



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

January 27, 2023

JKing@paramountcity.com

John King, Assistant Planning Director
City of Paramount – Planning Department
16400 Colorado Avenue
Paramount, California 90723

**Draft Environmental Impact Report (Draft EIR) for the Proposed
North Paramount Gateway Specific Plan Project (Proposed Project)
(SCH No. 2021080622)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Paramount is the Lead Agency under the California Environmental Quality Act (CEQA) for the Proposed Project. The following comments recommended revisions to the air quality mitigation measures, health risk assessment, and health risk reduction strategies 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 Proposed Project (North Paramount Gateway Specific Plan) to combine the Clearwater North Specific Plan and the Howe/Orizaba Specific Plan on the west and east of Paramount Boulevard,¹ respectively. The Proposed Project totals approximately 112.0 acres and proposes to slightly expand the planning area to incorporate additional key parcels along Paramount Boulevard and develop a contemporary “user-friendly” land use that provides for infill mixed-use redevelopment near the forthcoming West Santa Ana Branch light rail transit station at the Paramount Boulevard/Rosecrans Avenue intersection.² The infill redevelopment that was encouraged and regulated by the Proposed Project would provide new housing and new employment opportunities.³ The Proposed Project is located in the northern portion of the City of Paramount.⁴ Based on the aerial photographs, South Coast AQMD staff finds that the Proposed Project is within 170 feet south of Interstate I-105 and within 50 feet north and west of the Union Pacific Railroad. Due to the timing of the development and operation, the Proposed Project’s construction activities would occur sporadically over 25 years or longer.⁵ The maximum buildout of the Proposed Project is in 2045.⁶

¹ Draft EIR. Page 3-1.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.* Page 3-2.

⁵ *Ibid.* Page 5.2-18.

⁶ *Ibid.* Page 1-2.

South Coast AQMD Staff's Comments on the Draft EIR*Recommended Revision to Air Quality Mitigation Measures*

According to the Draft EIR, the Lead Agency utilizes California Emissions Estimator Model (CalEEMod) version 2020.4.0 to analyze the maximum daily emissions from Proposed Project's construction and operational activities. The overall construction and peak operational emissions are shown in Tables 5.2-7 and 5.2-8.⁷ The Lead Agency concludes that regional construction and operational emissions would be significant and unavoidable.

Regional Construction

As mentioned in Draft EIR, due to the uncertainty of the specific timing and methods of construction activities related to the Proposed Project, the maximum daily emissions are based on a very conservative scenario in which the construction could occur throughout the Proposed Project implementation, based on maximum equipment use, and multiple projects overlapping.⁸ As a result, the Lead Agency concludes that the Proposed Project's construction emissions would be significant and unavoidable. To reduce the construction emissions, the Lead Agency proposes mitigation measures MM AQ-1 through MM AQ-6, in which MM AQ-2 stated that the off-road diesel construction equipment complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards during all construction phases for construction equipment that are greater than 150 horsepower.⁹ With the Proposed Project buildout in the year 2045, it is reasonably foreseeable that Tier 3 will not be the cleanest technology when construction occurs later. In addition, according to the CARB Strategies for Reducing Emissions from Off-Road Construction Equipment, the implementation of off-road Tier 5 starting in 2027 or 2028 and the Governor's Executive Order in September 2020 requires CARB to develop and propose a full transition to Zero Emissions (ZE) by 2035, wherever feasible.¹⁰ Therefore, South Coast AQMD staff recommends that the Lead Agency revise the MM AQ-2 to commit to using the cleanest technology for construction during the construction period, if available and feasible, and includes the revision in the Final EIR. If the revisions are not included in the Final EIR, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

Health Risk Assessment (HRA) and Health Risk Reduction Strategies

Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agency that approves CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. South Coast AQMD staff is concerned about the potential public health impacts of siting sensitive populations within proximity of sources of air pollution (e.g., freeway, railroad, etc.). According to the South Coast AQMD Multiple Air Toxics Exposure Study V¹¹ (MATES V), a monitoring and evaluation study

⁷ *Ibid.* Page 5.2-19.

⁸ *Ibid.* Page 5.2-18.

⁹ *Ibid.* Page 5.2-25.

¹⁰ Presentation can be found at: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/combined-construction-carb-amp-aqmp-presentations-01-27-21.pdf>

¹¹ South Coast AQMD Multiple Air Toxics Exposure Study V (MATES V). Access at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>

conducted in the South Coast Air Basin, the cancer risk backgrounds of the Proposed Project are from 540 to 553 in one million.¹² Therefore, it is recommended that, prior to approving future development projects, the Lead Agency consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary. Additionally, South Coast AQMD staff suggests that the Lead Agency review the CARB Air Quality Land Use and Handbook: A Community Health Perspective¹³ as it is a reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory.¹⁴

HRA Analysis

Implementing the Proposed Project would result in the new development of sensitive land uses within 1,000 feet of pollution sources (e.g., freeways, railroads, etc.). South Coast AQMD staff recommends that the Lead Agency include a mobile source HRA analysis discussion in the Final EIR to provide guidance for subsequent project-level environmental analyses due to the pollution sources Interstate I-105 in the north and the UP railroad in the south of the Proposed Project Site. This discussion will demonstrate that the Lead Agency has adequately considered the potential health risk impacts of implementing the Proposed Project and that a subsequent, project-level HRA analysis will be completed to disclose health risk impacts at a later stage. Furthermore, the Lead Agency should include the following health risk reduction strategies in the Final EIR as guidance for future sensitive land use development projects that will be sited near sources of air pollution such as freeways, railroads, etc.

Health Risk Reduction Strategies

Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Values (MERV) 13 or better, or in some cases, MERV 15 or better is recommended, building design, orientation, location, vegetation barriers or landscaping screening. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters,¹⁵ a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if a Heating, Ventilation, and Air Conditioning (HVAC) system need to be installed and if standalone filter units are required. Installation costs may vary, including costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not be effective unless the HVAC system is running, there may be increased energy consumption. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for

¹² South Coast AQMD Multiple Air Toxics Exposure Study V (MATES V) Data Visualization. Access at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>

¹³ California Air Resources Board (CARB) Air Quality Land Use and Handbook: A Community Health Perspective. Access at: <https://www.arb.ca.gov/ch/handbook.pdf>.

¹⁴ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>

¹⁵ South Coast AQMD, Pilot Study of High-Performance Air Filtration for Classrooms Applications, Draft Report: October 2009, <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

the times when the residents have their windows or doors open or are in common space areas of the project. Additionally, these filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, the replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste. Therefore, any filtration unit's presumed effectiveness and feasibility should be carefully evaluated in more detail before assuming they will sufficiently alleviate exposure to DPM emissions.

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, at least 10 days prior to the certification of the Final EIR.¹⁶ 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 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.

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 & Implementation

SW:DN

LAC230103-05

Control Number

¹⁶ 2022 CEQA Statutes and Guidelines Section 21092.5(a): "At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division. Proposed responses shall conform with the legal standards established for responses to comments on draft environmental impact reports. Copies of responses or the environmental document in which they are contained, prepared in conformance with other requirements of this division and the guidelines adopted pursuant to Section 21083, may be used to meet the requirements imposed by this section."

Access at: https://www.califaep.org/docs/2022_CEQA_Statue_and_Guidelines.pdf