



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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City of Norco, Planning Department
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Draft Environmental Impact Report (Draft EIR) for the Proposed Palomino Business Park Project (SCH No.: 2019039132)

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 EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish 300,000 square feet of existing residential and industrial uses and construct 602,130 square feet of refrigerated warehousing, 1,426,460 square feet of industrial park, 6,520 square feet of retail uses, 10,615 square feet of restaurant buildings, a gasoline service station with 12 pumps, and a 4,095 square-foot convenience market on 112.44 acres (Proposed Project). The Proposed Project is located on the southeast corner of Second Street and Pacific Avenue within the City of Norco. The Proposed Project would be constructed in two phases (Phases 1 and 2) over a two-year construction period from 2020 through 2022¹. During construction, the Proposed Project would generate 8,260 haul truck trips². The Proposed Project will become operational as early as 2022³. During operation, the Proposed Project would generate 1,040 diesel truck-trip ends⁴. Sensitive receptors are within 10 to 112 feet of the Proposed Project⁵.

The Lead Agency has incorporated two “Plans, Programs, and Policies” for Air Quality (PPP-AQ-1 and PPP-AQ-2) as project requirements for the Proposed Project⁶, which include compliance with South Coast AQMD Rules 403 – Fugitive Dust⁷ and Rule 1113 – Architectural Coatings⁸. The Lead Agency has also incorporated project design features that include, but are not limited to, electrical outlets at loading docks to provide alternative power for trucks with transportation refrigeration units (TRUs), all outdoor cargo-handling equipment to have non-diesel fueled engines, and all indoor forklifts to have electric engines⁹.

¹ Draft EIR. Executive Summary. Page 1-2.

² *Ibid.* Appendix B: Air Quality, Greenhouse Gas and Energy Data. CalEEMod Output, “Palomino Business Park (Construction – Unmitigated) Winter Run. PDF page 296.

³ *Ibid.* CalEEMod Output, “Palomino Business Park (Operations – Passenger Cars) Summer Run. PDF page 458.

⁴ *Ibid.* Page 7.

⁵ *Ibid.* Pages 56 through 57.

⁶ Draft EIR. Executive Summary. Pages 1-7 through 1-8.

⁷ South Coast AQMD Rule 403- Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

⁸ South Coast AQMD Rule 1113 – Architectural Coatings. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>.

⁹ Draft EIR. Chapter 5.5 Energy. Pages 5.5-9 through 5.5-10.

South Coast AQMD Staff's Summary of the Air Quality Analysis

In the Air Quality Analysis, 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 analyses, the Lead Agency found that the Proposed Project's unmitigated air quality impacts would be significant for regional nitrogen oxide (NOx) emissions at 160 pounds per day (lbs/day), and for localized PM10 and PM2.5 emissions during site preparation, grading, and demolition phases¹⁰. The Lead Agency committed to implementing construction Mitigation Measures (MMs) AQ-1 through AQ-2, which require construction equipment greater than 150 horsepower (hp) to meet Tier 4 off-road emissions standards and watering of actively graded sites four times per day¹¹. With implementation of MMs AQ-1 through -2, regional NOx emissions from construction would be reduced to 98 lbs/day, which would be slightly below South Coast AQMD's air quality CEQA significance threshold for NOx at 100 lbs/day, and localized PM10 and PM2.5 emissions would be reduced to less than significant¹².

The Lead Agency also quantified the Proposed Project's operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project would result in significant and unavoidable regional air quality impacts during operation from NOx emissions at 511 lbs/day¹³, of which 410 lbs/day would be generated by trucks¹⁴. As such, the Lead Agency committed to implementing MMs AQ-3 through -5, which include, but are not limited to, requiring that trucks visiting during operations that are greater than 14,000 pounds meet 2010 model year engine standards, enforcement of idling requirements, and installation of EV charging stations¹⁵. With implementation of MMs AQ-3 through -5, regional NOx emissions from operation would remain significant and unavoidable at 440 lbs/day¹⁶.

