



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report (Draft EIR) for the Proposed Citadel Outlets Expansion & 10-Acre Development Project (SCH No. 2016091024)

South Coast Air Quality Management District (South Coast AQMD) 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 EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes construction of 1,007,202 square feet of mixed land uses on 44 acres¹ (Proposed Project). The Proposed Project would be constructed in three distinct geographical areas. Area 1 would include 167,721 square feet of retail uses, containing 270 guest rooms, and 1,668 parking spaces on eight acres. Area 2 would include 69,941 square feet of retail uses, a 120,000-square-foot commercial building, a 185,000-square-foot hotel containing 500 guest rooms, a 150,000-square-foot entertainment center, and 700 parking spaces on 26 acres. Area 3 would include 13,400 square feet of restaurant uses, a 70,000-square-foot office building, and a 55,000-square-foot warehouse on 10 acres. The Proposed Project is located on the southeast corner of Telegraph Road and Hoefner Avenue. Based on a review of the Draft EIR and aerial photographs, South Coast AQMD staff found that single-family residences are located within 222 feet to the southwest of the Proposed Project. Construction of the Proposed Project is expected to take place in three phases over approximately 85 months with full buildout in 2026².

South Coast AQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's construction air quality impacts would be significant and unavoidable for ROG. However, no mitigation measures were proposed to minimize or eliminate this significant air quality impact. Additionally, the Lead Agency found that the Proposed Project's operational air quality impacts would be significant and unavoidable for ROG, NO_x, and PM₁₀, even after the implementation of Mitigation Measures (Air Quality Impacts) 5 through 9. Mitigation Measures (Air Quality Impacts) 5 through 9 require the Proposed Project applicant to provide employees for alternative transportation; install electric vehicle (EV) charging stations; provide alternatively-fueled shuttle services until the monorail being proposed is constructed; provide kiosks and directories with mass transit times, routes, locations, and bicycle rack locations to be visible in each project area; and host a job fair with preferential hiring given to local residents³.

¹ Draft EIR. *Executive Summary*, Page 15.

² *Ibid.* Appendix A, *Air quality Worksheets, 3.0 Construction Detail*, Page 73.

³ *Ibid.* *Executive Summary*. Table 3 – Summary of Impacts. Page 19-20.

South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the Air Quality Analysis and the proposed mitigation measures. The Lead Agency did not analyze an overlapping construction and operation scenario (e.g., Areas 1 and 3 will be in operation when Area 2 is under construction). The Lead Agency compared localized construction emissions to South Coast AQMD's localized significance thresholds (LSTs) for a five-acre project in source receptor area (SRA) 5, with sensitive receptors at 100 meters. Since the nearest sensitive receptors are within 222 feet or 67 meters, more stringent LSTs for sensitive receptors at 50 meters should be used. CEQA Guidelines Section 15126.4 requires the consideration and discussion of feasible mitigation measures for environmental effects that are found to be significant. Although the Lead Agency found that the Proposed Project's construction activities would result in significant ROG emissions, no construction mitigation measures were proposed in the Draft EIR. To reduce ROG emissions during construction, South Coast AQMD staff recommends that the Lead Agency require the use of water-based or "super-compliant" low VOC paints and/or pre-painted building materials. Please see the attachment for more information. The attachment also includes a list of potential mitigation measures as resources to further reduce the Proposed Project's construction and operational emissions that the Lead Agency should consider and incorporate in the Final EIR. Finally, the attachment includes information on South Coast AQMD permits and applicable rules that the Lead Agency should discuss in the Final EIR.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail 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 will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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 Robert Dalbeck, Assistant Air Quality Specialist, at 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

