

BOARD MEETING DATE: June 5, 2015

AGENDA NO. 14

REPORT: Lead Agency Projects and Environmental Documents Received By SCAQMD

SYNOPSIS: This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between April 1, 2015 and April 30, 2015, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA.

COMMITTEE: Mobile Source, May 15, 2015, Reviewed

RECOMMENDED ACTION:
Receive and file.

Barry R. Wallerstein, D.Env.
Executive Officer

PF:SN:MK:JW:AK

CEQA Document Receipt and Review Logs (Attachments A and B) – Each month, the SCAQMD receives numerous CEQA documents from other public agencies on projects that could adversely affect air quality. A listing of all documents received and reviewed during the reporting period of April 1, 2015 and April 30, 2015 is included in Attachment A. A list of active projects from previous reporting periods for which SCAQMD staff is continuing to evaluate or has prepared 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 Environmental Justice Initiative #4. Furthermore, as required by 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 SCAQMD has been contacted regarding potential air quality-related environmental justice concerns. The SCAQMD has established an internal central contact to receive information on

projects with potential air quality-related environmental justice concerns. The public may contact the SCAQMD about projects of concern by the following means: in writing via fax, email, or standard letters; through telephone communication; as part of oral comments at SCAQMD meetings or other meetings where SCAQMD 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, as reported at the time the CEQA document is received by the SCAQMD. Interested parties should rely on the lead agencies themselves for definitive information regarding public comment periods and hearings as these dates are occasionally modified by the lead agency.

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) are organized 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: off-road engines; on-road engines; harbor craft; ocean-going vessels; locomotives; fugitive dust; and greenhouse gases. These mitigation measure tables are on the CEQA webpages portion of the SCAQMD'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 SCAQMD 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 SCAQMD review. If the SCAQMD staff provided written comments to the lead agency as noted in the column "Comment Status", there is a link to the "SCAQMD Letter" under the Project Description. In addition, if the SCAQMD staff testified at a hearing for the proposed project, a notation is provided under the "Comment Status." However, if there is no notation, then SCAQMD staff did not provide testimony at a hearing for the proposed project.

During the period April 1, 2015 through April 30, 2015, the SCAQMD received 127 CEQA documents. Of the total of 140 documents* listed in Attachments A and B:

- 47 comment letters were sent;
- 20 documents were reviewed, but no comments were made;
- 21 documents are currently under review;
- 0 documents did not require comments (e.g., public notices, plot plans, Final Environmental Impact Reports);
- 45 documents were not reviewed; and
- 7 documents were screened without additional review.

* These statistics are from April 1, 2015 to April 30, 2015 and do not include the most recent “Comment Status” updates in Attachments A and B.

Copies of all comment letters sent to lead agencies can be found on the SCAQMD’s CEQA webpage at the following internet address:

<http://www.aqmd.gov/home/regulations/ceqa/commenting-agency>.

SCAQMD Lead Agency Projects (Attachment C) – Pursuant to CEQA, the SCAQMD periodically acts as lead agency for stationary source permit projects. Under CEQA, the lead agency is responsible for determining the type of CEQA document to be prepared if the proposal is considered to be a “project” as defined by CEQA. For example, an Environmental Impact Report (EIR) is prepared when the SCAQMD, as lead agency, finds substantial evidence that the proposed project may have significant adverse effects on the environment. Similarly, a Negative Declaration (ND) or Mitigated Negative Declaration (MND) may be prepared if the SCAQMD 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 SCAQMD is lead agency and is currently preparing or has prepared environmental documentation. During April, one Lead Agency project was released to the public for review. As noted in Attachment C, the SCAQMD continued working on the CEQA documents for six active projects during April.

Attachments

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

**ATTACHMENT B
ONGOING ACTIVE PROJECTS FOR WHICH SCAQMD HAS
OR IS CONTINUING TO CONDUCT A CEQA REVIEW**

SCAQMD LOG-IN NUMBER PROJECT TITLE	PROJECT DESCRIPTION	TYPE OF DOC.	LEAD AGENCY	COMMENT STATUS
<p><i>Plans and Regulations</i></p> <p>SBC150310-09 General Plan Update (GPU 08-03), Comprehensive Zoning Code Update (ZCU 08-03) Cable Airport Land Use Compatibility Plan (CALUCP) Update, and Climate Action Plan (CAP)</p>	<p>The proposed project consists of establishing new goals, policies and land use designations that align with the community's long-range vision; implement and ensure conformity with the General Plan Update; promote compatibility between Cable Airport and the surrounding land uses; and to develop strategies designed to reduce Upland's greenhouse gas e missions.</p> <p>http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/april/deiruplandgp.pdf</p> <p>Comment Period: 3/9/2015 - 4/22/2015</p>	<p>Notice of Availability of a Draft Environmental Impact Report</p>	<p>City of Upland</p>	<p>SCAQMD staff commented 4/17/2015</p>
	<p>Public Hearing: N/A</p>			

- Project has potential environmental justice concerns due to the nature and/or location of the project.