For disclosure purposes, the Lead Agency analyzed a scenario where construction and operational activities would overlap and found that overlapping activities would result in 490 lbs/day of NOx emissions¹⁷, which would exceed South Coast AQMD's air quality CEQA significance threshold for operational NOx emissions at 55 lbs/day.

The Lead Agency prepared a mobile source Health Risk Assessment (HRA) analysis and found that operation of the Proposed Project would result in a cancer risk of 6.33 in one million at the maximum impacted sensitive receptor¹⁸, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk¹⁹.

South Coast AQMD's 2016 Air Quality Management Plan

On March 3, 2017, South Coast AQMD's Governing Board adopted the 2016 AQMP²⁰, which was later approved by the California Air Resources Board (CARB) on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality

¹⁰ Draft EIR. Appendix B: Air Quality, Greenhouse Gas and Energy Data. Pages 45 through 46.

¹¹ *Ibid.* Pages 2 through 3.

¹² *Ibid.* Page 60 through 61.

¹³ *Ibid.* Pages 51 through 53.

¹⁴ *Ibid.*

¹⁵ *Ibid.* Pages 2 through 3.

¹⁶ *Ibid.* 51 through 53

¹⁷ *Ibid.* Page 53.

¹⁸ Draft EIR. Appendix C: Health Risk Assessment. Page 2.

¹⁹ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

²⁰ South Coast AQMD. March 3, 2017. 2016 Air Quality Management Plan. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

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 NO_x emissions in 2023 and an additional 55 percent NO_x reduction beyond 2031 levels for ozone attainment.

South Coast AQMD Staff's General Comments

The Proposed Project would include operation of a gasoline service station with 12 pumps. However, the Lead Agency did not quantify operational ROG emissions generated from storage tanks or the fueling process during operation. Additionally, South Coast AQMD staff has comments on the cancer risk calculation for the HRA analysis. Please see the attachment for more information.

As described in the 2016 AQMP, achieving NO_x 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. South Coast AQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. During operations, the Proposed Project will generate 1,040 on-road truck trips, which would result in 410 lbs/day of NO_x emissions²¹. As such, the Proposed Project plays an important role in contributing to additional NO_x emissions during operation. To further reduce the Proposed Project's NO_x emissions during construction and operation, South Coast AQMD staff recommends the Lead Agency revise existing MM AQ-1 and MM AQ-3 and incorporate additional mitigation measures in the Final EIR. Please see the attachment for more information. The attachment also includes a list of South Coast AQMD rules that the Lead Agency should discuss in the Final EIR.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD 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, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the finding that the recommended revisions to MM AQ-1 and MM AQ-3 and the additional mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
RVC191119-02
Control Number

²¹ Draft EIR, Appendix B: Air Quality, Greenhouse Gas and Energy Data. Page 51.

ATTACHMENT

Air Quality Analysis – Gasoline Service Station

1. The Proposed Project would include, among others, operation of a gasoline service stations with 12 pumps. However, the Lead Agency did not quantify operational ROG emissions that would be generated from storage tanks and the fueling process in the Draft EIR. This may have likely led to an under-estimation of the Proposed Project's operational emissions. Although South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing²² requires the use of California Air Resources Board (CARB) certified Phase I and Phase II enhanced vapor recovery systems with minimum volumetric efficiencies of 98% and 95%, respectively²³, ROG emissions are not entirely eliminated from the fueling process and should be taken into consideration when analyzing the Proposed Project's operational air quality impacts. The Lead Agency should use its best efforts to quantify and disclose ROG emissions from the fueling process in the Final EIR. Since the EIR is an informational document, the Lead Agency should, at a minimum, include a discussion on potential operational air quality impacts from the fueling process. If there is no substantial evidence to support a quantitative analysis of ROG emissions from the fueling process, the Lead Agency should disclose the reasons for not including a quantitative analysis supported by factual information as substantial evidence in the Final EIR. It is also important to note that while CalEEMod²⁴ quantifies mobile source emissions (e.g., trip visits by patrons) associated with operating a gasoline service station, CalEEMod does not quantify the operational stationary source emissions from the storage tanks and fueling equipment.

