

**FINAL
ENVIRONMENTAL IMPACT REPORT**

13131 LOS ANGELES STREET INDUSTRIAL PROJECT

JULY 2020

Prepared for



City of Irwindale
5050 North Irwindale Avenue
Irwindale, California 91706



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

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FINAL ENVIRONMENTAL IMPACT REPORT

(SCH#2019080276)

Prepared for:

City of Irwindale

5050 North Irwindale Avenue
Irwindale, California 91706

Prepared by:



ECORP Consulting, Inc.

ENVIRONMENTAL CONSULTANTS

2861 Pullman Street
Santa Ana, CA 92705

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FINAL ENVIRONMENTAL IMPACT REPORT

13131 Los Angeles Street Industrial Project

Lead Agency: City of Irwindale
5050 North Irwindale Avenue
Irwindale, California 91706

Project Proponent: Duke Realty
8711 River Crossing Boulevard
Indianapolis, IN 46240

Project Location: 13131 Los Angeles Street
Irwindale, CA 91706

Project Description:

The proposed Project involves the demolition of the existing on-site buildings and ancillary structures for the construction of an approximately 528,710 SF (gross) building, with a 520,524 SF ground floor and 8,456 SF mezzanine. The proposed building would be 47.5 feet tall, with architectural features extending up to 53.5 feet tall. The building would feature forklift ramps and roll-up dock doors on the northern and western sides, respectively.

The proposed Project would include 261 standard vehicle parking spaces, 149 trailer stalls, and 13 bicycle parking stalls. A total of four entryways would be provided for access to the site: two driveways on Los Angeles Street, and two gated driveways along Rivergrade Road. The Project would feature 109,330 SF of landscaping around the perimeter of the site including trees, shrubs, accent plants, and groundcover. The landscaping plan shall be submitted to the planning department for approval prior to the issuance of building permits and shall be implemented prior to occupancy.

The site is located in an area designated Industrial/Business Park by the City of Irwindale General Plan, and zoned M-2 Heavy Manufacturing by the City Municipal Code. The Project proposes development of an industrial warehouse that is compatible with surrounding uses. According to the City's 2008 General Plan, this type of development is usually characterized by "intensive industrial operations that may also include outdoor storage of materials and equipment as an ancillary use." Compatibility with surrounding land uses and conformity with the City Commercial and Industrial Design Guidelines would be established through the City's project review and Site Development Permit. While the proposed warehouse use is consistent with the project site's current M-2 Heavy Manufacturing zoning designation, no specific tenant(s) have been identified to occupy the proposed building.

Public Review Period: April 3, 2020 to May 18, 2020

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SECTION 1. INTRODUCTION

This document is the Final Environmental Impact Report (Final EIR) including the the Mitigation Monitoring and Reporting Plan (MMRP) for the 13131 Los Angeles Street Industrial Project (Proposed Project). This Final EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.), as amended. This Final EIR supplements and updates the Draft Environmental Impact Report (Draft EIR) released for public review on April 3, 2020. The Draft EIR is incorporated into this Final EIR by reference.

The City of Irwindale is the Lead Agency for the Proposed Project. On April 3, 2020 the City of Irwindale distributed the Draft EIR for the Proposed Project to the general public for review and comment. The document was sent to the State Clearinghouse. The 45-day review period ended on May 18, 2020. During the public review period, six comment letters were received. A public hearing will be held on 2020 at Irwindale City Hall. The meeting may be a combination of in-person and virtual depending on the state of the current COVID-19 pandemic.

This Final EIR and MMRP document is organized as follows:

- Section 1 provides a discussion of the purpose and structure of the document;
- Section 2 contains a summary of the project description;
- Section 3 includes the comment letters received and the City's responses;
- Section 4 summarizes updates and additions to the EIR; and
- Section 5 includes the Mitigation Monitoring and Reporting Plan (MMRP).

This Final EIR and MMRP document and the Draft EIR together constitute the environmental document for the Proposed Project.

