South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

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kkith@eastvaleca.gov
Kanika Keith, Project Planner
City of Eastvale – Planning Department
12363 Limonite Avenue, Suite 910
Eastvale, CA 91752

Mitigated Negative Declaration (MND) for the Proposed South Milliken Distribution Center (Project No. PLN 17-20013)

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 MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to construct and operate a 277,636-square-foot (sf) warehouse with unknown occupants on an approximately 15.8-acre vacant site (Proposed Project). The MND estimated approximately 479 total vehicle trips, including approximately 179 daily diesel trucks and 291 daily non-diesel truck passenger trips[1]. Construction is expected to be completed in 14 months[2]. Based on a review of Exhibit 3 in the MND and aerial photographs, SCAQMD staff found that the Proposed Project is surrounded by industrial uses. The nearest sensitive receptor is an existing church located approximately 262 feet to the northeast. Other sensitive receptors include existing residential homes located 1,467 feet southwest of the Proposed Project and an elementary school located approximately 2,608 feet southwest of the Proposed Project[3].

SCAQMD Staff's Summary of Air Quality and Health Risk Assessment Analyses

In the Air Quality Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA daily significance thresholds. The Lead Agency found that the Proposed Project's localized and regional daily construction impacts would be less than significant. The Lead Agency also found that the Proposed Project's operational emissions would not exceed SCAQMD's air quality CEQA daily significance thresholds, except for NOx. The Lead Agency requires the applicant to reduce 179 daily diesel truck trips to 134 in Option A. Alternatively, the applicant is required to use U.S. EPA/CARB truck engine standard for Model Year 2009 or better (Option B)[4]. After incorporating either Option A or Option B, operational NOx emissions were reduced to below the level of significance threshold[5]. Furthermore, the Lead Agency conducted a health risk assessment (HRA) and found that the Maximum Exposed Sensitive Receptor cancer risk would be 0.07 in one million which is below SCAQMD's CEQA significance threshold of 10 in one million for cancer risk[6].

[1] MND. Page 35.
[2] MND. Page 77.
[3] MND. Page 40.
[4] MND. Page 36.
[5] MND. Table 3-2, Table 3-3, and Table 3-4. Pages 35-37.
[6] MND. Page 42.

SCAQMD's 2016 Air Quality Management Plan

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)[7], which was later approved by the California Air Resources Board on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NOx) emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

General Comments

SCAQMD staff has reviewed the HRA analysis in the MND and has comments on the modeling approaches and parameters. Please see the attachment for more information. In addition, SCAQMD staff is concerned that measures that were used to reduce the Proposed Project's operational NOx emissions were identified as options. Furthermore, as described in the 2016 AQMP, to achieve NOx emissions reductions in a timely manner is critical to attaining the National Ambient Air Quality Standard (NAAQS) for ozone before the 2023 and 2031 deadlines. SCAQMD is committed to attain the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to NOx emissions. Therefore, SCAQMD staff recommends changes to Options A and B and provides additional mitigation measures to further reduce NOx emissions as well as ROG, PM10, and PM2.5 emissions that the Lead Agency should include in the Final MND. Finally, the attachment includes SCAQMD staff's recommendation to include a discussion on SCAQMD Rule 1186.1.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details 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 do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS/SW
RVC180118-05
Control Number

[7] South Coast Air Quality Management District. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan.

ATTACHMENT

Overall Comment on Air Quality and Health Risk Assessment Analyses

1. The Lead Agency proposes to construct and operate the Proposed Project. Occupants are unknown at the time the MND is circulated for public review. Because the future occupants of the Proposed Project are unknown, it is reasonably foreseeable that the Proposed Project could be utilized as a cold storage warehouse. However, the air quality analysis in the MND did not include an impact scenario to calculate and disclose operational emissions from the diesel-fueled transport refrigeration units (TRUs), commonly in-use at cold storage warehouses. To conservatively analyze the worst-case impact scenario that is reasonably foreseeable at the time the MND is prepared, SCAQMD staff recommends that the Lead Agency revise the air quality and the HRA to calculate and disclose operational emissions from NOx and diesel toxic particulate matter from TRUs in the MND, *unless the Lead Agency expressly restricts the use of the Proposed Project as a cold storage warehouse as a restricted conditional use*.

Health Risk Assessment (HRA)

2. The SCAQMD meteorological (MET) dataset (2008-2012) was used in the HRA. This dataset has been replaced with new MET dataset (2010-2016). Using the old MET dataset may have led to an under-estimation of the health risks from the Proposed Project. Therefore, SCAQMD staff recommends that the Lead Agency revise the HRA in the Final MND by using the most recent MET dataset (2010-2016) from the Riverside Airport Station that is available on SCAQMD's website[8].