Guidance on Siting Gasoline Dispensing Facilities Near Sensitive Receptors

2. South Coast AQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005²⁵. Additionally, CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* recommends avoiding siting housing within 300 feet of a large gas station or 50 feet for a typical gas station²⁶. In April 2017, CARB released a Technical Advisory as a supplement to this Handbook²⁷. These guidance documents provide recommendations that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. In the Handbook, CARB recommends a 300-foot separation between sensitive land uses and a large gasoline dispensing facility (defined as a facility with a throughput of 3.6 million gallons per year or greater, which should be based on a maximum permitted annual throughput). A 50-foot separation is recommended for typical gasoline dispensing facilities²⁸. Therefore, South Coast AQMD staff recommends that the Lead Agency review and consider these guidance documents when making local planning and land use decisions.

²² South Coast AQMD Rule – 461 Gasoline Transfer and Dispensing. Accessed at: <http://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/rule-461.pdf>.

²³ *Ibid.*

²⁴ CalEEMod incorporates up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and is available free of charge at: www.caleemod.com.

²⁵ South Coast AQMD. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

²⁶ California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. Accessed at: <https://www.arb.ca.gov/ch/handbook.pdf>

²⁷ California Air Resources Board. Technical Advisory: *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*. Accessed at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

²⁸ *Ibid.* Page 32.

Health Risk Assessment (HRA) Analysis

3.

Gasoline Service Station HRA Analysis

- a) Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project includes, among others, the operation of a gasoline service station with 12 pumps. The Proposed Project has the potential to expose nearby residents living within 10 to 112 feet of the Proposed Project to toxic air contaminants, such as benzene, which is a known carcinogen. South Coast AQMD staff has concerns about the potential health impacts to sensitive receptors from the exposures to benzene during the operation of the Proposed Project. Therefore, to facilitate informed decision-making and public participation with useful information about the Proposed Project's potential long-term health impacts to nearby residents, it is recommended that the Lead Agency evaluate, quantify, and prepare a gasoline dispensing station HRA analysis²⁹ to disclose the health risks in the Final EIR and include feasible mitigation measures if the cancer risk is found to be significant³⁰.

Mobile Source HRA Analysis

- b) The Proposed Project also includes operation of industrial/warehouse uses, which are expected to generate 1,040 truck trip ends during operation. Surrounding sensitive receptors to the Proposed Project would be exposed to DPM from the transportation and idling of trucks visiting the industrial/warehouse uses. DPM is a toxic air contaminant (TAC) and a carcinogen. Therefore, the Lead Agency performed a quantitative mobile source HRA to find if the Proposed Project would result in a significant incremental increase in potential cancer risks to surrounding sensitive receptors (i.e., residential units within 10 to 112 feet)³¹. The Lead Agency found that the Proposed Project would result in a cancer risk of 6.33 in one million at the maximum impacted sensitive receptor³², which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk³³.

Based upon a review of the HRA, South Coast AQMD staff found that the Lead Agency used the following exposure duration years to calculate cancer risk to residential receptors: a 0.25-year exposure for the third trimester to 0 year age bin, a 2-year exposure for the 0 to 2 years age bin, a 14-year exposure for the 2 to 16 years age bin, and a 14-year exposure for the 16 to 30 years age bin³⁴. When calculating cancer risk to residential receptors, South Coast AQMD staff recommends that the Lead Agency estimate cancer risk for a 30-year exposure, and compare the summed cancer risk calculated for each age bin to South Coast AQMD CEQA significance

²⁹ South Coast AQMD. Risk Assessment Procedures for Rules 1401. Accessed at: <http://www.aqmd.gov/home/permits/risk-assessment>.

³⁰ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant. The 2015 OEHHA methodology is being used by South Coast AQMD for determining operational health impacts for permitting applications and also for all CEQA projects where South Coast is the lead agency.

³¹ Draft EIR. Appendix B: Air Quality, Greenhouse Gas and Energy Data. Pages 56 through 57.

³² *Ibid.* Appendix C: Health Risk Assessment. Page 2.

³³ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

³⁴ Appendix C: Health Risk Assessment. PDF pages 414-418.

threshold of 10 in a million for cancer risk to determine the level of significance for the Proposed Project's health risks impact in the Final EIR.

