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Draft Environmental Impact Report (Draft EIR) for the Proposed Nichols Ranch Specific Plan (SCH No.: 2018051051)

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 to construct 168 residential units, a hotel with 130 rooms, 49,000 square feet of restaurant uses, 12,400 square feet of retail uses, 43,000 square feet of office uses, 8.3 acres of recreational uses, a 5.5-acre drainage basin, 5.3 acres of roadways, 1.3 acres of open space, and a gasoline service station with 16 fueling pumps on 72.5 acres (Proposed Project). The Proposed Project is located on the southwest corner of Nichols Road and El Toro Road within the City of Lake Elsinore. Construction is anticipated to begin in 2019 and will occur in three phases over a six-year period with overlapping construction and operational years. The Proposed Project is anticipated to be fully operational by 2024[1].

South Coast AQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's regional construction and operational air quality impacts would be significant and unavoidable, and cumulatively considerable[2] for NOx emissions. Localized construction air quality impacts would be less than significant for PM10 and PM2.5[3], after the incorporation of Mitigation Measure (MM) 4.2-1, which requires that all off-road equipment with engines greater than 150 horsepower (hp) meet EPA/CARB Tier 3 off-road emission standards during grading activities[4]. Additionally, the Lead Agency prepared a Health Risk Assessment (HRA) for operating the proposed gasoline service station and found that it would result in a cancer risk of 7.33 in one million at the maximum impacted sensitive receptor[5], which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk[6].

[1] Draft EIR. Section 3. Project Description. Pages 3-27.
[2] Draft EIR. Executive Summary. Pages S-7-S-8.
[3] Draft EIR. Section 4.2 Air Quality. Page 4.2-29.
[4] *Ibid.* Page 4.2-34.
[5] Draft EIR. Section 4.7 Hazards and Hazardous Materials Page 4.7-15.
[6] South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

South Coast AQMD's 2016 Air Quality Management Plan

On March 3, 2017, the South Coast AQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)[7], which was later approved by the California Air Resources Board on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

South Coast AQMD Staff's General Comments

As described in the 2016 AQMP, achieving NOx emissions reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. South Coast AQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to regional NOx emissions during the six-year construction period[8] and operational period thereafter. To further reduce the Proposed Project's significant and unavoidable NOx emissions during construction and operation, South Coast AQMD staff recommends additional mitigation measures that should be reviewed for incorporation in the Final EIR. Additionally, South Coast AQMD staff has comments on the Air Quality Analysis. The Proposed Project would be constructed in three phases. Construction of one phase may overlap with operation of another phase. However, the Lead Agency did not analyze an overlapping construction and operational scenario. The Proposed Project would also include operation of a gasoline service station with 16 pumps. The Lead Agency did not quantify operational ROG emissions generated from storage tanks or from the fueling process during operation. Finally, South Coast AQMD staff recommends that the Lead Agency include discussions of multiple South Coast AQMD rules in the Final EIR. 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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS:AM
RVC190321-04
Control Number

[7] South Coast AQMD. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan.

[8] Draft EIR. Chapter 3Project Description. Page 3-27.

ATTACHMENT

Air Quality Analysis – Overlapping Construction and Operational Activities

1. In the Draft EIR, the Lead Agency stated that the Proposed Project would be developed in three phases: Phase 1 will begin in 2019 and be operational by 2020; Phase 2 will begin in 2020 and be operational by 2021; and Phase 3 would begin in 2021 and be operational by 2024[9]. Based on the anticipated construction and operational scenarios, portions of the Proposed Project may be under construction while other portions of the Proposed Project are operational. However, the Lead Agency did not analyze a scenario where construction activities overlap with operational activities in the Draft EIR. Since an overlapping construction and operation scenario is reasonably foreseeable at the time the Draft EIR is prepared, South Coast AQMD staff recommends that the Lead Agency analyze a worst-case impact scenario by identifying the overlapping years, combining construction emissions (including emissions from demolition) with operational emissions, and comparing 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, unless the Lead Agency includes requirements and/or conditions in applicable bid document and/or development agreement to expressly prohibit overlapping construction and operational activities. If the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project's overlapping construction and operational activities would result in significant air quality impacts, mitigation measures will be required pursuant to CEQA Guidelines Section 15126.4. For more information on potential mitigation measures as guidance to the Lead Agency, please see Comment Nos. 4 and 5 below, and visit South Coast AQMD's CEQA Air Quality Handbook website[10].

Air Quality Analysis – Gasoline Service Station

2. Upon a review of the Air Quality Analysis in the Draft EIR, it did not appear that the Lead Agency quantified operational ROG emissions that would be generated from storage tanks and the fueling process during operation. This may have likely led to an under-estimation of the Proposed Project's operational emissions. Although South Coast AQMD Rule 461 – Gasoline Transfer and Dispensing requires the use of California Air Resources Board (CARB) certified Phase I and Phase II enhanced vapor recovery systems with minimum volumetric efficiencies of 98% and 95%, respectively[11], ROG emissions are not entirely eliminated from the fueling process and should be taken into consideration when analyzing the Proposed Project's operational air quality impacts. The Lead Agency should use its best efforts to quantify and disclose ROG emissions from the fueling process in the Final EIR. Since the EIR is an informational document, the Lead Agency should, at a minimum, include a discussion on potential operational air quality impacts from the fueling process. If there is no substantial evidence to support a quantitative analysis of ROG emissions from the fueling process, the Lead Agency should disclose the reasons for not including a quantitative analysis supported by factual information in the Final EIR. It is also important to note that while CalEEMod[12] quantifies mobile source emissions (e.g., trip visits by patrons) associated with operating a gasoline service station, CalEEMod does not quantify the operational stationary source emissions from the storage tanks and fueling equipment.

