



# South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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## **Negative Declaration (ND) for the Proposed Conditional Use Permit No. 3761 - EA42962<sup>1</sup>**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comment is meant as guidance for the Lead Agency and should be incorporated into the Final ND.

### Project Description

The Lead Agency proposes to construct a gas station with eight pumps (Proposed Project). The Proposed Project will also include construction of a 1,975-square-foot convenience store, two underground fuel storage tanks, and a 1,632-square-foot canopy on 0.28 acres. Based on a review of aerial photographs, SCAQMD staff found that the Proposed Project is surrounded by commercial uses to the north, west, and south. Residential dwellings are located in proximity to the east and southeast.

### Air Quality Analysis

In the Air Quality analysis, the Lead Agency found that the Proposed Project's regional operational air quality impacts would be less than significant. However, the Air Quality analysis did not conduct operational emissions analysis from ROG that will be generated from storage tanks and the fueling process, which has likely led to an under-estimation of the Proposed Project's operational air quality impacts. It is important to note that while CalEEMod<sup>2</sup> 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. Therefore, it is recommended that the Lead Agency quantify operational stationary source emissions and include the gasoline fueling emissions in the Final ND. In the event that the Lead Agency finds, after revising the Air Quality analysis, that the Proposed Project's operational emissions would exceed SCAQMD's regional air quality CEQA significance thresholds for operation<sup>3</sup>, SCAQMD staff recommends that the Lead Agency consider mitigation measures to reduce those impacts to the maximum extent feasible in accordance with the CEQA Guidelines Sections 15070 to 15075 and 15126.4.

### Permits and Compliance with SCAQMD Rules

Since the Proposed Project is a gasoline service and dispensing facility, a permit from the SCAQMD would be required, and the SCAQMD should be identified as a Responsible Agency under CEQA for the Proposed Project in the Final ND. The Final ND should also demonstrate compliance with applicable SCAQMD Rules, including, but are not limited to, Rule 201 – Permit to Construct, Rule 203 – Permit to

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<sup>1</sup> On November 17, 2016, SCAQMD staff provided comments on the Site Plan for the Proposed Project, available at: <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/november/pccup3761.pdf>.

<sup>2</sup> 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](http://www.caleemod.com).

<sup>3</sup> South Coast Air Quality Management District. SCAQMD's CEQA Regional Pollutant Emissions Significance Thresholds. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

Operate, and Rule 461 – Gasoline Transfer and Dispensing. Should there be any questions on permits, please contact the SCAQMD’s Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit SCAQMD’s webpage at: <http://www.aqmd.gov/home/permits>.

#### Guidance Regarding Gasoline Dispensing Facilities Sited Near Sensitive Receptors

Based on a review of the Project Description and aerial photographs, SCAQMD staff found that residential uses are located in proximity to the Proposed Project to the east and southeast. SCAQMD 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 the SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, the SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*<sup>4</sup> in 2005. Additionally, the California Air Resources Board’s (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*<sup>5</sup> recommends avoiding the siting of housing within 300 feet of a large gas station or 50 feet for a typical gas station. In April 2017, CARB released a Technical Advisory as a supplement to this Handbook<sup>6</sup>. 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. SCAQMD staff recommends that the Lead Agency review and consider these guidance documents when making local planning and land use decisions.

#### Closing

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the ND 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 ND. 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 any air quality questions that may arise from this comment letter. Please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov) if you have any questions.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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RVC180308-04

Control Number

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<sup>4</sup> South Coast Air Quality Management District. May 2005. “Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning” Accessed at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>.

<sup>5</sup> California Air Resources Board. April 2005. “Air Quality and Land Use Handbook: A Community Health Perspective.” Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>.

<sup>6</sup> California Air Resources Board. April 2017. “Technical Advisory: Strategies to Reduce Air Pollution Exposure near High-Volume Roadways.” Accessed at: <https://www.arb.ca.gov/ch/landuse.htm>.