**ATTACHMENT C
ACTIVE SCAQMD LEAD AGENCY PROJECTS
THROUGH APRIL 30, 2015**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
<p>The Phillips 66 (formerly ConocoPhillips) Los Angeles Refinery Ultra Low Sulfur Diesel project was originally proposed to comply with federal, state and SCAQMD requirements to limit the sulfur content of diesel fuels. Litigation against the CEQA document was filed. Ultimately, the California Supreme Court concluded that the SCAQMD had used an inappropriate baseline and directed the SCAQMD to prepare an EIR, even though the project has been built and has been in operation since 2006. The purpose of this CEQA document is to comply with the Supreme Court's direction to prepare an EIR.</p>	<p>Phillips 66 (formerly ConocoPhillips), Los Angeles Refinery</p>	<p>Environmental Impact Report (EIR)</p>	<p>The Notice of Preparation/ Initial Study (NOP/IS) was circulated for a 30-day public comment period on March 26, 2012 to April 26, 2012. The consultant submitted the administrative Draft EIR to SCAQMD in late July 2013. The Draft EIR was circulated for a 45-day public review and comment period from September 30, 2014 to November 13, 2014. Two comment letters were received and responses to comments are being prepared.</p>	<p>Environmental Audit, Inc.</p>
<p>Tesoro Refinery proposes to integrate the Tesoro Wilmington Operations with the Tesoro Carson Operations (former BP Refinery). The proposed project also includes modifications of storage tanks at both facilities, new interconnecting pipelines, and new electrical connections. In addition, Carson's Liquid Gas Rail Unloading facilities will be modified. The proposed project will be designed to comply with the federally mandated Tier 3 gasoline specifications and with State and local regulations mandating emission reductions.</p>	<p>Tesoro Refining and Marketing Company Los Angeles Refinery</p>	<p>Environmental Impact Report (EIR)</p>	<p>A previous Draft Negative Declaration was withdrawn in order for the storage tank project to be analyzed in a new CEQA document that also addresses the Tesoro-BP Refinery Integration Project. A NOP/IS was prepared for the integration project and released for a 30-day public review and comment period from September 10, 2014 to October 10, 2014. 86 comment letters were received, and responses to comments are being prepared. The consultant is preparing a Draft EIR.</p>	<p>Environmental Audit, Inc.</p>
<p>Quemetco is proposing an increase in daily furnace feed rate.</p>	<p>Quemetco</p>	<p>Environmental Impact Report (EIR)</p>	<p>An Initial Study has been prepared by the consultant and is under review by SCAQMD staff.</p>	<p>Trinity Consultants</p>
<p>Chevron is proposing modifications to its Product Reliability and Optimization (PRO) Project and has applied for a modification to its permit to increase the firing duty of its Tail Gas Unit to meet current BACT requirements.</p>	<p>Chevron</p>	<p>Addendum</p>	<p>An addendum to the 2008 Final EIR has been prepared by the consultant. Staff has reviewed the Addendum and provided edits to the consultant. Staff is reviewing responses to comments on the permit applications.</p>	<p>Environmental Audit, Inc.</p>

A shaded row indicates a new project.

**ATTACHMENT C
ACTIVE SCAQMD LEAD AGENCY PROJECTS
THROUGH APRIL 30, 2015**

PROJECT DESCRIPTION	PROPONENT	TYPE OF DOCUMENT	STATUS	CONSULTANT
Breitburn Operating LP is proposing to upgrade their fluid handling systems to facilitate an increase in the amount of produced water that can be treated at the site in Sante Fe Springs.	Breitburn Operating LP	Environmental Impact Report (EIR)	The NOP/IS was released for a 30-day public review and comment period from December 4, 2014 to January 2, 2015. Two comment letters were received and responses were included in the draft EIR. The Draft EIR was released for 45-day public review and comment period starting April 15, 2015.	Environ
DCOR LLC is proposing to install three flares on their off-shore oil Platform Esther.	DCOR LLC	Mitigated Negative Declaration	A preliminary draft Mitigated Negative Declaration has been prepared by the consultant and is under review by SCAQMD staff.	RBF Consulting

A shaded row indicates a new project.