



Pacoima Beautiful

ENVIRONMENTAL EDUCATION. LEADERSHIP DEVELOPMENT & ADVOCACY

April 27, 2015

Mr. Michael LoGrande
Director, Department of City Planning
City of Los Angeles
200 North Spring Street, 5th Floor
Los Angeles, CA 90012

RE: Clean Up Green Up (CF 11-0112) – Comment Letter on 3/31/15 Draft Development Standards

Dear Mr. LoGrande:

On behalf of Pacoima Beautiful, I respectfully submit this letter in response to the presentation of the Draft Clean Up Green Up Development Standards on March 31, 2015.

First, we would like to thank Hagu Solomon-Cary, Deborah Kahen and Tom Rothmann, among others, for their efforts in drafting such an unprecedented and far-reaching program. We also appreciate their commitment to ensuring the adoption of the Clean Up Green Up Program before the end of the year.

We strongly support the proposed Draft Development Standards because they provide much needed local regulatory tools to address site- and community- specific land use issues that result from proximity of incompatible land uses and concentrations of certain uses, and importantly address the cumulative adverse impacts resulting from the presence of numerous industrial pollution sources in close proximity to homes, schools, parks and other public places.

In addition, Pacoima Beautiful would like to emphasize our strong support for the geographic separation between certain automotive business uses and both residences and other similar uses. Pacoima has a number of such businesses, and their operation on small sites, often immediately adjacent to homes and apartments, creates burdens of noise, dust, fumes and runoff that adversely affect health. Limiting the expansion and proximity of such uses will contribute to reducing the adverse health burdens on the residents, workers and visitors.

We did note that one item was absent from the stakeholder presentation, which is the requirement that new or expanded facilities that meet the definition of the “activities of concern” install best-available pollution control equipment. We know some facilities of a certain size and that produce emissions above a certain threshold are required to do this by the SCAQMD, however, there are many facilities that fall below the threshold. When emissions from these below-the-threshold industries are viewed alongside other emission sources in the immediate area, the communities experience cumulative health impacts in what are already overburdened areas. Thus, we think it is reasonable to require new and expanded businesses to install state-of-the-art pollution control equipment.

Lastly, we would like to emphasize the critical importance of a parallel action beyond the scope of the Draft Development Standards, the recommendation to create an ombudsperson function. We believe that this function, which we understand is still in development, is critical to ensuring that businesses within the proposed Green Zones fully understand the requirements imposed by Clean Up Green Up. Furthermore, the ombudsperson can provide information and assistance to businesses interested in



applying for existing financial and technical incentive programs that can help them make their businesses more environmentally friendly and efficient.

Thank you for the opportunity to comment on the Draft Clean Up Green Up Development Standards. Please feel free to contact me at (818) 899-2454 ext. 100 or vpadilla@pacoimabeautiful.org with any questions.

Sincerely,

Veronica Padilla
Executive Director

Cc: Hagu Solomon-Cary
Los Angeles City Council
City Clerk



Community Health Councils, Inc.



3731 Stocker Street
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Los Angeles, CA 90008

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April 17, 2015

Mr. Michael LoGrande
Director, Department of City Planning
City of Los Angeles
200 North Spring Street, 5th Floor
Los Angeles, CA 90012

RE: Clean Up Green Up (CF 11-0112) – Comment Letter on 3/31/15 Draft Development Standards

Dear Mr. LoGrande:

Community Health Councils (CHC) writes today to voice enthusiastic support for the Draft Clean Up Green Up Development Standards shared on March 31, 2015. For more than twenty years, CHC has led efforts to eliminate health disparities by expanding healthcare coverage, increasing access to quality healthcare, physical activity, healthy food options, and improving environmental health in under-resourced communities. CHC engages, supports, and gives voice to marginalized, low-income and under-served populations through coalition building and community mobilization. We applaud the Department of City Planning's efforts to design an innovative, far-reaching program by the end of the year and believe robust standards and implementation is of the utmost importance.

