



South Coast Air Quality Management District

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SENT VIA E-MAIL:

August 14, 2020

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Draft Environmental Impact Report (Draft EIR) for the Area Q Quarry Project (Proposed Project) (SCH No.: 2020010528)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The County of San Bernardino (Lead Agency) is the CEQA Lead Agency for the Proposed Project. The following comments include recommended revisions to the air quality analysis, health risk assessment, project design features and mitigation measures that the Lead Agency should include in the Final EIR.

Based on the Draft EIR, the Lead Agency is proposing to relocate an existing aggregate mining operation at the Cajon Creek Quarry. Mining operations currently occurring at Area L will cease, once completed in 2023, and be relocated to an adjacent area, Area Q. The relocation will require demolition of 15 existing structures and construction of a 112,280-square-foot berm¹. Construction activities will occur over a three-month period and be completed in March 2023². It is anticipated that operations in Area Q will begin in 2023 and will continue over a 30-year period, terminating in 2053³. During operations, the Proposed Project would have a maximum annual extraction rate of 3.1 million tons of aggregate⁴. Aggregate would be transferred using an existing conveyance infrastructure in place near the northern site boundary where the materials would be transported off-site for processing using the same amount of haul trucks already in operation⁵. Based on a review of the Draft EIR and aerial photographs, South Coast AQMD staff found that residences are located within 350 feet southeast of the Proposed Project

Assembly Bill 617 (AB 617) was approved into law in 2017, focusing on local impacts from air pollution in environmental justice communities. In December 2018, the San Bernardino, Muscoy (SBM) community was designated as an AB 617 community, requiring South Coast AQMD staff to establish a Community Steering Committee (CSC). South Coast AQMD and the CSC worked to develop a Community Emissions Reduction Plan (CERP) that addresses the community's air quality priorities. The CERP includes actions, such as, focused enforcement for idling trucks, community outreach for incentives that fund cleaner technology, and inter-agency collaboration to establish enforceable truck routes. The Draft EIR includes a discussion of the SBM CERP and acknowledges that the Proposed Project is adjacent to the SBM community boundary and within the SBM emissions study area. This community is disproportionately impacted by air pollution generated from multiple sources (e.g., existing aggregate plants and heavy-duty diesel trucks servicing commercial and industrial operations). Therefore, South Coast AQMD staff recommends that the Final EIR include a discussion of project design features consistent with Chapter 5f, Action 1 of the SBM CERP.

¹ Draft EIR. Air Quality and Climate Change Impact Analysis. Page 280.

² Draft EIR. Section 2.0 Project Description. Page 2-32.

³ *Ibid.*

⁴ *Ibid.* Pages 2-1 to 2-3.

⁵ *Ibid.*

Based on a review of the Draft EIR and supporting technical documents, South Coast AQMD staff has three main comments. A summary of these comments is provided as follows with additional details provided in the attachment.

1. CEQA Localized Air Quality Impact Analysis: In the Draft EIR, the Lead Agency did not include a localized air quality impacts analysis. Since the closest sensitive receptors (e.g. residents) are located within 350 feet⁶, the Lead Agency should analyze the Proposed Project's localized air quality impacts in the Final EIR as substantial evidence to show that nearby sensitive receptors are not adversely affected by emissions that are occurring in close proximity.
2. Health Risk Assessment: Based on the exposure duration used to estimate health risks, the Proposed Project's operational health risks may be underestimated because the Lead Agency used a shorter exposure duration than is recommended. Therefore, the Lead Agency should revise the health risk assessment in the Final EIR and use a 30-year exposure duration for sensitive receptors and a 25-year exposure duration for off-site workers to re-calculate cancer risk.
3. Recommended Air Quality Mitigation Measures: In the event that, upon revisions to the Air Quality Analysis based on Comment No. 1, the Lead Agency finds that the Proposed Project would result in significant air quality impacts, feasible mitigation measures would be required. To assist the Lead Agency in identifying them for incorporation in the Final EIR, the attachment includes a recommendation of using Tier 4 Final on-site equipment at the Proposed Project. Additional recommended mitigation measures during operation are also included in the attachment.

In conclusion, the Draft EIR likely underestimated the Proposed Project's localized emissions and cancer risk. South Coast AQMD staff recommends that the Lead Agency revise the air quality analysis and health risk assessment in the Final EIR.

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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov, should you have any questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM:dg/dt
SBC200716-01
Control Number

⁶ Draft EIR. Appendix C-1: Visual Impact Analysis. Page 15.

ATTACHMENT**South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment**

The Lead Agency quantified the Proposed Project's regional construction and operational emissions and compared those emissions to South Coast AQMD's regional CEQA air quality significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be less than significant. The Proposed Project's net operational air quality impacts would also be less than significant and would result in decreases in CO, PM2.5, and PM10 emissions from the baseline conditions by 25 pounds per day (lbs/day), 1.5 lbs/day, and 1.8 lbs/day, respectively⁷. No air quality mitigation measures were included⁸. The Lead Agency also conducted a health risk assessment for the Proposed Project's operational activities and found that the Proposed Project would result in an incremental cancer risk of 5.46 in one million⁹, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk¹⁰.

South Coast AQMD staff's detailed comments on the CEQA air quality impacts analysis and health risk assessment are provided as follows.

1. CEQA Localized Air Quality Impact Analysis

In the Draft EIR, the Lead Agency quantified the Proposed Project's regional air quality emissions and found the regional air quality impacts would be less than significant¹¹. However, the Lead Agency did not include a localized air quality impacts analysis from criteria pollutants for comparison to South Coast AQMD's CEQA air quality localized significance thresholds or the National Ambient Air Quality Standards and the California Ambient Air Quality Standards. Since sensitive receptors (e.g. residents) are located within 350 feet of the Proposed Project, South Coast AQMD staff recommends that the Lead Agency analyze the Proposed Project's localized air quality impacts from construction and operation activities in the Final EIR to demonstrate that nearby sensitive receptors are not adversely affected by emissions that are occurring in close proximity¹².

