



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report (Draft EIR) for the Proposed Vista Nuevo Project (SCH No. 2014061016)

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 to construct 314 residential units on 242 acres (Proposed Project). The Proposed Project is located on the southeast corner of Nuevo Road and Sky Drive in the community of Nuevo, Riverside County. Construction of the Proposed Project may require the need to conduct blasting activities in order to remove bedrock that outcrops at certain locations on the Proposed Project site¹.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational 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 regional and localized construction and operational air quality impacts would be less than significant. Blasting activities would be expected to occur during construction of the Proposed Project; however, it did not appear to SCAQMD staff that emissions from blasting activities were included in the Air Quality Analysis. To further reduce emissions from construction and operation activities that were analyzed as a part of the Proposed Project, the Lead Agency committed to the implementation of 23 mitigation measures². SCAQMD staff has comments regarding the Air Quality Analysis and the existing mitigation measures. Please see the attachment for more information.

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 Project. Further, when the Lead Agency makes the finding that the recommended changes to existing mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

¹ DEIR. 4.4 Air Quality. Page 4-43.

² DEIR. 1.7 Table 1.5-1. Summary of Impacts and avoidance, Minimization and Mitigation Measures Discussed in this Draft EIR. Pages 1-15 -

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 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

RVC181219-01

Control Number

ATTACHMENT

Emissions from the Blasting Activities

1. Based on a review of the main body of the Draft EIR, SCAQMD staff found that the initial phases of construction may require blasting of bedrock outcropping. In the subchapter Hazards and Hazardous Materials, the Lead Agency explained that impacts associated with potential blasting activities were analyzed in the Air Quality subchapter of the Draft EIR³. However, upon review of the Air Quality subchapter, it did not appear to SCAQMD staff that the impacts were analyzed. The Lead Agency merely stated that blasting would be “a random event that is not included in daily emissions”⁴ without any emission calculations. Upon further review of the Technical Appendices, SCAQMD staff was unable to locate any analysis or discussion about the air quality impacts from the blasting activities. As such, SCAQMD staff is concerned that the air quality emissions from the blasting activities, such as particulate matter emissions (PM10 and PM2.5) from the use of explosives and NOx emissions from on-road haul trucks that may be used to remove loose bedrock after blasting activities, may have been omitted. Although blasting activities may occur at random and be short term in nature, CEQA requires that the Lead Agency use its best efforts to disclose all reasonably foreseeable and potentially significant environmental impacts in an EIR⁵. The standard for adequacy of an EIR is not perfection but an adequate, complete, and a good-faith effort at full disclosure⁶. Therefore, SCAQMD staff recommends that the Lead Agency revise the Air Quality Analysis to quantify the emissions from the removal of bedrock outcropping using blasting and include the emissions in the Proposed Project’s construction emissions to be compared to SCAQMD’s air quality CEQA significance thresholds to determine the level of significance in the Final EIR. In the event that, upon revision of the Air Quality Analysis, the Lead Agency finds that the Proposed Project will have significant air quality impacts, mitigation measures will be required to reduce these impacts to less than significant pursuant to CEQA Guidelines Section 15126.4. Please see SCAQMD staff’s recommended revisions and new mitigation measures, provided below.

Recommended Revisions to Construction-related Mitigation Measures

2. 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 Proposed Project’s NOx emissions during construction (i.e., approximately 92 lbs/day) were found to be less than significant, to further reduce the NOx emissions resulting from the use of off-road diesel-powered construction equipment and to further strengthen the Lead Agency’s proposed Mitigation Measure (MM), SCAQMD staff recommends that the Lead Agency incorporate the following revisions to MM 4.4-3 in the Final EIR.

Construction-related Mitigation Measure (MM) 4.4-3

During grading activity, all construction equipment greater than ~~150~~ 50 horsepower shall be California Air Resources Board (CARB) Tier 4 Certified. Additionally, during grading activity, total horsepower-hours per day for all equipment shall not exceed 25,808 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed 6.5 acres per day. To ensure NOx construction emissions do not exceed 100 pounds per day (lb/day) overlapping construction activities shall not be allowed to occur or the number of hours of construction activity per day shall be reduced to not exceed this threshold. These values (no overlap and/or reduced operation hours) shall be defined in a daily construction plan submitted to and approved by the County prior to imitating round

³ Draft EIR 4.9.4 Hazards and Hazardous Materials. Page 4-126.

⁴ Draft EIR 4.4.4 Air Quality. Page 4-43.

⁵ CEQA Guidelines Section 15126.

⁶ CEQA Guidelines Section 15151.

disturbing activities. To ensure that Tier 4 construction equipment or better will be used during the Proposed Project construction, SCAQMD 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 SCAQMD 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 engine certification, the Construction Contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using Tier 4 emissions standards for construction equipment greater 150 horsepower and/or other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, 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 using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.

Recommended New Mitigation Measures:

3. In addition to the recommended changes to the existing MM 4.4-3, and in the event that revisions to the Air Quality Analysis would result in new, significant adverse air quality impacts from construction, SCAQMD staff recommends that the Lead Agency incorporate the following new mitigation measures to reduce these impacts to less than significant in the Final EIR.

Mobile Sources

- Require zero-emissions or near-zero emission 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 at 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.