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Draft Environmental Impact Report (EIR) for the Irwindale Brew Yard Specific Plan (Proposed Project) (SCH No: 2024020415)

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The City of Irwindale is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments, which are organized by topic of concern.

Summary of Proposed Project Information in the Draft EIR

Based on the Draft EIR, the Proposed Project consists of two separate planning areas (PAs):

- PA 1, encompassing approximately 143.9 acres and providing up to three million square feet (sf) of new industrial/business park development, and
- PA 2, encompassing approximately 6.2 acres and providing approximately 12,000 sf of commercial development.[1]

Development within PA 1 consists of a variety of industrial uses, including light industrial, e-commerce and logistics distribution, warehousing, cold storage, light manufacturing, research and development, and showroom space uses.[2] Development within PA 2 includes a mix of office park, industrial, and other retail uses.[3] Project infrastructure improvements include the installation of domestic water connections to each new industrial parcel and construction of a private sewer main line.[4] The Proposed Project also seeks to remove an existing rail spur, consisting of a segment of track extending from the Union Pacific Railroad (UPRR) Azusa Industrial Lead, extended onto property owned and/or controlled by Irwindale Brew Yard Property Owner, LLC (IBYPO) and formerly Molson Coors as successor-in-interest to Miller Brewing Company (MC).[5] The Proposed Project does not identify an address, but the project description refers to an area located to the west and south of the existing Brew Yard Facility, which is located at 15801 First Street in the City of

[1] Draft EIR. p. 2-21.
[2] *Ibid*. p. 2-22.
[3] *Ibid*.
[4] *Ibid*. p. 2-37.
[5] *Ibid*. p. 2-71.

Irwindale.[6] Based on a review of aerial imagery, the nearest sensitive receptors are located more than 2,300 feet from the Proposed Project site. Construction of the Proposed Project is anticipated to commence in August 2026,[7] with an opening year anticipated in 2030.[8]

South Coast AQMD Comments

Potentially Underestimated Emissions from Operation, Air Quality Impact Analysis, and Health Risk Assessment

As explained in more detail in the following paragraphs, the Draft EIR lacks clarity regarding the nature of the relationship between the Proposed Project and the existing Brew Yard Facility and the intended use and operation of the onsite railroad infrastructure. Also, the regional operational emissions estimates, air quality impact analysis (AQIA), greenhouse gas (GHG), and health risk assessment (HRA) may have underestimated the Proposed Project's potential air quality and health risk impacts. Lastly, the Draft EIR lacks a complete cumulative analysis of air quality impacts.

Clarification Regarding the Relationship to the Existing Brewing Facility

Chapter 2 (Project Description) of the Draft EIR states that the approximately 150.1-acre Proposed Project site would be located adjacent to the existing Brew Yard Facility.[9] The Brew Yard Facility is a major source of emissions and is classified as a Title V/RECLAIM facility identified by South Coast AQMD Facility ID No. 193561.[10] The facility currently operates a variety of stationary and process equipment, including multiple internal combustion engines (ICEs), non-selective and selective catalytic control systems, gas-turbine power generation systems, compressors, scrubbers, adsorbers, dryers, gas separators, evaporators, storage silos, baghouses, and tanks, among other equipment.

Based on the Draft EIR, the existing Brew Yard Facility at 15801 First Street is not identified as part of the Proposed Project, is not proposed to be demolished or shut down, and is expected to continue operating as a brewery. The Draft EIR does not explain if the Proposed Project is an expansion of the activities of the existing Brew Yard Facility or it would be a separate business/entity. The Draft EIR does not attribute an address specific to the Proposed Project site. However, the City of Irwindale identifies the Proposed Project on its website as the 15801 First Street - Irwindale Brew Yard Specific Plan,[11] which is the address for the Brew Yard Facility.

