



# 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:

May 15, 2019

[scott@wlv.org](mailto:scott@wlv.org)

Scott Wolfe, Planning Director/Deputy City Manager  
City of Westlake Village, Planning Department  
31200 Oak Crest Drive  
Westlake Village, CA 91361

## **Draft Environmental Impact Report (Draft EIR) for the Proposed North Business Park Specific Plan (SCH No.: 2018051064)**

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 construct 1,107 residential units and 1,631,392 square feet of retail, commercial, business park, and office uses on 128.63 acres (Proposed Project). The Proposed Project is located on the northwest corner of Lindero Canyon Road and Highway 101. Construction of the Proposed Project is expected to begin in 2019 with a full buildout expected in 2040<sup>1</sup>.

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

The Lead Agency analyzed the Proposed Project's air quality impacts based on an expected maximum buildout scenario. The Lead Agency did not quantify construction emissions because "[p]roject specific data (e.g. the amount and type of construction equipment and the maximum daily acres disturbed) are not available at the level of specificity for modeling purposes, as no development proposals will accompany adoption of the Specific Plan"<sup>2</sup>. Instead, the Lead Agency was committed to implementing Mitigation Measure (MM) 4.3-1, which requires future, project-specific development in the Proposed Project to quantify construction-related emissions, compare those emissions to South Coast AQMD's air quality CEQA significance thresholds, and, if applicable, reduce emissions to less than significant levels<sup>3</sup>. MM 4.3-1 also requires the use of super-compliant paints [less than 10 grams of volatile organic compounds (VOC) per liter of coating], 2010 and newer diesel haul trucks, and Tier 3 or higher construction equipment<sup>4</sup>. The Lead Agency found that while the Proposed Project's regional<sup>5</sup> and localized<sup>6</sup> construction emissions from future development would be reduced after the implementation of MM 4.3-1, and since future development may still exceed significance thresholds, the Proposed Project's construction air quality impact would remain significant and unavoidable<sup>7</sup>.

The Lead Agency quantified the Proposed Project's operational emissions based on an expected maximum buildout scenario and compared those emissions to South Coast AQMD's regional air quality CEQA significance thresholds for operation. The Lead Agency found that the Proposed Project's net operational emissions from full buildout would be less than significant. The Lead Agency was committed to implementing MM 4.3-2 and MM 4.3-3, which require subsequent operational air quality and health risk

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<sup>1</sup> Draft EIR. Air Quality. Page 4.3-1.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.* Pages 4.3-24 - 25.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.* Page 4.3-17.

<sup>6</sup> *Ibid.* Page 4.3-20.

<sup>7</sup> *Ibid.* Pages 4.3-16 to 21.

assessment (HRA) analyses at a project-level to determine the level of significance. If subsequent, project-level operational air quality impacts or health risks exceed South Coast AQMD's CEQA significance thresholds, mitigation measures would be required (MM 4.3-2). MM 4.3-3 requires the implementation of design standards, such as barriers, landscaping, and ventilation systems. After the implementation of MM 4.3-2 and MM 4.3-3, the Lead Agency found that the Proposed Project's regional and localized operational air quality impacts would be reduced to less than significant<sup>8</sup>.

#### South Coast AQMD's 2016 Air Quality Management Plan

On March 3, 2017, the South Coast AQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)<sup>9</sup>, which was later approved by the California Air Resources Board (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. 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.

#### South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the Air Quality Analysis. The Proposed Project would be constructed over a period of 21 years; however, the Lead Agency did not quantify construction emissions, analyze an overlapping construction and operational scenario, or perform a localized significance thresholds analysis. Please see the attachment for more information.

