South Coast
Air Quality Management District
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130 South Main Street
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Draft Mitigated Negative Declaration (MND) for the Proposed Reclamation Permit for a 211.40-Acre Mining and Reclamation Site (Nichols Canyon Mine)

The South Coast Air Quality Management District (SCAQMD) 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.

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final Mitigated Negative Declaration. The SCAQMD staff would be happy to work with the Lead Agency to address any issues brought up in this letter any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:GM

RVC060630-04
Control Number

Sensitive Receptors

1. In the Initial Study, the lead agency states that Temescal High School is one-quarter of a mile to the south of the proposed Reclamation Plan area. First, it is not clear from Figure 4 on page 18 where Temescal Canyon High School is located. If it is located close to the boundary shown as "Existing Elsinore Union High School District," then it is substantially closer to potentially disturbed areas, especially MRs 3 and 4. Second, there is no mention of the estimated distance from the project site to the single-family residences located to the southeast, which according to Figure 4 are located less than 400 feet from the project boundary. Since these residences potentially include young children, elderly people and those who might have respiratory and heart conditions, the lead agency should include the distance from the Reclamation Plan area (Plan area) to the single-family residences and calculate air quality emission exposures that may be incurred by residents from the project (see comments #2, #7 and #11).

Air Quality Analysis

2. In the Draft MND, the lead agency indicates that the proposed project involves excavation and exclamation of a maximum of 7,276,000 cubic yards over a three-year period. Further, the proposed project will generate 400 heavy-duty truck trips and 120 automobile trips. The proposed project description also includes the extension of Nichols Road, an access frontage road alignment along a major entrance road at the project site. Finally, it is assumed that excavation will require some number of heavy-duty off-road construction equipment, although this is not discussed in the document. All of these activities or operations are potentially substantial sources of emissions, but are not quantified in the document. Without quantifying air quality impacts from the proposed project, the lead agency has not demonstrated that air quality impacts are not significant.

   The SCAQMD staff therefore recommends that the lead agency quantify air quality impacts specifically for the proposed project using either the most current version of URBEMIS 2002 emissions model, version 8.7.0, which can be accessed at the SCAQMD website: http://www.aqmd.gov/ceqa/urbemis.html or the lead agency can follow the calculation methodologies in Chapter 9 and the Appendix to Chapter 9 in the South Coast AQMD's CEQA Air Quality Handbook. The URBEMIS2002 model also uses the most current on-road motor vehicle emissions model EMFAC2002 from the California Air Resources Board (CARB), which has the most current fleet emission factors from CARB. The EMFAC2002 program can be accessed at the CARB website at: http://www.arb.ca.gov/msei/msei.htm .

3. The lead agency on page 28 states that project short-term emission impacts from the reclamation activities would be less than significant because they may be short and temporary in nature. The lead agency is reminded that because emissions may occur over a short time period does not mean they are insignificant, especially if daily emissions substantially exceed the SCAQMD's recommended air quality significance thresholds. For example, the attainment status of an area is based on whether or not there are daily exceedances of the applicable ambient air quality standard. Given that the potential emissions from excavation activities alone could be substantial, the proposed project could cause or contribute to exceedances of the applicable ambient air quality standards over the three year period. Further, the surrounding land uses that include sensitive receptors (Temescal High School and single-family residences) could be exposed to high pollutant concentrations not only from the Reclamation Plan emissions but the on-going mining activity air quality impacts occurring at the same time.

4. In paragraph one on page 29, the lead agency states "fugitive dust is composed of large diameter inert silicates that are chemically non-reactive and could be filtered out of human breathing passages. Fugitive dust particles are considered more of a potential nuisance rather an adverse health hazard." The lead agency should remove this wording from the final environmental document because it has not provided a soil analysis or any other evidence for this statement. Given the amount of excavation expected to occur over the three year period, substantial health impacts from PM10 are likely. Further, the lead agency has not identified or quantified the number of heavy-duty equipment expected onsite. These equipment also have the potential to create substantial exposures to PM10 and PM2.5 emissions.

5. In paragraph four on page 29, the lead agency states that the proposed project's short- and long-term air quality emission impacts "would be masked" by freeway traffic emissions. The lead agency should remove this wording from the Final MND because the proposed project emissions add cumulatively to existing emission from sources such as the freeway traffic and therefore need to be quantified and disclosed by the lead agency and, if significant, mitigated to the extent feasible.

   Further, according to Figure 4 on page 18, the residential sensitive receptors are located east of the project site, whereas the I-15 freeway is located west of the site. This means that the residential receptors would likely have greater exposure to emissions from the proposed project than the I-15 freeway. Since the location of the high school is not shown, it is unclear whether emissions from the I-15 freeway or the proposed project would have the largest effect on the school receptor. As a result, it is likely that emissions from the proposed project will have a greater effect on sensitive receptors that the I-15 freeway.

