



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 California Highway Patrol San Bernardino Area Office Replacement 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 MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to construct a 217,000-square-foot building and ancillary improvements (Proposed Project) on an approximately 5.3-acre vacant site. The Proposed Project would also include auto service bays, a 148-foot radio tower, vehicle parking areas, equipment enclosures and storage areas, a fuel island with gas tanks and two mechanized dispensers, an emergency generator, and utility improvements. Based on a review of Figure 2.2 in the MND and aerial photographs, SCAQMD staff found that the Proposed Project is located immediately west of residential dwelling units. Construction is expected to take approximately 24 months, beginning in 2019 and ending in 2021.

SCAQMD Staff's Summary of Air Quality and Health Risk Assessment (HRA) Analyses

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional air quality CEQA daily significance thresholds. The Lead Agency found that the Proposed Project's regional daily construction impacts would be less than significant, except for NO_x emissions. After incorporating Mitigation Measure AQ-1, which, among others, requires the use of newer model year material hauling vehicles that emit less NO_x emissions per trip¹, construction-related NO_x emissions would be reduced to below SCAQMD's air quality CEQA daily significant threshold of 100 lbs/day². The Lead Agency also found that the Proposed Project's operational emissions would not exceed SCAQMD's air quality CEQA daily significance thresholds for operation. Furthermore, the Lead Agency conducted a health risk assessment (HRA) and found that the Maximum Exposed Residential Receptor cancer risk would be 8.27 in one million which is below SCAQMD's CEQA significance threshold of 10 in one million for cancer risk³.

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)⁴, which was later approved by the California Air Resources Board on March 23, 2017.

¹ MND. Page 3-26.

² *Ibid.*

³ MND. Table AQ-5. Page 3-28.

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>.

Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

General Comments

SCAQMD staff has comments on the Air Quality Analysis in the MND. Please see the attachment for more information. Additionally, as described in the 2016 AQMP, to achieve NOx emissions 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. The Proposed Project plays an important role in contributing to NOx emissions during construction. Therefore, SCAQMD staff recommends changes to Mitigation Measure AQ-1 to further reduce NOx emissions during construction. Finally, the attachment includes information on the SCAQMD permits.

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to the comment contained herein prior to the adoption of the Final MND. 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 the public who are interested in the Proposed Project.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

SBC180213-01

Control Number

ATTACHMENT

Air Quality Analysis

Localized Air Quality Analysis during Construction

1. Based a review of Figure 2.2 in the MND and aerial photographs, SCAQMD staff found that the Proposed Project is located next to sensitive receptors (e.g., residential dwelling units). Therefore, SCAQMD staff recommends that the Lead Agency quantify the Proposed Project's localized emissions and disclose the localized air quality impacts in the Final MND to ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity. SCAQMD guidance for performing a localized air quality analysis is available on SCAQMD website⁵.

Other Comment

2. In the MND, the Lead Agency stated that "implementation of Mitigation Measure AQ-1 would drop the maximum daily NOx emissions to below 100 pounds per day;" therefore, the impact of NOx emissions during construction would be considered less than significant with mitigation and the Proposed Project would not contribute substantially to an air quality violation⁶. However, the Lead Agency did not disclose the *mitigated* level of NOx emissions in lbs/day after Mitigation Measure AQ-1 is incorporated. To support the Lead Agency's less than significant finding for construction-related NOx impacts, SCAQMD staff recommends that the Lead Agency include a new table to show criteria pollutant emissions during construction after incorporating Mitigation Measure AQ-1 in the Final MND.

Air Quality Mitigation Measure

3. As stated above, Mitigation Measure AQ-1 requires, among others, the use of newer model year material hauling vehicles that emit less NOx emissions per trip⁷. Since the Proposed Project contributes to NOx emissions during construction, SCAQMD staff recommends that the Lead Agency include the following recommended details to Mitigation Measure AQ-1 in the Final MND.

Mitigation Measure AQ-1: Material Hauling NOx Control Measures

The Contractor shall implement any combination of the following measures to reduce NOx emissions to below 100 pounds per day:

- a. Minimize idling time either by shutting equipment off when not in use or 10 reducing the time of idling to 5 minutes as a maximum.
- b. Limit the number of daily one-way material hauling trips to less than 315.
- c. Use the 2010 or newer model year material hauling vehicles that emit less NOx emissions per trip. In the event that that 2010 model year or newer diesel haul trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NOx emissions requirements, at a minimum. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

⁵ South Coast Air Quality Management District. Localized Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

⁶ MND. Pages 3-25 and 26.

⁷ MND. Page 3-26.

SCAQMD Permit and Responsible Agency

4. Based on a review of the project description, SCAQMD staff found that the Proposed Project would include, among others, a fuel island with gas tanks and an emergency generator. A permit from SCAQMD would be required, and the SCAQMD should be identified as a Responsible Agency for the Proposed Project in the Final MND. The assumptions in the Final MND will serve as the basis for permit conditions and limits. For more information on permits, please visit SCAQMD's webpage at: <http://www.aqmd.gov/home/permits>. Permitting questions can be directed to SCAQMD Engineering and Permitting staff at (909) 396-3385.