



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report (Draft EIR) for the Proposed The Villages at the Alhambra (SCH No.: 2017101025)

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 EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to retain 902,001 square feet and demolish 93,098 square feet of existing buildings, and construct 1,060 residential units totaling 1,357,630 square feet with subterranean parking on 38.38 acres (Proposed Project). The Proposed Project is located on the northwest corner of South Fremont Avenue and West Mission Road within the City of Alhambra. The Proposed Project will be constructed under one of two buildout scenarios: Buildout Scenarios 1 and 2. Buildout Scenario 1 assumes that construction of the Proposed Project would not be phased, and construction of 1,060 residential units would be completed over a period of eight years¹. Buildout Scenario 2 assumes that construction of the Proposed Project would be broken into two phases (Phase 1 and Phase 2) with 515 residential units completed by the end of Phase 1 in 2024, and 545 residential units completed by the end of Phase 2 in 2028². Upon reviews of the Draft EIR and aerial photographs, South Coast AQMD staff found that the Proposed Project will be within 200 feet of the existing railroad tracks³.

South Coast AQMD Staff's Summary of the Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions from Buildout Scenarios 1 and 2 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 air quality impacts from each of the Buildout Scenarios would be less than significant and no mitigation for air quality impacts was included⁴.

The Lead Agency also quantified the overlapping construction and operational emissions associated with Buildout Scenario 2 and compared those emissions to South Coast AQMD's regional operational air quality CEQA significance thresholds. Based on this analysis, the Lead Agency found that overlapping construction and operation in Buildout Scenario 2 would result in a significant air quality impact with NO_x emissions at 102 pounds per day (lbs/day)⁵, which exceeds South Coast AQMD's regional operational air quality CEQA significance threshold for NO_x at 55 lbs/day. With the commitment to Mitigation Measure (MM) AQ-MM-1, which requires, under Buildout Scenario 2, all off-road equipment meet Tier 3 emission standards and all haul trucks meet model year 2007 on-road emission standards,

¹ Draft EIR. Section II. Project Description. Page II-54 through II-55.

² *Ibid.*

³ *Ibid.* Page II-2.

⁴ *Ibid.* Section IV.C Air Quality. Pages IV.C-31 through IV.C-36; IV.C-40 through IV.C-43.

⁵ *Ibid.* Page IV.C-38.

overlapping construction and operational air quality impacts remain significant and unavoidable at 75 lbs/day⁶ when they were compared to South Coast AQMD's regional operational air quality CEQA significance threshold for NOx emissions at 55 lbs/day. Lastly, the Lead Agency included in the Draft EIR discussions on applicable South Coast AQMD rules⁷, including Rule 402 – Nuisance⁸, Rule 403 – Fugitive Dust⁹, Rule 1108 – Cutback Asphalt¹⁰, and Rule 1113 – Architectural Coatings¹¹.

South Coast AQMD's 2016 Air Quality Management Plan

On March 3, 2017, South Coast AQMD's Governing Board adopted the 2016 AQMP¹², which was later approved by the California Air Resources Board (CARB) on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

South Coast AQMD Staff's General Comments

As described in the 2016 AQMP, achieving NOx emissions reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. South Coast AQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to additional NOx emissions during the eight-year construction period when construction of Build Scenario 2 overlaps with operation of Build Scenario 1. Therefore, South Coast AQMD staff recommends that the Lead Agency revise existing mitigation measure AQ-MM-1 to further reduce the Proposed Project's significant and unavoidable NOx emissions during the overlapping period. Please see the attachment for more information.

Additionally, upon review of the Air Quality Analysis section, South Coast AQMD staff found that the Lead Agency did not include a discussion on the potential long-term health risk to residents who will live at the Proposed Project in close proximity to an existing railroad line, which is capable of attracting diesel locomotives that emit diesel particulate matter (DPM). DPM has been identified by the California Air Resources Board as a toxic air contaminant (TAC) based on its carcinogenic effects¹³. To facilitate the purpose and goal of CEQA on information disclosure and foster informed decision-making and public participation, South Coast AQMD staff recommends that the Lead Agency perform a mobile source health risk assessment in the Final EIR to provide decision-makers and the public with meaningful and useful information regarding the potential long-term health risks to future residents at the Proposed Project from exposures to locomotives. Please see the attachment for more information.

⁶ *Ibid.* Page IV.C-40.

⁷ *Ibid.* Page IV.C-44.

⁸ South Coast AQMD Rule 402 – Nuisance. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

⁹ South Coast AQMD Rule 403 – Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

¹⁰ South Coast AQMD Rule 1108 – Cutback Asphalt. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1108-cutback-asphalt.pdf>.

¹¹ South Coast AQMD. Rule 1113 – Architectural Coatings. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>.

¹² South Coast AQMD. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

¹³ California Air Resources Board. August 27, 1998. Resolution 98-35. Accessed at: <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>.

