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January 30, 2026

Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) for the California High-Speed Rail Los Angeles to Anaheim Section (Proposed Project) (SCH No: 2007031067)

Dear Mr. Galvez,

The South Coast Air Quality Management District (South Coast AQMD) appreciates the opportunity to comment on the above-referenced document. South Coast AQMD is the regulatory agency responsible for controlling emissions primarily from stationary sources of air pollution within the four-county South Coast Air Basin (Basin) which is comprised of all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin (MDAB). The California High-Speed Rail Authority (Authority) is the California Environmental Quality Act (CEQA) Lead Agency for the California High- Speed Rail Los Angeles to Anaheim Section (Proposed Project).

The Proposed Project would introduce high-speed passenger rail service between Los Angeles Union Station and the Anaheim Regional Transportation Intermodal Center and would include substantial infrastructure improvements, rail operations, and supporting facilities within South Coast AQMD jurisdiction. Construction and operation of the Proposed Project would occur within densely populated urban corridors in the Basin and could result in air quality and public health impacts associated with construction activities, locomotive operations, maintenance activities, and changes in regional transportation patterns. In addition, the Proposed Project would traverse and/or be located in close proximity to multiple AB 617-designated communities, including East Los Angeles, Boyle Heights, and West Commerce; South Los Angeles; and Southeast Los Angeles, which experience elevated cumulative air pollution burdens. Accordingly, South Coast AQMD's review of the Draft EIR/EIS considers potential cumulative air quality and public health impacts in these communities.

Review of the Draft EIR/EIS focused on potential criteria pollutant emissions, toxic air contaminants, greenhouse gas emissions, and localized air quality and public health impacts that may occur within South Coast AQMD jurisdiction during construction and operation of the Proposed Project. South Coast AQMD recognizes the State's policy goals to expand electrified passenger rail and reduce greenhouse gas emissions from the transportation sector. However, as

discussed in the attached detailed comments, South Coast AQMD has identified several areas where additional clarification is needed in the Draft EIR/EIS to address uncertainties associated with third-party freight rail activities, including (Burlington Northern and Santa Fe Railway) BNSF-related operations and construction, the availability of operation data for freight rail facilities owned and operated by third-party entities (e.g., BNSF at Hobart Yard and Commerce Yard), and the extent to which key assumptions and mitigation measures can be achieved in practice and enforced. The attached comments also identify opportunities to strengthen the Draft EIR/EIS, particularly with respect to construction and operational emissions and potential health risk impacts associated with third-party components of the Proposed Project. Therefore, South Coast AQMD recommends that the Lead Agency incorporate the clarifications, additional disclosure, and feasible mitigation measures identified in this letter into the Final EIR/EIS, as appropriate.

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,

Sam Wang

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South Coast AQMD Comments

To provide context, South Coast AQMD has provided a brief summary of the Proposed Project information and prepared the following comments which are organized by topic of concern.

Summary of Proposed Project Information in the Draft EIR/EIS

Based on the Draft EIR/EIS, the California High-Speed Rail (HSR) Authority completed a Statewide Tier 1 program-level EIR/EIS in November 2005 as the first phase of a tiered environmental review process for the proposed HSR system. The Tier 1 EIR/EIS evaluated a statewide high-speed electric-powered rail system intended to link California's major metropolitan areas, interface with airports, mass transit, and highways, relieve capacity constraints in the existing transportation system, and do so in a manner protective of California's natural resources.[1]

The HSR Authority has now prepared a Tier 2 project-level Draft EIR/EIS for the Los Angeles to Anaheim Project Section, an approximately 30-mile corridor extending from Los Angeles Union Station (LAUS) to the Anaheim Regional Transportation Intermodal Center (ARTIC) which traverses portions of Los Angeles and Orange Counties, including the cities of Los Angeles, Vernon, Commerce, Bell, Montebello, Pico Rivera, Norwalk, Santa Fe Springs, La Mirada, Buena Park, Fullerton, and Anaheim, as well as areas of unincorporated Los Angeles County.[2]