LAC190402-13

Control Number

ATTACHMENT

Air Quality Analysis - Overlapping Construction and Operation Scenario

1. The Proposed Project would be completed in three distinct geographical areas. Construction within Area 1 would “commence in 2019 and is anticipated to be finished and opened for business starting in 2021 and fully opened in 2023⁴.” Demolition and construction within Area 2 would “commence as early as 2020 with an anticipated completion in phases starting in 2023 through 2026⁵.” Construction of Area 3 would “commence in 2019 and is anticipated to be complete and individual businesses would start to open in 2020⁶.” While the Lead Agency modeled emissions by combining construction activities at three areas into one continuous construction phase in CalEEMod, the Lead Agency did not analyze a scenario in which the Proposed Project’s construction and operational activities overlap. The Proposed Project’s construction activities will occur in phases and may overlap with operational activities on-site. For example, in 2023, Areas 1 and 3 are operational when Area 2 will be under construction for three year through 2026. To analyze a worst-case impact scenario, South Coast AQMD staff recommends that the Lead Agency use its best efforts to identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions, and compare the combined emissions to South Coast AQMD’s air quality CEQA *operational* thresholds of significance to determine the level of significance in the Final EIR, unless the Lead Agency includes requirements and/or conditions in applicable bid document and/or development agreement to expressly prohibit overlapping construction and operational activities (*emphasis added*). If the Lead Agency finds, after analyzing an overlapping construction and operation scenario, that the Proposed Project’s air quality impacts would be significant, mitigation measures will be required (CEQA Guidelines Section 15126.4). If the Lead Agency finds, after revising the Air Quality Analysis, that a new significant impact or a substantial increase in the severity of an environmental impact than that analyzed in the Draft EIR would result from the Proposed Project that cannot be reduced to less than significant with existing Mitigation Measures (Air Quality Impacts) 5 through 9, the Lead Agency should commit to reevaluating the Proposed Project’s Air Quality Impacts and recirculating the Air Quality Impact section of the Draft EIR for public review and comments (CEQA Guidelines Section 15088.5).

Air Quality Analysis - Localized Significance Thresholds (LSTs)

2. The Lead Agency used the LSTs for a five-acre project in source receptor area (SRA) 5 based on a sensitive receptor distance at 100 meters to determine the level of significance for the Proposed Project’s localized construction air quality impacts. However, sensitive receptors are located closer to the Proposed Project than 100 meters. The closest sensitive receptors are “the single-family residential neighborhood located along the south side of the I-5 freeway and Rosewood Park School, located 222 feet (67 meters) to the southwest and Rosewood Park, located 267 feet (81 meters) to the southwest⁷.” To conservatively analyze a worst-case localized construction impact scenario and avoid underestimating the Proposed Project’s localized construction emissions, South Coast AQMD staff recommends that the Lead Agency compare the Proposed Project’s localized construction emissions to South Coast AQMD’s LSTs for sensitive receptors with a distance at 50 meters. As highlighted in Table A, when the Proposed Project’s localized construction emissions are compared to South Coast AQMD LSTs for sensitive receptors with a distance at 50 meters in SRA 5, the Proposed Project would result in PM_{2.5} emissions at 12.18 pounds per day (lbs/day), which would exceed South Coast AQMD localized air quality CEQA significance threshold for PM_{2.5} at 10 lbs/day, thereby requiring the consideration of mitigation measures pursuant to CEQA Guidelines Section 15126.4.

⁴ Draft EIR. Section 2.4, *Construction Phasing*, Page 57.

⁵ *Ibid.*

⁶ *Ibid.* Page 58.

⁷ *Ibid.* Section 3.2.4.4, *The Proposed Project’s Potential for Exposing Sensitive Receptors to Substantial Pollutant Concentrations*. Page 93.

**Table A: South Coast AQMD Staff’s Copy of Table 3-7
Local Significance Thresholds Exceedance SRA 5**

Emissions	Project Emissions (lbs/day)	Allowable Emissions Threshold (lbs/day) and a Specified Distance from Receptor (in meters)				
		25	50	100	200	500
NO ₂	75.40	172	165	176	194	244
CO	78.86	1,480	1,855	2,437	3,867	9,312
PM ₁₀	20.65	14	42	60	95	203
PM _{2.5}	12.18	7	10	15	30	103

*This figure represents the mitigated emissions. The mitigation that was input into the CalEEMod program includes standard conditions outlined by the SCAQMD.

