



South Coast Air Quality Management District

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E-Mailed: October 11, 2013
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Ms. Emily Dwyer
City of Los Angeles
200 North Spring Street, Room 750
Los Angeles, CA 90012

Review of the Draft Environmental Impact Report (Draft EIR) for the Oak Village Residences Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are intended to provide guidance to the lead agency and should be incorporated into the revised Draft or Final Environmental Impact Report (Draft or Final EIR) as appropriate.

Based on a review of the air quality analysis in the Draft EIR the SCAQMD staff is concerned about the potential health risk impacts from placing sensitive receptors (i.e., Residences) within close proximity to the Interstate 10 Freeway a known significant emissions source. Specifically, the SCAQMD staff is concerned that the lead agency did not attempt to evaluate this emissions source nor provide mitigation to address potentially significant public health impacts. Instead the lead agency concluded the project will not result in significant health risk impacts and did not include a discussion or information pertaining to this emissions source. Therefore, the lead agency should revise the Draft EIR to include a health risk assessment (HRA) and if necessary include mitigation measures in the Final EIR that implement the use of buffers as specified by the CARB Handbook¹. Also, the SCAQMD staff requests that the lead agency clarify how the compliance measures/design features of the project are consistent with statewide Greenhouse Gas (GHG) initiatives. Further, SCAQMD staff recommends that the lead agency provide additional mitigation measures to minimize the project's significant regional construction air quality impacts pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines. Details regarding these comments are attached to this letter.

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that

¹ California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

A handwritten signature in black ink that reads "Ian V. MacMillan". The signature is written in a cursive style with a large initial "I" and "M".

Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

LAC130830-05
Control Number

Health Risk Assessment and Mitigation Measures

1. The SCAQMD staff is concerned that the proposed project could pose significant health risk impacts to residents from emissions sources that have not been quantified and disclosed in the Draft EIR. Specifically, the lead agency is proposing residential land use adjacent to the Interstate 10 Freeway a prominent source of TACs. In Figure II-2 of the Draft EIR the lead agency indicates that the project would be less than 300 feet from the Interstate 10 Freeway that carries approximately 322,000 vehicles per day. However, the lead agency determined that the project will not result in significant health risk impacts and did not include a discussion or information pertaining to this emissions source. Absent a quantitative HRA and effective mitigation the lead agency is unable to demonstrate that the proposed project will impose insignificant health risk impacts to future sensitive receptors. Notably, children have been found to be particularly susceptible to health effects from freeway emissions. Therefore, the SCAQMD staff recommends that the lead agency revise the Revised Draft or Final EIR to include an HRA and mitigation, if necessary, as specified by the CARB Handbook².

Climate Change Impacts

2. On page IV.E-27 of the Draft EIR the lead agency concludes that the project will not conflict with any applicable plan, policy or adopted regulation for the purpose of reducing GHG's. However, the SCAQMD staff requests further clarification about how the project is consistent with statewide AB 32 goals given that the proposed project achieves less than 3% reduction of GHG emissions. Specifically, the AB 32 Scoping Plan proposed a 15% reduction below 2005 emissions to achieve 1990 levels by 2020. Therefore, the SCAQMD staff requests that the lead agency clarify how the compliance measures/design features of the project are consistent with statewide initiatives.

Construction Mitigation Measures

3. The lead agency determined that the proposed project will exceed the CEQA regional construction significance thresholds for NOx emissions; therefore, SCAQMD staff recommends that the lead agency provide the following additional mitigation measures pursuant to CEQA Guidelines Section 15126.4.
 - a) Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
 - b) Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
 - c) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.

² California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at:<http://www.arb.ca.gov/ch/landuse.htm>

- d) Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- e) Require the use of electricity from power poles rather than temporary diesel or gasoline power generators.
- f) Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.
- g) During project construction, all internal combustion engines/construction, equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following:
 - ✓ Project start, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions 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 offroad 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>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:

www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.