



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Mitigated Negative Declaration (MND) for the Proposed GFR Homes TTM 20150

The 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 MND.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish four existing structures totaling 16,000 square feet and build 84 single-family residential uses with a minimum lot size of 10,800 square feet on 67 acres (Proposed Project). Construction is expected to last six months beginning in mid-2019¹.

South Coast AQMD 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 South Coast AQMD's regional air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's regional air quality impacts from construction and operation would be less than significant. While the Proposed Project's regional NOx emissions from construction were found to be less than significant, the Proposed Project would result in approximately 98.6 pounds per day (lbs/day) in summer and 98.9 lbs/day in winter², which were slightly below South Coast AQMD's regional CEQA air quality significance threshold of 100 lbs/day for NOx.

South Coast AQMD Staff's Comments

Recommended New Mitigation Measure for Air Quality During Construction: Tier 4 Construction Equipment or Level 3 Diesel Particulate Filters

CEQA requires that all feasible mitigation measures go beyond what is required by law to minimize any significant impacts. To further reduce NOx emissions during construction, South Coast AQMD staff recommends that the Lead Agency use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (EPA) Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during Project construction. Such equipment will 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 85 percent reduction in particulate matter emissions³. A list of CARB verified DPFs are available on the CARB website⁴. To ensure that Tier 4 construction equipment or better

¹ MND. Table 2-1. Page IS 11.

² MND. Table 1 and Table 2. Page IS 18.

³ 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.

⁴ *Ibid*. Page 18.

will be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement as a new air quality mitigation measure in the Final MND. Additionally, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. The Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s), and conduct regular inspections to the maximum extent feasible to ensure compliance. In the event that construction equipment cannot meet the Tier 4 engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is 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 daily grading activities, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.

Recommended New Mitigation Measure for Air Quality During Construction: On-Road Diesel-Fueled Haul Trucks

To further reduce the impacts of NO_x emissions during construction, the Lead Agency should require zero-emissions (ZE) or near-zero emission (NZE) on-road diesel-fueled 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 NO_x 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 operators commit to using 2010 model year⁵ 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 NO_x emissions or newer, cleaner trucks. When requiring ZE or NZE on-road haul trucks, the Lead Agency should evaluate and identify sufficient power and supportive infrastructure available for ZE/NZE trucks in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate. To ensure that clean trucks will be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement as a new air quality mitigation measure in the Final MND. Additionally, the Lead Agency should include this requirement as a bid or contract specification with contractors. 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. Require periodic reporting and provision of records by contractors to prove and ensure compliance. 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 also conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.

Demonstration of Compliance with South Coast AQMD Rule 1403

Since the Proposed Project will include demolition, and in the event asbestos is encountered during demolition, South Coast AQMD staff recommends that the Lead Agency include a discussion to

⁵ CARB adopted the statewide On-Road 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 equivalent⁵. Since the construction schedule of the Proposed Project extends into 2024, it is reasonable to assume that 2010 model year trucks will become more widely available commercially. For more information on CARB's Truck and Bus Regulation, please visit: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

demonstrate compliance with South Coast AQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities⁶ in the Final MND.

Other Comments

Upon a review of Notice of Intent for the Proposed Project, South Coast AQMD staff found that the MND was circulated for public review and comments from May 8, 2019 to May 24, 2019. This results in a 17-day public review period. CEQA Guidelines Sections 15105 and 15073 require that the Lead Agency shall provide a public review period for a proposed MND of *no less than 20 days (emphasis added)*. In exceptional circumstances, the State Clearinghouse may set shorter review periods when requested by the Lead Agency (CEQA Guidelines Section 15205). Therefore, South Coast AQMD staff recommends that the Lead Agency clarify if a public review period shorter than 20 days has been set by the State Clearinghouse for the Proposed Project in the Final MND, or correct the public review period by recirculating the MND for public review for no less than 20 days to comply with the CEQA procedural requirements for MND.

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 South Coast AQMD 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, informative, or useful to decision makers and 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 feasible, the Lead Agency should describe the specific reasons for rejecting or substituting these mitigation measures in the Final MND (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 me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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Control Number

⁶ South Coast AQMD. Rule 1403. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.