As described in the 2016 AQMP, achieving NOx 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. South Coast AQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. To facilitate the timely attainment of the federal ozone standards, South Coast AQMD staff recommends revisions to existing MMs 4.3-1 through 4.3-3 and additional mitigation measures to further reduce the Proposed Project's construction and operational emissions. Please see the attachment for more information. Lastly, the attachment includes recommendations that the Lead Agency should include discussions South Coast AQMD Rule 1470 and Rule Series 1146 in the Final EIR to demonstrate that the Proposed Project will comply with these rules.

#### 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, when the Lead Agency makes the finding that the recommended revisions to existing mitigation measures 4.3-1 through 4.3-3 and additional mitigation measures are not feasible, the Lead Agency should describe the specific reasons 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](mailto:amullins@aqmd.gov) or (909) 396-2402, should you have any questions.

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<sup>8</sup> *Ibid.* Page 4.3-22.

<sup>9</sup> 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>.

Scott Wolfe

May 15, 2019

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:AM

LAC190404-11

Control Number

## ATTACHMENT

**Air Quality Impact Analysis – Construction Impact Analysis**

1. The Lead Agency did not quantify the Proposed Project's emissions from a 21-year period of construction activities. The Lead Agency stated that "[b]ecause the Specific Plan identifies future land uses, but does not contain specific development proposals [...] the construction-related emissions associated with future development under the proposed Specific Plan cannot be readily quantified"<sup>10</sup>. However, to ensure that future development implementing the Proposed Project will quantify construction emissions, the Lead Agency requires in MM 4.3-1 that future development within the Proposed Project shall quantify project-specific construction emissions, compare those emissions to South Coast AQMD's air quality CEQA significance thresholds for construction, and, if applicable, reduce emissions to less than significant levels<sup>11</sup>. Implementation of MM 4.3-1 also requires construction mitigation measures that may reduce construction air quality impacts to less than significant levels; however, future development may still exceed significance thresholds, therefore the Lead Agency found that the Proposed Project's construction air quality impact would remain significant and unavoidable<sup>12</sup>.

When specific development is reasonably foreseeable as a result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in the EIR. The degree of specificity will correspond to the degree of specificity involved in the underlying activity which is described in the EIR (CEQA Guidelines Section 15146). When quantifying air quality emissions, emissions from both construction (including demolition, if any) and operations should be calculated.

Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). South Coast AQMD staff recommends that the Lead Agency quantify the Proposed Project's construction emissions and compare those emissions to SCAQMD's regional air quality CEQA significance thresholds for *construction* to determine the level of significance. The Lead Agency should use the current version of California Emission Estimator Model (CalEEMod)<sup>13</sup> to quantify construction emissions.

As shown in Table 3-2 *Evaluated Maximum Buildout* and Appendix D *Air Quality Model Runs* in the Draft EIR, the Lead Agency has identified the estimated development potential of the Proposed Project. For example, in Table 3-2, the Lead Agency discussed that the maximum buildout will include 491,531 square feet of development and 1,017 dwelling units in three mixed use districts, 230,000 square feet of development in one office district, 538,255 square feet of development in two design districts, and 371,606 square feet of development in two business park districts<sup>14</sup>. Therefore, the Lead Agency can and should use this information and its best efforts to identify construction activities that would be required to implement the maximum build-out scenarios and quantify associated construction emissions, including emissions from any demolition activities. While this recommendation will not change the Lead Agency's finding that the Proposed Project's construction air quality impacts would be significant and unavoidable, it will facilitate the goal and purpose of CEQA on public disclosure with useful information on the kind, size, scope, intensity, duration, density, and location of subsequent project-level development to foster meaningful public participation and informed decision making.

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<sup>10</sup> Draft EIR. Air Quality. Page 4.3-17.

<sup>11</sup> *Ibid.* Pages 4.3-24 to 25.

<sup>12</sup> *Ibid.* Pages 4.3-16 to 21.

<sup>13</sup> South Coast AQMD. CalEEMod Version 2016.3.2. Accessed at: <http://www.aqmd.gov/caleemod/download-model>.

<sup>14</sup> Draft EIR. Executive Summary Page ES-4.

