



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Mitigated Negative Declaration (MND) for the Proposed L.A. Valley Garden Plaza Project (9933 Valley Blvd.)

The South Coast Air Quality Management District (SCAQMD) 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 MND.

Project Description and Air Quality Analysis

The proposed project consists of the demolition of a 12,000-square-foot structure and the construction of a 17,000-square-foot, two-story commercial building with subterranean parking on 0.52 acres (“proposed project”). Construction is expected to occur over a twelve-month period¹. Single and multi-family residences are located immediately north of the proposed project, while commercial and retail uses are located to the east, south, and west². In the Air Quality section, the Lead Agency quantified the proposed project’s construction and operation emissions and compared them to SCAQMD’s regional and localized air quality CEQA significance thresholds. The Lead Agency found that the proposed project would not exceed SCAQMD’s thresholds for both construction and operation. Nonetheless, the Lead Agency incorporated Mitigation Measures AQ-1 and AQ-2 to reduce fugitive dusts and ROG and NOx emissions during construction³.

SCAQMD’s 2016 Air Quality Management Plan

On March 3, 2017, the SCAQMD’s Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP), which was later approved by the California Air Resources Board of Directors on March 23rd. The 2016 AQMP⁴ is a regional blueprint for achieving air quality standards and healthful air in the South Coast Air Basin (Basin). Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and lays out the challenges facing the Basin. The most significant air quality challenge in the Basin is to reduce an additional 45 percent reduction in NOx emissions in 2023 and an additional 55 percent reduction in NOx emissions beyond 2031 levels for ozone attainment.

Achieving NOx emission reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attain the ozone NAAQS as expeditiously as practicable. Therefore, SCAQMD staff recommends changes to the existing Mitigation Measure AQ-2 to further reduce construction emissions from NOx. Please see the attachment for more information.

¹ MND. Page 3.

² *Ibid.* Page 1.

³ *Ibid.* Pages 24-25.

⁴ South Coast Air Quality Management District. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

Pursuant to the CEQA Guidelines Section 15074, prior to approving the project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide SCAQMD staff with written responses to all comments contained herein prior to the adoption of the Final MND.

SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me at (909) 396-3308 or lsun@aqmd.gov, if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

LAC170629-07

Control Number

ATTACHMENT

Recommended Changes to Existing Mitigation Measure AQ-2

1. CEQA requires that all feasible mitigation measures go beyond what is required by law to minimize any significant impacts. To further reduce the NOx emissions during construction, SCAQMD staff recommends revisions to Mitigation Measure AQ-2 that the Lead Agency should include in the Final MND. Additional information on potential mitigation measures as guidance to the Lead Agency is available on the SCAQMD CEQA Air Quality Handbook website⁵

AQ-2: Exhaust Emissions Control. The following measures shall be incorporated into Project plans and specifications for implementation:

- Utilize well-tuned off-road construction equipment.
- ~~Establish a preference for contractors using~~ Require that all off-road construction equipment greater than 50 horsepower (hp) meet U.S. EPA Tier 3 4 emission standards or better heavy equipment. In the event that all off-road construction equipment greater than 50 hp cannot meet the Tier 4 engine certification, the contractors 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 measures may include, but would not be limited to, reduction in the number and/or hp rating of construction equipment, limiting the number of daily construction haul truck trips to and from the proposed project, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.
- Enforce 5-minute idling limits for both on-road trucks and off-road equipment.

Compliance with SCAQMD Rule 1166

2. In Section VIII, *Hazards and Hazardous Materials*⁶, the Lead Agency found that several Leaking Underground Storage Tank (LUST) cleanup sites are located within 2,500 feet of the proposed project. “The main contaminant of concern is Gasoline, and the cases are open and under remediation.”⁷ In the event that petroleum hydrocarbons are expected to be encountered during construction, the Final MND should include a discussion to demonstrate compliance with the requirements of SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.

⁵ South Coast Air Quality Management District. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

⁶ MND. Page 39.

⁷ *Ibid.*