



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

August 23, 2019

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401 East Chapman Avenue

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Draft Environmental Impact Report (Draft EIR) for the Proposed Rich Heritage, Bright Future, Placentia General Plan (SCH No.:2018101031)

South Coast Air Quality Management District (South Coast AQMD) 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 EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes a comprehensive update to the City of Placentia's (City) General Plan to guide future development and accommodate growth projections in the City through the horizon year 2040¹ (Proposed Project). The Proposed Project encompasses 4,238 acres, which is bounded by the City of Anaheim to the south, the City of Yorba Linda to the East, the City of Brea to the North, and the City of Fullerton to the west. The Lead Agency anticipates a net growth of 18,721 residents, 6,523 residential units, and 784,000 square feet of commercial, office, and industrial uses by 2040²³.

South Coast AQMD Staff's Summary of Air Quality Analysis

In the Air Quality Section, the Lead Agency did not quantify construction emissions. The Lead Agency quantified the Proposed Project's operational emissions in tons per year at full buildout (future conditions in year 2040 with the Proposed Project) and compared the emissions to the existing baseline conditions (year 2018) in tons per year⁴. The Lead Agency found that implementation of the Proposed Project would result in increases in PM10 and PM2.5 emissions and decreases in ROG, NOx, CO, and SOx emissions⁵. The Lead Agency found that construction and operation of the Proposed Project would result in less than significant air quality impacts, after the implementation of mitigation measure (MM) AQ-1. MM AQ-1 requires the Lead Agency to confer with South Coast AQMD to identify project-specific and City-wide PM2.5 emission reduction strategies beginning in 2020.

South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the Air Quality Analysis. The use of a future baseline to analyze the Proposed Project's air quality impacts improperly credits the Proposed Project with emission reductions that will occur independent of the Proposed Project. The Lead Agency should use South Coast AQMD air quality CEQA significance thresholds to determine the level of significance for the Proposed Project's construction and operation air quality impacts. Since the Proposed Project will be implemented over a 20-year period, interim milestone years, in addition to year 2018 and year 2040, should be used to

¹ Draft EIR. Section 1, *Executive Summary*. Page 1-5.

² *Ibid.* Section 3, *Project Description*. Table 3-4, *Future Build-out Changes Based on New Land Use Designations*. Page 3-5.

³ In the Draft EIR, the Lead Agency identified the horizon year as 2035 in the project description and 2040 in the Air Quality and Transportation Analyses.

⁴ Draft EIR. Section 3, *Project Description*. Page 3-6.

⁵ *Ibid.* Section 4.4, *Air Quality*. Table 4-5, *Summary Of Estimated Existing Emissions Inventory For The City Of Placentia*. Page 4.4-26.

analyze the Proposed Project's air quality impacts. Additionally, since information on the Proposed Project's development potential at full buildout (e.g., 6,523 residential units and 784,000 square feet of non-residential uses) is available⁶, the Lead Agency should use this information to quantify the Proposed Project's construction emissions. Furthermore, to facilitate the implementation of the Health, Wellness, and Environmental Justice (HW/EJ) Goal 12, policies 12-2 through 12-6, which aim to reducing pollution exposure and improving air quality in disadvantaged communities, primarily through avoiding siting sensitive receptors near major sources of air pollution, such as freeways, distribution centers, and rail yards, South Coast AQMD staff recommends that the Lead Agency require enhanced filtration units when siting sensitive receptors near sources of air pollution and implement strategies to maximize protection against exposure of sensitive receptors to air pollution. Finally, South Coast AQMD staff recommends that the Lead Agency include additional air quality mitigation measures including a commitment to periodic technology review in the Final EIR as guidance to future individual projects subject to CEQA reviews in the subsequent, project-specific CEQA air quality analyses. Please see the attachment for more information.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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 Robert Dalbeck, Assistant Air Quality Specialist, at RDalbeck@aqmd.gov or (909) 396-2139, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:RD
ORC190716-02
Control Number

⁶ Draft EIR. Section 3, Project Description. Page 3-5.

