

BOARD MEETING DATE: February 3, 2012

AGENDA NO. 14

REPORT: Lead Agency Projects and Environmental Documents Received by the AQMD

SYNOPSIS: This report provides, for the Board's consideration, a listing of CEQA documents received by the AQMD between December 1, 2011, and December 31, 2011, and those projects for which the AQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, January 20, 2012, Reviewed

RECOMMENDED ACTION:  
Receive and file.

Barry R. Wallerstein, D.Env.  
Executive Officer

EC:LT:SN:SS:IM:AK

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## **Background**

**CEQA Document Receipt and Review Logs (Attachments A and B)** – Each month, the AQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received during the reporting period of December 1, 2011 through December 31, 2011, is contained in Attachment A. A list of active projects from previous reporting periods for which AQMD staff is continuing to evaluate or prepare comments is included as Attachment B.

The Intergovernmental Review function, which consists of reviewing and commenting on the adequacy of the air quality analysis in CEQA documents prepared by other lead agencies, is consistent with the Board's 1997 Environmental Justice Guiding Principles and Initiative #4. Consistent with the Environmental Justice Program Enhancements for FY 2002-03 approved by the Board in September 2002, each of the attachments notes those proposed projects where the AQMD has been contacted regarding potential air quality-related environmental justice concerns. The AQMD has established an internal central contact to receive information on projects with potential air quality-related

environmental justice concerns. The public may contact the AQMD about projects of concern by the following means: in writing via fax, e-mail, or standard letters; through telephone communication; as part of oral comments at AQMD meetings or other meetings where AQMD staff is present; or submitting newspaper articles. The attachments also identify for each project the dates of the public comment period and the public hearing date, if known at the time the CEQA document is received by the AQMD.

At the January 6, 2006 Board meeting, the Board approved the Workplan for the Chairman's Clean Port Initiatives. One action item of the Chairman's Initiatives was to prepare a monthly report describing CEQA documents for projects related to goods movement and to make full use of the process to ensure the air quality impacts of such projects are thoroughly mitigated. In response to describing goods movement CEQA documents, Attachments A and B were reorganized to group projects of interest into the following categories: goods movement projects; schools; landfills and wastewater projects; airports; and general land use projects; etc. In response to the mitigation component, guidance information on mitigation measures were compiled into a series of tables relative to the following equipment: off-road engines, on-road engines, harbor craft, ocean-going vessels, locomotives, and fugitive dust. These mitigation measure tables are on the CEQA webpages portion of the AQMD's website. Staff will continue compiling tables of mitigation measures for other emission sources including airport ground support equipment, etc.

As resources permit, staff focuses on reviewing and preparing comments for projects: where the AQMD is a responsible agency; that may have significant adverse regional air quality impacts (e.g., special event centers, landfills, goods movement, etc.); that may have localized or toxic air quality impacts (e.g., warehouse and distribution centers); where environmental justice concerns have been raised; and those projects for which a lead or responsible agency has specifically requested AQMD review.

During the period December 1, 2011, through December 31, 2011, the AQMD received 50 CEQA documents. Of the total of 74 documents listed in Attachments A and B:

- 16 comment letters were sent;
- 17 documents were reviewed, but no comments were made;
- 37 documents are currently under review;
- 2 documents did not require comments (e.g., public notices, plot plans, Final Environmental Impact Reports); and
- 2 documents were not reviewed.

Copies of all comment letters sent to lead agencies can be found on the AQMD's CEQA webpage at the following internet address: [www.aqmd.gov/ceqa/letters.html](http://www.aqmd.gov/ceqa/letters.html).

