



South Coast Air Quality Management District

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Mitigated Negative Declaration (MND) for the Proposed Long Beach Cruise Terminal Improvement Project

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 MND.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct improvements to the existing Long Beach cruise terminal to accommodate large cruise ships with a maximum capacity of 4,008 passengers (Proposed Project). Maritime improvements include dredging the existing berth from 30 feet to 37 feet, and construction of two mooring dolphins, catwalks, a passenger walkway bridge extension, and fender replacements. Onshore improvements include expansion of the existing parking garage from 1,430 spaces to 2,055 spaces and reconfiguration of traffic lanes. The Proposed Project is located at 231 Windsor Way at Pier H in the Port of Long Beach within the City of Long Beach. Construction is anticipated to occur in two phases: maritime improvements and onshore improvements. Maritime improvements would begin in August 2019 and be completed by December 2019. Onshore improvements would begin in October 2019 and be completed by October 2020¹.

South Coast AQMD Staff's Summary of the Air Quality Analysis

In the Air Quality Analysis, 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 air quality impacts from construction activities would be less than significant after implementation of two mitigation measures². Mitigation Measure (MM) AQ-1 requires onshore construction equipment to meet U.S. EPA Tier 4 Final off-road emission standards; compliance with South Coast AQMD Rule 403 – Fugitive Dust to reduce fugitive dust emissions; and utilization of tugboats that meet Tier 3 emission standards requirements, if appropriately sized and available³. MM AQ-2 requires the applicant to purchase or lease emission reduction credits to reduce NO_x emissions below South Coast AQMD air quality CEQA significance thresholds⁴. Additionally, the Lead Agency found that the Proposed Project's net new operational air quality impacts would be less than significant⁵.

¹ MND. Project Description Section 2. Page 2-8.

² MND. Air Quality Section 4.3. Pages 4.3-6 through 4.3-12.

³ *Ibid.* Pages 4.3-4 through 4.3-5.

⁴ *Ibid.*

⁵ *Ibid.* Pages 4.3-6 through 4.3-12.

South Coast AQMD's 2016 Air Quality Management Plan

On March 3, 2017, the South Coast AQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP)⁶, 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.

2017 Updated Clean Air Action Plan

South Coast AQMD has a long history of working with the ports of Los Angeles and Long Beach to ensure implementation of the cleanest technologies. One such example was the San Pedro Bay Ports Clean Air Action Plan 2017⁷ (2017 Updated CAAP). Built upon the progress in implementing the 2007 and 2010 CAAPs, the 2017 Updated CAAP provides a roadmap of guiding principles and strategies to work towards achieving regional clean air goals and supporting the statewide vision for sustainable freight movement at the ports of Los Angeles and Long Beach. The 2017 Updated CAAP works towards achieving emission reduction targets of 59 percent NOx and 77 percent diesel particulate matter by 2023⁸.

South Coast AQMD Staff's Comments

The Proposed Project is an important project for the Port of Long Beach (Port) and the region. The Port should use this Project as an opportunity to take more aggressive actions to accelerate implementation of the cleanest technologies and contribute its fair share to reducing air pollution and advancing the objectives of the 2017 Updated CAAP. As such, South Coast AQMD staff recommends that the Lead Agency strengthen existing mitigation measures and incorporate additional mitigation measures, such as ramping up shore power usage and building electrical infrastructure. The recommendations will also support and facilitate the air quality attainment goals and timelines of the 2016 AMQP. Please see the attachment for more information.

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 South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses 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, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, if the Lead Agency makes findings that the revisions to existing air quality mitigation measures and the additional recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final MND (CEQA Guidelines Section 15074.1).

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 me at lsun@aqmd.gov, should you have any questions.

⁶ South Coast AQMD. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

⁷ San Pedro Bay Ports. November 2017. *Final Clean Air Action Plan Update*. Accessed at: <http://www.cleanairactionplan.org/documents/final-2017-clean-air-action-plan-update.pdf/>.

