



South Coast Air Quality Management District

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FAXED: FEBRUARY 7, 2007

February 7, 2007

Mr. Sergio Klotz
City of Santa Ana
Planning and Building Agency
20 Civic Center Plaza
Santa Ana, CA 92702

Dear Mr. Klotz:

**Draft Environmental Impact Report (DEIR) for the
Metro East Overlay Zone Project
(December 2006)**

The South Coast Air Quality Management District (SCAQMD) 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 in the Final Environmental Impact Report. Thanks for allowing SCAQMD staff extra time to submit these comments.

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final Environmental Impact Report. The SCAQMD would be available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Charles Blankson, Ph.D., Air Quality Specialist – CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

Sincerely,

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:CB
ORC061222-04
Control Number

Draft Environmental Impact Report (DEIR) for the Metro East Mixed Use Overlay Zone

Project Consistency:

Section 15125 of the State CEQA Guidelines requires an EIR to discuss any inconsistencies between the project and regional plans, including state implementation plans (AQMP). The SCAQMD's CEQA Air Quality Handbook identifies two criteria to demonstrate consistency. The first is whether the project would generate population and employment growth that would be consistent with Southern California Association of Government (SCAG)'s growth forecasts. The second criterion is whether the project would result in an increase in the frequency or severity of existing air quality violations or contribute to new violations.

On page 4.2-16 of Volume I the lead agency concludes that the proposed project is consistent with the AQMP because, although the project will allow an increase in population growth in the project area of 11,102 residents between 2005 and 2030, this is less than the projected growth for the entire City of 16,905 for the same time frame. This is an improper comparison. The comparison should be between current projected growth for the project area and future projected growth for the project area.

On page 3-1 of Volume I the lead agency states that the Overlay Zone (OZ) is currently zoned primarily Professional. According to the lead agency's own characterization of the OZ, the General Plan does not currently allow any residential growth in the OZ. On the same page the lead agency states that the proposed project will require an amendment to the existing General Plan and existing zoning code. On page 3-7 of Volume I it is stated that these amendments will allow an increase in residential population growth in the area from zero to 11,102 residents. Similarly, the amendments will allow a potential net increase in 963,000 square feet (ft²) of commercial and 690,000 ft² office space beyond existing capacity. Since a General Plan amendment is required for these increases, they are not currently reflected in SCAG's growth projections. Therefore, the proposed project is not consistent with the AQMP. For these reasons, the First and Cabrillo Towers Project is not consistent with the AQMP

Mitigating Construction Emissions:

Table 4.2-4 on pages 4.2-15 and 4.2-16 in Volume II shows that the proposed project's construction NO_x and VOC emissions would exceed the significance thresholds even after mitigation. The lead agency has listed mitigation measures on pages 4.2-22 through 4.2-24 in Volume I of the DEIR to reduce the construction emissions. The SCAQMD recommends modifying two of the proposed mitigation measures as noted below. Additionally, SCAQMD staff has other recommendations for mitigation measures which the lead agency is asked to consider where feasible.

Mitigation Measure MM-OZ 4.2-6 states that construction-related equipment including heavy-duty equipment, motor vehicles and portable equipment, shall be turned off when not in use for more than 30 minutes. Please note that state law requires that heavy-duty construction vehicles and equipment should not idle in excess of five minutes, both on- and off-site. Please correct the mitigation measure to be consistent with state law.

Since most of the coatings expected to be used for the proposed project would likely be required to comply with the 100 gram per liter VOC content requirement in SCAQMD Rule 1113, SCAQMD staff requests that mitigation measure MM-OZ 4.2-14 be modified to require a VOC content of coatings at 100 grams per liter instead of 125 grams per liter. Further, SCAQMD staff recommends the following mitigation measures for consideration by the lead agency to further reduce the VOC emissions:

- Restrict the number of gallons of coatings used per day.
- Encourage water-based coatings or other low-emitting alternatives.
- Encourage paint contractors to use hand applications instead of spray guns.

Reducing Operational Emissions:

Table 4.2-5 on page 4.2-25 of Volume I shows that operational VOC, NO_x, CO and PM10 emissions would all exceed the significance thresholds. The lead agency states on page 4.2-25 in Volume I of the DEIR that the exceedance of the SCAQMD thresholds for these criteria pollutants is primarily due to the increase in motor vehicles traveling to and from the project site. The lead agency concludes, "As no feasible mitigation is available to reduce these emissions, this impact would remain significant and unavoidable." SCAQMD staff disagrees that there are no feasible mitigation measures to reduce these operational emissions. The following recommendations are presented to the lead agency for consideration. Please note that some of these measures are construction activities which have long-term operational air quality impacts:

- Install central water heating systems to reduce energy consumption.
- Install low-polluting, high energy-efficient appliances, such as water heaters, refrigerators, furnaces and boiler units.
- Install solar panels on roofs to supply electricity for building heating and cooling.
- Use double-paned windows to reduce thermal loss.
- Install automatic lighting on/off controls and energy-efficient lighting.
- Install energy-efficient street lighting.
- Use light-colored roofing materials in new construction as opposed to dark roofing materials to deflect heat away from buildings.
- Provide shade trees in residential areas to reduce building heating/cooling needs.
- Landscape with appropriate drought-tolerant species to reduce water consumption.
- Construct pedestrian and transit friendly facilities, such as wider sidewalks, bus stops with passenger benches and shelters, bikeways or lanes.
- Install electrical outlets at the front and back of the residences to facilitate the use of electric landscape maintenance equipment.

- Provide showers in employment centers for pedestrian employees' use if warranted by the size of business.

Health Risk Analysis for the First and Cabrillo Project:

Review of the HRA indicates that the lead agency used an average breathing rate of 271. For future projects, SCAQMD staff recommends that a daily breathing rate of 302 should be used rather than an average value of 271. Given that the lead agency is reporting an existing air toxic risk from the freeway, it is not necessary to revise the HRA analysis.

CO Hotspots Analysis:

The SCAQMD recommends that the CO hotspots analysis be recomputed using reference carbon monoxide concentrations at the edge or adjacent to primary and secondary roads rather than any other distance.

The lead agency performed CO hotspots analyses for intersections rated LOS E or F. The SCAQMD recommends performing a CO hotspots analysis for intersections that change from LOS C to D as a result of the project and for all intersections rated D or worse where the project increases the volume-to-capacity ratio by two percent or more.

PM2.5 Emissions:

The lead agency should be aware that the SCAQMD has developed a methodology for calculating PM2.5 emissions. In conjunction with the PM2.5 calculation methodology, the SCAQMD has also adopted regional and localized significance thresholds for PM2.5. This information can be found at the following internet address: www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html. The SCAQMD requests that the lead agency calculate PM2.5 emissions for all future projects.