



South Coast Air Quality Management District

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June 2, 2020

Draft Environmental Impact Report (Draft EIR) for the Proposed 6220 Yucca Street Project (SCH No.: 2015111073)

South Coast Air Quality Management District (South Coast AQMD) 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.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish two existing buildings, and construct and operate two buildings with 210 residential units, 136 hotel rooms, and 12,570 square feet of commercial uses, totaling 316,948 square feet on 1.16 acres (Proposed Project). The Proposed Project is located on the southwest corner of Yucca Street and Vista Del Mar Avenue in the community of Hollywood within the City of Los Angeles. Construction of the Proposed Project is anticipated to take 22 months¹. It is anticipated that the Proposed Project will become operational by 2023². Upon reviews of Figure II-2: *Aerial Photograph with Surrounding Land Uses*³ in the Draft EIR and Appendix C-2: *Freeway Health Risk Assessment* of the Draft EIR, South Coast AQMD staff found that U.S. Route 101 is approximate 200 feet north of the Proposed Project⁴.

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

The Lead Agency quantified the Proposed Project's construction and operational emissions and compared those to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be significant for nitrogen oxides (NOx) at 112 pounds per day (lbs/day)⁵. The Lead Agency is committing to implementing a construction mitigation measure (MM)-AQ-1 to require the use of off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards for equipment rated at 50 horsepower or greater⁶. With implementation of MM-AQ-1, the Proposed Project's regional construction NOx emissions were reduced to less than significant at 70 lbs/day⁷. The Lead Agency found that the Proposed Project's regional air quality impacts from operation and localized air quality impacts from both construction and operation would all be less than significant⁸.

¹ Draft EIR. Chapter IV. Air Quality. Page IV. B-45.

² Draft EIR. Chapter II. Project Description. Page II-30.

³ *Ibid.* Page II-4.

⁴ Draft EIR. Appendix C-2: *Freeway Health Risk Assessment*. Page 2.

⁵ Draft EIR. Chapter IV. Air Quality. Page IV.B-67.

⁶ *Ibid.* Page IV.B-68.

⁷ *Ibid.* Page IV.B-69.

⁸ *Ibid.*

The Lead Agency performed a Health Risk Assessment to disclose potential health risks for future residents living at the Proposed Project in the Draft EIR. The Lead Agency found that for a 30-year exposure period, the maximum unmitigated cancer risk from the surrounding high-volume freeway would be 8.1 in one million⁹, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk¹⁰. According to the City of Los Angeles Municipal Code (LAMC) 99.04.504, filtration systems with Minimum Efficiency Reporting Value (MERV) 13 are required for residential buildings within 1,000 feet for a freeway. Therefore, to comply with LAMC 99.04.504, the Lead Agency will require the Proposed Project to install MERV 13 filters for residential uses¹¹.

South Coast AQMD Staff's Comments

Siting Sensitive Receptors near Freeways and Other Sources of Air Pollution

Notwithstanding the court rulings, South Coast AQMD staff recognizes that 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 South Coast AQMD's concern about the potential public health impacts of siting sensitive populations within close proximity to major sources of air pollution, such as high-volume freeways, South Coast AQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project will include, among others, construction of 210 residential units within 200 feet of U.S. Route 101¹². In 2018, U.S. Route 101 had 226,000 annual average daily trips, 32% of which was comprised of 4- and 5-axle trucks at Los Angeles/Highland Avenue Interchange (Post Mile 7.84)¹³. Sensitive receptors living at the Proposed Project could be exposed to diesel particulate matter (DPM) emissions from diesel fueled, heavy-duty trucks passing by on U.S. Route 101. The California Air Resources Board (CARB) has identified DPM as a toxic air contaminant based on its carcinogenic effects¹⁴. Future residents at the Proposed Project could be exposed to DPM emissions from the mobile sources traveling on U.S. Route 101 (e.g., diesel fueled, heavy-duty trucks).