Recommended Mitigation Measure for Reducing Significant ROG Emissions during Construction

3. The Lead Agency found that the Proposed Project’s ROG emissions during construction at 194.19 lbs/day⁸ would exceed South Coast AQMD air quality CEQA significance threshold for VOC at 75 lbs/day. However, the Lead Agency did not propose any mitigation measures to reduce, minimize, or eliminate this significant impact. Pursuant to CEQA Guidelines Section 15126.4, a lead agency is required to identify mitigation measures for each significant environmental effect. Additionally, a lead agency should not approve projects as proposed if there are feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects (CEQA Guidelines Section 15092). Therefore, South Coast AQMD staff recommends that the Lead Agency implement the following mitigation measure to reduce ROG emissions during construction to fulfill the Lead Agency’s obligation under CEQA to mitigate the significant air quality impact.
 - a. Require the use of water-based or “super-compliant” low volatile organic compound (VOC) paints. Super-compliant low VOC paints shall be no more than 10 grams per liter (g/L) of VOC. Alternatively, the Proposed Project may use building materials, such as pre-painted materials that do not require the use of architectural coatings.

Recommended Mitigation Measures for Construction Air Quality Impacts

4. If the Lead Agency finds, after revising the Air Quality Analysis based on South Coast AQMD staff’s Comments No. 1 and 2, that the Proposed Project would result in significant air quality impacts, particularly from NOx and PM2.5 emissions, mitigation measures are required (CEQA Guidelines 15126.4). To assist the identification of feasible mitigation measures that are capable of reducing construction emissions from NOx and particulate matter, South Coast AQMD recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.
 - a. Require construction contractor(s) to use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (U.S. EPA) 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, but not limited to, a CARB certified Level 3 Diesel Particulate Filters (DPF). Level 3 DPFs are capable of achieving at least an 85 percent reduction

⁸ Draft EIR. Section 3.2, *Air Quality Impacts*, Table 3-5, Estimated Daily Construction Emissions (pounds/day). Page 87.

in particulate matter emissions. A list of CARB verified DPFs are available on the CARB website. Additionally, the Lead Agency should include this requirement in applicable bid documents, and that successful contractor(s) must demonstrate the ability to supply compliant equipment prior to the commencement of any construction activities. A copy of each unit's certified tier specification and CARB or South Coast AQMD 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 with this mitigation measure. If the Lead Agency finds that Tier 4 construction equipment is not feasible pursuant to CEQA Guidelines Section 15364, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is reviewed and approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, Tier 3 construction equipment, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, and/or limiting the number of individual construction project phases occurring simultaneously, if applicable. To ensure that off-road construction equipment used will meet or exceed Tier 4 off-road engine emission standards during 85 months of construction, South Coast AQMD staff recommends that the Lead Agency incorporate these requirements as a project design feature, mitigation measure, or a condition of approval for the Proposed Project in the Air Quality Section of the Final EIR.

- b. Require the use of zero-emission or near-zero emission heavy-duty haul trucks during construction, 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 haul trucks visiting the Proposed Project during construction commit to using 2010 model year⁹ 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. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate. Require that the Proposed Project's tenant(s) shall maintain records of all trucks visiting the Proposed Project and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project meets the minimum 2010 model year engine emission standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.
- c. Maintain vehicle and equipment maintenance records for the construction portion of the Proposed Project. All construction vehicles must be maintained in compliance with the manufacturer's recommended maintenance schedule. All maintenance records shall remain on-site for a period of at least two years from completion of construction.
- d. 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 that is expected to idle longer

⁹ The CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulations is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html>.

than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. To further ensure that drivers understand the vehicle idling requirement, post signs at the entrance and throughout the site stating that idling longer than five minutes is not permitted.

