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SENT VIA USPS AND E-MAIL: March 24, 2017
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Malibu Creek Ecosystem Restoration Study Draft Integrated Feasibility Report (IFR) with Environmental Impact Statement/Environmental Impact Report (EIS/EIR)

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 EIS/EIR.

Project Description
The Lead Agency proposes to establish a more natural sediment transport regime from the watershed to the Southern California shoreline in the vicinity of Malibu Creek. Restoration alternatives include the No Action (Alternative 1) and three action alternatives, each with variations, as follows:

1. Alternative 2 with eight (8) variations: Removal of the Rindge Dam concrete arch and impounded sediment removal using traditional mining methods, and consideration of various shoreline and upland placement options for the impounded sediment

2. Alternative 3 with four (4) variations: Removal of the Rindge Dam concrete arch and impounded sediment over many decades, allowing for storms to erode controlled volumes of the impounded sediment before implementing the next incremental notching of the dam arch, repeating the cycle until the dam arch and sediment is removed

3. Alternative 4 with eight (8) variations: Similar to Alternative 2, except the Rindge Dam concrete arch would be lowered an additional 5-feet each winter storm season during the 7-8 year construction cycle to allow opportunities for a controlled volume of the impounded sediment to erode downstream during the storm seasons between mining season operations

As shown in Table 1.5-3 of the Draft EIS/EIR, Alternative 2b2 is one of the eight variations of Alternative 2. Alternative 2b2 includes the method of transport and placement of the mostly sands, using trucks and barges for nearshore placement, and adding the removal of the Rindge Dam spillway. Alternative 2b2 is identified as the likely Locally Preferred Plan (LPP) in the Draft EIS/EIR.

All alternatives involving the mechanical removal of sediment (excavation and hauling) exceed the SCAQMD's air quality NOx CEQA thresholds and were determined to be significant and unavoidable. No mitigation measures are proposed in the Draft EIS/EIR.

Air Quality Analysis
The SCAQMD staff has concerns about the air quality analysis. The SCAQMD staff found that there were inconsistencies between project air emissions shown in Section 5.12 and Appendix L, *Air Quality*

Analysis. Additionally, the SCAQMD staff found that the air quality analysis was difficult to follow and understand. The goal of an EIR is to inform other governmental agencies and the public generally of the environmental impacts of a proposed project (CEQA Guidelines Section 15003(c)). As the EIR is an informational document, it should follow a clear format as set forth in CEQA Guidelines Sections 15006(r), 15120, and 15121. The Final EIS/EIR should correct the inconsistencies and provide the information to facilitate public disclosure. Details are included in the attachment.

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final EIS/EIR. SCAQMD staff is available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, CEQA Section, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

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ATTACHMENT

Air Quality Analysis

1. The Locally Preferred Plan (LPP) – Alternative 2b2 proposes to transport 276,000 cubic yards of sediment via truck to Ventura Harbor and barging to the Malibu Pier parking lot coast. However, Appendix L, *Air Quality Analysis*, does not include emissions from barging. In the event Alternative 2b2 is selected as the proposed project, the Draft EIS/EIR has likely underestimated the project's air quality impacts. The SCAQMD staff recommends calculating barge emissions and including them in the Final EIS/EIR.

2. As stated on page 428 in Section 5.12, *Air Quality and Global Climate Change*, it states that construction is anticipated to begin in 2025. However, Appendix L, *Air Quality Analysis*, analyzes construction scenarios starting in 2016. The SCAQMD staff recommends that the Lead Agency clarify the construction scenario and update the air quality analysis based on one construction scenario consistent throughout the Final EIS/EIR and technical appendices.

3. The Lead Agency used EMFAC2011 and OFFROAD2007 to generate emission factors. Available since December 30, 2014, EMFAC2014[1] is the most recent available version that has superseded EMFAC2011. OFFROAD2007 has now been replaced with the In-Use Off-Road Equipment 2011 Inventory Model[2] since December 2011[3]. While the Lead Agency may choose to use EMFAC2011 and OFFROAD2007, given that both were available at the time when the Notice of Preparation for the proposed project was published in or around 2002, the SCAQMD staff recommends that the Lead Agency revise the air quality analysis and use EMFAC2014 and Off-Road Equipment 2011 Inventory Model in the Final EIS/EIR.

4. Based on a review of Section 5.12, *Air Quality and Global Climate Change*, and the supporting Appendix L, *Air Quality Analysis*, the SCAQMD staff found that there were inconsistencies in the project emissions. For example, emissions shown in Table 5.12-4 – Alternative 2 Maximum Daily Emissions (pounds per day), on page 437, do not match the emission calculations for Alternative 2 and its variations as shown in Appendix L (See Tables 1 and 2). The emissions in the Draft EIS/EIR are less than those in Appendix L. Therefore, the SCAQMD staff finds that the Draft EIS/EIR has likely under-estimated the air impacts. It is recommended that the Lead Agency address these inconsistencies in the Final EIS/EIR and update the air quality emissions estimates and tables.

[1] EMFAC2014. Available at: https://www.arb.ca.gov/emfac/2014/.
[2] Mobile Source Emissions Inventory – Categories. Available at: https://www.arb.ca.gov/msei/categories.htm.
[3] In-Use Off-Road Diesel Vehicle Regulation. Available at: https://www.arb.ca.gov/msprog/ordiesel/whatsnew/2011.htm.

