



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

June 27, 2024

BJones@IrwindaleCA.gov

Brandi Jones, Senior Planner

City of Irwindale

5050 Irwindale Ave.,

Irwindale, CA 91706

**Notice of Availability of a Draft Environmental Impact Report (EIR) for the
Irwindale Gateway Specific Plan Project (Proposed Project)
[SCH #: 2023020290]**

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.

South Coast AQMD Staff's Summary of Project Information in the Draft EIR

Based on the Draft EIR, The project consists of construction of two development options: 1) building a 954,796 square foot warehouse on 52.6 acres with 918 vehicle parking spaces, 346 trailer parking spaces, and 5.8 acres of landscaping, or 2) building a 668,070 square foot warehouse on 36.71 acres and 15.94 acres of battery energy storage system (BESS).¹ Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., Single-family Residences) is approximately 2,100 feet southeast of the site.² Option 1 and Option 2 building construction were modeled over 37 months, starting in July 2024 and ending in August 2027.³ The project is located at 13620 Live Oak Lane, bounded by Live Oak Lane to the north and east, Live Oak Avenue to the south, and Interstate 605 to the west.⁴

South Coast AQMD Staff's Comments

Cancer Risk Impact from Transport Refrigeration Units (TRUs) Truck Off-site Travel in the Health Risk Assessment (HRA) Analysis

Based on the Appendix D2-HRA document, the idling emissions from TRUs were combined with truck idling emissions to determine the total idling emissions at the loading docks, which were modeled as a point source. However, the cancer risk associated with TRUs traveling along roadways (off-site truck travel emissions) was not evaluated in the Appendix D2-HRA analysis. This omission leads to an underestimation of the off-site truck emissions. Therefore, South Coast

¹ Draft EIR. Page 25.

² *Ibid.* Page 159.

³ *Ibid.* Page 166.

⁴ *Ibid.* Page 2

AQMD staff recommends that the Lead Agency rerun the model to account for the TRU emissions while traveling along roadways.

Assessment of TRU Idling Durations and Potential Health Impacts from the Proposed Project Site

Based on South Coast AQMD reviews of the AERMOD modeling files provided in Appendix D2-HRA analysis, the duration for on-site TRU truck idling in the Proposed Project site is 30 minutes. According to the California Air Resource Board (CARB)'s Proposed Amendments to the Airborne Toxic Control Measure (ATCM) for In-Use Diesel-Fueled TRUs, a TRU-equipped vehicle enters the facility fully loaded (inbound) and exits the facility fully loaded (outbound), with each loading and unloading process taking 2 hours—totaling 4 hours. Given this, the loading and unloading of goods during a single visit can result in up to 4 hours of idling on-site. By assuming a 30-minute TRU idling duration, the Lead Agency may have underestimated the potential exposure of nearby residents to diesel exhaust emissions, which could pose a significant cancer risk to the community. Therefore, South Coast AQMD staff recommends that the Lead Agency either include a project design feature in the DEIR to limit TRU idling within the Project site to less than 30 minutes or revise the Project's HRA to reflect a reasonable TRU idling duration supported by substantial evidence.

Cumulative Impacts during Operation

Based on the Draft EIR, the Proposed Project consists of construction of two development options: 1) building a 954,796-square-foot warehouse on 52.6 acres with 918 vehicle parking spaces, 346 trailer parking spaces, and 5.8 acres of landscaping, or 2) building a 668,070-square-foot warehouse on 36.71 acres and 15.94 acres of BESS.⁵ Additionally, the approved remediation plan proposes to excavate, process, and recompact all wastes at the landfill to facilitate future development, which will lead to an increase in truck trips in the surrounding community. Notably, based on a review of aerial photographs, South Coast AQMD staff found other existing warehouses approximately 1 mile from the Proposed Project site. South Coast AQMD staff is primarily concerned with the cumulative air quality impacts from increased concentrations of air toxics in the City of Irwindale region. Pursuant to CEQA, which requires an analysis of direct, indirect, and cumulative impacts, South Coast AQMD has initiated a public process to develop additional guidance for evaluating cumulative air quality impacts from increased concentrations of air toxics for projects. To date, there have been five working group meetings (WGMs) dedicated to proposed cumulative impact policy development. For more general information on the WGMs, please visit South Coast AQMD's webpage at [https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-\(new\)](https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new)).