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SECTION 2. PROJECT OVERVIEW

2.1 Project Location

The City of Irwindale contains approximately 9.6 square miles and is located within the eastern portion of Los Angeles County at the periphery of the greater Los Angeles metropolitan area. The San Gabriel River delineates the northern boundary of the City with the foothills of the nearby San Gabriel Mountains located further north. The City is centrally located within the San Gabriel Valley and is generally bounded on the north by Duarte, on the east by Azusa, on the south by Baldwin Park, and on the west by the cities of Monrovia, Arcadia, and Duarte. Regional access to the City is provided by the Foothill Freeway (I-210) and the San Gabriel River Freeway (I-605).

The majority of the City's population and development is located in that portion of the City that is east of the San Gabriel River. The City has over 800 businesses, a resident population of just over 1,400, and a daytime population of over 30,000 workers and patrons (City of Irwindale 2008). Of the City's 9.6 square-mile land area, Irwindale has less land devoted to typical urban land uses (residential, commercial, and industrial development) when compared to its neighboring communities. Land uses found in the western portion of the City are dominated by large-scale quarry operations with limited areas of more traditional urban development. Much of the City's land is encompassed by the Santa Fe Dam recreational area and other flood control improvements, and an almost equal proportion is devoted to sand and gravel extraction operations. Contributing to Irwindale's image as an industrial community is the presence of large-scale mining operations and large number of open yard businesses found in the City. The majority of the developable land in the City is zoned M-2, including many of the City's quarry sites and landfills which date back around 100 years.¹

The proposed Project is located east of the San Gabriel River and Interstate 605 in the western portion of the City of Irwindale (Figure 2.0-1. Regional Project Location). Surrounding the Project site are commercial and industrial buildings (City of Baldwin Park) to the east, Rivergrade Road and the San Gabriel River Freeway (I-605) to the north, an industrial building (SCE Material Supply, Irwindale Distribution Center) to the west, Los Angeles Street and a gravel quarry (Vulcan Durbin Materials Plant) to the south.

2.2 Project Description

The proposed Project involves the demolition of the existing on-site buildings and ancillary structures for the construction of an approximately 528,710 SF (gross) building, with a 520,524 SF ground floor and 8,456 SF mezzanine. The proposed building would be 47.5 feet tall, with architectural features extending up to 53.5 feet tall. The building would feature forklift ramps and roll-up dock doors on the northern and western sides, respectively.

Parking

¹ Pursuant to Article XIII of the Charter of the City of Irwindale, *Mitigation on Negative Environmental Impacts of Mining Operations*, and in recognition of the adverse effects of such large-scale operations on City residents, the City has established a program of appropriating funds for medical benefits available to residents that include a Resident Prescription and Vision Care Program.

**13131 Los Angeles Street Industrial Project
Final Environmental Impact Report**

The proposed site would include 261 standard vehicle parking spaces, 149 trailer stalls, and 13 bicycle parking stalls. A total of four entryways would be provided for access to the site: two driveways on Los Angeles Street, and two gated driveways along Rivergrade Road (Figure 2.0-3. Site Plan). The project would feature 12' wide x 15' high level vertical lift truck doors (2 north, 2 west), 9' wide x 10' high vertical lift truck doors (14 north, 33 west), and 3' wide x 7' high metal man doors (3 north, 9 west, 2 east, 12 south).

Landscaping

The Project would feature 109,330 SF of landscaping including London plane, chitalpa, and date palms trees along Los Angeles Street. Landscaping around the perimeter of the site would include trees, shrubs, accent plants, and groundcover. All landscape shall be bound by a 6" high concrete curb. The landscaping plan shall be submitted to the planning department for approval prior to the issuance of building permits and shall be implemented prior to occupancy.

Land Uses

The site is located in an area zoned M-2 Heavy Manufacturing by the City of Irwindale General Plan (2008) and would develop an industrial warehouse project that is compatible with surrounding uses. According to the General Plan, this type of development is usually characterized by "intensive industrial operations that may also include outdoor storage of materials and equipment as an ancillary use" (City of Irwindale 2008). Compatibility with surrounding land uses and conformity with the City Commercial and Industrial Design Guidelines would be established through the City's project review and Site Development Permit. While the proposed warehouse use is consistent with the proposed Project site's current M-2 Heavy Manufacturing zoning designation, no specific tenant(s) have been identified to occupy the proposed building.

