



South Coast Air Quality Management District

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Mitigated Negative Declaration (MND) for the Proposed Tustin Avenue Retail Project

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 CEQA Document.

SCAQMD Staff's Summary of Project Description

The lead agency proposes demolition of an existing gas station, gas canopy, carwash, and restaurant building totaling 7,100 square feet (sf), and the construction and operation of a 2,778 sf gas station convenience store, a 2,117 sf gas pump canopy, a 7,417 sf retail building with a drive-through lane on 1.46 acres (proposed project). The proposed project site is located on five sites at the intersection of N. Tustin Avenue and E. 4th Street in the City of Santa Ana. Construction is expected to occur over a 10 month period, beginning in 2018.¹

SCAQMD Staff's Summary of Air Quality Analysis

In the air quality analysis, the lead agency quantified the proposed project's construction and operational air quality impacts and compared those impacts to SCAQMD's regional air quality CEQA significance thresholds. Based on the analysis, the lead agency found that the proposed project would result in less than significant regional air quality impacts during construction and operation, after the implementation of proposed mitigation measures.² Upon review, SCAQMD staff found that localized impacts from construction and operation were not quantified and compared to SCAQMD's Local Screening Thresholds (LST). Additionally, there are sensitive receptors in the immediate vicinity of the proposed project.³ Therefore, SCAQMD staff recommends the lead agency revise the air quality analysis to include a discussion about localized impacts, including any applicable mitigation measures. Lastly, since the proposed project includes demolition, excavation, and a gas dispensing facility, a permit from the SCAQMD will be required. More information on permits and applicable SCAQMD rules are provided below.

Permits and Compliance with SCAQMD Rules

Pursuant to SCAQMD's Rule 461 – Gasoline Transfer and Dispensing, a permit from the SCAQMD would be required, and the SCAQMD should be identified as a responsible agency under CEQA for the proposed project in the final CEQA document. The assumptions for the air quality analysis in the final CEQA document will be the basis for permit conditions and limits. The final CEQA document should also demonstrate compliance with applicable SCAQMD Rules, including, but not limited to, Rule 201 – Permit to Construct, Rule 203 – Permit to Operate. Should there be any questions on permits, please

¹ IS/MND. Appendix A, *Air Quality and GHG Emissions - CalEEMod.2016.3.2*, Summer Run, Page 7

² IS/MND. Pg. 1

³ IS/MND. Page 31

contact the SCAQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit SCAQMD's webpage at <http://www.aqmd.gov/home/permits>.

Regarding demolitions, SCAQMD Rules 1403 and 403 apply. Rule 1403, Asbestos Emissions from Demolition /Renovation Activities, requires a thorough asbestos survey performed by a licensed Certified Asbestos Consultant (CAC) before demolition or renovation, and asbestos containing materials (ACM) be removed, handled, packaged, labeled and disposed of by a licensed asbestos abatement contractor. The rule specifies removal methods. Rule 403, Fugitive Dust, applies to demolitions also to prevent fugitive dust from crossing the property lines. Dust suppression is mainly achieved by the application of water and prevention of runoff that may dry and generate fugitive dust.

Regarding excavation/grading, SCAQMD Rules 1166 – Volatile Organic Compound Emissions From Decontamination of Soil, and 1466 - Volatile Organic Compound Emissions From Decontamination of Soil, may apply, depending if there is a known or suspected contamination of soils. Proper assessment/investigation is recommended to determine the applicability of these rules prior to starting any work.

Conclusion

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the final CEQA Document. The SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Robert Dalbeck, Assistant Air Quality Specialist - CEQA IGR Section, at rdalbeck@aqmd.gov, if you have any questions regarding these comments.

Sincerely,

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