



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

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SENT VIA E-MAIL:

sanchezf@irwd.com

Fiona Sanchez, Director of Water Resources
Irvine Ranch Water District
P.O. Box 57000
Irvine, California 92619-7000

Draft Environmental Impact Report (EIR) for
Santiago Creek Dam Improvement Project (Proposed Project)
(SCH No: 2023050097)

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The Irvine Ranch Water District 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 which are organized by topic of concern.

Summary of Proposed Project Information in the Draft EIR

Based on the Draft EIR, the Proposed Project proposes to rehabilitate and replace the Santiago Creek Dam outlet tower and spillway facilities and to modify the embankment to permit operation of the facilities for a long-term water resource benefit. The Project includes construction of a new inlet/outlet works, including an inclined inlet/outlet structure, intake riser pipelines and platforms, bifurcation valve vault, emergency outlet pipeline, and emergency outlet valve vault. The existing spillway would be replaced with a new side-channel spillway, and a portion of the Irvine Lake pipeline would be upsized and relocated to below ground beneath the proposed spillway structure. The Project includes improvements to the dam crest, removing the dam face, installing a filter drain system within new embankment shell material, widening the dam crest, raising the elevation of the dam crest by up to one foot, and installing protective railings. Ancillary site improvements are also proposed for the Project, including a new inlet/outlet access roadway, spillway bridge, dam control building, and emergency access walkway and stairs. The Project also includes raising the spillway by six feet to approximately 797.9 feet, which is two feet higher than the existing maximum water storage elevation with the flashboards installed. Raising the spillway would allow the dam to impound water up to the 797.9-foot elevation contour year-round, which would allow for storage of an additional approximately 1,600 acre-feet of water.

Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential development) is located about 1.8 miles to the west of the Proposed Project site.

Construction of the Proposed Project is anticipated to occur in Fall 2027 and lasts for 4 years.

The Proposed Project is located on the at Santiago Creek Dam at the northwest end of Irvine Lake in unincorporated Orange County, California. The Proposed Project site is located south of State Route 261 and east of State Route 241 and Santiago Canyon Road.

South Coast AQMD Comments

South Coast AQMD Air Permits and Role as a Responsible Agency

If 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. The Final EIR, should include a discussion about the potentially applicable rules that the Proposed Project needs to comply with. Those rules may include, for example, Rule 201 – Permit to Construct,¹ Rule 203 – Permit to Operate,² Rule 401 – Visible Emissions,³ Rule 402 – Nuisance,⁴ Rule 403 – Fugitive Dust,⁵ Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,⁶ Rule 1113 – Architectural Coating,⁷ Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil,⁸ Rule 1179 – Publicly Owned Treatment Works Operations,⁹ Regulation XIII – New Source Review,¹⁰ Rule 1401 – New Source Review of Toxic Air Contaminants,¹¹ Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,¹² Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,¹³ etc. 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 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.

¹ South Coast AQMD. Rule 201 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>

² South Coast AQMD. Rule 203 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>

³ South Coast AQMD. Rule 401 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>

⁴ South Coast AQMD. Rule 402 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>

⁵ South Coast AQMD. Rule 403 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403>

⁶ South Coast AQMD. Rule 1110.2 available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf

⁷ South Coast AQMD. Rule 1113 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>

⁸ South Coast AQMD. Rule 1166 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>

⁹ South Coast AQMD. Rule 1179 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1179.pdf>

¹⁰ South Coast AQMD. Regulation XIII available at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>

¹¹ South Coast AQMD. Rule 1401 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

¹² South Coast AQMD. Rule 1466 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>

¹³ South Coast AQMD. Rule 1470 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>

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 <https://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 Zoya Banan., Ph.D., Air Quality Specialist, at ZBanan@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:ZB

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