Circulation

The existing circulation system is comprised of key roadways that traverse defined traffic study intersections that serve the Project site. Principal among these are Los Angeles Street/Lower Azusa Road, Rivergrade Road, and Little John Street that directly serve the Project site. Regional access to the site is derived principally from Los Angeles Street via the nearby San Gabriel River Freeway (I-605). A site-specific traffic study has been prepared according to City of Irwindale and Caltrans reporting requirements for inclusion in this EIR for the proposed Project (Appendix J). The study quantifies the volume of vehicular traffic anticipated to travel to and from the Project site. The traffic study also models the effects of Project-related traffic on the local and regional circulation system and identifies mitigation measures to reduce significant effects.

Infrastructure and Public Utilities

The Project site previously supported an active pre-cast concrete manufacturing facility that utilized existing utility connections at the site. The proposed Project would include new connections to existing gas, water, and sewer lines off Los Angeles Street. Additionally, it would involve the addition of fire hydrants, storm drains, drainage basins.

SECTION 3. COMMENTS AND RESPONSES

This section contains copies of the 13131 Los Angeles Street Industrial Project comment letters received during the 45-day local public review period, which began on April 3, 2020 and ended on May 18, 2020. In conformance with Section 15088(a) of the State CEQA Guidelines, the City of Irwindale has considered comments on environmental issues from reviewers of the Draft EIR and has prepared written responses. Six letters were received, commenting on the Draft EIR. The comments received do not raise substantial environmental issues as to the adequacy of the Draft EIR. A public meeting to consider approval of the Proposed Project and Draft EIR has been scheduled for August 19 2020 at Irwindale City Hall. The meeting may be a combination of in-person and virtual depending on the state of the current COVID-19 pandemic.

The letters received and the responses to the comments contained in the letters are provided in this section.

3.1 List of Comment Letters

A list of public agencies, organizations, and individuals that provided comments on the Draft EIR is presented below. The letters and the responses to the comments follow this page.

Letter Number	Sender	Date Received
1	South Coast Air Quality Management District	5/14/2020
2	California Department of Transportation	5/18/2020
3	California Air Resources Board	5/18/2020
4	Los Angeles County Sanitation Districts	5/18/2020
5	Blum Collins, LLP (for Golden State Environmental Justice Alliance)	5/18/2020
6	California State Office of Planning and Research	5/18/2020



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

May 14, 2020

msimpson@irwindaleca.gov

Marilyn Simpson, AICP, Manager/City Planner
City of Irwindale, Planning Division
5050 Irwindale Avenue
Irwindale, CA 91706

Draft Environmental Impact Report (Draft EIR) for the Proposed 13131 Los Angeles Street Industrial Project (SCH No.: 2019080276)

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 EIR.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish 32,501 square feet of existing buildings and construct a 528,710-square-foot warehouse on 24.88 acres (Proposed Project). The Proposed Project is located at 13131 Los Angeles Street on the northwest corner of Los Angeles Street and Little John Street within the City of Irwindale. Construction of the Proposed Project is anticipated to begin in 2020 and be completed by 2021¹. Once operational in 2021², the Proposed Project will generate 577 truck trips per day³. Sensitive receptors are located 670 feet east of the Proposed Project⁴.

1-1

Due to the historical cement manufacturing operations at the Proposed Project site, the Lead Agency performed a Phase I Environmental Site Assessment (ESA). Based on the ESA, the Lead Agency found no evidence of recognized environmental conditions associated with Proposed Project site⁵.

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

In the Draft EIR, the Lead Agency quantified the Proposed Project's construction 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 construction air quality impacts would be less than significant and did not include construction air quality mitigation measures⁶.

1-2

The Lead Agency quantified the Proposed Project's regional and localized operational emissions. Based on this analysis, the Lead Agency found that the Proposed Project unmitigated regional operational air quality impacts would be significant for nitrogen oxide (NOx) emissions at 262 pounds per day (lbs/day)⁷, which is above South Coast AQMD's regional air quality CEQA significance threshold for operation at 55 lbs/day. The Lead Agency is committed to implementing operational Mitigation Measure (MM) AQ-1, which includes, but is not limited to, equipping loading and unloading docks with electrical hookups for trucks with transport refrigeration units to plug in, establishing a buffer zone of at least 300 meters

¹ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 20.

² *Ibid.*

³ *Ibid.* Page 18.

⁴ *Ibid.* Page 10.

⁵ Draft EIR. Appendix E: *Phase I Environmental Site Assessment*. Phase I Environmental Site Assessment Report. Section 10 "Conclusions". Page 30.

⁶ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 20 through 22.

⁷ *Ibid.*

between loading and unloading areas and sensitive receptors, and providing appropriate electrical infrastructure for five percent of vehicle parking spaces to include electric vehicle (EV) charging stations with the ability to accommodate electric charging for trucks to plug in as technology advances⁸. With implementation of MM AQ-1, the Proposed Project’s operational air quality impacts from maximum regional NOx emissions would be significant and unavoidable at 262 lbs/day⁹. The Lead Agency found the Proposed Project’s localized operational air quality impacts would be less than significant¹⁰.

1-2
cont.

The Lead Agency also conducted an operational health risk assessment (HRA) and found that at the maximum impacted receptor the Proposed Project’s operational cancer risk would be 3.24 in one million¹¹, which would not exceed South Coast AQMD’s CEQA significance threshold of 10 in one million for cancer risk.

Summary of South Coast AQMD Staff’s Comments

Based on a review of the Draft EIR and supporting technical documents, South Coast AQMD staff has comments on the technical air quality analysis and health risk assessment. Since operation of the Proposed Project will result in significant NOx emissions, South Coast AQMD recommends that the Lead Agency include additional mitigation measures in the Final EIR. Please see the attachment for more information. The attachment also includes information regarding compliance with South Coast AQMD rules if soil contamination is encountered.

1-3

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the findings that the recommended new mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

1-4

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 Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov if you have questions or wish to discuss the comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment
LS:AM
LAC200423-10
Control Number

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.* Page 31.

¹¹ *Ibid.* Pages 35 through 37.

ATTACHMENT

1. Air Quality Analysis – Cold Storage Warehouse

The Proposed Project includes operation of a 528,710-square-foot warehouse. Although building tenant(s) are currently unknown at the time the Draft EIR was prepared¹², the Lead Agency has committed to Mitigation Measure AQ-1, which requires that “the majority of all loading/unloading docks and trailer spaces shall be equipped with electrical hookups for trucks with transport refrigeration units (TRUs) or auxiliary power units” to connect to while visiting the Proposed Project¹³. Since TRUs are commonly in-use at cold storage warehouses, equipping the Proposed Project with electrical hookups provides the necessary infrastructure that enables and facilitates the Proposed Project be used as a cold storage facility. However, based on a review of the CalEEMod output files in Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*, South Coast AQMD staff found that the “General Light Industrial” land use was used to quantify the Proposed Project’s operational emissions¹⁴. If the use of trucks with TRUs during operation is reasonably foreseeable at the time the environmental analysis was prepared for the Proposed Project, and to conservatively analyze the worst-case impact scenario, the Lead Agency should re-calculate the Proposed Project operational emissions with the assumption that trucks with TRUs will visit the Proposed Project in the Final EIR. Alternatively, if emissions from trucks using TRUs are not calculated and included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record.

1-5

2. Mobile Source Health Risk Assessment (HRA)

The Proposed Project includes operation a warehouse, which is expected to generate 577 truck trips per day during operation¹⁵. Surrounding sensitive receptors to the Proposed Project would be exposed to diesel particulate matter (DPM) from the transportation and idling of trucks visiting the Proposed Project. DPM is a toxic air contaminant (TAC) and a carcinogen. Therefore, the Lead Agency performed a quantitative mobile source HRA to determine if the Proposed Project would result in a significant incremental increase in potential cancer risks to surrounding sensitive receptors (i.e., residential units within 670 feet of the Proposed Project)¹⁶. The Lead Agency found that the Proposed Project would result in a cancer risk of 3.24 in one million at the maximum impacted receptor¹⁷, which would not exceed South Coast AQMD’s CEQA significance threshold of 10 in one million for cancer risk¹⁸. South Coast AQMD staff has comments as follows.

