



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Draft Environmental Impact Report (Draft EIR) for the Proposed One Metro West Project (SCH No.: 2019050014)

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 demolish an existing 345,000-square-foot industrial building and construct 1,057 residential units, 25,000 square feet of commercial uses, 6,000 square feet of retail uses, and 1.5 acres of open space on 15.23 acres (Proposed Project). The Proposed Project is located at 1683 Sunflower Avenue on the southeast corner of Sunflower Avenue and Cadillac Avenue within the City of Costa Mesa. Construction of the Proposed Project is anticipated to take place over a five-year period, from January 2022 to January 2027¹. The Proposed Project will become operational as early as in year 2025, while construction activities continue², and will become fully operational in year 2027³.

South Coast AQMD Staff's Summary of the Air Quality Analysis

In the Draft EIR, the Lead Agency quantified the Proposed Project's construction emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's unmitigated regional construction air quality impacts would be significant for nitrogen oxide (NOx) emissions at 112 pounds per day (lbs/day) and volatile organic compounds (VOCs) emissions at 110 lbs/day⁴. The Lead Agency is committed to implementing construction Mitigation Measures (MMs) AIR-1 and AIR-2. MM AIR-1 requires all construction equipment 50 horsepower or more meet U.S. Environmental Protection Agency's (EPA) Tier 3 off-road emissions standards with Level 2 Diesel Particulate Filters (DPFs). MM AIR-2 requires that all interior architectural coatings meet a low VOC concentration of 30 grams per liter⁵. With implementation of MMs AIR-1 and AIR-2, the maximum regional construction NOx emissions would be reduced to less than significant at 92 lbs/day, while the maximum regional construction VOCs emissions would remain significant and unavoidable at 109 lbs/day⁶. The Lead Agency also quantified the Proposed Project's operational emissions in year 2027 when the Proposed Project is fully operational⁷. Based on the analyses, the Lead Agency found that the Proposed Project's operational air quality impacts would be less than significant⁸. As such, no mitigation measures for operational air quality impacts were required⁹. The

¹ Draft EIR. Chapter 3. Project Description. Page 3-26.

² *Ibid.*

³ Draft EIR. CalEEMod - One Metro West Summer Run. PDF page 163.

⁴ Draft EIR. Chapter 5.2. Air Quality. Page 5.2-21.

⁵ *Ibid.* Page 5.2-32.

⁶ *Ibid.* Page 5.2-33.

⁷ Draft EIR. CalEEMod - One Metro West Summer Run. PDF page 163.

⁸ Draft EIR. Chapter 5.2. Air Quality. Pages 5.2-23 through 5.2-24.

⁹ *Ibid.*

Proposed Project is located in close proximity with Interstate 405. As such, the Lead Agency requires the installation of enhanced filtration system with two-inch Minimum Efficiency Reporting Value (MERV) 13 filters as a project design feature¹⁰. Lastly, the Lead Agency included in the Draft EIR discussions on applicable South Coast AQMD rules¹¹, including Rule 403 – Fugitive Dust¹², Rule 1108 – Cutback Asphalt¹³, Rule 1113 – Architectural Coatings¹⁴, and Rule 1143 – Asbestos Emissions form Demolition¹⁵.

Summary of South Coast AQMD Staff's Comments

Based on a review of the Draft EIR and supporting technical documents, South Coast AQMD staff has two main comments on the air quality analysis and mitigation measures. The Lead Agency likely underestimated the Proposed Project's air quality impacts because the Draft EIR did not analyze an overlapping construction and operation air quality impact scenario. The Lead Agency should strengthen the existing construction mitigation measure (MM AIR-1) and incorporate additional mitigation measures in the Final EIR to further reduce the Proposed Project's regional construction NOx emissions, particularly during periods of overlapping construction and operational activities. 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, if the Lead Agency makes the findings that the recommended revisions to MM AIR-1 and new mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence 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 if you have questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:AM

ORC200207-01

Control Number

¹⁰ Draft EIR. Chapter 5.9. Land Use and Planning. Page 5.9-13.

¹¹ *Ibid.* Pages 5.2-6 through 5.2-11.

¹² South Coast AQMD. Rule 403 – Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

¹³ South Coast AQMD. Rule 1108 – Cutback Asphalt. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1108-cutback-asphalt.pdf>.

¹⁴ South Coast AQMD. Rule 1143 – Architectural Coatings. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1143.pdf>

¹⁵ South Coast AQMD. Rule 1403 – Asbestos Emissions form Demolition. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>

ATTACHMENT

1. Air Quality Analysis – Overlapping Construction and Operational Activities

Based on a review of the Air Quality Analysis in the Draft EIR, South Coast AQMD staff found that the Lead Agency did not analyze a scenario where construction activities overlap with operational activities (e.g., some components of the Proposed Project may be operational in year 2025 while some other components are under construction until year 2027). Since construction of the Proposed Project is expected to occur over five years from 2022 to 2027, and the Proposed Project will be operational as early as 2025¹⁶, it is reasonably foreseeable that construction and operation may overlap. If an overlapping construction and operation scenario is reasonably foreseeable at the time the Draft EIR was prepared, to conservatively analyze a worst-case impact scenario, South Coast AQMD staff recommends that the Lead Agency use its best efforts to identify the overlapping construction and operational years and development components, combine construction emissions (including emissions from demolition) with operational emissions, 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. If the air quality analysis from overlapping construction and operational activities is not included in the Final EIR, the Lead Agency should provide reasons for not including the analysis supported by substantial evidence in the record.