### **Air Quality Impact Analysis – Overlapping Construction and Operational Impacts**

2. Based on a review of the Air Quality Analysis, South Coast AQMD staff found that the Lead Agency did not consider nor analyze a scenario where construction activities overlap with operational activities (e.g., one project implementing the Proposed Project is operational while another project implementing the Proposed Project is under construction). Since implementation of the Proposed Project is expected to occur over a multi-year timeframe of 21 years from 2019 to 2040<sup>15</sup>, an overlapping construction and operation scenario is reasonably foreseeable, unless the Proposed Project includes requirement(s) that will prohibit overlapping construction and operational activities. To conservatively analyze a worst-case impact scenario that is reasonably foreseeable at the time the Draft EIR is prepared, South Coast AQMD staff recommends that the Lead Agency use its best efforts to identify the overlapping construction and operational years, 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.

### **Air Quality Analysis – Localized Significance Thresholds (LSTs) Analysis**

3. In the Draft EIR, the Lead Agency stated that, “[t]he magnitude of potential localized air pollutants that may occur to nearby sensitive receptors from short-term local impacts ... cannot be readily estimated”; however, even with the implementation of MM 4-3.1, localized construction air quality impacts would remain potentially significant and unavoidable<sup>16</sup>. Contrarily, the Proposed Project’s localized operational air quality impacts would be less than significant after the implementation of MM 4-3.3<sup>17</sup>.

The Proposed Project is surrounded by sensitive receptors. South Coast AQMD staff recommends that the Lead Agency use its best efforts, based on already available Proposed Project information, such as the maximum build-out of nonresidential uses in square feet and dwelling units<sup>18</sup>, to quantify the Proposed Project’s localized emissions and disclose the localized air quality impacts in the Final EIR. South Coast AQMD guidance for performing a localized air quality analysis is available on South Coast AQMD website<sup>19</sup>. Alternatively, the Lead Agency should consider to include an additional component to MM 4.3-1 that would require a project-level LSTs analysis:

For new development projects that are one acre or larger, the applicant/developer shall provide modeling of the localized emissions (NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM 2.5) associated with the maximum daily on-site construction and operational activities for the proposed development. If the modeling shows that emissions would exceed South Coast AQMD’s air quality CEQA localized thresholds for those emissions, the maximum daily on-site construction and operational activities of the proposed development shall be limited to the extent that could occur without resulting in emissions in excess of South Coast AQMD’s significance thresholds for those emissions. Alternatively, mitigation measures should be implemented to reduce these emissions to less than significant levels.

### **Recommend Revisions to Existing Mitigation Measures (MMs)**

4. The Lead Agency includes specific requirements in MMs 4.3-1 through 4.3-3 for future, project-specific air quality analysis. South Coast AQMD staff recommends that the Lead Agency include more specific details in the existing mitigation measures in order to provide useful information on the requirements for subsequent, project-specific air quality analyses. These details will assist in the Lead Agency’s decision making when it reviews and approves subsequent developments implementing the Proposed Project. Additionally, it will provide guidance for project-level applicants, demonstrate the Lead Agency’s commitment to enforcing project-specific mitigation measures, and facilitates CEQA streamlining and

<sup>15</sup> *Ibid.* Greenhouse Gas Emissions. 4.7-15.

<sup>16</sup> Draft EIR. Air Quality. Page 4.3-20.

<sup>17</sup> *Ibid.*

<sup>18</sup> Draft EIR. Executive Summary. Page ES-4.

<sup>19</sup> South Coast AQMD. Localized Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

tiering as an option for subsequent, project-level environmental review, where appropriate. Specifically, South Coast AQMD staff recommends that the Lead Agency incorporate the following recommended revisions in the Final EIR.

