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Draft Mitigated Negative Declaration (Draft MND) for the Proposed Five-Story 21-Unit Apartment Project Located at 5842 W. Carlton Way in the Hollywood Area of the City of Los Angeles (ENV-2015-1276)

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 MND.

Project Description

In the project description, the Lead Agency proposes construction of a five-story, 21-unit residential condominium building with a two-level subterranean parking garage on an approximately 0.41-acre site that is currently vacant. Although the draft CEQA document states that grading or haul routes have not been requested, it is not clear if the proposed subterranean garage will result in soil export or whether the excavated soils will be balanced on site. The Final MND should include sufficient detail concerning the soil disturbance activities in order to understand the assumptions used to estimate project air quality impacts.

Air Quality Analyses

The Lead Agency has determined that project air quality impacts would result in less than significant impacts during construction and operation activities but did not quantify short- or long-term air quality emissions. Without quantifying project air quality impacts, the Lead Agency has not demonstrated that the proposed project will not generate significant adverse construction or operational air quality impacts that may trigger further analysis pursuant to the California Environmental Quality Act. Therefore, the SCAQMD staff recommends that the Lead Agency demonstrate that project impacts are less than significant in the Final MND by estimating short- and long-term air quality impacts using the current California Emission Estimator Model (CalEEMod) [1]. CalEEMod is a

[1] http://www.aqmd.gov/home/regulations/ceqa/air-quality-modeling

statewide land use emissions model that can quantify potential project criteria pollutant and greenhouse (GHG) emissions. The Lead Agency can also estimate project emissions by following the calculation methodologies in Chapter 9 and the Appendix to Chapter 9 in the South Coast SCAQMD's CEQA Air Quality Handbook[2].

It is noted in an aerial map inspection and in the environmental settings section on page three that the proposed project is located within one-quarter mile of sensitive receptors (residential properties) surrounding the project site. Therefore, the SCAQMD staff recommends that the Lead Agency evaluate localized air quality impacts to ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity. SCAQMD guidance for performing a localized air quality analysis can also be found at the SCAQMD website[3]. Should the Lead Agency conclude after its analyses that construction or operational air quality impacts exceed the SCAQMD daily significance thresholds, staff has compiled mitigation measures[4] to be implemented in addition to the measures included on page two and 17 of the Draft MND if the air quality impacts are determined to be significant.

Health Risk Assessment

The proposed project is less than 250 feet east of the US-101 Freeway, which has an average daily traffic volume of approximately 220,000 vehicles including approximately 8,888 diesel trucks. The proposed residences would also be located approximately 380 feet south of an existing gasoline fueling station. Because of the close proximity to the existing freeway, residents would be exposed to diesel particulate matter, which is a toxic air contaminant. The SCAQMD staff therefore recommends that the Lead Agency conduct a mobile source health risk assessment (HRA) to disclose the potential health risks to the residents from vehicles that use the freeway including diesel-fueled vehicles that emit diesel particulate matter, which the California Air Resources Board (CARB) has determined to be carcinogenic. In addition, the SCAQMD staff also notes that the gasoline station has emissions of toxic air contaminants, which should be evaluated in the HRA to be included in the Final MND.

The Draft MND includes mitigation requiring Minimum Efficiency Reporting Value (MERV) 13 air filtration systems, but there is no discussion of how this mitigation impacts the potential project adverse air quality and health affect impacts from the freeway. The Final MND should show clearly disclose the unmitigated and mitigated (using the effectiveness of the proposed mitigation) results and compare them to the CEQA significance thresholds. Those results should be included in the Final MND in order to demonstrate the Lead Agency's determination that potential adverse air quality impacts from the freeway traffic and gasoline station to potential residents are less than significant.

[2] http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook
[3] http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds
[4] http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies

Limitations to the Effectiveness of Filters as Mitigation

On page two of the Draft MND, the Lead Agency proposes to install an air filtration system using filters that meet at least the MERV 13 standard to minimize freeway dust impacts to future residents. The use of the proposed air filters as mitigation, however, has limitations. It should be noted that these filters have no ability to filter out any toxic gasses from vehicle exhaust and residents will not be protected outside of their homes while relaxing outside, playing in a common area, washing a vehicle or when the windows or doors are open. Further, the heating, ventilation and air conditioning (HVAC) system and as well as the filters have to be serviced/replaced as required by manufacturer recommendations with annual replacement costs expected to range from $120 to $240 to replace each filter[5]. Adequate pressure must also be maintained within the residences and it is assumed that the filters will operate 100 percent of the time while residents are indoors.

While the health science behind recommendations against placing new residences close to freeways is clear, SCAQMD staff recognizes the many factors lead agencies must consider when siting new housing. Further, many mitigation measures have been proposed for other projects to reduce exposure, including the building filtration systems, construction of sounds walls, vegetation barriers, etc. However, because of the potential health risks involved it is critical that any proposed mitigation must be carefully evaluated prior to determining if those health risks would be brought below recognized significance thresholds.

CARB Guidance for Siting Sensitive Receptors Near Freeways

In the Draft MND, the proposed residences will be sited near the Interstate Highway 101 (I-101). Based on an aerial map inspection and the Lead Agency's estimate, project residents would be less than 500 feet west of the freeway, of which I-101 has an average daily traffic volume of 220,000 vehicles, which includes diesel trucks. Because of the close proximity to the existing freeway, residents would be exposed to diesel particulate matter, which is a toxic air contaminant. Although the Lead Agency mentions on page 19 the CARB Land Use Handbook, [6] CARB's advisory recommendation is to avoid siting new sensitive land uses within 500 feet of a freeway with 100,000 vehicles per day. This recommendation is made, in part, because numerous health studies have demonstrated the potential adverse health effects of living near highly travelled freeways and roadways. Since the time of that study, additional research has continued to build the case that the near roadway environment also contains elevated levels of many pollutants that adversely affect human health, including some pollutants that are unregulated (e.g., ultrafine particles) and whose potential health effects are still emerging.[7]

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[5] http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf?sfvrsn=0 . This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. See also CARB link for the "Status of Research on Potential Mitigation Concepts to Reduce Exposure to Nearby Traffic Pollution" (August 23, 2012): http://www.arb.ca.gov/db/search/search_result.htm?q=Potentiaal+Mitigation+Concepts+to+Reduce+Exposure+to+Nearby+Traffic+Polltion&which=arb_google&cx=006180681887686055858%3Abew1c4wl8hc&srch_words=&cof=FORID%3A11 .

[6] 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

[7] See Chapter 9 of the 2012 AQMP for further information

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other 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,

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Accessed at: http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-(february-2013)/chapter-9-final-2012.pdf .