



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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**Draft Environmental Impact Report (Draft EIR) for the Proposed
Imperial Avalon Mixed-Use Project (Proposed Project)
(SCH No.: 2021010116)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Carson is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include information from the Community Emissions Reduction Plan (CERP) for the Assembly Bill 617 (AB 617)-designated community of Wilmington, Carson, West Long Beach (WCWLB), recommended revisions to the CEQA regional air quality impacts analysis for cleanup activities during construction, health risk reduction strategies, and information about South Coast AQMD permits that the Lead Agency should include in the Final EIR.

South Coast AQMD Staff's Summary of Project Information in the Draft EIR

Based on the Draft EIR, the Lead Agency proposes the following involved in the Proposed Project: (1) a General Plan Amendment to change Land Use Designation from Regional Commercial and Low-Density Resident to Urban Residential; (2) to change from Commercial, Automotive and RM-8-D zone to Specific Plan; (3) to adopt the Imperial Avalon Specific Plan (IASP); (4) review site plan and design; (5) have a tentative tract map to facilitate constructions of the proposed development; and (6) to approve a development agreement¹. The Proposed Project would involve removing the existing site uses, currently developed as a mobile home park, and constructing a mixed-use neighborhood consisting of multifamily residences, townhomes, neighborhood-serving commercial uses, open space, and parking². The Proposed Project Site comprises two interconnected halves: the western portion with three-story townhomes and the eastern half with multistory mixed-use buildings of up to seven stories with a total of 1,213 residential units³. The Proposed Project is located at 21207 South Avalon Boulevard in Carson, on an approximately 27.31-acre site⁴. Based on the ariel photographs, South Coast AQMD staff found that the nearest sensitive receptors (e.g., residences) are adjacent to the west and south of the Proposed Project, approximately within 50 feet. Additionally, the Proposed Project site is within 500 feet of a

¹ Draft EIR. Page 3-1.

² *Ibid.* Page 3-15.

³ *Ibid.*

⁴ *Ibid.* Page 3-2.

freeway, Interstate 405 (I-405). Construction activities are anticipated to begin in 2022 and last approximately 60 months⁵. Operation is expected to start in 2027⁶.

South Coast AQMD Staff's Comments on the Draft EIR

Information from the WCWLB CERP

The Proposed Project area includes the AB 617-designated WCWLB community and is heavily impacted by air pollution generated from sources such as port-related activities and refinery-related activities. As part of the AB 617 process, South Coast AQMD is required to work with a Community Steering Committee (CSC) to develop a CERP that identifies air quality priorities and related actions to reduce air pollution in the community. The South Coast AQMD Governing Board adopted the WCWLB CERP on September 6, 2019.⁷ The Draft EIR for the Proposed Project serves as the first-tier, programmatic level environmental analysis that can provide guidance to subsequent, project-level environmental analyses. South Coast AQMD staff recommends that the Lead Agency review the actions to reduce air pollution in the community included in Chapter 5 of the adopted CERP and work with South Coast AQMD's AB 617 staff to explore whether additional mitigation measures can be identified and implemented through future development projects at the Proposed Project.

CEQA Regional Air Quality Impacts Analysis for Cleanup Activities during Construction

Based on the Hazards and Hazardous Materials Section in the Draft EIR, the Proposed Project would include the demolition of existing structures of varying ages, which were built prior to 1978 and could contain hazardous material building, including asbestos-containing materials (AMCs), lead-based paint (LBP), or polychlorinated biphenyls (PCBs), mercury and other hazardous materials⁸. In addition, according to Appendix G-1: Phase I and Phase II Environmental Site Assessment, the report reveals various COCs in the soil above residential screening levels and soil gas at concentrations that are considered to be elevated⁹. Furthermore, detecting petroleum hydrocarbons in the soil is considered a nuisance condition¹⁰. As a result, these conditions are collectively considered recognized environmental conditions in connection with the Site¹¹. It is reasonably foreseeable that cleanup activities for remediating, controlling contaminated soil and/or groundwater, and demolition may occur prior to or concurrently with the new construction. Due to the potential of contamination, the Lead Agency proposes the Project Design Feature PDF-HAZ-1¹² and discusses the soil management plan in the event contamination is identified. However, the Lead Agency did not analyze air quality impacts from cleanup activities during construction in the Draft EIR.

⁵ *Ibid.* Page 3-47.

⁶ *Ibid.*

⁷ South Coast AQMD. September 2019. Assembly Bill 617 Wilmington, Carson, West Long Beach Community Emissions Reduction Plan. Accessed at: <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwlb.pdf>.