3. Trucks idling emissions were estimated based on 15 minutes of idling time to serve as a conservative estimation of impacts from idling emissions. However, the modeled emission rate for truck idling emissions was calculated based on the 15-minute idling emissions divided by the total number of seconds in an entire day (24 hours or 1440 minutes or 86,400 seconds). This calculation may have resulted in lower than the actual emission rate in the model input and led to an under-estimation of concentrations and risks. Therefore, SCAQMD staff recommends that the Lead Agency revise the emission rate for truck idling emissions in the model input.

4. On-site idling was modeled as line volume source with higher plume height and width. This approach is not appropriate because it may have likely increased dispersion and led to an under-estimation of ground level concentrations. Therefore, it is recommended that the point source option with the actual plume height and stack parameter settings should be used in the AERMOD, or the Lead Agency provides justification for the use of line volume source in the Final MND.

5. The inhalation rates by the age groups (572 L/kg-day for age 2 to 16) were lower than the recommended values (745 L/kg-day for age 2 to 16) in the 2015 Office of Environmental Health Hazard Assessment (OEHHA) Guidance Manual[9]. It is recommended that the Lead Agency revise the inhalation rates in the Final MND to be consistent with those in 2015 OEHHA Guidance Manual[10] or provide justification for the use of lower inhalation rates by the age groups in the Final MND.

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[8] South Coast Air Quality Management District. The AERMOD-ready Meteorological Data for Riverside Airport Station is available at: http://www.aqmd.gov/docs/default-source/air-quality/meterorological-data/aermod-ready-meteorological-data/table-1-meteorological-sites/2017/RiversideAirportADJU.zip.

[9] When SCAQMD acts as the Lead Agency, SCAQMD staff uses the 2015 OEHHA Guidance Manual to conduct the HRA analysis, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

[10] Office of Environmental Health Hazard Assessment. March 6, 2016. *Air Toxics Hot Spots Program Guidance Manual for the Preparation of Health Risk Assessments 2015*. Available at: https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.

6. Since the truck route was not defined in the HRA, it was not clear if trucks would go beyond to the area south of CA-60 where residences are located. Therefore, SCAQMD staff recommends that the Lead Agency clarify if trucks will go beyond to the area south of CA-610 in the Final MND. In the event that this is reasonably foreseeable during the Project operation, it is recommended that the Lead Agency revise the HRA to extend the line sources to south of CA-60 on South Heaven Avenue and Milliken Avenue.

7. In the HRA, the building downwash effect was not included. The building downwash is the effect that wind flowing over or around buildings has on plumes released from nearby stacks. Buildings create a cavity of recirculating winds in the area near the buildings and these building cavities cause increased vertical dispersion of plumes emitted from stacks on or near the buildings. In addition, building downwash often leads to elevated concentrations downwind of the affected stacks. Since the Proposed Project would include operation of a 277,636-square-foot warehouse building, the building downwash effect should be used in the air dispersion model; or the Lead Agency should provide justification for not including the building downwash effect in the Final MND.

8. On March 6, 2015, the OEHHA adopted the revised Guidance for performing a HRA. Based on a review of the Appendix 3b –Health Risk Assessment, SCAQMD staff found that the Lead Agency performed a HRA for the Proposed Project based on the 2003 and the 2015 OEHHA Guidelines[11]. The MND used the cancer risk results that were calculated based on the 2003 OEHHA Guidelines to determine the level of significance for the Proposed Project's cancer risks[12]. Since the cancer risk results calculated based on the 2015 OEHHA Guidance are available and included in the appendix to the MND, SCAQMD staff recommends that the Lead Agency use the Proposed Project's cancer risks that were calculated based on the 2015 OEHHA Guidance[13] to determine the level of significance.

Mitigation Measures

Formulation of Mitigation Measures as Options Do Not Comply with CEQA Requirements

9. Since the Proposed Project's operational NOx emissions would exceed SCAQMD air quality CEQA daily significance threshold, the Lead Agency identified two options to reduce operational NOx emissions and required the applicant to implement one of the two options[14]. Because the options were used by the Lead Agency to support the conclusion that the Proposed Project's operational air quality impacts would be less than significant, the options were functional equivalent to mitigation measures.