**AQMD Lead Agency Projects (Attachment C)** – Pursuant to CEQA, the AQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining whether an Environmental Impact Report (EIR) or a Negative Declaration (ND) is appropriate for any proposal considered to be a “project” as defined by CEQA. An EIR is prepared when the AQMD, as lead agency, finds substantial evidence that the proposed project may have significant adverse effects on the environment. A ND or Mitigated Negative Declaration (MND) may be prepared if the AQMD determines that the proposed project will not generate significant adverse environmental impacts, or the impacts can be mitigated to less than significance. The ND and MND are written statements describing the reasons why proposed projects will not have a significant adverse effect on the environment and, therefore, do not require the preparation of an EIR.

Attachment C to this report summarizes the active projects for which the AQMD is lead agency and is currently preparing or has prepared environmental documentation. Through the end of December, the AQMD received no new requests to be the lead agency for a stationary source permit application project. No CEQA documents for permit application projects were certified in December. As noted in Attachment C, through the end of December 2011, the AQMD continued working on the CEQA documents for six active projects.

In 2011, AQMD staff was responsible for preparing or having prepared CEQA documents for nine stationary source permit projects, five continuing from 2010. Through the end of December 2011, three CEQA documents have been certified for permit application projects.

### **Attachments**

- A. Incoming CEQA Documents Log
- B. Ongoing Active Projects for Which AQMD Has or Will Conduct a CEQA Review
- C. Active AQMD Lead Agency Projects































**ATTACHMENT C**  
**ACTIVE AQMD LEAD AGENCY PROJECTS**  
**THROUGH December 31, 2011**

Project	Project	Type of	Status	Consultant
The proposed project is a biomass-to-energy project that would be located at the Sunshine Canyon Landfill. Specifically, landfill operators are proposing to generate electricity by installing turbines to burn landfill gas that is currently flared.	Sunshine Canyon Landfill	Subsequent EIR	Draft Subsequent EIR was circulated for a 45-day review period on May 6, 2011. Comment period ended June 23, 2011. Consultant preparing Final SEIR.	ARCADIS
Shell Carson Terminal operators are proposing a permit modification to base throughput on ethanol and gasoline, not just ethanol.	Shell Carson Distribution Terminal	EIR	Public comment period for Notice of Preparation/Initial Study closed May 18, 2010. Consultant is currently revising the administrative Draft EIR.	AECOM
Petro Diamond operators are proposing to change current permit conditions to allow an increase in the number of annual marine vessel visits to the terminal, but limit ship visits per month.	Petro Diamond Terminal Company	Not Yet Determined	Consultant preparing Initial Study	SABS Environmental Services
Operators of the Ultramar Wilmington Refinery are proposing to construct and install a 49 MW cogeneration unit to reduce the Refinery's reliance on electricity from the Los Angeles Department of Water and Power and produce steam to meet internal needs. No other refinery modifications are proposed.	Ultramar Wilmington Refinery	Not yet determined	Consultant preparing Initial Study.	Environmental Audit, Inc.
The operators of the Chevron Products El Segundo Refinery are proposing to remove six old coke "drums" and replace them with new coke drums that will meet best available control technology requirements.	Chevron Products Company, El Segundo Refinery	EIR	Notice of Preparation/ Initial Study circulated for a 30-day public comment period on October 11, 2011. Comment period ended November 10, 2011. Consultant is preparing the Draft EIR.	Environmental Audit, Inc.
The proposed project consists of modifications to a previously approved CARB Phase 3 Project. The currently proposed Project includes modifications to the Ultramar Inc. (a wholly-owned subsidiary of Valero Energy Company) Wilmington Refinery (Refinery) and Olympic Tank Farm, as well as, connecting pipelines necessary to provide greater flexibility and efficiency regarding transport of petroleum products from the Port of Long Beach to the Refinery and from the Refinery to storage and distribution terminals.	Wilmington Infrastructure, LLC	Draft Subsequent EIR	Notice of Preparation/Initial Study circulated for a 30-day public comment period on December 28, 2011. Close of comment period is January 31, 2012.	Environmental Audit, Inc.

A shaded row indicates a new project.

# = AQMD was contacted regarding potential environmental justice concerns due to the natural and/or location of the project.

