



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Draft Program Environmental Impact Report (EIR) for the Northside Specific Plan (SCH No. 2019039168)

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 Program EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency is developing land use designations and zones, development standards, and design guidelines to implement a community vision for the Northside Neighborhood with a planning horizon of 2040 (Proposed Project). The Proposed Project encompasses 1,600 acres in the City of Riverside, 336 acres in the City of Colton, and 83 acres in the unincorporated areas of County of Riverside. Interstate 215 (I-215) runs north-south along the majority of the Proposed Project area. State Route 60 (SR-60) runs east-west across the southern portion of the Proposed Project area. The projected land uses include, but are not limited to, Medium Density Residential, Medium-High Density Residential, High Density Residential, General Commercial/ Commercial, and Business/Office Park. At full buildout, the Proposed Project would allow between 11,260 and 13,112 residential units and 16,559,700 square feet of employment uses¹.

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

Based on reviews of the Draft Program EIR, the Proposed Project's construction activities will take place over a 20-year period. The Lead Agency estimated construction emissions based on the first year of construction activities as it represents the worst-case construction impact scenario due to fleet vehicle emission improvements in future years² and compared those emissions to South Coast AQMD's recommended regional air quality CEQA significance thresholds for construction. The Lead Agency found that the Proposed Project's construction air quality impacts before mitigation would be significant for volatile organic compounds (VOCs), nitrogen oxides (NOx), carbon monoxide (CO), particulate matter (PM)₁₀, and PM_{2.5} at 1,583.49 pounds per day (lbs/day), 1,174.37 lbs/day, 998.31 lbs/day, 216.61 lbs/day, and 107.82 lbs/day, respectively³. Additionally, the Lead Agency quantified the Proposed Project's operational emissions and found that the Proposed Project will result in significant air quality impacts during operation before mitigation for VOCs, NOx, CO, PM₁₀, and PM_{2.5} at 2,338.84 lbs/day, 247.31 lbs/day, 5,377.52 lbs/day, 801.16 lbs/day, and 754.67 lbs/day, respectively⁴.

In the Draft Program EIR, the Lead Agency is committed to reducing the Proposed Project's construction emissions, such as requiring the use of construction equipment with engines rated at 75 horsepower or greater that meet or exceed U.S. Environmental Protection Agency (EPA) Tier 4 off-road emissions

¹ Draft Program EIR. Table 2-3. Page. 2-9.

² *Ibid.* Page. 3.2-39.

³ *Ibid.* Page. 3.2-50.

⁴ *Ibid.* Page. 3.2-52.

standards. The Lead Agency found that the Proposed Project's construction air quality impacts from VOCs, NOx, CO, PM10, and PM2.5 would remain significant and unavoidable after mitigation. The Lead Agency has developed mitigation measures to reduce the operational air quality impacts of the Proposed Project. These measures include, but are not limited to, vehicle miles traveled reduction strategies, the encouragement of electric vehicles, and idling restrictions. However, the Proposed Project's operation air quality impacts from VOCs, NOx, CO, PM10, and PM2.5 would remain significant and unavoidable after mitigation measures. The Lead Agency is also committed to requiring the completion of Health Risk Assessments for future development of distribution centers, gasoline dispensing facilities, dry cleaners, or other sources of toxic air contaminants implementing the Proposed Project.

Summary of South Coast AQMD Staff's Comments

The Proposed Project air quality impacts, particularly VOCs, NOx, CO, PM10, and PM2.5 emissions, would be significant and unavoidable during construction. To further reduce the Proposed Project's construction emissions, South Coast AQMD staff recommends that the Lead Agency strengthen the existing air quality mitigation measure for construction equipment by requiring the use of Tier 4 construction off-road equipment with engines rated at 50 horsepower and incorporate new air quality mitigation measures to require the use of electric or alternative-fueled construction equipment and clean trucks during construction in the Final Program EIR. Please see the attachment for more information. The attachment also includes a discussion of compliance with South Coast AQMD Rule 403(e) requirements that the Lead Agency should include in the Final Program EIR.

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 Program 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 the existing air quality mitigation measure and additional recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final Program 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 Kendra Reif, Air Quality Specialist, at kreif@aqmd.gov, should you have any questions or would like to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:KR

RVC200403-01

Control Number

ATTACHMENT

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. Since the Proposed Project's construction air quality impacts would be potentially significant and unavoidable⁵, South Coast AQMD staff recommends that the Lead Agency strengthen MM-AIR-1 to require the use of Tier 4 construction off-road equipment with engines rated at 50 horsepower or greater, and include information on monitoring and reporting to ensure compliance with MM-AQ-1. The recommended revisions to MM-AIR-1 in strikethrough and underline are provided as follows.