Table 1
Copy of Table 5.12-4 Showing Inconsistencies in Air Emission Estimates and Tables

Table 5.12-4 - Alternative 2 Maximum Daily Emissions (pounds per day)

Pollutant	Original	Updated	SCAQMD (CEQA) Significance Threshold
	2a1 and 2c1	2a2 and 2c2	
Carbon Monoxide, CO	96.2	100.9	550
Reactive Organic Gas, ROG	18.7	19.7	75
Nitrogen Oxides, NO_x	125.7	154.8	100
Sulfur Dioxide, SO_2	0.4	0.5	150
Inhalable Particulate Matter, PM_{10}	13.3	14.3	150
Fine Particulate Matter, $PM_{2.5}$	3.6	3.9	55
	2b1 and 2d1	2b2 and 2d2	
Carbon Monoxide, CO	133.0	137.4	550
Reactive Organic Gas, ROG	18.7	19.7	75
Nitrogen Oxides, NO_x	153.6	182.3	100
Sulfur Dioxide, SO_2	0.5	0.6	150
Inhalable Particulate Matter, PM_{10}	13.3	14.2	150
Fine Particulate Matter, $PM_{2.5}$	4.2	4.5	55
Source of Original Data: CDM Smith 2013, SCAQMD 2011.			

Alternative 2a NOx Maximum

Alternative 2b NOx Maximum

Table 2
Copy of Emissions Summary in Appendix L Showing Inconsistencies in Air Emissions and Tables

Emissions Summary
Alternative 2a - Dam Removal with Mechanical Transport

Emissions Summary by Year - Daily

	Unmitigated Daily Emissions (pounds per day)						Mitigated Daily Emissions (pounds per day)					
Year	VOC	NOx	CO	SO2	PM10	PM2.5	VOC	NOx	CO	SO2	PM10	PM2.5
2016	2	33	12	0	5	1	1	23	10	0	4	1
2017	10	134	69	0	14	6	4	58	55	0	10	2
2018	15	224	109	0	17	8	9	126	96	0	11	3
2019	11	142	85	0	13	6	7	82	78	0	10	3
2020	8	106	71	0	12	5	6	67	68	0	10	3
2021	20	111	83	0	16	6	19	81	82	0	13	4
Maximum	**20**	**224**	**109**	**0**	**17**	**8**	**19**	**126**	**96**	**0**	**13**	**4**

Alternative 2a NOx Maximum

Emissions Summary
Alternative 2b - Dam Removal with Mechanical Transport and Upstream Barrier Removal

Emissions Summary by Year - Daily

	Unmitigated Daily Emissions (pounds per day)						Mitigated Daily Emissions (pounds per day)					
Year	VOC	NOx	CO	SO2	PM10	PM2.5	VOC	NOx	CO	SO2	PM10	PM2.5
2016	2	33	12	0	5	1	1	23	10	0	4	1
2017	10	134	69	0	14	6	4	58	55	0	10	2
2018	22	269	165	1	20	10	16	172	152	1	14	5
2019	16	199	122	0	16	8	12	138	115	0	13	5
2020	11	136	89	0	14	6	9	97	86	0	11	4
2021	20	111	83	0	16	6	19	81	82	0	13	4
Maximum	**22**	**269**	**165**	**1**	**20**	**10**	**19**	**172**	**152**	**1**	**14**	**5**

Alternative 2b NOx Maximum

5. Section 5.12 of the Draft EIS/EIR and Appendix L are difficult to follow and understand. The SCAQMD staff recommends that the Lead Agency, at a minimum, present the information for each alternatives and their variations in a table format. An example is provided as Table 3.

Table 3

		Regional Daily Emissions (lbs/day)			Localized Daily Emissions (lbs/day)		
Alternative	**Pollutant**	**Maximum**	**SCAQMD's Threshold**	**Significant?**	**Maximum**	**SCAQMD's Threshold**	**Significant?**
2a	VOC	19	75	No			
	NOx	126	100	Yes			
	CO	96	550	No			
	SO2	0	150	No			
	PM10	13	150	No			
	PM2.5	4	55	No			
2b	VOC	19	75	No			
	NOx	172	100	Yes			
	CO	152	550	No			
	SO2	1	150	No			
	PM10	14	150	No			
	PM2.5	5	55	No			
3a	…						
3…							

Compliance with the SCAQMD Rule 1403

6. Since the proposed project includes demolition, the Lead Agency must comply with SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. Please provide additional information to demonstrate compliance with SCAQMD Rule 1403 in the Final EIS/EIR.

Mitigation Measures

7. The Lead Agency states that Alternative 2 – Mechanical Transport would result in significant and unavoidable air quality impacts. Mitigation measures were not proposed to minimize air quality impacts. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and/or operation to minimize any significant impacts. Information on potential mitigation measures as guidance to the Lead Agency are available on the SCAQMD CEQA Air Quality Handbook website.[4] Examples of additional potential mitigation measures for the Lead Agency to consider include the following:

    a. All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. 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 sized engine as defined by CARB regulations.

    b. Require the use of 2010 and newer diesel or alternatively fueled haul trucks (e.g., material delivery trucks and soil import/export).

[4] SCAQMD CEQA Air Quality Handbook. Available at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook

c. A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

d. Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean-up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades

e. Require the use of electricity from power poles rather than temporary diesel or gasoline power generators.

f. All construction vehicles both on- and off-site shall be prohibited from idling in excess of 5 minutes.

g. Traffic speeds on all unpaved roads to be reduced to 15 mph or less.

h. Limit soil disturbance to the daily amounts analyzed in the Draft EIS/EIR.

i. Improve traffic flow by signal synchronization.

j. Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.

k. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.

l. Provide dedicated turn lanes for movement of construction trucks and equipment on-and off-site.

m. Reroute construction trucks away from congested streets or sensitive receptor areas.