- e. Encourage construction contractors to apply for South Coast AQMD "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 South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

Additional Recommended Mitigation Measures for Operation

5. 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. Since the Proposed Project would result in significant and unavoidable air quality impacts during operation, and in addition to Mitigation Measures (Air Quality) 5 through 9, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR to further reduce the Proposed Project's operational air quality impacts.
 - a. Require at least 5% of all vehicle parking spaces include electric vehicle 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. Vehicles that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. It is important to make this electrical infrastructure available when the Proposed Project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, South Coast AQMD staff recommends that the Lead Agency require the Proposed Project to provide the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in. Additionally, the Lead Agency should include analyses to evaluate and identify sufficient power available for zero emission vehicles and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.
 - b. Provide incentives for vendors and material delivery trucks that would be visiting the hotel and commercial uses to encourage 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, incentivize the use of 2010 model year¹⁰ 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. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.

¹⁰ CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulations is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.html>.

- c. Implement an anti-idling program. Vendors should be instructed to advise drivers that trucks and other equipment shall not be left idling for more than five minutes. Signs informing truck drivers of the anti-idling policy should be posted in the loading docks of the Proposed Project.
- d. Establish a policy to select and use vendors that use clean vehicles and trucks to service and deliver materials. Include this policy in the vendor contracts and business agreement.
- e. Maximize the planting of trees in landscaping and parking lots.
- f. Require use of electric or alternatively fueled street-sweepers with HEPA filters.
- g. Require use of electric lawn mowers and leaf blowers.

Responsible Agency, South Coast AQMD Permits, and Rules

6. The Lead Agency stated that “because of the age of the onsite structures that will be demolished, there is the potential for exposure to certain hazardous materials and potentially contaminated soil¹¹”. Additionally, the nearest site listed on the Environmental Protection Agency’s National Priorities List (NPL) is within one mile and is currently undergoing site investigation and remediation¹². If any on-site soil remediation or any on-site activity would be required to clean up hazardous materials and contaminated soil, and the cleanup activities would involve equipment or operations that either emits or controls air pollution, South Coast AQMD Engineering and Permitting staff should be consulted in advance to determine whether or not any permits or plans are required to be filed and approved by South Coast AQMD prior to the start of any remedial activities or operations. If implementation of the Proposed Project requires a permit from South Coast AQMD, the Lead Agency should identify South Coast AQMD as a Responsible Agency for the Proposed Project in the Final EIR. Emissions from permitted equipment should be quantified and added to the Proposed Project’s construction and operational emissions, where applicable, to determine the level of significance in the Final EIR. Any assumptions in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits. If there is any information in the permitting process and/or during implementation of remediation activities suggesting that the Proposed Project would result in significant adverse air quality impacts not analyzed in the Final EIR or substantially more severe air quality impacts than those analyzed in the Final EIR, the Lead Agency should commit to reevaluating the Proposed Project’s air quality impacts through a CEQA process (CEQA Guidelines Section 15162). For more information on permits, please visit South Coast AQMD’s webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385.
7. Since the Proposed Project includes demolition of existing buildings and other asphalt surfaces, asbestos may be encountered during demolition. Therefore, South Coast AQMD staff recommends that the Lead Agency incorporate a discussion to demonstrate compliance with South Coast AQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities¹³ in the Air Quality section of the Final EIR. Additionally, if during soil disturbing activities such as grading, petroleum hydrocarbons, lead, and arsenic are encountered that will cause volatile organic compounds to become airborne, the Lead Agency should include a discussion to demonstrate compliance with South Coast AQMD Rule 1166 – Volatile Organic Compounds Emissions from Decontamination of Soil¹⁴ in the Air Quality Section of the Final EIR.

¹¹ Draft EIR. Section 3.5 *Hazards & Hazardous Materials Impacts*, Page 117.

¹² *Ibid.* Page 109.

¹³ South Coast AQMD. Rule 1403. Assessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.

¹⁴ South Coast AQMD. Rule 1166. Assessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>.