



October 22, 2012

Dr. William A. Burke, Chairman
Members of the SCAQMD Governing Board
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

RE: Draft Program EIR for the 2012 Air Quality Management Plan

Dear Chairman Burke and Governing Board Members:

As representatives of Southern California's broader business community, we appreciate the opportunity to provide comments on the 2012 Air Quality Management Plan (AQMP), and, here in particular, on the Draft Program Environmental Impact Report (DPEIR)¹.

Our group is comprised of leaders from many of Southern California's largest regional business entities and associations. The final 2012 AQMP, and the rule making that will eventually stem from it, will directly affect many of these businesses' interests. Our highest priority is to work with SCAQMD to develop a well-balanced strategy that addresses federal requirements through an economically feasible compliance program. To that end, we offer the following comments on the DPEIR:

1. A PM2.5-Only Plan as an alternative to the project currently proposed.

We requested² that the District include a PM2.5-only alternative in its CEQA evaluation, and we very much appreciate the fact that such a Plan has been included as Alternative 4 in the DPEIR. We also want to acknowledge three specific conclusions about Alternative 4 in the DPEIR:

- A PM2.5-only Plan was not rejected as infeasible as were two other potential Alternatives³.
- A PM2.5-only Plan "... is considered to be a legally viable alternative ..." because, with this 2012 Plan submission, the District is only required to demonstrate attainment of the 24-hour PM-2.5 standard⁴.
- Alternative 4 - again, a PM2.5-only Plan - would generate fewer adverse environmental impacts or less severe impacts than the Project (i.e., the draft AQMP)⁵.

We strongly support these findings.

¹ The DPEIR was released on Thursday, September 6th.

² Comment letter on the CEQA Initial Study, July 27, 2012, comment letter on the Draft AQMP, August 31, 2012, and verbally at workshops and other venues.

³ DPEIR Section 6.3.

⁴ DPEIR Section 6.4.4.

⁵ DPEIR Section 6.8.

2. The summaries of some of the stationary source control measures in the DPEIR⁶ remain at odds with the draft proposed control measures themselves.

As was noted in our letter on the CEQA Initial Study, there were discrepancies between the descriptions of some of the stationary source control measures and the language of the actual measures. Notwithstanding the explanation that the DPEIR examines "... impacts from secondary effects that may not be directly stated in the control measure,"⁷ there are still a few fundamental differences in the descriptions (DPEIR compared to the Revised AQMP).

- CMB-01, NO RECLAIM, Phase I. Whereas the control measure itself has been made a contingency measure, there is no mention of that fact in the summary of the measure in the DPEIR.
- CMB-01, NOx RECLAIM, Phase II. There is no mention in the DPEIR of the contingency status of Phase I. Further, the actual control measure speaks of implementation beginning in 2020 while the summary in the DPEIR states that the control measure would seek further reductions by 2020.
- FUG-01, Vacuum Trucks. The summary in the DPEIR states that the "... control measure seeks to reduce emissions from the further venting of vacuum trucks." It is not known what is meant by "further venting", and there is no such discussion in the control measure itself.
- FUG-02, LPG Transfer and Dispensing. The expansion of the applicability of this control measure to is not a given. As is clearly stated in the control measure, with Rule 1177 having been adopted as Phase I, the intended next phase (Phase II) will be an evaluation of the potential for further emissions reductions.

3. DPEIR, Appendix F.

The Coalition is concerned that the current title of Appendix F, RTP/SCS Mitigation Measures Table, might be misinterpreted to imply that these are required mitigation measures. The title on the first page of the appendix, "Examples of Measures That Could Reduce Impacts from Planning, Development, and Transportation Projects," accurately conveys the proper meaning. In fact, the wording was carefully crafted by SCAG's Regional Council in response to concerns from local governments and the business community. The title of Appendix A should be changed to agree with the title on page F-1.

Finally, our July 27th comment letter on the CEQA Initial Study raised our concerns with the non-timely release of documents related to the 2012 AQMP. The District, in its response⁸ to our concerns, noted that four regional hearings had been scheduled in order to provide more opportunity for public comment. However, the late release dates of the DPEIR and the Revised AQMP (September 6th⁹, and September 8th¹⁰,

⁶ DPEIR Section 2.8.1.1

⁷ Responses to comments number 6-6, DPEIR.

⁸ Responses to comments number 6-4, DPEIR.

⁹ E-mail from CEQA Administration, SCAQMD.

¹⁰ E-mail from Mr. Michael Krause, SCAQMD.

respectively) effectively precluded meaningful review of the documents or presentation of appropriate comments at the regional hearings. We are now aware of the second round of regional hearings (scheduled for November 13th through 15th), and we sincerely hope that there will not be any further changes to the documents prior to these new hearings.

As the AQMP process moves forward, the individuals and organizations who have signed onto this letter look forward to our continued partnership with SCAQMD. Please know that the business community remains committed to helping develop a balanced, workable 2012 AQMP that provides for both environmental and economic success. We join here, however, to express our unity in finding that the Draft Program EIR for the 2012 AQMP is in need of additional improvement and correction - especially in regard to the issues outlined above. Also, please note that, in addition to supporting this joint letter, some of our members may wish to submit a comment letter of their own.

We welcome further discussion of these comments; please contact Tracy Rafter, CEO of BizFed (Tracy.rafter@bizfed.org) or Matt Petteruto, Vice President of Economic Development for the Orange County Business Council (mpetteruto@ocbc.org).

Sincerely,



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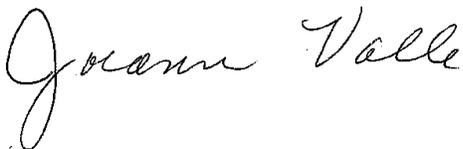
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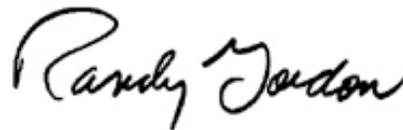
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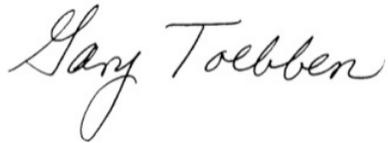
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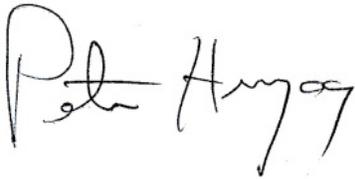
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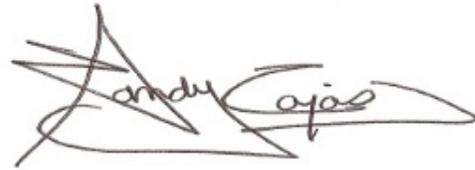
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