Health Risk Reduction Strategies

Many strategies are available to reduce exposure, including, but not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. Installation of enhanced filtration units can be verified during occupancy

⁹ Draft EIR. Appendix C-2: *Freeway Health Risk Assessment*. Page 15.

¹⁰ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

¹¹ Draft EIR. Appendix C-2: *Freeway Health Risk Assessment*. Page 8.

¹² Draft EIR. Appendix C-2: *Freeway Health Risk Assessment*. Page 2.

¹³ California Department of Transportation. 2018. *Truck Traffic: Annual Average Daily Truck Traffic*. Accessed at: <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/f0017681-2016-aadt-truck-ally.pdf>

¹⁴ California Air Resources Board. August 27, 1998. Resolution 98-35. Accessed at: <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>.

inspection prior to the issuance of an occupancy permit. Here, the Lead Agency requires installation of MERV 13 filters at the Proposed Project¹⁵ in accordance with LAMC 99.04.504.

Enhanced filtration systems have limitations. In a study that South Coast AQMD conducted to investigate filters¹⁶, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the building tenants. It is typically assumed that the filters operate 100 percent of the time while sensitive receptors are indoors, and the environmental analysis does not generally account for the times when sensitive receptors have windows or doors open or are in common space areas of a project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail and disclosed to prospective residences prior to assuming that they will sufficiently alleviate exposures to DPM emissions.

Because of limitations, to ensure that enhanced filters are enforceable throughout the lifetime of the Proposed Project and effective in reducing exposures to DPM emissions, South Coast AQMD staff recommends that the Lead Agency provide additional details regarding the ongoing, regular inspection, monitoring, and maintenance of filters in the Final EIR. To facilitate a good-faith effort at full disclosure and provide useful information to residents who will live at the Proposed Project, at a minimum, the Final EIR should include the following information:

- Disclose the potential health impacts to residents who live in a close proximity to U.S. Route 101 and the reduced effectiveness of the air filtration system when windows are open and/or when residents are outdoors (e.g., in the common usable open space areas);
- Identify the responsible implementing and enforcement agency such as the Lead Agency, property manager(s), and/or building operator(s)/tenant(s) to verify that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued to ensure compliance with LAMC 99.05.504;
- Identify the responsible implementing and enforcement agency, such as the Lead Agency, property manager(s), and/or building operator(s)/tenant(s) to ensure that enhanced filtration units are inspected and maintained regularly;
- Disclose the potential increase in energy costs for running the HVAC system to the prospective residents, property manager(s), and/or building operator(s)/tenant(s);
- Provide information to the prospective residents, property manager(s), and/or building operator(s)/tenant(s) on where the MERV 13 filters can be purchased;
- Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units and disclose that information to the HOA representatives, prospective residents, property manager(s), and/or building operator(s)/tenant(s);

¹⁵ Draft EIR. Appendix C-2: *Freeway Health Risk Assessment*. Page 8.

¹⁶ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

- Identify the responsible entity, such as the Lead Agency, residents themselves, or property management, for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if the building operators/tenants and/ or residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
- Identify, provide, and disclose ongoing cost sharing strategies, if any, for replacing the enhanced filtration units;
- Set City-wide, or Proposed Project-specific criteria for assessing progress in inspecting and replacing the enhanced filtration units, and maintain records to demonstrate ongoing, regular inspection, monitoring, and maintenance of MERV 13 filters; and
- Develop a City-wide, or Proposed Project-specific process for evaluating the effectiveness of the enhanced filtration units , and maintain records to demonstrate results of the evaluation.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD 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, informative, or useful to decision makers and to the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Margaret Isied, Assistant Air Quality Specialist, at misied@aqmd.gov or (909) 396-2543, should you have any questions.

Sincerely,

Lijin Sun

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Planning, Rule Development & Area Sources

LS:MI

LAC200423-05

Control Number