

SENT VIA E-MAIL:

January 30, 2024

arush@banningca.gov

Adam Rush, M.A., AICP
Community Development Director
99 E. Ramsey Street,
City of Banning, CA 92220

**Notice of Availability of a Draft Environmental Impact Report (EIR) for the
Sunset Crossroads Project (Proposed Project)**

The South Coast Air Quality Management District (South Coast AQMD) appreciates the opportunity to review the above-mentioned document. The City of Banning 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, which are organized by topic of concern.

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

Based on the Draft EIR, the Proposed Project would construct 533.8 gross acres for industrial, general commercial, and open space uses. The Proposed Project site would be developed pursuant to a General Plan Amendment and a Specific Plan (Sunset Crossroads Specific Plan) which proposes to develop: 1) up to 268,400 square feet for commercial uses; 2) a hotel with 125 rooms and comprised of approximately 90,000 square feet within a 47.9-acre portion of the site designated for freeway-oriented General Commercial land uses; 3) up to 5,545,000 square feet of industrial land uses within a 392.0-acre portion of the site; and 4) the remaining 89.0 acres designated as an Open Space-Resource (52.8 acres), Open Space-Parks (12.6 acres), or assigned for circulation features (23.6 acres).¹ After reviewing aerial photographs of the site, South Coast AQMD staff found that the nearest sensitive receptor, an existing residential development, is located 50 feet from the project site.² The Proposed Project would be built in four phases, beginning in April 2023 and completing in July 2027, spanning approximately 51 months. The Proposed Project is located on the northwest corner of Sunset Avenue and Bobcat Road.³

South Coast AQMD Comments

Inconsistencies and Incorrect Information in Emission Calculations

According to Appendix C - Air Quality Impact Analysis, the Lead Agency utilizes California Emissions Estimator Model (CalEEMod) version 2020.4.0 to analyze the Proposed Project's regional and localized construction and operational emissions and the findings are presented in

¹ Air Quality Impact Analysis, Appendix C, p. 10.

² *Ibid.*, p. 17.

³ *Ibid.*, p. 10.

Tables L to V.⁴ However, the CalEEMod output tables only show a portion of operational emissions; the construction and operational emissions reports for each project phase for Annual, Summer (daily), Winter (daily), and their mitigated emissions are not in the Appendix C.⁵ It is important to show how the maximum daily emissions were derived from using Summer and/or Winter emissions estimates from the CalEEMod modeling as such information is essential for identifying and applying the necessary mitigation measures. Therefore, it is recommended that the Air Quality Impact Analysis document in Appendix C of the Draft EIR include all of the CalEEMod output files for each project phase for Summer, Winter, and Annual emissions.

In addition, while the CalEEMod output files analyze the Proposed Project's construction impacts, the construction emissions are not presented in the Air Quality Impact Analysis in Appendix C. Furthermore, the regional and localized emissions do not match the emissions shown in the CalEEMod output files. For instance, in the Draft EIR, the total emissions of nitrogen oxides (NOx) during construction for Year 2024 in the CalEEMOD output tables show 139.7 pounds per day (lbs/day) (see p. 71) while Appendix C - Air Quality Impact Analysis shows the total NOx emissions during construction as 42 lbs/day (see Table N, p. 54). This substantial difference between what was calculated using CalEEMod versus what was presented in Appendix C needs to be addressed and the Draft EIR revised accordingly.

According to the project description, the Proposed Project will build 330,000 square feet of high cube cold storage⁶ and cold storage warehouses utilize trucks and trailers which are equipped with on-site Transportation Refrigeration Units (TRUs). Typically, small diesel engines provide power to TRUs which generate large quantities of diesel exhaust emissions while operating. However, the on-site TRU emissions associated with this cold storage facility have not been included in the CalEEMod output files, which indicates that the criteria pollutant emissions have been underestimated. Thus, it is also recommended that the Air Quality Impact Analysis document in Appendix C of the Draft EIR estimate the emissions from TRUs and include those emissions into the CalEEMod modeling files. These changes will likely necessitate a re-calculation of the operational emissions and a reassessment of the significance determination, which will need to be reflected in the Final EIR.

Health Risk Assessment (HRA) Operational Analysis

South Coast AQMD's review of the operational HRA modeling files noted that the main truck route from the Proposed Project's site to the I-10 freeway on- and off-ramps is located on the northeast and west of the site and the truck route passes through the residential neighborhoods. While the truck route leading to the on-ramp has been identified and accounted for in the air quality impact assessment, the truck route leading to the off-ramp has not been included in the analysis indicating that the diesel particulate matter (DPM) emissions from heavy-duty trucks and the associated cancer risk during project operation have been underestimated. As such, the HRA needs to be updated to include this missing information. Furthermore, the receptor spacing in the AERMOD modeling file is set at 25 meters near the Proposed Project's site but is changed to 100 meters near the offsite mobile sources, even though the nearest residential receptor is 50 feet (approximately 15 meters) away. This alteration in spacing could potentially result in an

⁴ *Ibid.*, p. 38.

