



# South Coast Air Quality Management District

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## **Draft Environmental Impact Report (Draft EIR) for the Proposed Artisan Hollywood Project (Proposed Project)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Los Angeles is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the CEQA regional air quality analysis during construction, project-level air quality mitigation measures for construction, revision of the toxic air contaminant analysis in the air quality section, 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 development of a 25-story building consisting of 270 multi-family residential units and 6,790 square feet of ground floor commercial space, 30,918 square feet of open space, and recreational amenities.<sup>1</sup> The Proposed Project includes removing the existing surfacer parking area and ornamental landscaping.<sup>2</sup> The Proposed Project would retain six existing buildings of approximately 33,828 square feet.<sup>3</sup> With the inclusion of the existing buildings, the Proposed Project would result in 300,996 square feet of floor area.<sup>4</sup> The Proposed Project's construction would require exporting up to 69,333 cubic yards of soil.<sup>5</sup> The Proposed Project is located at 1520-1542 North Cahuenga Boulevard, 1523-1549 North Ivar Avenue, and 6350 West Selma Avenue in the Hollywood Community of Los Angeles.<sup>6</sup> Based on a review of aerial photographs, South Coast AQMD staff finds that the nearest sensitive receptor (e.g., apartment) is within 150 feet northeast of the Proposed Project. The Proposed Project's construction is anticipated to occur over an approximately 26-month period and is expected to be completed in 2025.<sup>7</sup>

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<sup>1</sup> Draft EIR. Page II-1.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.* Page II-19.

South Coast AQMD Staff's Comments on the Draft EIR*CEQA Regional Emissions Air Quality Analysis during Construction*

Based on the Draft EIR, Table IV.A-6: Estimate of Maximum Regional Project Daily Construction Emissions<sup>8</sup> (pounds per day or lbs/day) shows that the Proposed Project's construction NOx emissions are significantly close to the South Coast AQMD Regional Air Quality Significant Thresholds,<sup>9</sup> 98 lbs/day compared to 100 lbs/day. Even though the amount of export soil is mentioned as approximately 69,333 cubic yards,<sup>10</sup> in the California Emissions Estimator Model (CalEEMod) construction output files, the Lead Agency identifies zero hauling truck trips for the demolition and grading activities.<sup>11</sup> Due to the zero number of hauling truck trips, the emissions from hauling truck trips are calculated as zero.<sup>12</sup> Hence, it is possible that the Lead Agency underestimates the construction emissions. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the CalEEMod analysis to reflect the appropriate hauling truck trips associated with the 69,333 cubic yards of exported soil and include the hauling emissions to the CEQA regional construction emissions, compared to the South Coast AQMD Regional Air Quality Significant Thresholds to determine the significance impacts level, and include it in the Final EIR. In the event that the construction emissions exceed the South Coast AQMD Regional Air Quality Significant Thresholds, the Lead Agency should provide air quality mitigation measures to commit to reducing the environmental impacts from construction activities in the Air Quality Section and include them in the Final EIR. If the revision is not included in the Final EIR, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

*Additional Recommended Project-Level Air Quality Mitigation Measures during Construction*

Based on the Draft EIR, the regional construction emissions are already at 98 lbs/day for NOx and are about to reach the South Coast AQMD Regional Air Quality Significant Thresholds. With the recommendation to revise the construction emissions, including hauling truck emissions, the significant impact level might result differently. In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,<sup>13</sup> South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management

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<sup>8</sup> *Ibid.* Page IV.A-58.

<sup>9</sup> South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

<sup>10</sup> *Ibid.* Page II-1.

<sup>11</sup> Appendix B. PDF page 7.

<sup>12</sup> *Ibid.* PDF page 8-10.

<sup>13</sup> South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

Plan,<sup>14</sup> and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.<sup>15</sup>

Project-level air quality mitigation measures for construction air quality impacts that the Lead Agency should consider and include in the Final EIR and any subsequent CEQA document and future development projects may consist of the following:

- All off-road construction equipment with horsepower greater than 50 shall be required to have USEPA-certified Tier 4 engines or engines that are certified to meet or exceed the emission ratings for USEPA Tier 4 engines, where feasible. In the event that all construction equipment cannot meet the Tier 4 engine certification, the applicant must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies that reductions in the daily NO<sub>x</sub> and PM<sub>2.5</sub> emissions can be achieved by other technologies/strategies so that emissions from all concurrent construction would not exceed applicable SCAQMD daily emission thresholds.
- At a minimum, require the use of the 2010 model year<sup>16</sup> that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of PM and 0.20 g/bhp-hr of NO<sub>x</sub> emissions or newer, cleaner trucks.
- Tune and maintain all construction equipment to be in compliance with the manufacturer's recommended maintenance schedule and specifications that optimize emissions without nullifying engine warranties. All maintenance records for each piece of equipment and their construction contractor(s) should be made available for inspection and remain onsite for a period of at least two years from the completion of construction.
- Require the use of electric or alternative-fueled (i.e., non-diesel) construction equipment, if available, including but not limited to concrete/industrial saws, pumps, aerial lifts, material hoists, air compressors, forklifts, excavators, wheel loaders, and soil compactors.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide the electrical infrastructure, and electrical panels shall be appropriately sized. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment.

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<sup>14</sup> South Coast AQMD's 2016 Air Quality Management Plan can be found at:

<http://www.aqmd.gov/docs/defaultsource/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86)

<sup>15</sup> Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

[https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A\\_ConnectSoCal\\_PEIR.pdf](https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf).

<sup>16</sup> CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

*Revision of the Toxic Air Contaminant Analysis in the Air Quality Section*

In the Air Quality Section in the Draft EIR, the Lead Agency mentions, “SCAQMD recommends that HRAs be conducted for substantial individual sources of diesel particular matter (e.g., trucks stops and warehouse distribution facilities that generate more than 100 trucks per day or more than 40 trucks with operating transport refrigeration units)”,<sup>17</sup> and the Lead Agency references it as from South Coast AQMD Health Risk Assessment Guidance.<sup>18</sup> However, this written language is likely to be taken from CARB Air Quality and Land Use Handbook: A Community Health Perspective, under Table 1-1: Recommendations on Sitting New Sensitive Land Uses, and specifically for Distribution Centers.<sup>19</sup> The above statement and Table 1-1 are meant for advisory recommendations on sitting new sensitive land uses (e.g., residences, schools) near distribution centers and other land use types. The Lead Agency may misunderstand the above advisory recommendations from CARB Air Quality and Land Use Handbook because the Proposed Project is not a distribution facility, nor are there any sitting new sensitive receptors near the Project site. Therefore, not including an HRA based on the above statement is misused. South Coast AQMD staff recommend that the Lead Agency remove the above explanation from the toxic air contaminants analysis under the air quality section in the Final EIR.

*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>.

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.

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<sup>17</sup> Draft EIR. Page IV.A-63-64

<sup>18</sup> South Coast AQMD’s guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>19</sup> CARB Air Quality and Land Use Handbook can be found at: <https://www.arb.ca.gov/ch/handbook.pdf>.

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](mailto:dnguyen1@aqmd.gov) should you have any questions.

Sincerely,

*Sam Wang*

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