



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Mitigated Negative Declaration (MND) for the Proposed Foisy East 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 build a 467,125-square-foot warehouse on 20.29 acres (Proposed Project). The Proposed Project is located on the southeast corner of East Central Avenue and South Foisy Street in the City of San Bernardino. The Proposed Project is surrounded by vacant and single-family uses to the north, east, and south, and an existing warehouse to the west. The closest sensitive receptors (e.g., residents) are located 164 feet to the Proposed Project¹. Construction of the Proposed Project is anticipated to take approximately 14 months. Once operational, the Proposed Project will include 40 dock doors that will be located facing the existing warehouse to the west and generate 202 truck trips per day². The Proposed Project will not include refrigerated buildings³; however, auxiliary equipment, including but not limited to refrigerated truck compressors will be used for a period longer than 15 minutes in any hour⁴.

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

In the MND, 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 thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction and operational air quality impacts will be less than significant. The Lead Agency also conducted a mobile source health risk assessment (HRA). Based on a 30-year exposure duration with 95th percentile breathing rates, cancer risk to the nearest residential receptors would be 3.22 in one million⁵, which would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk.

Summary of South Coast AQMD Staff's Comments

In the MND, the Lead Agency did not analyze air quality and health risks impacts from refrigerated trucks, which should be included in the Final MND. To further reduce the Proposed Project's air quality impacts during operation, South Coast AQMD recommends that the Lead Agency include mitigation measures in the Final MND. Please see the attachment for more information.

¹ MND. Page 58.

² *Ibid.* Appendix I: Traffic Impact Study. Table 8. Page 27.

³ MND. Page 11.

⁴ *Ibid.*

⁵ *Ibid.* Page 62.

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, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting it in the Final MND (CEQA Guidelines Sections 15070 and 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 if you have questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

SBC200708-02

Control Number

ATTACHMENT

1. Air Quality Analysis and Health Risk Assessment – Refrigerated Trucks

The Proposed Project includes operation of a 467,125-square-foot warehouse. Although the Proposed Project will not include refrigerated buildings, refrigerated truck compressors will be used during operation. Refrigerated trucks may have transport refrigeration units (TRUs) or auxiliary power units to connect to while visiting the Proposed Project. Since it is reasonably foreseeable that refrigerated trucks will visit the Proposed Project, and to conservatively analyze the worst-case impact scenario, the Lead Agency should re-calculate the Proposed Project operational emissions and cancer risk from the transportation and idling of refrigerated trucks visiting the Proposed Project in the Final MND. Alternatively, if emissions and cancer risk from refrigerated trucks are not re-calculated and included in the Final MND, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record.

2. Additional Recommended Operational Air Quality Mitigation Measures

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. During operation, the Proposed Project will involve 202 daily truck trips. To further reduce mobile source emissions during operation, particularly from NO_x, South Coast AQMD staff commends that the Lead Agency include additional air quality mitigation measures for implementation at the Proposed Project in the Final MND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website⁶.

- a) Require the use of zero-emissions (ZE) or near-zero-emissions (NZE) trucks during operation, such as trucks with natural gas engines that meet the California Air Resources Board (CARB)'s adopted optional NO_x emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, the project operator(s) shall ensure, through sale or leasing agreements, that the truck fleet consist of trucks that meet the emissions standards of a 2010 vehicle model, and as trucks are replaced they are replaced with the newest available model. To monitor and ensure that ZE, NZE, or 2010 model year or newer trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks and equipment associated with the Proposed Project's operation and make these records available to the Lead Agency upon request. Alternatively, the Lead Agency should require periodic reporting and provision of written records by operators and conduct regular inspections of the records to the maximum extent feasible and practicable.

Technology is transforming the transportation sector at a rapid pace. Cleaner trucks such as ZE or NZE trucks are increasingly more feasible and commercially available as technology advances. If using ZE or NZE trucks as a mitigation measure to reduce the Proposed Project's operational air quality impacts is not feasible today, cleaner trucks could become feasible in a reasonable period of time within the lifetime of the Proposed Project (CEQA Guidelines Section 15364). Therefore, it is recommended that the Lead Agency develop a process with performance standards to deploy the lowest emission technologies and incentivize the use of ZE or NZE heavy-duty trucks during operation (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop the performance standards as follows or any other comparable standards in the Final MND.

- Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use during each year of the operation to ensure adequate progress. Include this

⁶ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

requirement in the Proposed Project's tenant selection and operation management bid documents and business agreement.

- Establish a tenant/truck operator(s) selection policy that prefers tenant/truck operator(s) who can supply the use of ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the bid documents and business agreement.
 - Develop a target-focused and performance-based process and timeline to review the feasibility to implement the use of ZE or NZE heavy-duty trucks during operation. Include this process and timeline in the Proposed Project's tenant selection and operation management bid documents and business agreement.
 - Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation. Include this process and criteria in the Proposed Project's tenant selection and operation management bid documents and business agreement.
- b) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final MND (e.g., 202 daily truck trips). If it is reasonably foreseeable before the Final MND is adopted that the Proposed Project would generate more than 202 daily truck trips, the Lead Agency should take into account additional daily truck trips and re-evaluate the Proposed Project's air quality impacts and HRA (CEQA Guidelines Section 15088.5). If information becomes available, after the Proposed Project is approved, suggesting that the Proposed Project will generate more than 202 daily truck trips, the Lead Agency is required to determine if the Proposed Project's air quality and health risk impacts will need to be re-evaluated through a CEQA process.