



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

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sreilly@cityofredlands.org

Sean Reilly, Associate Planner

City of Redlands

Development Services Department, Planning Division

35 Cajon Street, Suite 20

P.O. Box 3005

Redlands, California 92373

**Mitigated Negative Declaration (MND) for the Proposed
Safety Hall and Courthouse Demolition
(General Plan Amendment & Zone Change Project - Demolition No. 281 & 282, General Plan
Amendment No. 137, and Zone Change No. 457)**

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 MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish existing safety hall and courthouse buildings totaling approximately 33,369 square feet, and build 45 multi-family residential units and 33,067 square feet of commercial uses on three acres (Proposed Project). Construction of the Proposed Project is expected to take approximately 284 days to complete¹.

SCAQMD Staff's Comments

Tier 4 Construction Equipment or Level 3 Diesel Particulate Filters

In the MND, the Lead Agency stated that "all the machinery used onsite [during construction] will be tier 3 or newer²." SCAQMD staff recommends that the Lead Agency use off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during Project construction. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filters (DPF). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions³. A list of CARB verified DPFs are available on the CARB website⁴. SCAQMD staff's recommended change is as follows.

All the machinery used onsite that is rated at 50 horsepower or greater will be tier 4 ~~3 or newer~~.

This requirement should be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's certified tier specification or

¹ MND, Table A, Page 28.

² *Ibid.*

³ 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.

⁴ *Ibid.* Page 18.

model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

Enforceability

To ensure that Tier 4 construction equipment will be used during the construction phase of the Proposed Project, SCAQMD recommends that the Lead Agency include the requirement as a mitigation measure or a project design feature for the Proposed Project in the Final MND.

In the event that the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, the Lead Agency should, at a minimum, specify in the Final MND that using Tier 3 or newer construction equipment is a project requirement that contractor(s) must provide evidence to the City for review and approval prior to demolition and ground disturbing activities.

Closing

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details 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 do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and the public who are interested in the Proposed Project.

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

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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