ATTACHMENT

CEQA Baseline

1. Notwithstanding the general rule that baseline conditions exist at the time of the environmental review is initiated and that a project's environmental impacts are assessed by limiting the examination to changes in the existing physical conditions in the affected area as they exist at the time the Notice of Preparation (NOP) is published, if there is a published NOP, the use of future baseline is proper in some cases, supported by substantial evidence in the record. Consideration of future conditions in determining whether a project's impacts may be significant is consistent with CEQA's rules regarding baseline, especially when the project has a long-term buildout schedule. "[N]othing in CEQA law precludes an agency ... from considering both types of baseline—existing and future conditions—in its primary analysis of the project's significant adverse effects." (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 454.). "Even when a project is intended and expected to improve conditions in the long term—20 or 30 years after an EIR is prepared—decision makers and members of the public are entitled under CEQA to know the short- and medium-term environmental costs of achieving that desirable improvement. ... [¶] ... The public and decision makers are entitled to the most accurate information on project impacts practically possible, and the choice of a baseline must reflect that goal." (See also *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310).

The Proposed Project's operational emissions were estimated for the 2018 CEQA baseline year and the 2040 future buildout year. The 2018 existing conditions were held constant (i.e. using emission factors from year 2018) and compared to the future year (i.e. using emission factors from the future year). The Lead Agency found that overall emissions, except for PM10 and PM2.5, are anticipated to be lower than existing conditions⁷. This approach using a comparison between the Proposed Project's impacts in the future year (using emission factors from year 2040) and the 2018 baseline (using emission factors from year 2018) improperly credits the Proposed Project with emission reductions that will occur independent of the Proposed Project due to adopted state and federal rules and regulations and technology advancements, since these rules and regulations and technology are expected to improve air quality over time, even in the absence of the Proposed Project. For example, the California Air Resources Board's (CARB) current regulation for trucks and buses will provide significant near-term and long-term reductions in NOx emissions from trucks and buses, at 124 tons per day for 2014 and 98 tons per day for 2023⁸. This state regulation might have led to the reduction in NOx and CO emissions in 2040. Therefore, the methodology used to analyze the Proposed Project's long-term operational impacts in the Draft EIR has likely underestimated the Proposed Project's actual emissions.

The purpose of CEQA is to disclose environmental impacts from the Proposed Project to the public and decision makers in order to provide the public and decision makers with the actual changes to the environment from the activities involved in the Proposed Project. By taking credit for future emission reductions from existing air quality rules, regulations, emissions reductions strategies, and technological advancements that are not attributable to the Proposed Project, the Proposed Project's air quality impacts are likely underestimated. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the Air Quality Analysis to include comparisons between emissions in year 2018, year 2020, year 2025, year 2030, year 2035, and year 2040 with the Proposed Project and emissions in the same respective years without the Proposed Project, and use the comparisons to

⁷ Draft EIR. Section 4.4, *Air Quality*. Page 4.4-30.

⁸ California Air Resources Board. July 14, 2017. Trucks and Bus Regulation: On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation. Accessed at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>, and <https://www.arb.ca.gov/msprog/onrdiesel/documents/truckrulehealth.pdf>.

determine the level of significance for the Proposed Project's air quality impacts. Please also see Comment No. 3 below on Interim Milestone Years.

South Coast AQMD's Air Quality CEQA Significance Thresholds

2. While CEQA allows a Lead Agency to apply appropriate thresholds to determine the level of significance, the Lead Agency may not apply thresholds in a manner that precludes consideration of substantial evidence demonstrating that there may be a significant effect on the environment. Evaluation of air quality impacts, unlike some other impact areas, easily lends itself to quantification. Not only does quantification make it easier for the public and decision-makers to understand the breadth and depth of the potential air quality impacts, but it also facilitates the identification of mitigation measures required to reduce any significant adverse air quality impacts. South Coast AQMD's CEQA significance thresholds for air quality provide a clear quantitative benchmark to determine the significance of a project's air quality impacts. Therefore, for most projects within the South Coast AQMD, South Coast AQMD's air quality CEQA thresholds of significance for construction and operation⁹ are used to determine the level of significance for a project's air quality impacts.

