



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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California State Lands Commission
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**Draft Subsequent Environmental Impact Report (SEIR) for the Proposed
Construction and Management of an Artificial Reef in the Pacific Ocean near San Clemente,
California: Wheeler North Reef Expansion 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 SEIR.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to expand the existing 175-acre Wheeler North Reef by depositing 175,000 tons of quarried rock to create 210 acres of additional kelp reef (Proposed Project). The Proposed Project is located on submerged lands offshore of the City of San Clemente, Orange County. The Proposed Project would be completed within 130 days¹.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's air quality impacts from construction activities would be less than significant after implementation of two mitigation measures. Mitigation Measure (MM) AQ-1a requires the use of tugboats that meet or exceed Tier 3 emission standards². MM AQ-1b requires that NOx emission offset credits shall be purchased to offset the Proposed Project's NOx emissions to below SCAQMD's recommended regional CEQA construction threshold before the commencement of any construction activities³.

SCAQMD Staff's Comments

In the Air Quality Section, the Lead Agency relied on NOx emission offset credits to reduce 14.13 pounds per day and subsequently found that NOx emissions from the Proposed Project's construction activities would be mitigated to less than significant⁴. SCAQMD staff recommends that the Lead Agency provide additional information on NOx emission offset credits in the Final SEIR. First, it is recommended that the Lead Agency clarify if these credits are emission reduction credits (ERCs) or Regional Clean Air Incentives Market Emission (RECLAIM) trade credits (RTCs). ERCs are typically used to offset emissions from operation. RTCs allow RECLAIM participating facilities in the South Coast Air Basin to trade NOx and SOx emissions credits. Here, NOx emissions would be generated from the Proposed Project's construction activities. If NOx emission offset credits would be RTCs, there should be substantial evidence in the Final SEIR to show that there will be enough credits to cover the entire 130-day construction duration of the Proposed Project. Second, it is recommended that the Lead Agency

¹ Draft SEIR. Section 4.3, *Air Quality*. Page 4.3-35.

² *Ibid.* Page 4.3-27.

³ *Ibid.*

⁴ *Ibid.* Table 4.3-7. Page 4.3-30.

clarify if NOx emission offset credits will be purchased from a third party or if Southern California Edison will surrender their own credits to offset NOx emissions for the Proposed Project. Third, it is recommended that the Lead Agency provide additional information on the mechanism and schedule for purchasing and implementing NOx emission offset credits in the Final SEIR.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the Final SEIR. In addition, issues raised in the comments should be addressed in detail 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 will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements 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.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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