Guidance on Siting Gasoline Dispensing Facilities Near Sensitive Receptors

3. South Coast AQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the *Guidance Document for Addressing Air Quality*

[9] Draft EIR. Section 3. Project Description. Pages 3-27.
[10] South Coast AQMD. Accessed at: http://www.aqmd.gov/home/regulations/ceqa.
[11] South Coast AQMD. Rule 461 – Gasoline Transfer and Dispensing. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-461.pdf.
[12] CalEEmod incorporates up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and is available free of charge at: www.caleemod.com.

Issues in General Plans and Local Planning in 2005[13]. Additionally, the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* recommends avoiding siting housing within 300 feet of a large gas station or 50 feet for a typical gas station[14]. In April 2017, CARB released a Technical Advisory as a supplement to this Handbook[15]. These guidance documents provide recommendations that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. South Coast AQMD staff recommends that the Lead Agency review and consider these guidance documents when making local planning and land use decisions.

Recommend Changes to Existing Mitigation Measure (MM) 4.2-1

4. While the incorporation of MM 4.2-1, which requires the use of Tier 3 construction equipment with engines greater than 150 horsepower during grading activities, would reduce NOx emissions from 204 pounds per day (lbs/day) to 122 lbs/day, the Proposed Project's construction air quality impacts from NOx remain significant and unavoidable[16][17]. To further reduce NOx emissions during construction and support the South Coast AQMD's commitment to NOx emissions as outlined in the 2016 AQMP, South Coast AQMD staff recommends that the Lead Agency revise MM 4.2-1 as follows:

MM 4.2-1

During ~~grading activities~~ each phase of construction, all construction equipment greater than ~~150~~ 50 horsepower shall consist of off-road diesel construction equipment that complies with or exceeds EPA/CARB ~~Tier 3~~ Tier 4 emissions standards. 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 emissions. A list of CARB verified DPFs are available on the CARB website. Additionally, 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. The construction contractor also shall ensure all equipment is tuned and maintained in accordance with the manufacturer's specifications. The construction contractor shall keep a log of all applicable construction equipment demonstrating compliance with these requirements, and the log shall be made available for inspection by City of Lake Elsinore staff upon request. 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.

Additional Recommended Mitigation Measures

5. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. Since the Proposed Project will result in significant and unavoidable construction and operational related NOx emissions, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR

[13] South Coast AQMD. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.

[14] California Air Resources Board. Air Quality and Land Use Handbook: *A Community Health Perspective*. Accessed at: https://www.arb.ca.gov/ch/handbook.pdf

[15] California Air Resources Board. Technical Advisory: *Strategies to Reduce Air Pollution Exposure Near High-Volume* Roadways. Accessed at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

[16] Draft EIR. Appendix B. Air Quality Report. Page 27.

[17] *Ibid.*

to further reduce the Proposed Project's significant and unavoidable air quality impacts. South Coast AQMD staff has compiled a list of recommended mitigation measures as suggested resources and guidance to the Lead Agency to assist the identification of feasible mitigation measures for incorporation 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 website[18].

Mitigation Measures for Significant and Unavoidable Construction Air Quality Impacts

- CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation mandates fleet turn-over to ensure that, by January 1, 2023, nearly all on-road diesel trucks will have 2010 model year engines or equivalent[19]. Since the Proposed Project's construction schedule extends into 2024 or beyond[20], 2010 model year trucks will be required for implementation, at a minimum, when Phase 3 is under construction. Therefore, South Coast AQMD staff recommends that the Lead Agency require the use of zero-emissions or near-zero emission 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 CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year or newer engines that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. The Lead Agency should include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate. 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 meets the minimum 2010 model year engine emission standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.

- Restrict non-essential diesel engine idle time, to not more than five consecutive minutes or another time-frame as allowed by the California Code of Regulations, Title 13 section 2485 - CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. For any vehicle delivery that is expected to take longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. Notify the vendors of these idling requirements at the time that the purchase order is issued and again when vehicles enter the gates of the Proposed Project. To further ensure that drivers, operators, and vendors understand the idling requirement, post signs at the entry of the construction site and throughout the Proposed Project site stating that idling longer than five minutes is not permitted.

- 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.

[18] South Coast AQMD. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook.
[19] California Air Resources Board. December 20, 2018. https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
[20] Draft EIR. Chapter 3Project Description. Page 3-27.

