



South Coast Air Quality Management District

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

SENT VIA E-MAIL AND USPS:

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CEQA-comments@lausd.net

William Meade, Environmental Planning Specialist
Los Angeles Unified School District
Office of Environmental Health and Safety
333 South Beaudry Avenue, 21st Floor
Los Angeles, CA 90017

Mitigated Negative Declaration (MND) for the Proposed Elizabeth Learning Center Comprehensive Modernization Project

South Coast Air Quality Management District (South Coast AQMD) 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.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to modernize the existing Elizabeth Learning Center, including the demolition of three existing academic buildings totaling 33,722 square feet, the removal of 22 portable structures totaling 29,794 square feet, the construction of approximately 86,900 square feet of academic buildings, and the retrofitting of the existing Administrative Building on 16.8 acres (Proposed Project). The Proposed Project is located at 4811 Elizabeth Street on the northeast corner of Elizabeth Street and Atlantic Avenue in the City of Cudahy. Upon review of Figure 3 in the MND and aerial photographs, South Coast AQMD staff found that residential uses and two city parks are adjacent to the Proposed Project¹. Construction is anticipated to begin in July 2021 and would be completed in July 2025². In order to allow the school to remain in operation during construction, 15 relocatable buildings will be added on campus³.

South Coast AQMD Staff's Summary of Air Quality Analyses

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional and localized construction and operational air quality impacts would be less than significant after the implementation of "the Exhaust Emissions and Fugitive Dust measures under" Standard Conditions of Approval for Air Quality (SC-AQ) 4⁴ from the Los Angeles Unified School District's (LAUSD) School Upgrade Plan (SUP), which is a programmatic EIR that guides the modernization of certain LAUSD schools, such as the Proposed Project. SC-AQ-4 requires projects to use construction equipment that meets or exceeds Tier 3 emissions standards, or Tier 4 emissions standards for engines between 50 and 750 horsepower⁵.

South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the proposed standard conditions of approval that reduce localized PM_{2.5} emissions to a less than significant level. While the Lead Agency included a discussion

¹ MND. Section 2 Environmental Setting, 2.2 *Surrounding Land Uses*. Page 9.

² *Ibid.* Section 3 Project Description, 3.2 *Construction Phasing*. Page 33.

³ *Ibid.* 3.2.2 *Interim Student Housing*. Page 32.

⁴ *Ibid.* Section 4 Environmental Checklist and Analysis. Page 52.

⁵ *Ibid.* Page 45.

of SC-AQ-4, South Coast AQMD staff found that the Lead Agency did not commit to SC-AQ-4, as it's written in the LAUSD SUP. Rather, the Lead Agency stated that "the construction contractor shall use Level 2 diesel particulate filters [(DPF)] on off-road construction equipment of 50 horsepower or more during the Phase 1 of construction⁶." As mentioned above, SC-AQ-4 requires the use of construction equipment that meets or exceeds Tier 3 emissions standards, or Tier 4 emission standards for engines between 50 and 750 horsepower⁷. Therefore, to go beyond the requirements set forth in SC-AQ-4, South Coast AQMD staff recommends that the Lead Agency require the use of Tier 4 construction equipment for engines greater than 50 horsepower in the Final MND, rather than only requiring a level 2 DPF. This recommendation will also further reduce the Proposed Project's localized PM2.5 emissions on sensitive receptors (e.g., students and teachers) on campus and those who live adjacent to the Proposed Project during construction since the Proposed Project's localized construction PM2.5 emissions were found to be 4.62 pounds per day (lbs/day), which is slightly below South Coast AQMD's Localized Significance Threshold of 5.50 lbs/day. Please see the attachment for additional information.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND 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 MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, if the Lead Agency makes a finding that the additional recommended mitigation measure is not feasible, the Lead Agency should describe the specific reasons for rejecting or substituting these mitigation measures in the Final MND (CEQA Guidelines Section 15074.1).

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 Robert Dalbeck, Assistant Air Quality Specialist, at RDalbeck@aqmd.gov or (909) 396-2139, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:RD
LAC190521-08
Control Number

⁶ *Ibid.*

⁷ *Ibid.* Page 45.

ATTACHMENT

Air Quality Mitigation Measures or Project Requirement

1. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate significant adverse air quality impacts. To go beyond the requirements set forth in SC-AQ-4, and to further reduce the Proposed Project's localized construction emissions from PM_{2.5}, South Coast AQMD staff recommends that the Lead Agency incorporate the following conditions for the Proposed Project as air quality mitigation measures or project requirements in the Final MND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website⁸.

Tier 4 Construction Equipment or Level 3 Diesel Particulate Filters

- Require the use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during Project construction. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filters (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions⁹. A list of CARB verified DPFs are available on the CARB website¹⁰.
- To ensure that Tier 4 construction equipment or better will be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.
- In the event that construction equipment cannot meet the Tier 4 engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 3 emissions standards, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.

South Coast AQMD "SOON" Funds

- Encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available

⁸ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

⁹ California Air Resources Board. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

¹⁰ *Ibid*. Page 18.

low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>