South Coast
Air Quality Management District
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Mitigated Negative Declaration (MND) for the Proposed Pennington Industrial Project

The South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to build three industrial buildings totaling 91,140 square feet for manufacturing/warehouse uses with eight dock doors[1] on 5.01 acres (Proposed Project). At the time of the MND, tenants are unknown. It is anticipated that the Proposed Project would generate approximately 167 truck trips per day[2]. Based on a review of Figure 2, *Project Site*, and aerial photographs, South Coast AQMD staff found that institutional uses including a high school are located immediately west of the Proposed Project. Construction of the Proposed Project is expected to take approximately 12 months to complete[3].

South Coast AQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's air quality impacts from construction and operational activities would be less than significant. No air quality mitigation measures were proposed.

South Coast AQMD Staff's General Comments

Although the Proposed Project involves operation of warehouse uses near existing schools, the Lead Agency did not perform a mobile source health risk assessment analysis. Please see the attachment for more information. To further reduce the Proposed Project's long-term emissions from mobile sources, the attachment also includes a list of recommended mitigation measures that the Lead Agency should incorporate in the Final MND.

Closing

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual

[1] MND. Page 20.
[2] MND. Page 96.
[3] MND. Page 18.

information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final MND (CEQA Guidelines Sections 15070 and 15074.1).

South Coast AQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me at lsun@aqmd.gov if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS
RVC191227-06
Control Number

ATTACHMENT

Mobile Source Health Risk Assessment (HRA) Analysis

1. Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project involves operation of manufacturing/warehouse uses, which are expected to generate approximately 167 truck trips per day[4]. Based on a review of Figure 2, *Project Site*, and aerial photographs, South Coast AQMD staff found that institutional uses including a high school are located immediately west of the Proposed Project. Surrounding sensitive receptors (e.g., students) would be exposed to diesel particulate matter (DPM) from the transportation and idling of trucks visiting the Proposed Project during operation. DPM has been identified by the California Air Resources Board (CARB) as a toxic air contaminant (TAC) based on its carcinogenic effects[5]. However, upon review of the MND, South Coast AQMD staff found that the Lead Agency did not perform a quantitative mobile source HRA analysis.

   One of the basic purposes of CEQA is to inform decision-makers and the public about the potential, significant environmental effects of proposed activities (CEQA Guidelines Section 15002(a)(1)). A mitigated negative declaration is appropriate when the Lead Agency finds that the project will not have a significant effect on the environment after incorporating mitigation measures (CEQA Guidelines Sections 15070 to 15075). Reasons to support this finding shall be documented as substantial evidence in the initial study. Without quantifying the Proposed Project's long-term health risk impacts on nearby sensitive receptors during operation, the MND has not made that documentation. Therefore, South Coast AQMD staff recommends that the Lead Agency perform a mobile source HRA analysis[6] in the Final MND and compare the results to South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk[7]. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating air pollutants should also be included.

Guidance Regarding Warehouses Sited Near Sensitive Receptors

2. South Coast AQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*[8] in 2005. Additional guidance is available in the CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*, available at: https://www.arb.ca.gov/ch/handbook.pdf. For warehouses that accommodate more than 100 trucks per day, or more than 40 trucks with operating TRUs per day, a 1,000-foot separation between sensitive land uses (e.g., schools)[9] and the operating warehouse is recommended. Therefore, South

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[4] MND. Page 96.

[5] CARB. August 27, 1998. Resolution 98-35. Accessed at: http://www.arb.ca.gov/regact/diesltac/diesltac.htm.

[6] South Coast AQMD. *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis.

[7] South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

[8] South Coast AQMD. May 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. Accessed at: http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document.

[9] CARB. *Air Quality and Land Use Handbook: A Community Health Perspective*. Page 4. Accessed at: https://www.arb.ca.gov/ch/handbook.pdf.

Coast AQMD staff recommends that the Lead Agency review and consider these guidance documents when making local planning and land use decisions.

