South Coast
Air Quality Management District
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SENT VIA E-MAIL AND USPS: June 13, 2018

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Mitigated Negative Declaration (MND) for the State Route 133 Improvement Project

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 make safety improvements to State Route (SR) 133 from south of El Toro Road to SR-73 between Post Mile [PM] 3.1 to PM R4.1 (Proposed Project). The Proposed Project would also include drainage improvements, widening of shoulders, addition of a bike lane, and underground overhead utilities. Based on a review of Figure 1-2, *Project Location*, in the MND and aerial photographs, SCAQMD staff found that sensitive receptors such as residential uses are located in proximity to the southern portion of the Proposed Project near the intersection between SR 133 and Phillips Street. The Proposed Project (Build Alternative or Alternative 1), if selected, is expected to be constructed over a 26-month period[1].

General Comments

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction emissions[2] but did not compare to SCAQMD regional air quality CEQA significance thresholds to determine the level of significance for construction impacts. Additionally, the Lead Agency did not conduct a localized air quality analysis. Detailed comments are included in the attachment. Furthermore, the attachment includes SCAQMD staff's recommendations on additional mitigation measures to further reduce impacts to residences from the construction 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 to 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 or Daniel Garcia, Program Supervisor, at dgarcia@aqmd.gov if you have any questions.

[1] MND. Page 1-18.
[2] MND. Table 2.11.1. Page 2.11-7.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS
ORC180612-04
Control Number

ATTACHMENT

SCAQMD's Air Quality CEQA Thresholds of Significance

1. While CEQA permits a Lead Agency to apply appropriate thresholds to determine the level of significance, the Lead Agency may not apply thresholds in a manner that precludes consideration of substantial evidence demonstrating that there may be a significant effect on the environment. Evaluation of air quality impacts, unlike some other impact areas, easily lends itself to quantification. Not only does quantification make it easier for the public and decision-makers to understand the breadth and depth of the potential air quality impacts, but it also facilitates the identification of mitigation measures required to reduce any significant adverse air quality impacts. SCAQMD's CEQA thresholds of significance for air quality provide a clear quantitative benchmark to determine the significance of a project's air quality impacts. Therefore, for most projects within the SCAQMD, SCAQMD's air quality CEQA thresholds of significance for construction and operation[3] are used to determine the level of significance of a project's air quality impacts.

   The Lead Agency quantified the maximum construction emissions for the Proposed Project's Build Alternative in pounds per day[4] but did not compare those emissions to SCAQMD regional air quality CEQA significance thresholds to determine the level of significance for the Proposed Project's construction impacts[5]. Using SCAQMD's CEQA significance thresholds would clearly identify whether the Build Alternative would result in significant air quality impacts under CEQA, disclose the magnitude of the impacts, facilitate the identification of feasible mitigation measures, and evaluate the level of impacts before and after mitigation measures. Therefore, SCAQMD staff recommends that the Lead Agency compare the Build Alternative's construction emissions to SCAQMD regional air quality CEQA significance thresholds in the Final MND to determine the level of significance.

Localized Air Quality Impact Analysis during Construction

2. Air quality impacts from both construction (including demolition, if any) and operation activities 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).

   Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. They include schools, parks and playgrounds, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. Based a review of aerial photographs, SCAQMD staff found that single-family residential uses are located in proximity to the southern portion of the Proposed Project near the intersection between SR 133 and Phillips Street. However, the Lead Agency did not quantify the Proposed Project's localized construction emissions in the MND. 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 construction 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[6].

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[3] South Coast Air Quality Management District. March 2015. *SCAQMD Air Quality Significance Thresholds*. Accessed at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.

[4] MND. Table 2.11.1. Page 2.11-7.

[5] *Ibid*.

[6] 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.

Additional Recommended Air Quality Mitigation Measures

3. SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final MND to further reduce criteria pollutants emissions during construction and their impacts to sensitive receptors.

   a) Require the use of 2010 model year diesel haul trucks that conform to 2010 U.S. EPA truck standards or newer diesel haul trucks (e.g., material delivery trucks and soil import/export) during construction, and if the Lead Agency determines that 2010 model year or newer diesel haul trucks are not feasible, the Lead Agency shall use trucks that meet EPA 2007 model year NOx emissions requirements, at a minimum. Include this requirement as a bid or contract specification with contractors. Require periodic reporting and provision of written documents by contractors to prove and ensure compliance.

   b) Requires the use of Tier 4 emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower. Include this requirement as a bid or contract specification with contractors. Require periodic reporting and provisions of written documents by contractors to prove and ensure compliance.

   c) Minimize idling of all construction vehicles to five minutes or less. This is consistent with the California Air Resources Board's (CARB) idling policy[7].

Other Comment

4. In the Air Quality Analysis in Chapter 3, *CEQA Evaluation*, the Lead Agency stated that "See Section 2.11, Air Quality, in this IS/EA for a list of standardized project features (Project Features PF-AQ-1 through PF-AQ-5) that would avoid and/or minimize air quality impacts resulting from construction activities[8]." After a review of Section 2.11, *Air Quality*, in the MND, SCAQMD staff found that the Lead Agency discussed PF-AQ-1 from Pages 2.11-4 to 2.11-6 but did not include PF-AQ-2 through PF-AQ-5 for discussion. Therefore, it is recommended that the Lead Agency include the additional air quality project features in the Final MND or revise the Air Quality Analysis in Chapter 3.

[7] California Air Resources Board. June 2009. *Written Idling Policy Guidelines*. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/guidance/writtenidlingguide.pdf.

[8] MND. Page 3-8.