



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

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SReilly@cityofredlands.org

Sean Reilly, Associate Planner
City of Redlands, Planning Division
35 Cajon Street, Suite 20
Redlands, CA 92373

Mitigated Negative Declaration (MND) for the Proposed Orange Avenue Luxury Apartments 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 proposes demolition of eight existing residential units, a 4,000-square-foot industrial building, and a 1.2-acre nursery, and construction of six three-story buildings containing 328 residential units and a 14,662-square-foot clubhouse on 21.84 acres (Proposed Project). The Proposed Project is located on the northwest corner of Barton Road and Alabama Street. Construction of the Proposed Project is expected to occur over one year with operation starting in 2020¹.

South Coast AQMD 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 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 and operational air quality impacts would be less than significant, after the implementation of Mitigation Measures (MM) AQ-1 through MM AQ-4. MM AQ-1 requires architectural coatings used during construction to be limited to 30 grams per liter of volatile organic compounds (VOC)². MM AQ-2 requires low-flow efficient water faucets, fixtures, and efficient landscaping practices³. MM AQ-3 requires the Proposed Project to divert waste to landfills by a minimum of 50 percent⁴. MM AQ-4 requires on-site and off-site sidewalk connections⁵.

South Coast AQMD Staff's Comments

Upon review of Appendix A: *SD Homes Redlands Apartments Air Quality and Global Climate Change Impact Analysis*, South Coast AQMD staff found that the Lead Agency quantified the Proposed Project's construction emissions by assuming that the Lead Agency would require the use of Tier 3 construction equipment during construction. However, the Lead Agency did not discuss the use of Tier 3 construction equipment as either a project requirement or mitigation measure for the Proposed Project in the MND or Mitigation Monitoring and Reporting Program. To be consistent with the modeling assumption, and to further reduce the Proposed Project's NOx emissions from construction, South Coast AQMD staff recommends that the Lead Agency require the use of Tier 4 construction equipment and include this requirement as either a project requirement or mitigation measure in the Final MND. Please see the

¹ MND. Section 1.4 Project Description. Page 12.

² MND. Section 2.3, Air Quality. Page 38.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

attachment for more information. The attachment also includes a list of potential mitigation measures as resources to further reduce the Proposed Project's construction and operational emissions that the Lead Agency should consider and incorporate in the Final MND.

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.

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
SBC190606-04
Control Number

ATTACHMENT

Project Requirements or Mitigation Measures

1. Upon review of Appendix A: *SD Homes Redlands Apartments Air Quality and Global Climate Change Impact Analysis*, South Coast AQMD staff found that the Lead Agency modeled the use of Tier 3 construction equipment as an air quality modeling assumption⁶ to reduce NOx emissions to 95 lbs/day during construction⁷. However, it did not appear that the Lead Agency included this modeling assumption as a requirement in the main body of the MND or a mitigation measure in the Mitigation Monitoring and Reporting Program. To be consistent with the modeling assumption, and to further reduce the Proposed Project's NOx emissions during construction, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measure to require the use of Tier 4 construction equipment in the Final MND. To ensure that off-road construction equipment used will meet or exceed Tier 4 off-road engine emission standards during construction, South Coast AQMD staff recommends that the Lead Agency incorporate this requirement as a project design feature, mitigation measure, or condition of approval for the Proposed Project in the Air Quality Section of the Final MND, rather than a mere modeling assumption in CalEEMod.

Tier 4 Off-Road Diesel-Powered Construction Equipment and Enforceability

- a. Require the use of off-road diesel-powered construction equipment that meets or exceeds 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 construction of the Proposed Project. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filters (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions⁸. A list of CARB verified DPFs are available on the CARB website⁹.
- b. To ensure that Tier 4 construction equipment or better will 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.
- c. In the event that construction equipment cannot meet the Tier 4 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 3 emissions standards, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck

⁶ MND. Appendix A, *SD Homes Redlands Apartments Air Quality and Global Climate Change Impact Analysis*, Summer Run. Page 2.

⁷ *Ibid.* Table 7, Construction-Related Regional Pollutant Emissions. Page 43.

⁸ 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.

⁹ *Ibid.* Page 18.

trips to and from the Proposed Project, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.

Additional Recommended Mitigation Measures – Construction Air Quality Impacts

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 impact. To further reduce the Proposed Project's construction air quality impacts, South Coast AQMD staff has compiled a list of recommended mitigation measures as suggested resources and guidance to the Lead Agency that should be reviewed for incorporation 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 website¹⁰.
 - a. Require the use of zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty haul trucks utilized during construction commit to using 2010 model year¹¹ or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for 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 the Proposed Project to 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 visiting 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 off-road diesel-powered equipment and on-road haul trucks visiting the Proposed Project. All engines must be maintained in compliance with the manufacturer's recommended maintenance schedule. A minimum of two years of maintenance records for each vehicle and off-road equipment unit should remain on-site for periodic inspection by the Lead Agency.
 - c. Enter into a contract that notifies all engine operators 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 that is expected to idle longer than five minutes, the Lead Agency should require the vehicle's operator to shut off the engine. To further ensure that drivers understand the vehicle idling requirement, post signs at the entrance of the landfill and 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

¹⁰ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

¹¹ The CARB adopted the statewide 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 at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html>.

website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

Additional Recommended Mitigation Measures – Operational Air Quality Impacts

3. In addition to Mitigation Measures AQ-1 through AQ-4, South Coast AQMD staff recommends that the Lead Agency incorporate the following operational air quality mitigation measures in the Final MND.
 - a. Require at least 5% of all vehicle parking spaces include electric vehicle charging stations, or at a minimum, require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in. Vehicles that can operate at least partially on electricity have the ability to substantially reduce the NO_x impacts from this project. It is important to make this electrical infrastructure available when the Proposed Project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, South Coast AQMD staff recommends that the Lead Agency require the Proposed Project to provide the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in. Additionally, the Lead Agency should include analyses to evaluate and identify sufficient power available for zero-emission vehicles and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.
 - b. Encourage the use of public transportation or carpooling, such as discounted transit passes or carpool rebates, to residents living at the Proposed Project.
 - c. Encourage residents living at the Proposed Project to use rideshare programs and set a goal to achieve a certain participation rate over a period of time.
 - d. Maximize the planting of trees in landscaping and parking lots.
 - e. Require use of electric or alternatively fueled street-sweepers with HEPA filters.
 - f. Require use of electric lawn mowers and leaf blowers.