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Draft Environmental Impact Report (EIR) for the Proposed Temescal Valley Commerce Center Project (Proposed Project) (SCH No.: 2023010612)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The County 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 consists of: 1) developing a 46.14-acre site, with approximately 33.63 acres are for the development of seven light industrial warehouse buildings with a total building area of 633,607 square feet (sf); 2) dedicating approximately 1.84 acres in the northern portion of the Project site to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Reserve system; 3) realigning the Coldwater Canyon Wash draignage channel on approximatly 6.90 acres of the project site; and 4) including two parcels of 3.17 acres for future realignment of Temescal Canyon Road along the southwestern boundary of the Project site.[1] The Proposed Project is bounded by Dawson Canyon Road to the north and east and Temescal Canyon Road to the west.[2] The following provides details of seven industrial warehouse buildings:

- Building 1: total of 46,380 sf with five dock doors[3]
- Building 2: total of 33,320 sf with four dock doors[4]
- Building 3: total of 183,090 sf with 28 dock doors[5]
- Building 4: total of 104,650 sf with 14 dock doors[6]
- Building 5: total of 114,706 sf with 18 dock doors[7]

[1] Draft EIR. p. 3-1.
[2] *Ibid*. p. 3-2.
[3] *Ibid*. p. 3-7.
[4] *Ibid*.
[5] *Ibid*.
[6] *Ibid*.
[7] *Ibid*.

- Building 6: total of 89,699 sf with 18 dock doors[8]
- Building 7: total of 61,762 sf with six dock doors[9]

Based on the review of the aerial photograph, the nearest sensitive receptor (e.g., residential use) is approximately 1,500 feet northwest of the Project site. For the Draft EIR analysis purposes, construction is assumed to commence in May 2023 and be completed in December 2024.[10]

South Coast AQMD Comments

Clarification on Meteorological Data Used in AERMOD Modeling

Appendix B2 – Health Risk Assessment states that meteorological (MET) data from the South Coast AQMD's Perris Valley were utilized in the AERMOD modeling.[11] However, the actual AERMOD modeling files provided by the Lead Agency indicate that the Lake Elsinore (Version 9) MET data were used. It should be noted that this version of the Lake Elsinore MET data is no longer available. South Coast AQMD has since released a newer version of AERMOD-ready MET data files (Version 11) in October 2021.[12] The updated dataset was developed using the U.S. EPA's AERMET processor Version 22112, along with pre-processors AERMINUTE Version 15272 and AERSURFACE Version 20060.[13]

To ensure consistency and transparency in the environmental analysis, the Lead Agency is recommended to identify the correct MET dataset used in the AERMOD modeling, revise the modeling accordingly, and include the updated result in the Final EIR.

Unsupported Truck Trip Distance Assumptions 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 of 30.48 miles as the weighted average of 15.3 miles for 2-axle, 14.2 miles for 3-axle, and 40 miles for 4-axle trucks.[14] 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 30.48-mile 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

[8] *Ibid*. p. 3-9.
[9] *Ibid*.
[10] *Ibid*. p. 3-34.
[11] Appendix B2 – Health Risk Assessment. p. 18.
[12] South Coast AQMD AERMOD-Ready MET Data Files available at https://www.aqmd.gov/assets/aermet/AERMET_files_And_HRA_Tool.html
[13] South Coast AQMD Data for AERMOD available at https://www.aqmd.gov/home/air-quality/meteorological-data/data-for-aermod
[14] *Ibid*. p. 4.8-27.

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 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 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 B2 – Health Risk Assessment indicates that a default assumption of 15 minutes of idling per truck per day was used to estimate DPM emissions for the operational health risk assessment.[15] 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 364 truck trips per day,[16] 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.[17] 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.[18]

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,

[15] Appendix B2 – Health Risk Assessment. p. 14.
[16] Appendix K2 – Traffic Analysis. p. 43.
[17] 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
[18] CARB. EMFAC2021 Volume III Technical Document. Page 161. Table 4.4.2-5 available at EMFAC2021 Volume III Technical Document

to substantiate the 15-minute assumption as representative of expected operations of the Proposed Project.

Inconsistent Emission Rates and Source Descriptions in the Operational Health Risk Assessment Modeling

Appendix B2 – Health Risk Assessment presents the truck emission rates associated with each source modeled in the AERMOD dispersion analysis.[19] However, upon staff review, discrepancies were identified between the emission rates and source characterizations documented in Appendix B2 and those incorporated into the AERMOD input files. As such, the Lead Agency is recommended to: (1) verify the accurate emission rates and source parameters used in the modeling, and (2) revise the AERMOD analysis as necessary to reflect the correct information and incorporate any updates into the Final EIR.

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.

<u>Mitigation Measures to Reduce Operational Air Quality Impacts from Mobile Sources</u>

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.

[19] Appendix B2 – Health Risk Assessment.

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[20]

2. South Coast AQMD 2022 Air Quality Management Plan,[21] 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

[20] 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
[21] 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.[22]

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

Since the Proposed Project consists of the development of 633,037 sf 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[23] and Rule 316 – Fees for Rule 2305.[24] Rule 2305 and Rule 316 aim to reduce regional and local emissions of NOx and particulate matter (PM), including diesel PM 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

Implementation of the Proposed Project would require the use of new stationary and portable sources, 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,[25] Rule 203 – Permit to Operate,[26] Rule 401 – Visible Emissions,[27] Rule 402 – Nuisance,[28] Rule 403 – Fugitive Dust,[29]

[22] 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
[23] South Coast AQMD. Rule 2305 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf
[24] South Coast AQMD. Rule 316 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-iii/r316.pdf
[25] South Coast AQMD. Rule 201 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf
[26] South Coast AQMD. Rule 203 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf
[27] South Coast AQMD. Rule 401 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[28] South Coast AQMD. Rule 402 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[29] South Coast AQMD. Rule 403 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403

Rule 461 – Gasoline Transfer and Dispensing,[30] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[31] Rule 1113 – Architectural Coatings,[32] Regulation XIII – New Source Review,[33] Rule 1401 – New Source Review of Toxic Air Contaminants,[34] Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[35] 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 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

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

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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