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Draft Environmental Impact Report (Draft EIR) for the Proposed 5037 Patata Street Industrial Development (Proposed Project) (SCH Number: 2021110098)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of South Gate is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments recommended information on the Assembly Bill 617 (AB 617)-designated Southeast Los Angeles (SELA) community, revisions to the CEQA regional air quality impacts analysis for cleanup activities during construction, transportation refrigerated units (TRUs), operational health risk assessment (HRA), California Emissions Estimator Model (CalEEMod) calculations, vehicle trip rates, recommended air quality mitigation measures, cumulative impacts analysis, alternative discussions, and information about South Coast AQMD rules and permits that the Lead Agency should include in the Final EIR.

South Coast AQMD Staff's Summary of Project Information in the Draft EIR

Based on the Draft EIR, the Proposed Project consists of demolishing the remaining structures to construct and operate a new industrial warehouse development totaling 435,420 square feet.[1] The Proposed Project also includes constructing a small truck maintenance building of 16,173 square feet.[2] The 435,420-square-foot warehouse would consist of 22,000 square feet of 36° cooler storage and 134,400 square feet of 60° cooler storage.[3] The Proposed Project is located on a 27.12-acre site at 5037 Patata Street, within the northeastern portion of the City of South Gate.[4] The warehouse would attract 475 daily truck trips[5] associated with 50 dock doors.[6] The Proposed Project would provide two driveways from the extension of Patata Street and at the end of the proposed cul-de-sac at Patata street for access and circulation.[7] Based on the aerial photographs, South Coast AQMD staff finds that the nearest sensitive receptors (e.g., residences) are adjacent or within 25 feet north of the Proposed Project boundaries. The Proposed Projects' demolition and remediation phases would take approximately 6 to 7 months, and construction would take approximately 14 months.[8]

[1] Draft EIR. Page 7.
[2] *Ibid*.
[3] *Ibid*.
[4] *Ibid*. Page 29.
[5] *Ibid*. Page 190.
[6] *Ibid*. Page 42.
[7] *Ibid*.
[8] *Ibid*. Page 47.

South Coast AQMD Staff's Comments on the Draft EIR

Assembly Bill 617 (AB 617)-Designated Southeast Los Angeles (SELA) Community

The Proposed Project area is disproportionately impacted by air pollution generated from sources such as heavy-duty diesel trucks, warehouses, general industrial and metal facilities, and railroad activities and is within the AB 617-designated SELA community.[9] An AB 617-designated community requires South Coast AQMD to work with a Community Steering Committee (CSC) to develop a Community Emissions Reduction Plan (CERP)[10] that identifies air quality priorities and actions to reduce air pollution in the community. The South Coast AQMD's Governing Board adopted the AB 617 SELA CERP on December 4, 2020. South Coast AQMD's latest Multiple Air Toxics Exposure Study (MATES), MATES V, shows the Proposed Project area has an air toxics cancer risk of 572 per million,[11] which is 87 percent higher than the average for the South Coast AQMD population. The Proposed Project will increase emissions in the SELA community, which is already disproportionately burdened by air pollution. Therefore, South Coast AQMD staff recommends that the Lead Agency review AB 617 SELA CERP, particularly the actions included in Chapter 5,[12] and continue working with South Coast AQMD to explore whether additional mitigation measures can be identified and implemented at the Proposed Project.

In addition, South Coast AQMD staff recommends the Lead Agency refer to the United States Environmental Protection Agency (U.S. EPA) information regarding the Los Angeles Area Environmental Enforcement Collaborative[13] under the Environmental Justice, as the Proposed Project is in the community that is close to the Interstate Highway 710 (I-710) in Los Angeles County that is severely impacted by pollution from goods movements and industrial activities.