Mitigation Measures for Significant and Unavoidable Operational Air Quality Impacts from Mobile Sources

- Provide incentives for vendors and material delivery trucks that would be visiting the hotel and commercial uses to encourage the use of zero-emission or near-zero emission heavy-duty trucks during operation, such as trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, incentivize the use of 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.

- Provide electric vehicle (EV) charging stations. Require at least 5% of all vehicle parking spaces include EV charging stations, or at a minimum, require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for 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.

- Design the Proposed Project such that the entrances and exits for the commercial uses are such that vendors and material delivery trucks are not traversing past neighbors or other sensitive receptors.

- Design the Proposed Project such that any check-in point for vendors and material delivery trucks is well inside the Proposed Project site to ensure that these trucks do not que outside of the commercial use boundaries.

- Restrict overnight vendors and material delivery truck parking in residential areas.

- Develop, adopt, and enforce vendors and material delivery truck routes both in and out of the specific plan area, and in and out of the commercial use boundaries.

- Provide incentives for employees working at the proposed office uses to encourage the use of public transportation or carpooling, such as discounted transit passes or carpool rebates.

- Implement a rideshare program for employees working at the proposed office uses and set a goal to achieve a certain participation rate over a period of time.

Mitigation Measures for Operational Air Quality Impacts from Area Sources

- 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.

- Require use of electric or alternatively fueled sweepers with HEPA filters.

- Maximize the planting of tress in landscaping and parking lots.

- Use light colored paving and roofing materials.

- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

Responsible Agency, Permits, and Compliance with South Coast AQMD Rules

6. The Proposed Project includes the operation of a gasoline service station with 16 pumps. Operation of a gasoline service station requires a permit from South Coast AQMD. South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Final EIR (CEQA Guidelines Section 15381). South Coast AQMD staff recommends that the Lead Agency include discussions to demonstrate compliance with the following South Coast AQMD rules and initiate consultation with South Coast AQMD as required under CEQA Guidelines Section 15096(b). Ms. Alina Mullins, Assistant Air Quality Specialist, is the designated South Coast AQMD staff to attend meetings requested by the Lead Agency to discuss the scope and content of the EIR (CEQA Guidelines Section 15096(c)). It is important to note that the assumptions in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits. If there is any information in the permitting process suggesting that the Proposed Project would result in significant adverse air quality impacts not analyzed in the Final EIR or substantially more severe air quality impacts than those analyzed in the Final EIR, the Lead Agency should commit to reevaluating the Proposed Project's air quality impacts through a CEQA process (CEQA Guidelines Section 15162). Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Gasoline Service Station

7. The Lead Agency discussed South Coast AQMD Rule 461 in the Draft EIR. South Coast AQMD staff recommends that the Lead Agency include discussions to demonstrate compliance with other applicable South Coast AQMD Rules, including, but not limited to, Rule 201 – Permit to Construct[21], Rule 203 – Permit to Operate[22], and Rule 1401 – New Source Review of Toxic Air Containments[23] in the Final EIR. Please note any assumptions used in the Air Quality and Health Risk Assessment (HRA) analyses in the Final EIR will be used as the basis for permit conditions and limits. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology[24] is being used by South Coast AQMD for determining operational health impacts for permitting applications and also for all CEQA projects where South Coast AQMD is the Lead Agency.

Commercial Operations

8. Operation of the Proposed Project's commercial elements may require permits from South Coast AQMD. In the event that operation of the Proposed Project will require the use of stationary diesel-fueled internal combustion or compression engines (i.e., generators or firefighting equipment), South Coast AQMD Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines[25] and South Coast AQMD Rule Series 1146 – Emissions of Oxides of

[21] South Coast AQMD. Rule 201 – Permit to Construct. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf.
[22] South Coast AQMD. Rule 203 – Permit to Operate. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf.
[23] South Coast AQMD. Rule 1401 – New Source Review of Toxic Air Contaminants. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf.
[24] Office of Environmental Health Hazard Assessment. "Notice of Adoption of Air Toxics Hot Spots Program Guidance Manual for the Preparation of Health Risk Assessments 2015". Accessed at: https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.
[25] South Coast AQMD. Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf.

Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters[26], including Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters[27] and Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters[28] would apply and should be discussed in the Final EIR. Therefore, South Coast AQMD staff recommends that the Lead Agency consult with South Coast AQMD Permitting and Engineering staff as early as feasible to determine permit requirements and any applicable rules and regulations that should be discussed in the CEQA document for the Proposed Project.

Rule 403(e) Additional Requirements for Large Operations

9. The Lead Agency included a discussion of general compliance with South Coast AQMD Rule 403 – Fugitive Dust in the Draft EIR. Since the Proposed Project is a large operation of approximately 72.5 acres[29] and will disturb 73.8 acres during construction (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, the Lead Agency is required to comply with Rule 403(e) – Additional Requirements for Large Operations[30]. Additional requirements may include, but are not limited to, 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 class[31]. Therefore, South Coast AQMD recommends that the Lead Agency include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

[26] South Coast AQMD. Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146.pdf.

[27] South Coast AQMD. Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146-1.pdf.

[28] South Coast AQMD. Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146-2.pdf.

[29] *Ibid*. Page 4.3-47.

[30] 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.

[31] 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.