2. Air Quality Mitigation Measures

2.1 Recommended Revisions to Existing Air Quality Mitigation Measure (MM) AIR-1

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. With the implementation of MM AIR-1, which requires all construction equipment 50 horsepower or more during grading meet EPA's Tier 3 off-road emissions standards with Level 2 DPFs, the maximum regional construction NOx emissions at 92 lbs/day would be slightly below South Coast AQMD's regional air quality CEQA significance threshold for NOx at 100 lbs/day during construction. To further reduce NOx emissions, particularly during the periods when construction and operational activities overlap, the Lead Agency should strengthen MM AIR-1 by making the following revisions in strikethrough and underline in the Final EIR.

AIR-1

Prior to the issuance of a grading permit, ~~the grading~~ all construction plans shall stipulate that the contractor shall use construction equipment that meets or exceeds the U.S. Environmental Protection Agency Tier ~~3~~ 4 Final level of emission controls fitted with Level ~~2~~ 3 Diesel Particulate Filters (DPF) for all construction equipment 50 horsepower or more during construction activities. Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions¹⁷. A list of CARB verified DPFs are available on the CARB website¹⁸.

To ensure that Tier 4 Final construction equipment or better would be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any

¹⁶ Draft EIR. Chapter 3. Project Description. Page 3-26.

¹⁷ CARB. 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.

¹⁸ *Ibid*. Page 18.

ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.

In the event that construction equipment cannot meet the Tier 4 Final engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim emission standards and/or reduction in the number and/or horsepower rating of construction equipment.

2.2 Additional Recommended Air Quality Mitigation Measures

In the event that, upon revisions to the Air Quality Analysis based on Comment No. 1, the Lead Agency finds that the Proposed Project will have significant air quality impacts from overlapping construction and operational activities, mitigation will be required (CEQA Guidelines 15126.4). South Coast AQMD staff has compiled a list of additional mitigation measures as suggested resources and guidance to the Lead Agency and recommends that the Lead Agency incorporate them 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 website¹⁹.

Construction-related Air Quality Mitigation Measures

- a) Require construction equipment such as concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors be electric or alternative-fueled (i.e., non-diesel). Information on companies and electric powered equipment that can and should be used during construction is available at: <https://www.forconstructionpros.com/construction-technology/article/21107531/electrified-construction-equipment-gaining-momentum>.
- b) Require the use of zero-emissions (ZE) or near-zero emissions (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 CARB's adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), or at a minimum, 2010 model year²⁰ or newer and cleaner engines that meet California Air Resources Board's (CARB) 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and the CARB's adopted optional NOx emission standard of 0.20 g/bhp-hr for NOx emissions during construction. When requiring electric ZE heavy-duty trucks, the Lead Agency should include analyses to evaluate and identify sufficient power and supportive infrastructure available in the Energy and Utilities and Service Systems Chapters of the Final EIR, where appropriate.

¹⁹ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

²⁰ CARB adopted the statewide On-Road 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 equivalent. More information on the CARB's Truck and Bus Regulations is available here: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

NZE heavy-duty truck engines are commercially available. Examples of commercially available NZE heavy-duty truck engines that meet CARB optional low NO_x standards include, but are not limited to, Cummins Westport 8.9- and 6.7-liter natural gas engines and Roush Cleantech 6.8-liter compressed natural gas and liquefied petroleum gas engines²¹. Therefore, NZE heavy-duty trucks should be required for use during construction.

If the specific details regarding ZE heavy-duty trucks are impractical or infeasible to include in the Final EIR, the Lead Agency should develop and include performance standards to achieve the use of ZE heavy-duty trucks (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop the following performance standards or any other comparable standards.

- Develop a minimum amount of ZE heavy-duty trucks that the Proposed Project must use each year during construction to ensure adequate progress. Include this requirement in the Proposed Project's Construction Management Plan.
- Establish a contractor(s) selection policy that prefers contractor(s) who can supply ZE heavy-duty trucks during construction. Include this policy in the Request for Proposal for selecting contractor(s).

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.

- c) Maintain equipment maintenance records for the construction portion of the Proposed Project. All construction equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their construction contractor(s) should be made available for inspection and remain on-site for a period of at least two years from completion of construction.
- d) 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 NO_x 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>.
- e) Utilize water-based or low VOCs architectural coatings that go beyond the requirements of South Coast AQMD Rule 1113. Utilize pre-coated building materials during building construction, as feasible.

²¹ CARB. "Optional Reduced NO_x Emissions Standards for On-Road Heavy-duty Engines". Accessed at: <https://ww3.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm>

Operation-related Air Quality Mitigation Measures

- f) Require the use of zero-emissions (ZE) or near-zero emissions (NZE) on-road haul trucks (e.g., vendors and material delivery trucks) such as heavy-duty trucks with natural gas engines that meet CARB's adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), or at a minimum, 2010 model year²² or newer and cleaner engines that meet California Air Resources Board's (CARB) 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and the CARB's adopted optional NOx emission standard of 0.20 g/bhp-hr for NOx emissions during construction. Since NZE heavy-duty trucks are already commercially available, the Lead Agency should require the use of ZE heavy-duty trucks during operation in the Final EIR.
- g) Establish a policy to select and use vendors that use ZE heavy-duty trucks. Include this policy in the vendor contracts and business agreements.
- h) Establish a purchasing policy to purchase and receive materials from vendors that use ZE heavy-duty trucks to deliver materials. Include this policy in the purchase orders with vendors.
- i) Develop a target-focused and performance-based process and timeline to implement the use of ZE heavy-duty trucks during operation.
- j) Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE heavy-duty trucks during operation.

²² CARB adopted the statewide On-Road 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 equivalent. More information on the CARB's Truck and Bus Regulations is available here: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.