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Draft Environmental Impact Report (EIR) for the Proposed Baker Street Warehouse Project (Proposed Project) (SCH No.: 2024070504)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Lake Elsinore is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff have 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 includes an Onsite Development Area encompassing 65.81 acres for the construction and operation of two industrial warehouse buildings totaling 1,000,425 square feet (sf), offsite improvements on 37.86 acres, a Restoration Area of 33.65 acres designated for future conservation and restoration activities, and a 2.72-acre Construction/Improvement Buffer located between Baker Street and the Restoration Area.[1] The Onsite Development Area would consist of a 212,028-sf warehouse (Building 1) and a 788,423-sf warehouse (Building 2), each designed to accommodate operational flexibility, including up to 10 percent manufacturing uses and up to 10 percent cold storage uses,[2] with Building 1 and Building 2 providing 23 and 110 dock doors,[3] respectively. The Proposed Project would also include installation of supporting infrastructure improvements, including a new Elsinore Valley Municipal Water District water transmission line, a parallel water line, a sanitary sewer line, and a storm drain line.[4] In addition, the existing Nicolas Lift Station would be expanded to support buildout conditions through the installation of three pumps, each with a capacity of approximately 1,100 gallons per minute (gpm), and an associated above-grade control structure.[5] Based on a review of aerial imagery, the nearest existing sensitive receptor (a residential use) is located immediately west of the Onsite Development Area. Construction of the Proposed Project is anticipated to occur over an approximately 17-month period, beginning in April 2026 and concluding in August 2027.[6]

[1] Draft EIR. p. 2-10.
[2] *Ibid*.
[3] *Ibid*. p. 2-13.
[4] *Ibid*. p. 2-26 to 2-27.
[5] *Ibid*. p. 2-27.
[6] *Ibid*. p. 2-28.

South Coast AQMD Comments

Outdated Meteorological Data in the Air Quality Impact Analysis and Health Risk Assessment Modeling

Section 3.3 (Air Quality) of the Draft EIR indicates that the representative meteorological (MET) station used in the localized significance threshold (LST) and health risk assessment (HRA) analyses is the Lake Elsinore monitoring station (ELSI).[7] In addition, based on the technical files provided by the Lead Agency, the MET data used in modeling is the ELSI 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.[8] 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.

Truck Idling Duration and Emissions Modeling

Section 3.3 (Air Quality) of the Draft EIR includes an assumption that 15 minutes of idling per truck per day was used to estimate diesel particulate matter (DPM) emissions for the health risk assessment (HRA).[9] However, the actual idling times may be longer in duration since the Proposed Project is anticipated to involve a total of 984 truck trips per day.[10] 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 15-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

[7] *Ibid*. p. 3.3-37.
[8] South Coast AQMD AERMOD-Ready MET Data Files available at https://www.aqmd.gov/assets/aermet/AERMET_files_And_HRA_Tool.html
[9] *Ibid*. p. 3.3-40.
[10] *Ibid*. p.3.3-41.

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.[11] 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.[12] 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 15-minute assumption as representative of expected operations of the Proposed Project.

Unsupported Truck Trip Distance Assumptions Used in Emissions Modeling

Accurately estimating truck trip lengths is a key parameter when quantifying emissions from mobile sources, especially DPM, oxides of nitrogen (NOx), and greenhouse gases (GHG). The mischaracterization of average trip lengths, for example, can lead to a significant underestimation of a project's air quality impacts. According to Section 3.3 (Air Quality) of the Draft EIR, the trip length function for the Proposed Project was assumed to be 28.54 miles for the high-cube cold storage and high-cube fulfillment warehouse uses and 30.47 miles for the manufacturing uses.[13] However, the analysis lacks the supporting basis for determining the trip origins and destinations and whether the assumed distances are reflective of actual or anticipated routing patterns of the facility's current or future truck fleet.

As such, the Final EIR should include a clear and defensible rationale for the use of the 28.54- and 30.47-mile assumptions. The rationale should be supported by documentation such as empirical data from fleet operations, transportation logistics studies, regional freight movement data, or other sources that demonstrate the applicability and appropriateness of the selected distances. Additionally, if any truck trips associated with the Proposed Project will include port-related activities, the Final EIR should explain this detail and the modeled trip lengths should accurately reflect the mileage between the Proposed Project site and the relevant port(s), such as the Ports of Los Angeles or Long Beach, which are located approximately 65 miles as a shortest distance to 87 miles one-way from the Proposed Project site.

[11] 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, available at https://ww2.arb.ca.gov/sites/default/files/2022-06/13_CCR_2485_OAL_06222022-2_ADA_06272022_0.pdf
[12] 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
[13] *Ibid*. p. 3.3-31.

Therefore, the Lead Agency is recommended to either revise the trip distance assumptions to more accurately reflect realistic operational conditions or provide additional evidence substantiating that the selected distances are representative of actual or reasonably foreseeable truck travel patterns associated with the Proposed Project. Failure to provide supporting evidence to validate these assumptions may compromise the accuracy of the emission estimates, conclusions, and the overall integrity of the air quality analysis presented in the Final EIR.

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

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, 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 ZE or 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 Act[14]

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

3. United States Environmental Protection Agency (U.S. EPA) Transportation, Air Quality, and Climate Change.[16]

[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
[16] 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

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,[17] and Rule 316 – Fees for Rule 2305.[18] Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) 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 sf. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt to earn 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 consists of the development of a 212,028-sf warehouse and a 788,423-sf warehouse , the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation. 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 of guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.[19]

South Coast AQMD Air Permits and Role as a Responsible Agency

Chapter 2 (Project Description) of the Draft EIR indicates that the Proposed Project would include two 300-horsepower (hp) diesel-powered emergency generators for the warehouses and one 350-hp diesel-powered emergency generator at the offsite lift station. Thus, one or more air permits from the South Coast AQMD will be required. The Final EIR should include a discussion about the South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,[20] Rule 203 – Permit to Operate,[21] Rule 401

[17] South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program available at http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf.
[18] South Coast AQMD Rule 316 – Fees for Rule 2305 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-iii/r316.pdf
[19] South Coast AQMD WAIRE Program available at http://www.aqmd.gov/waire.
[20] South Coast AQMD, Rule 201 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf
[21] South Coast AQMD, Rule 203 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf

– Visible Emissions,[22] Rule 402 – Nuisance,[23] Rule 403 – Fugitive Dust,[24] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[25] Rule 1113 – Architectural Coatings,[26] and Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[27] 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

[22] South Coast AQMD, Rule 401 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[23] South Coast AQMD, Rule 402 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[24] South Coast AQMD, Rule 403 available at https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403
[25] South Coast AQMD, Rule 1110.2 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf
[26] South Coast AQMD, Rule 1113 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf
[27] South Coast AQMD, Rule 1470 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf

South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff are available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

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