1-6

a) *Transportation Refrigeration Units*

Based on a review of the Health Risk Assessment and Health Risk Calculations, the Lead Agency did not calculate the Proposed Project’s cancer risk based on an operational scenario where trucks with TRUs would visit the Proposed Project site. If the use of trucks with TRUs during operation is reasonably foreseeable (see also Comment No. 1), South Coast AQMD staff recommends the Lead Agency analyze the worst-case health risk scenario and re-calculate the Proposed Project’s cancer risk from trucks with TRUs in the Final EIR. Alternatively, if cancer risk from trucks

¹² Draft EIR. Executive Summary. Page ES-2.

¹³ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Pages 25 through 26.

¹⁴ *Ibid.* Attachment A - CalEEMod Output File for Air Quality Emissions. Summer Run. PDF Page 62.

¹⁵ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 18.

¹⁶ *Ibid.* Page 10.

¹⁷ *Ibid.* Pages 35 through 37.

¹⁸ 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.

using TRUs is not calculated and included in the Final EIR, the Lead Agency should provide reasons for not including it supported by substantial evidence in the record.

b) *Daily Breathing Rates*

The Lead Agency used the mean daily breathing rates for each respective age bin between the third trimester to 30 years¹⁹. South Coast AQMD staff recommends that when there are different daily breathing rates for the same age bin, the most conservative daily breathing rates, such as the 95th percentile daily breathing rates, should be used to calculate cancer risk to nearby residential uses. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the HRA to re-calculate cancer risk based on the 95th percentile daily breathing rates in the Final EIR.

1-6
cont.

3. Additional Recommended Operational Air Quality Mitigation Measures

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. Since the Proposed Project's NOx emissions will remain significant and unavoidable at 262 lbs/day after mitigation²⁰, and to further reduce the Proposed Project's air quality impacts from NOx, South Coast AQMD staff recommends that the Lead Agency incorporate the following additional operational mitigation measures in the Final EIR.

- a) Require the use of zero-emissions (ZE) or near-zero emissions (NZE) on-road vehicles during operation, such as trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks and equipment. To monitor and ensure ZE, NZE, or 2010 model year or newer 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. 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.

1-7

Near-zero emissions heavy-duty truck engines are commercially available. Examples of commercially available NZE heavy-duty truck engines that meet California Air Resources Board's optional low NOx standards include, but are not limited to, Cummins Westport 8.9- and 6.7-liter natural gas engines and Roush Cleantech 6.8- liter compressed natural gas and liquefied petroleum gas engines²¹. Therefore, NZE heavy-duty trucks should be required for use during operation.

On March 3, 2017, South Coast AQMD's Governing Board adopted the 2016 AQMP²², which was later approved by the California Air Resources Board (CARB) on March 23, 2017. Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in

¹⁹ Draft EIR. Appendix C: *Health Risk Assessment*. "DPM Health Risk at Highest Pollutant Concentration Residence East Neighborhood" PDF Page 24.

²⁰ Draft EIR. Appendix B: *Air Quality and Greenhouse Gas (GHG) Assessment*. Page 23 through 26.

²¹ CARB. "Optional Reduced NOx Emissions Standards for On-Road Heavy-duty Engines". Accessed at: <https://ww3.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm>

²² South Coast AQMD. March 3, 2017. *2016 Air Quality Management Plan*. Accessed at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

NOx emissions in 2023 and an additional 55 percent NOx reduction beyond 2031 levels for ozone attainment.

Operation of the Proposed Project contributes to Basin-wide NOx emissions. Requiring the use of ZE heavy-duty trucks supports South Coast AQMD's efforts to attain state and federal air quality standards as outlined in the 2016 AQMP, specifically for NOx emissions reductions. Requiring the use of ZE heavy-duty trucks also fulfills the Lead Agency's legal obligation to mitigate the Proposed Project's significant operational air quality impacts and complies with CEQA's requirements for mitigation measures.