Furthermore, the Notice of Availability of the Draft EIR identified Yellow Iron Real Estate, LLC as the project applicant.[12] The Irwindale Brew Yard, also known as IBY LLC, appears to be the property owner of the existing Brew Yard Facility, and IBY LLC engaged Yellow Iron Real Estate to manage the entitlements, land reclamation, and development planning for the 150-acre industrial site surrounding the existing Brew Yard Facility.

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[6] *Ibid*. p. 2-2.
[7] *Ibid*. p. 2-75.
[8] *Ibid*. p. 2-47.
[9] *Ibid*. p. 2-2
[10] South Coast AQMD FIND, available at https://xappprod.aqmd.gov/find//facility/AQMDsearch?facilityID=193561
[11] 15801 First Street - Irwindale Brew Yard Specific Plan, City of Irwindale. https://irwindaleca.gov/618/15801-First-Street---Irwindale-Brew-Yard
[12] Notice of Availability of the Draft EIR. p. 1.

However, the Draft EIR does not clearly explain the ownership, management, or operational relationship among IBY LLC, Yellow Iron Real Estate, LLC, the existing Brew Yard Facility, and the Proposed Project. This information is important for both accurately describing the Proposed Project and its environmental setting under CEQA and for determining the appropriate South Coast AQMD permitting requirements.

If IBY LLC owns or controls the Proposed Project site and the Proposed Project would be developed to support and operate as part of the existing Brew Yard Facility expansion or operational plan, the Lead Agency is recommended to ensure that the Final EIR accurately describes the relationship between the facilities and evaluates all reasonably foreseeable emissions and environmental impacts associated with that relationship. In particular, if the Proposed Project would support, expand, or otherwise function as part of the existing Brew Yard Facility's operations, the Final EIR should account for the associated operational emissions and potential changes in baseline emissions from the existing facility, rather than treating the Proposed Project and the existing facility as entirely independent sources. The Final EIR should also evaluate the potential overlap between the Proposed Project's construction and the ongoing operation at the existing Brew Yard Facility.

At the same time, the Lead Agency is recommended to explain the nature and extent of the relationship between the Proposed Project and Brew Yard Facility and then determine whether the existing facility's operations or any reasonably foreseeable changes to those operations are part of, or would be caused by, the Proposed Project.

Lack of Cumulative Air Quality Impacts Analysis of the
Brew Yard Facility's Existing Operations on the Proposed Project.

This clarification of the relationship between the Proposed Project and the existing Brew Yard Facility is important for South Coast AQMD permitting purposes because the Brew Yard Facility is a Title V/RECLAIM facility and any new or modified stationary equipment associated with the Proposed Project may require permits subject to South Coast AQMD discretionary approval. Thus, South Coast AQMD's role would change and become a Responsible Agency. Additional information regarding applicable South Coast AQMD permitting requirements and its role as a Responsible Agency is provided in a later comment in this letter.

The potential air quality and health risk impacts of the Proposed Project should also be evaluated in the context of the existing air toxics burden in the surrounding community. According to South Coast AQMD's Multiple Air Toxics Exposure Study V (MATES V),[13] the estimated residential cancer risk from ambient air toxics in the vicinity of the Proposed Project is approximately 563 cases in one million, which is higher than the cancer risk in approximately 84 percent of the population within the South Coast AQMD jurisdiction. The MATES V cancer risk estimate represents the estimated risk from exposure to ambient air toxics and provides important context for evaluating the Proposed Project's incremental and cumulative health risk impacts. The elevated existing risk underscores the importance of the need for the EIR to accurately characterize the

[13] South Coast AQMD's Multiple Air Toxics Exposure Study V (MATES V), available at https://experience.arcgis.com/experience/79d3b6304912414bb21ebdde80100b23/page/Main-Page/?views=Click-tabs-for-other-data%2CCancer-Risk#data_s=id%3AdataSource_105-a5ba9580e3aa43508a793fac819a5a4d%3A259

Proposed Project's emissions and evaluate its contribution to cumulative air quality and health risk impacts.

In addition, South Coast AQMD staff identified other existing industrial uses within approximately one to two miles of the Proposed Project site, including the adjacent Brew Yard Facility. Under CEQA, the environmental analysis should evaluate cumulative impacts resulting from the combined effects of the Proposed Project with past, present, and reasonably foreseeable future projects. The Draft EIR did not, but should have included an evaluation of the potential cumulative increases in ambient concentrations of criteria pollutants and toxic air contaminants. Therefore, at a minimum, the Lead Agency is recommended to provide a qualitative assessment of cumulative air quality impacts of both criteria air pollutants and air toxics in the Final EIR that considers the potential for overlapping emissions from the Proposed Project and other existing and reasonably foreseeable future industrial sources in the surrounding area. Where sufficient information and modeling data are available, the Lead Agency is also recommended to conduct a quantitative cumulative analysis to more comprehensively evaluate the potential for cumulative health risks and other adverse air quality impacts. The cumulative analysis should also consider the existing ambient air toxics burden documented by South Coast AQMD's MATES V study.

Clarification Regarding Rail Operations for Goods Movement to and from the Proposed Project Site

Chapter 2 (Project Description) of the Draft EIR indicates that implementation of the Proposed Project would require removal of an existing rail spur,[14] identified in red, as shown in the snapshot of Figure 1 below. However, other rail tracks would remain onsite, including the Burlington Northern Santa Fe Railway (BNSF) track identified in yellow, the Brewery Spur in green, and the remaining UPRR track identified in blue.

The Draft EIR does not clearly disclose whether these remaining rail facilities would be used as part of the Proposed Project's operations, including whether goods would be transported to and from the Proposed Project site by rail in addition to truck trips. If the Proposed Project would utilize the remaining BNSF or UPRR rail facilities or share the Brewery Spur with the existing Brewery Yard Facility, emissions from locomotive activity, including train movements, idling, and switching, should be incorporated into the operational emissions inventory and HRA. In particular, diesel particulate matter (DPM) and other toxic air contaminants (TAC) emissions from rail operations should be evaluated for their potential contribution to cancer risk and non-cancer health impacts at nearby sensitive receptors.

[14] Draft EIR. p. 2-71.

