



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report (DEIR) for the Proposed The Terraces at Walnut Specific Plan Project (SCH No. 2018010146)

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 construction of 290 residential units and 30,000 square feet of commercial uses on 49 acres (Proposed Project). The Proposed Project is located on the northeast corner of Valley Boulevard and Grand Avenue. Upon review of the DEIR and aerial photographs, South Coast AQMD staff found that the Proposed Project is located in close proximity to land uses, such as warehouse and/or industrial uses, which are capable of generating or attracting heavy-duty, diesel-fueled trucks, and that existing residential uses are located within 100 feet north and northwest of the Proposed Project¹. Construction of the Proposed Project is expected to occur over 56 months with operation beginning in 2024².

South Coast AQMD Staff's Comments

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's regional and localized construction and operational air quality impacts would be less than significant. However, the Lead Agency did not include a discussion on the potential long-term health risks to residents who will live at the Proposed Project in close proximity to multiple warehouses, which are capable of generating or attracting heavy-duty, diesel-fueled trucks that emit diesel particulate matter (DPM), which the California Air Resources Board has identified as a toxic air contaminant based on its carcinogenic effects³. Additionally, regional nitrogen oxide (NOx) emissions and localized particulate matter (PM) emissions during construction were found to be slightly below South Coast AQMD's respective air quality CEQA significance thresholds.

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse impacts. To further reduce the health risk impacts to future residents living at the Proposed Project, South Coast AQMD staff recommends that the Lead Agency require enhanced filtration systems with a minimum efficiency reporting value (MERV) of 13 or better to be installed at the Proposed Project. Additionally, to further reduce the Proposed Project's regional NOx emissions and localized PM emissions during construction and potential health impacts on the surrounding residences located within 100 feet of the Proposed Project, South Coast AQMD staff recommends that the

¹ DEIR. Page 2-3.

² *Ibid.* Page 2-20.

³ California Air Resources Board. August 27, 1998. Resolution 98-35. Accessed at: <http://www.arb.ca.gov/regact/diesltac/diesltac.html>.

Lead Agency incorporate mitigation measures, such as Tier 4 off-road construction equipment and near-zero emission on-road haul trucks in the Final EIR. Please see the attachment for additional information.

Closing

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 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 Robert Dalbeck, Assistant Air Quality Specialist, at RDalbeck@aqmd.gov or (909) 396-2139, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:RD

LAC190321-02

Control Number

ATTACHMENT

Reduce Health Risk Impacts to Residents at the Proposed Project

1. Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project will include, among others, construction of 290 residential units. Upon review of the DEIR and aerial photographs, South Coast AQMD staff found that the Proposed Project is located in close proximity to multiple warehouses and/or industrial uses. Residents living at the Proposed Project would likely be exposed to toxic air contaminants (TACs) such as diesel particulate matter (DPM) from the transportation and idling of heavy-duty, diesel-fueled trucks associated with these land uses. Therefore, South Coast AQMD staff recommends that the Lead Agency review and consider incorporating the following comments in the Final EIR.

Guidance on Siting Sensitive Receptors Near Freeways and Other Sources of Air Pollution

- a) South Coast AQMD 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 South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005⁴. This Guidance document provides recommended policies 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.
- b) Guidance on siting incompatible land uses can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. CARB recommends avoiding new sensitive land uses such as residential uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). Additionally, CARB recommends consideration of the configuration of existing distribution centers, and that residential uses should not be located near any entry and exit points. Therefore, South Coast AQMD staff recommends that the Lead Agency review the guidance documents, use its good faith effort to find out if the existing warehouses meet the CARB's criteria, and disclose the information in the Final EIR. The information will facilitate the purpose and goal of CEQA on public disclosure and will provide decision-makers with meaningful information to make an informed decision on project approval. It will also foster informed public participation by providing the public and future residents at the Proposed Project with information that is needed to understand the potential health risks from living in close proximity to warehouses and industrial uses.

Enhanced Filtration Units and Limitations

- c) Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Because of the potential adverse health risks involved with siting residential uses near land uses that emit TACs and/or attract or generate heavy-duty, diesel-fueled

⁴ South Coast AQMD. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

truck trips, it is essential that any proposed strategy is carefully evaluated before implementation. South Coast AQMD staff recommends that the Lead Agency require the installation of MERV 13 filters or better at the Proposed Project and incorporate the following comments in the Final EIR.

South Coast AQMD staff also recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that South Coast AQMD conducted to investigate filters⁵, 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 prior to assuming that they will sufficiently alleviate TAC exposures.