Additional recommendations for the Proposed Project's design features to further reduce emissions and/or exposure include:

- Buffer zones between warehouses and sensitive land uses (e.g., residences)
- Warehouse design (e.g., the orientation of loading docks away from sensitive land uses)
- Truck routes and truck parking (e.g., keep trucks away from sensitive land uses)
- Green infrastructure (e.g., electric charging, solar power)
- Installation of "No Truck Idling" signs
- Development of Air Quality Mitigation/Community Benefit Fund

[9] South Coast AQMD, SELA Community Webpage: http://www.aqmd.gov/nav/about/initiatives/environmental-justice/ab617-134/southeast-los-angeles.

[10] South Coast AQMD, SELA CERP: http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-cerp/final-cerp.pdf.

[11] MATES V Multiple Air Toxics Exposure Study, MATES Data Visualization: http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v.

[12] South Coast AQMD, SELA CERP Chapter 5: https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-cerp/final-cerp.pdf.

[13] United States Environmental Protection Agency - Los Angeles Area environmental Enforcement Collaborative. Access at: https://www.epa.gov/environmentaljustice/los-angeles-area-environmental-enforcement-collaborative.

CEQA Regional Air Quality Impacts Analysis for Cleanup Activities during Construction

Based on the Draft EIR, the Proposed Project would have a remediation phase prior to the construction activities. The Draft EIR estimates approximately 52,173 cubic yards (cy) of cut, 52,173 cy of fill, and 41,905 cy of over-excavation.[14] A total of 28,660 cubic yards of contaminated soil would be removed from the site, approximately 100,000 cubic yards of import would be used to replace the contaminated soil, and three round trips of 20 trucks per day or 60 truck trips per day would be associated with the activities.[15] However, the California Emissions Estimator Model (CalEEMod) output files in Appendix B - Air Quality Impact Analysis Worksheet[16] indicate zero hauling truck trips needed for transportation activities, leading to the underestimation of hauling truck emissions during the grading and remediation activities. Furthermore, the Draft EIR contains no analysis of the air quality impacts from the remediation activities during construction.

Cleanup activities will likely involve using heavy-duty, diesel-fueled trucks for soil export, resulting in emissions from truck hauling activities and vehicle trips by workers that will be required to conduct cleanup activities. Additionally, cleanup activities will likely require the use of additional equipment that may differ from typical equipment for grading and site preparation for construction. Because cleanup activities are reasonably foreseeable, the Lead Agency should use good faith and best efforts to provide information on the scope, types, and duration of cleanup activities, quantify emissions from cleanup activities, and include those emissions in the Proposed Project's construction emissions profile to be compared to South Coast AQMD's air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. Alternatively, if emissions from cleanup activities are not included in the Final EIR, the Lead Agency should include a new air quality mitigation measure in the Air Quality Section of the Final EIR to commit to evaluating the potential environmental impacts from cleanup activities through CEQA prior to commencing any cleanup activities. If a new air quality mitigation measure is not included in the Final EIR, the Lead Agency should provide reasons supported by substantial evidence in the record to explain why a new air quality mitigation measure is not included.

Under the Project Description section in the Draft EIR, the contaminated soil that would be transported to Azusa Special Waste Services and the one-way transport distance haul trucks were assumed to be 26 miles.[17] Based on the aerial photographs, South Coast AQMD staff measures the distance from the Proposed Project site to the Azusa Special Waste Services and gets approximately 28 miles one-way trip length. However, according to the emission calculations from the CalEEMod output files, the Lead Agency used a default one-way truck trip length of 20 miles to quantify the Proposed Project's construction emissions from hauling construction materials. Due to the inconsistency of the transport distance, when quantifying emissions from transportation and off-site disposal, the Proposed Project's construction emissions from haul truck trips for transporting and disposing of contaminated soil based on the appropriate one-way truck trip length should be re-calculated. South Coast AQMD staff recommends that the Lead Agency re-calculate the construction emissions reflecting the correct number of hauling truck trips and the hauling trip lengths in CalEEMod and include them in the Final EIR. If the number of hauling truck trips and the default one-way truck trip length of 20 miles are not re-calculated for quantifying emissions

[14] *Ibid.*
[15] *Ibid.*
[16] *Ibid.* Appendix B - Air Quality Impact Analysis Worksheet. CalEEMod output files.
[17] *Ibid.* Page 77.

from haul truck trips for transporting contaminated soil, the Lead Agency should provide reasons for not re-calculating it supported by substantial evidence in the record.

