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Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Cannabis Cultivation and Distribution Facility (DA190037 and CUP190046) (Proposed Project) (SCH No.: 2026100566)

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The County of Riverside is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD Staff have 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 IS/MND

Based on the Draft IS/MND, the Proposed Project consists of a Development Agreement, Conditional Use Permit, and Tentative Parcel Map seeking to subdivide a property into two parcels and develop a cannabis cultivation and distribution facility on 4.52 acres with three buildings (3,472 square feet each) with grow rooms and storage, one logistics building (1,542 square feet), and two covered patios (1,853 square feet each) with storage containers. Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential development) is located 170 feet south of the Proposed Project site.[1] Construction of the Proposed Project is anticipated to occur in June 2027. The Proposed Project is located at 38455 East Benton Road in unincorporated Riverside County.

South Coast AQMD Comments

Inadequate Analysis of Stationary Sources and Backup Generator Emissions

The Draft IS/MND states that the backup generators are adjacent to Buildings 1A, 2, and 3.[2] However, it does not identify the number of individual generator units, fuel type, horsepower, electrical generating capacity, engine specifications, or anticipated operating hours. Although three generator locations are identified, it remains unclear whether one or multiple generator units would be installed at each location.

Moreover, the Draft IS/MND states that emissions from the backup generators would be negligible because they would only be used during power outages. However, no supporting emissions

[1] IS/MND. Page 22.
[2] *Ibid.* Page 53.

calculations or analysis are provided to support this conclusion. Furthermore, the CalEEMod Detailed Report, Section 5.16, "Stationary Sources," does not include any equipment entries or emissions calculations for emergency generators or fire pumps. Therefore, it is unclear whether emissions from the proposed backup generators were included in the project's operational emissions analysis.

Therefore, the Lead Agency is recommended to provide or require the Applicant to provide complete specifications for all proposed backup generators and other stationary combustion equipment, including the number of units, fuel type, manufacturer and model, rated horsepower, electrical generating capacity, engine certification or emissions tier, and anticipated annual operating hours. The Lead Agency or the Applicant should also provide emissions calculations for criteria pollutants, toxic air contaminants (TACs), and greenhouse gases (GHGs) that account for routine testing and maintenance, commissioning, emergency operation, and the potential simultaneous operation of all units. The analysis should identify the applicable emissions factors and assumptions used. The Lead Agency should then revise the operational emissions analysis to include emissions from these sources and reevaluate the Proposed Project's regional air quality, localized air quality, GHG, and health risk impacts, as applicable. If the Applicant intends to use natural gas, propane, or another fuel instead of diesel, the Lead Agency should clearly identify the proposed fuel and provide the corresponding emissions calculations. Without a complete equipment inventory and supporting emissions analysis, the Lead Agency has not demonstrated that emissions from the proposed stationary sources would be negligible or that the Proposed Project's air quality impacts would be less than significant.

Inadequate Localized Air Quality Analysis, Use of LST Screening Tables, and Health Risk Impacts from Toxic Air Contaminants During Project Operation

Although Table 5 of the Draft IS/MND includes a localized significance threshold (LST) analysis, it is unclear whether emissions from the proposed backup generators were included in the analysis. Furthermore, the Proposed Project would operate in two shifts, from 6:00 a.m. to 2:00 p.m. and from 2:00 p.m. to 10:00 p.m., for a total of 16 hours per day.[3] According to Table 3-2 of South Coast AQMD's *Final Localized Significance Threshold Methodology*,[4] the LST lookup tables may not be applicable to projects requiring more than one operational shift or projects involving large combustion sources. Since the Draft IS/MND does not provide the number, size, or specifications of the proposed backup generators, it is unclear whether these stationary sources would qualify for evaluation using the LST lookup tables.

In addition, the project identifies a residential receptor approximately 170 feet south of the project boundary. Therefore, based on the previously mentioned LST methodology, the Lead Agency should conduct site-specific air dispersion modeling, as appropriate, to adequately evaluate localized air quality impacts at nearby sensitive receptors. The analysis should account for emissions from all relevant operational sources, including the proposed backup generators, and reflect the Proposed Project's actual operating schedule.

[3] *Ibid.* Page 1.
[4] Localized Significance Threshold Methodology: https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf

Additionally, the Draft IS/MND does not provide a health risk assessment (HRA) to evaluate the potential health risks associated with TACs emissions from the Proposed Project's operational activities. Although the Draft IS/MND references South Coast AQMD Rule 1401,[5] it does not provide a project-specific TAC emissions analysis or HRA to evaluate potential health risks associated with the cannabis cultivation and distribution facility. Specifically, given the proximity of a residential receptor approximately 170 feet south of the project boundary, the Lead Agency is recommended to identify and evaluate all potential operational TAC emission sources, including backup generators, mobile sources, and other applicable cultivation-related activities, and prepare a project-specific HRA to evaluate potential health risks associated with the Proposed Project at nearby sensitive receptors.

