



# South Coast Air Quality Management District

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## **Draft Environmental Impact Report (DEIR) for the Proposed The Merge Retail and Light Industrial 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 EIR.

### SCAQMD Staff's Summary of Project Description

The lead agency proposes the construction and operation of eight industrial warehouses totaling 336,501 square feet and 72,600 square feet of retail uses that include a 16-pump gas station and car wash on 26 acres (proposed project). The project site is located on the northeast corner of Archibald Avenue and Limonite Avenue. The closest sensitive receptor is approximately 10 feet from the project site. Since the proposed project includes the construction and operation of a gas station, SCAQMD permits are required and SCAQMD should be identified as a responsible agency in the body of the EIR. The proposed project's construction phase is expected to occur over a period of approximately 19 months.

### SCAQMD Staff's Summary of Air Quality Analysis

The lead agency determined that the proposed project would result in significant and unavoidable air quality impacts resulting from exceeding regional NOx emissions during operation. Considering that CEQA requires all feasible mitigation measures beyond what is required by law be utilized during project construction and operation to minimize or eliminate air quality impacts from the proposed project, SCAQMD staff recommends the following mitigation measures.

### Recommended Mitigation Measures

- Require zero-emissions or near-zero emission trucks, if and when feasible; at a minimum, require that the operator commit to utilizing 2010 model year trucks.
- Limit the daily number of trucks allowed at the proposed project to levels analyzed in the Final EIR. 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.
- Should the proposed project generate significant regional emissions, the lead agency should require mitigation that requires 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 EIR, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce any significant adverse air quality impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency.

- Design the industrial building such that entrances and exits are not traversing past neighbors or other sensitive receptors.
- Design the industrial building to ensure that truck traffic within the proposed project site is located away from the property line(s) closest to its residential or sensitive receptor neighbors.
- Restrict overnight parking in residential areas.
- Establish overnight parking within the industrial building where trucks can rest overnight.
- 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.
- Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the proposed project and sensitive receptors.
- 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 facility's entry gates stating that idling longer than five minutes is not permitted.

#### Permits and Compliance with SCAQMD Rules

Pursuant to SCAQMD's Rule 461 – Gasoline Transfer and Dispensing, a permit from the SCAQMD will be required, and the SCAQMD should be identified as a responsible agency in the final EIR. The assumptions for the air quality analysis in the final EIR will be the basis for permit conditions and limits. The final EIR should also demonstrate compliance with other applicable SCAQMD Rules, including, but not limited to, Rule 201 – Permit to Construct and Rule 203 – Permit to Operate. Should there be any questions on permits, please contact the SCAQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit SCAQMD's webpage at <http://www.aqmd.gov/home/permits>.

#### 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 EIR. 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. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091). Please contact Robert Dalbeck, Assistant Air Quality Specialist - CEQA IGR Section, at (909) 396-2139 if you have any questions regarding these comments.

Sincerely,

*Daniel Garcia*

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Planning, Rule Development & Area Sources