



# South Coast Air Quality Management District

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October 29, 2013

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## **Draft Environmental Impact Report (DEIR) for the Proposed Duarte Station Specific Plan Project (General Plan Amendment 13-1 and Zone Change 13-1)**

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 CEQA document.

The lead agency proposes to demolish the existing 313,955 square feet of warehouse/industrial use buildings located on the 19.08 acre site. Construction of a mixed-use transit village on the site's three parcels would then begin in 2014 and be completed based on market conditions. The development would include a light-rail train station, 400,000 square feet of office uses, 475 high-density residential units, a 250 room hotel, 12,000 square feet of retail and 0.8-acre for recreation/open space uses.

The proposed project site is also just south of State Route 210 Freeway, which has a peak daily traffic volume of about 266,000 vehicles. The SCAQMD staff is concerned that the proposed sensitive receptor land use at the site is located in a traditionally incompatible setting with the existing freeway adjacent to the project site. Guidance from the California Air Resources Board (CARB) Air Quality and Land Use Handbook<sup>1</sup> recommends avoiding the siting of new sensitive land uses within 500 feet of a freeway to avoid exposing people to substantial pollutant concentrations including carcinogenic diesel particulate matter (DPM). The lead agency should estimate and include in the Final EIR the potential health risks<sup>2</sup> to residents from emissions coming from the adjacent freeway traffic in order to demonstrate that these health risks are less than

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<sup>1</sup> (CARB) Air Quality and Land Use Handbook:  
[http://www.aqmd.gov/ceqa/handbook/other\\_useful\\_links/ARBhandbook.pdf](http://www.aqmd.gov/ceqa/handbook/other_useful_links/ARBhandbook.pdf) .

<sup>2</sup> SCAQMD "Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions" can be found using the following link:  
[http://www.aqmd.gov/ceqa/handbook/mobile\\_toxic/diesel\\_analysis.doc](http://www.aqmd.gov/ceqa/handbook/mobile_toxic/diesel_analysis.doc) .

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significant. The lead agency should incorporate all feasible mitigation into the Final CEQA document if cancer risks are above the recommended thresholds of significance.<sup>3</sup>

Further, there is concern about the modification of the default load factor values for off-road construction equipment in the air quality modeling. Changing the default load factor values underestimates potentially significant construction air quality impacts. In the air quality modeling, the lead agency used the most current version of the California Emission Estimator Model (CalEEMod), Version 2013.2. Since Version 2013.2 includes the most current load factor values found in OFFROAD2011, construction impacts and related analyses should be revised in the Final EIR using Version 2013.2's default load factor values. Should further analysis determine that these impacts are significant, further mitigation should be included in the Final EIR. Details are included in the attachment.

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,



for Ian MacMillan  
Program Supervisor, Inter-Governmental Review  
Planning, Rule Development & Area Sources

Attachment

IM:MK:GM

LAC130919-01  
Control Number

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<sup>3</sup> Recommended SCAQMD Significance Thresholds of Significance:  
<http://www.aqmd.gov/ceqa/handbook/signthres.pdf>.

### **PM10 and PM2.5 Attainment Status Update – Table 5.5-1**

1. Based on changes to the following designations, the SCAQMD staff recommends that the Lead Agency revise Table 5.5-1 on page 5.5-2 as follows in the Final EIR:

- **PM10** Federal 24-hour national ambient air quality standard (NAAQS) at 150  $\mu\text{g}/\text{m}^3$ . In June 2013, the EPA approved the State of California's request to redesignate the South Coast PM10 nonattainment area to attainment of the PM10 NAAQS, effective on July 26, 2013. For more details, please refer to the Federal Register language available at <http://www.gpo.gov/fdsys/pkg/FR-2013-06-26/html/2013-15145.htm>.
- **PM2.5** Federal 24-hour PM2.5 NAAQS has been designated as “nonattainment” and not “unclassified” as listed in Table 5.5-1. The 24-hour PM2.5 NAAQS designations were promulgated in November 2009 and can be found online at <http://www.epa.gov/pmdesignations/2006standards/final/region9.htm>.

### **Off-Road Equipment Load Factors**

2. In the air quality analysis, the Lead Agency estimated project construction air quality impacts using the CalEEMod land use model, <sup>4</sup> Version 2013.2. This model provides default values and allows user-defined overrides to estimate emissions based on the expected land use. The model run for the Draft EIR's air quality analysis shows that the default load factor settings for off-road equipment were modified, reducing each by about one third, effectively lowering the emissions calculated from these sources by one third. For example, the CalEEMod default load factor for an excavator is 0.57; a rubber tired dozer is 0.59; tractor / loaders / backhoe is 0.55; and a grader is 0.61. In the air quality analysis, the Lead Agency used 0.38 as a load factor for an excavator; 0.40 for a rubber tired dozer; a load factor of 0.37 for a tractor / loaders / backhoe; and 0.41 for a grader. This one-third reduction is based on previous guidance. This interpretation did not extend to project specific analysis or the OFFROAD2011 emission factors. The one-third reduction is not recommended by the SCAQMD staff without substantial evidence to support its use. Rather, the SCAQMD staff recommends that the lead agency revise the project impacts in the Final EIR using the CalEEMod model without modifying the off-road equipment load factors. CalEEMod Version 2013.2 incorporates the most recent version of OFFROAD2011<sup>5</sup> and includes up to date fleet information. Therefore, adjusting the load factor values without documentation based on substantial evidence does not demonstrate that off-road equipment emissions are less than significant.

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<sup>4</sup> Version 2013.2.2 is available at the following website: <http://www.CalEEMod.com>

<sup>5</sup> OFFROAD 2011 shows that additional parameters affect emissions besides load factor, and that some equipment-specific emission factors can be either higher or lower than the OFFROAD 2007 emission factors used in CalEEMod.

### **Construction Mitigation**

3. Should the Lead Agency determine that construction air quality impacts are significant based on comment #1, the SCAQMD staff recommends the following mitigation measures designed to lower NO<sub>x</sub> emissions from off-site construction equipment in addition to the measures proposed by the lead agency starting on page 5.5-15 of the Draft EIR, if feasible. The Lead Agency should consider adopting a schedule similar to what other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, LA County Metro, and City of Los Angeles)<sup>6</sup> require for all on-site construction equipment.
  - Project start, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 3 off-road emission standards. 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.
  - Post-January 1, 2015: 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/tao/Implementation/SOONProgram.htm>

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<sup>6</sup> For example see the Metro Green Construction Policy at:  
[http://www.metro.net/projects\\_studies/sustainability/images/Green\\_Construction\\_Policy.pdf](http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf)