

SENT VIA E-MAIL:

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**Draft Environmental Impact Report (EIR) for the Proposed
Terminal Island Maritime Support Facility Project (Proposed Project)
(SCH No.: 2023120181)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Los Angeles Harbor Department 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 involves the improvement and expansion of approximately 89.2 acres, including approximately 73 acres of chassis/empty wheeled container storage that could potentially be used by 12 container terminals located in the Ports of Los Angeles and Long Beach.¹ Specifically, the Proposed Project would construct and install up to two office/welfare buildings, four canopy structures, eight restrooms, eight guard booths, maintenance and repair facilities, chassis stalls, appurtenant water and electrical infrastructure, and refurbish the existing vacant Eldridge Street office building.² The Proposed Project is located at 740 Terminal Way in San Pedro.³ The land use designation of the site is proposed to be changed to a dual designation of Container and Maritime Support via a Port Master Plan amendment.⁴ Based on a review of an aerial photograph, the nearest sensitive receptors (e.g., residences) are approximately 1.3 miles west of the Proposed Project site. Construction would occur over 24 months, and operation would commence in 2027.⁵

¹ Draft EIR, p. 2-1.

² *Ibid.* p. 2-2.

³ *Ibid.* p. 2-3.

⁴ *Ibid.* p. 2-5.

⁵ *Ibid.* p. 2-11.

South Coast AQMD Comments

Export Information During Construction

Section 3.1 (Air Quality and Health Risk) of the Draft EIR states that approximately 270,000 cubic yards of soil would be exported from the site during the grading phase.⁶ However, the Draft EIR does not identify the specific disposal facility or landfill designated to receive the exported soil, nor does it specify the haul distance between the site and the disposal location. In the California Emissions Estimator Model (CalEEMod) analysis, a default one-way haul distance of 20 miles was assumed. Should the actual disposal site be located at a greater distance from the site, the current modeling analysis may have underestimated the criteria air pollutants and greenhouse gas emissions associated with material hauling. To improve the accuracy of the emission estimates, the Lead Agency is recommended to identify the anticipated disposal site(s), quantify the actual haul distance(s), and revise the CalEEMod⁷ assumptions to reflect project-specific conditions in the Final EIR.

Potentially Underestimated Construction Emissions

Chapter 2 (Project Description) of the Draft EIR acknowledges that soil and groundwater at the site are known to contain contamination at varying levels, and that due to the extent of proposed ground improvement activities, it is likely that contamination would be encountered during construction.⁸ In addition, Section 3.4 (Hazards and Hazardous Materials) references prior environmental investigations identifying elevated concentrations of total petroleum hydrocarbons (TPH), volatile organic compounds (VOC), semi-volatile organic compounds (SVOC), polycyclic aromatic hydrocarbons (PAH), and pesticides in soil, as well as TPH, arsenic, copper, nickel, and polychlorinated biphenyls (PCB) in groundwater, exceeding applicable regulatory screening levels at the time of assessment.⁹

While Mitigation Measure (MM) HAZ-1 proposes pre-construction soil and groundwater sampling and analysis to characterize the nature and extent of the contamination,¹⁰ the Draft EIR does not provide an evaluation of potential air quality impacts associated with the cleanup/remediation activities, including the potential emissions of fugitive dust, VOC, and other hazardous air pollutants that may be released during disturbance, excavation, or treatment of contaminated materials. Due to the potential presence of contaminated soils, the Lead Agency is recommended to review and ensure compliance with all applicable requirements of South Coast AQMD Rule 1166 — Volatile Organic Compound Emissions from Decontamination of Soil¹¹ and Rule 1466 — Control of Particulate Emissions from Soils with Toxic Air Contaminants,¹² during all soil disturbance, handling, and remediation activities. Compliance with these rules will ensure that potential emissions of VOC and toxic particulates are minimized and appropriately controlled in accordance with South Coast AQMD regulations.

⁶ *Ibid.* p. 3.1-15.

⁷ CalEEMod free of charge available at <https://www.caleemod.com/>

⁸ *Ibid.* p. 2-10.

⁹ *Ibid.* p. 3.4-17.

¹⁰ *Ibid.* p. 3.4-17.

¹¹ South Coast AQMD, Rule 1166 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>

¹² South Coast AQMD, Rule 1466 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>

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/remediation activities. Additionally, the cleanup/remediation 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 CalEEMod detailed report, a one-way truck trip length of 20 miles was relied upon to quantify the construction emissions from hauling activities. If the cleanup/remediation activities include the removal and disposal of contaminated soil, depending on the type of contamination, contaminated soil may need to be transported to a permitted hazardous waste disposal facility located outside Los Angeles County, which could require a one-way trip that would have a substantially greater travel distance beyond 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 model inputs to reflect the actual distance to a specified permitted hazardous waste disposal facility. The selected trip length should be clearly disclosed and explained in the Final EIR. Should the Lead Agency elect not to revise the 20-mile haul distance, a detailed rationale supported by substantial evidence in the administrative record must be provided to demonstrate the appropriateness of the assumption in the context of the project-specific conditions.

Inappropriate Use of South Coast AQMD's Mass Rate Localized Significance Threshold Look-Up Table to Analyze the Proposed Project's Localized Air Quality Impact

The analysis of localized significance thresholds (LSTs) in the Draft EIR appears to inappropriately rely on the South Coast AQMD LST screening tables to assess localized air quality impacts associated with both construction and operational activities. However, as outlined in Table 3-2 of the South Coast AQMD Final LST Methodology guidance,¹³ the screening tables are not intended for projects with a disturbed area exceeding five acres. Given that the Proposed Project encompasses approximately 89.2 acres, the reliance on the screening tables is inappropriate because the localized pollutant concentrations are likely underestimated.

To ensure an accurate and technically robust assessment of potential localized air quality impacts, the Lead Agency is recommended to: 1) conduct project-specific air dispersion modeling, which quantifies the concentrations of criteria pollutants at sensitive receptor locations during both the construction and operational phases; and 2) incorporate the results into the Final EIR.

Truck Idling Duration and Emissions Modeling

According to the technical file provided by the Lead Agency labeled *AQ GHG Appendix v250908*, an assumption of nine minutes of idling per truck per day was used to estimate diesel particulate matter (DPM) emissions for the health risk assessment (HRA).¹⁴ The application of the nine-minute idling duration contains a reference in the Draft EIR that this assumption is consistent with the Port of Los Angeles Inventory of Air Emissions for Calendar Year 2017. However, in light of

¹³ South Coast AQMD's Final LST Methodology available at <https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>

¹⁴ Provided Technical File labeled as *_AQ GHG Appendix v250908*.

the increased activities and truck volumes at the Port of Los Angeles over the past eight years, the actual idling times may be longer in duration since the Proposed Project is anticipated to involve 3,682 and 6,838 diverted truck trips per day in the opening year 2027 and buildout 2046, respectively.¹⁵ Moreover, 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, among other factors, particularly during peak hours or in congested circulation areas. As such, a nine-minute idling duration may underestimate actual on-site idling behavior and, consequently, DPM emissions, which are a key contributor to localized health risks.

While the California Air Resources Board (CARB) limits diesel truck idling to five minutes as set forth in the Airborne Toxic Control Measure (ATCM), an exemption from this requirement is allowed for trucks equipped with engines that meet the optional low-NOx idle emission standard, which is 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 For these aforementioned reasons, as a practical matter, the idling duration for onsite heavy-duty trucks visiting the Proposed Project site could idle for a much longer duration than what was analyzed in the Draft EIR. Thus, the HRA may have substantially underestimated the full extent of operational health risks associated with the DPM emissions from the anticipated onsite heavy-duty truck activities.

Accurate characterization of idling activity is essential to fully assess the potential health risk impacts, particularly for nearby sensitive receptors. Therefore, to ensure the HRA provides an accurate 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 nine-minute assumption as representative of expected operations of the Proposed Project.

Emission Rate Calculations Used in Health Risk Assessment Modeling

Section 3.1 (Air Quality and Health Risk) of the Draft EIR states that on-site construction-related DPM emissions are estimated to average 0.11 ton per year (tpy) over the 24-month construction period. For operational activities, DPM emissions are projected to be approximately 0.09 tpy in the opening year, 2027.¹⁸

¹⁵ *Ibid.* p. 3.1-17.

¹⁶ CARB, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling was promulgated in Chapter 13 of the California Code of Regulations, Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, https://ww2.arb.ca.gov/sites/default/files/2022-06/13_CCR_2485_OAL_06222022-2_ADA_06272022_0.pdf

¹⁷ CARB, EMFAC2021 Volume III Technical Document, Table 4.4.2-5, p. 161., available at https://ww2.arb.ca.gov/sites/default/files/2021-03/emfac2021_volume_3_technical_document.pdf

¹⁸ *Ibid.* p. 3.1-20.

However, a review of the supporting documentation provided by the Lead Agency, specifically, the technical file titled *AQ GHG Appendix v250908*, reveals methodological inconsistencies in the estimation of DPM emissions for both construction and operational phases. Notably, operational-year emissions were derived by converting maximum daily emissions in pounds per day (lb/day) to annualized values, whereas construction-phase emissions were calculated as a multi-year average. This inconsistent approach may compromise the comparability and accuracy of the emission estimates used in the HRA.