Transportation Refrigerated Units (TRUs)

In the Draft EIR, the Lead Agency proposes having 22,000 square feet and 134,400 square feet for 36° and 60° cooler storage, respectively.[18] These cooler storages are part of the 435,420-square-foot warehouse, which is approximately 36% of the warehouse building floor area. Due to the cooler storage portion of the warehouse, the operational activities are likely to involve using TRUs during transportation. However, the Lead Agency does not discuss any information related to the use of any TRUs, such as the number of TRUs trucks and the emissions generated from these TRUs trucks in the Draft EIR. The negligibility of TRUs information and its emissions leads to underestimated operational emissions. South Coast AQMD staff recommends that the Lead Agency review and revise emissions calculations to include the TRUs information, such as the number of TRU trucks, calculate the TRUs emissions in addition to the truck emissions, and have them in the Air Quality sections of the Final EIR. If the TRUs' information and TRUs emissions are not included in the Final EIR, the Lead Agency should provide reasons for not revising it supported by substantial evidence in the record.

Operational Health Risk Assessment (HRA)

Based on the Draft EIR, South Coast AQMD staff finds that the Lead Agency does not perform a mobile source HRA during operation and thus does not inform the public about the cancer risks associated with the operation of the Proposed Project. The operation of the warehousing portion of the Proposed Project will attract heavy-duty, diesel-fueled vehicular trips (e.g., 475 truck trips per day) that emit diesel particulate matter, which is an air toxic and carcinogen. Furthermore, the Proposed Project would have two areas designated for cooler storage, potentially requiring using TRUs (refer to this letter's third comment). Based on the aerial photographs, the nearest sensitive receptors (e.g., residences) are located adjacent or within 25 feet north of the Proposed Project site, and the off-site workers (e.g., Dodson Global, Inc., Damco In Gate) are located within 25 feet west and 140 feet south of the Proposed Project site. Due to the close proximity to sensitive receptors and off-site workers, South Coast AQMD staff recommends that the Lead Agency perform a mobile source HRA, including truck emissions, TRUs truck emissions, truck routes to and from the Proposed Project site, and any on-site emission sources to determine the cancer risks, compare the Proposed Project's cancer risk to South Coast AQMD Toxic Air Contaminants (TACs) Significance Thresholds[19] to determine the level of significance for the Proposed Project's health risk impact to sensitive receptors and off-site workers in the Final EIR[20]. If a mobile source operational HRA is not included in the Final EIR, the Lead Agency should provide reasons for not having it supported by substantial evidence in the record.

[18] *Ibid*. Page 7.
[19] South Coast AQMD Toxic Air Contaminants (TACs) Significance thresholds. Access at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.
[20] South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis.

California Emissions Estimator Model (CalEEMod) Calculations

Land Use Type Setting

In the CalEEMod output files, the Proposed Project identifies the land use types as "manufacturing" instead of "industrial" under the Project Characteristics option. This leads to inconsistency with the Proposed Project description in the Draft EIR. South Coast AQMD staff recommends that the Lead Agency revise the CalEEMod by choosing the appropriate land use type and land use subtypes (e.g., industrial and high-cube cold storage warehouse) that reflect the Proposed Project description and include it in the Final EIR. Additionally, besides the main building for warehouse usage, the Lead Agency proposes to have a truck maintenance building of 16,173 square feet on the southeast corner of the Proposed Project site. Since the CalEEMod output files do not include the maintenance building operation, the Lead Agency possibly underestimates the operational emissions of the entire Proposed Project. It is recommended that the maintenance building be included in the CalEEMod, and its emissions should be evaluated and presented in the Final EIR in addition to the warehouse operational emissions. If the CalEEMod is not revised in the Final EIR, the Lead Agency should provide reasons for not revising it supported by substantial evidence in the record.

