



# South Coast Air Quality Management District

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

SENT VIA E-MAIL AND USPS:

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[chriso@moval.org](mailto:chriso@moval.org)

Chris Ormsby, Senior Planner  
City of Moreno Valley Community Development Department  
14177 Frederick Street  
Moreno Valley, California 92553

## **Mitigated Negative Declaration (MND) for the Proposed Moreno Valley Festival Specific Plan Amendment**

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 amend the Moreno Valley Festival Specific Plan, which was adopted in 1987 (Proposed Project). The Proposed Project will modify the existing permitted uses to allow for a retail, retail/mix of uses, and mix of uses that shall include commercial, retail, business-park, office, medical, and related uses. The potential build-out scenario for the Proposed Project would include 348,000 square feet of business-park and 325,000 square feet of retail/mix of uses. Based on a review of aerial photographs and Exhibit 2-4 and Exhibit 2-5 in the MND, SCAQMD staff found that residential uses are located immediately west of the Proposed Project Planning Area III. Construction is expected to take seven years to complete.

### SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operation emissions and compared them to SCAQMD's regional air quality CEQA significance thresholds. The Proposed Project's construction emissions were calculated based on a seven-year construction timeline, assuming simultaneous development of all seven planning areas with the maximum case build-out<sup>1</sup>. As a result, the Lead Agency found that the Proposed Project's air quality impacts would be less than significant.

### SCAQMD Staff's Comments

#### *Localized Air Quality Analysis during Construction*

As stated above, the Proposed Project is located next to sensitive receptors (e.g., residents). To ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity, SCAQMD staff recommends that the Lead Agency quantify the Proposed Project's localized emissions and disclose the localized air quality impacts in the Final MND. SCAQMD guidance for performing a localized air quality analysis is available on SCAQMD website<sup>2</sup>.

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<sup>1</sup> MND, Page 51.

<sup>2</sup> South Coast Air Quality Management District. Localized Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

### *Overlapping Construction and Operational Impacts*

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 a CEQA document. In the Air Quality Analysis, the Lead Agency stated that “the likelihood of all seven planning areas undergoing construction at once is slim<sup>3</sup>.” Since implementation of the Proposed Project is expected to occur over a period of seven years, and an overlapping construction and operation scenario is reasonably foreseeable, *unless overlapping construction and operation is expressly prohibited in applicable bid document and/or development agreement*, the Lead Agency should analyze a scenario where construction activities overlap with operational activities in the Final MND.

To properly analyze a worst-case impact scenario that is reasonably foreseeable at the time the MND is prepared, SCAQMD staff recommends that the Lead Agency identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions, and compare the combined emissions to SCAQMD’s air quality CEQA *operational* thresholds of significance to determine the level of significance in the Final MND. In the event that the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project’s air quality impacts would be significant, mitigation measures will be required. For more information on suggested potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD’s CEQA Air Quality Handbook website<sup>4</sup>.

### *SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities*

Since the Proposed Project would include demolition, asbestos may be encountered during demolition. As such, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 1403 in the Final MND.

### *SCAQMD Rule 1166, Rule 402, and Rule 403*

In the event that Jiffy Lube Oil Change Center that is located in Planning Area IV is planned for demolition, disturbing soils may contain petroleum hydrocarbons that are subject to the requirements of SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. As such, the Lead Agency should include a discussion to demonstrate compliance with Rule 1166 in the Final MND. Furthermore, the Final MND should discuss how the Proposed Project will comply with SCAQMD Rule 402 – Public Nuisance and SCAQMD Rule 403 – Fugitive Dust Rule, if volatile organic compounds and/or odors are emitted during soil disturbance activities.

### Conclusion

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.

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<sup>3</sup> MND. Page 51.

<sup>4</sup> South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

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](mailto: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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