



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 East Garden Grove-Wintersburg Channel, Warner to 1,250 Feet Downstream of Goldenwest Street Sheet Pile Project

South Coast Air Quality Management District (South Coast AQMD) 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.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency is proposing 4,970 linear feet of channel improvements to increase flood conveyance capacity of the East Garden Grove-Wintersburg channel and reduce erosion (Proposed Project). The Proposed Project is located on existing right-of-way between Warner Avenue and Goldenwest Street in the City of Huntington Beach. Construction of the Proposed Project is expected to occur over 18 months with operation in 2020¹.

South Coast AQMD Staff's Summary of Air Quality

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's construction emissions would not exceed South Coast AQMD's regional or localized air quality CEQA significance thresholds, after the implementation of mitigation Measure (MM) AQ-1. MM AQ-1 requires construction contractors to use off-road construction equipment that meets or exceeds Tier 4 emissions standards during the grading/excavation phase.

South Coast AQMD Staff's General Comments

Upon reviews of the MND, the Air Quality Technical Study, and the air modeling output files, South Coast AQMD staff is concerned with the Lead Agency's less than significant finding for the Proposed Project's localized construction air quality impacts. Additionally, MM AQ-1 requires construction contractors to utilize Tier 4 construction equipment during the grading/excavation phase. However, upon reviews of the air modeling output files, it appears that the Lead Agency modeled Tier 4 construction equipment for *all* phases of construction activities, not limited to the grading/excavation phase (*Emphasis added*). Therefore, to ensure consistency between the mitigation measure and the modeling parameters, South Coast AQMD staff recommends that MM AQ-1 is applied to all phases of construction activities. Lastly, to further reduce the Proposed Project's air quality impacts, South Coast AQMD staff recommends additional mitigation measures as resources to the Lead Agency that should be considered for incorporation into the Final MND. Please see the attachment for more information.

¹ MND, Chapter 3, *OCPW Environmental Checklist*, Page 3-9.

Conclusion

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 South Coast AQMD with written responses to all comments 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, informative, or useful to decision makers and the public who are interested in the Proposed Project. 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 MND (CEQA Guidelines Section 15074.1).

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Robert Dalbeck, Assistant Air Quality Specialist, at RDalbeck@aqmd.gov or (909) 396-2139, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:RD

ORC190321-03

Control Number

ATTACHMENT

Localized Air Quality Impacts – Construction

1. The Lead Agency found that even with the modeling assumption of Tier 4 construction equipment, the Proposed Project's mitigated localized construction emissions from PM10 would be 14.26 pounds per day (lbs/day)² (See Table 1 below), which would exceed South Coast AQMD's Localized Significance Threshold (LST) at 14 lbs/day for PM10 for the North Coastal Orange County Source Receptor Area (SRA) 18³. However, as highlighted in Table 2, the Lead Agency found that the Proposed Project's mitigated localized construction PM10 emissions at 14.26 lbs/day would not result in an exceedance of South Coast AQMD's LST at 14 lbs/day. South Coast AQMD staff disagrees with the finding and recommends that the Lead Agency correct Table 3.3.3-4 by revising the level of significance finding for the Proposed Project's localized construction air quality impacts in the Final MND and identify mitigation measures if the impacts are found to be significant. Additionally, South Coast AQMD staff has recommended changes to MM AQ-1 and provided additional mitigation measures that the Lead Agency can and should incorporate in the Final MND to further reduce the Proposed Project's construction emissions from particulate matter (See South Coast AQMD staff's Comment Nos 2 and 3 below).

Table 1: South Coast AQMD Staff's Copy of CalEEMod Summer Output File - 3.6 Grading/Excavation Inside Channel

3.6 Grading/excavation inside channel - 2020																	
Mitigated Construction On-Site																	
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Fugitive Dust					14.2581	0.0000	14.2581	7.7699	0.0000	7.7699			0.0000				0.0000
Off-Road	0.5006	2.1692	18.3547	0.0409		0.0667	0.0667		0.0667	0.0667	0.0000	3,965.1856	3,965.1856	1.2824			3,997.2461
Total	0.5006	2.1692	18.3547	0.0409	14.2581	0.0667	14.3249	7.7699	0.0667	7.8367	0.0000	3,965.1856	3,965.1856	1.2824			3,997.2461

Table 2: South Coast AQMD Staff's Copy of Table 3.3.3-4. Construction-Period On-Site Emissions

Construction Year	Estimated Maximum Daily On-Site Emissions (pounds per day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
2018 ^a	64	30	8	5
2019 ^b	58	30	2	2
2020 (Unmitigated) ^c	34	26	16	9
2020 (Mitigated) ^d	5	38	14	8
LST Screening Thresholds^e	197	1,711	14	9
Threshold Exceeded?	No	No	No	No

Source: CalEEMod version 2016.3.2, modeling output provided in Appendix A.

² MND. Appendix A, *Air Quality and Greenhouse Gases*. Page 106.

³ MND. Chapter 3, *OCPW Environmental Checklist*. Page 3-23.

Recommended Changes to Existing MM AQ-1

2. Upon review of the air modeling output files in CalEEMod, it appears that the Lead Agency assumed the use of Tier 4 construction equipment for all phases of construction in the modeling, instead of only the grading/excavation phase. To ensure consistency between the mitigation measure and the modeling parameters used to calculate construction emissions in CalEEMod, South Coast AQMD staff recommends that the Lead Agency incorporate the following changes to MM AQ-1.

Tier 4 Construction Equipment

MM AQ-1: In order to reduce localized emissions of particulate matter, the contractor shall use construction equipment that meets or exceeds consistent with the U.S. Environmental Protection Agency's Tier 4 equipment during the Grading/Excavation Inside Channel stage of the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during all phases of construction. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including, but may not be limited to, CARB certified Level 3 Diesel Particulate Filters (DPFs). Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions⁴. A list of CARB verified DPFs are available on the CARB website⁵. Additionally, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, and that successful contractor(s) must demonstrate the ability to supply such equipment prior to the commencement of any construction activities. A copy of each unit's certified tier specification and CARB or South Coast AQMD operating permit (if applicable) should be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written documentation by contractors to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.

Enforceability

To ensure that Tier 4 construction equipment or Level 3 DPFs will be used during construction, South Coast AQMD staff recommends that the Lead Agency include this requirement as a project design feature, mitigation measure, or a condition of approval for the Proposed Project in the Air Quality Section of the Final MND rather than a mere modeling assumption in CalEEMod. In the event that the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is reviewed and approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable.

⁴ California Air Resources Board. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

⁵ *Ibid.* Page 18.

Recommended Additional Mitigation Measures for Construction Air Quality Impacts

3. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To ensure that all air quality impacts during construction are mitigated to levels that are less than significant, South Coast AQMD staff recommends that the Lead Agency review and incorporate the following mitigation measures in the Final MND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website⁶.
 - a. Require zero-emissions or near-zero emissions on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the California Air Resources Board (CARB)'s adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year or newer trucks (e.g., material delivery trucks and soil and aggregate import/export) that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate. Require that the Proposed Project's tenant(s) shall maintain records of all trucks visiting the Proposed Project and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project meets the minimum 2010 model year engine emission standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.
 - b. 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.
 - c. 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 throughout the site stating that idling longer than five minutes is not permitted.
 - d. Encourage construction contractors to apply for South Coast AQMD "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 NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

⁶ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.