6. In paragraph five on page 29, the lead agency states, in part "the expected trips generated by the project would probably occur elsewhere in the basin if not at the project site." The SCAQMD rejects the diverted trip argument expressed here, because the lead agency has not provided any data or other information to substantiate this opinion. If there is a similar site that has the potential to generate clay and aggregate products nearby, given the demand for these products as noted in the document, it is likely that trips would be generated by both sites. The SCAQMD requests that the lead agency treat trips generated by the proposed project as new trips and quantify their emissions. Further, the lead agency is reminded that the proposed project has unique characteristics that could potentially create significant local air quality impacts affecting the nearby sensitive receptors. Localized impacts should be calculated for the proposed project (see comment #7).

Localized Significance Thresholds

7. Because the proposed site is located less than a quarter-mile from the existing Temescal High School and single-family residences, a localized air quality analysis may be warranted to ensure that the residents in the existing multi-family site are not adversely affected by the mining activities, i.e., emissions from the heavy-duty off-road construction equipment, that are occurring in close proximity. SCAQMD guidance for performing a localized air quality analysis can be found at the following web address: http://www.aqmd.gov/ceqa/handbook/LST/LST.html .

Construction Mitigation Measures

8. The lead agency does not indicate whether or not the proposed project includes construction of any structures on the site. If construction activities, including the proposed improvements to Nichols Street, create significant adverse construction air quality impacts, (see previous comments), the SCAQMD staff recommends that the lead agency consider modifying the following mitigation measures shown on page 30 of the Draft MND and adding additional mitigation measures to further reduce construction air quality impacts from the project, if applicable and feasible. In addition, the SCAQMD staff requests that the lead agency include a discussion in the Final CEQA document giving a reason(s) why any mitigation measure is infeasible and the reason(s) why the measure cannot be implemented:

Recommended changes:

The following changes are recommended to reduce fugitive dust (PM10) and combustion emissions from on- and off-road equipment:

1. ~~Periodically~~ ~~a~~Apply water at least three times per day and dust ~~superannuates~~ suppressants pursuant to SCAQMD Rule 403 and according to manufacturers' specifications to graded areas.
3. ~~Cover any~~ All trucks hauling fill, dirt, sand, soil, or other loose materials shall be covered.

4. Stabilize disturbed areas if reclamation is delayed (state period of inactivity, e.g., for periods of inactivity ten days or more).
5. Terminate all soil disturbance when high winds (~~greater than~~ exceed 25 miles per hour as instantaneous gusts).
6. Ensure that all ~~reclamation~~ equipment is maintained ~~in proper working order~~ according to manufacturers' specifications.
8. ~~Limit allowable idling to 10 minutes~~ Prohibit all vehicles from idling in excess of five minutes, both on-site and off-site.
10. ~~Wash or s~~Sweep ~~access points~~ streets daily if visible soil is carried onto adjacent public paved roads (recommend street sweepers that comply with SCAQMD Rule 1186 and 1186.1 with reclaimed water).

Recommended additions:

The following is a list of additional recommended mitigation measures to further reduce fugitive dust (PM10) and combustion emissions from on- and off-road equipment:

- Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
- Replace ground cover in disturbed areas as quickly as possible;
- Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces;
- Pave road and road shoulders;
- Traffic speeds on all unpaved roads to be reduced to 15 mph or less;
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
- Configure construction parking to minimize traffic interference.
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hour to the extent practicable.
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Use electricity from power poles rather than temporary diesel generators.

These measures are also applicable to operation since air quality impacts will be generated by excavation and the off-road construction equipment.

9. On page 30 of the Draft MND, the lead agency lists Mitigation Measure number 1. Comply with Rules 401-403 of the SCAQMD to reduce onsite dust levels. Since the project proponent has to comply with these rules anyway, the lead agency should identify what actions beyond complying with these rules will be implemented during project activities.

Operational Mitigation Measures

10. Should the lead agency determine that air quality impacts exceed the SCAQMD daily significance thresholds for operational emissions (see also previous comments), the SCAQMD staff recommends the following mitigation measures to reduce operational impacts from the reclamation and mining operations, if applicable and feasible. In addition, the SCAQMD staff requests that the lead agency include a discussion in the Final CEQA document giving a reason(s) why any mitigation measure is infeasible and the reason(s) why the measure cannot be implemented:

