



# South Coast Air Quality Management District

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## **Mitigated Negative Declaration (MND) for the Proposed Overton Moore Warehouse (Design Review DRC2018-00119)**

The 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 demolish 20,000 square feet of existing buildings and build a 174,745-square-foot warehouse on 8.09 acres (Proposed Project). At the time of the MND, tenants are unknown. It is anticipated that the Proposed Project would generate approximately 62 truck trips per day<sup>1</sup>. According to the Air Quality, Global Climate Change, and Health Risk Assessment Impact Analysis Report for the Proposed Project, "the nearest sensitive receptor may be impacted by the [P]roposed [P]roject include the single-family detached residential dwelling units located approximately 50 feet east of the project site (across Hellman Avenue)<sup>2</sup>." Construction of the Proposed Project is expected to begin in January 2019 and complete by January 2020<sup>3</sup>.

### 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. The Lead Agency found that the Proposed Project's air quality impacts from construction and operational activities would be less than significant. Additionally, the Lead Agency discussed the recommendation of "avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week)<sup>4</sup>". Based on this recommendation, and due to approximately 62 truck trips per day, the Lead Agency stated that a quantitative health risk assessment was not required<sup>5</sup>. Subsequently, the Lead Agency found that significant toxic air contaminant (TAC) impacts on nearby sensitive receptors from exposures to the Proposed Project-related operational diesel particulate matter (DPM) from ongoing trucks would not occur, and the potential health impacts are considered to be less than significant<sup>6</sup>.

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<sup>1</sup> MND. Page 54.

<sup>2</sup> MND. The Air Quality, Global Climate Change, and Health Risk Assessment Impact Analysis Report. Page 59.

<sup>3</sup> MND. Page 34.

<sup>4</sup> MND. Page 53.

<sup>5</sup> MND. Page 54.

<sup>6</sup> *Ibid.*

SCAQMD Staff's General Comments

SCAQMD staff is concerned that the Lead Agency used the recommendation for siting new residential projects near a distribution center as a screening tool to support that a quantitative health risk assessment (HRA) analysis was not required for the Proposed Project. Since the Proposed Project involves siting a new distribution or warehouse near existing residential uses rather than siting a new residential project near an existing distribution center, the recommendation is not applicable to the Proposed Project and should not be relied upon as substantial evidence to support the finding that the Proposed Project's potential health impacts would be less than significant. Please see the attachment for more information. To further reduce the Proposed Project's long-term emissions from mobile sources, the attachment also includes mitigation measures that the Lead Agency should incorporate in the Final MND.

Closing

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 the 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 these issues and any other questions that may arise. Please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov) if you have any questions regarding the enclosed comments.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

SBC190207-02

Control Number

## ATTACHMENT

### **Mobile Source Health Risk Assessment (HRA) Analysis**

1. The Lead Agency did not perform a quantitative mobile source HRA analysis as substantial evidence to support the less than significance finding. One of the basic purposes of CEQA is to inform decision-makers and the public about the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)). A mitigated negative declaration is appropriate when the Lead Agency finds that the project will not have a significant effect on the environment after incorporating mitigation measures (CEQA Guidelines Sections 15070 to 15075). Reasons to support this finding shall be documented in the initial study. Without quantifying the Proposed Project's long-term health impacts on nearby residents during operation, the MND has not made that documentation. Therefore, SCAQMD staff recommends that the Lead Agency perform a mobile source HRA<sup>7</sup> in the Final MND and compare the results to SCAQMD's CEQA significance threshold of 10 in one million for cancer risk. The quantitative HRA analysis will also serve as substantial evidence that is necessary to support the Lead Agency's finding that the Proposed Project's long-term health impacts on nearby residents during operation will be less than significant. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

### **Additional Recommended Mitigation Measures during Operation**

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 Lead Agency found that the Proposed Project's long-term operational impacts would be less than significant, SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final MND to further reduce the Proposed Project's emissions, in particular, NOx emissions. For more information on potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website<sup>8</sup>.

#### *Operational Air Quality Impacts from Mobile Sources*

- a. 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 or provide incentives to require that vendors, contractors, and/or haul truck operators commit to using 2010 model year or newer trucks 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.
- b. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the MND (62 truck trips per day). If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this land use or higher activity level.
- c. Have truck routes clearly marked with trailblazer signs so that trucks will not enter residential or sensitive receptors areas.
- d. Provide electric vehicle (EV) charging stations. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

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<sup>7</sup> South Coast Air Quality Management District. *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>8</sup> South Coast Air Quality Management District. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

- e. Trucks that can operate at least partially on electricity have the ability to substantially reduce NOx emissions during operation. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS)<sup>9</sup>. It is important to make this electrical infrastructure available when the 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, SCAQMD staff recommends the Lead Agency require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations<sup>10</sup>. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.
- f. Design the warehouse building such that entrances and exits are such that trucks are not traversing past and are located away from neighbors or other sensitive receptors.
- g. Design the warehouse building 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.
- h. Design the warehouse building to ensure that truck traffic within the Proposed Project site is located away from the property line(s) closest to its residential or sensitive receptor neighbors.
- i. Restrict overnight parking in residential areas.
- j. Establish overnight parking within the industrial building where trucks can rest overnight.
- k. Establish area(s) within the Proposed Project site for repair needs.
- l. Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.
- m. 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 that are located to the south of the Proposed Project.

#### *Operational Air Quality Impacts from Area Sources*

- a. Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- b. Maximize the planting of trees in landscaping and parking lots.
- c. Use light colored paving and roofing materials.
- d. Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.
- e. Require use of electric or alternatively fueled sweepers with HEPA filters.
- f. Use of water-based or low VOC cleaning products that go beyond the requirements under SCAQMD Rule 1113.

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<sup>9</sup> Southern California Association of Governments. Accessed at: <http://scagrtpsc.net/Pages/FINAL2016RTPSCS.aspx>.

<sup>10</sup> City of Los Angeles. Accessed at: [http://ladbs.org/LADBSWeb/LADBS\\_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf](http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf).