

SENT VIA E-MAIL:

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**Draft Program Environmental Impact Report (Draft PEIR) for the
2045 Chino General Plan Update (Proposed Project)
(SCH No: 2024090833)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The City of Rancho Cucamonga 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.

Summary of Proposed Project Information in the Draft PEIR

Based on the Draft PEIR, the 2045 Chino General Plan Update (Proposed Project) represents a comprehensive, citywide update to the City of Chino's Adopted General Plan. The updated plan extends the City's planning and policy framework through the year 2045 and is intended to serve as a long-range, programmatic guide for land use, housing, transportation, infrastructure, open space, and environmental quality.¹ The Proposed Project is a policy document which serves the following purposes:

- Establish a long-range vision that reflects the aspirations of the community and outlines steps to achieve this vision;
- Guide the use of City resources and funds in a fiscally sustainable manner;
- Provide a basis for judging whether specific development proposals and public projects are in harmony with plan policies;
- Plan in a manner that addresses future land needs and economic opportunities, based on the projected population, housing, and job growth;
- Allow City departments, other public agencies, and private developers to design projects that will enhance the unique character of the community, preserve environmental resources, and minimize hazards; and
- Provide the basis for establishing and setting priorities for detailed plans and implementing programs, such as the zoning ordinance, subdivision regulations, specific and master plans, and the Capital Improvement Program.²

As a programmatic environmental document, the Draft PEIR evaluates the environmental impacts of the General Plan Update as a whole, recognizing that future development projects will require

¹ Draft PEIR, p. 3-1.

² Draft PEIR, p. 3-6.

tiered, project-level CEQA review.³ The Project also anticipates addition of industrial and logistics-related development through 2045.⁴

South Coast AQMD Comments

CARB and South Coast AQMD's Guidance Documents

The Lead Agency is recommended to follow CARB and South Coast AQMD land-use guidance to ensure that sensitive receptors are not heavily affected by the warehouse truck activities and freeway emissions. This guidance includes:

- 1) The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁵ 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.⁶
- 2) The South Coast AQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*⁷ includes suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. It is recommended that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions.

By adhering to these guidance documents and implementing proactive Mitigation Measures (MMs), the lead agency can avoid, eliminate or reduce the adverse impacts of warehouse and truck activities on public health, ensuring that vulnerable communities are adequately protected from disproportionate exposure to air pollution.

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

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of NO_x and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. 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

³ Draft PEIR, p. 3-31.

⁴ Draft PEIR, p. 3-1.

⁵ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at:

https://ww2.arb.ca.gov/sites/default/files/2023-05/Land%20Use%20Handbook_0.pdf

⁶ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁷ South Coast AQMD. 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*.

Available at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt to earn 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. Since the Proposed Project will result in an increase in the development of light industrial warehouses, South Coast AQMD recommends the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators.⁸ In addition, South Coast AQMD recommends that Rule 2305 compliance be integrated into the 2045 Chino General Plan Update as a programmatic policy requirement and as part of mitigation commitments in the Final PEIR. This could include adopting policies or implementation programs requiring new warehouse development to demonstrate how they will support tenant WAIRE compliance, such as installing infrastructure for electric vehicle charging, rooftop solar, or zero-emission equipment. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.⁹

Localized Significance Thresholds Analysis

To ensure accurate evaluation of localized air quality impacts in future development projects, it is recommended that the Lead Agency clarify that the Localized Significance Threshold (LST) screening tables are not applicable for projects larger than five acres, consistent with Table 3-2 of the South Coast AQMD LST methodology in the Final PEIR for 2045 Chino General Plan Update.¹⁰ Relying on these screening tables for projects exceeding five acres in size, involving substantial combustion sources, or located near sensitive receptors, may result in underestimation of localized air quality impacts. Therefore, South Coast AQMD staff recommends that the Lead Agency include a clarification that project-specific air dispersion modeling for projects larger than five acres, consistent with Table 3-2 of the South Coast AQMD LST methodology, during both construction and operational phases is required, to ensure accurate assessment of air quality impacts and protection of nearby sensitive populations.