Furthermore, the Draft EIR states that “the Proposed Project was assumed to permanently increase on-site DPM emissions by up to 0.11 tpy, rather than limiting this level of emissions to the 24-month construction period.¹⁹” This assumption leads to the use of averaged annual emissions in the HRA, rather than modeling based on peak or maximum exposure values, which may underestimate potential health risks to nearby sensitive receptors.

Given these discrepancies, the Lead Agency is recommended to: 1) apply and clearly state a consistent and technically supported methodology for calculating DPM emissions across all phases of the Proposed Project; 2) revise the HRA modeling accordingly; and 3) disclose the updated emission estimates and associated HRA results in the Final EIR.

Outdated Meteorological Data in the HRA Modeling

Section 3.1 (Air Quality and Health Risk) of the Draft EIR indicates that the worst-case ambient downwind concentrations are estimated in the HRA analysis by applying a five-year record from 2012 to 2016 of modeled-ready meteorological data from Long Beach Airport (KLGB).²⁰ In addition, based on the technical files provided by the Lead Agency, the MET data used in modeling is the KLGB version 9.

It should be noted that this data corresponds to Version 9 of South Coast AQMD’s AERMOD-ready MET dataset, which is no longer available or recommended for use. South Coast AQMD released an updated version of AERMOD-ready meteorological data (Version 11) in October 2024.²¹ This updated dataset was developed using the U.S. EPA’s AERMET processor (Version 22112), along with AERMINUTE (Version 15272) and AERSURFACE (Version 20060), and reflects current regulatory guidance and processing methodologies.

To ensure technical accuracy, transparency, and consistency with the current South Coast AQMD recommendations, the Lead Agency is recommended to:

- Reassess the selection of meteorological data using the latest Version 11 dataset;
- Revise the HRA modeling inputs accordingly; and
- Include updated air quality modeling results in the Final EIR

This approach will ensure that air dispersion modeling is based on the most recent and appropriate meteorological data, thereby supporting a robust and defensible environmental analysis.

¹⁹ *Ibid.* p. 3.1-21.

²⁰ *Ibid.*

²¹ South Coast AQMD AERMOD-Ready MET Data Files available at https://www.aqmd.gov/assets/aermet/AERMET_files_And_HRA_Tool.html

Unsupported Truck Trip Distance On and Off-site

Section 3.1 (Air Quality and Health Risk) of the Draft EIR indicates that diverted truck trips associated with the Proposed Project may involve up to 1.87 additional miles per one-way trip to access the site and approximately 0.35 miles of each one-way trip will occur on-site.²² According to the technical file provided by the Lead Agency, the 1.87-mile estimate is based on the “Port of Los Angeles Goods Movement Division, spreadsheet 20230112,” while the 0.35-mile estimate is described as “from gate to extent of site.” However, the Draft EIR did not include: 1) the referenced spreadsheet or other supporting documentation to explain how these trip length assumptions were derived; 2) a clear description of the route methodology; 3) assumptions about vehicle travel patterns; 4) supporting explanation for how these distances reflect actual operational conditions for truck trips; and 5) a traffic analysis.

Given the importance of the truck trip lengths when quantifying criteria pollutant emissions, toxic air contaminant exposure, and associated health risks (e.g., DPM impacts) from the Proposed Project, it is imperative that the analysis be supported by transparent and verifiable data. Without detailed documentation or substantial evidence to support these input values, the air quality analysis and HRA may be inaccurate by underestimating emissions from the Proposed Project.

In addition, construction of the Vincent Thomas Bridge Deck Replacement Project (SCH No. 2023040301) is anticipated to commence in late 2025, with the bridge closure scheduled for fall 2026 and its reopening before the 2028 Olympic Games.²³ Given that the bridge closure period overlaps with the anticipated construction schedule of the Proposed Project, it is reasonable to expect temporary detours, delays, and associated increases in traffic volumes along alternate routes. Consequently, the assumed off-site travel distance of 1.87 miles may not accurately represent actual travel conditions or vehicle activities during the construction period, potentially underestimating the associated air quality emission estimates. Such changes in travel behavior and roadway utilization result in an increase of estimated emissions of criteria air pollutants and greenhouse gases associated with construction worker commutes, material and export hauling, equipment transport, etc. Therefore, the air quality analysis should include a scenario that analyzes this potential variability in off-site travel patterns due to regional construction activities to more accurately characterize potential emissions under modified traffic conditions.

