



# 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 Patriot Partners Warehouse Project – Design Review DRC2018-00553**

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 construct a 117,293-square-foot warehouse on 5.09 acres (Proposed Project). The Proposed Project is located on the northeast corner of 6<sup>th</sup> Street and Center Avenue. It is anticipated that the Proposed Project would generate approximately 41 truck trip-ends per day<sup>1</sup>. Construction of the Proposed Project is expected to occur over 14 months and become operational in 2020<sup>2</sup>.

### SCAQMD Staff's Summary of Air Quality and Health Risk Assessment (HRA) Analyses

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's construction and operational emissions would not exceed SCAQMD's regional or local air quality CEQA significance thresholds. The Lead Agency also conducted a mobile-source HRA analysis to identify the cancer and non-cancer risk to sensitive receptors in the vicinity. The Lead Agency found that operation of the Proposed Project would result in a maximum incremental cancer risk (MICR) of 0.11 in one million and a hazard index of .00005<sup>3</sup>, which was below SCAQMD's CEQA significance threshold of 10 in one million for cancer risk. Additionally, the Lead Agency has committed the Proposed Project to implementing mitigation measure (MM) AQ-1, which requires all cargo-handling equipment being used on-site to be electrically-powered, such as forklifts, and yard trucks/hostlers<sup>4</sup>.

### SCAQMD's 2016 Air Quality Management Plan

On March 3, 2017, SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)<sup>5</sup>, which was later approved by the California Air Resources Board (CARB) on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin (Basin). The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen

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<sup>1</sup> MND, Page 36.

<sup>2</sup> *Ibid.* Page 6.

<sup>3</sup> *Ibid.* Page 46.

<sup>4</sup> *Ibid.* Page 47.

<sup>5</sup> South Coast Air Quality Management District, March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>

oxide (NO<sub>x</sub>) emissions in 2023 and an additional 55 percent NO<sub>x</sub> reduction beyond 2031 levels for ozone attainment.

#### SCAQMD Staff's General Comments

As described in the 2016 AQMP above, achieving NO<sub>x</sub> emissions reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. To further reduce the Proposed Project's emissions during construction and operation, SCAQMD staff recommends additional mitigation measures as resources to the Lead Agency that should be considered for incorporation into the Final MND. Please see the attachment for more information.

#### 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 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 any air quality questions that may arise from this comment letter. Please contact Robert Dalbeck, Assistant Air Quality Specialist, at [RDalbeck@aqmd.gov](mailto: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  
SBC190212-06  
Control Number

## ATTACHMENT

### Additional Recommended Mitigation Measures

1. 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. As stated above, SCAQMD is committed to attaining the NAAQS for ozone as well as other goals set forth in the 2016 AQMP. To further reduce the Proposed Project's construction and operational emissions, and facilitate the goals of the 2016 AQMP, SCAQMD staff recommends that the Lead Agency review and incorporate the following mitigation measures in the Final MND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website<sup>6</sup>.

#### Off-Road Diesel-Fueled Construction Equipment and Fleets during Construction

- 1) 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 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<sup>7</sup>. A list of CARB verified DPFs are available on the CARB website<sup>8</sup>. Additionally, the Lead Agency should include this requirement in applicable bid documents, and that successful contractor(s) must demonstrate the ability to supply such equipment prior to ground disturbing activities. A copy of each unit's certified tier 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. 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 Lead Agency should, at a minimum, specify in the Final MND that using Tier 3 or newer construction equipment is a project requirement that contractor(s) must provide evidence to the Lead Agency for review and approval prior to the commencement of any construction activities.
- 2) Maintain vehicle and equipment maintenance records for the construction portion of the Proposed Project. All construction equipment and vehicles must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each vehicle and 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.
- 3) 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 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

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

<sup>7</sup> 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](https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf).

<sup>8</sup> *Ibid*. Page 18.

of the facility. To further ensure that drivers and operators understand the idling requirement, post signs at the entry of the construction site and throughout the Proposed Project site stating that idling longer than five minutes is not permitted.

- 4) Encourage construction contractors to apply for SCAQMD “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 SCAQMD’s website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

#### Mobile Sources and Area Sources during Operation

- 5) Require the use of zero-emission or near-zero emission heavy-duty trucks during operation, such as trucks with natural gas engines that meet CARB’s adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty trucks visiting the Proposed Project during operation commit to using 2010 model year or newer engines that meet CARB’s 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks.
- 6) Provide electric vehicle (EV) charging stations, or at a minimum, require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. Electrical panels should be appropriately sized to allow for future expanded use.
- 7) Require trucks to use the truck route that was analyzed in the Health Risk Assessment of the Final MND.
- 8) Have truck routes clearly marked with trailblazer signs so that trucks will not enter residential areas.
- 9) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final MND (41 truck trip-ends per day). If higher daily truck volumes are anticipated during operation, the Lead Agency should commit to re-evaluating the Proposed Project’s air quality impacts through CEQA prior to allowing higher activity levels.
- 10) Design the Proposed Project such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.
- 11) Design the Proposed Project such that any check-in point for trucks is well inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility.
- 12) Design the Proposed Project to ensure that truck traffic within the Proposed Project site is located away from the property line(s) closest to its residential or sensitive receptor neighbors.
- 13) Restrict overnight parking in residential areas.
- 14) Establish overnight parking within the industrial building where trucks can rest overnight.
- 15) Establish area(s) within the Proposed Project site for repair needs.
- 16) Develop, adopt and enforce truck routes both in and out of the City, and in and out of facilities.

- 17) Provide incentives for employees in order to encourage the use of public transportation or carpooling, such as discounted transit passes or carpool rebates.
- 18) Implement a rideshare program for employees and set a goal to achieve a certain participation rate over a period of time.
- 19) Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- 20) Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.
- 21) Require use of electric or alternatively fueled sweepers with HEPA filters.
- 22) Maximize the planting of trees in landscaping and parking lots.
- 23) Use light colored paving and roofing materials.
- 24) Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- 25) Use of water-based or low VOC cleaning products that go beyond the requirements under SCAQMD Rule 1113.