



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

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griselda.gonzalez@lacity.org

Griselda Gonzalez, City Planner
City of Los Angeles, Planning Department
200 N. Spring Street
Los Angeles, California 90012

Negative Declaration (ND) for the Proposed Hotel and Restaurant at 8th St and Mariposa (ENV-2018-1512) (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 Project description and Addendum A, CalEEMod emissions analysis, CEQA Regional Air Quality Impacts Analysis and CalEEMod Emissions Analysis, CEQA Localized Air Quality Impacts Analysis for construction, CEQA operational air quality impacts analysis, and South Coast AQMD permit that the Lead Agency should incorporate in the Final ND.

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

Based on the ND, the Lead Agency proposes demolishing two-story, four-unit residential apartment buildings and asphalt surface parking lot and constructing a six-story hotel with 95 guest rooms with a total floor area of approximately 129,675 square feet, including 4,716 square feet of commercial space on the ground level including a retail and a restaurant, over a three-level subterranean parking garage¹. The Proposed Project is located at the southeast corner of 8th Street and Mariposa Avenue². Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., apartment) is within 100 feet south of the Proposed Project. Construction of the Proposed Project is anticipated to begin in the second quarter of 2023. Operation is expected to start in the second quarter of 2025³.

South Coast AQMD Staff's Comments

Project Description and Addendum A

In the ND, the Lead Agency describes the Proposed Project of constructing a six-story hotel with 95 guest rooms over a three-level subterranean parking garage⁴. However, *Addendum A, Criteria Air Pollutant & Greenhouse Gas Emissions Quantification Report, Prepared by Maxsum Development, LLC (August 2017)*, provides two other different descriptions of the Proposed Project, which results in confusion and inconsistency to the Project Description in the ND. In

¹ ND. Page 6, 13,14.

² *Ibid.* Page 13.

³ *Ibid.* Page 16.

⁴ *Ibid.* Page 13.

Addendum A, the Lead Agency describes the first Proposed Project as a six-story mixed-use development consisting of 16 residential condominium units, 72 hotel guest rooms, 11,980 square feet of commercial space, and 142 on-site parking spaces (three levels of subterranean)⁵. The Proposed Project's second description in Addendum A is to construct a 20-story mixed-use development consisting of 130 residential units, 192 hotel guest rooms, 23,459 square feet of retail and commercial space, and 288 on-site parking spaces (three levels of subterranean)⁶. South Coast AQMD staff could not examine and confirm the proposed project's correct information and, therefore, could not complete the air quality technical review. South Coast AQMD staff recommends the Lead Agency revise the project description in the ND and its Addendum A to be consistent and include the correct project-related information and analyses in the Final ND. If the revision is not included in the Final ND, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

CEQA Regional Air Quality Impacts Analysis and CalEEMod Emissions Analysis

The Lead Agency quantifies the regional construction emissions from the Proposed Project using California Emissions Estimator Model (CalEEMod) version 2016.3.1 and presents them in Addendum A. However, the Project's construction emissions from CalEEMod output show 0 pounds per day (lbs/day)⁷ for all criteria pollutants. That leads to inconsistency with the estimated emissions in Table 4.1 in the ND. Additionally, the Project involves exporting approximately 32,396 cubic yards of dirt⁸. Nonetheless, the emissions from hauling trips are also presented as 0 lbs/day⁹ for all criteria pollutants, based on the CalEEMod output. For instance, the regional NOx emissions stated in Addendum A are 0 lbs/day¹⁰, while the NOx emissions in Table 4.1 in the ND are 90.5 lbs/day¹¹.

By having inconsistent emission results in CalEEMod, no supporting evidence could be used to prove that the emissions presented in the ND are valid. South Coast AQMD staff recommends the Lead Agency revise the CalEEMod analysis using the most current version of CalEEMod and reflect the Proposed Project's description stated in the ND (i.e., floor area square feet, hotel guest rooms, amount of demolition, etc.). The final CalEEMod output should conservatively estimate the construction emissions that support the maximum daily construction emissions provided in Table 4.1 in the ND. South Coast AQMD staff recommends that the Lead Agency provide consistency throughout the document and addenda/appendices and include the correct project-related information and analyses in the Final ND. If the revision is not included in the Final ND, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

⁵ Addendum A. Page 1.

⁶ *Ibid.* Page 2

⁷ *Ibid.* Page CalEEMod Output Page 3 of 26.

⁸ ND. Page 27.

⁹ Addendum A. CalEEMod Output Page 8 of 26.

¹⁰ Addendum A. Page 24.

¹¹ ND. Page 27.

CEQA Localized Air Quality Impacts Analysis for Construction

The localized air quality emissions from construction activities are not included in the ND but in Addendum A. For example, the Lead Agency quantifies the localized emission for NO_x as 12.68 lbs/day¹² in Addendum A, although the emissions values are not mentioned in the ND.

With the inconsistency of regional and localized construction emissions throughout the ND and Addendum A, South Coast AQMD staff recommends the Lead Agency revise the localized construction air quality impact analysis and include them in the Final ND for conservative and consistent. If the revision is not included in the Final ND, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

CEQA Operational Air Quality Impacts Analysis

The Lead Agency quantifies the operational emissions from the Proposed Project and presents them under Table 4.2 in the ND¹³. In the event that potential permit sources will be used in the hotel and restaurant operations, including but not limited to boilers, ovens, emergency generators, etc., South Coast AQMD staff recommends that the Lead Agency should use good faith and best efforts to provide reasonably foreseeable probable future information on the types of sources, quantify emissions, and include those emissions in the Proposed Project's operational emissions profile to be compared to South Coast AQMD's air quality CEQA significance thresholds for the operation to determine the level of significance in the Final ND. If the revision is not included in the Final ND, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

Responsible Agency and South Coast AQMD Permits

If any activities involve using equipment that either emits or controls air pollution (construction and operation activities), the Lead Agency should consult with South Coast AQMD staff to determine whether permits or plans are required and approved by South Coast AQMD prior to the operation and to identify if any other South Coast AQMD Rules, will be applicable and discussed in the Final ND. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 or visit South Coast AQMD's web page for more general information on permits: <http://www.aqmd.gov/home/permits>.

Conclusion

According to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the ND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final ND. 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 do not facilitate the purpose and goal of CEQA on public disclosure and

¹² *Ibid.* Page 28.

¹³ *Ibid.* Page 27.

are not meaningful, informative, or useful to decision-makers and 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

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development, and Implementations

SW:DN

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