**MM 4.3-1:**

The City shall require Project Applicant/Developer to provide a quantification of regional and localized construction-related emissions for each development proposal and if the emissions exceed the SCAQMD's regional and localized construction thresholds, construction-related measures that would reduce these emissions to less than the SCAQMD thresholds shall be put into the development's contract specifications and implemented during construction. Depending on the pollutants that exceed thresholds, these measures ~~may~~ shall include, but not be limited to, the following:

- Submit a traffic control plan or haul route plan that reroutes construction trucks away from congested streets or sensitive receptors.
- Use coatings with volatile organic compound (VOC) that comply with the SCAQMD's Super Compliant Paints (<10 grams/liter of coatings).
- Require the use of ~~2010 and newer~~ zero-emissions (ZE) or near-zero emission (NZE) on-road diesel haul trucks (e.g., material delivery trucks and soil import/export) such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year<sup>20</sup> or newer engines that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. When requiring ZE or NZE on-road haul trucks, the Lead Agency should include analyses to evaluate and identify sufficient power and supportive infrastructure available for ZE/NZE trucks in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate. Additionally, 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 meets the minimum 2010 model year engine emission standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure. If the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained, the lead agency shall require the use of trucks that meet U.S. Environmental Protection Agency (USEPA) 2007 model year nitrogen oxide (NOx) and particulate matter (PM) emissions requirements.
- Require all on-site construction equipment to meet or exceed the CARB and U.S. Environmental Protection Agency USEPA Tier 3 or higher emissions standards. (USEPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. In addition, all construction equipment shall be outfitted with ARB-certified best available control technology (BACT) devices including, but not limited to, a CARB certified Level 3 Diesel Particulate Filters (DPF). Any emissions-control device used by the Contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly

<sup>20</sup> 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<sup>20</sup>. Since the construction schedule of the Proposed Project extends into 2024, it is reasonable to assume that 2010 model year trucks will become more widely available commercially. For more information on CARB's Truck and Bus Regulation, please visit: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions<sup>21</sup>. A list of CARB verified DPFs are available on the CARB website<sup>22</sup>. Additionally, the Lead Agency should include this requirement in applicable bid documents, and that successful contractor(s) must demonstrate the ability to supply compliant equipment prior to the commencement of any construction activities. A copy of each unit's certified tier specification and CARB or South Coast AQMD operating permit (if applicable) should 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 documentation by contractors to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance. In the event that the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is reviewed and approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable.

- Commercial electric power shall be used at the construction site to avoid or minimize the use of portable gas/ diesel-powered electric generators and equipment.
- Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).
- ~~On-site equipment shall not be left idling when not in use.~~ Enter into a contract that notifies all construction vendors and contractors that vehicle idling time will be limited to no longer than five minutes or another time-frame as allowed by the California Code of Regulations, Title 13 section 2485 - CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. For any vehicle delivery that is expected to take longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. Notify the vendors of these idling requirements at the time that the purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers and operators understand the idling requirement, post signs at the entry of the construction site and throughout the Proposed Project site stating that idling longer than five minutes is not permitted.
- Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.

#### **MM 4.3-2:**

The City shall require future development projects that would result in trip generation, number of residential units, or non-residential floor area that would exceed the permitted development in the Specific Plan and vary from the assumptions used in the analysis in this Program EIR to provide a quantification of regional and localized operational-related emissions for each development proposal and using the latest available emissions estimation model, or other analytical method determined in conjunction with the South Coast AQMD, and if the emissions exceed the SCAQMD's regional and

<sup>21</sup> 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](https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf).

<sup>22</sup> *Ibid*. Page 18.

localized operational thresholds, mitigation measures are required and shall be put into the development's contract specifications and implemented during operations.