    - Ensure that trucks are scheduled for pick-up only when the aggregate is ready for loading;
    - Ensure that there is no queuing of trucks outside the confines of the facility boundaries;
    - Prohibit all vehicles from idling in excess of five minutes, both on-site and off-site;
    - Require or provide incentives to truck operators to use low-sulfur diesel fuel, as defined in SCAQMD Rule 431.2, i.e., diesel with 15 ppm sulfur content;
    - Provide incentives to truck operators to operate trucks that are properly tuned and maintained;
    - Provide incentives to truck operators to use newer, lower-emitting trucks;
    - Provide incentives to truck operators to install after treatment control technologies such as diesel oxidation catalyst, particulate filters, alternative diesel fuels such as emulsified diesel fuel, or implementation of innovative engine designs such as timing and fuel ratio modifications;
    - Re-route truck traffic by adding direct off-ramps for the truck traffic or by restricting truck traffic on certain sensitive routes;
    - Improve traffic flow by signal synchronization;
    - Electrify service equipment at the facility;
    - Have an environmental coordinator on-site to immediately report problems to the project manager or respective agencies, and to ensure mitigation measures are implemented;
    - Require all trucks hauling loose materials to be covered;
    - Prior to hauling, check bell-dump truck seals regularly, and remove any trapped rocks to prevent spillage of soil or debris.

Traffic Study

11. Under Section 2 Traffic/Circulation starting on page 19 of the Draft MND, the lead agency cites a "Traffic Impact Analysis for the Proposed Lake Elsinore Outlet Center Expansion" (Stevens-Garland Associates October 1995) and the "Alberhill Specific Plan Amendment No. 3 Lake Elsinore Outlet Center Expansion Mitigated Negative Declaration 97-3 (SPA No. 3), dated March 1997." The lead agency further states that a separate traffic model analysis for the project is unnecessary because it was addressed in the SPA No. 3 traffic analysis in 1997. The lead agency then summarizes the projected daily trips on pages 20 and 21 of the Draft MND and a conclusion is drawn on page 22 that potential traffic impacts would be less than significant with mitigation incorporated.

    The SCAQMD recommends that the lead agency perform a traffic study (see comment #6) and circulate the current study along with the other analyses (i.e., air quality, localized significance threshold, and cancer risk) in the appropriate CEQA document. The reason for this request is that the traffic analyses are between nine and almost eleven years old. Since that time, mobile source emission factors have been revised substantially higher. As a result, mobile source emission air quality impacts in documents nine to 11 years old may be substantially underestimated.

12. Should the lead agency, after estimating the proposed project's traffic impacts (see comment #), believe that a CO hotspots analysis is warranted, please refer to the most current Cal Trans guidance regarding performing a CO hotspots analysis. This information can be obtained at the following internet address: http://www.dot.ca.gov/hq/env/air/coprot/htm . The SCAQMD recommends performing a CO hotspots analysis if the volume to capacity ratio increases by two percent or more as a result of a proposed project for intersections rated D or worse or if the LOS declines from C to D. For the purposes of evaluating the proposed project's traffic impacts for CO hotspots analysis, the lead agency should at minimum include the following in the final CEQA document to demonstrate that the potential for CO hotspots is less than significant. The lead agency should identify the intersection(s) that would be affected by the proposed project; quantify the level of service and volume to capacity effects of the proposed project. Quantifying existing traffic volumes, the proposed traffic impacts and the impacts from any proposed mitigation measures are important because the results may warrant performing a CO hotspots analysis.

    Emissions from Equipment or Operation that May Require an SCAQMD Permit

13. On page 30 in the Air Quality Section of the Draft MND, the lead agency cites the use of impactors and crushers for size reduction of mineral type material. The lead agency should estimate the emissions for this equipment for permit review purposes at the SCAQMD. Permitting questions can be directed to the SCAQMD Engineering and Compliance Air Quality Analysis & Compliance Supervisor at (909) 396-2496.

14. Although not mentioned in the Draft MND, it is common with this type of operation that the project proponent may operate a concrete batch plant and use internal combustion engines to drive the size reduction equipment, which could require permitting from the SCAQMD. In addition, the lead agency should provide a description of any air pollution control device(s) used to control emissions, e.g., baghouses, sprinklers on the conveyors, etc. that might also require SCAQMD permits. Permitting questions can be directed to the SCAQMD Engineering and Compliance Air Quality Analysis & Compliance Supervisor at (909) 396-2496.

15. In the project description, the lead agency describes activities that are related to emissions resulting from aggregate and related operations, e.g., operations that use sand, gravel, cement, crushed stone, and/or quarried rocks in their products, or crush miscellaneous base and inert landfills that handle construction demolition debris. In the Final CEQA document, the lead agency should show compliance with SCAQMD Rule 1157 – PM10 Emission Reductions from Aggregate and Related Operations, unless otherwise exempt under Rule 1157 subdivision (h).

16. Because emissions from sources that may be subject to SCAQMD permit requirements have not been quantified, the CEQA document for the proposed project is not sufficient for SCAQMD permitting. Until such time as emissions are quantified for the proposed project, any applications from the project proponent received by the SCAQMD will be deemed incomplete.