the deployment of the lowest emission technologies possible. The deployment should include those technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies that are expected to be available in the life of the Proposed Project. As such, SCAQMD staff recommends that the Lead Agency develop strategies or tools to assess equipment availability, equipment fleet mixtures, and best available emissions control devices for addressing or mitigating pollution emissions at transportation facilities and industrial uses locations within the City, and specify performance standards and appropriate timeline (or schedule) for the technology assessment that supports the goals and objectives of the 2016 AQMP.

Additional Recommended Mitigation Measures

4. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final PEIR to further reduce emissions, particularly from ROG and NOx. Additional information on potential mitigation measures as guidance to the Lead Agency are available on the SCAQMD CEQA Air Quality Handbook website.
 - a) All off-road diesel-powered construction equipment shall meet or exceed Tier 4 off-road emissions standards. A copy of the fleet’s tier compliance documentation, and CARB or SCAQMD operating permit shall be provided to the Lead Agency at the time of mobilization of each applicable unit of equipment. In the event that all construction equipment cannot meet the Tier 4 engine certification, the Lead Agency must demonstrate through future study with written findings supported by substantial evidence before using other technologies/strategies. Alternative strategies may include, but would not be limited to, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.
 - b) Require the use of 2010 model year diesel haul trucks that conform to 2010 EPA truck standards or newer diesel haul trucks (e.g., material delivery trucks and soil import/export) during construction, and if the Lead Agency determines that 2010 model year or newer diesel haul trucks are not feasible, the Lead Agency shall use trucks that meet EPA 2007 model year NOx emissions requirements, at a minimum.
 - c) Require the use of architectural coatings (no more than 50 grams/liter of VOC) that are in compliance with SCAQMD Rule 1113 – Architectural Coatings.
 - d) Construct or build with materials that do not require painting or use pre-painted construction materials.
 - e) Limit parking supply and unbundle parking costs.

⁶ Draft PEIR. Section 7: Air Quality. Page 7-25.

- f) Require that 240-Volt electrical outlets or Level 2 chargers be installed in parking lots that would enable charging of NEVs and/or battery powered vehicles. This recommended mitigation measure is consistent with the proposed General Plan Policy AQE-3.2⁷.

Vehicles that can operate at least partially on electricity have the ability to substantially reduce the significant NOx and ROG 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, SCAQMD staff recommends the Lead Agency require the Proposed Project be constructed with the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in.

- g) Require use of electric lawn mowers and leaf blowers.

⁷ Draft PEIR, Section 7: Air Quality, Page 7-27.