Without this information and supporting analyses, the Draft IS/MND has not adequately demonstrated that emissions from the proposed backup generators and other operational sources, as well as associated localized air quality and health risk impacts, would be less than significant. The omission of these analyses may result in an underestimation of the Proposed Project's operational air quality and health risk impacts and could affect the Lead Agency's significance determination under CEQA.

Inadequate Evaluation of Potential Odor Impacts and Compliance with South Coast AQMD Rule 402

The Draft IS/MND states that the Proposed Project would provide an odor-absorbing ventilation and exhaust system to prevent nuisance odors from being detected outside the facility.[6] Based on this assumption, the Draft IS/MND concludes that odor impacts would be less than significant and that no mitigation measures would be required. However, the Draft IS/MND does not identify the specific odor-control equipment or technologies that would be installed, their anticipated control efficiencies, or provide supporting analysis to demonstrate that the proposed system would effectively control odors generated during project operation.

Although the Draft IS/MND mentions an odor-absorbing ventilation and exhaust system, such systems do not necessarily provide effective odor control and may discharge odorous emissions outside the facility if appropriate control equipment is not installed. Without identifying the proposed odor-control technologies, such as activated carbon filtration or other equivalent control systems, and their expected performance, it is unclear how the Proposed Project would prevent nuisance odors from affecting nearby receptors. This is particularly concerning because the Draft IS/MND identifies a residential receptor approximately 170 feet south of the project boundary. Given the close proximity of this sensitive receptor, odors generated during cannabis cultivation, harvesting, storage, and waste handling activities could potentially result in adverse off-site odor impacts.

Furthermore, South Coast AQMD Rule 402 - Nuisance prohibits the discharge of air contaminants that cause nuisance conditions. Although the Draft IS/MND discusses Rule 402, it does not provide sufficient information to demonstrate how the proposed odor-control system would prevent nuisance odors or how ongoing compliance with Rule 402 would be ensured. Moreover, Appendix G of the CEQA Guidelines (Section III(d)) requires the Lead Agency to evaluate whether the

[5] South Coast AQMD, Rule 1401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf
[6] Draft IS/MND. Page 22.

project would result in other emissions, such as those leading to odors, adversely affecting a substantial number of people. Without supporting analysis indicating the effectiveness of the proposed odor-control system, the Draft IS/MND has not adequately verified its less-than-significant odor impact determination.

Therefore, the Lead Agency is recommended to provide a detailed description of the proposed odor-control equipment, including its design specifications, anticipated control efficiencies, and operation and maintenance requirements. The Lead Agency should also conduct additional analysis to evaluate potential off-site odor impacts at nearby sensitive receptors and identify appropriate mitigation measures, such as installation of effective odor-control technologies, routine maintenance and inspections, and procedures for addressing odor complaints, to minimize potential nuisance odors and ensure compliance with South Coast AQMD Rule 402.

Without additional analysis and enforceable odor-control measures, the Proposed Project's potential odor impacts may be underestimated, and the Draft IS/MND may not adequately demonstrate that odor impacts would be less than significant under CEQA.

South Coast AQMD Air Permits and Role as a Responsible Agency

The Draft IS/MND indicates that the Proposed Project would include backup generators that will require air permits from South Coast AQMD prior to installation and operation. Thus, the Final MND should include a discussion about the potentially applicable South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,[7] Rule 203 – Permit to Operate,[8] Rule 401 – Visible Emissions,[9] Rule 402 – Nuisance,[10] Rule 403 – Fugitive Dust,[11] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[12] Regulation XIII – New Source Review,[13] Rule 1401 – New Source Review of Toxic Air Contaminants,[14] Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[15] etc. It is important to note if 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

[7] South Coast AQMD, Rule 201 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf
[8] South Coast AQMD, Rule 203 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf
[9] South Coast AQMD, Rule 401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[10] South Coast AQMD, Rule 402 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[11] South Coast AQMD, Rule 403 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403
[12] South Coast AQMD, Rule 1110.2 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf
[13] South Coast AQMD, Regulation XIII is available at: https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii
[14] South Coast AQMD, Rule 1401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf
[15] South Coast AQMD, Rule 1470 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf

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. South Coast AQMD is concerned that the project description and analysis in its current form in the IS/MND is inadequate to be relied upon for this purpose.

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

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If the requested information and analysis are not included in the final CEQA document, either the Final MND or other type of CEQA document, the Lead Agency should provide reasons for not doing so. Pursuant to California Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the IS/MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. In addition, if the Lead Agency decides to adopt the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

South Coast AQMD staff are available to work with the Lead Agency to ensure that impacts to air quality, GHG emissions, and health risk from the Proposed Project are accurately evaluated and mitigated to the greatest extent possible. Please contact Sahar Ghadimi, Ph.D., Air Quality Specialist, at sghadimi@aqmd.gov or me at SWang1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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