



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 Park @ Live Oak Specific Plan Project (SCH No.: 2018041001)

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 to construct 1,550,000 square feet of industrial and commercial uses on 78.3 acres (Proposed Project). The Proposed Project is located on the northeast corner of Arrow Highway and Live Oak Avenue in the City of Irwindale. Construction of the Proposed Project will begin in July 2019 and will be complete by December 2020¹. Once operational, the Proposed Project is expected to attract 808 truck trips per day². Based on a review of the Draft EIR and aerial photographs, South Coast AQMD staff found that sensitive receptors are within 1,900 feet of the Proposed Project³.

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 regional construction, and localized construction and operational air quality impacts would be less than significant⁴. The Lead Agency also found that the Proposed Project would result in significant and unavoidable regional air quality impacts during operation⁵ for VOC and NOx emissions, which would also be cumulatively considerable⁶. The Lead Agency is committed to implementing air quality Mitigation Measures (MMs) 4.2-1 through 4.2-12, which include, but are not limited to, installation of passenger car EV charging stations, installation of infrastructure to support future solar power and electric trucks⁷, and use of electric or Tier 4 cargo handling equipment. Additionally, the Lead Agency prepared a mobile source Health Risk Assessment (HRA) and found that operation of the Proposed Project would result in a cancer risk of 0.54 in one million at the maximum impacted sensitive receptor⁸, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk⁹.

¹ Draft EIR. Section 4.2 Air Quality. Page 4.2-17.

² *Ibid.* Section 3 Project Description. Page 3-15.

³ *Ibid.* Section 4.2 Air Quality. Page 4.2-19.

⁴ *Ibid.* Section 4.2 Air Quality. Page 4.2-28 - 31.

⁵ *Ibid.* Page 4.2-35 -37.

⁶ *Ibid.*

⁷ *Ibid.* Pages 4.2-41 -42.

⁸ *Ibid.* Page 4.2-33.

⁹ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, 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.

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)¹⁰, 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.

South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the HRA modeling parameters performed for the Proposed Project. Please see the attachment for more information. Additionally, as described in the 2016 AQMP, achieving 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. South Coast AQMD is committed to attaining the ozone NAAQS as expeditiously as practicable. The Proposed Project plays an important role in contributing to regional VOC and NOx emissions during operation. To further reduce those emissions, South Coast AQMD staff recommends revisions to existing MMs 4.2-6, 4.2-8, and 4.2-11 and that the Lead Agency incorporate additional mitigation measures in the Final EIR. The attachment also includes recommendations that the Lead Agency should include discussions to demonstrate compliance with South Coast AQMD Rule 403(e), Rule 1470, and Rule Series 1146 in the Air Quality Section of 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 changes to the existing MMs 4.2-6, 4.2-8, and 4.2-11 and new 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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions. 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 or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachments A and B

LS:AM

LAC190321-06

Control Number

¹⁰ 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>.

ATTACHMENT A**Air Quality Analysis – Health Risk Assessment**

1. Upon a review of Appendix B2 Mobile Source Health Risk Assessment¹¹ and the technical files¹², South Coast AQMD staff found that the Lead Agency used the daily breathing rates of 273 and 758 for the third trimester age bin and the “0 to 2” age bin, respectively. They represent the 80th percentile daily breathing rate. South Coast AQMD staff recommends that when there are different daily breathing rates for the same age bin, the most appropriate and conservative daily breathing rates, such as the 95th percentile daily breathing rates, should be used. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the HRA to use the most conservative daily breathing rates to estimate cancer risk.

Recommended Revisions to Existing Mitigation Measures (MMs)

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 air quality impacts. Since the Proposed Project will result in significant and unavoidable long-term air quality impacts from VOC and NOx emissions, South Coast AQMD staff recommends that the Lead Agency incorporate the following revisions to existing mitigation measures in the Final EIR to further reduce those emissions.

MM 4.2-6

As a condition of building permit issuance, the City of Irwindale shall require installation of passenger car EV charging stations, requiring at least 5% of all vehicle parking spaces to 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 trucks to plug-in. 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 EIR, where appropriate. Additionally, the Lead Agency should implement a rideshare program for warehouse, manufacturing, and other commercial employees, and set a goal to achieve a certain participation rate over a period of time. The Lead Agency should provide incentives for employees to encourage the use of public transportation or carpooling, such as discounted transit passes, carpool rebates, and designated carpool parking stalls per the provisions of the California Green Building Standards Code.

MM 4.2-8

Require 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, as a condition of certificates of occupancy, owner users and tenants of buildings with loading docks shall be required to ensure that all heavy-heavy duty (HHD) vehicles accessing the building comply with 13 California Code of Regulations Section 2025, as may be amended (the "Regulations"), and that all HHD vehicles accessing the Project site comply with the required registration and reporting provisions of the Regulations. Developer and all successors also shall include these obligations in all leases of buildings with loading docks. The building owner and occupant shall allow periodic inspection of the site by the City of Irwindale or its designee to confirm compliance. 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

¹¹ Draft EIR, Appendix B: Mobile Source Health Risk Assessment, Page 21.

