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Negative Declaration (ND) for the Proposed Southbound Interstate 605 Beverly Boulevard Interchange Improvement Project

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 ND.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency is proposing the reconstruction of the southbound on-ramp and off-ramp of Interstate 605 (I-605) at Beverly Boulevard between Post Mile (PM) R14.1 and PM R14.6 within the City of Pico Rivera (Proposed Project). Based on a review of Figure 8, *Sensitive Receptors Near Project Site*, in the ND and aerial photographs, South Coast AQMD staff found that sensitive receptors such as residential uses are located in the immediate vicinity of the Proposed Project. Construction of the Proposed Project is expected to occur over 12 months[1].

South Coast AQMD Staff's Summary of and General Comments on the Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction emissions and found that construction would result in 162 pounds per day (lbs/day) of NOx, and that air quality impacts from construction activities would not result in significant adverse air quality impacts. However, the Lead Agency did not use South Coast AQMD's regional CEQA air quality significance thresholds to determine the level of significance. Additionally, the Lead Agency did not conduct a localized air quality impact analysis. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the Air Quality Analysis to use South Coast AQMD's CEQA significance thresholds to make a significance finding. Additionally, to further reduce the Proposed Project's 162 lbs/day of NOx emissions during construction, South Coast AQMD staff recommends mitigation measures that the Lead Agency should consider and incorporate in the Final ND. Please see the attachment for more details.

Closing

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the ND for adoption together with any comments received during the public review process. Please provide the South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final ND. 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, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes a finding that the additional recommended mitigation measures are not

[1] ND. Page 155.

feasible, the Lead Agency should describe the specific reasons for rejecting or substituting these mitigation measures in the Final ND (CEQA Guidelines Section 15074.1).

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 if you have any questions.

Sincerely,

Lijin Sun

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

Attachment
LS:RD
LAC190501-18
Control Number

ATTACHMENT

South Coast AQMD's Air Quality CEQA Thresholds of Significance

1. While CEQA allows 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. South Coast AQMD's CEQA significance thresholds 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 South Coast AQMD, South Coast AQMD's air quality CEQA thresholds of significance for construction and operation[2] are used to determine the level of significance for a project's air quality impacts.

   The Lead Agency quantified the Proposed Project's daily construction emissions in pounds per day and found that the Proposed Project's construction-related air quality impacts would be less than significant. However, the Lead Agency did not compare the estimated construction emissions to South Coast AQMD's regional air quality CEQA significance thresholds to support the finding. Using South Coast AQMD's CEQA significance thresholds would clearly identify whether the build alternatives 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, South Coast AQMD staff recommends that the Lead Agency compare the Proposed Project's construction emissions to South Coast AQMD's regional air quality CEQA significance thresholds in the Final ND to determine the level of significance.

Localized Air Quality Impact Analysis during Construction

2. 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 on a review the ND and aerial photographs, South Coast AQMD staff found that sensitive receptors are located within 100 feet[3] of the Proposed Project. The Lead Agency did not quantify the Proposed Project's localized construction emissions in the ND and compare those emissions to South Coast AQMD's localized significance thresholds (LSTs). Therefore, South Coast AQMD staff recommends that the Lead Agency quantify the Proposed Project's localized construction emissions and disclose the localized air quality impacts in the Final ND to ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity. South Coast AQMD guidance for performing a localized air quality analysis is available on South Coast AQMD's website[4].

Recommended Mitigation Measures

3. The Proposed Project's construction activities would result in NOx emissions at 162 lbs/day, which would exceed South Coast AQMD's air quality CEQA significance threshold for NOx at 100 lbs/day during construction and would be a significant adverse air quality impact. Mitigation measures are required (CEQA Guidelines Sections 15070 and 15071). Additionally, if the Lead Agency finds, after performing a localized air quality impact analysis based on Comment No. 2, that the Proposed

[2] South Coast AQMD. March 2015. *South Coast AQMD Air Quality Significance Thresholds*. Accessed at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.
[3] ND. Figure 8 - *Sensitive Receptors Near Project Site*. Page 26.
[4] South Coast AQMD. *Localized Significance Thresholds*. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

Project's localized construction emissions would be significant, mitigation measures would be required. South Coast AQMD staff has compiled a list of recommended mitigation measures as suggested resources and guidance to the Lead Agency to assist the identification of feasible mitigation measures for incorporation in the Final ND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website[5].

a) Use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) 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 Filters (DPF). Level 3 DPFs are capable of achieving at least an 85 percent reduction in particulate matter emissions[6]. A list of CARB verified DPFs are available on the CARB website[7]. 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.

b) Maintain equipment maintenance records for the construction portion of the Proposed Project. All construction equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their construction contractor(s) should be made available for inspection and remain on-site for a period of at least two years from completion of construction.

c) 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.

d) Require the use of zero-emission or near-zero emission on-road 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

[5] South Coast AQMD. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook.
[6] 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.
[7] *Ibid*. Page 18.

operators commit to using 2010 model year[8] 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. The Lead Agency should also 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 ND, 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.

e) Restrict non-essential diesel engine idle time, to not more than five consecutive 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, include the idling requirement in the training materials for drivers, operators, and vendors, and post signs throughout the Proposed Project site stating that idling longer than five minutes is not permitted.

f) Suspend all on-site construction activities when wind speeds (as instantaneous gusts) exceed 25 miles per hour.

g) All trucks hauling dirt, sand, soil or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with California Vehicle Code Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).

[8] CARB adopted the statewide 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 at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html.