



# South Coast Air Quality Management District

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## **Review of the Draft Environmental Impact Report (Draft EIR) for the City of Santa Ana Transit Zoning Code**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. Although the public comment period for the Draft Environmental Impact Report (Draft EIR) closed on March 19, 2010 AQMD staff was not notified about this project until April 20, 2010. While the comment period has closed, the Final Environmental Impact Report (Final EIR) has not yet been published by the lead agency. The following comments are intended to provide guidance to the lead agency and should be incorporated into the Final EIR as appropriate. Additionally, pursuant to CEQA Guidelines §15086 AQMD staff requests that the lead agency please ensure that the AQMD is included in the distribution list for all future projects subject to CEQA.

AQMD staff recognizes the regional air quality benefits of the proposed project (Transit Zoning Code) given that it will increase residential densities near future employment and transportation centers. However, AQMD staff is concerned that the project provides a mixed use overlay zone that could potentially encourage more people to live in close proximity to sources of air pollution such as industrial uses and Interstate 5. Therefore, AQMD staff requests that the lead agency review and implement mitigation measures consistent with the advisory recommendations and respective source categories from the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective (CARB Handbook). Further, AQMD staff recommends that the lead agency require additional construction mitigation measures to minimize the project's potential air quality impacts.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any

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2

June 1, 2010

other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



Ian MacMillan  
Program Supervisor, CEQA Inter-Governmental Review  
Planning, Rule Development & Area Sources

Attachment

[IM:DG](#)

ORC100420-04  
Control Number

Air Quality Analysis and Mitigation Measures:

Siting Criteria and Future Project Planning

1. The AQMD staff recognizes the proposed project provides regional air quality benefits by increasing residential densities near future employment and transportation centers. However, the proposed project (Transit Zoning Code) provides a mixed use overlay zone for select areas that allows for mixed use development at the discretion of the property owner. As a result, the proposed project could place additional residential uses (e.g., single family homes, condos, and apartments) in close proximity to industrial uses (e.g., auto body paint shops) and a major freeway (i.e., Interstate 5).

Given that the proposed project allows for the placement of residential uses in close proximity to industrial uses and Interstate 5, the AQMD staff is concerned about the exposure of local residents to potentially significant sources of emissions. Therefore, AQMD staff recommends that the lead agency review the CARB Handbook, which offers guidance on the siting of incompatible land uses and “sensitive land uses” (e.g., residences, parks and medical facilities) near industrial sources, high traffic freeways and roads to design the proposed project. Further, AQMD staff requests that the lead agency implement mitigation measures consistent with the advisory recommendations and respective source categories in the CARB Handbook.

Construction Mitigation Measures

2. The regional and localized construction emissions from implementing the proposed project could potentially exceed the AQMD’s daily significance thresholds for NOX, VOC, CO, PM10 and PM2.5, therefore, AQMD staff is concerned about the overall implementation and effectiveness of the lead agency’s construction related mitigation measures. Specifically, AQMD staff recommends that where the phrases: “to the extent readily available,” “to the extent cost effective” and “to the extent feasible” appear in mitigation measures (i.e., MM4.2-7, 4.2-9, 4.2-11, 4.2-19, and 4.2-20) that the lead agency develop criteria to determine the “availability”, “cost effectiveness” and “feasibility” of these measures.

Additionally, AQMD staff requests that the lead agency consider adding the following mitigation measures to further reduce air quality impacts from the proposed project:

- ❖ Reroute construction trucks away from congested streets or sensitive receptor areas,
- ❖ Consistent with measures that other lead agencies in the region (including Port of Los Angeles and Port of Long Beach) have enacted, require all on-site construction equipment to meet EPA Tier 2 or higher emissions standards according to the following:
  - ✓ April 1, 2010, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad

emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ❖ For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:  
[www.aqmd.gov/ceqa/handbook/mitigation/MM\\_intro.html](http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html).
- ❖ The lead agency should consider encouraging construction contractors to apply for AQMD "SOON" funds. As an example, incentives could be provided in the bidding process for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides up to \$60 million dollars to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website:  
<http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>