The Lead Agency quantified the Proposed Project's existing operational emissions in tons per year, compared those emissions to the future conditions in year 2040 with the Proposed Project, and found that the Proposed Project's operational air quality impacts would be less than significant. South Coast AQMD's regional air quality CEQA significance thresholds are in pounds per day¹⁰ and should be used to determine the level of significance for the Proposed Project's air quality impacts. Using South Coast AQMD's CEQA significance thresholds would clearly identify whether the Proposed Project would result in significant air quality impacts under CEQA, disclose the magnitude of the impacts, facilitate the identification of feasible mitigation measures, and evaluate the level of impacts before and after mitigation measures. Therefore, South Coast AQMD staff recommends that the Lead Agency compare the Proposed Project's emissions to South Coast AQMD's regional air quality CEQA significance thresholds in the Final EIR to determine the level of significance.

Air Quality Analysis – Interim Milestone Years

3. This Comment is related to Comment No. 1. The Air Quality Analysis in the Draft EIR included only two analysis years: baseline year (2018) and buildout year (2040). By 2040, the Proposed Project is assumed to reach full buildout. Although the Proposed Project may not be at peak capacity in earlier years, it is possible that due to higher emission factors of vehicles, trucks, and equipment in earlier years, peak daily emissions may occur in 2019 and beyond. For Example, the Lead Agency stated that “the projected housing unit growth between 2016 and 2025 is much greater for the City of Placentia than projected for the entirety of Orange County.” Additionally, the overall emission factors of vehicles, trucks, and equipment are generally higher in earlier years as more stringent emission standards and cleaner technologies have not been fully implemented, and fleets have not fully turned over. Air quality is improving overtime with substantial emission reductions occurring in later years. Therefore, South Coast AQMD staff recommends that the Lead Agency include interim milestone years in the analysis to ensure that peak daily emissions are identified and adequately disclosed in the Final EIR. The interim milestone years will also demonstrate progress in emission reductions overtime from implementing the air quality-related goals and policies that are included in the General Plan Update and Draft EIR.

⁹ South Coast AQMD. March 2015. *South Coast AQMD Air Quality Significance Thresholds*. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

¹⁰ South Coast AQMD. Air Quality Significance Thresholds. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

Air Quality Impact Analysis – Construction Impact Analysis

4. The Lead Agency did not quantify the Proposed Project’s construction emissions in the Draft EIR or provide substantial evidence to support the finding that construction of the Proposed Project would have less than significant impacts on regional and localized air quality.

When specific development is reasonably foreseeable as a result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in the EIR. The degree of specificity will correspond to the degree of specificity involved in the underlying activity which is described in the EIR (CEQA Guidelines Section 15146). When quantifying air quality emissions, emissions from both construction (including demolition, if any) and operations should be calculated. Preparing the CEQA analysis “necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can” (CEQA Guideline Section 15144).

Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips).

When the precise construction schedule or scenario is unknown, the Lead Agency should use its best efforts to identify and quantify a worst-case construction impact scenario that is reasonably foreseeable at the time the Draft EIR is prepared. In the Draft EIR, the Lead Agency has identified the estimated development potential of the Proposed Project. For example, the Lead Agency anticipates growth over existing (2018) conditions to be approximately 18,721 persons, 6,523 additional dwelling units, and 784,000 additional square feet of non-residential uses¹¹. Therefore, the Lead Agency can and should use this information to develop construction scenarios that would be required to implement the full buildout of the Proposed Project, quantify associated construction emissions, including emissions from any demolition activities, and compare the emissions to South Coast AQMD’s air quality CEQA significance thresholds to determine the level of significance. The Lead Agency should use the most current version of California Emission Estimator Model (CalEEMod)¹² to quantify construction emissions. A quantitative analysis will facilitate the goal and purpose of CEQA on public disclosure with useful information on the kind, size, scope, intensity, duration, density, and location of subsequent project-level development to foster meaningful public participation and informed decision making. Alternatively, the Lead Agency should consider to include an additional mitigation measure regarding project-level construction air quality impact analysis. Please see Comment No. 8 for more information.

Air Quality Analysis – Overlapping Construction and Operational Impacts

5. When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in a CEQA document. Based on a review of the Air Quality Analysis, South Coast AQMD staff found that the Lead Agency did not analyze a scenario where construction emissions overlap with operational emissions. Since implementation of the Proposed Project is expected to occur over a period of 20 years, an overlapping construction and operation scenario may be reasonably foreseeable, unless the Proposed Project includes requirement(s) that will prohibit overlapping construction and operational activities. To conservatively analyze a worst-case impact scenario that is

¹¹ Draft EIR. Section 1, *Executive Summary*. Page 1-1.