Air Quality Mitigation Measures for NOx and PM Emissions from Construction

Given the long-range plan of the 20-year or longer construction period for the Proposed Project,¹¹ it is important that the Draft PEIR be updated to reflect the availability of future cleaner construction technologies. According to the CARB Strategies for Reducing Emissions from Off-Road Construction Equipment, the implementation of off-road Tier 5 starting in 2027 or 2028 and the Governor's Executive Order in September 2020 requires CARB to develop and propose a full transition to Zero Emissions (ZE) by 2035.¹² Considering the scope of the project, it is crucial to ensure that the levels of construction emissions, specifically NOx and PM₁₀, remain below significant thresholds during the construction period for each proposed individual project. Moving

⁸ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

⁹ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

¹⁰ Draft EIR, p. 4.3-36.

¹¹ Draft Program EIR, p. 4.2-38

¹² Presentation can be found at:

<https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/combined-construction-carb-amp-aqmp-presentations-01-27-21.pdf>

towards achieving this goal, where feasible, involves opting for electric emission-free engines instead of diesel-fueled engines for the construction equipment. This proactive choice not only aligns with environmental concerns but also demonstrates a commitment to minimizing the project's environmental footprints. The abatement of NOx can also be pursued by enforcing greener constructions, such as, limiting the usage of older engines in favor of adopting the latest available technologies, or even incorporating exhaust retrofits such as cutting-edge exhaust aftertreatment techniques. Additionally, several other resources to assist the Lead Agency with identifying additional potential mitigation measures for the Proposed Project are included in the South Coast AQMD's CEQA Air Quality Handbook¹³ for both operational and construction emissions.

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 PEIR.

Mitigation Measures to Reduce Operational Air Quality Impacts from Mobile Sources

1. Require or incentivize the use of 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), where 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 to use.

2. Adopt 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. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final PEIR. 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.
4. Require 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

¹³ <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

1. Incorporate solar-ready or solar-mandated provisions for new commercial, industrial, and civic buildings.
2. Promote the use of high-albedo (light-colored) roofing and paving to reduce the urban heat island effect and decrease indirect energy consumption.
3. Require Energy Star-rated appliances and HVAC systems in all new development, particularly multifamily housing and public facilities.

Design Considerations for Reducing Air Quality and Health Risk Impacts

1. Establish General Plan policies that require buffer zones or site design strategies to separate heavy truck routes from sensitive receptors (e.g., schools, daycares, housing)
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. Require on-site truck queuing and check-in areas to prevent queuing on public streets or near homes.
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 Measure

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>

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

The Final PEIR should clearly identify South Coast AQMD as a Responsible Agency pursuant to CEQA Guidelines Section 15096 if discretionary air permits are required for stationary sources, including generators, boilers, or other equipment. Additionally, South Coast AQMD recommends that the Final PEIR include a discussion of anticipated permit-triggering equipment types by land use or development type (e.g., fire stations, hospitals, industrial facilities).

Hence, if development of a Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., air permits from South Coast AQMD will be required. The final CEQA document, whether an EIR, should include a discussion about the potentially applicable rules that the Proposed Project needs to comply with. Those rules may include, for example, 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 1113 – Architectural Coating,²³ Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil,²⁴ Rule 1179 – Publicly Owned Treatment Works Operations,²⁵ Regulation XIII – New Source Review,²⁶ Rule 1401 – New Source Review of Toxic Air Contaminants,²⁷ Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,²⁸ Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,²⁹ etc. 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

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>

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

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

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

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

²¹ South Coast AQMD. Rule 403 available at: <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403>

²² South Coast AQMD. Rule 1110.2 available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf

²³ South Coast AQMD. Rule 1113 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>

²⁴ South Coast AQMD. Rule 1166 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>

²⁵ South Coast AQMD. Rule 1179 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1179.pdf>

²⁶ South Coast AQMD. Regulation XIII available at:

<https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>

²⁷ South Coast AQMD. Rule 1401 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

²⁸ South Coast AQMD. Rule 1466 available at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>

²⁹ South Coast AQMD. Rule 1470 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 MND is inadequate to be relied upon for this purpose.

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 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 Jivar Afshar, Air Quality Specialist, at jafshar@aqmd.gov should you have any questions.

Sincerely,

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