The Draft EIR/EIS evaluates a No Project Alternative and two build alternatives. Shared Passenger Track Alternative A (the HSR Authority's preferred alternative), and Shared Passenger Track Alternative B.[3]

Shared Passenger Track Alternative A would include approximately 30 miles of new and upgraded rail track, installation of an overhead contact system for use by electric locomotives, traction power facilities, and a light maintenance facility located at 26th Street in the City of Vernon. The Proposed Project would also include constructing additional freight rail tracks and grade separations, making drainage improvements, adding communications and security infrastructure, modifying existing passenger rail stations, and constructing an HSR station at ARTIC. The Proposed Project would operate within the existing Los Angeles–San Diego–San Luis Obispo Rail Corridor, with shared use of rail tracks by HSR, commuter, and intercity passenger rail services.[4]

Shared Passenger Track Alternative B is identical to Alternative A except that the light maintenance facility would be sited at 15th Street in the City of Los Angeles rather than in Vernon.[5] Although not part of the Proposed Project, the Draft EIR/EIS also evaluates an optional intermediate HSR station at either the Norwalk/Santa Fe Springs Metrolink Station or the Fullerton Metrolink/Amtrak Station.[6] Both Shared Passenger Track Alternatives include early action activities intended to improve safety, mobility, and operational reliability for existing freight and passenger rail services prior to full implementation of HSR service, such as constructing grade

[1] Draft EIR/EIS, Summary; pp. S-4 and S-5.
[2] Draft EIR/EIS, Chapter 1-Project Purpose, Need, and Objectives.
[3] Draft EIR/EIS, Chapter 2 – Alternatives.
[4] *Ibid.*
[5] *Ibid.*
[6] *Ibid.*

separations, making improvements to rail infrastructure, and enhancing passenger stations. These early action activities may be implemented by the HSR Authority or in coordination with local and regional agencies and may undergo separate environmental review processes.[7]

I. Uncertainty Regarding the Mitigation Measure AQ-MM#4 and Improper Deferral of Health Risk Assessment (HRA)

Chapter 3 - Air Quality and Global Climate Change identifies Mitigation Measure AQ-MM#4, which requires the preparation of a future operational HRA to evaluate potential air quality and public health impacts associated with increased rail activity at the Hobart Yard resulting from the relocation of approximately 101,094 feet of staging and storage track.[8] The intent of requiring the preparation of a future operational HRA is to determine whether additional mitigation measures may be needed. While AQ-MM#4 intends to address potential increases in emissions of diesel particulate matter (DPM), a toxic air contaminant, and related cancer and non-cancer health risks, the Draft EIR/EIS does not provide sufficient evidence to ensure that this mitigation measure can be implemented and enforced.[9] Specifically, the Draft EIR/EIS does not identify any enforceable agreement, memorandum of understanding, or other legally binding mechanism between the Lead Agency and BNSF, the operator of the Hobart Yard, that would require BNSF to provide the operational data necessary to conduct the future operational HRA. Such data would need to include locomotive activity levels, idling times, switching operations, train frequency, and other operational parameters directly influencing emissions and health risk estimates.

By not having an enforceable mechanism in which BNSF commits to providing the necessary data, Mitigation Measure AQ-MM#4 is not feasible as currently structured. Also, without an assurance that both current and future project-specific operational data will be provided by BNSF, preparation of the future operational HRA may need to rely on other information as a surrogate and this surrogate information may not be accurate and may produce results which underestimate the actual emissions and associated health risks.

