



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

February 7, 2018

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Draft Environmental Impact Report (Draft EIR) for the Proposed Desert Land Ventures Specific Plan Environmental Impact Report

The South Coast Air Quality Management District (SCAQMD) 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.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to develop 62.9 acres for industrial and commercial uses, a hotel with 150 rooms, 38.7 acres of open space, and 21.8 acres for infrastructure including public roads and water, wastewater, and drainage on 123.4 acres (Proposed Project). The Proposed Project is generally located near the northwest corner of Interstate 10 and Palm Drive. Construction is expected to begin no sooner than January 2018 over a period of 24 months.

SCAQMD Staff's Air Quality Analysis

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational air quality emissions and compared those emissions to SCAQMD's regional and localized air quality CEQA significance thresholds. Although the Proposed Project is anticipated to be constructed in six phases, the Proposed Project has been modeled as one phase to represent a worse-case impact scenario¹. Based on the analysis, the Lead Agency found that the Proposed Project's mitigated construction emissions would be less than SCAQMD's regional CEQA significance thresholds, except NO_x emissions, and that the Proposed Project's mitigated operational emissions would be less than SCAQMD's regional CEQA significance thresholds, except NO_x and ROG emissions.

SCAQMD's 2016 Air Quality Management Plan

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)², 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 (NO_x) emissions in 2023 and an additional 55 percent NO_x reduction beyond 2031 levels for ozone attainment.

As described in the 2016 AQMP, to achieve NO_x 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. SCAQMD is committed to attain the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to NO_x and ROG emissions. Therefore, SCAQMD staff has comments on existing mitigation measures and recommends additional mitigation

¹ Draft PEIR. Section 4.3: Air Quality. Page 4.3-21.

² South Coast Air Quality Management District. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

measures to further reduce NO_x and ROG emissions in the attachment. Please see the attachment for more information.

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD 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 or useful to decision makers and to the public who are interested in the Proposed. 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).

SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me at lsun@aqmd.gov if you have any questions regarding the enclosed comments.

Sincerely,



Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS
RVC180109-04
Control Number

ATTACHMENT**Recommended Changes to Existing Mitigation Measures AQ-1 and AQ-8**

1. Based on a review of the Air Quality Section, SCAQMD staff found that the Lead Agency is committed to complying with SCAQMD Rule 1113 and to limit architectural coatings applied to buildings within the project site to 10 grams per liter VOC and traffic paints to 100 grams per liter VOC content³ (Construction Mitigation Measure AQ-1). Additionally, the Lead Agency is committed to limit re-application of architectural coatings that are used to protect buildings to 10 grams per liter VOC and traffic paints to 100 grams per liter VOC⁴ (Operational Mitigation Measure AQ-8). SCAQMD staff supports the Lead Agency's commitments to reducing VOC emissions and recommends that the Lead Agency ensure that during construction and operation of the Proposed Project, emissions of VOC-containing materials and paints, through implementation of both Mitigation Measures AQ-1 and AQ-8, are not to exceed SCAQMD's air quality CEQA significance threshold for VOC of 75 lbs/day during construction and 55 lbs/day during operation, and that there is an enforcement mechanism to ensure Mitigation Measures AQ-1 and AQ-8 are effective throughout the life of the Proposed Project.

Additional Recommended Mitigation Measures

2. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR to further reduce emissions, particularly from ROG and NOx. Additional information on potential mitigation measures as guidance to the Lead Agency is available on the SCAQMD CEQA Air Quality Handbook website⁵.
 - a) Require the use of 2010 model year diesel haul trucks that conform to 2010 EPA truck standards or newer diesel haul trucks (e.g., material delivery trucks and soil import/export) during construction and operation, and if the Lead Agency determines that 2010 model year or newer diesel haul trucks are not feasible, the Lead Agency shall use trucks that meet EPA 2007 model year NOx emissions requirements, at a minimum.
 - b) Require that 240-Volt electrical outlets or Level 2 chargers be installed in parking lots that would enable charging of NEVs and/or battery powered vehicles.

Vehicles that can operate at least partially on electricity have the ability to substantially reduce the significant NOx and ROG impacts from this project. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, SCAQMD staff recommends the Lead Agency require the Proposed Project be constructed with the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in.

- c) Limit parking supply and unbundle parking costs.
- d) Maximize the planting of trees in landscaping and parking lots.

³ Draft EIR, Section 1: Executive Summary, Page 1-9.

⁴ *Ibid.*

⁵ South Coast Air Quality Management District. <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

- e) Require use of electric or alternatively fueled sweepers with HEPA filters.
- f) Require use of electric lawn mowers and leaf blowers.

Compliance with SCAQMD Rule 403(e) – Large Operations

3. The Lead Agency included a discussion on general compliance with SCAQMD Rule 403 and Rule 403.1 in the Draft EIR. Based on the project description, the Proposed Project is a large operation of approximately 123.4 acres (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. However, the Lead Agency is also required to comply with SCAQMD Rule 403(e) – Additional Requirements for Large Operations⁶, 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 class⁷. Therefore, SCAQMD recommends that the Lead Agency include a discussion to demonstrate specific compliance with SCAQMD Rule 403(e) in the Final EIR.

⁶ South Coast Air Quality Management District Rule 403. Last amended June 3, 2005. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

⁷ South Coast Air Quality Management District 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.