MM-AQ-1: Construction Equipment Emissions Reductions. The following measures shall be incorporated into the Northside Specific Plan to reduce construction criteria air pollutant emissions, including VOC, NOx, CO, PM10, and PM2.5, generated by construction equipment used for future development projects implemented under the proposed Specific Plan. Prior to the issuance of a grading permit within the Northside Specific Plan, the following shall be incorporated into the grading plan and/or grading permit conditions:

a) For off-road equipment with engines rated at ~~75~~ 50 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Interim. An exemption from these requirements may be granted in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment.¹ (For example, if a Tier 4 Interim piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 3), another piece of equipment could be upgraded from a Tier 4 Interim to a higher tier (i.e., Tier 4 Final) or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Interim standards.) Before an exemption may be considered, the applicant shall be required to demonstrate that two construction fleet owners/operators in the region were contacted and that those owners/operators confirmed Tier 4 Interim or better equipment could not be located in the region⁶. To ensure that Tier 4 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 ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and California Air Resources Board (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.

[...].

2. Additional Recommended Air Quality Mitigation Measures

CEQA requires that the Lead Agency considers mitigation measures to minimize potentially significant adverse impacts (CEQA Guidelines Section 15126.4) and that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any potentially significant adverse air quality impacts. Since the Proposed Project will be implemented over a 20-year period, the Lead

⁵ *Ibid.* Page 3.2-55.

⁶ *Ibid.* Page ES-27.

Agency should take this opportunity to deploy and incentivize the use of the lowest emission technologies at the Proposed Project. To further reduce the Proposed Project's construction emissions that will occur over time, South Coast AQMD staff recommends that the Lead Agency require the use of electric or alternative-fueled construction equipment and cleaner trucks during construction in the Final Program EIR. The recommended new air quality mitigation measures in underline are provided as follows. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website⁷.

Construction-related Air Quality Mitigation Measures for Off-Road Vehicles

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>.

Construction-related Air Quality Mitigation Measure for On-Road Vehicles

Require the use of zero-emissions (ZE) or near-zero emissions (NZE) on-road vehicles (e.g., material delivery trucks and soil import/export) during construction, such as trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, the Lead Agency may require that operators commit to using 2010 model year or newer engines that meet California Air Resources Board (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 and equipment. To monitor and ensure ZE, NZE, or 2010 model year or newer 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 operation, and make these records available to the Lead Agency upon request. Alternatively, the Lead Agency should require periodic reporting and provision of written records by operators, and conduct regular inspections of the records to the maximum extent feasible and practicable.

NZE heavy-duty truck engines are commercially available. Examples of commercially available NZE heavy-duty truck engines that meet California Air Resources Board's optional low NOx 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 engines¹⁹. Therefore, NZE heavy-duty trucks should be required for use during construction (e.g., material delivery trucks and soil import/export).

On March 3, 2017, the South Coast AQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)⁸, which was later approved by CARB 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 (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.

⁷ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

⁸ 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>.

Implementation of the Proposed Project contributes to Basin-wide NOx emissions. Requiring the use of ZE heavy-duty trucks supports South Coast AQMD's efforts to attain state and federal air quality standards as outlined in the 2016 AQMP, specifically for NOx emissions reductions. Requiring the use of ZE heavy-duty trucks also fulfills the Lead Agency's legal obligation to mitigate the Proposed Project's significant construction air quality impacts and complies with CEQA's requirements for mitigation measures. Therefore, South Coast AQMD staff recommends that the Lead Agency commits to the use of cleaner trucks during construction (e.g., material delivery trucks and soil import/export).

Technology is transforming the environmental sector and land use planning at a rapid pace. Cleaner trucks are increasingly more feasible and commercially available as technology advances. If using cleaner trucks as a mitigation measure to reduce the Proposed Project's construction air quality impacts is not feasible today, cleaner trucks could become feasible in a reasonable period of time within the lifetime of the Proposed Project (CEQA Guidelines Section 15364). Since the Proposed Project will be implemented over a 20-year period, the Lead Agency should take this opportunity to develop a process with performance standards to assess the feasibility of and deploy the lowest emission technologies for use at the Proposed Project and incentivize the use of ZE heavy-duty trucks throughout the life of the Proposed Project (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop performance standards as follows or any other comparable standards in the Final Program EIR.

- Develop a minimum amount of ZE heavy-duty trucks that the Proposed Project must use each year to ensure adequate progress. Include this requirement in the Construction Bid Package.
- Establish a contractor(s)/truck operator(s) selection policy that prefers contractor(s)/truck operator(s) who can supply ZE heavy-duty trucks at the Proposed Project. Include this policy in the Request for Proposal for selecting contractor(s)/truck operator(s).
- Develop a target-focused and performance-based process and timeline to implement the use of ZE heavy-duty trucks during construction.
- Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE heavy-duty trucks during construction.

3. South Coast AQMD Rule 403(e)

The Lead Agency included a discussion of general compliance with South Coast AQMD Rule 403 – Fugitive Dust in the Draft Program EIR⁹. Since the Proposed Project is a large operation of approximately 2,000 acres¹⁰ (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 Operations¹¹. 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 class¹². Therefore, South Coast AQMD staff recommends that the Lead Agency include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final Program EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

⁹ *Ibid.* Page 3.2-59.

¹⁰ *Ibid.* Page ES-2.

¹¹ 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>.

¹² 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.