



South Coast Air Quality Management District

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Negative Declaration (ND) for the Proposed ENV-2018-3190: 9201 North Winnetka Avenue Project

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 ND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to construct and operate three light industrial/warehouse buildings, totaling approximately 210,000 square feet on 11.55 acres (Proposed Project). The Proposed Project is located on the southeast corner of Prairie Street and Oso Avenue in the community of Chatsworth-Porter Ranch. Based on a review of the ND, SCAQMD staff found that “the eastern adjoining properties across Winnetka Avenue are being developed with a mixed-use corporate office and residential development¹.” Construction is expected to occur over nine and a half months, beginning in 2019².

SCAQMD Staff's Comments on Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's construction and operational air quality impacts would be less than significant. However, the Lead Agency did not conduct a Health Risk Assessment (HRA) to determine the significance level of health risk impacts from operating the Proposed Project on nearby sensitive receptors. Additionally, upon review of the air quality analysis, SCAQMD staff found that the less than significant determination for construction-related air quality impacts was reliant upon the use of Tier 4 construction equipment that was not disclosed in the body of the ND either as a project design feature or mitigation measure. Please see SCAQMD staff's detailed comments in the attachment.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the ND for adoption together with any comments received during the public review process. Please provide SCAQMD with written responses to all comments contained herein prior to the adoption of the Final ND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

¹ ND, Page 2.

² *Ibid.* Air Quality and Greenhouse Gas Technical Report, Page 16.

SCAQMD staff is available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Robert Dalbeck, Assistant Air Quality Specialist - CEQA IGR Section, at rdalbeck@aqmd.gov, if you have any questions regarding these comments.

Sincerely,

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS:RD
RVC181120-04
Control Number

ATTACHMENT

Mobile Source Health Risk Assessment

1. SCAQMD staff is concerned that the Lead Agency did not perform a HRA for the Proposed Project. As stated in the Project Description, the Proposed Project involves operation of three light industrial/warehouse buildings, and it is located within 50 feet of the mixed-use corporate and residential development across Winnetka Avenue. The Proposed Project is capable of generating and attracting vehicular trips, especially heavy-duty diesel fueled trucks during operation. Residents at the mixed-use development will be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and is also determined to be carcinogenic by the California Air Resources Board (CARB).

One of the basic purposes of CEQA is to inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)). A negative declaration is appropriate when the Lead Agency finds that the project will not have a significant effect on the environment (CEQA Guidelines Sections 15070 to 15075). Reasons to support this finding shall be documented in the initial study. Without quantifying the potential risk to residents that will live at the mixed-use development, the ND has not made that documentation which serves as substantial evidence to support a fair argument that the Proposed Project would not have any adverse effects on health. Therefore, it is recommended that the Lead Agency conduct a mobile source HRA³ in the Final ND and compare the results to SCAQMD's CEQA significance threshold of 10 in one million for cancer risks to disclose the potential health risks to residents from DPM-emitting diesel-fueled vehicles that will visit the Proposed Project; otherwise, the Lead Agency has not demonstrated, supported by substantial evidence, that public health will not be significantly impacted by the Proposed Project.

CalEEMod – Construction Schedule

2. In Table 3-5: *Proposed Construction Schedule* of the Air Quality and Greenhouse Gas Technical Report, the Lead Agency shows a nine and a half month construction schedule in which two and a half months of paving and building construction activities would overlap. However, the CalEEMod output file shows that the construction schedule was estimated to be ten and a half months, without any overlapping construction phases. Estimating emissions using a longer construction schedule with no overlapping construction phases may have likely underestimated the daily maximum emissions when construction activities overlap. Therefore, SCAQMD staff recommends that the Lead Agency revise the construction schedule in CalEEMod to include overlapping construction phases. In the event that the Lead Agency finds, after the revisions, that the Proposed Project's construction emissions would exceed SCAQMD's recommended air quality CEQA significance thresholds, feasible mitigation measures are required.

