



# South Coast Air Quality Management District

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SENT VIA E-MAIL:

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## **Draft Program Environmental Impact Report (PEIR) for Proposed Moreno Valley Comprehensive General Plan Update (MoVal 2040) Project (Proposed Project) (SCH No.: 2020039022)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Moreno Valley is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments on the air quality mitigation measures and health risk reduction strategies should be included in the Final PEIR.

Based on the Draft PEIR, the Proposed Project consists of updates to the City of Moreno Valley's General Plan to develop policies and land use designations to guide future development through 2040. During this planning period, the Proposed Project anticipates a net new growth of 22,052 residential units and 50,362,604 square feet of non-residential uses such as commercial, retail, office, and light industrial uses<sup>1</sup>.

Based on a review of the Draft PEIR and supporting documents, South Coast AQMD staff has three main comments. A summary of these comments is provided as follows with additional details provided in the attachment.

1. Recommended Revisions to the Existing Air Quality Mitigation Measure: The Draft PEIR includes an air quality mitigation measure (MM AQ-1), which requires future development projects prepare and submit project-level construction air quality impacts analyses and mitigation measures<sup>2</sup>. South Coast AQMD staff recommends that the Lead Agency include additional information on subsequent, project-level localized air quality impacts analyses and construction mitigation measures for cleaner off-road and on-road construction equipment that can and should be implemented by future development projects as part of MM AQ-1 in the Final PEIR.
2. Additional Project-Level Air Quality Mitigation Measures: The Draft PEIR serves as the first-tier, programmatic level analysis that can provide guidance to subsequent, project-level environmental analyses. To facilitate this, South Coast AQMD staff recommends

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<sup>1</sup> Draft PEIR. Chapter 3 Project Description. Pages 3-26 to 3-27.

<sup>2</sup> Draft PEIR. Chapter 4.3 Air Quality. Pages 4.3-25 to 4.3-26.

that the Final PEIR include additional project-level mitigation measures for on-road mobile sources in the Final PEIR.

3. Health Risk Assessment for Future Sensitive Land Use Development Projects Near Freeways and Other Sources of Air Pollution and Health Risk Reduction Strategies: In the Draft PEIR, the Proposed Project would result in new development of sensitive land uses within 500 feet of freeways such as State Route 60<sup>3</sup>. To provide guidance for subsequent, project-level environmental analyses, South Coast AQMD staff recommends that the Lead Agency include a discussion on mobile source health risk assessments and health risk reduction strategies in the Final PEIR.

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, Air Quality Specialist, at [amullins@aqmd.gov](mailto:amullins@aqmd.gov), should you have any questions or wish to discuss the comments.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment  
LS:AM  
RVC210406-01  
Control Number

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<sup>3</sup> Draft PEIR. Chapter 4.3 Air Quality. Pages 4.3-19 to 4.3-20.

## ATTACHMENT

### **1. Recommended Revisions to the Existing Air Quality Mitigation Measure**

In the Draft PEIR, the Lead Agency included a project-level air quality mitigation measure (MM AQ-1) that future development projects can and should implement. South Coast AQMD staff recommends that the Lead Agency incorporate the following revisions to MM AQ-1 in the Final PEIR. The recommended revisions will provide more details on subsequent, project-level localized air quality impacts analyses and mitigation measures for cleaner construction equipment and facilitate CEQA streamlining and tiering as an option from the Final PEIR by subsequent, project-level environmental analyses, where appropriate. The recommended additions and changes to MM AQ-1 are shown in underline and ~~striketrough~~, respectively.