⁵ *Ibid.*, p. 79.

⁶ Air Quality Impact Analysis, Appendix C, p. 13.

underestimation of cancer risk, especially for the receptors situated along the truck route toward the I-10 ramp. This discrepancy needs to be corrected.

In addition, based on the HRA modeling files in Appendix C, the analysis assumed that all refrigerated trucks would use the electrical charging ports 100 percent of the time in lieu of operating their TRUs powered by diesel internal combustion engines. However, it is important to note that the Draft EIR neither identifies electrical charging ports as a project feature nor proposes electrical chargers as a mitigation measure. Considering the potential lack of on-site plug-in capability for battery charging for some refrigerated trucks, the reliance on electrical hookups for all TRUs is not appropriate when analyzing the HRA, because it omits the on-site DPM emissions from TRUs in the analysis resulting in an underestimation of the cancer risk.

Lastly, based on a review of aerial photographs, South Coast AQMD staff identified a railroad adjacent to and north of the Proposed Project. The Draft EIR should be revised to explain if transportation by rail will be utilized during construction and/or operation for the Proposed Project. If so, locomotive emissions will need to be included in the air quality analysis and HRA in the revised Draft EIR.

Trip Generation Rates and Truck Trip Lengths

Following a review of the analysis of vehicle miles traveled (VMT)⁷ and the HRA, the project trip generation rates, as outlined in the VMT analysis tables in the Draft EIR and the trip generation rates specified in Table 4.8 of the HRA (utilized in the AERMOD dispersion model) are inconsistent. For example, the trip generation rate associated with Building 1 in the VMT analysis is 538 trips per day, while the trip generation rate associated with Building 1 in the HRA AERMOD modeling file is 481 trips per day. In addition, according to the Air Quality Analysis in Appendix C, a truck trip length of 40 miles was assumed.⁸ However, in the CalEEMod output files, only a portion (59 percent) of truck trips is assumed to drive 40 miles, while the remainder of the truck trips are driving 6.9 miles for 41 percent of the time. Thus, the CalEEMod calculations appear to underestimate the truck emissions. Please address these inconsistencies between the Draft EIR and the CalEEMod output files, update the analysis accordingly by recalculating the emissions, air quality analysis, and HRA, and include the revised results in the Final EIR.

Emission Reductions From Health Risk Strategies

When certifying an EIR for a project retain the authority to include any additional information deemed relevant to assessing and mitigating the environmental impacts. South Coast AQMD is concerned about the potential public health impacts of siting sensitive populations within the proximity of existing air pollution sources (e.g., freeway, railroad). For this reason, prior to approving future development projects, the Lead Agency is recommended to consider the impacts of air pollutants on people who will live in a new project and provide effective mitigation. Additionally, South Coast AQMD suggests that the Lead Agency review and apply the guidance provided in: 1) the California Air Resources Board (CARB) Air Quality Land Use and Handbook:

⁷ Vehicle Miles Traveled (VMT), Appendix J, p. 15.

⁸ Air Quality Impact Analysis, Appendix C, p. 57.

A Community Health Perspective⁹ which provides criteria for evaluating and reducing air pollution impacts associated with new projects involving land use decisions; and 2) CARB's technical advisory which contains strategies to reduce air pollution exposure near high-volume roadways.¹⁰

Many strategies are available for residential receptors to reduce being exposed to particulate matter, including, but not limited to, HVAC systems equipped with filters rated at a minimum efficiency reporting value (MERV) 13 or higher air filtration capabilities. In some cases, MERV 15 or better is recommended, for building design, orientation, location, vegetation barriers, landscaping screening, etc. Enhanced filtration units are capable of reducing exposure. However, enhanced filtration systems have limitations. For example, filters rated MERV 13 or higher are able to screen out greater than or equal to 50% of DPM¹¹ but they have no ability to filter out volatile organic compound (VOC) emissions. Also, in a study that South Coast AQMD conducted to investigate filters rated at MERV 13 or better in classrooms,^{12,13} a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary, including costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, the filters would not have any effect unless the HVAC system is running. Therefore, when in use, the increased energy consumption from each HVAC system should be evaluated in the Draft EIR. While the filters operate 100 percent of the time when the HVAC is in use while the residents are indoors, the environmental analysis does not generally account for the times when the residents are not using their HVAC and instead have their windows or doors open or are moving throughout the common space outdoor areas of the Proposed Project. Furthermore, when used filters are replaced with new filters, emissions associated with trucks delivering the new filters and waste disposal trucks transporting the used filters to disposal sites should be evaluated in the Draft EIR. Therefore, any presumed effectiveness and feasibility of a particular HVAC filter should be carefully evaluated in more detail based on supporting evidence before assuming they will sufficiently alleviate exposure to DPM emissions.

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures and Project Design Considerations

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

⁹ California Air Resources Board (CARB), Air Quality Land Use and Handbook: A Community Health Perspective, April 2005. Available at: https://ww2.arb.ca.gov/sites/default/files/2023-05/Land%20Use%20Handbook_0.pdf

¹⁰ CARB's Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways. Available at: https://ww2.arb.ca.gov/sites/default/files/2017-10/rd_technical_advisory_final.pdf

¹¹ U.S. EPA, "What is a MERV rating?" Available at: <https://www.epa.gov/indoor-air-quality-iaq/what-merv-rating>.

