



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 State University, Fullerton Eastside 2 Parking Structure Project

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 586,700-square-foot parking structure on 2.2 acres (Proposed Project). The Proposed Project is located at 800 North State College Boulevard on the northwest corner of Nutwood Avenue and State College Boulevard in the City of Fullerton. Construction of the Proposed Project is expected to begin in the summer of 2019 and end in the fall of 2020 and will include demolition of an existing 198-space, three-level parking structure¹.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds for construction. Based on the analyses, the Lead Agency found that the Proposed Project's regional and localized construction air quality impacts would be less than significant². Additionally, the Lead Agency quantified the Proposed Project's operational emissions from area sources and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds for operation. Mobile source operational emissions were not included in the operational air quality analysis, as the Proposed Project would not generate net new mobile source emissions that have not been previously analyzed or adequately addressed in the prior 2003 Master Development Plan (MDP) Final Environmental Impact Report (FEIR)³. Based on the analysis, the Lead Agency found that the Proposed Project's regional operational air quality impacts would be less than significant⁴.

SCAQMD Staff's General Comments

SCAQMD staff reviewed the Air Quality Analysis in the main body of the MND and Appendix A and has comments on CalEEMod modeling parameters used to calculate the Proposed Project's construction emissions. In the event that, after revisions to the Air Quality Analysis based on SCAQMD staff's comments, significant air quality impacts are identified, SCAQMD staff recommends that the Lead Agency incorporate mitigation measures during the construction phase of the Proposed Project. Please see the attachment for more information.

¹ Initial Study. *Description of Project*. "Construction Activity" Page 8.

² MND. Environmental Checklist: *Air Quality*. "Construction Emissions", "Operational Emissions". Page. 29-32.

³ *Ibid*.

⁴ *Ibid*.

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 SCAQMD 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.

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

ORC190221-01

Control Number

ATTACHMENT

Air Quality Analysis – Construction Emissions

1. Upon review of the CalEEMod output file, SCAQMD staff found that the inputs used for the Proposed Project in CalEEMod include a 465,000-square-foot parking structure with 1,581 parking spaces. The demolition phase was removed from the CalEEMod modeling parameters⁵, and no haul or worker trips were included in CalEEMod to calculate emissions during site preparation and grading phases. However, in the main body of the MND, the Lead Agency described that the Proposed Project consists of construction of a 586,700-square-foot parking structure with a total of 1,900 parking spaces⁶ (not 1,581 parking spaces as modeled in CalEEMod). Additionally, construction of the Proposed Project would involve the demolition of one, 198-space, three-level parking structure and additional asphalt areas⁷, with an export of 2,435 tons of debris and 11,333 cubic yards of material during site preparation and grading phases⁸. Therefore, the air modeling assumptions and parameters in CalEEMod were not consistent with the Project information analyzed in the Air Quality Section of the main body of the MND, and it might have led to an under-estimation of the Proposed Project's construction emissions. Therefore, SCAQMD staff recommends that the Lead Agency revise the CalEEMod modeling inputs to be consistent with the information presented in the main body of the Final MND, or provide information to clarify the CalEEMod modeling parameters used to calculate the Proposed Project's construction emissions. If, upon revision of the Air Quality Analysis, the Lead Agency finds that the Proposed Project's construction impacts will be significant, feasible mitigation measures will be required pursuant to CEQA Guidelines Section 15071(e).

Recommended Mitigation Measures

2. In the event that, after revisions to the Air Quality Analysis based on Comment No. 1, significant air quality impacts are identified, SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures during the construction phase of the Proposed Project. For more information on potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website⁹.

Construction Air Quality Impacts

- Require the use off-road diesel-powered construction equipment rated at 50 horsepower or greater that meets or exceeds the CARB and U.S. EPA Tier 4 Tier 4 off-road emissions standards. 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

⁵ MND. Appendix A: Air Quality Modeling Results. *CalEEMod Output*. "Winter", "Annual", and "Summer".

⁶ MND. *Description of Project*. "Background" and "Proposed Development". Pages 2-3.

⁷ MND. Environmental Checklist: *Energy*. "Construction Energy Demand". Page. 40.

⁸ MND. Environmental Checklist: *Air Quality*. "Methodology and Thresholds". Page 26.

⁹ South Coast Air Quality Management District. CEQA Air Quality Analysis Handbook. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

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 3 emissions standards compliant construction equipment 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.

- In addition, if not already supplied with a factory-equipped diesel particulate filter, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. In addition, construction equipment shall incorporate, where feasible, emissions savings technology such as hybrid drives and specific fuel economy standards. In the event that any equipment required under this mitigation measure is not available, provide documentation as information becomes available. A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit at the time of mobilization of each applicable unit of equipment shall be provided. Encourage construction contractors to apply for SCAQMD "SOON" funding incentives to help accelerate the clean-up of off-road diesel vehicles, such as heavy duty construction equipment.
- Enter into a contract that notifies all vendors and construction contractors that construction vehicle and equipment 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 drivers and 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 and vendors understand the construction vehicle and equipment idling requirement, post signs at each facility entry gates and throughout the site stating idling longer than five minutes is not permitted.
- Evaluate the use of alternate fuels for on-site mobile construction equipment prior to the commencement of construction activities, provided that suitable equipment is available for the activity. Equipment vendors shall be contacted to determine the commercial availability of alternate-fueled construction equipment. Priority should be given during the bidding process for contractors committing to use alternate-fueled construction equipment.
- Maintain vehicle and equipment maintenance records for the construction portion of the proposed project. All construction vehicles must be maintained in compliance with the manufacturer's recommended maintenance schedule. The Lead Agency will maintain their construction equipment and the construction contractor will be responsible for maintaining their equipment and maintenance records. 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.
- Provide temporary traffic controls during all phases of significant construction activity to maintain smooth traffic flow, such as providing a flag person to direct the flow of traffic, providing dedicated turn lanes for the movement of construction trucks and equipment on- and

off-site, re-routing construction trucks away from congested streets or sensitive receptor areas, coordinating with the local city to improve traffic flow by signal synchronization in the area near the construction site and scheduling construction activities that affect traffic flow on the arterial system to occur during off-peak hours to the greatest extent practicable.

Compliance with SCAQMD Rule 1403

3. Since the Proposed Project includes demolition of an existing parking structure and other asphalt surfaces, asbestos may be encountered during demolition. Therefore, SCAQMD staff recommends that the Lead Agency incorporate a discussions of compliance with SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities¹⁰ in the Air Quality section of the Final MND.

Other Comment

4. In the MND, the Lead Agency referred to the certified 2003 MDP FEIR; however, the Lead Agency did not directly explain if the MND was using the concept of tiering to tier from the prior air quality analysis conducted in the certified 2003 MDP FEIR. CEQA Guidelines Section 15152(g) states that a Lead Agency should explain when the concept of tiering is being used and provide information as to where the prior CEQA document can be examined. Therefore, SCAQMD staff recommends that the Lead Agency clarify in the Final MND if the concept of tiering is being used for the MND and state where a copy of the certified 2003 MDP FEIR can be examined.

¹⁰ South Coast Air Quality Management District. Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.