



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
Thousand Palms 278 Specific Plan (Environmental Assessment No. 42661, General Plan
Amendment No. 1135, Specific Plan No. 386, Change of Zone No. 7850 and Tentative Parcel Map
No. 37191)**

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 build 590 residential units on 117.99 acres (Proposed Project). Construction is expected to take approximately seven years to complete in year 2024¹.

SCAQMD Staff's Comments

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 and particulate matter emissions during construction and minimize their impacts on nearby residents, SCAQMD staff recommends that the Lead Agency use off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA 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 a CARB certified Level 3 Diesel Particulate Filters (DPF). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions². A list of CARB verified DPFs are available on the CARB website³. Therefore, SCAQMD staff's recommended change to the applicable portion of Mitigation Measure AQ-2 is as follows.

- Utilize Tier 4 ~~3-rated or better~~ heavy equipment rated 50 horsepower or greater particularly for scrapers, excavators, dozers, and graders.

The requirement should be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment before demolition and ground disturbance activities. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) should be available upon request at the time of mobilization of each applicable unit of equipment.

¹ MND. Table 8. Page 76.

² 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.

³ *Ibid*. Page 18.

Diesel-Fueled Trucks with 2010 Model Year Engines

To further reduce the Proposed Project's NOx emissions during construction, the Lead Agency should require the use of diesel haul trucks that conform to 2010 EPA truck standards or newer diesel haul trucks (e.g., material delivery trucks and soil import/export) during construction. If the Lead Agency determines that 2010 model year or newer diesel haul trucks are not feasible supported by substantial evidence in the record, 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.

Other Comment

SCAQMD staff received a Notice of Public Hearing for the Proposed Project on April 20, 2018 but did not receive the MND for review when the MND was circulated for public review and comments in January 2018. As a result, SCAQMD staff requested the MND from the Lead Agency on April 20, 2018⁴. SCAQMD is a CEQA public commenting agency. To fulfill this role, SCAQMD staff reviews and may comment on the technical adequacy of the air quality analysis and health risk assessment, as well as recommend mitigation measures, as appropriate. Staff's goal is to ensure that project emissions and health risk impacts are adequately evaluated, disclosed, and mitigated to the maximum extent feasible. Since the Lead Agency provided SCAQMD staff a Notice of Public Hearing for the Proposed Project, the Lead Agency should have also provided SCAQMD staff the Proposed Project's environmental analysis during the CEQA-required public review and comment period for the MND (CEQA Guidelines Section 15073). Moving forward, it is recommended that the Lead Agency provide projects' publicly circulated CEQA documents to SCAQMD staff for review, and the CEQA documents may be sent to my attention or Ms. Lisa Wong, Senior Office Assistant, CEQA-Intergovernmental Review, at the address listed above or by e-mail at lwong@aqmd.gov.

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 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. 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 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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⁴ E-mail correspondence between SCAQMD staff (Ms. Lisa Wong) and Riverside County Planning Department (Mr. David Alvarez). April 20, 2018.