¹² Draft EIR Technical Files Excel Workbook “11111-04 HRA Risk Calculation”.

records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.

MM 4.2-11

Prior to the issuance of a building permit for any building with loading docks having over 200,000 square feet of floor space, the City of Irwindale shall verify that the building will be constructed with an adequately sized electrical panel(s) and conduit to accommodate future EV charging stations at 2% of the tractor trailer parking spaces, in an appropriate location on the building site where truck charging would likely occur in the future when EV trucks become commercially available. 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 trucks and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final EIR where appropriate.

Additional Recommended Mitigation Measures for Operational Air Quality Impacts

3. South Coast AQMD staff provided comments on the Notice of Preparation (NOP) for the Proposed Project on May 1, 2018. South Coast AQMD staff's NOP comments included, among others, a list of 30 potential mitigation measures as guidance to the Lead Agency to reduce significant air quality impacts from mobile sources and area sources during operation. The Lead Agency evaluated the applicability of the recommended mitigation measures¹³. South Coast AQMD staff has additional comments on the Lead Agency's applicability findings for four mitigation measures. Please see Attachment B for more information. Based on the reasoning discussed in Attachment B, South Coast AQMD staff recommends that the Lead Agency reconsider and include the following mitigation measures for mobile sources during operation in the Final EIR.

- Limit the daily number of truck trips allowed to visit the warehouse and manufacturing portions of the Proposed Project to the level that was analyzed in the Final EIR (e.g., 808 daily truck trips). If higher daily truck volumes are anticipated during operation, the Lead Agency should commit to re-evaluating the Proposed Project's air quality impacts through CEQA prior to allowing higher activity levels.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas located adjacent to the Myrtle Avenue/Peck Road & Live Oak Avenue intersection.
- Develop, adopt, and enforce truck routes both in and out of the Proposed Project such that trucks are not traversing past nearby neighbors or other sensitive receptors (i.e. residential uses located adjacent to the Myrtle Avenue/Peck Road & Live Oak Avenue intersection), as feasible.
- Establish area(s) within the Proposed Project site for repair needs.

Responsible Agency, Permits, and Compliance with South Coast AQMD Rules

4. Implementation of the Proposed Project may require permits from South Coast AQMD. If operation of the Proposed Project will involve the use of stationary diesel-fueled internal combustion or compression engines (i.e., generators or firefighting equipment), South Coast AQMD Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines¹⁴ and South Coast AQMD Rule Series 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters¹⁵, including Rule 1146.1 – Emissions of

¹³ Draft EIR. Technical Appendix B1. Table 1-1. Pages 8-14.

¹⁴ South Coast AQMD. Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>.

¹⁵ South Coast AQMD. Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146.pdf>.

Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters¹⁶ and Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters¹⁷ would apply and should be discussed in the Air Quality Section of the Final EIR. Therefore, South Coast AQMD staff recommends that the Lead Agency consult with South Coast AQMD Permitting and Engineering staff as early as feasible to determine permit requirements and any applicable rules and regulations that should be discussed in the CEQA document for the Proposed Project. Additionally, in the event that the Proposed Project will require new stationary equipment that 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. Questions on permits and applicable South Coast AQMD rules can be directed to 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>.

5. The Lead Agency included a discussion of general compliance with South Coast AQMD Rule 403 – Fugitive Dust in the Draft EIR. Since the Proposed Project is a large operation of approximately 78.3 acres¹⁸ and will disturb 81.5 acres during construction¹⁹ (50-acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin, the Lead Agency is required to comply with Rule 403(e) – Additional Requirements for Large Operations²⁰. Additional requirements may include, but are not limited to, Large Operation Notification (Form 403 N), appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class²¹. Therefore, South Coast AQMD recommends that the Lead Agency include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

¹⁶ South Coast AQMD. Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146-1.pdf>.

¹⁷ South Coast AQMD. Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1146-2.pdf>.

¹⁸ Draft EIR. Proposed Project. Page 3-2.

¹⁹ *Ibid.* Page 3-13.

²⁰ South Coast AQMD. Rule 403. Last amended June 3, 2005. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

²¹ South Coast AQMD Compliance and Enforcement Staff's contact information for Rule 403(e) Large Operations is (909) 396-2608 or by e-mail at dustcontrol@aqmd.gov.