Enforceability of Enhanced Filtration Units

2. If enhanced filtration units are required for the Proposed Project, and to ensure that they are enforceable throughout the lifetime of the Proposed Project and effective in reducing exposures to TACs, South Coast AQMD staff recommends that the Lead Agency make the installation of enhanced filtration units a project design feature, mitigation measure, or condition of approval, and provide additional details regarding the ongoing, regular maintenance, and monitoring of filters in the Final EIR. To facilitate a good-faith effort at full disclosure and provide useful information to future residents at the Proposed Project, at a minimum, the Final EIR should include the following information:
 - a) Disclose the potential health impacts to prospective residents from living in a close proximity to sources of air pollution (e.g., nearby warehouses and/or industrial uses) and the reduced effectiveness of the air filtration system when windows are open and/or when residents are outdoors (e.g., in the common usable open space areas);
 - a) 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;
 - b) Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected and maintained regularly;
 - c) Disclose the potential increase in energy costs for running the HVAC system to prospective residents;
 - d) Provide information to residents on where the MERV filters can be purchased;
 - e) Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
 - f) Identify the responsible entity such as 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);
 - g) Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units;

⁵ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://www.iqair.cn/sites/default/files/documents/Polidori-et-al-2012.pdf>.

- h) Set City-wide or Proposed Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
- i) Develop a City-wide or Proposed Project-specific process for evaluating the effectiveness of the enhanced filtration units.

Additional Recommended Mitigation Measures

3. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. Upon review of Table 4.2-5 – *Estimated Construction Daily Air Pollutant Emissions*, and Table 4.2-6 – *Localized Significance Thresholds* in the Air Quality Section of the DEIR, South Coast AQMD staff found that the Proposed Project’s regional NOx emissions would be 74 pounds per day (lbs/day) compared to a threshold of 100 lbs/day, localized PM10 emissions would be 10.5 lbs/day compared to a threshold of 12 lbs/day, and localized PM2.5 emissions would be 6.7 lbs/day compared to a threshold of 7 lbs/day. To further reduce the Proposed Project’s regional and localized air quality impacts from NOx and PM emissions, South Coast AQMD staff recommends that the Lead Agency review and incorporate the following 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 website⁶.

Tier 4 Construction Equipment

- a) Use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (U.S. EPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction. Such equipment should be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB certified Level 3 Diesel Particulate Filter (DPF). Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions⁷. A list of CARB verified DPFs are available on the CARB website⁸. 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. Moreover, the Lead Agency should require that the Proposed Project maintain records of all off-road construction equipment at the Proposed Project and make these records available to the Lead Agency upon request. These records will serve as substantial evidence to prove that the Proposed Project utilized off-road construction equipment that meets the Tier 4 emissions standards. 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 with this mitigation measure. If 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.

⁶ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

⁷ California Air Resources Board. 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.

⁸ *Ibid*. Page 18.

Enforceability of Tier 4 Construction Equipment

- b) To ensure that off-road construction equipment used will meet or exceed Tier 4 off-road engine emission standards during construction, South Coast AQMD staff recommends that the Lead Agency incorporate these requirements as a project design feature, mitigation measure, or a condition of approval for the Proposed Project in the Air Quality Section of the Final EIR.

Zero-Emission or Near-Zero Emission On-Road Haul Trucks during Construction

- c) Require zero-emission or near-zero emission on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the California Air Resources Board's (CARB) adopted optional NOx emissions standard of 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 or newer trucks (e.g., material delivery trucks and/or soil and aggregate import/export) that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions. Additionally, the Lead Agency should 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.

Enforceability of Zero-Emission or Near-Emission On-Road Haul Trucks during Construction

- d) To ensure that zero-emission or near-zero emission on-road haul trucks will be used during construction, South Coast AQMD staff recommends that the Lead Agency incorporate these requirements as a project design feature, mitigation measure or a condition of approval for the Proposed Project in the Air Quality Section of the Final EIR. Additionally, require that the Proposed Project maintain records of all on-road heavy-duty haul trucks visiting the Proposed Project during construction and make these records available to the Lead Agency upon request. The records will serve as substantial evidence to prove that the Proposed Project utilize zero-emission and near-zero emission heavy-duty trucks, or at minimum trucks that meet the 2010 model year on-road 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.

Other Recommended Mitigation Measures during Construction

- e) Maintain vehicle and equipment maintenance records for the construction portion of the Proposed Project. All construction vehicles must be maintained in compliance with the manufacturer's recommended maintenance schedule. All maintenance records shall remain on-site for a period of at least two years from completion of construction.
- f) 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 that is expected to idle longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. To further ensure that drivers understand the vehicle idling requirement, post signs at the entrance and throughout the site stating that idling longer than five minutes is not permitted.
- g) Encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission

heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

Recommended Mitigation Measures during Operation

- h) Provide electric vehicle (EV) charging stations. Require at least 5% of all vehicle parking spaces include EV charging stations. Vehicles that can operate at least partially on electricity have the ability to substantially reduce NOx emissions. It is important to make this electrical infrastructure available when the Proposed Project is built. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Additionally, electrical panels should be appropriately sized to allow for future expanded use. Therefore, South Coast AQMD staff recommends the Lead Agency require the Proposed Project to provide the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in in the Final EIR. Additionally, the Lead Agency should 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.
- i) Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs throughout the Proposed Project to generate solar energy for the Proposed Project and/or to power EV charging stations.
- j) Maximize the planting of trees in landscaping and parking lots.
- k) Use light colored paving and roofing materials.
- l) Require use of electric or alternatively fueled street-sweepers with HEPA filters.
- m) Require use of electric lawn mowers and leaf blowers.
- n) Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- o) Use of water-based or low VOC cleaning products.