**MM 4.3-3:**

Future development that is inconsistent with these recommended buffer distances (siting criteria), as contained in ARB's 2005 Air Quality and Land Use Handbook: A Community Health Perspective, shall prepare a site-specific health risk assessment<sup>23</sup> to demonstrate a less than significant impact to sensitive receptors. In addition, future development shall implement the following measures to minimize exposure of sensitive receptors and sites to health risks related to air pollution:

1. Site plan designs shall provide appropriate setback and/or design features that reduce TACs at the source.
2. Project Applicants/Developers shall incorporate design features (e.g., pollution prevention, pollution reduction, barriers, landscaping, high efficiency or enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better, ~~ventilation systems~~, or other measures) in the planning process to minimize TAC impacts to sensitive receptors.
3. Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors, as feasible.

**Additional Considerations for Existing MM 4.3-3**

- a) If enhanced filtration system is installed, it is important to consider the limitations. In a study that SCAQMD conducted to investigate filters<sup>24</sup>, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the residents. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail and disclosed to prospective residences prior to assuming that they will sufficiently alleviate exposures to Toxic Air Contaminants, such as diesel particulate matter (DPM) emissions.
- b) Despite the limitations, South Coast AQMD staff recommends that the Lead Agency make the installation of enhanced filtration units a project design feature that will be required for later project-level development and provide additional details regarding the maintenance and monitoring of filters at the plan-level in the Final EIR. This will ensure that the enhanced filters are enforceable at the project-level development that would be allowed under the Proposed Project as well as effective in reducing exposures to DPM emissions. To facilitate a good-faith effort at full disclosure and provide useful information to future residents at the project-level

<sup>23</sup> South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

<sup>24</sup> This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see also 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.



development, at a minimum, the Lead Agency should include a requirement for subsequent project's CEQA document in the Final EIR to include the following information:

- Disclosure on potential health impacts to prospective residents from living in close proximity to freeways or other sources of air pollution and the reduced effectiveness of air filtration systems when windows are open and/or when residents are outdoors (e.g., in the common usable open space areas);
- Identify the responsible implementing and enforcement agency, such as the Lead Agency, to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
- Identify the responsible implementing and enforcement agency such as the Lead Agency, to ensure that enhanced filtration units are inspected and maintained regularly;
- Disclose the potential increase in energy costs for running the HVAC system to prospective residents;
- Provide information to residents on where MERV filters can be purchased;
- Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
- Identify the responsible entity such as future residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
- Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units;
- Set City-wide or project-specific criteria for assessing progress in installing and replacing the enhanced filtration units.
- Develop a City-wide or project-specific process for evaluating the effectiveness of the enhanced filtration units.

#### **Additional Recommended Mitigation Measures**

5. 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. To further reduce construction and operational emissions from future projects that implement the Proposed Project and facilitate the achievement of goals and attainment timelines outlined in the 2016 AQMP, South Coast AQMD staff recommends that the Lead Agency incorporate the following project-level mitigation measures 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 website<sup>25</sup>.

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<sup>25</sup> South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

*Mitigation Measure for Construction Air Quality Impacts*

- Since the Proposed Project would be implemented over an estimated period of 21 years, the Lead Agency should take this opportunity to incorporate a periodic, technology review of both off-road construction equipment and on-road haul trucks that will be used during the Proposed Project. South Coast AQMD staff recommends that the Lead Agency develop project-specific or agency-wide strategies to foster and facilitate the deployment of the lowest emissions technologies as they become available. This may include incorporating a performance standards-based technology review, or developing other comparable strategies or tools, to periodically assess equipment availability, equipment fleet mixtures, and best available emissions control devices. The deployment should include those technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies or BACTs that are expected to become more readily available over the life of the Proposed Project. A technology review should also incorporate an appropriate timeline/schedule for the assessment that will also be supportive of emissions reductions goals being implemented at local, regional, state, and federal levels (e.g. South Coast AQMD’s AQMPs and other air quality and public health goals). If the technology review identifies that cleaner equipment has become available, the Lead Agency should commit to incorporating this new technology into the Proposed Project to further reduce the Proposed Project’s potentially significant and unavoidable construction emissions. South Coast AQMD staff encourages the Lead Agency to involve the public and interested parties, such as the South Coast AQMD and the CARB, in developing an appropriate process and performance standards for technology review.

