



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

November 22, 2023

[rleung@fontanaca.gov](mailto:rleung@fontanaca.gov)

Rina Leung, Senior Planner  
City of Fontana - Planning Department  
8353 Sierra Avenue  
Fontana, CA 92335

## **Draft Subsequent Environmental Impact Report (Draft SEIR) for the Hemlock Warehouse Development Project (Proposed Project) (SCH No.: 2009091089)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Fontana is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

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

Based on the Draft SEIR, the Lead Agency proposes demolishing the existing development to construct and operate a warehouse facility for 882,000 square feet on the 40.01-acre site at 11115 Hemlock Avenue, Fontana.<sup>1</sup> A portion of the warehouse facility would be used for cold storage, approximately 220,500 square feet or 25 percent of the warehouse.<sup>2</sup> The Proposed Project would have 114 dock doors on the east and west sides of the building<sup>3</sup> associated with 562 truck trips per day.<sup>4</sup> Regional access to the Proposed Project site via Interstate 10, State Route 60, and Interstate 15, and local access via Santa Ana Avenue and Jurupa Avenue.<sup>5</sup> Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential units) is approximately 900 feet southeast and southwest of the Proposed Project site. Construction of the Proposed Project is anticipated to take approximately 15 months.<sup>6</sup>

### South Coast AQMD Staff's Comments on the Draft SEIR

#### *Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths and Trip Rates in Emissions Analysis*

In the Draft SEIR, the Lead Agency discusses the determination of truck emissions for the Proposed Project and states that "...CalEEMod defaults were utilized for trip length and the SCAQMD recommended truck trip length of 15.3 miles for 2-axle (LHDT1, LHDT2) trucks, 14.2

---

<sup>1</sup> Draft SEIR. Page 3-1 and 3-2.

<sup>2</sup> *Ibid.* Page 3-9.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.* Appendix F- Traffic Impact Analysis. Page 40.

<sup>5</sup> *Ibid.* Page 3-1.

<sup>6</sup> *Ibid.* Page 3-10.

*miles for 3-axle (MHDT) trucks, and 40 miles for 4+-axle (HHDT) trucks and weighting the average trip lengths using traffic trip percentages from the Traffic Impact Analysis prepared for the Project (Appendix F), which resulted in an overall truck trip length of 29.9 miles with an assumption of 100% primary trips for the proposed warehouse.<sup>7</sup>*

South Coast AQMD recommended 15.3 miles, 14.2 miles, and 40 miles of truck trip lengths derived from the Southern California Association of Government's (SCAG) estimation of average truck trip length in its 2016 Regional Transportation Plan.<sup>8</sup> However, it is essential to note that the distance from the Proposed Project site to the Port of Los Angeles or Long Beach is approximately 70 miles one-way. Thus, South Coast AQMD staff is concerned about underestimating truck emissions due to the shorter distance that HHDT is analyzed in the Draft SEIR. Hence, it is recommended that the Lead Agency revise the truck emissions analysis using the more conservative trip length between 40 to 70 miles, of which 40 miles could be used for local and 70 miles for Port trips and include the revision in the final CEQA document. Tailoring these parameters and assumptions to be based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

*User-Defined Land Use Subtype in the California Emissions Estimator Model  
(CalEEMod) Analysis*

In the operational CalEEMod output files, besides the “unrefrigerated warehouse-no rail” and “refrigerated warehouse-no rail” land use subtypes, “user-defined industrial” is added.<sup>9</sup> According to the CalEEMod User Guide, the “user-defined” may be selected to characterize project land use subtypes not included in CalEEMod. If selected, all data on the Land Use screen will need to be input manually.<sup>10</sup> However, lot acreage and the floor square area use are all set to zero under the “user-defined industrial” land use subtype.

In addition, the truck information (e.g., truck trips) is input under the “user-defined industrial” but not in the “unrefrigerated warehouse-no rail” and “refrigerated warehouse-no rail” land use subtypes for the Proposed Project. This possibly leads to underestimating the heavy-duty truck emissions for warehouse activities since no data is filled under this “user-defined industrial” land use subtype. Therefore, it is recommended that the Lead Agency explain why the land use is separated in the CalEEMod analysis and why the truck information is not under the “unrefrigerated warehouse-no rail” and “refrigerated warehouse-no rail” land use subtype and revise the analysis as necessary in the final CEQA document.

*Additional Recommended Air Quality and Greenhouse Gases 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. To further reduce the Proposed Project's air quality impacts, and in addition to SWIP SP FEIR Mitigation Measures

---

<sup>7</sup> *Ibid.* Page 5.1-22

<sup>8</sup> South Coast Air Quality Management District, Preliminary Draft Staff Report: Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce.

<sup>9</sup> *Ibid.* Appendix B - Air Quality Impact Analysis. CalEEMod Operational and LST Output Files.

<sup>10</sup> California Emissions Estimator Model (CalEEMod) Version 2022.1 User Guide. Access at: [https://www.caleemod.com/documents/user-guide/CalEEMod\\_User\\_Guide\\_v2022.1.pdf](https://www.caleemod.com/documents/user-guide/CalEEMod_User_Guide_v2022.1.pdf)

MM 4.2-1a to MM 4.2-1f, MM 4.2-2a to MM4.2-2l, and MM 4.2-5a, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final EIR.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft SEIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 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 the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule<sup>11</sup> and the Heavy-duty Low NOx Omnibus Regulation,<sup>12</sup> ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of 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 with the Lead Agency. At a minimum, require the use of a 2010 model year<sup>13</sup> 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. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022.<sup>14</sup> Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final 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 higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft SEIR may include the following:

<sup>11</sup> CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks>.

<sup>12</sup> 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>.

<sup>13</sup> 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>.

<sup>14</sup> CARB's optional low-NOx emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>.

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design considerations for the Proposed Project that the Lead Agency should consider reducing air quality and health risk further impacts include the following:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

The South Coast AQMD staff also suggests the Lead Agency review the references (listed below) and consider including the additional recommended mitigation measures in the final CEQA document:

- State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act<sup>15</sup>
- South Coast AQMD 2022 South Coast Air Quality Management Plan,<sup>16</sup> specifically:
  - Appendix IV-A – South Coast AQMD’s Stationary and Mobile Source Control Measures
  - Appendix IV-B – CARB’s Strategy for South Coast
  - Appendix IV-C – SCAG’s Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation<sup>17</sup>

#### *South Coast AQMD Air Permits and Role as a Responsible Agency*

The Draft SEIR assumes in the analysis that an emergency diesel-powered fire pump and emergency diesel-powered generator would be used for the Proposed Project.<sup>18</sup> Hence, air permits from South Coast AQMD would be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead

<sup>15</sup> State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Access at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

<sup>16</sup> 2022 South Coast AQMP. Access at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

<sup>17</sup> United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>

<sup>18</sup> *Ibid.* Page 5.2-13.

Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <http://www.aqmd.gov/home/permits>.

### Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. 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](mailto:dnguyen1@aqmd.gov) should you have any questions.

Sincerely,

*Sam Wang*

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:DN

SBC231011-05

Control Number