



# South Coast Air Quality Management District

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SENT VIA E-MAIL:

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## **Recirculated Draft Environmental Impact Report (Recirculated Draft EIR) for the Proposed West Campus Upper Plateau Project (Proposed Project) (SCH No. 2021110304)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The March Joint Powers Authority is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

### **South Coast AQMD Staff's Summary of Project Information in the Recirculated Draft EIR**

Based on the Recirculated Draft EIR, the Proposed Project comprises approximately 818 acres, of which 370 acres are for the Specific Plan Area, 3 acres are for an existing public facility, and 445 acres are for the Conservation Easement.<sup>1</sup> South Coast AQMD staff reviewed aerial photographs and found that the nearest sensitive receptors, existing residential developments, are located within 500 feet north of the Proposed Project. Construction of the Proposed Project is assumed to begin in June 2023 and last through October 2027, a 4.5-year construction period, with an opening in 2028.<sup>2</sup> The Proposed Project site is in the western portion of the March JPA planning area, west of Cactus Avenue's current terminus, east and south of the Mission Grove neighborhood, and north of the Orangecrest neighborhood in the City of Riverside, California.<sup>3</sup>

### **South Coast AQMD Staff's Comments on the Recirculated Draft EIR**

#### *Toxic Air Contaminant (TAC) from Light Duty Passenger Cars*

Section 4.2 – Air Quality of the Recirculated Draft EIR has a footnote that states, “*Light Duty passenger cars are not considered a significant source of mobile source TAC emissions, and there is no evidence that exposure to gasoline causes cancer in humans.*”<sup>4</sup> South Coast AQMD staff has concerns regarding this statement.

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<sup>1</sup> Recirculated Draft EIR. Page 3-1.

<sup>2</sup> *Ibid.* Page 3-19.

<sup>3</sup> *Ibid.* Page 3-1.

<sup>4</sup> *Ibid.* Page 4.2-8.

According to the United States Environmental Protection Agency (U.S. EPA), mobile sources (motor vehicles and nonroad equipment) contribute significantly to benzene, acrolein, 1,3-butadiene, and acetaldehyde nationwide emissions.<sup>5</sup> The U.S. EPA - Control of Emissions of Hazardous Air Pollutants from Motor Vehicles and Motor Vehicle Fuels<sup>6</sup> also states that 1) benzene is a component of gasoline; 2) cars emit small quantities of benzene in unburned fuel or as vapor when gasoline evaporates; 3) a significant amount of automotive benzene is generated from the incomplete combustion of gasoline compounds (e.g., toluene and xylene); 4) other compounds, such as acetaldehyde and formaldehyde, can be formed through a secondary process when mobile source pollutants undergo a chemical reaction in the atmosphere. In addition, the Public Health Statement for Benzene from the Agency for Toxic Substances and Disease Registry mentions that the International Agency for Cancer Research and the U.S. EPA have determined that benzene is carcinogenic to humans.<sup>7</sup> Furthermore, the U.S. EPA also identified nine air-toxic compounds with mobile sources as the considerable contributors, which are 1,3-butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter (diesel PM), ethylbenzene, formaldehyde, naphthalene, and polycyclic organic matter.<sup>8</sup> Although the Proposed project is not a National Environmental Policy Act (NEPA) project, it is recommended that the Lead Agency review the information regarding these air toxics as priority mobile sources in the Updated Guidance on Mobile Source Air Toxic Analysis in NEPA,<sup>9</sup> published by the Federal Highway Administration (FHWA).

The Proposed Project would generate over 34,000 passenger cars daily.<sup>10</sup> With benzene being carcinogenic to humans, it is essential to include it in the health risk assessment (HRA) in addition to the daily truck trips and estimate the cancer risk to the sensitive receptors surrounding the Proposed Project.

#### *Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures*

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. South Coast AQMD staff recommends incorporating additional mitigation measures into the Final EIR.

#### Mitigation Measures for Operational Air Quality Impacts from Mobile Sources

- 1) Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional

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<sup>5</sup> United States Environmental Protection Agency (U.S. EPA). Accessing Outdoor Air Near School – Mobile Sources. Available at: <https://www3.epa.gov/air/sat/mobile.html>

<sup>6</sup> U.S. EPA. Control of Emissions of Hazardous Air Pollutants from Motor Vehicles and Motor Vehicle Fuels. Available at: <https://archive.epa.gov/airtoxics/nata/web/pdf/r00023.pdf>

<sup>7</sup> Agency for Toxic Substances and Disease Registry. Public Health Statement for Benzene. Available at: <https://wwwn.cdc.gov/TSP/PHS/PHS.aspx?phsId=37&toxId=14#:~:text=Both%20the%20International%20Agency%20for,mont hs%20had%20irregular%20menstrual%20periods>

<sup>8</sup> Caltrans. Project-level Air Quality Analysis. Available at: <https://dot.ca.gov/programs/environmental-analysis/air-quality/project-level-air-quality-analysis>

<sup>9</sup> Federal Highway Administration (FHWA). Updated Interim Guidance on Mobile Source Air Toxic (MSAT) Analysis in National Environmental Policy Act (NEPA) Documents. Available at: [https://www.fhwa.dot.gov/environment/air\\_quality/air\\_toxics/policy\\_and\\_guidance/msat/index.cfm](https://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/msat/index.cfm)

<sup>10</sup> Draft EIR. Appendix N – Transportation. Page 63.

NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible.

Note: 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 Trucks Rule and the Heavy-duty Low NOx Omnibus Regulation, ZE and NZE trucks will become increasingly more available to use.

2) Require a phase-in schedule to incentivize the use of cleaner operating trucks to reduce any significant adverse air quality impacts. Note: South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

3) At a minimum, require the use of a 2010 model year that meets 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. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022. Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirements in applicable bid documents, purchase orders, and contracts. Operators 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. Regular inspections should be conducted by the Lead Agency to the maximum extent feasible to ensure compliance.

4) Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. 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 higher activity level.

5) Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

#### Mitigation Measures for Operational Air Quality Impacts from Other Area Sources

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

#### Design Considerations for Reducing Air Quality and Health Risk Impacts

- 1) Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).

- 2) Design the Proposed Project such that truck entrances and exits do not face sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- 3) Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- 4) Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- 5) Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

Lastly, the South Coast AQMD also suggests that the Lead Agency conduct a review of the following references and incorporate additional mitigation measures as applicable to the Proposed Project in the Final EIR:

- 1) State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act<sup>11</sup>
- 2) South Coast AQMD 2022 South Coast Air Quality Management Plan,<sup>12</sup> specifically:
  - a. Appendix IV-A – South Coast AQMD’s Stationary and Mobile Source Control Measures
  - b. Appendix IV-B – CARB’s Strategy for South Coast
  - c. Appendix IV-C – SCAG’s Regional Transportation Strategy and Control Measures
- 3) United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation<sup>13</sup>

#### *South Coast AQMD Air Permits and Role as a Responsible Agency*

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., air permits from South Coast AQMD will be required. It is important to note that when air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD. CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing

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<sup>11</sup> State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Available at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

<sup>12</sup> 2022 South Coast AQMP. Available at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

<sup>13</sup> United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Available at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>

discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits. South Coast AQMD is concerned that the project description and analysis in its current form in the Draft EIR is inadequate to be relied upon for this purpose.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <http://www.aqmd.gov/home/permits>.

### Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. 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 Danica Nguyen, Air Quality Specialist, at [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov) should you have any questions.

Sincerely,  
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