Regional and Localized Construction and Operation Emissions

The Lead Agency utilizes CalEEMod version 2020.4.0 to analyze the Proposed Project's daily regional and localized construction and operational emissions[21] and includes them in Table 3-3, Table 3-4, and Table 3-5[22] of the Draft EIR. However, Appendix B only displays the emissions during summer, not winter or annually. It is possible that the maximum emissions might occur during winter instead of summer, so the CalEEMod should include all summer, winter, and annual emissions output files.

Furthermore, South Coast AQMD staff finds that the regional and localized emissions do not match the emissions shown in the CalEEMod output files. Additionally, referring to this letter's second and third comments, the Lead agency underestimates the construction and operation emissions by neglecting the emissions generated from hauling truck trips, TRUs trucks, and any possible on-site equipment (e.g., stationary equipment, refrigeration equipment, portable construction equipment, etc.). Therefore, regional and localized construction and operation emissions from either Draft EIR or CalEEMod output files are inaccurate. It is recommended that the Lead Agency review and revise the CalEEMod calculations with all the on-site and off-site equipment to be utilized during the Proposed Project's construction and operation to present consistent and conservative emissions to avoid discrepancies; show calculation outputs for annual, summer, and winter emission values; determine the significant impacts and include the revision in the Final EIR. If the construction and operational emissions in CalEEMod are not revised in the Final EIR, the Lead Agency should provide reasons for not re-calculating it supported by substantial evidence in the record.

[21] *Ibid*. Page 78.
[22] *Ibid*.

Number of Vehicles and Fleet Mix

Based on the Draft EIR, Appendix B – CalEEMod output files, and Appendix H- Traffic Study,[23] the Lead Agency discusses different numbers of vehicles; specifically trucks which are generated from the Proposed Project. The CalEEMod output files do not represent the information disclosed in the Draft EIR. For instance, the Draft EIR and Appendix H show 475 daily truck trips are involved in the Proposed Project warehouse's operational activities. In comparison, the CalEEMod section 4.2 Trip Summary Information[24] shows a range of 1,732.42 to 2,830.06 trips under manufacturing land use. In addition, due to the inconsistent land use type and the number of vehicles, South Coast AQMD staff re-evaluated the fleet mix of trucks based on Table 3-16 Trip Generation[25] and generated results that also differ from the fleet mix presented in the CalEEMod output files.

Additionally, it is unclear how the Lead Agency obtains values shown in the CalEEMod output files. South Coast AQMD recommends that the Lead Agency re-run the CalEEMod reflecting the correct information, such as land use type, to collect accurate results consistent with the information discussed in the Draft EIR and include the revised CalEEMod in the Final EIR. If the revision is not included in the Final EIR, the Lead Agency should provide reasons for not revising it supported by substantial evidence in the record.

Vehicle Trip Rates

In the Transportation section of the Draft EIR, the Lead Agency mentions that the daily trip rate for a high cube storage warehouse is 2.12 per 1,000 square feet of floor area.[26] It is unclear how the daily trip rate of 2.12 got derived. However, with the total number of vehicles generated from the Proposed Project of 1,210[27] in Table 3-16, the daily trip rate should be 1,210 vehicles divided by 435.420 thousand square feet (TSF) to get 2.78. Therefore, it is recommended that the Lead Agency review and revise this section to get the accurate daily trip rate that can be input in CalEEMod for further analysis and included in the Final EIR. If the daily trip rate is not re-calculated in the Final EIR, the Lead Agency should provide reasons for not revising it supported by substantial evidence in the record.

Air Quality Mitigation Measures Discussion

The possibility of underestimated regional and localized construction and operation emissions leads to the significant determination stated in the Draft EIR being inaccurate. Due to the potential of being significant and unavoidable after revising the emissions calculations and performing an operational HRA, South Coast AQMD staff recommends that the Lead Agency should consider and discuss mitigation measures to minimize the significant impacts pursuant to CEQA Guidelines Section 15126.4 and all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse impacts.

[23] *Ibid.* Appendix H – Traffic Study. Page 510
[24] *Ibid.* Appendix B. CalEEMod output files.
[25] *Ibid.* Page 190.
[26] *Ibid.* Page 189.
[27] *Ibid.* Page 190.