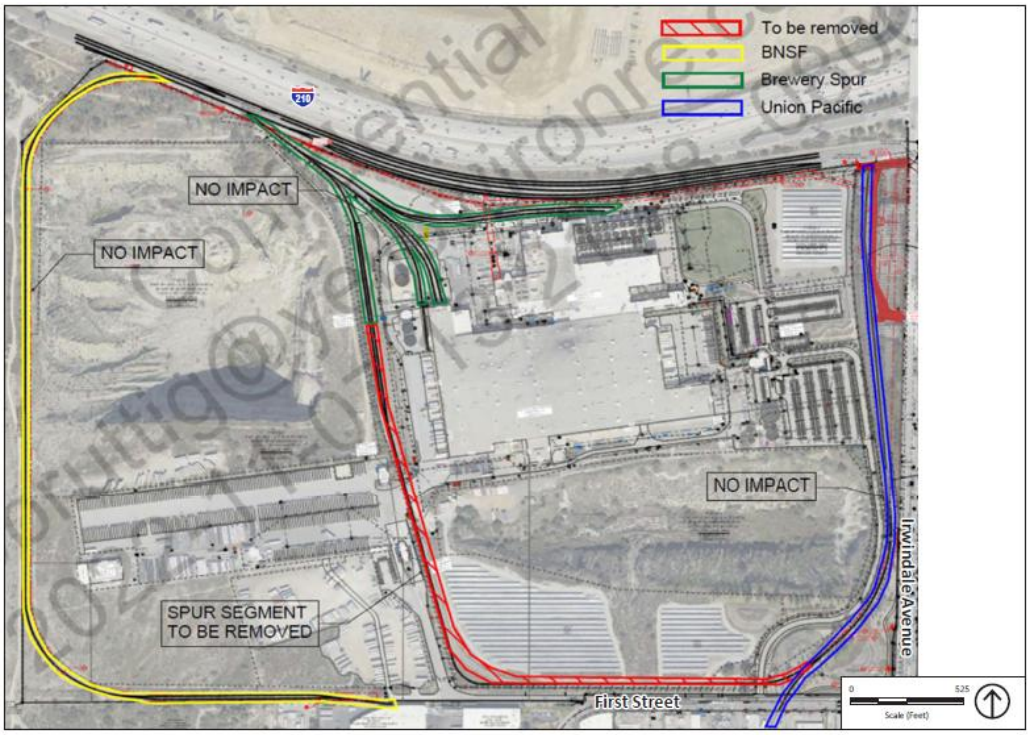

Figure 1: Snapshot of Rail Segments on Proposed Project Site

Therefore, the Lead Agency is recommended to:

1) Clarify the Project Description to identify whether the Proposed Project would utilize the remaining BNSF and/or UPRR rail facilities for project-related goods movement;

2) Revise the air quality, GHG, and HRA analyses, as necessary, to include all reasonably foreseeable project-related rail emissions and clearly identify the rail activity, locomotive, idling, and emissions assumptions used in the modeling; and

3) Provide the revised emissions calculations, HRA results, and supporting documentation in the Final EIR to demonstrate that project-related rail emissions and associated health risks have been adequately disclosed and evaluated. If rail operations are excluded, the Final EIR should provide substantial evidence supporting that conclusion.

Truck Idling Duration and Emissions Modeling

Appendix E (Health Risk Assessment) of the Draft EIR evaluates truck emissions as DPM by assuming that each truck will idle 15 minutes per day.[15] However, the actual idling times may be much longer because the Proposed Project is anticipated to involve a total of 1,070 two-way truck trips per day.[16] 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

[15] Appendix E. Health Risk Assessment. p. 10.
[16] Appendix P. Transportation Impact Study. p. 16-17.

operations, among other factors, particularly during peak hours or in congested circulation areas. As such, a 15-minute idling duration may underestimate the actual on-site idling behavior and, consequently, the resulting 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.[17] Furthermore, CARB's EMFAC2021 Volume III Technical Document (Table 4.4.2-5) indicates that heavy-duty trucks may idle for up to five hours at a single location under certain conditions.[18] 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 different duration; or 2) provide empirical evidence, such as facility-specific queuing and processing time studies, vehicle circulation modeling, or comparable industry data, to support the 15-minute idling assumption as representative of expected operations of the Proposed Project.

In light of the aforementioned issues raised, the Lead Agency is recommended to revise the EIR to:

1. Provide clarification regarding:

    a. The relationship between the Proposed Project and the existing Brew Yard Facility, including whether the facilities would operate concurrently and whether the Proposed Project would rely on or otherwise support the existing facility's operations;

    b. Whether the existing onsite railroad infrastructure would be utilized to support the Proposed Project's construction and operations, including the anticipated frequency and type of locomotive and rail activity; and

[17] 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

[18] 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

c. Whether the truck idling assumptions and calculations accurately represent the actual or reasonably foreseeable operating conditions, given the substantial volume of truck trips anticipated onsite.

2. Revise the emissions calculations, AQIA, HRA, GHG, and cumulative impact analysis to adequately account for the reasonably foreseeable and potentially worst-case operational scenario. The revised analyses should include emissions associated with operation of the existing Brew Yard Facility; overlapping emissions from construction of the Proposed Project and operation of the existing Brew Yard Facility; locomotive and rail operations associated with the transport of goods to and from the Proposed Project site during construction and operation; and locomotive and truck idling emissions based on an idling duration that is reasonably foreseeable and adequately supported.

3. Provide substantial evidence and supporting documentation for all construction and operational assumptions used in the regional and localized emissions analysis, overlapping construction and operational emission analysis, AQIA, HRA, GHG, and cumulative impact analysis. These assumptions should be adequately supported and sufficiently conservative to ensure that the estimated emissions and associated air quality, GHG, and health risk impacts are not understated.