⁸ *Ibid.* Page 25.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:AM

LAC190620-03

Control Number

ATTACHMENT

Recommended Revisions to Existing Mitigation Measures (MMs)

1. The Lead Agency has committed to implementing MMs AQ-1 and AQ-2 to reduce the Proposed Project's construction emissions. MM AQ-1 requires onshore construction equipment that meets U.S. EPA Tier 4 Final off-road emission standards; compliance with South Coast AQMD Rule 403 – Fugitive Dust; and, if available, utilization of tugboats that meet Tier 3 emission standards. In combination with MM AQ-2, which requires the applicant to purchase or lease emission reduction credits, NOx emissions would be reduced to less than significant⁹. South Coast AQMD staff recommends that the Lead Agency strengthen existing mitigation measures and incorporate the following revisions to MMs AQ-1 and AQ-2 in the Final MND.

Mitigation Measure AQ-1

Upon review of Appendix A: *Air Quality/Greenhouse Gas Study* and the technical files, South Coast AQMD staff found that the Lead Agency quantified the Proposed Project's construction emissions based on a modeling assumption that Tier 3 tug boats would be fully implemented. However, in the MND, MM AQ-1 requires implementation of Tier 3 tug boats with a condition that is "if the equipment is appropriately sized and available"¹⁰. To be consistent with the modeling assumption, South Coast AQMD staff recommends that the Lead Agency commits to using Tier 3 tug boats and revise MM AQ-1 as follows in the Final MND. Alternatively, if it is reasonably foreseeable that Tier 3 tug boats may not be fully implemented at the Proposed Project due to size or availability, and to be conservative, the Lead Agency should use Tier 1 or Tier 2 tugboats in the modeling to quantify the Proposed Project's maritime construction emissions to represent a worst-case impact scenario.

MM AQ-1

Prior to issuance of a Demolition or Grading Permit, the City Engineer shall confirm that the following Best Management Practices (BMPs) are included in the Grading Plan and specifications to reduce construction emissions in compliance with the San Pedro Bay Ports Clean Air Action Plan (CAAP):

- Off-road Engine Tier: Construction terrestrial off-road equipment shall be required to meet final Tier 4 emissions standards.
- Electric Dredges: Dredging equipment shall be powered electrically by a shore power connection.
- Construction Tug Boat Engine Tier: ~~If appropriately sized and available,~~ tug boats meet Tier 3 standards or higher shall be used during construction.

Mitigation Measure AQ-2

The Lead Agency relied on MM AQ-2, which requires obtaining NOx emission offset credits as MM AQ-2 to reduce the maximum daily NOx emissions below South Coast AQMD air quality CEQA significance threshold for NOx at 100 lbs/day¹¹. Subsequently, the Lead Agency found that NOx emissions from the Proposed Project's construction activities would be mitigated to less than significant.

⁹ MND. Air Quality Section 4.3. Pages 4.3-4 through 4.3-5.

¹⁰ *Ibid.* Page 4.3-7.

¹¹ *Ibid.* Pages 4.3-4 through 4.3-5.

South Coast AQMD staff recommends that the Lead Agency provide additional information on NOx emission offset credits in the Final MND.

- It is recommended that the Lead Agency clarify if these credits are emission reduction credits (ERCs), or Regional Clean Air Incentives Market Emission (RECLAIM) trade credits. ERCs are typically used to offset emissions from operation. RECLAIM trade credits allow RECLAIM participating facilities in the South Coast Air Basin to trade NOx and SOx emissions credits. Here, NOx emissions would be generated from the Proposed Project's construction activities. If NOx emission offset credits would be short-term emission reduction credits (RTCs), there should be substantial evidence in the Final MND to show that RTCs will be purchased prior to the commencement of any maritime construction activities, and that there will be enough credits to cover the entire four-month maritime construction emissions¹².
- It is also recommended that the Lead Agency clarify if the Lead Agency has any emission reduction credits that could be surrendered to offset NOx emissions for the Proposed Project.
- It is further recommended that the Lead Agency provide additional information on the mechanism and schedule for purchasing and implementing NOx RTCs in the Final MND. At a minimum, the information should specify that the Lead Agency has and should provide supervisory oversight for implementing and enforcing MM AQ-2. It should also specify the Lead Agency's role in verifying the Proposed Project's construction emissions and reconciling them with the RTCs.