Construction Equipment Assumption and Recommended Mitigation Measure (MM)

3. In the CalEEMod output file, SCAQMD staff found the Lead Agency assumed that construction equipment will meet United States Environmental Protection Agency's Tier 4 emissions standards for off-road equipment⁴. To be consistent with the modeling assumption, SCAQMD staff recommends that the Lead Agency include a mitigation measure requiring the use of Tier 4 construction equipment as follows:

MM AQ-1 Tier 4 Construction Equipment

Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each

³ South Coast Air Quality Management District. "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis." Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁴ ND. Air Quality and Greenhouse Gas Technical Report. Page 63

unit's certified tier specification shall be available for inspection by the City at the time of mobilization of each applicable unit of equipment.

Additional Recommended Mitigation Measures

4. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate the Proposed Project's impacts. Since construction of the Proposed Project would result in 99 pounds per day (lbs/day) of NO_x emissions, which is slightly below SCAQMD's recommended air quality CEQA significance threshold of 100 lbs/day for NO_x, SCAQMD staff recommends the Lead Agency incorporate the following mitigation measures in the Final ND to further reduce NO_x emissions during construction.

Haul Trucks during Construction

- Require zero-emissions or near-zero emission trucks, if and when feasible. Consider measures or clean truck incentive programs such as tiered fee schedules, phase-in schedules, and other incentives for promoting clean trucks, etc. At a minimum, require that the operator commit to using 2010 model year and newer trucks (e.g., material delivery trucks and soil import/export).
- Maintain vehicle and equipment maintenance records for the construction portion of a project. All construction vehicles must be maintained in compliance with the manufacturer's recommended maintenance schedule. All maintenance records for each facility and their construction contractor(s) will remain on-site for a period of at least two years from completion of construction.
- Enter into a contract that notifies all construction vendors and contractors that vehicle idling time will be limited to no longer than five minutes or another time-frame as allowed by the California Code of Regulations, Title 13 section 2485 - CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. For any vehicle delivery that is expected to take longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. Notify the vendors of these idling requirements at the time that the purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers understand the vehicle idling requirement, post signs at the construction site's entry gates stating that idling longer than five minutes is not permitted.

Off-Road Construction Equipment

- Encourage construction contractors to apply for SCAQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission heavy-duty engines to achieve near-term reduction of NO_x emissions from in-use off-road diesel vehicles. More information on this program can be found at SCAQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.
- Enter into a contract that notifies all construction vendors and contractors that construction equipment idling time will be limited to no longer than five minutes. To further ensure construction equipment idling requirement, post signs at the construction site stating idling longer than five minutes is not permitted.

To further reduce the Proposed Project's operational emissions, particularly from NO_x, SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final ND.

- Require zero-emissions or near-zero emission trucks, if and when feasible. Consider measures or clean truck incentive programs such as tiered fee schedules, phase-in schedules, and other incentives for promoting clean trucks, etc. At a minimum, require that the operator commit to using 2010 model year and newer trucks.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final ND. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this land use or higher activity level.
- The Lead Agency should require accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final ND, the Lead Agency should require a phase-in schedule for these cleaner operating trucks. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.
- Design the Proposed Project such that entrances and exits are not traversing past residential or other sensitive receptors.
- Design the Proposed Project to ensure that truck traffic within the site is located away from the property line(s) closest to the sensitive receptors across Winnetka Avenue.
- Restrict overnight truck parking on Winnetka Avenue.
- Establish overnight parking within the Proposed Project site where trucks can rest overnight away from the sensitive receptors across Winnetka Avenue.
- Establish area(s) within the Proposed Project site for repair needs.
- Develop, adopt, and enforce truck routes both in and out of City, and in and out of facilities.
- Limit delivery vehicles' idling time to no more than five minutes. For any delivery vehicle that is expected to take longer than five minutes, the vehicle's operator shall be required to shut off the engine. Notify the vendors of these idling requirements at the time that the delivery purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers understand the vehicle idling requirement, post signs at the Proposed Project's entry gates stating that idling longer than five minutes is not permitted.