To ensure compliance with CEQA requirements for disclosure and substantiation of assumptions used in impact analyses, the Lead Agency is recommended to provide the following in the Final EIR:

- A detailed explanation of the methodology used to calculate the 1.87-mile and 0.35-mile truck trip distances, including all assumptions, data sources, and any applicable traffic modeling or routing considerations.
- Inclusion of the referenced spreadsheet or relevant excerpts demonstrating how the trip distances were derived.
- A revision, as necessary, of the truck trip distance assumptions to account for potential detours and rerouting associated with the Vincent Thomas Bridge closure, ensuring that

²² *Ibid.* p. 3.1-17.

²³ Vincent Thomas Bridge Deck Replacement Project available at <https://dot.ca.gov/caltrans-near-me/district-7/district-7-projects/d7-vincent-thomas-bridge-bridge-deck-replacement>

modeled trip lengths reflect reasonably foreseeable travel conditions during concurrent regional construction activities.

- A discussion of how the assumed trip lengths reflect realistic operational conditions, accounting for potential variability in truck origin-destination patterns, roadway access constraints, and on-site circulation characteristics.

Providing this information in the Final EIR will enhance the transparency and robustness of the air quality analysis and ensure that the conclusions reached are supported by substantial evidence, as required under CEQA.

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, in addition to the Project Feature PF AQ-1 (Zero-Emissions Operational Equipment) and Mitigation Measure MM AQ-1 (Zero-Emission Cargo-Handling Equipment), the following mitigation measures and project design considerations are recommended to be incorporated 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.
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 Act²⁴
2. South Coast AQMD 2022 Air Quality Management Plan,²⁵ 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
3. United States Environmental Protection Agency (U.S. EPA) Transportation, Air Quality, and Climate Change.²⁶

²⁴ 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>

²⁵ 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>

²⁶ United States Environmental Protection Agency (U.S. EPA) Transportation, Air Quality, and Climate Change available at <https://www.epa.gov/transportation-air-pollution-and-climate-change>

Information on the CERP for the Designated AB 617 WCWL Community

The Proposed Project is located within the AB 617-designated Wilmington, Carson, and West Long Beach (WCWL) community, which is heavily impacted by air pollution generated from sources such as ports, refineries, the oil and gas industry, heavy-duty diesel trucks, warehouses, and railroad activities. As part of the AB 617 process, South Coast AQMD is required to work with a Community Steering Committee (CSC) to develop a Community Emission Reduction Plan (CERP) that identifies air quality priorities and related actions to reduce air pollution in the community. The South Coast AQMD Governing Board adopted the WCWL CERP on September 6, 2019.²⁷ The Lead Agency is recommended to review the air quality priorities and related actions in Chapter 5 of the WCWL CERP in order to reduce air pollution in this community. The Lead Agency is also recommended to continue working with the South Coast AQMD to explore whether additional measures to mitigate or further reduce emissions can be implemented at the site.

Potential Cooperative Agreement with the Ports of Long Beach and Los Angeles

The Lead Agency is also encouraged to review the *Proposed Draft Cooperative Agreement Between South Coast AQMD and the Ports of Long Beach and Los Angeles* (October 10, 2025) for guidance on potential strategies, mitigation measures, and commitments to reduce emissions. Information and related materials on the potential cooperative agreement are available at: <https://www.aqmd.gov/home/air-quality/air-quality-management-plans/air-quality-mgt-plan/facility-based-mobile-source-measures/comm-ports-wkng-grp/potential-cooperative-agreement-with-the-ports-of-long-beach-and-los-angeles>. The South Coast AQMD Governing Board is scheduled to consider this item at its Public Hearing on November 7, 2025. The agenda item may be accessed 72 hours prior to the Public Hearing at: <https://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

South Coast AQMD Air Permits and Role as a Responsible Agency

If implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., one or more air permits from 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,²⁸ Rule 203 – Permit to Operate,²⁹ Rule 401 – Visible Emissions,³⁰ Rule 402 – Nuisance,³¹ Rule 403 – Fugitive Dust,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

²⁷ South Coast AQMD. September 2019. Assembly Bill 617 Wilmington, West Long Beach, Carson Community Emissions Reduction Plan. Accessed at: <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwl.pdf>.

²⁸ South Coast AQMD, Rule 201 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>

²⁹ South Coast AQMD, Rule 203 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>

³⁰ South Coast AQMD, Rule 401 available at <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>

³¹ South Coast AQMD, Rule 402 available at <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>

³² South Coast AQMD, Rule 403 available at <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403>

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>

Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,³⁶ and Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,³⁷ etc.

It is important to note that if air permits from the South Coast AQMD are required, South Coast AQMD's role under CEQA will become the Responsible Agency of the Proposed Project. Per CEQA Guidelines Section 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. 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 in 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 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,

³⁶ South Coast AQMD, Rule 1466 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>

³⁷ South Coast AQMD, Rule 1470 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>

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,

Sam Wang

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Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

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