⁸ Draft EIR. Page 4.7-13.

⁹ Appendix G-1. Page 23.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² Draft EIR. Page 4.2-17.

Cleanup activities will likely involve using heavy-duty, diesel-fueled trucks for soil export, resulting in emissions from truck hauling activities and vehicle trips by workers that will be required to conduct cleanup activities. Additionally, cleanup activities will likely require the use of additional equipment that may differ from typical equipment for grading and site preparation for construction. If cleanup activities are reasonably foreseeable at the time the EIR was prepared, the Lead Agency should use good faith and best efforts to provide information on the scope, types, and duration of cleanup activities, quantify emissions from cleanup activities, and include those emissions in the Proposed Project's construction emissions profile to be compared to South Coast AQMD's air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. Alternatively, if emissions from cleanup activities are not included in the Final EIR, the Lead Agency should include a new air quality mitigation measure in the Air Quality Section of the Final EIR to commit to evaluating the potential environmental impacts from cleanup activities through CEQA prior to commencing any cleanup activities. If a new air quality mitigation measure is not included in the Final EIR, the Lead Agency should provide reasons supported by substantial evidence in the record to explain why a new air quality mitigation measure is not included.

Under the Utilities and Service Systems in the Draft EIR, the Lead Agency identifies several landfills that serve the Proposed Project, such as El Sobrante or Lancaster or Simi Valley Landfills¹³ over 40 miles from the Proposed Project site. However, the Lead Agency did not identify a specific hazardous landfill for the Proposed Project in the Draft EIR. In addition, based on the emission calculations from the California Emissions Estimator Model (CalEEMod) output files, the Lead Agency used a one-way truck trip length of 20 miles to quantify the Proposed Project's construction emissions from hauling construction materials. If cleanup activities would include removing and disposal of contaminated soil, ACMs, LBPs, or any hazardous materials, depending on the type of contamination, contaminated materials may need to be accepted at a hazardous landfill (e.g., one of the landfills mentioned above or different landfill) with a one-way truck trip length that is likely longer than 20 miles. Therefore, South Coast AQMD staff recommends that the Lead Agency identify the permitted hazardous disposal facility that the Proposed Project could use to dispose of contaminated soil if the cleanup activities involve transport and off-site disposal of contaminated soil and disclose the information in the Final EIR. When quantifying emissions from transportation and off-site disposal, the Proposed Project's construction emissions from haul truck trips for transporting and disposing of contaminated soil based on the appropriate one-way truck trip length should be recalculated. If the default one-way truck trip length of 20 miles is not re-calculated for quantifying emissions from haul truck trips for transporting contaminated soil, the Lead Agency should provide reasons for not re-calculating it supported by substantial evidence in the record.

Health Risk Strategies Reductions

Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agency that approves CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because South Coast AQMD staff is concerned about the potential public health impacts of siting sensitive populations within proximity of sources of air pollution, it is recommended that, prior to approving future

¹³ *Ibid.* Page 4.14-3

development projects, the Lead Agency consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary. Additionally, South Coast AQMD staff suggests that the Lead Agency review the California Air Resources Board (CARB) Air Quality Land Use and Handbook: A Community Health Perspective¹⁴ as it is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory¹⁵.

Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with MERV 13 or better. In some cases, MERV 15 or better is recommended, for building design, orientation, location, vegetation barriers, landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, 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 panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary, including costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effect unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, the replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Draft EIR. Therefore, any filtration unit's presumed effectiveness and feasibility should be carefully evaluated in more detail before assuming they will sufficiently alleviate exposure to diesel particulate matter emissions.

South Coast AQMD Permits and Responsible Agency

If the implementation of the Proposed Project would require modifying the existing or use of new stationary equipment, including but not limited to emergency generators, fire water pumps, boilers, etc., permits from South Coast AQMD are required. The Final EIR should include a discussion on stationary equipment requiring South Coast AQMD permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project. Any assumptions used for the stationary sources in the Final EIR will also be used as the basis for the permit conditions and limits for the Proposed Project. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions on permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

¹⁴ California Air Resources Board (CARB) Air Quality Land Use and Handbook: A Community Health Perspective. Access at: <https://www.arb.ca.gov/ch/handbook.pdf>.

¹⁵ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>

¹⁶ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/defaultsource/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>

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, when the Lead Agency's position is at variance with recommendations raised in the comments, the 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 and 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 Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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Planning, Rule Development & Implementation

SW:DN

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