



South Coast Air Quality Management District

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SENT VIA E-MAIL:

September 28, 2022

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Mitigated Negative Declaration (MND) for the Proposed Refuge Specific Plan Project (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Palm Desert is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the South Coast AQMD regional air quality significance thresholds for operation and the Proposed Project's regional air quality impacts analysis for construction and operation activities that the Lead Agency should incorporate in the Final MND.

South Coast AQMD Staff's Summary of Project Information in the MND

Based on the MND, the Proposed Project consists of construction and operation of a single-family and multi-family residential subdivision consisting of up to 969 residential units on approximately 106.4 acres.¹ Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residence) is within 25 meters of the Proposed Project. The Proposed Project site is located near the southwest corner of Gerald Ford Drive and Rembrandt Parkway in the City of Palm Desert, California 92211. Construction of the Proposed Project is anticipated to begin in the 2nd quarter of 2023 with buildout generally occurring over 8 phases and lasting 6 years.²

South Coast AQMD Staff's Comments

South Coast AQMD Regional Air Quality Significance Thresholds (Operation)

In the MND, the operational regional air quality impacts from the Proposed Project are presented under Table 4: Maximum Daily Operational-Related Emissions Summary.³ The Lead Agency, however, may have used and compared the Proposed Project's operational nitrogen oxide (NOx) and volatile organic compound (VOC) emissions to the incorrect South Coast AQMD operational regional air quality significance thresholds. Table 4 in the MND shows 100 pounds per day (lbs/day) and 75 lbs/day as the South Coast AQMD NOx and VOC operation significance thresholds. The correct NOx and VOC operation significance thresholds are 55 lbs/day and 55

¹ MND, Page 1.

² *Ibid.* Page 22.

³ *Ibid.* Page 23.

lbs/day,⁴ respectively. South Coast AQMD staff recommends that the Lead Agency revise this section and reflect the correct South Coast AQMD NOx and VOC operation significance thresholds in the Final MND.

After making the above revisions, in the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook,⁵ South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan,⁶ and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.⁷

Proposed Project's Regional Estimated Emissions (Construction and Operation)

In the MND, the construction and operational regional air quality impacts from the Proposed Project are presented under Table 3 and Table 4 (Maximum Daily Construction-Related Emissions Summary and Maximum Daily Operational-Related Emissions Summary, respectively).⁸ The Lead Agency, however, may have miscalculated the Proposed Project's construction and operational regional emissions by taking the average of winter and summer emissions. The emissions from the summer and winter CalEEMod runs should *not* be averaged. What should be presented in the tables here is the *maximum* daily regional emissions.

Table 4, for example, lists the Proposed Project's operational carbon monoxide (CO) Maximum Daily Construction-Related Emissions as 270.89 lbs/day.⁹ The CalEEMod output files in Appendix A, however, show the *maximum* daily regional emissions for summer as 289.335 lbs/day¹⁰ and for winter as 252.452 lbs/day.¹¹ In this case, the *maximum* daily operational-related emissions for CO is 289.335 lbs/day. South Coast AQMD staff recommends that the Lead Agency revise these numbers to reflect the Proposed Project's correct *maximum* regional estimated emissions for both construction and operation. These revised numbers should then be included in the final MND.

Conclusion

According 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

⁴ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁵ <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

⁶ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

⁷ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsoocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

⁸ MND. Page 22 through 23.

⁹ *Ibid.* Page 23

¹⁰ Appendix A. CalEEMod Summer. Page 60

¹¹ *Ibid.* CalEEMod Winter. Page 105.

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 the Lead Agency's position is at variance with recommendations raised in the comments, the 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 and 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.

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 Evelyn Aguilar, Air Quality Specialist, at eaguilar@aqmd.gov, should you have any questions or wish to discuss the comments.

Sincerely,

Sam Wang

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Planning, Rule Development & Implementation

SW:EA
RVC220913-02
Control Number