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VIA EMAIL ONLY

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**Re: SAFER Appeal – CEQA Infill Exemption
626 South Kingsley Drive Project
Case No: DIR-2022-0363-TOC-SPR-HCA-1A; ENV-2022-0364-CE
Central Area Planning Commission AGENDA ITEM 6 (July 12, 2022)**

Honorable Central Los Angeles Area Planning Commissioners:

This correspondence is submitted on behalf of **Supporters Alliance for Environmental Responsibility** and its members living in and near the City of Los Angeles (**“SAFER”**) regarding SAFER’s appeal of the Planning Director’s May 10, 2022 decision regarding the environmental and site plan review and categorical exemption from the California Environmental Quality Act (**“CEQA”**) for the 620-626 South Kingsley Drive mixed-use project (Case No.: DIR-2022-0363-TOC-SPR-HCA-1A; ENV-2022-0364-CE) (**“Project”**) to be heard as Agenda Item 6 at the Central Area Planning Commission meeting on July 12, 2022.

The purpose of this letter is to briefly summarize the points raised in SAFER’s comment submitted yesterday July 11, 2022, which was deemed non-compliant for exceeding the two-page limit for submissions after 3:00 p.m. on Thursday before the Commission meeting.

The Planning Director determined that the Project is categorically exempt from the requirements of CEQA pursuant to Section 15332 of the CEQA Guidelines (**“Infill Exemption”**). Pursuant to the Infill Exemption, a project cannot be exempt if the project would result **“in any significant effects relating to traffic, noise, *air quality*, or water quality.”** (14 CCR § 15332(d) [emphasis added].)

SAFER's review of the Project was assisted by air quality experts Matt Hagemann, P.G., C.Hg., and Paul E. Rosenfeld, Ph.D., of Soil/Water/Air Protection Enterprise ("SWAPE") and indoor air quality expert Francis Offermann, PE, CIH. The expert comments of SWAPE and Mr. Offermann are available as Exhibit A and Exhibit B to SAFER's July 11 comment.

SWAPE prepared a screening-level health risk assessment to evaluate potential impacts to human health from diesel particulate matter emissions ("DPM") during construction and operation of the Project. SWAPE found that the excess cancer risk for infants, children and adults at the closest sensitive receptor located approximately 25 meters away, over the course of Project construction and operation, are approximately 141, 162, and 18 in one million, respectively. SWAPE also found that the excess cancer risk over the course of a residential lifetime is approximately 327 in one million. The infant, child, adult, and lifetime cancer risks all exceed the 10 in one million significance threshold established by the South Coast Air Quality Management District ("SCAQMD"). Due to this significant air quality impact, the Project cannot be exempted from CEQA under the Infill Exemption.

Mr. Offermann reviewed the health risk posed to future residents and employees of the Project from off-gassing of formaldehyde from composite wood products used in construction. Mr. Offermann found that future residents of the Project's residential units will be exposed to a cancer risk from formaldehyde of approximately 120 per million. Future employees of the Project's commercial spaces would be exposed to a cancer risk from formaldehyde of approximately 17.7 per million. These figures exceed SCAQMD's 10 in one million significance threshold. Importantly, Mr. Offerman's calculations assume that all materials are compliant with the California Air Resources Board's most recent rules and regulations. This impact should be addressed in an EIR or MND so that mitigation measures can be imposed such as requiring the use of no-added-formaldehyde composite wood products, which are readily available.

Because the Project will result in significant impacts to air quality from emissions of diesel particulate matter and formaldehyde, the Project does not qualify for CEQA's Infill Exemption. For that reason, SAFER respectfully requests that the Commission grant SAFER's appeal and require that the Project undergo environmental review pursuant to CEQA prior to approval.

Sincerely,



Brian B. Flynn
Lozeau Drury LLP