



# 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 Rockport Ranch (SCH No.: 2017081069)**

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.

4a

### South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct 305 residential units totaling 549,000 square feet, and 21.18 acres of roads and easements on 79.68 acres (Proposed Project). The Proposed Project will also include 20.1 acres of open space. The Proposed Project is located on the southwest corner of Briggs Road and Old Newport Road within the City of Menifee. Construction of the Proposed Project is estimated to begin in 2018 and will last approximately three years<sup>1</sup>. Upon review of the Draft EIR and aerial photographs, South Coast AQMD staff found that the Proposed Project will be located within 500 feet of an existing farm operation<sup>2</sup>.

4b

### South Coast AQMD Staff's Summary of the 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 analysis, the Lead Agency found that air quality impacts from the Proposed Project would be less than significant and that no mitigation for air quality impacts was included<sup>3</sup>. Additionally, the Lead Agency stated that the Proposed Project will be located in close proximity to an existing egg ranch, which may have potential odor impacts on residents living at the Proposed Project<sup>4</sup>. Although operation of the Proposed Project, as a residential development, will not result in odors, the Lead Agency has included Standard Condition SC-AG-1 in the Draft EIR to reduce potential land use conflicts from the established egg ranch operation<sup>5</sup>. SC-AG-1 requires that the Project applicant disclose to prospective residents that the property is located within one mile of farmland and that they may be subject to the inconvenience or discomfort from these farming activities<sup>6</sup>. Lastly, the Lead Agency included in the Draft EIR discussions on applicable South Coast AQMD rules<sup>7</sup>, including Rule 403 – Fugitive Dust<sup>8</sup>, Rule 431.2 – Sulfur Content of Liquid Fuels<sup>9</sup>, Rule 1113 – Architectural

4c

<sup>1</sup> Draft EIR. Air Quality. Page 4.4-13.

<sup>2</sup> *Ibid.* Page 4.4-20.

<sup>3</sup> *Ibid.* Pages 4.4-20 through 4.4-21.

<sup>4</sup> *Ibid.* Page 4.4-20.

<sup>5</sup> *Ibid.* Page 4.4-20.

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

<sup>7</sup> *Ibid.* Page 4.4-21.

<sup>8</sup> South Coast AQMD Rule 403 – Fugitive Dust. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

<sup>9</sup> South Coast AQMD Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.

Coatings<sup>10</sup>, Rule 1186 - PM10 Emissions from Paved and Unpaved Roads and Livestock Operations<sup>11</sup>, and Rule 1186.1– Less Polluting Sweepers<sup>12</sup>.

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South Coast AQMD Rule 402, Consultation, and Air Quality Complaints

*Rule 402 - Nuisance*

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In addition to the South Coast AQMD Rules that were discussed in the Draft EIR, the Lead Agency should include a discussion to demonstrate compliance with South Coast AQMD Rule 402 – Nuisance<sup>13</sup> in the Final EIR.

*Consultation*

4e

Additionally, since the Proposed Project will disturb soils which contain concentrations of methane<sup>14</sup>, South Coast AQMD staff recommends that the Lead Agency consult with South Coast AQMD’s Engineering and Permitting staff in advance to determine whether or not any permits, plans, or compliance actions will need to be filed and approved by South Coast AQMD prior to start of soil disturbing activities during construction of the Proposed Project. Any assumptions used in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits for the Proposed Project. Should there be any questions on permits, please contact South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD’s webpage at: <http://www.aqmd.gov/home/permits>.

*Air Quality Complaints*

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To protect public health in the South Coast Air Basin, the public can make a complaint about air quality problems by calling 1-800-CUT-SMOG (1-800-288-7664), emailing to [cut\\_smog@aqmd.gov](mailto:cut_smog@aqmd.gov), or filing out a complaint through the South Coast AQMD’s On-Line Complaint Reporting System, available at <http://www3.aqmd.gov/webappl/complaintsystemonline/NewComplaint.aspx>. An air quality complaint is any injury, detriment, nuisance, or annoyance occurring as a result of air contaminants or other materials, including (but not limited to) smoke, dust, or odors<sup>15</sup>. To facilitate a good-faith effort at full disclosure and provide useful information to prospective residents at the Proposed Project, South Coast AQMD staff recommends that the Lead Agency include this information in SC-AG-1 in the Final EIR for disclosure to prospective residents.

Conclusion

4g

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 revisions to SC-AG-1

<sup>10</sup> South Coast AQMD. Rule 1113 – Architectural Coatings. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>.

<sup>11</sup> South Coast AQMD. Rule 1186 – PM10 Emissions from Paved and Unpaved Roads and Livestock Operations. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186.pdf>

<sup>12</sup> South Coast AQMD. Rule 1186.1 – Less Polluting Sweepers. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186-1-less-polluting-sweepers.pdf>.

<sup>13</sup> South Coast AQMD. Rule 402 – Nuisance. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>

<sup>14</sup> Draft EIR. Section 4.9 Hazards and Hazardous Materials. Pages 4.9-1 through 4.9-28.

<sup>15</sup> South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/air-quality/complaints>.

are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

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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](mailto:amullins@aqmd.gov) or (909) 396-2402, should you have any questions.

| 4h

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

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Planning, Rule Development & Area Sources

LS:AM

RVC190906-05

Control Number