¹² South Coast AQMD. CalEEMod Version 2016.3.2. Accessed at: <http://www.aqmd.gov/caleemod/download-model>.

reasonably foreseeable at the time the Draft EIR is prepared, South Coast AQMD staff recommends that the Lead Agency use its best efforts to identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions from the overlapping years, and compare the combined emissions to South Coast AQMD's air quality CEQA *operational* thresholds of significance to determine the level of significance in the Final EIR.

Air Quality Analysis – Localized Significance Thresholds (LSTs) Analysis

6. The Proposed Project has numerous land uses with sensitive receptors, and these land uses are expected to increase with the implementation of the Proposed Project¹³. South Coast AQMD staff recommends that the Lead Agency use its best efforts, based on already available Proposed Project development potential information, such as the maximum dwelling units and build-out of nonresidential uses in square feet¹⁴, to quantify and disclose the Proposed Project's localized emissions in the Final EIR. South Coast AQMD guidance for performing a localized air quality analysis is available on South Coast AQMD's website¹⁵. Alternatively, the Lead Agency should consider to include an additional mitigation measure regarding project-level LSTs analysis. Please see Comment No. 8 for more information.

Health Risk Reduction Strategies

7. Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of South Coast AQMD staff's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways and other sources of air pollution, South Coast AQMD staff recommends that, prior to approving the project, lead agencies consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

The Lead Agency proposes multiple Health, Wellness, and Environmental Justice (HW/EJ) goals and policies that are aimed at minimizing the health risks imposed on residents of disadvantaged communities resulting from exposure to air pollution, such as Goal HW/EJ-12. HW/EJ-12 requires developers to take measures to reduce pollution exposure and improve air quality in disadvantaged communities, primarily through avoiding siting sensitive receptors near major sources of air pollution, such as freeways, distribution centers, and rail yards. HW/EJ-12-6 also requires the preparation of a health risk assessment (HRA) for any project being proposed within the buffer distances identified in HW/EJ-12-3 through HW/EJ 12-5.

To facilitate the implementation of the City's General Plan Update Health, Wellness, and Environmental Justice Goal HW/EJ-12, South Coast AQMD staff recommends that the Lead Agency consider incorporating the following strategies to maximize protection against exposure to toxic air contaminants in the Final EIR.

Health Risk Reduction Strategies for Implementing Goal HW/EJ-12

- a) The Lead Agency should consider the use of high efficiency filters or enhanced filtration units, such as filters with a Minimum Efficiency Reporting Value (MERV) 13 or better, for projects within the buffer distances identified in HW/EJ-12-3 through HW/EJ12-5 to reduce exposure to diesel particulate matter (DPM) emissions from vehicles and trucks traveling on the nearby freeways (e.g., State Route 57) or visiting industrial uses. Enhanced filtration units are capable of

¹³ Draft EIR. Section 1, *Executive Summary*. 1-1.

¹⁴ *Ibid.*

¹⁵ South Coast AQMD. Localized Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

reducing exposure. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.

- b) Enhanced filtration systems have limitations. In a study that South Coast AQMD conducted to investigate filters¹⁶, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the building tenants. It is typically assumed that the filters operate 100 percent of the time while sensitive receptors are indoors, and the environmental analysis does not generally account for the times when sensitive receptors have windows or doors open or are in common space areas of a project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail and disclosed to prospective residents prior to assuming that they will sufficiently alleviate exposure to DPM emissions.
- c) Because of the limitations, South Coast AQMD staff recommends that the Lead Agency provide additional details regarding the ongoing, regular monitoring and maintenance of filters in the Final EIR. To facilitate a good faith effort at full disclosure and provide useful information to future residents who will live and/or work in proximity to freeways and other sources of air pollution, the Lead Agency should require the following information be included, at a minimum, in the subsequent, project-level CEQA documents:
- Disclose potential health impacts to prospective sensitive receptors from living and/or working in close proximity to freeways or other sources of air pollution and the reduced effectiveness of air filtration systems when windows are open and/or when sensitive receptors are outdoors (e.g., in the common usable open space areas);
 - Identify the responsible implementing and enforcement agency, such as the Lead Agency, to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
 - Identify the responsible implementing and enforcement agency such as the Lead Agency, to ensure that enhanced filtration units are inspected and maintained regularly;
 - Disclose the potential increase in energy costs for running the HVAC system;
 - Provide information to sensitive receptors living and/or working at the Proposed Project on where MERV filters can be purchased;
 - Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
 - Identify the responsible entity (e.g. future residents, Homeowner's Associations (HOAs), or property managers) for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if tenants and/or residents should be responsible for the periodic and regular

