



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

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jenna.monterrosa@lacity.org

Jenna Monterrosa, City Planner
City of Los Angeles Planning Department
200 North Spring Street, 7th Floor
Los Angeles, CA 90012

Mitigated Negative Declaration (MND) for the Proposed ENV-2018-870 Project

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 MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish an existing 96,335-square-foot storage building to construct a 229,741-square-foot self-storage building on 0.84 acres (Proposed Project). The Proposed Project is located on the southwest corner of West 35th Street and South Grand Avenue in the community of South Central. Based on a review of the MND¹ and aerial photographs, SCAQMD staff found that the Proposed Project is located approximately 80 feet west of the Los Angeles Unified School District's William Jefferson Clinton Middle School. Construction of the Proposed Project is expected to occur over 14 months.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's air quality impacts resulting from construction and operation activities would be less than significant. According to Appendix A, *Air Quality Study*, the Lead Agency would require the use of Tier 2 engines for off-road vehicles where commercially available². In the CalEEMod output modeling file, the Lead Agency modeled the Proposed Project's construction emissions by assuming Tier 2 engines for demolition equipment and Tier 3 engines for all other construction equipment³. Additionally, the Lead Agency did not require the use of Tier 3 engines for all other construction equipment either as a project design feature or a mitigation measure in the body of the MND or the Air Quality Study. Additional details are provided below.

SCAQMD Staff's Comments

Consistency with the Modeling Assumption

Based on a review of the CalEEMod output modeling file, SCAQMD staff found that the Lead Agency modeled the Proposed Project's construction emissions by assuming the use of Tier 2 engines *for demolition equipment* and Tier 3 engines *for all other construction equipment*⁴ (*Emphasis added*).

¹ MND. Page A-2.

² MND. Appendix A, *Air Quality Study*. Page 14.

³ MND. Appendix A, *Air Quality Study*. CalEEMod Output. Page 2.

⁴ *Ibid.*

However, in the body of the air quality technical appendix, Appendix A, *Air Quality Study*, to the MND, the Lead Agency stated that the Proposed Project would be required to use Tier 2 engines for off-road vehicles only when they are commercially available⁵. The use of Tier 2 and Tier 3 construction equipment in the CalEEMod modeling is not appropriate because it has likely led to an underestimation of the Proposed Project's construction emissions by assuming emission reductions benefits from Tier 3 construction equipment in the modeling when the Lead Agency was committed to using Tier 2 engines for demolition equipment alone and only when they are "commercially available." As such, to be consistent with the modeling assumption in CalEEMod and to conservatively quantify the Proposed Project's construction emissions as the worst-case impact scenario, in the event that Tier 2 construction equipment is not commercially available, SCAQMD staff recommends that the Lead Agency revise the modeling to assume the use of Tier 1 construction equipment for all construction equipment.

Tier 4 Construction Equipment or Level 3 Diesel Particulate Filters

In Appendix A, *Air Quality Study*, the Lead Agency states that demolition equipment is required to meet the United States Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) Tier 2 off-road engine emissions standards⁶. As stated above, the Proposed Project is located immediately west of sensitive receptors such as students at the William Jefferson Clinton Middle School. While the Proposed Project's regional and localized construction-related air quality impacts were found to be less than significant, SCAQMD staff recommends that the Lead Agency require all off-road diesel-powered construction equipment to meet or exceed the CARB and U.S. EPA Tier 4 off-road emissions standards for equipment rated at 50 horsepower (hp) or greater during the construction phase to further reduce potential impacts from construction-related criteria pollutants emissions on nearby sensitive receptors. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter (DPF). Level 3 DPFs are capable of achieving at least 85 percent reduction in diesel particulate matter emissions. A list of CARB verified DPFs are available on the CARB website⁷. Additionally, SCAQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, and that successful contractor(s) demonstrate the ability to supply such equipment prior to the commencement of demolition and ground disturbing activities. A copy of each unit's certified tier specification should be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written documentation by contractors to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.

Enforceability

To ensure that Tier 4 construction equipment or level 3 DPFs will be used during the construction phase of the Proposed Project, SCAQMD staff recommends that the Lead Agency include this requirement as a project design feature or a mitigation measure in the main body of the Final MND. In the event that the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, the Lead Agency should, at a minimum, specify in the Final MND that using Tier 3 for all construction equipment (including demolition equipment) is a project requirement that contractor(s) must provide evidence to the City for review and approval prior to demolition and ground disturbing activities.

⁵ MND. Appendix A, *Air Quality Study*. Page 14.

⁶ *Ibid*.

⁷ California Air Resources Board. May 2018. *Verification Procedure – currently Verified*. Accessed at: <https://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>.

Other Comment

Based on a review of the Publication of Environmental Notices for the Proposed Project, the MND is circulated for public review and comments ending January 14, 2019. However, according to the main body of the MND⁸, the MND is circulated for a 20-day public review and comment period beginning on December 20, 2018 and ending on January 9, 2019. Pursuant to CEQA Guidelines Section 15072 (g)(2), it is recommended that the Lead Agency revise the Notice to reflect the corrected public review and comment period for the Proposed Project.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide SCAQMD with written responses to all comments contained herein prior to the certification of the Final MND. When responding to issues raised in the comments, response should provide sufficient details 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 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.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Robert Dalbeck, Assistant Air Quality Specialist, at rdalbeck@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:RD

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⁸ MND. Cover Page.