   SCAQMD staff is concerned that the Lead Agency used options instead of mitigation measures to reduce the Proposed Project's operational air quality impacts. First, mitigation measures are not options. Mitigation measures that are used to reduce significant adverse environmental impacts to less than significant in a CEQA document must be fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines Section 15126.4(a)(2)). Second, the Lead Agency should commit itself to mitigation in the MND by including mitigation measures in a mitigation monitoring or reporting program (MMRP) and adopting the MMRP as a condition of project approval (CEQA Guidelines Section 15074(d)). On the other hand, options are choices that the Lead Agency may or may not implement. Here, because Option A and Option B were not

[11] MND. Appendix 3b – Health Risk Assessment. Table ES-1 and Table ES-2. Pages 2 and 3.
[12] MND. Table 3-7. Page 43.
[13] When SCAQMD acts as the Lead Agency, SCAQMD staff uses the 2015 revised OEHHA Guidance to conduct the HRA analysis.
[14] MND. Page 36.

identified as mitigation measures, the Lead Agency concluded, on Page 44 of the MND, that the Proposed Project's air quality impacts required no mitigation measures, and neither options was included in the MMRP as a condition of approval. Therefore, SCAQMD staff urges the Lead Agency to identify Option A and Option B as mitigation measures in the Final MND and make them conditions of approval for the Proposed Project.

Recommended Changes to Existing Option A and Option B

10. SCAQMD staff incorporates Comment No. 9 by reference here. Under Option A, the applicant is required to limit daily trucks to 134 if the truck fleet is wholly or partially older than the 2009 U.S. EPA/CARB truck engine standards. Under Option B, the applicant is required to meet the U.S. EPA/CARB truck engine standard for Model Year 2009 or better. The Lead Agency requires the applicant to implement one of two options.

    Since the Proposed Project plays an important role in contributing to NOx emissions and is affecting the surrounding communities that are already facing exposures to air pollution and bearing a disproportionate burden of increasing health risks from the exposures, SCAQMD staff recommends that the Lead Agency include the following changes to Option A and Option in the Final MND and require the applicant to implement ***both*** options.

    - Option A: The number of diesel-fueled trucks accessing the project site shall be limited to 134 trucks per day if the truck fleet is wholly or partially older than the ~~2009~~ 2010 U.S. Environmental Protection Agency/California Air Resource Board truck engine standards. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed and committed to as a mitigation in the Final MND (134 trucks per day). If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the project's air quality impacts through CEQA prior to allowing this land use or higher activity level.

    - Option B: All diesel-fueled trucks accessing the project site shall meet the U.S. Environmental Protection Agency/California Air Resource Board truck engine standard for Model Year ~~2009~~ 2010 or better.

    Recommended Additional Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)

11. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse impacts. SCAQMD staff recommends incorporating the following mitigation measures in the Final MND to further reduce NOx emissions as well as ROG, VOC, and particulate matter emissions. For more information on potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website[15].

    a) Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.

    b) Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).

[15] South Coast Air Quality Management District. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook.

c) The Lead Agency should include mitigation measures or project design features to accelerate phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final MND, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce the operational significant adverse air quality impacts from NOx. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

d) Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this Project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS)[16]. It is important to make this electrical infrastructure available when the 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, SCAQMD staff recommends the Lead Agency require the Proposed Project and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations[17]. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

e) Design the warehouse building such that entrances and exits are such that trucks are not traversing past neighbors or sensitive receptors.

f) Design the warehouse building such that any check-in point for trucks is located inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility.

g) Design the warehouse building to ensure that truck traffic within the Proposed Project site is located away from the property line(s) closest to its sensitive land uses.

h) Restrict overnight parking in residential areas.

i) Establish overnight parking within the Project site where trucks can rest overnight.

j) Establish area(s) within the Project site for repair needs.

k) Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

l) Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the Proposed Project and nearby sensitive receptors.

[16] Southern California Association of Governments. 2016 RTP/SCS. Accessed at: http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx.
[17] City of Los Angeles. http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf.

Recommended Additional Mitigation Measures for Operational Air Quality Impacts (Other Area Sources)

12. In addition to the mobile source mitigation measures identified above, the Lead Agency should incorporate the following onsite area source mitigation measures to further reduce the Proposed Project's operational air quality impacts.

    a) Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.

    b) Maximize the planting of trees in landscaping and parking lots.

    c) Use light colored paving and roofing materials.

    d) Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

    e) Install light colored "cool" roofs and cool pavements.

    f) Require use of electric or alternatively fueled sweepers with HEPA filters.

    g) Use of water-based or low VOC cleaning products that are beyond limits in SCAQMD Rule 1113 – Architectural Coatings.

Compliance with SCAQMD Rule 1186.1 – Less-Polluting Sweepers

13. To further reduce particulate matter from the Proposed Project, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 1186.1[18] in the Final MND. In addition, it is recommended that the Lead Agency sweep all streets at least once a day using SCAQMD Rule 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).

[18] South Coast Air Quality Management District. Rule 1186.1. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186-1-less-polluting-sweepers.pdf.