¹⁶ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);

- Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units;
- Set City-wide or project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
- Develop a City-wide or project-specific process for evaluating the effectiveness of the enhanced filtration units.

Recommended Mitigation Measures

8. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate significant adverse impacts. In addition to the goals and policies aimed at reducing air quality impacts resulting from subsequent development projects under the Proposed Project, South Coast AQMD staff recommends that the Lead Agency include a specific requirement for future, project-specific construction air quality analysis, in order to provide useful information to guide subsequent, project-specific air quality analyses and mitigation measures. These details will assist in the Lead Agency's decision-making when it reviews and approves subsequent individual projects implemented under the Proposed Project. The details will also provide guidance for project-level air quality analysis and facilitates CEQA streamlining and tiering as an option, where appropriate. Specifically, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measure in the Final EIR. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website¹⁷.

For projects subject to California Environmental Quality Act (CEQA) review (non-exempt projects), project-specific air emissions impacts shall be determined in compliance with the latest version of the South Coast AQMD CEQA Guidelines. To address potential regional and localized impacts, the air quality analysis shall be completed pursuant to the latest version of South Coast AQMD's CEQA Handbook and Final Localized Significance Threshold Methodology document, or other appropriate methodologies as determined in conjunction with South Coast AQMD. The results of the regional and localized construction air quality impacts analyses shall be included in the development project's CEQA documentation. Construction emissions should be compared to the most recent version of South Coast AQMD's CEQA air quality regional¹⁸ and localized¹⁹ significance thresholds in order to identify if a Proposed Project will result in significant air quality impacts. If such analyses identify potentially significant regional or local air quality impacts, the Lead Agency shall require the incorporation of appropriate mitigation to reduce such impacts as required by CEQA Guidelines Section 15126.4. In Addition, prior to issuance of a grading permit for new development projects that are one acre or larger, the applicant/developer shall provide modeling of the localized emissions (NOx, CO, PM10, and PM2.5) associated with the maximum daily grading activities for the proposed development. If the modeling shows that emissions would exceed South Coast AQMD's air quality CEQA localized thresholds for those emissions, the maximum daily grading activities of the proposed development shall be limited to the extent that could occur without resulting in emissions in excess of

¹⁷ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

¹⁸ South Coast AQMD. Regional Air Quality Significance Thresholds. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

¹⁹ South Coast AQMD. Localized Air Quality Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>

South Coast AQMD's significance thresholds for those emissions. Examples of air quality mitigation measures that the project-specific development can and should do include the followings:

- Require the use of off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. Such equipment should be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB-certified Level 3 Diesel Particulate Filters (DPF). Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions²⁰. A list of CARB verified DPFs are available on the CARB website²¹.

The Lead Agency should include this requirement in applicable bid documents, and that successful contractor(s) must demonstrate the ability to supply compliant equipment prior to the commencement of any construction activities. A copy of each unit's certified tier specification and CARB or South Coast AQMD operating permit (if applicable) should be available upon request at the time of mobilization of each applicable unit of equipment. The Lead Agency should require periodic reporting and provision of written documentation by contractors to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.

In the event that the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is reviewed and approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable. Any approved alternative technologies/strategies for use by the Lead Agency should be included and disclosed in the Air Quality Section of the Final EIR as a project requirement or mitigation measure as a condition of approval.

- Require the use of zero-emission (ZE) or near-zero emission (NZE) on-road haul trucks (e.g., material delivery trucks and soil import/export) such as heavy-duty trucks with natural gas engines that meet the California Air Resources Board (CARB)'s adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr). When requiring ZE or NZE on-road haul trucks, the Lead Agency should include analyses to evaluate and identify sufficient power and supportive infrastructure available for ZE/NZE trucks in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.