Recommended Revisions to Existing Air Quality Mitigation Measures (MMs) AQ-1 and AQ-3

4. 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. While the implementation of MM AQ-1, which requires the use of Tier 4 construction equipment with engines greater than 150 horsepower, would reduce construction NOx emissions from 160 lbs/day to 98 lbs/day³⁵, NOx emissions would be slightly below South Coast AQMD's air quality CEQA significance threshold for NOx at 100 lbs/day and remain substantial during the two-year construction period. South Coast AQMD staff recommends that the Lead Agency make the following revisions to MM AQ-1 to further reduce NOx emissions during construction. Additionally, since the Proposed Project will result in significant and unavoidable long-term, regional air quality impacts from operational NOx emissions³⁶, and to support the South Coast AQMD's commitments to reducing NOx emissions as outlined in the 2016 AQMP, South Coast AQMD staff recommends that the Lead Agency incorporate the following revisions to MM AQ-3 in the Final EIR to further reduce the Proposed Project's operational NOx emissions.

Mitigation Measure AQ-1: Tier 4.

The construction plans and specifications shall state that construction equipment greater than ~~150~~ 50 horsepower (>~~150~~ 50 HP) shall comply with EPA/CARB Tier 4 emissions standards or equivalent and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB-certified Level 3 Diesel Particulate Filter (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions³⁷. A list of CARB verified DPFs are available on the CARB website³⁸.

To ensure that Tier 4 Final construction equipment or better would be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall 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 construction documents by construction contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance.

In the event that construction equipment cannot meet the Tier 4 Final engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim or Tier 3 emission standards, 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 construction phases occurring simultaneously.

³⁵ Draft EIR. Appendix B: Air Quality, Greenhouse Gas and Energy Data. Page 46.

³⁶ *Ibid.* Pages 52 through 53.

³⁷ CARB. 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.

³⁸ *Ibid.* Page 18.

Mitigation Measure AQ-3: Diesel Trucks.

The construction plans and operational specifications shall state that contractors and building operators (by contract specifications) shall ensure that all on-road heavy-duty haul trucks (e.g., material delivery trucks and soil import/export) and diesel trucks used during operation with a gross vehicle weight rating greater than 14,000 pounds will be zero-emission (ZE) or near-zero emission (NZE) trucks that meet the CARB's adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty trucks visiting the Proposed Project during construction or operation commit to using 2010 model year³⁹ or newer and cleaner engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and the CARB's adopted optional NOx emission standard of 0.20 g/bhp-hr for NOx emissions. Include analyses to evaluate and identify sufficient power available for ZE trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.

To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with the Proposed Project's operation 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 during operation meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by operators and conduct regular inspections of the records to the maximum extent feasible and practicable.

Additional Recommended Mitigation Measures for Operational Air Quality Impacts

5. Since the Proposed Project will result in significant and unavoidable operational NOx emissions during operation, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR to further reduce the Proposed Project's operational NOx emissions. South Coast AQMD staff has compiled a list of recommended mitigation measures as suggested resources and guidance to the Lead Agency to assist the identification of feasible mitigation measures for incorporation in the Final EIR. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website⁴⁰.

Mitigation Measures for Operational Air Quality Impacts from Mobile Sources

- c) 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 (e.g., residences), where feasible.
- d) Design the Proposed Project such that entrances and exits are such that trucks are not traversing past residences, and other sensitive receptors near the Proposed Project.
- e) Design the Proposed Project such that any check-in point for trucks is well inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility and that truck traffic

³⁹ CARB adopted the statewide On-Road Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulations is available here: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

⁴⁰ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

within the Proposed Project site is located away from the property line(s) closest to the sensitive receptors (e.g., residences), which are within 10 to 112 feet of the Proposed Project.

