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Draft Environmental Impact Report (EIR) for the Proposed Massachusetts Point Project (Proposed Project) (SCH No.: 2024120391)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Riverside 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.

Summary of Project Information in the Draft EIR

Based on the Draft EIR, the Proposed Project site encompasses approximately 14.42 acres[1] and consists of demolishing the existing structures and constructing two light industrial buildings for a total of 199,850 square feet (sf) of warehouse and office uses on approximately 10.21 acres.[2] Building 1 would consist of 99,900 sf with 17 dock doors along the southern side of the building, and Building 2 would consist of 99,950 sf with 22 dock doors along the northern side of the building.[3] The Proposed Project assumes 20 percent (%) of the warehouses for cold storage.[4] The Proposed Project site is located at 2626 Kansas Avenue, 2069 Massachusetts Avenue, and 1989 Massachusetts Avenue.[5] Based on the review of the aerial photograph, the nearest sensitive receptor (e.g., residence) is approximately 680 feet northeast of the Proposed Project site. Construction of the Proposed Project is anticipated to take approximately 14 months, with operations beginning in 2027.[6]

South Coast AQMD Comments

Incorrect Land Use Type Used in CalEEMod

According to the CalEEMod detailed report provided in Appendix B – Air Quality, Energy, and GHG Report, the land use type selected for the unrefrigerated portion of the warehouses is

[1] Draft EIR. p. 3-1.
[2] *Ibid*. p. 3-25.
[3] *Ibid*. p. 3-25 and 3-27.
[4] *Ibid*. p. 3-45.
[5] *Ibid*. p. 3-1.
[6] *Ibid*.

categorized as General Heavy Industry.[7] However, based on the CalEEMod User Guide, the General Heavy Industry land use type is defined as: "Heavy industrial facilities usually have a high number of employees per industrial plant and are generally limited to the manufacturing of large items."[8]

This classification does not accurately reflect the Proposed Project, which involves the development of two warehouse buildings with 20% of cold storage. The appropriate land use category for this project in CalEEMod should therefore be Unrefrigerated Warehouse and Refrigerated Warehouse, which more accurately represent the expected operational characteristics and associated emission factors.

Use of the incorrect land use category may lead to underestimation of construction and operational emissions in the environmental impact analysis. To ensure a more accurate assessment of air quality impacts, the Lead Agency is recommended to revise the CalEEMod inputs accordingly, rerun the model using the appropriate land use classification, and incorporate the updated results into the Final EIR.

Potentially Underestimated Construction Emissions

According to Section 5.9: Hazards and Hazardous Materials of the Draft EIR, its Phase I Environmental Site Assessment found that the Proposed Project site contains volatile organic compounds (VOCs) at concentrations that exceed their applicable regulatory screening thresholds[9], specifically:

- At 2626 Kansas Avenue, elevated concentrations of trichloroethene (TCE) have been identified in shallow soil vapor in the northwest portion of the site; tetrachloroethene (PCE) and TCE have been detected in the south-central and southeastern exterior areas; and 1,1-dichloroethene (1,1-DCE) has been detected in groundwater monitoring wells on the northwest portion of the site.
- At 2069 and 1989 Massachusetts Avenue, PCE and TCE have also been detected.

The Lead Agency has proposed Mitigation Measure HAZ-1, which requires preparation of a Soil Management Plan (SMP) and a Health and Safety Plan (HSP), both of which must be reviewed and approved by the Santa Ana Regional Water Quality Control Board prior to issuance of any grading or excavation permits.[10] However, the Draft EIR does not evaluate the potential air quality impacts associated with site cleanup and remediation activities during construction.

Cleanup activities will likely involve the use of heavy-duty, diesel-fueled trucks for soil export and result 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 be different from typical equipment for grading and site preparation for construction. Based on the emission calculations from the California Emissions Estimator Model (CalEEMod) detailed report, the Lead Agency used the default one-way truck trip length of 20 miles to quantify the Proposed Project's construction emissions from hauling

[7] Appendix B – Air Quality, Energy, and GHG Report. CalEEMod Detailed Report.
[8] CalEEMod User Guide. P. 23.
[9] *Ibid*. p. 5.9-18.
[10] *Ibid*. p. 5.9-26.

construction materials and importing soil. According to Section 5.19: Utilities and Service Systems of the Draft EIR, it is identified that Badlands Landfill, Lamb Canyon Landfill, the El Sobrante Landfill, and Mid-Valley Sanitary Landfill are the municipal waste landfills that could serve the Proposed Project.[11] If cleanup activities include the removal and disposal of contaminated soil, depending on the type of contamination, these landfills may not accept the contaminated soil. In that case, contaminated soil may need to be transported to a permitted hazardous waste disposal facility located outside Riverside County, which could require a one-way trip significantly longer than 20 miles.