Technology is transforming the environmental sector and land use planning at a rapid pace. Cleaner trucks such as ZE or NZE trucks are increasingly more feasible and commercially available as technology advances. If using ZE or NZE trucks as a mitigation measure to reduce the Proposed Project's operational air quality impacts is not feasible today, cleaner trucks could become feasible in a reasonable period of time when the Proposed Project is operational (CEQA Guidelines Section 15364). Therefore, during the Proposed Project's operational lifetime, the Lead Agency should develop a process with performance standards to deploy the lowest emission technologies and incentivize the use of ZE or NZE heavy-duty trucks throughout the life of the Proposed Project (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop the performance standards as follows or any other comparable standards in the Final EIR.

- Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use each year to ensure adequate progress. Include this requirement in the Proposed Project's Business or Management Plan.
 - Establish a contractor(s)/truck operator(s) selection policy that prefers contractor(s)/truck operator(s) who can supply ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the Request for Proposal for selecting contractor(s)/truck operator(s).
 - Develop a target-focused and performance-based process and timeline to implement the use of ZE or NZE heavy-duty trucks during operation.
 - Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation.
- b) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final EIR (e.g., 577 daily truck trips). If it is reasonably foreseeable before the EIR is certified that the Proposed Project would generate more than 577 daily truck trips, the Lead Agency should take into account additional daily truck trips and re-evaluate the Proposed Project's air quality impacts and HRA (CEQA Guidelines Section 15088.5). If information becomes available, after the Proposed Project is approved, suggesting that the Proposed Project will generate more than 577 daily truck trips, the Lead Agency is required to determine if a Subsequent EIR is required under CEQA Guidelines Section 15162.

4. **Compliance with South Coast AQMD Rules**

Since the Proposed Project site was used as a cement and ready-mix concrete manufacturing facility from 1967-2017²³, the Lead Agency conducted a Phase I Environmental Site Assessment (ESA) in 2018. Based on this assessment, the Lead Agency found no evidence of recognized environmental conditions

²³ Draft EIR. Executive Summary. Page ES-2.

associated with Proposed Project site and recommended no further site investigation at the time²⁴. The Phase I ESA also found that a former welding shop and large concrete mixing equipment from the previous industrial operations were still present at the site²⁵.

Due to the historical site usage, it is recommended that the Lead Agency consult with South Coast AQMD Engineering and Permitting staff in advance to determine whether or not any permits, plans, or compliance actions will need to be filed and approved by South Coast AQMD prior to the start of any building demolition, industrial equipment demolition and/or removal, or soil disturbing activities during construction of the Proposed Project. In the event that hexavalent chromium is detected at the Proposed Project site, the Proposed Project will need to comply with the requirements of South Coast AQMD Rule 1156 – Further Reductions of Particulate Emissions²⁶ and Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants²⁷. It is recommended that the Lead Agency consult with South Coast AQMD Engineering and Permitting staff to determine if compliance with any South Coast AQMD rules will be required for the Proposed Project and discuss the applicable rules in the Air Quality Section of the Final EIR. Any assumptions used in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits for the Proposed Project. Should there be any questions on permits, please contact 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>.

1-8
cont.

²⁴ Draft EIR. Appendix E: *Phase I Environmental Site Assessment*. Phase I Environmental Site Assessment Report. Section 10 “Conclusions”. Page 30.

²⁵ *Ibid.* Section 3.4 “Descriptions of Structures, Roads, Other Improvements”. Page 5.

²⁶ South Coast AQMD. Rule 1156 – Further Reductions of Particulate Emissions. Last amended November 6, 2015. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1156.pdf>.

²⁷ South Coast AQMD. Rule 1466 - Control of Particulate Emissions from Soils with Toxic Air Contaminants. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.