Project-level air quality mitigation measures for construction air quality impacts that the Lead Agency should consider and include in the Final EIR may consist of the following but are not limited to:

- Construction equipment shall meet the U.S. EPA Tier 4 emissions standards or cleaner for off-road diesel-powered construction equipment over 50 horsepower, when feasible.
- Require using electric or alternative-fueled (i.e., non-diesel) construction equipment, if available, including but not limited to concrete/industrial saws, pumps, aerial lifts, material hoists, air compressors, forklifts, excavators, wheel loaders, and soil compactors.
- Install other control measures such as wheel washers, gravel pads, etc., where vehicles enter and exit the construction site onto paved roads or wash off trucks and equipment leaving the site for each trip.
- Sweep streets at the end of the day with South Coast AQMD Rules 1186 – PM_{10} Emissions from Paved and Unpaved Roads, and Livestock Operations[28] and 1186.1 – Less-Polluting Sweepers[29] compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water).

Project-level air quality mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider and include in the Final EIR may consist of the following but are not limited to:

- Require ZE or Near Zero Emissions (NZE) heavy-duty trucks for future development projects during operations, such as trucks with natural gas engines that meet CARB's adopted optional nitrogen oxides (NOx) emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate market penetration and the utilization of ZE and NZE trucks, such as the Advanced Clean Trucks Rule[30] and the Heavy-Duty Low NOx Omnibus Regulation,[31] ZE and NZE trucks will become increasingly more available. The Lead Agency can and should require future development projects to have a phase-in schedule to incentivize these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs. At a minimum, require the use of the 2010 model year[32] that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks.

[28] South Coast AQMD Rule 1186 - PM_{10} Emissions from Paved and Unpaved Roads and Livestock Operations. Access at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186.pdf.

[29] South Coast AQMD Rule 1186.1 – Less-Polluting Sweepers. Access at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186-1-less-polluting-sweepers.pdf.

[30] CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks.

[31] CARB has recently passed a variety of new regulations that require new, cleaner, heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[32] 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 Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

Require future development projects to include an evaluation of sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the subsequent, project-level environmental analyses, where appropriate. Future development projects can and should also include the requirement in applicable bid documents, purchase orders, and contracts. Owners and operators of future development projects shall maintain records of all trucks associated with project construction to document that each truck meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections of future development projects.

- Limit the daily number of trucks allowed at future development projects to the levels analyzed in the subsequent project-level environmental analyses for these projects. If higher daily truck volumes are anticipated to visit the site, an additional analysis should be done through CEQA prior to allowing this higher activity level.
- Require future development projects to provide electrical infrastructure and appropriately sized electrical panels. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Cumulative Impacts Discussion

Under the Cumulative Impacts section in the Draft EIR, the Lead Agency discusses the cumulative analysis by the list approach method pursuant to the CEQA Guidelines Section 15130(b).[33] The Draft EIR presents the list of 10 related projects in Table 4-2[34] and a map of those projects' locations within a one-half-mile radius in Exhibit 4-1.[35] Based on the aerial photographs, South Coast AQMD staff finds other manufacturing and industrial facilities (e.g., Reliable Steel Building Products, Shultz Steel, Central Truck & Oil Supply, Inc., etc.) within a one-half-mile radius that are not included in the list. It is unclear how a one-half-mile radius is chosen for the analysis and why other facilities within the radius are not included. Therefore, South Coast AQMD staff recommends that the Lead Agency provide a clear explanation of how the radius is chosen and why only certain facilities/projects are listed and include the explanation in the Final EIR.

Additionally, the Lead Agency discusses the cumulative air quality impacts/greenhouse gas in Table 4-3[36] and concludes that the long-term cumulative air quality impacts would be less than significant.[37] However, this statement is likely inaccurate due to the lack of supporting data, such as no HRA impacts and studies and emissions appearing to be underestimated for the existing facilities. Hence, it is recommended that the Lead Agency revise the Cumulative Impacts section with supporting evidence. If the revision of this Cumulative Impacts section is not included in the Final EIR, the Lead Agency should provide reasons for not revising it supported by substantial evidence in the record.