Under CEQA, mitigation measures must be enforceable and supported by substantial evidence demonstrating that they will be implemented as proposed and will effectively reduce identified impacts. In addition, while CEQA allows limited deferral of mitigation under certain circumstances, the formulation of mitigation measures shall not be deferred until some future time.[10] Where a mitigation measure relies on future data collection and analysis to determine whether impacts are significant or how they will be mitigated, CEQA requires that the Lead Agency demonstrate with substantial evidence[11] that the necessary information will be available and that the mitigation will be enforceable.[12] However, as currently proposed, Mitigation Measure AQ-MM#4 lacks the required level of certainty in that it does not specify in the Draft EIR/EIS what additional mitigation measures will be applied in the future if the future operational HRA identifies significant cancer or non-cancer health risks. As currently framed, Mitigation Measure AQ-MM#4 only ensures that an operational HRA will be conducted, without providing structure

[7] *Ibid.*
[8] Draft EIR/EIS. p. 3.3-177.
[9] *Ibid.*
[10] CEQA Guidelines Section 15126.4(a)(1)(B)
[11] CEQA Guidelines Section 15151
[12] CEQA Guidelines Section 15126.4(a)(2)

and guardrails to ensure that the data relied upon is accurate and that carefully crafted, additional mitigation measures would actually be applied to the Proposed Project in the event that the future health risks would be significant. Therefore, the Lead Agency is recommended to provide substantial evidence in the Final EIR/EIS demonstrating that BNSF has committed to providing the necessary operational data. This evidence should include documentation of an enforceable mechanism specifying the scope, timing, and use of the data. Inclusion of this information in the Final EIR/EIS would ensure that Mitigation Measure AQ-MM#4 meets CEQA's requirements for enforceability, feasibility, and effective mitigation of potential air quality and public health impacts. In addition, please refer to the recommended mitigation measures discussed in Section II of this comment letter to craft mitigation measures that could be specified in Final EIR/EIS but will be applied in the future in the even the future operational HRA results in significant adverse health effects.

II. Recommended Air Quality Mitigation Measures and Project Design Considerations

CEQA requires that all feasible mitigation measures that go beyond what is required by existing law and regulations be utilized to minimize or eliminate any significant adverse air quality impacts. Although the Proposed Project would involve a limited number of HSR-controlled on-road vehicles during operations, South Coast AQMD recommends that the Lead Agency incorporate the following mitigation measures and project design considerations into the Final EIR/EIS to further reduce the Proposed Project's air quality impacts to the extent feasible and within the Authority's control.

HSR-controlled Mobile Source and Operational Mitigation Measures

1. Require the use of zero-emission (ZE) or near-zero emission (NZE) on-road vehicles, where feasible, for HSR-controlled construction support activities, maintenance fleets, service vehicles, and operation support activities associated with station, maintenance facilities and other operational components.

2. Encourage construction contractors and facility service fleet operators to participate in CARB's Clean Fleet Connect program to accelerate the use of ZE/NZE vehicles and equipment, where feasible, to further reduce emissions beyond Tier 4 Final requirements.[13]

3. Clarify and, where feasible, limit operational vehicle trips (e.g., maintenance trucks, delivery vehicles, fueling/service trips) to the activity levels analyzed in the Final EIR/EIS. If substantially greater vehicle activity is anticipated, 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 infrastructure at stations, maintenance and support facilities to accommodate HSR-controlled ZE service vehicles, future fleet electrification, and contractor fleets.

[13] CARB, Clean Fleet Connect. https://ww2.arb.ca.gov/our-work/programs/truckstop-resources/zev-truckstop/clean-fleet-connect/clean-fleet-connect.

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

Coordination and Agreement-Based Measures Involving Third-Party Rail Facilities (Including BNSF)

1. Emissions Reduction Through Agreements: To the extent that the Proposed Project relies on shared rail infrastructure or future agreements with third-party freight rail operation (e.g. BNSF) and facilities (e.g., Hobart Yard or other BNSF components), the Final EIR/EIS should identify any feasible and enforceable measures to reduce emissions from associated truck drayage, yard support equipment, and freight activity, that could be incorporated into such agreements, where within the Authority's ability to coordinate, to address air quality and public health impacts associated with project-related rail yard activities.

2. Electrification and Infrastructure Improvements: Where feasible and subject to third-party cooperation, the Lead Agency should encourage or support electrification of rail yard infrastructure associated with the Proposed Project, such as electric-powered yard equipment, locomotive plug-in or shore power systems, and other feasible technologies that reduce diesel particulate matter emissions.