#### *CEQA Air Quality Localized Significance Thresholds Impact Analysis*

South Coast AQMD has developed localized significance thresholds. Future development projects should evaluate and quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA localized significance thresholds (LSTs)<sup>4</sup> to determine the level of significance for the projects' localized air quality impacts. The localized CEQA air quality impact analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

#### *Air Quality Mitigation Measures for Cleaner On-Road and Off-Road Construction Equipment*

**AQ-1:** Applications for future development, wherein the Director of Community Development or his or her designee has determined a potential for air quality impacts associated with construction, shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City for review and approval. The Director of Community Development or his or her designee shall make this determination based on the size of the project, whether the project would require a transportation impact analysis, or other criteria. The evaluation shall be prepared in conformance with South Coast Air Quality Management District (SCAQMD) methodology for assessing air quality regional and local impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD's adopted regional and localized construction CEQA thresholds of significance, the City shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City. Mitigation measures to reduce construction-related emissions could include, but are not limited to:

- Require fugitive-dust control measures that exceed SCAQMD's Rule 403 requirements, such as:
  - Use of nontoxic soil stabilizers to reduce wind erosion.
  - Apply water every four hours to active soil-disturbing activities.

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<sup>4</sup> South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

- Tarp and/or maintain a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.
- Require that construction equipment equal to or greater than 50 horsepower be electrically powered or alternatively fueled. At a minimum, require the Use of construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 Final (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower. 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 shall be available upon request at the time of mobilization of each applicable unit of equipment. 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 studies 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 reduction in the number and/or horsepower rating of construction equipment and/or limiting the number of construction equipment operating at the same time. All equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their contractor(s) should be made available for inspection and remain on-site for a period of at least two years from completion of construction.
- Require the use of zero-emission (ZE) or near-zero emission (NZE) on-road haul trucks (e.g., material delivery trucks and soil import/export) such as heavy-duty trucks with natural gas engines that meet the California Air Resources Board (CARB)'s adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), and ensure that supportive infrastructure will be available for ZE/NZE trucks. At a minimum, require the use of 2010 model year<sup>5</sup> that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the future development projects, the lead agency should require that operators maintain records of all trucks associated with the future development projects' construction and make these records available to the lead agency upon request. The records will serve as evidence to prove

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<sup>5</sup> 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 Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

that each truck called to the future development projects during construction meets the minimum 2010 model year engine emission standards. Alternatively, the lead agency should require periodic reporting and provision of written records by contractors working on the future development projects and conduct regular inspections of the records.

- Ensure that construction equipment is properly serviced and maintained to the manufacturer's standards.
- Limit nonessential idling of construction equipment to no more than five consecutive minutes.
- Limit on-site vehicle travel speeds on unpaved roads to 15 miles per hour.
- Install wheel washers for all exiting trucks or wash off all trucks and equipment leaving the project area.
- Use Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website.

## **2. Additional Project-Level Air Quality Mitigation Measures**

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate significant adverse impacts. The Proposed Project is a blueprint for the City's future development. The Draft PEIR for the Proposed Project serves as the first-tier, programmatic level analysis that can provide guidance to subsequent, project-level environmental analyses. Therefore, South Coast AQMD staff recommends that the Lead Agency include the following project-level mitigation measures in the Final PEIR to further reduce emissions from on-road mobile sources by future development projects that generate and attract heavy-duty diesel-fueled trucks. These mitigation measures will facilitate implementation of the Proposed Project's Environmental Justice Actions (EJ. 1-D<sup>6</sup> and EJ. 1-E<sup>7</sup>) and support the efforts in implementing the control measures and strategies identified in the 2016 Air Quality Management Plan<sup>8</sup>.

Project-level air quality mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider and include in the Final PEIR for future distribution and warehouse development projects may include the following:

- To facilitate implementation of the Proposed Project's Environmental Justice Action EJ.1-D, which requires the City of Moreno Valley work with the distribution and warehousing business community to plan for zero emission trucks and vans, the Lead Agency should require the use of ZE or NZE heavy-duty trucks by future distribution and warehouse development projects during operation such as trucks with natural gas engines that meet CARB's adopted optional NOx emission standard of 0.02 g/bhp-hr, if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean

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<sup>6</sup> Draft MoVal 2040 General Plan, Section 8 Environmental Justice. Page 8-9.