- f) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final EIR (e.g., 1,040 daily truck trips). If higher daily truck volumes are anticipated during operation than what were analyzed in the adopted Final EIR, the Lead Agency should commit to re-evaluating the Proposed Project's air quality and health risks impacts through a CEQA process prior to allowing higher truck activity levels (CEQA Guidelines Section 15162).
- g) Require trucks to use the truck routes that are used to analyze the air quality and HRA impacts in the Final EIR.
- h) Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas that are adjacent to portions of the designated truck routes analyzed in the Final EIR.
- i) Restrict overnight truck parking in residential areas. Establish parking within the Proposed Project where trucks can rest overnight.
- j) Establish area(s) within the Proposed Project site for repair needs and ensure that these designated areas are away from any sensitive land uses.

Mitigation Measures for Operational Air Quality Impacts from Area Sources

- k) Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed Project site to generate solar energy for the facility and/or EV charging stations.
- l) Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.
- m) Require use of electric or alternatively fueled sweepers with HEPA filters.
- n) Maximize the planting of trees in landscaping and parking lots.
- o) Use light colored paving and roofing materials.
- p) Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

Compliance with South Coast AQMD Rules and Permits

6. South Coast AQMD staff recommends that the Lead Agency include discussions to demonstrate compliance with the following South Coast AQMD rules for construction and operation of the Proposed Project.

Gasoline Service Station

- a) Since operations of the Proposed Project includes a gasoline service station with 12 pumps, South Coast AQMD staff recommends that the Lead Agency include discussions to demonstrate compliance with applicable South Coast AQMD Rules, including, but not limited to, Rule 201 –

Permit to Construct⁴¹, Rule 203 – Permit to Operate⁴², Rule 461- Gasoline Transfer and Dispensing⁴³ and Rule 1401 – New Source Review of Toxic Air Containments⁴⁴ in the Final EIR. Additionally, since the Proposed Project includes the operation of a gasoline service station, operation of a gasoline service station requires a permit from South Coast AQMD. South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Final EIR (CEQA Guidelines Section 15381). It is important to note that the assumptions in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits. It is also important to note that the 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology is being used by South Coast AQMD for determining operational health impacts for permitting applications and also for all CEQA projects where South Coast AQMD is the Lead Agency. If there is any information in the permitting process suggesting that the Proposed Project would result in significant adverse air quality impacts not analyzed in the Final EIR or substantially more severe air quality impacts than those analyzed in the Final EIR, the Lead Agency should commit to reevaluating the Proposed Project’s air quality impacts through a CEQA process (CEQA Guidelines Section 15162). Should there be any questions on permits, please contact South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD’s webpage at: <http://www.aqmd.gov/home/permits>.

Rule 403(e) Additional Requirements for Large Operations

- b) The Lead Agency included a discussion of general compliance with South Coast AQMD Rule 403 – Fugitive Dust in the Draft EIR. Since the Proposed Project is a large operation of approximately 112 acres⁴⁵ and will disturb 920 acres during construction⁴⁶ (50-acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin, the Lead Agency is required to comply with Rule 403(e) – Additional Requirements for Large Operations⁴⁷. Additional requirements may include, but are not limited to, Large Operation Notification (Form 403 N), appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class⁴⁸. Therefore, South Coast AQMD recommends that the Lead Agency include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

⁴¹ South Coast AQMD Rule 201 – Permit to Construct. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

⁴² South Coast AQMD Rule 203 – Permit to Operate. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>

⁴³ South Coast AQMD Rule – 461 Gasoline Transfer and Dispensing. Accessed at: <http://www.aqmd.gov/docs/default-source/compliance/Gas-Dispensing/rule-461.pdf>.

⁴⁴ South Coast AQMD Rule 1401- New Source Review of Toxic Air Contaminants. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

⁴⁵ Draft EIR. Appendix B: Air Quality, Greenhouse Gas and Energy Data. Page 42.

⁴⁶ *Ibid.* CalEEMod Output, “Palomino Business Park (Construction – Unmitigated) Winter Run. PDF page 217.

⁴⁷ South Coast AQMD. Rule 403. Last amended June 3, 2005. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

⁴⁸ South Coast AQMD Compliance and Enforcement Staff’s contact information for Rule 403(e) Large Operations is (909) 396-2608 or by e-mail at dustcontrol@aqmd.gov.