South Coast AQMD Air Permits, Role as a Responsible Agency and Request for Formal CEQA Consultation

Section 3.7 (Greenhouse Gas Emissions) of the Draft EIR assumes that the Proposed Project would include the installation of five 350-horsepower (hp) diesel-powered fire pumps and one 2,000 hp diesel-powered emergency generator.[19] Therefore, one or more air permits from South Coast AQMD will be required. The Final EIR 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,[20] Rule 203 – Permit to Operate,[21] Rule 401 – 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] Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil, Regulation XIII – New Source Review,[27] Rule 1401 – New Source Review of Toxic Air Contaminants,[28] Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants, Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[29] and etc. Since air permits from South Coast AQMD will be required for the Proposed Project, the role of South Coast AQMD has changed from a Commenting Agency to a Responsible

[19] Draft EIR. p. 3.7-28.
[20] South Coast AQMD, Rule 201 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf
[21] South Coast AQMD, Rule 203 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf
[22] South Coast AQMD, Rule 401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[23] South Coast AQMD, Rule 402 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[24] South Coast AQMD, Rule 403 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403
[25] South Coast AQMD, Rule 1110.2 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf
[26] South Coast AQMD, Rule 1113 is available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf
[27] South Coast AQMD, Regulation XIII is available at: https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii
[28] South Coast AQMD, Rule 1401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf
[29] South Coast AQMD, Rule 1470 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf

Agency under CEQA. In addition, the Lead Agency is required to consult with South Coast AQMD as a Responsible Agency per CEQA Guidelines Section 15086.

Thus, as set forth in CEQA Guidelines Section 15096, South Coast AQMD should be identified in the CEQA document as a Responsible Agency for the Proposed Project. Given the certainty that discretionary air permits will be required, early consultation is necessary to ensure that the CEQA document is sufficient for South Coast AQMD's use as a Responsible Agency and to avoid future procedural or legal barriers to permit issuance. Accordingly, this comment letter shall serve as a formal request for CEQA consultation between the Lead Agency and South Coast AQMD regarding the scope, assumptions, and adequacy of the air quality and health risk analyses.

Potentially Underestimated Construction Emissions

Appendix K (Phase I Environmental Site Assessment) indicates that, although no evidence of known contamination has been identified, the Proposed Project site contains existing and older railroad segments that may have been associated with activities such as railroad maintenance and fueling, which could have resulted in localized soil contamination impacts.[30] Potential residual constituents in soil may include petroleum-related compounds and metals. Appendix K of the Draft EIR recommends that the project proponent conduct site investigations to evaluate existing site conditions and take appropriate remediation actions, as necessary.

The Proposed Project appears to have the potential during the construction phase to encounter contaminated soil that may require remediation or removal for off-site disposal. However, the Draft EIR does not appear to analyze the potential air quality impacts from any soil cleanup activities that may be necessary depending on the outcome of the site investigations.

Therefore, the Lead Agency is recommended to include a mitigation measure under Section 3.8 (Hazards and Hazardous Materials) requiring a site investigation prior to construction to determine whether soil contamination is present. The cleanup activities could include the removal and disposal of contaminated soil, and depending on the type of contamination, contaminated soil may not be accepted at a local landfill site. As such, the contaminated soil may need to be disposed of at a permitted hazardous disposal facility outside the City of Irwindale, which may be located beyond the one-way truck trip length of 20 miles that was relied upon for quantifying the truck emissions associated with transporting contaminated soil and delivering clean soil. Since it is reasonably foreseeable that the Proposed Project could involve remediation of contaminated soil, the Lead Agency should use good faith, best efforts to provide information in the Final EIR relative to the scope, type(s), and duration of any various scenarios associated with soil remediation, quantify emissions from those activities, include those emissions in the Proposed Project's regional construction emissions analysis, and compare the total amount to the South Coast AQMD Air Quality Significance Thresholds for construction to determine the level of significance. This analysis should include, as applicable, the estimated quantity and characteristics of contaminated soil, the number of haul-truck trips, anticipated haul distances to the appropriate disposal facility, and other relevant construction-related emissions. If the analysis indicates significant air quality construction impacts, the Final EIR should also include appropriate mitigation measures to minimize the construction impacts associated with the removal and transport of contaminated soil and the replacement with clean soil. The Final EIR should provide supporting documentation,

[30] Appendix K. Phase I Environmental Site Assessment. p. 17.

assumptions, and calculations demonstrating that these emissions have been adequately accounted for in the air quality analysis.