CARB also adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent²². Since the Proposed Project extends beyond 2023 to 2040, 2010 model year trucks will be required for the Proposed Project and should become more widely available

²⁰ California Air Resources Board. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

²¹ *Ibid.* Page 18.

²² California Air Resources Board. December 20, 2018. <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

commercially. Therefore, South Coast AQMD staff recommends that the Lead Agency implement the Truck and Bus Regulation early and require, at a minimum, that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year or newer engines, or establish a vendor(s)/contractor(s) selection policy that prefers vendor(s)/contractor(s) who can supply 2010 model year trucks. The Lead Agency's commitment to early implementation of the Truck and Bus Regulation throughout the City helps facilitate the Project's transition to 2010 model year trucks in 2023, provides time and opportunity to resolve any implementation challenges ahead of 2023, eases the costs and burden of regulatory compliance, and yields emission reductions from fleets earlier than 2023.

To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with the Proposed Project's construction and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during construction meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by contractors, and conduct regular inspections of the records to the maximum extent feasible and practicable.

- Encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

South Coast AQMD staff has also identified the following operational air quality mitigation measures that the Lead Agency should include in the Final EIR to provide guidance to future, individual development projects in the subsequent, project-level air quality analyses for operation if the analyses show that the individual development's operational air quality impacts will be significant.

- To facilitate the implementation of General Plan Conservation Goals CON-2 and CON-3²³, which encourages alternative modes of transportation to reduce emissions associated with automobile use, the Lead Agency should provide electric vehicle (EV) charging stations. Require at least 5% of all vehicle parking spaces include EV charging stations, or at a minimum, require subsequent development implemented under the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and trucks to plug-in. Electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. Electrical panels should be appropriately sized to allow for future expanded use. The Lead Agency should also include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.
- Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed Project site to generate solar energy for the facility and/or EV charging stations.
- Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.

²³ Draft EIR. Section 4.4, Air Quality. Page 4.4-8 through 4.4-10.

- Require the use of electric or alternatively fueled sweepers with HEPA filters.
 - Maximize the planting of trees in landscaping and parking lots.
 - Use light colored paving and roofing materials.
 - Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
9. Since the Proposed Project would be implemented over an estimated period of 20 years, the Lead Agency should take this opportunity at a general plan, program level to incorporate a periodic, technology review for both off-road construction equipment and on-road haul trucks that will be used by future, individual projects that will be proposed and carried to implement the Proposed Project within the City. South Coast AQMD staff recommends that the Lead Agency develop strategies to foster and facilitate the deployment of the lowest emissions technologies as they become available. This may include incorporating a performance standards-based technology review, or developing other comparable strategies or tools, to periodically assess equipment availability, equipment fleet mixtures, and best available emissions control devices. The deployment should include those technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies or best available control technologies (BACTs) that are expected to become more readily available over the life of the Proposed Project. A technology review should also incorporate an appropriate timeline/schedule for the assessment that will also be supportive of emissions reductions goals being implemented at local, regional, state, and federal levels (e.g. South Coast AQMD’s AQMP and other air quality and public health goals). If the technology review identifies that cleaner equipment and fleets have become available, the Lead Agency should commit to incorporating this new technology into the Proposed Project to further reduce the Proposed Project’s emissions. South Coast AQMD staff encourages the Lead Agency to involve the public and interested parties, such as South Coast AQMD and CARB, in developing an appropriate process and performance standards for technology review.

Compliance with South Coast AQMD Rule 403(e) – Large Operations

10. In the event that a subsequent individual project implementing the Proposed Project is a large operation (50-acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin, it will be required to comply with South Coast AQMD Rule 403(e) – Additional Requirements for Large Operations²⁴, which includes requirements to provide Large Operation Notification Form 403 N, appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class²⁵. Therefore, South Coast AQMD staff recommends that the Lead Agency include a requirement for subsequent individual projects to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast AQMD Rule 403(e) will further reduce particulate matter from the Proposed Project.

²⁴ South Coast AQMD. Rule 403. Last amended June 3, 2005. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

²⁵ South Coast AQMD. Compliance and Enforcement Staff’s contact information for Rule 403(e) Large Operations is (909) 396-2608 or by e-mail at dustcontrol@aqmd.gov.