<sup>7</sup> Draft MoVal 2040 General Plan, Section 8 Environmental Justice. Page 8-9.

<sup>8</sup> South Coast Air Quality Management District. 2017, March. Final 2016 Air Quality Management Plan. <https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp>

Trucks Rule<sup>9</sup> and the Heavy-Duty Low NOx Omnibus Regulation<sup>10</sup>, ZE and NZE trucks will become increasingly more available to use, especially through. The Lead Agency can and should require future distribution and warehouse development projects to have a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs. At a minimum, require the use of 2010 model year<sup>11</sup> that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of PM and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Require future distribution and warehouse development projects to include an evaluation of sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the subsequent, project-level environmental analyses, where appropriate. Future distribution and warehouse development projects can and should also include the requirement in applicable bid documents, purchase orders, and contracts. Owners and operators of future distribution and warehouse development projects shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections at the future distribution and warehouse development projects.

- Limit the daily number of trucks allowed at the future distribution and warehouse development projects to the levels analyzed in the subsequent, project-level environmental analyses for these projects. If higher daily truck volumes are anticipated to visit the site, additional analysis should be done through CEQA prior to allowing this higher activity level.
- To help facilitate implementation of the Proposed Project's Environmental Justice Action EJ.1-E, which requires the City of Moreno Valley to study the feasibility of promoting electric vehicles (EV) and requiring minimum supporting EV infrastructure, the Lead Agency should use the results of the feasibility study to help inform the provision of EV charging stations or at a minimum, require future distribution and warehouse development projects to provide the electrical infrastructure and electrical panels, which should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

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<sup>9</sup> CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

<sup>10</sup> CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

<sup>11</sup> 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 Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

Project-level air quality mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider and include in the Final PEIR for future distribution and warehouse development projects may include the following:

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

Design considerations that the Lead Agency should consider and include in the Final PEIR for future distribution and warehouse development projects to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design a future distribution and warehouse development project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the project site.
- Design a future distribution and warehouse development project such that any check-in point for trucks is inside the project site to ensure that there are no trucks queuing outside.
- Design a future distribution and warehouse development project to ensure that truck traffic inside the project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the future distribution and warehouse development project site.

### **3. Health Risk Assessment (HRA) Analysis for Future Sensitive Land Use Development Projects Near Freeways and Other Sources of Air Pollution and Health Risk Reduction Strategies**

Notwithstanding the court rulings, South Coast AQMD staff recognizes that the lead agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of South Coast AQMD staff's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways or other sources of air pollution, South Coast AQMD staff recommends that, prior to approving future development projects, the lead agency consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

#### *HRA Analysis*

Implementation of the Proposed Project would result in new development of sensitive land uses within 500 feet of freeways such as State Route 60. To facilitate implementation of the Proposed Project's Environmental Justice Policy EJ.1-3<sup>12</sup>, which requires new development that would locate sensitive uses adjacent to sources of toxic air contaminants (TAC) to be designed to minimize any potential health risks, South Coast AQMD staff recommends that the Lead Agency

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<sup>12</sup> Draft MoVal 2040 General Plan, Section 8 Environmental Justice. Page 8-9.

include a discussion on mobile source HRA analysis<sup>13</sup> in the Final PEIR to provide guidance for subsequent, project-level environmental analyses. This discussion will demonstrate that the Lead Agency has adequately considered the potential health risk impacts from implementing the Proposed Project and that a subsequent, project-level HRA analysis will be completed to disclose health risk impacts at a later stage. Furthermore, the Lead Agency should include the following health risk reduction strategies in the Final PEIR as guidance for future sensitive land use development projects that will be sited in close proximity to freeways or other sources of air pollution.

### *Health Risk Reduction Strategies*

Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters<sup>14</sup>, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

### 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 PEIR. 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

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<sup>13</sup> South Coast AQMD. “*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>14</sup> This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

decision makers and to the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended revisions to existing air quality mitigation measure and additional new air quality mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final PEIR (CEQA Guidelines Section 15091).