Additional Recommended Mitigation Measures

2. 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. South Coast AQMD staff recommends additional mitigation measures that the Lead Agency should consider and incorporate in the Final MND. These recommended mitigation measure will further reduce the Proposed Project's construction and operational emissions, better align the Proposed Project with the objectives and emission reduction strategies in the 2017 Updated CAAP, accelerate implementation of the cleanest technologies at the Proposed Project, where appropriate, and support the implementation of the 2016 AQMP.

Maritime Operations

Shore Power and Infrastructure

In the 2017 Updated CAAP the Ports demonstrate a commitment to achieving emissions reductions from a variety of avenues, such as a ship's auxiliary engine and onshore cargo handling equipment used to load and unload ships at berth. South Coast AQMD staff recommends that the Lead Agency align the Proposed Project's operations with the commitments in the 2017 Updated CAAP by requiring the use of shore power for the Proposed Project's ships, which may include tugboats and other ocean-going-vessels in addition to the three cruise liners.

In the MND, the Lead Agency stated that the Proposed Project would utilize shore side electric power during berth hoteling¹³. To ensure shore power will be used to power the proposed Carnival Panorama, and that the shore power usage will be ramped up in 2020 and beyond, South Coast AQMD staff recommends that the Lead Agency make shore power usage a project requirement or mitigation measure for the Proposed Project in the Final MND. The Lead Agency should also require the use of electric cargo handling equipment, such as electric yard trucks

¹² *Ibid.*

¹³ *Ibid.* Page 4.3-6.

(hostlers) and forklifts, which may be used onshore to load and unload the cruise liners. At a minimum, the Proposed Project should be constructed with the appropriate infrastructure to provide shore power to operate the cruise ship and electric cargo handling equipment. Electrical hookups should be appropriately sized to allow for future, expanded use. Given that infrastructure at berth is a critical component, it is recommended that the Lead Agency include additional discussions on at berth infrastructure improvements and readiness to power the cruise ship in the Final MND. The Lead Agency should also include analyses to evaluate the sufficiency of shore power and the availability of necessary infrastructure in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.

Operational Activities

In addition to accelerating implementation of the cleanest available technologies, the 2017 Updated CAAP identified strategies to improve operational activities, including reducing the wait time of ships as they prepare to berth, optimizing tugboat locations to minimize unnecessary travel, and optimizing drayage trucks and cargo movement on shore. These strategies are capable of reducing harbor craft emissions and fuel consumption. As such, South Coast AQMD staff recommends that the Lead Agency evaluate these strategies for incorporation in the Final MND as additional mitigation measures to reduce the Proposed Project's maritime and onshore operational emissions. The Lead Agency should also evaluate the feasibility and effectiveness of generating additional emission reductions through the participation in the Port of Long Beach's voluntary Vessel Speed Reduction Program¹⁴.

Performance Standards-Based Periodic Technology Review

To accelerate implementation of the cleanest technologies, contribute the Proposed Project's fair share to reducing air pollution, and advance the objectives of the both the 2016 AQMP and 2017 Updated CAAP, the Lead Agency should take this opportunity to incorporate a periodic, technology review of both maritime and onshore operational equipment that will be used during operation. South Coast AQMD staff recommends that the Lead Agency develop project-specific or agency-wide strategies to foster and facilitate the deployment of the lowest emissions technologies as they becomes available. This may include incorporating a performance standards-based technology review, or developing other comparable strategies or tools, to periodically assess equipment availability, equipment fleet mixtures, and best available emissions control devices. The deployment should include those technologies that are "capable of being accomplished in a successful manner within a reasonable period of time" (California Public Resources Code Section 21061.1), such as zero and near-zero emission technologies or best available control technologies (BACTs) that are expected to become more readily available over the life of the Proposed Project. A technology review should also incorporate an appropriate timeline/schedule for the assessment that will also be supportive of emissions reductions goals being implemented at local, regional, state, and federal levels (e.g. South Coast AQMD's AQMPs and other air quality and public health goals). If the technology review identifies that cleaner equipment and fleets have become available, the Lead Agency should commit to incorporating this new technology into the Proposed Project to further reduce the Proposed Project's emissions. South Coast AQMD staff encourages the Lead Agency to involve the public and interested parties, such as South Coast AQMD and CARB, in developing an appropriate process and performance standards for technology review.