We want to note the importance of the Clean Up Green Up Development Standards. We strongly support the proposed rules because they provide much needed local regulatory tools to address site- and community- specific land use issues that result from incompatible land uses and concentrations of certain uses. They also alleviate some of the cumulative adverse impacts resulting from the presence of numerous industrial pollution sources in close proximity to homes, schools, parks and other public places. CHC conducted eight workshops on the South and Southeast New Community Plans with residents to determine the concerns and issues community members face. This process led to the identification of, and creation of potential solutions to, predominant incompatible land uses in South Los Angeles, including automotive uses, recycling centers, manufacturing uses, and oil drilling. With many South Los Angeles neighborhoods suffering from the adverse effects of incompatible land uses, Clean Up Green Up provided a model of effectively addressing these issues that shaped CHC's recommendations for the new community plans.

The Clean Up Green Up Standards will not only clean up overburdened communities but also revitalize those communities' economies. The standards will create more livable communities, and research has demonstrated a close link between livability and economic development.¹ With so much to gain, and residents ready for healthier neighborhoods, swift implementation of the Clean Up Green Up Standards is imperative.

Thank you for the opportunity to comment on the Draft Clean Up Green Up Development Standards. Please feel free to contact Malcolm Carson at (323) 295-9372 with any questions.

Sincerely,

D. Malcolm Carson

D. Malcolm Carson
General Counsel & Policy Director for Environmental Health

Cc: Hagu Solomon-Cary

¹Transportation and Economic Development - Fact Sheets - Livability - FHWA. (n.d.). Retrieved April 17, 2015, from http://www.fhwa.dot.gov/livability/fact_sheets/transandconomics.cfm



April 24, 2015

Mr. Michael LoGrande
Director, Department of City Planning
City of Los Angeles
200 North Spring Street, 5th Floor
Los Angeles, CA 90012

RE: Clean Up Green Up (CF 11-0112) – Comment Letter on 3/31/15 Draft Development Standards

Dear Mr. LoGrande:

On behalf of the Coalition for Clean Air, I respectfully submit this letter in response to the presentation of the Draft Clean Up Green Up Development Standards on March 31, 2015.

First, we would like to thank Hagu Solomon-Cary, Deborah Kahen and Tom Rothmann, among others, for their efforts in drafting such an unprecedented and far-reaching program. We also appreciate their commitment to ensuring the adoption of the Clean Up Green Up Program before the end of the year.

We strongly support the proposed Draft Development Standards because they provide much needed local regulatory tools to address site- and community- specific land use issues that result from proximity of incompatible land uses and concentrations of certain uses. These standards also importantly address the cumulative adverse impacts resulting from the presence of numerous industrial pollution sources in close proximity to homes, schools, parks and other public places.

We want to emphasize our strong support for the recommendation to require, on a City-wide basis, a high level of air filtration systems in structures being built within 1,000 feet of freeways. The transportation sector is one of the largest sources of air pollution in California. Poor air quality poses a risk to everyone, but communities living closest to high volumes of truck and car traffic are most at risk for asthma incidents, increased lung cancer and other respiratory and chronic diseases. Furthermore, nearly twice as many Californians die from dirty air due to traffic pollution as from motor vehicle accidents.¹ Requiring the installation of air filtration systems is one step in the right direction to help protect the public health of local residents.

¹ 5,726 annual premature deaths in California due to PM 2.5 and 209 from ozone (Fabio Caiazzo et al., *Air pollution and early deaths in the United States*, Atmospheric Environment, 2013) compared to 3,081 traffic fatalities ([Selected Detail Within Leading Causes Of Death By Sex And Race/Ethnic](#), California Department of Public Health.)



We also applaud the timeline to adopt the Clean Up Green Up Development Standards before the end of 2015. This timeline will carry forward the momentum that started more than a year ago, and will also ensure that the process that the Department of City Planning has undertaken will stay on track.

Lastly, it is great to see that City of Los Angeles is highlighting the communities of Boyle Heights, Pacoima and Wilmington in the draft standards. These communities are disproportionately affected by a myriad of environmental pollutants, and the standards will not only address the resulting adverse cumulative impacts, but will also help with targeted investments and green jobs in these communities.