¹² South Coast AQMD, Draft Pilot Study of High-Performance Air Filtration For Classroom Applications, October 2009. Available at: <https://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>.

¹³ International Journal of Indoor Environment and Health, Pilot Study of High-Performance Air Filtration For Classroom Applications, November 2012. Available at: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

Proposed Project's air quality impacts, South Coast AQMD recommends incorporating the following mitigation measures and project design considerations into the Final EIR.

Mitigation Measures for Operational Air Quality Impacts from Mobile Sources

- 1) 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.

Note: 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 and the Heavy-duty Low NOx Omnibus Regulation, ZE and NZE trucks will become increasingly more available to use.

- 2) Require a phase-in schedule to incentivize the use of cleaner operating trucks to reduce any significant adverse air quality impacts.

Note: South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

- 3) At a minimum, require the use of a 2010 model year 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. 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 requirements 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. Regular inspections should be conducted by the Lead Agency to the maximum extent feasible to ensure compliance.
- 4) 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.
- 5) 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

- 1) Maximize the use of solar energy by installing solar energy arrays.
- 2) Use light-colored paving and roofing materials.

- 3) Utilize only Energy Star heating, cooling, and lighting devices and appliances.

Design Considerations for Reducing Air Quality and Health Risk Impacts

- 1) 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.).
- 2) 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.
- 3) Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- 4) Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- 5) Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

Lastly, the South Coast AQMD also suggests that the Lead Agency conduct a review of the following references and incorporating additional mitigation measures as applicable to the Proposed Project in the Final EIR:

- 1) State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act¹⁴
- 2) South Coast AQMD 2022 Air Quality Management Plan,¹⁵ specifically:
 - a. Appendix IV-A – South Coast AQMD’s Stationary and Mobile Source Control Measures
 - b. Appendix IV-B – CARB’s Strategy for South Coast
 - c. Appendix IV-C – SCAG’s Regional Transportation Strategy and Control Measures
- 3) United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation.¹⁶

South Coast AQMD Air Permits and Role as a Responsible Agency

¹⁴ State of California – Department of Justice, Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Available at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

¹⁵ South Coast AQMD, 2022 Air Quality Management Plan (AQMP). Available at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

¹⁶ United States Environmental Protection Agency (U.S. EPA), Mobile Source Pollution - Environmental Justice and Transportation. Available at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>

Based on Appendix C -Air Quality Impact Analysis, Table J specifies the proposed land uses for Building 1 through Building 10 and the land use category for Building 4 and Building 6 are identified in CalEEMod as general heavy industrial. However, the future uses for these buildings are not specified in the Draft EIR and it is not clear if any of the buildings will use equipment for which South Coast AQMD air permits will be required. For example, if implementation of the Proposed Project would require the use of new stationery and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., South Coast AQMD air permits will be required. The Final EIR should include a discussion about the potentially applicable South Coast AQMD rules that may be applicable to the Proposed Project including but not limited to Rule 201 – Permit to Construct,¹⁷ Rule 203 – Permit to Operate,¹⁸ Rule 401 – Visible Emissions,¹⁹ Rule 402 – Nuisance,²⁰ Rule 403 – Fugitive Dust,²¹ Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,²² Rule 1166 – VOC Contaminated Soil Excavation,²³ Regulation XIII – New Source Review,²⁴ Rule 1401 – Air Toxics,²⁵ Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,²⁶ and Rule 1470 – Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines.²⁷ It is important to note that when air permits from South Coast AQMD are required, 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 Agency is required to consult with South Coast AQMD.

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 the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast

¹⁷ South Coast AQMD Rule 201 – Permit to Construct. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>.

¹⁸ South Coast AQMD Rule 203 – Permit to Operate. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>.

¹⁹ South Coast AQMD Rule 401 – Visible Emissions. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>.

²⁰ South Coast AQMD Rule 402 – Nuisance. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

²¹ South Coast AQMD Rule 403 – Fugitive Dust. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

²² South Coast AQMD Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines. Available at: [rule-1110-2.pdf \(aqmd.gov\)](https://www.aqmd.gov/docs/default-source/rule-1110-2.pdf)

²³ South Coast AQMD Rule 1166 – VOC Contaminated Soil Excavation. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>.

²⁴ South Coast AQMD Regulation 13 – New Source Review. Available at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>.

²⁵ South Coast AQMD Rule 1401 – Air Toxics. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>.

²⁶ South Coast AQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.

²⁷ South Coast AQMD Rule 1470 – Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines. Available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>.

AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits. South Coast AQMD is concerned that the project description and analysis in its current form in the Draft EIR is inadequate to be relied upon for this purpose.

For these reasons, the Draft EIR should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will 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 Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,
Sam Wang

Sam Wang

Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

BR:SW:SG
RVC231221-01
Control Number