2. Health Risk Assessment

In the Draft EIR, the Lead Agency performed a health risk assessment and found that the Proposed Project's maximum operational cancer risk at the maximum exposed individual receptor would be 5.46 in one million, which would not exceed South Coast AQMD's CEQA significant threshold of 10 in one million for cancer risk. However, upon review of the Draft EIR and technical appendices, South Coast AQMD staff found that the Lead Agency calculated cancer risk to sensitive receptors based on a 15-year exposure duration¹³.

The Proposed Project's operational health risk impacts may be underestimated because the Lead Agency used a shorter exposure duration for sensitive receptors. South Coast AQMD's CEQA significance threshold of 10 in a million for cancer risk is based on a 30-year exposure duration for sensitive receptors. Since the Lead Agency compared the Proposed Project's cancer risk to the South Coast AQMD's CEQA significance threshold of 10 in a million to determine the level of significance for the Proposed Project's health risk impacts, the Lead Agency should use a 30-year exposure period for sensitive receptors (e.g.

⁷ Draft EIR. Section 3.2 Air Quality. Page 3.2-38 to 3.2-40.

⁸ *Ibid.*

⁹ *Ibid.* Page 3.2-41 to 3.2-43.

¹⁰ South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk is based on the most current methodology recommended by the California Office of Environmental Health Hazard assessment.

¹¹ *Ibid.*

¹² South Coast AQMD. *Localized Significance Thresholds*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

¹³ Draft EIR. Air Quality and Climate Change Impact Analysis. Page 50.

residents) and a 25-year exposure duration for off-site workers to re-calculate cancer risk to re-calculate the Proposed Project's health risks in the Final EIR.

3. Recommended Air Quality Mitigation Measures

In the event that the Lead Agency finds that, after revisions to the Air Quality Analysis based on Comment No. 1, the Proposed Project would result in significant air quality impacts, feasible mitigation measures will be required (CEQA Guidelines Section 15126.4). South Coast AQMD staff has identified the following mitigation measure capable of reducing localized air quality impacts during operation that the Lead Agency should review and incorporate in the Final EIR.

Off-Road Diesel-Powered On-Site Equipment

Require the use of off-road diesel-powered equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards for equipment rated at 50 horsepower or greater during operation of the Proposed Project. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in particulate matter emissions. A list of CARB's verified DPFs are available on the CARB website.

To ensure that Tier 4 Final off-road diesel-powered equipment or better would be used during the Proposed Project's operation, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts with construction contractor(s). Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and operational activities. A copy of each unit's certified tier specification, 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. Additionally, the Lead Agency should require periodic reporting and provision of written documents by operation contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance.

In the event that operational equipment cannot meet the Tier 4 Final engine certification, the Project representative(s) or contractor(s) 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, off-road diesel-fueled equipment with Tier 4 Interim or Tier 3 emission standards.

On-Road Diesel-Powered Heavy-Duty Trucks

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse impacts. While the Proposed Project will use the same amount of haul trucks already in operation¹⁴, those trucks are part of the Proposed Project's ongoing operation that will generate diesel particulate emissions. Additionally, since sensitive receptors (e.g. residents) are located in close proximity, and the Proposed Project would be operational for a 30-year period extending out to 2053, the Lead Agency can and should take this opportunity to incorporate the use of cleaner heavy-duty trucks during operation.

¹⁴ *Ibid.* Pages 2-1 to 2-3.

CARB adopted the statewide Truck and Bus Regulation (Regulation) in 2010. The Regulation requires, among others, that diesel trucks and buses that operate in California to have 2010 model year engines or equivalent by January 1, 2023¹⁵. Not only does this regulation establish economic, environmental, legal, social, and technological feasibility, it also provides an opportunity for projects such as the Proposed Project to use 2010 model year trucks. As stated above, operation of the Proposed Project would begin by 2023, and would be ongoing for a period of 30 years. During the earlier years of operation, the Proposed Project will need to comply with the Regulation by using 2010 model year trucks, which should become more widely available commercially. The Lead Agency should use 2010 model year trucks or newer for the Proposed Project.

Technology is transforming the transportation sector at a rapid pace. Cleaner trucks such as zero-emissions (ZE) or near-zero emissions (NZE) heavy-duty trucks are increasingly more feasible and commercially available as technology advances. If using ZE or NZE trucks as a mitigation measure is not feasible today, cleaner trucks could become feasible in a reasonable period of time during the Proposed Project's 30-year operational lifetime (CEQA Guidelines Section 15364). Therefore, it is recommended that the Lead Agency develop a process with performance standards as follows or any other comparable standards to incentivize the use of and accelerate the turnover of trucks to ZE or NZE heavy-duty trucks during operation in the Final EIR (CEQA Guidelines Section 15126.4(a)).

- Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use during each year of the operation to ensure adequate progress. Include this requirement in the Proposed Project's operation management documents and business agreement.
- Establish a truck operator(s) selection policy that prefers truck operator(s) who can supply the use of ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the bid documents and business agreement.
- Develop a target-focused and performance-based process and timeline to review the feasibility to implement the use of ZE or NZE heavy-duty trucks during operation. Include this process and timeline in the Proposed Project's operation management documents and business agreement.
- Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation. Include this process and criteria in the Proposed Project's operation management documents and business agreement.

¹⁵ More information on the CARB's Truck and Bus Regulations is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html>.