In addition, if contaminated soil is encountered during grading, excavation, soil handling, and related activities as part of construction, the remediation activities should be conducted in accordance with South Coast AQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil[31] and Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants[32] as applicable. The Final EIR should also identify and evaluate the applicability of these rules and incorporate any associated requirements, controls, and emissions into the construction emissions analysis, as appropriate.

Recommended Revision to the Air Quality Mitigation Measures

Mitigation Measures MM-AQ-8 and AQ-9 of the Draft EIR state that the facility operators shall restrict idling to no more than five minutes and ensure that all diesel-fueled Medium-Heavy Duty Trucks (MHDT) and Heavy-Heavy Duty Trucks (HHDT) use year CARB 2010 or newer.[33] However, the Lead Agency is recommended to revise the phrasing in these mitigation measures to also require that all applicable MHDT, HHDT, and other on-road diesel-fueled heavy-duty vehicles subject to CARB Clean Idle requirements be equipped with engines that are certified by CARB to the applicable Clean Idle standard and, where applicable, display the CARB-approved "Certified Clean Idle" label. [34] The revised mitigation measures should be incorporated into the Final EIR and associated Mitigation Monitoring and Reporting Plan to ensure that these requirements are enforceable mechanisms of the Proposed Project.

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures and Project Design Considerations

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, South Coast AQMD recommends incorporating the following mitigation measures and project design considerations into the Final EIR.

Mobile Sources

1. Require: a) zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible; and b) a phase-in schedule to incentivize the use of these cleaner operating trucks.

   Given the state'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[35] and

[31] South Coast AQMD, Rule 1166 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf
[32] South Coast AQMD, Rule 1466 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf
[33] Draft EIR. p. ES-16.
[34] CARB Idling Flyer available at: https://ww2.arb.ca.gov/sites/default/files/2022-06/Idling_Flyer_EN.pdf
[35] CARB, June 25, 2020, Advanced Clean Trucks Rule, available at: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks.

the Heavy-Duty Low NOx Omnibus Regulation[36], ZE and NZE trucks will become increasingly more available to use. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

2. Require the use of 2017 model year[37] or newer, cleaner trucks, if ZE or NZE trucks are not feasible. All heavy-duty haul trucks should also meet CARB's lowest optional low-NOx standard.[38] Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructure in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
3. Limit the daily number of trucks allowed at the Proposed Project to the levels analyzed in the Final CEQA document. 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 appropriately sized electrical panels to support EV charging. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

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.).

[36] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 grams per brake horsepower-hour (g/hp-hr) starting with engine model year 2024. Available at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

[37] CARB adopted the statewide Truck and Bus Regulation in 2010 which requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Specifically, newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012 and lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

[38] In 2013, CARB adopted optional low-NOx emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NOx emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NOx emission standard is available at: https://ww2.arb.ca.gov/our-work/programs/optionalreduced-nox-standards

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[39]

2. South Coast AQMD 2022 Air Quality Management Plan,[40] 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 Measures

3. United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation.[41]

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

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of NOx and PM, including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject

[39] 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
[40] 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
[41] United States Environmental Protection Agency (U.S. EPA), Mobile Source Pollution - Environmental Justice and Transportation. Available at: https://www.epa.gov/mobile-source-pollution.

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 and could include up to 3 million sf of warehouses, 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[42]. 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.[43]

Conclusion

As set forth in Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a) and (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, 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 or me at swang1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
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Planning, Rule Development & Implementation

BR:SW:DN
LAC260805-02
Control Number

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