3. Information Sharing and Monitoring Commitments: The Final EIR/EIS should identify mechanisms, where feasible, to facilitate data sharing and coordination through the third-party rail operators regarding operational activity levels necessary to support future air quality and health risk evaluations.

Stationary and Area Source Mitigation Measures

1. On-site Renewable Energy: Maximize the use of on-site renewable energy by installing solar energy arrays on station, maintenance facilities, parking structures, and other operational facilities, where feasible.

2. Energy Efficiency: Use light-colored paving and roofing materials and utilize only Energy Star heating, cooling, and lighting devices and appliances for stations and facility operations.

Design Considerations to Reduce Localized Exposure

1. Facility Siting and Layout: Design station and maintenance facilities to minimize localized exposure by locating service vehicle circulation routes, loading areas, and equipment staging areas, and emergency generators away from sensitive land uses, where feasible.

2. Idling Control: Implement enforceable operational controls for HSR-controlled vehicles to minimize idling and prevent localized emission hotspots near stations and maintenance facilities.

3. Third-party Freight Yard Design: Where feasible, incorporate project design features and enforceable operational measures to minimize diesel particulate matter (DPM) emissions

associated with third-party freight rail yard support activities (e.g., Hobart Yard) and related construction and operation components.

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/EIS:

1. South Coast AQMD 2022 Air Quality Management Plan,[14] 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
2. United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation.[15]

III. Potential Underestimation of Cumulative Air Quality Impacts Related to Third-Party Construction Activities and Cumulative Emissions

The Draft EIR/EIS acknowledges that key third-party operational information is unavailable for certain BNSF-related components, particularly the 101,094 feet of proposed support/storage (staging and storage) tracks at Hobart Yard.[16] The Draft EIR/EIS states that activity data for this component of the Proposed Project have not been provided and are not publicly available, and that the Authority's quantitative operational HRA was limited to scenarios based on BNSF activity data that excluded the staging/storage track activities. The Draft EIR/EIS goes on to conclude that the potential DPM-related health risk impacts associated with Hobart Yard modifications would be significant and unavoidable and that a cumulatively significant impact would also occur, with the Proposed Project considerably contributing to these impacts because the level of activity and associated emissions from the Hobart Yard modifications are unknown.[17]

The Draft EIR/EIS further claims that for BNSF-led construction components, only certain mitigation measures can be applied because the HSR Authority cannot ensure that BNSF would implement additional measures.[18] The Draft EIR/EIS also indicates that the HSR Authority would coordinate with third-party property owners such as BNSF to obtain a memorandum of understanding to ensure measures are incorporated, where feasible.[19] Given the uncertainty regarding whether and how mitigation measures would be implemented for the identified third-party construction activities, it is important that the cumulative air quality analysis in the Final

[14] 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.
[15] United States Environmental Protection Agency (U.S. EPA), Mobile Source Pollution - Environmental Justice and Transportation. Available at: https://www.epa.gov/mobile-source-pollution.
[16] Air Quality and Global Climate Change Technical Report, Section 2 – Project Description.
[17] Draft EIR/EIS, Section 3.16 – Cumulative Impacts.
[18] Draft EIR/EIS. p. 3.3-120.
[19] Draft EIR/EIS. p. 3.3-56.

EIR/EIS be revised to clearly disclose and evaluate emissions from all reasonably foreseeable projects that could contribute to cumulative impacts within the South Coast Air Basin.

While the Draft EIR/EIS concludes that cumulative impacts may remain significant and unavoidable in the absence of complete third-party data, CEQA requires that the cumulative analysis include all reasonably foreseeable related activities and that all feasible mitigation measures be identified and adopted to reduce impacts to the fullest extent feasible. In this context, third-party freight rail construction and operational activities that are functionally related to the implementation of the Proposed Project should be clearly disclosed and evaluated in the cumulative scenario, even where precise quantification is not possible. Similar issues regarding cumulative impacts associated with freight rail and third-party construction activities at BNSF-operated properties were identified in South Coast AQMD's comment letter on the City of Barstow Proposed General Plan Update and Barstow International Gateway Project, where South Coast AQMD noted uncertainties related to goods-movement activities and associated construction and operational emissions within the Basin (see South Coast AQMD Comment Letter on the Barstow International Gateway Project, January 2026, ODP251113-08).[20]