ATTACHMENT B
South Coast AQMD Staff's Comments on the Lead Agency's Evaluation of Applicability of Recommended Mitigation Measures

South Coast AQMD Staff's Recommended Mitigation Measures in the NOP ²²	Lead Agency's Evaluation of Applicability of Recommended Mitigation Measures ²³	South Coast AQMD Staff's Comments on the Applicability Findings
<p>1. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this land use or higher activity level.</p>	<p>The traffic volumes analyzed for the Project are based on a reasonable expectation of trip volume considering the allowable uses and intensities identified in the proposed Specific Plan and a conservative assessment of potential market absorption of each use. Given that multiple buildings of various commercial, industrial, and business park user types are expected to be constructed in the Specific Plan area, there is no practical way to monitor the number of truck trips that will occur to all of the buildings.</p>	<p>The Draft EIR should include a conservative representation of a worst-case operational scenario for daily truck trips that are expected to occur at the Proposed Project. In the Draft EIR, the Lead Agency used 808 truck trips per day used to quantify the Proposed Project's air quality and health risk impacts. If it is reasonably foreseeable before the EIR is certified that the Proposed Project would generate more than 808 truck trips per day, the Lead Agency should take into account additional daily truck trips and re-evaluate the Proposed Project's air quality and HRA impacts (CEQA Guidelines Section 15088.5). If information becomes available, after the Proposed Project is approved, suggesting that the Proposed Project will generate more than 808 truck trips per day, the Lead Agency is required to determine if a Subsequent EIR is required under CEQA Guidelines Section 15162. This recommended mitigation measure is to ensure that the modeling assumption (e.g., 808 truck trips per day) for quantifying the Proposed Project's operational emissions and health risks will serve as a condition of project approval. A deviation from it warrants additional analysis through the CEQA process.</p>
<p>2. Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.</p>	<p>This mitigation measure is not applicable to the Project because the Project Applicant has no authority to post signs off-site. Given that the Project site is located adjacent to I-605, it is reasonable to expect that trucks serving the Project will access the site from I-605. There are no residential areas between I-605 and the Project site.</p>	<p>As a part of the Proposed Project's Traffic Impact Analysis, the Lead Agency analyzed the Proposed Project's traffic impacts to nearby streets, such as the Myrtle Avenue/Peck Road & Live Oak Avenue intersection. Upon a review of aerial photographs, South Coast AQMD staff found that sensitive receptors (e.g., residential uses) are</p>

²² South Coast AQMD staff commented on the Notice of Preparation (NOP) for the Proposed Park @ Live Oak Specific Plan on May 1st, 2018. South Coast AQMD staff's comments on the NOP can be accessed here: <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2018/noptheparkatliveoak-050118.pdf>.

²³ Draft EIR Appendix B1 Air Quality Impact Analysis. Pages 7 through 14.

		<p>adjacent to this intersection. Since the Lead Agency included this intersection in the Traffic Impact Analysis, it is reasonable to assume that trucks visiting the Proposed Project could use this intersection. Additionally, there is no information in the Draft EIR to suggest that truck drivers called to the Proposed Project are familiar with the area and/or will receive training on planned truck routes. Common sense is that truck drivers might turn right on Live Oak Avenue instead of left, and traverse past residential uses. Since the Traffic Impact Analysis in the Draft EIR has included trucks going on Myrtle Avenue adjacent to existing residential uses, to prevent trucks from turning right at the Myrtle Avenue/Peck Road & Live Oak Avenue intersection to go to the residential areas, it is recommended that the Lead Agency mark truck routes with trailblazer signs at that intersection. The Lead Agency has the land use authority to post signs off-site, and a duty to protect public health by using its best efforts to minimize exposures of diesel particulate matter emissions to residents living west of the Myrtle Avenue/Peck Road & Live Oak Avenue intersection. The project applicant should work closely with the Lead Agency to ensure truck routes are clearly defined and marked.</p>
<p>3. Develop, adopt and enforce truck routes both in and out of the city, and in and out of facilities.</p>	<p>This mitigation measure is not applicable to the proposed Project. The Project does not have regulatory authority to control truck routes. Given that the Project site is located adjacent to I-605, it is reasonable to expect that trucks serving the Project will access the site from I-605 and not heavily utilize local streets in the area.</p>	<p>As discussed in Comment No. 2 in this table, there is no information in the Draft EIR to suggest that truck drivers called to the Proposed Project are familiar with the area and will receive training on the planned truck routes. Common sense is that some truck drivers might unknowingly turn right at the Myrtle Avenue/Peck Road & Live Oak Avenue intersection and traverse past sensitive receptors. The Lead Agency has land use authority to develop, adopt, and enforce truck routes in and around the city within which the Proposed Project is located. The project applicant should work closely with the Lead Agency to develop, adopt, and enforce truck</p>

		<p>routes both in and out of the Proposed Project to ensure that trucks serving the Proposed Project use the routes that are identified and analyzed in the EIR and avoid traversing through sensitive land uses. If different truck routes are going to be used, they should be disclosed and analyzed in the EIR for the Proposed Project.</p>
<p>4. Establish area(s) within the proposed Project site for repair needs.</p>	<p>The Project entails a Specific Plan entitlement. No buildings are proposed at this time, and there are no restrictions specified in the Specific Plan that would prohibit the inclusion of repair services.</p>	<p>Since there are no restrictions in the Specific Plan to prohibit the inclusion of repair services, the EIR should disclose where repair areas will be located within the Proposed Project site and ensure that the areas are away from any sensitive land uses.</p>