Thank you for the opportunity to comment on the Draft Clean Up Green Up Development Standards.

Sincerely,

A handwritten signature in black ink, appearing to read "Fabiola P. Lao". The signature is fluid and cursive, with a large initial "F" and "L".

Fabiola P. Lao, MPA
Deputy Policy Director

Cc: Hagu Solomon-Cary
Los Angeles City Council
Los Angeles City Clerk



April 27, 2015

Mr. Michael LoGrande
Director, Department of City Planning
City of Los Angeles
200 North Spring Street, 5th Floor
Los Angeles, CA 90012

RE: Clean Up Green Up (CF 11-0112) – Comment Letter on 3/31/15 Draft Development Standards

Dear Mr. LoGrande:

On behalf of Earthjustice, I respectfully submit this letter in response to the presentation of the Draft Clean Up Green Up Development Standards on March 31, 2015. Initially, I would like to thank Hagu Solomon-Cary, Deborah Kahen and Tom Rothmann, among others, for their efforts in drafting such an unprecedented and far-reaching program. I have been monitoring the development of this program for many years, and I am excited to see the progress to date. It is my understanding that community members in Pacoima, Wilmington, and Boyle Heights desperately need the relief that will be provided by this innovative program. Thus, I encourage swift action to make this program a reality. Below, I provide a few follow-up items that may be relevant as the development of this program continues.

Earthjustice strongly supports the proposed Draft Development Standards because they provide much needed local regulatory tools to address site- and community- specific land use issues that result from proximity of incompatible land uses and concentrations of certain uses. Importantly, this is an innovative tool to address the cumulative adverse impacts resulting from the presence of numerous industrial pollution sources in close proximity to homes, schools, parks and other public places.

We also strongly support the attention placed on addressing near-roadway spikes in harmful particulate pollution. Compelling scientific evidence demonstrates the need for cities to make sure cities protect near highway neighborhoods. Also, current regulatory programs like Proposition 65 do not require disclosures for pollutants like particulate matter.

Finally, I want to clear up any misconceptions that may be presented about the issues of these harms being addressed by the South Coast Air Quality Management District's rules, California Environmental Quality Act, and/or California Regional Water Quality Control Board regulations. None of these tools have been successful in truly tackling cumulative impacts issues that have plagued these three communities for so long. To the contrary, this program is necessary to plug gaps that exist in current regulatory programs. Thus, the Clean Up Green Up effort is complementary to all these strategies and completely appropriate for the City of Los Angeles to implement through its land use authority.

Comments on Draft Development Standards

April 27, 2015

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Thank you for the opportunity to comment on the Draft Clean Up Green Up Development Standards. Please feel free to contact me at (415) 217-2000 if I can be of any additional assistance.

Sincerely,

A handwritten signature in black ink that reads "Adriano L. Martinez". The signature is written in a cursive style with a long horizontal stroke at the end.

Adriano L. Martinez
Staff Attorney
Earthjustice

Cc: Hagu Solomon-Cary
Los Angeles City Council
Los Angeles City Clerk



April 27, 2015

Mr. Michael LoGrande
Director, Department of City Planning
City of Los Angeles
200 North Spring Street, 5th Floor
Los Angeles, CA 90012



RE: Clean Up Green Up (CF 11-0112)

Dear Mr. LoGrande:

Following the March 31 public workshop, at which the Draft Clean Up Green Up Development Standards were presented to stakeholders, we are submitting comments on portions of the draft, and also wish to express our overall support for the Clean Up Green Up (CUGU) pilot and implementing ordinance.

Over the past two decades, we have done extensive research on environmental hazards, exposure, and health risk—as well as environmental justice in Los Angeles and throughout California—and have focused on the cumulative impacts of pollution exposure from multiple sources. These impacts become a problem for nearby residents when a concentration of pollution sources in a given area poses multiple, or cumulative, environmental health hazards and elevated risks. This may occur in spite of the fact that individual businesses may comply with applicable environmental regulations and highlights the desirability of local land use policies to address these impacts. Based on the results of our work and that of other researchers in the field, we believe that the concept of “green zones” and the implementation elements of the CUGU Program are effective and efficient policy instruments to address the problem of cumulative impacts of pollution at the neighborhood level.