Therefore, South Coast AQMD recommends that the Lead Agency: 1) identify the methodology used to compile the cumulative project list; 2) confirm whether other reasonably foreseeable BNSF freight rail capacity or related projects that could affect emissions within the South Coast Air Basin were considered (e.g., City of Barstow Proposed General Plan Update and Barstow International Gateway Project); and 3) if any such projects were excluded, disclose the basis for exclusion in the Final EIR/EIS. Clarifying these issues would improve transparency and ensure that cumulative air quality impacts associated with third-party construction and operations are disclosed and addressed to the extent feasible under CEQA.

IV. Recommended Use of U.S. EPA-Approved EMFAC2021 Off-Model Adjustment Factors for the Analyses of Mobile Source Emissions

The mobile-source emissions analyses conducted in the Draft EIR/EIS for both the baseline and project scenarios appear to rely on the existing EMFAC2021 model parameters without accounting for recent federal changes to California mobile-source regulations and associated emissions modeling assumptions. Specifically, in November 2025, the U.S. EPA approved EMFAC2021 off-model adjustment factors that remove the estimated emission reduction benefits attributed to several California regulations, including the Advanced Clean Trucks (ACT), Zero-Emission Airport Shuttle, Heavy-Duty (HD) Vehicle Warranty and Maintenance Provisions, and Heavy-Duty Omnibus regulations.[21,22] On January 27, 2026, U.S. EPA finalized its partial disapproval of CARB's HD Inspection and Maintenance (I/M) regulation which prohibits the State of California from enforcing the HD I/M to out-of-state registered trucks. As a result, the calculations in the Draft EIR/EIS currently underestimate the projected NOx emissions from trucks and the future

[20] South Coast AQMD's comment letter on the City of Barstow Proposed General Plan Update and Barstow International Gateway Project. Available at: https://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2026/january-2026/odp251113-08-deir-city-of-barstow-proposed-general-plan-update-and-barstow-international-gateway-project.pdf.
[21] U.S. EPA Off-Model Adjustment Factors Approval Letter. Accessible at: https://ww2.arb.ca.gov/sites/default/files/2025-12/EPA%20Off-Model%20Adjustment%20Factors%20Approval%20Letter.pdf.
[22] EMFAC2021 Off-Model Adjustment Factors. Accessible at: https://ww2.arb.ca.gov/our-work/programs/msei/emfac2021-model-and-documentation.

mobile source emissions of criteria pollutants and greenhouse gases. Given the long construction horizon of the Proposed Project through 2040, the Lead Agency is recommended to update the mobile emission estimates in the Final EIR/EIS to apply the applicable U.S. EPA-approved EMFAC2021 off-model adjustment factors and disclose how this affects baseline and project emissions.

V. Recommendations to Provide Substantial Evidence to Support the Assumption that Indirect Emission Reductions Will Occur because the Proposed Project Would Reduce Passenger Vehicle Emissions

Chapter 3 - Air Quality and Global Climate Change summarizes the changes in total regional emissions during operations in the 2040 horizon year. The summary accounts for both indirect emissions from passenger vehicle travel and electricity generation, as well as direct emissions from HSR stations, maintenance facilities, and train operations. The Draft EIR/EIS asserts that operation of the Proposed Project would result in net regional emission reductions, primarily attributable to decreases in indirect on-road mobile source emissions. The document further states that the indirect emission reductions from on-road mobile sources would be beneficial to the South Coast Air Basin and would contribute toward attainment of state and federal air quality standards for ozone (O3) and particulate matter (PM10 and PM2.5).[23] These claimed benefits include reductions in regional ozone precursors (VOC and NOx) and particulate matter emissions, which could contribute to decreased ozone formation and secondary PM, potentially resulting in public health benefits such as fewer lost workdays, reduced hospital admissions, and decreased respiratory and cardiovascular effects. Moreover, the Air Quality and Global Climate Change Technical Report indicates that the Proposed Project would reduce annual roadway vehicle miles traveled (VMT) by more than two billion miles in the 2040 horizon year, attributable to a shift in travel behavior whereby passengers are assumed to use the HSR system in lieu of personal vehicle travel.[24]