¹⁴ Port of Long Beach. Green Flag Incentive Program. Accessed at: <http://www.polb.com/environment/air/greenflag.asp>.

Onshore Operations

Vendor Preferences

Establish a policy to select and use vendors that use clean vehicles and trucks to deliver materials and service the cruise ships. Include this policy in the purchase orders, vendor contracts, and business agreements.

Zero-Emission (ZE) and Near-Zero Emission (NZE) Delivery Trucks

Provide incentives for vendors and material delivery trucks that would be delivering supplies to the Proposed Project while at berth to encourage the use of ZE or NZE 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 year delivery trucks¹⁵. 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 MND, where appropriate.

Electric Vehicle Charging Stations

Nonresidential mandatory measures of the California Buildings Standards (Title 24, Part 11) require EV charging stations, or designated spaces capable of supporting future charging stations, be based on the total number of actual parking spaces¹⁶. Therefore, the Lead Agency should require at least 5% of all vehicle parking spaces include EV charging stations, or at a minimum, require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and shuttle buses to plug-in. Electrical hookups should be provided onsite for patrons to utilize. Electrical panels should be appropriately sized to allow for future expanded use. The Lead Agency should also include analyses to evaluate and identify sufficient power available for zero emission passenger cars and trucks, and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.

Mobile Source Emission Reduction Strategies for Employees

Provide incentives for employees working at the Proposed Project to use public transportation or carpool, such as discounted transit passes or carpool rebates. Additionally, the Lead Agency should implement a rideshare program for employees working at the Proposed Project and set a goal to achieve a certain participation rate over a period of time. If the operator will employ 250 or more employees at the Proposed Project site, on a full or part-time basis, then the Lead Agency should encourage the operator to implement an Employee Commute Reduction Program (ECRP) under South Coast AQMD's Rule 2202 – On-Road Motor Vehicle Mitigation Option¹⁷. For more information on Rule 2202 and guidelines for the ECRP, please visit South coast AQMD's website at: <http://www.aqmd.gov/home/programs/business/business-detail?title=rule-2202-on-road-motor-vehicle-mitigation-options>.

¹⁵ 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>.

¹⁶ For a nonresidential development with 201 spaces or more, 6% percent of total parking spaces are required to be equip with EV. 2016 California Green Building Standards Code California Code of Regulations, Title 24, Part 11. *California Building Standards Commission*. January 1, 2017. Page 35. Accessed at: <https://www.ladbs.org/docs/default-source/publications/code-amendments/2016-calgreen-complete.pdf>.

¹⁷ South Coast AQMD. Rule 2202 – On Road Motor Vehicle Mitigation Option. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxii/rule-2202.pdf>.

Mobile Source Emission Reduction Strategies for Patrons

Work with operators of the cruise liner to design and implement a shuttle bus program to encourage patrons to carpool to and from the Proposed Project and provide on-ship vouchers to incentive patrons to use the shuttle bus program.

Work with local and regional transit agencies and providers to connect the shuttle bus program with transit light rail stations, transit centers, and/or bus stops in the greater Los Angeles area and beyond.

Share transportation options to the Proposed Project from popular destinations in the greater Los Angeles area and beyond.

Consider implementation of Smart Parking systems to reduce vehicle idling in the parking garage.