Alternative Discussion

Under the Analysis of Alternatives section of the Draft EIR, the Lead Agency discusses three alternative approaches: the No Project Alternative, Distribution Facility Alternative, and Land Use

[33] *Ibid*. Page 228.
[34] *Ibid*. Page 229.
[35] *Ibid*. Page 230.
[36] *Ibid*. Page 235.
[37] *Ibid*.

(Residential) Alternative.[38] The Lead Agency should discuss all the alternatives in enough detail to allow a comparative analysis of the alternatives against the Proposed Project. Therefore, South Coast AQMD staff recommends the Lead Agency add the air quality analysis in the alternatives to provide sufficient detail for the Lead Agency to differentiate the impacts between the alternatives and to select the Environmentally Preferred Alternative in the Final EIR.

South Coast AQMD staff has concerns regarding the Land Use (Residential) Alternative, potentially resulting in 737 residential housing units[39] at the Proposed Project site. The Proposed Project site's surroundings appear to be a freeway (east of the Proposed Project site), railroads and distribution services (south of the Proposed Project site), and a steel distributor (west of the Proposed Project site). South Coast AQMD staff recommends that the Lead Agency review the California Air Resources Board (CARB) Air Quality and Land Use Handbook: A Community Health Perspective,[40] as it is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory.[41]

South Coast AQMD Rules, Permits, and Responsible Agency

Due to the proposed removal actions involving soil movement activities, the Proposed Project would be subjected to the requirements of South Coast AQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil[42] and Rule 1146 – Control of Particulate Emissions from Soils with Toxic Air Contaminants [43] should be evaluated to determine applicability to the proposed soil movement activities. The Proposed Project will have demolition that occurs prior to the construction of the new building, which will also be subject to the South Coast AQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities.[44] In addition, since the Proposed Project includes two cooler storage areas, South Coast AQMD Rule 1415.1 – Reduction of Refrigerant Emissions from Stationary Refrigeration Systems[45] might be applicable and should be discussed in the Final EIR.

If the implementation of the Proposed Project would require the use of new stationary equipment (e.g., internal combustion engines), refrigeration equipment, and all portable construction equipment,[46] permits from South Coast AQMD are required. The Final EIR should include a discussion on any existing and new stationary equipment requiring South Coast AQMD permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project. Any

[38] *Ibid*. Page 237.
[39] *Ibid*.
[40] CARB Air Quality and Lan Use Handbook: A Community Health Perspective can be found at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf.
[41] CARB's technical advisory can be found at: https://www.arb.ca.gov/ch/landuse.htm.
[42]South Coast AQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. Access at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf.
[43] South Coast AQMD Rule 1146 – Control of Particulate Emissions from Soils with Toxic Air Contaminants. Access at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf.
[44] South Coast AQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. Access at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf.
[45] South Coast AQMD Rule 1415.1 – Reduction of Refrigerant Emissions from Stationary Refrigeration Systems. Access at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1415-1.pdf.
[46] *Ibid*. Page 49.

assumptions used for the stationary sources in the Final EIR will also be used as the basis for the permit conditions and limits for the Proposed Project. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions on permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

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, at least 10 days prior to the certification of the Final EIR.[47] In addition, when the Lead Agency's position is at variance with recommendations raised in the comments, the 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 and reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines §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.

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 Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA-IGR
Planning, Rule Development & Implementation

MM:ND:SW:DN
LAC221207-01
Control Number

[47] 2022 CEQA Statues and Guidelines Section 21092.5(a): "At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division. Proposed responses shall conform with the legal standards established for responses to comments on draft environmental impact reports. Copies of responses or the environmental document in which they are contained, prepared in conformance with other requirements of this division and the guidelines adopted pursuant to Section 21083, may be used to meet the requirements imposed by this section."
Access at: https://www.califaep.org/docs/2022_CEQA_Statue_and_Guidelines.pdf.