In addition, according to the technical file, which was provided by the Lead Agency upon request by South Coast AQMD, labeled as *20240207_LA-A_Avoided Emissions_Energy Demand*,[25] the total VMT decreases between 2017 (the baseline year for existing conditions) and 2040 (the Proposed Project's horizon year). However, the Draft EIR/EIS neither includes sufficient information to support this claim, nor identifies enforceable mechanisms to ensure that the projected emission reductions calculated in the technical file would be actually achieved under typical operating conditions. Furthermore, it is unclear how the Proposed Project would directly influence, control, or ensure that emission reductions from passenger vehicles operating within the regional transportation network would occur. In the absence of substantial evidence demonstrating that the projected regional emission reductions are reasonably foreseeable, verifiable, and enforceable, and permanent, the conclusions in the Draft EIR/EIS regarding regional air quality and public health benefits are speculative. Therefore, the Lead Agency is recommended to provide additional substantial evidence in the Final EIR/EIS to support why and how the purported emission reductions will occur, clearly identify key assumptions, disclose uncertainties, and describe any enforceable measures or commitments relied upon to achieve such reductions. This information should be included directly in the Final EIR/EIS itself, rather than in a separate technical file that is available only available upon request. Such disclosure is necessary to ensure

[23] Draft EIR/EIS, Chapter 3 – Air Quality and Global Climate Change, p. 3.3-150
[24] Air Quality and Global Climate Change Technical Report. p. 7-1.
[25] Technical file provided by the Lead Agency labeled *20240207_LA-A_Avoided Emissions_Energy Demand.*

compliance with CEQA requirements and to allow decision-makers and the public to fully evaluate the Proposed Project's regional air quality impacts including any claimed benefits to air quality and public health.

VI. Operational Emissions from Stationary and Portable Sources

The Draft EIR/EIS states that operational criteria pollutant emissions are expected from the use of stationary sources. Based on the Draft EIR/EIS, emergency generators would be needed at three station locations as part of the Proposed Project improvements, including ARTIC Station, Fullerton Station, and Norwalk/Santa Fe Springs Station. Each emergency generator is identified as a diesel-fired unit rated at 1,073 horsepower, and the Draft EIR/EIS indicates these emergency generators would be operated for up to 200 hours per year for testing and maintenance.[26] The Draft EIR/EIS also identifies emergency generators at the existing Hobart Yard, consisting of two on-site units (identified as #1 and #2), represented in the modeling as point sources consistent with a 324-horsepower engine.[27] The Draft EIR/EIS states that the Commerce Yard has no emergency generators, and no emergency generators are identified for the Light Maintenance Facility.[28] However, given the Proposed Project's expansive scale, additional stationary and/or portable sources including but not limited to internal combustion engines, boilers, and spray booths, are typical equipment that would likely be utilized in connection with station operations, maintenance activities, and supporting facilities. Failing to account for these additional potential operational stationary and portable sources and the associated emissions in the analysis could lead to an underestimation of the total operational emissions. As such, the Lead Agency is recommended to: 1) clarify whether additional stationary or portable sources beyond the aforementioned emergency generators would be installed and operated as part of the Proposed Project (including equipment supporting station operations and facility maintenance); and 2) if such sources are reasonably foreseeable, revise the operational emissions analysis to include these sources and associated criteria pollutant emissions to ensure full disclosure of the Proposed Project's operational air quality impacts in the Final EIR/EIS.