Therefore, South Coast AQMD staff recommends that, at minimum, the Lead Agency perform a qualitative analysis to consider the potential cumulative impacts of air toxics by listing all surrounding past, present, and probable future projects. The Lead Agency may also perform a more detailed and robust quantitative analysis of cumulative air toxic and potential health risk implications to be included in the Final EIR.

⁵ *Ibid.* Page 20.

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 staff recommends incorporating the following mitigation measures and project design considerations into the Final EIR.

Mitigation Measures for Operational Air Quality Impacts from Mobile Sources

1. Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible.

Note: Given 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 and the Heavy-duty Low NOx Omnibus Regulation, ZE and NZE trucks will become increasingly more available to 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 is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

3. At a minimum, require the use of a 2010 model year that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022. Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirements 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. Regular inspections should be conducted by the Lead Agency to the maximum extent feasible to ensure compliance.
4. Limit the daily number of trucks allowed at the Proposed Project to 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.
5. 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 for 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 Act⁶
2. South Coast AQMD 2022 Air Quality Management Plan,⁷ 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

⁶ 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/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf>

⁷ South Coast AQMD, 2022 Air Quality Management Plan. Available at: <http://www.aqmd.gov/home/air-quality/air-quality-management-plans/air-quality-mgt-plan>

3. United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation⁸

South Coast AQMD Air Permits and Role as a Responsible Agency

If implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., air permits from South Coast AQMD will be required. The final CEQA document, whether a MND or EIR, should include a discussion about the potentially applicable rules that the Proposed Project needs to comply with. Those rules may include, for example, Rule 201 – Permit to Construct,⁹ Rule 203 – Permit to Operate,¹⁰ Rule 401 – Visible Emissions,¹¹ Rule 402 – Nuisance,¹² Rule 403 – Fugitive Dust,¹³ Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,¹⁴ Rule 1113 – Architectural Coating,¹⁵ Rule 1166 – VOC Contaminated Soil Excavation,¹⁶ Rule 1179 – Publicly Owned Treatment Works Operation,¹⁷ Regulation XIII – New Source Review,¹⁸ Rule 1401 – Air Toxics,¹⁹ Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,²⁰ Rule 1470 – Requirements for Stationary Diesel Fueled Internal Combustion and Other Compression Ignition Engines,²¹ etc. It is important to note that when air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD.

⁸ US.EPA. Mobile Source Pollution - Environmental Justice and Transportation. Available at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>

⁹ South Coast AQMD. Rule 201 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>

¹⁰ South Coast AQMD. Rule 203 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>

¹¹ South Coast AQMD. Rule 401 available at <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf>

¹² South Coast AQMD. Rule 402 available at <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>

¹³ South Coast AQMD. Rule 403 available at <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403>

¹⁴ South Coast AQMD. Rule 1110.2 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf

¹⁵ South Coast AQMD. Rule 1113 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>

¹⁶ South Coast AQMD. Rule 1166 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>

¹⁷ South Coast AQMD. Rule 1179 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1179.pdf>

¹⁸ South Coast AQMD. Regulation XIII available at <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>

¹⁹ South Coast AQMD. Rule 1401 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

²⁰ South Coast AQMD. Rule 1466 available <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>

²¹ South Coast AQMD. Rule 1470 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>

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. South Coast AQMD is concerned that the project description and analysis in its current form in the Draft EIR is inadequate to be relied upon for this purpose.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <https://www.aqmd.gov/home/permits>.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

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

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:SG

LAC240515-06
Control Number