Many uses that are associated with relatively high levels of pollution —such as metal plating, chemical processing, vehicle dismantling, recycling, and petroleum refining—are regulated by federal, state, and regional agencies—but that regulation does not address all of the elements that contribute to cumulative impacts in Los Angeles neighborhoods. Some uses are not effectively controlled, either because they fall underneath the regulatory radar for permitting and compliance or because they are not subject to regulation at all. For example, auto body and repair shops, stone cutting shops, and various types of manufacturing businesses’ products and processes produce air pollution, excessive noise impact, dust, and particulate matter that can



affect the environmental quality and health of residents in adjacent neighborhoods. Our research has demonstrated that these types of businesses are often concentrated in some Los Angeles neighborhoods dominated by low-income and people of color and, in many cases, cluster together with the potential of having a larger impact on nearby populations. Standard regulatory and permitting practice manages these facilities on a site-by-site or pollutant-by-pollutant basis, ignoring the fact that their local effects can be cumulative—often due to clustering.

Fortunately, state-level regulatory agencies have begun to consider cumulative impacts and incompatible land uses in their planning and, in some cases, regulatory action. For example, in its landmark 2005 handbook, the California Air Resources Board (CARB) issued specific recommendations for local land use policies to address the cumulative impact of polluting facilities and land uses on neighboring populations, including specific buffer distances to separate pollution uses and sensitive populations (which CARB defines as schools, daycare centers, hospitals, senior residential facilities, and parks with playgrounds). These buffer distances vary with the type of use and were designed to reflect the results of quantitative research on pollutant transport and dispersion away from the pollution source. We believe that the buffer distances recommended in the draft CUGU policy are both reasonable and effective.

More recently, California EPA has developed and adopted a cumulative impacts screening tool, CalEnviroScreen, to identify and compare communities by cumulative impacts and vulnerability. This tool is to be used to identify “disadvantaged communities” eligible for funds generated by the State’s greenhouse gas permit trading system under AB32—designated specifically for mitigation of environmental conditions. The location and extent of the proposed green zones agree with the distribution of cumulative impact and vulnerability reflected in the CalEnviroScreen scores for census tracts in Los Angeles—as well as with similar metrics that we have developed in our own research.

We also support the requirement for diesel truck signage as an important step toward controlling the health impacts from this very potent pollutant. CARB reports that diesel particulate matter emissions in California contribute to approximately 2,000 premature deaths each year—and compromises the health of many times this number of people. Most vulnerable populations include children—whose lungs are still developing and, because of body size and the fact that they breathe at higher rates than adults, are subject to higher doses than adults—and the elderly, many of whom have other serious health problems. As many sources of diesel exhaust in Los Angeles are not covered by regulatory rules because “mobile sources” are regulated less strictly than stationary facilities and land uses, the CUGU signage element is an important improvement. It codifies a CARB recommendation to advise truck operators to shut off motors rather than



leaving them idling. It is worth noting that this policy has been successfully implemented by the Bay Area Air Quality Management District at the Port of Oakland.

Finally, we applaud the recommendation to require high level of filtration systems in structures being built within 1,000 feet of freeways, and to do so city-wide. This represents a bold and appropriate response to the Planning Department's recent efforts to recognize health impacts of long exposure to mobile-sourced particulate matter air pollution in residential areas close to freeways. This relationship has been a concern of academic and medical researchers for many years and implementation of this requirement is one of the most important elements of the CUGU initiative.

Clean Up Green Up represents the most comprehensive and forward-thinking planning and enforcement initiative proposed by any city in our experience and we commend the Planning Department and the City for its leadership and vision. Thank you for the opportunity to comment on this important initiative.

Sincerely,

James Sadd
Professor, Occidental College

Manuel Pastor
*Professor, University of
Southern California*

Rachel Morello-Frosch
*Professor, University of
California, Berkeley*

CC: Los Angeles City Council
Los Angeles City Clerk