VII. South Coast AQMD Air Permits and Role as a Responsible Agency

Since 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/EIS should include a discussion about the potentially applicable South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,[29] Rule 203 – Permit to Operate,[30] Rule 401 – Visible Emissions,[31] Rule 402 – Nuisance,[32] Rule 403 – Fugitive Dust,[33] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[34] Rule 1113

[26] Appendix B – Operational Emissions. pp. 26, 57, and 87.
[27] Air Quality and Global Climate Change Technical Report-Table 6-10. p. 6-36.
[28] *Ibid.*
[29] South Coast AQMD, Rule 201 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf.
[30] South Coast AQMD, Rule 203 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf.
[31] South Coast AQMD, Rule 401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf.
[32] South Coast AQMD, Rule 402 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf.
[33] South Coast AQMD, Rule 403 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.
[34] South Coast AQMD, Rule 1110.2 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf.

– Architectural Coatings, [35] Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil,[36] Regulation XIII – New Source Review,[37] Rule 1401 – New Source Review of Toxic Air Contaminants,[38] Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,[39] Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[40] etc. It is important to note that if 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.

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.

VIII. Information on the CERPs for the Designated AB 617 Communities

The Proposed Project would traverse and/or be located in close proximity to multiple AB 617-designated communities, including East Los Angeles, Boyle Heights, and West Commerce (ELABHWC); South Los Angeles (SLA); and Southeast Los Angeles (SELA). These communities are heavily impacted by air pollution generated from sources such as freeways, heavy-duty diesel truck traffic, rail operations, warehouses, industrial land uses, and goods movement activities. An

[35] South Coast AQMD, Rule 1113 is available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf.
[36] South Coast AQMD, Rule 1166 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf.
[37] South Coast AQMD, Regulation XIII is available at: https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii.
[38] South Coast AQMD, Rule 1401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf.
[39] South Coast AQMD, Rule 1466 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf.
[40] South Coast AQMD, Rule 1470 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf.

AB 617-designated community requires South Coast AQMD to work with a Community Steering Committee (CSC) to develop a Community Emissions Reduction Plan (CERP) that identifies air quality priorities and actions to reduce air pollution in the community. The South Coast AQMD's Governing Board adopted the AB 617 ELABHWC, SLA and SELA Community CERPs in September 2019 [41], December 2020 [42] and June 2022,[43] respectively.

South Coast AQMD staff recommends that the Lead Agency review the actions identified in Chapter 5 of the adopted CERPs and continue working with South Coast AQMD's AB 617 staff to explore whether additional feasible mitigation measures or project design features could be identified and implemented during future project-level approvals to further reduce air pollution impacts and support implementation of the adopted CERPs in these communities.

Given that the Proposed Project traverses multiple AB 617-designated communities that have been identified by South Coast AQMD as experiencing elevated cumulative air pollution burdens, South Coast AQMD staff recommends that the Final EIR/EIS provide additional analysis and disclosure regarding localized and cumulative air quality and health risk impacts in these communities. As mentioned in Section I of this comment letter, the reliance on unavailable third-party operational data and the deferral of key health risk evaluations (such as the future operational HRA at Hobart Yard) may limit the ability of decision-makers and the public to fully understand potential cumulative and disproportionate impacts. Therefore, the Lead Agency is recommended to include a discussion in the Final EIR/EIS which addresses how the emissions minimization measures and mitigation framework, to the extent feasible and enforceable under CEQA, would be consistent with the air quality priorities identified in the adopted CERPs for the ELABHWC, SLA and SELA Communities and would reduce cumulative impacts in these affected communities.

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/EIS. 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/EIS. In addition, as noted in 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.

[41] South Coast AQMD. September 2019. Assembly Bill 617 East Los Angeles, Boyle Heights, West Commerce Community Emissions Reduction Plan. Accessed at: http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/east-la/cerp/carb-submittal/final-cerp.pdf.

[42] South Coast AQMD. December 2020. Assembly Bill 617 Southeast Los Angeles Community Emissions Reduction Plan. Accessed at: https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/southeast-los-angeles/final-cerp/final-cerp.pdf.

[43] South Coast AQMD. September 2019. Assembly Bill 617 South Los Angeles Commerce Community Emissions Reduction Plan. Accessed at: https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/south-la/final-cerp.pdf.