Recommended Mitigation Measures during Operation

3. 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. While the Lead Agency found that the Proposed Project's long-term operational impacts would be less than significant, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final MND to further reduce the Proposed Project's emissions, particularly from NOx. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website[10].

Mitigation Measures for Operational Air Quality Impacts from Mobile Sources

a) Require the use of zero emission (ZE) or near-zero emission (NZE) heavy-duty trucks during operation, such as trucks with natural gas engines that meet CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty trucks visiting the Proposed Project during operation commit to using 2010 model year[11] or newer and cleaner engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and the CARB's adopted optional NOx emission standard of 0.20 g/bhp-hr for NOx emissions. Include analyses to evaluate and identify sufficient power available for ZE trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.

To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with the Proposed Project's operation and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during operation meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by operators and conduct regular inspections of the records to the maximum extent feasible and practicable.

b) Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the Proposed Project and sensitive receptors (e.g., students), where feasible.

c) Design the Proposed Project such that entrances and exits are such that trucks are not traversing past residences and schools, and other sensitive receptors near the Proposed Project.

d) Design the Proposed Project such that any check-in point for trucks is well inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility and ensure that truck traffic within the Proposed Project site is located away from the property line(s) closest to the sensitive receptors (e.g., students), which are located immediately west of the Proposed Project.

[10] South Coast AQMD. http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook.

[11] CARB adopted the statewide On-Road Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. 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 Regulations is available here: https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

e) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final MND (e.g., 167 daily truck trips). If higher daily truck volumes are anticipated during operation than what were analyzed in the adopted Final MND, the Lead Agency should commit to re-evaluating the Proposed Project's air quality and health risks impacts through a CEQA process prior to allowing higher truck activity levels (CEQA Guidelines Section 15162).

f) Require trucks to use the truck routes that are used to analyze the air quality and HRA impacts in the Final MND.

g) Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential and/or school areas that are adjacent to portions of the designated truck routes analyzed in the Final MND.

h) Restrict overnight truck parking in residential areas and/or outside schools. Establish parking within the Proposed Project where trucks can rest overnight.

i) Establish area(s) within the Proposed Project site for repair needs and ensure that these designated areas are away from any sensitive land uses.

j) Require at least five percent of all vehicle parking spaces include electric vehicle (EV) charging stations, or at a minimum, require the Proposed Project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. Electrical panels should be appropriately sized to allow for future expanded use. The Lead Agency should also include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.

Mitigation Measures for Operational Air Quality Impacts from Area Sources

k) Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed Project site to generate solar energy for the facility and/or EV charging stations.

l) Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.

m) Require use of electric or alternatively fueled sweepers with HEPA filters.

n) Maximize the planting of trees in landscaping and parking lots.

o) Use light colored paving and roofing materials.

p) Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

South Coast AQMD Permits and Responsible Agency

4. The Proposed Project includes operation of manufacturing/warehouse uses. In the event that a permit from South Coast AQMD is required, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Final MND. Any assumptions used in the Air Quality Analysis in the Final MND will be used as the basis for permit conditions and limits for the Proposed Project. Generally, operation of portable engines and portable equipment units of 50 horsepower (hp)

or greater that emit particulate matter require a permit from South Coast AQMD or registration with the Portable Equipment Registration Program (PERP) through CARB[12]. The Lead Agency should consult with South Coast AQMD's Engineering and Permitting staff to determine if the Proposed Project will involve uses of equipment requiring a South Coast AQMD permit or if registration under the PERP through CARB[13]. Should there be any questions on permits, please contact the South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits. For more information on the PERP Program, please contact CARB at (916) 324-5869 or visit CARB's webpage at: https://ww2.arb.ca.gov/our-work/programs/portable-equipment-registration-program-perp.

[12] South Coast Air Quality Management District. *Portable Equipment Registration Program (PERP)*. Accessed at: http://www.aqmd.gov/home/permits/equipment-registration/perp.
[13] *Ibid.*