



South Coast Air Quality Management District

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July 9, 2015

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Draft Mitigated Negative Declaration (Draft MND) for the Proposed Trabuco Butterfly Garden Park Project (MND 15-02)

The South Coast Air Quality Management District (SCAQMD) staff 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 CEQA document.

Project Description

The Lead Agency proposes to demolish the existing on-site structures, buildings, and parking areas with a proposed park that will include passive recreational features, e.g., internal pedestrian walkway and bikeway, amenities and open space. Construction will include demolition of existing structures and buildings prior to construction of the proposed park. The amount of demolition debris, the number of haul trucks and distances to the disposal site(s) are not described in the draft CEQA document. The project start and completion dates were not included in the Draft MND.

Need to Demonstrate the Lead Agency's Determination Findings

1. Regional Air Quality Impacts

In the Air Quality Section starting on page 26, the Lead Agency determined that project air quality impacts would not be potentially significant for regional or localized impacts but did not quantify project air quality impacts for construction activities. The Lead Agency reasons that construction emission impacts are temporary, that emission impacts from nearby traffic already exists, and that compliance with standard construction practices would minimize short-term impacts below significance levels. The SCAQMD staff recommends quantifying construction impacts because, although temporary in nature, construction air quality impacts can exceed the recognized SCAQMD significance thresholds exposing the region and nearby sensitive receptors to potentially significant air quality impacts from the fugitive dust coming from demolition, the equipment exhaust from demolition, hauling away demolition debris, delivery trucks, other construction, etc. Further, complying with a rule, regulation, law, etc., is a

requirement and is not considered mitigation because it is required. Specific mitigation measures from SCAQMD Rule 403 – Fugitive Dust or other sources and their respective control efficiencies should be incorporated into the regional and localized air quality analyses, as applicable, and included in the Final MND to demonstrate each measure's effectiveness in order to demonstrate the Lead Agency's significance findings.

Without quantifying project air quality impacts, the Lead Agency has not demonstrated that the proposed project will not generate significant construction air quality impacts that may trigger further analysis pursuant to the California Environmental Quality Act. Therefore, the SCAQMD staff recommends that the Lead Agency demonstrate that project impacts are less than significant in the Final MND by estimating short-term air quality impacts using the current California Emission Estimator Model (CalEEMod).¹ CalEEMod is a statewide land use emissions model that can quantify potential project criteria pollutant and greenhouse (GHG) emissions. The Lead Agency can also estimate project emissions by following the calculation methodologies in Chapter 9 and the Appendix to Chapter 9 in the South Coast SCAQMD's CEQA Air Quality Handbook.² Should the Lead Agency conclude after its analyses that construction or operational air quality impacts exceed the SCAQMD daily significance thresholds, staff has compiled mitigation measures³ to be implemented if the air quality impacts are determined to be significant.

2. Localized Air Quality Impacts

It is also recommended that the Lead Agency evaluate localized air quality impacts since it is noted on page eight of the Draft MND and in an aerial map inspection, the proposed project is located within one-quarter mile of sensitive receptors (multi- and single-family residences); north and south of the project site, respectively. Therefore, the SCAQMD staff requests that the Lead Agency evaluate localized air quality impacts to ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity. SCAQMD guidance for performing a localized air quality analysis can also be found at the SCAQMD website.⁴

Compliance With SCAQMD Rules

Based on the previous site uses described on page seven of the Draft MND, the previous uses indicate the potential that the project site may have impacted soils in the ground. The Lead Agency should therefore cite compliance with SCAQMD Rule 1166 – Volatile Organic Compound Emissions From Decontamination of Soil if equipment will disturb the soils that contain hydrocarbon. In addition, since the proposed project includes demolition activities, the project is subject to the requirements in SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. In the Final MND, the Lead

¹ <http://www.aqmd.gov/home/regulations/ceqa/air-quality-modeling>

² <http://www.aqmd.gov/ceqa/hdbk.html>

³ <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>

⁴ <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>

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Agency should also describe how the Lead Agency will comply with SCAQMD Rule 1403 should demolition activities involve asbestos.

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. The SCAQMD staff is available to work with the Lead Agency to address these issues and 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,

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LAC150701-01
Control Number