To ensure an accurate quantification of construction-related emissions, including the cleanup activities, particularly for regional criteria pollutants and greenhouse gases, the Lead Agency is recommended to revise the CalEEMod[12] model inputs to reflect the actual distance to a known and permitted hazardous waste disposal facility expected to be used by the project. The selected trip length should be clearly disclosed and justified in the Final EIR. Should the Lead Agency elect not to revise the default 20-mile haul distance, a detailed rationale supported by substantial evidence in the administrative record must be provided to demonstrate the appropriateness of the default assumption in the context of the project-specific conditions.

Unsupported Truck Trip Distance Assumption Used in Emissions Modeling

Accurately estimating truck trip lengths is a key parameter when quantifying emissions from mobile sources, especially diesel particulate matter (DPM), oxides of nitrogen (NOx), and greenhouse gas (GHG). The mischaracterization of average trip length, for example, can lead to a significant underestimation of the project's air quality impacts. According to the Draft EIR, the truck emissions are calculated with the truck trip length as the weighted average of 15.3 miles for 2-axle, 14.2 miles for 3-axle, and 40 miles for 4-axle trucks.[13] However, the analysis lacks critical information regarding the supporting basis for determining the trip origins and destinations and whether the assumed distances are reflective of actual or anticipated routing patterns of the facility's current or future truck fleet.

As such, the Final EIR should include a clear and defensible rationale for the use of the truck trip length assumption. The rationale should be supported by documentation such as empirical data from fleet operations, transportation logistics studies, regional freight movement data, or other sources that demonstrate the applicability and appropriateness of the selected distances. Additionally, if any truck trips associated with the Proposed Project will include port-related activities, the Final EIR should explain this detail, and the modeled trip lengths should accurately reflect the mileage between the project site and the relevant port(s), such as the Ports of Los Angeles or Long Beach, located approximately 65-70 miles one-way from the Proposed Project site.

Therefore, it is recommended that the Lead Agency either revise the trip distance assumptions to more accurately reflect realistic operational conditions or provide additional evidence substantiating that the selected distances are representative of actual or reasonably foreseeable truck travel patterns associated with the Proposed Project. Failure to provide supporting evidence

[11] *Ibid*. p. 5.19-16.
[12] CalEEMod free of charge available at https://www.caleemod.com/
[13] *Ibid*. p. 5.3-22.

to validate these assumptions may compromise the accuracy of the emission estimates, conclusion, and the overall integrity of the air quality analysis presented in the Final EIR.

Truck Idling Duration and Emissions Modeling

Appendix C – Health Risk Assessment indicates that a default assumption of 15 minutes of idling per truck per day, including Transport Refrigeration Unit (TRU) trucks, was used to estimate DPM emissions for the operational health risk assessment.[14] While this assumption may be consistent with regulatory idling limits, it may not accurately reflect actual operating conditions for a facility of the Proposed Project's scale. The Proposed Project is anticipated to generate approximately 342 truck trips per day, with 20% of all heavy-duty diesel trucks assumed to be equipped with a TRU,[15] representing a substantial volume of heavy-duty vehicle activity. For a high-throughput logistics or distribution facility, it is reasonable to expect that individual trucks may experience extended periods of idling due to on-site queuing, security checks, staging, loading, and unloading operations, particularly during peak hours or in constrained circulation areas. As such, a 15-minute idling duration may underestimate actual on-site idling behavior and, consequently, DPM emissions, which are a key contributor to localized health risks.

Although the California Air Resources Board (CARB) limits diesel truck idling to five minutes as set forth in the Airborne Toxic Control Measure (ATCM), this regulation provides exemptions for trucks equipped with engines that meet the optional low-NOx idle emission standard, typically applicable to model year 2008 and newer trucks. These vehicles, often referred to as “clean idle” certified, are permitted to idle longer than five minutes when situated more than 100 feet from sensitive land uses such as homes and schools.[16] Furthermore, CARB’s EMFAC2021 Volume III Technical Document (Table 4.4.2-5) indicates that heavy-duty trucks may idle for up to five hours at a single location under certain conditions.[17]

Accurate characterization of idling activity is essential to fully assess a project’s potential health risk impacts, particularly for nearby sensitive receptors. Therefore, to ensure the HRA provides a conservative and health-protective estimate of potential exposure, the Lead Agency is recommended to either: 1) revise the operational emissions modeling in the Final EIR to assume a minimum of 30 minutes of idling per truck per day, unless site-specific data or operational constraints justify a shorter duration; or 2) provide empirical evidence, such as facility-specific queuing and processing time studies, vehicle circulation modeling, or comparable industry data, to substantiate the 15-minute assumption as representative of expected operations of the Proposed Project.