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, 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, 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. Further, when the Lead Agency makes the finding that the recommended revision to existing mitigation measure AQ-MM-1 is not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
LAC190903-12
Control Number

ATTACHMENT**Recommended Revisions to Mitigation Measure AQ-MM-1**

1. The Lead Agency has committed to implementing mitigation measure AQ-MM-1 to reduce the Proposed Project's air quality impacts from the overlapping construction and operational activities in Buildout Scenario 2. AQ-MM-1 requires that off-road construction equipment meet Tier 3 off-road emissions standards, and on-road haul trucks meet model year 2007 emissions standards. With implementation of AQ-MM-1, NOx emissions from the overlapping activities would remain significant and unavoidable at 75 lbs/day¹⁴ when they were compared to South Coast AQMD's regional operational air quality CEQA significance threshold for NOx emissions at 55 lbs/day. To further reduce the Proposed Project's NOx emissions from the overlapping activities, South Coast AQMD staff recommends that the Lead Agency include the following revisions to AQ-MM-1 to require the use of Tier 4 Final construction equipment and, at a minimum, 2010 model year on-road heavy-duty haul trucks in the Final EIR. This recommendation will facilitate the 2016 AQMP's goal and timeline for reducing Basin-wide NOx emissions and attaining NAAQS for ozone.

AQ-MM-1:

If the Project Applicant elects to construct the Project under the phased approach identified as Buildout Scenario 2 in the Draft EIR, During construction of the Proposed Project, the Lead Agency shall require off-road equipment meeting or exceeding the EPA's Tier 3 4 Final construction equipment emissions standards for equipment engines rated at 50 brake horsepower or greater shall be used. To ensure that Tier 4 construction equipment or better would 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 Final 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 4 Interim, 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, and/or limiting construction phases occurring simultaneously. Additionally, only haul trucks with a model year of 2007 2010 or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks shall be used for the on-road transport of materials to and from the Project Site. The Lead Agency should also consider to require the use of zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). Require that the Proposed Project's tenant(s) shall maintain records of all trucks visiting the Proposed Project and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project meets the minimum 2010 model year engine emission

standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.

Health Risk Assessment (HRA) Analysis from Mobile Sources

2. Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of South Coast AQMD's concern about the potential public health impacts of siting sensitive land uses, such as residential uses, within close proximity to railroad tracks which attract locomotive trips, South Coast AQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project will include, among others, construction of 1,060 residential units. Upon reviews of the Draft EIR and aerial photographs, South Coast AQMD staff found that the Proposed Project is located in close proximity (within 200 feet) to existing railroad tracks. Residents living at the Proposed Project would likely be exposed to TACs such as DPM from the locomotives traveling on the existing railroad track. DPM is a toxic air contaminant and a carcinogen. To facilitate the purpose and goal of CEQA on public disclosure, South Coast AQMD staff recommends that the Lead Agency consider the health risk impacts on sensitive receptors who will live at the Proposed Project by performing a HRA¹⁵ analysis to disclose the potential health risk in the Final EIR¹⁶. Alternatively, if a HRA analysis is not performed, to foster informed decision-making and public disclosure, the Lead Agency should include an explanation on why a HRA analysis is not warranted in the Final EIR.

Health Risk Reduction Strategies

3. Many strategies are available to reduce exposure, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures.

Enhanced filtration systems have limitations. In a study that South Coast AQMD conducted to investigate filters¹⁷, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the building tenants. It is typically assumed that the filters operate 100 percent of the time while sensitive receptors are indoors, and the environmental analysis does not generally account for the times when sensitive receptors have windows or doors open or are in common space areas of a project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units

¹⁵ South Coast AQMD. "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQ Air Quality Analysis." Accessed at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

¹⁶ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

¹⁷ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

should be carefully evaluated in more detail and disclosed to prospective residences prior to assuming that they will sufficiently alleviate exposures to TACs including DPM emissions.

4. Because of the limitations, to ensure that enhanced filters are enforceable throughout the lifetime of the Proposed Project and effective in reducing exposures to DPM emissions, South Coast AQMD staff recommends that the Lead Agency make the installation of enhanced filtration units a project design feature, mitigation measure, or condition of approval, and provide additional details regarding the ongoing, regular maintenance, and monitoring of filters in the Final EIR. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit. To facilitate a good-faith effort at full disclosure and provide useful information to future residents at the Proposed Project, at a minimum, the Final EIR should include the following information:
 - a) Disclose to prospective sensitive receptors regarding the operations of the nearby railroad track, which may include, but not limited to, information about how many train trips occur on the track each day within a given period of time (e.g., x amount of trips per 24 hour period); the time of day train trips are expected to occur (e.g., morning, mid-day, afternoon, night); the maximum amount of time it takes for a train to pass by the Proposed Project; the locomotive engine tiers of the trains that utilize the track (e.g., Tier 0, Tier 1, Tier 2, etc.); and how the trains are powered (e.g., what type of fuel do they use);
 - b) Disclose potential health impacts to prospective sensitive receptors from living in close proximity to railroad tracks and the reduced effectiveness of air filtration systems when windows are open and/or when sensitive receptors are outdoors (e.g., in the common usable open space areas);
 - c) Identify the responsible implementing and enforcement agency, such as the Lead Agency, to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
 - d) Identify the responsible implementing and enforcement agency such as the Lead Agency, to ensure that enhanced filtration units are inspected and maintained regularly;
 - e) Disclose the potential increase in energy costs for running the HVAC system;
 - f) Provide information to sensitive receptors living at the Proposed Project on where MERV filters can be purchased;
 - g) Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
 - h) Identify the responsible entity (e.g. future residents, Homeowner's Associations (HOAs), or property managers) for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if tenants and/or residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
 - i) Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units;
 - j) Set City-wide or project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and

- k) Develop a City-wide or project-specific process for evaluating the effectiveness of the enhanced filtration units.