*Mitigation Measures for Operational Air Quality Impacts from Mobile Sources*

- Provide incentives for vendors and material delivery trucks that would be visiting the business parks to encourage the use of zero-emission or near-zero emission heavy-duty trucks during operation, such as trucks with natural gas engines that meet CARB’s adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, incentivize the use of 2010 model year<sup>26</sup> or newer engines that meet 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. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.
- Provide electric vehicle (EV) charging stations. Require at least 5% of all vehicle parking spaces include EV charging stations, or at a minimum, require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. Electrical panels should be appropriately sized to allow for future expanded use. The Lead Agency should also include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.
- Design the Proposed Project such that the entrances and exits for the commercial and business park uses are such that vendors and material delivery trucks are not traversing past neighbors or other sensitive receptors.

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<sup>26</sup> 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>.

- Design the Proposed Project such that any check-in point for vendors and material delivery trucks is well inside the commercial and business park uses to ensure that these trucks do not queue outside of the residential boundaries.
- Restrict overnight vendors and material delivery truck parking in residential areas.
- Develop, adopt, and enforce vendors and material delivery truck routes both in and out of the specific plan area, and in and out of the commercial and business park boundaries.
- Provide incentives for employees working at the proposed office uses to encourage the use of public transportation or carpooling, such as discounted transit passes or carpool rebates.
- Implement a rideshare program for employees working at the proposed office uses and set a goal to achieve a certain participation rate over a period of time.

*Mitigation Measures for Operational Air Quality Impacts from Area Sources*

- Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed Project site to generate solar energy for the facility and/or EV charging stations.
- Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.
- Require the use of electric or alternatively fueled sweepers with HEPA filters.
- Maximize the planting of trees in landscaping and parking lots.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

**Responsible Agency, Permits, and Compliance with South Coast AQMD Rules**

6. Implementation of the Proposed Project may require permits from South Coast AQMD. If operation of the Proposed Project will involve the use of stationary diesel-fueled internal combustion or compression engines (i.e., generators or firefighting equipment), South Coast AQMD Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines<sup>27</sup> and South Coast AQMD Rule Series 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters<sup>28</sup>, including Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters<sup>29</sup> and Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters<sup>30</sup> would apply and should be discussed in the Air Quality Section of the Final EIR. Therefore, South Coast AQMD staff recommends that the Lead Agency consult with South Coast AQMD Permitting and Engineering staff as early as feasible to determine permit requirements and

<sup>27</sup> South Coast AQMD. Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>.

<sup>28</sup> South Coast AQMD. Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146.pdf>.

<sup>29</sup> South Coast AQMD. Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146-1.pdf>.

<sup>30</sup> South Coast AQMD. Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146-2.pdf>.

any applicable rules and regulations that should be discussed in the CEQA document for the Proposed Project. Additionally, in the event that the Proposed Project will require new stationary equipment that requires a permit from South Coast AQMD, the Lead Agency should identify South Coast AQMD as a Responsible Agency for the Proposed Project in the Final EIR. Questions on permits and applicable South Coast AQMD rules can be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

7. The Lead Agency included a discussion of general compliance with South Coast AQMD Rule 403 – Fugitive Dust in the Draft EIR<sup>31</sup>. Since the Proposed Project is a large operation of approximately 128 acres<sup>32</sup> (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 Operations<sup>33</sup>. 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 class<sup>34</sup>. Therefore, South Coast AQMD recommends that the Lead Agency include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

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<sup>31</sup> Draft EIR. Air Quality. Page 4.3-4.

<sup>32</sup> Draft EIR. Executive Summary. Page ES-2.

<sup>33</sup> 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>.

<sup>34</sup> 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](mailto:dustcontrol@aqmd.gov).