Inconsistency in Cancer Risk Results Presented in Draft EIR and Its Appendices

The health risk assessment for the Proposed Project includes evaluation of both short-term and long-term DPM emissions associated with construction and operational activities. The estimated cancer risk results are presented in the Draft EIR and its technical appendices. However, upon staff

[14] Appendix C – Health Risk Assessment. p. 23.
[15] Appendix C – Health Risk Assessment. p. 22.
[16] CARB. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling available at https://ww2.arb.ca.gov/our-work/programs/atcm-to-limit-vehicle-idling
[17] CARB. EMFAC2021 Volume III Technical Document. Page 161. Table 4.4.2-5 available at EMFAC2021 Volume III Technical Document

review, inconsistencies were identified between the Draft EIR, Appendix C - Health Risk Assessment, and Appendix B - Air Quality, Energy, and Greenhouse Gas Report. Specifically, the Draft EIR and Appendix C both show cancer risks of 0.63 in one million for construction and 5.59 in one million for operation.[18,19] In contrast, Appendix B shows 0.54 in one million for construction and 3.55 in one million for operation.[20]

To ensure transparency, accuracy, and consistency across all CEQA documents, the Lead Agency is recommended to reconcile these discrepancies and include the updates in the Final EIR to reflect the correct and consistent cancer risk values throughout the CEQA document and all supporting appendices.

Additional Recommended Air Quality and Greenhouse Gas Mitigation Measures and Project Design Features for Consideration

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, South Coast AQMD recommends incorporating the following mitigation measures and project design considerations into the Final EIR.

Mitigation Measures to Reduce Operational Air Quality Impacts from Mobile Sources

1. Require zero-emission (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 CARB'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 for 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 are available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

3. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final EIR. 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.

[18] *Ibid*. p. 5.3-28.
[19] Appendix C – Health Risk Assessment. p. 31 and 32.
[20] Appendix B – Air Quality, Energy, and GHG Report. p. 27.

4. 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 to Reduce 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 incorporate 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 Act[21]

2. South Coast AQMD 2022 Air Quality Management Plan,[22] 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

[21] 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
[22] 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

c) Appendix IV-C – SCAG's Regional Transportation Strategy and Control Measure

3. United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation.[23]

Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program

Since the Proposed Project consists of developing a total of 199,850 sf warehouses, once the warehouses are occupied, the Proposed Project's warehouse owners and operators will be required to comply with South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – WAIRE Program[24] and Rule 316 – Fees for Rule 2305.[25] Rule 2305 and Rule 316 aim to reduce regional and local emissions of NOx and particulate matter (PM), including DPM, so as to reduce adverse public health impacts on communities located near warehouses. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt to earn WAIRE Points on behalf of their tenants if they so choose, because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance, the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Therefore, the Lead Agency is recommended to review Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements, design features/enhancements, and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation. For questions concerning Rule 2305 implementation and compliance, please call (909) 396-3140 or email waire-program@aqmd.gov. For implementation of guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.

South Coast AQMD Air Permits and Role as a Responsible Agency

According to the Draft EIR, the Proposed Project would utilize two diesel fire pumps and two emergency generators,[26] for which air permits from the South Coast AQMD will be required. The Final EIR should include a discussion about the South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,[27]

[23] 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
[24] South Coast AQMD. Rule 2305 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf
[25] South Coast AQMD. Rule 316 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-iii/r316.pdf
[26] Ibid. p. 5.3-22.
[27] South Coast AQMD. Rule 201 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf

Rule 203 – Permit to Operate,[28] Rule 401 – Visible Emissions,[29] Rule 402 – Nuisance,[30] Rule 403 – Fugitive Dust,[31] Rule 461 – Gasoline Transfer and Dispensing,[32] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[33] Rule 1113 – Architectural Coatings,[34] Rule 1166 – Volatile Organic Compound Emissions From Decontamination of Soil,[35] Regulation XIII – New Source Review,[36] Rule 1401 – New Source Review of Toxic Air Contaminants,[37] Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[38] etc.

In addition, it is important to note that since air permits from South Coast AQMD are required, South Coast AQMD's role under CEQA is as a Responsible Agency. 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. Also, as set forth in CEQA Guidelines Section 15096(h), the Responsible Agency is required to make Findings in accordance with CEQA Guidelines Section 15091 for each significant effect of the project and issue a Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15093, if necessary. Lastly, as set forth CEQA Guidelines Section 15096(i), the Responsible Agency may file a Notice of Determination.

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 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.

For these reasons, the final CEQA document 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

[28] South Coast AQMD. Rule 203 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf
[29] South Coast AQMD. Rule 401 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[30] South Coast AQMD. Rule 402 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[31] South Coast AQMD. Rule 403 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403
[32] South Coast AQMD. Rule 461 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-461.pdf
[33] South Coast AQMD. Rule 1110.2 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf
[34] South Coast AQMD. Rule 1113 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf
[35] South Coast AQMD. Rule 1166 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf
[36] South Coast AQMD. Regulation XIII available at: https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii
[37] South Coast AQMD. Rule 1401 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf
[38] South Coast AQMD. Rule 1470 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf

of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at https://www.aqmd.gov/home/permits.

Conclusion

As set forth in 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 are 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,

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