Letter 1 Response to Comments

- 1-1. This summary accurately describes the Proposed Project and finding of the Phase 1 Environmental Site Assessment.
- 1-2. SCAQMD accurately summarizes the Project Air Quality Analysis and results of the operational health risk assessment (HRA).
- 1-3. SCAQMD's summary comments are noted.
- 1-4. In compliance with PRC Section 21092.5(a), the City has provided herein written responses to SCAQMD on comments made by that agency. SCAQMD references CEQA Guidelines Section 15088.5(b) as applicable to this EIR. Section 15088.5(b) states: "*Recirculation is not required where new information added to the EIR merely clarifies or amplifies or makes insignificant modification in an adequate EIR.*" SCAQMD's other comments regarding need for good faith, reasoned analysis in response, conclusory statements, and findings regarding feasibility of recommended mitigation measures are noted.

Attachment to Letter 1

- 1-5. The Project does not propose refrigeration uses. Instead, the Project proposes the demolition of the existing onsite buildings and structures and the construction of a stand-alone concrete tilt-up building. As stated on page 2-1 of the Draft EIR, the land is zoned M-2 (Heavy Manufacturing), designated "Industrial/Business Park" by the City's General Plan, and subject to the Irwindale Commercial & Industrial Design Guidelines. The proposed stand-alone concrete tilt-up building would span ±528,710 square feet. The building would feature forklift ramps and roll-up dock doors on the northern and western sides, respectively. The Project Proponent is pursuing the Project on a speculative basis with a specific tenant or tenants unknown. Project emissions were modeled based on the estimated number of daily trips and associated fleet mix provided by KOA Corporation (KOA) and the recommendations provided in the Notice of Preparation (NOP) comment letters received from both the SCAQMD and California Air Resources Board (CARB). Emissions were modeled using the "General Light Industrial" land use in the CalEEMod emissions software consistent with the Traffic Impact Assessment, which employed the "General Light Industrial" land use as required by the City to represent the potential worst-case traffic generation use for the site.

Nonetheless, CEQA does not require analysis of a worst-case scenario, but rather requires a sufficient degree of analysis to provide decision makers with information that enables them to make a decision which intelligently takes account of environmental consequences of the project. (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036, 1068.) The analysis in the Draft EIR accomplishes this mandate by providing decision makers with information about the proposed Project's potential air quality and greenhouse gas (GHG) emissions resulting from construction and operation. As a specific tenant or tenants for the proposed building are unknown and a range of uses are allowable at the site under the M-2 zoning, it would be speculative to assume that the Project would be occupied by tenants requiring the use of refrigerated trucks. Further speculation would be needed during Project emissions calculation as to the specific amount of daily transport refrigeration units (TRUs) to assume. Moreover, the SCAQMD NOP comment letter, which provides no guidance surrounding the amount of TRUs to assume for a stand-

alone concrete tilt-up building during emissions calculations, does recommend estimating the Project fleet mix based on 0.64 average daily heavy-duty truck trips per 1,000 square feet of proposed building space. Employing this SCAQMD-recommended metric results in an estimate of 338 heavy-duty truck trips daily ($0.64 \times 528,710 = 338$). However, the analysis contained in the Draft EIR is based on an estimate of 557 heavy-duty truck trips daily, and thus is more conservative than recommended by the SCAQMD, by 239 daily heavy-duty trucks.

Nevertheless, mitigation measure AQ-1 (see page 3.1-35) requires the infrastructure for electrical hook-ups at the majority of all loading/unloading docks and trailer spaces in the event TRUs access the site. Thus, if a truck with TRU enter the site, it would be plugged in, thereby avoiding diesel idling emissions. Further, as a specific tenant or tenants for the proposed stand-alone concrete tilt-up building is unknown, and thus the specific potential energy consumption of the proposed building is not known, mitigation measure GHG-1 (see page 3.4-9 of the Draft EIR) requires the Project to install the maximum possible number of solar energy arrays on the roof of the 528,710-square foot building and/or on the Project site in order to generate solar energy for the facility. Thus, in the event refrigeration is employed by a future tenant, the energy required would be supplied by renewable solar energy.

- 1-6.** This comment regarding the mobile source health risk assessment repeats the prior comment concerning TRUs. As discussed in Response 1-5, mitigation measure AQ-1 (see page 3.1-35) requires the infrastructure for electrical hook-ups at the majority of all loading/unloading docks and trailer spaces in the event TRUs access the site. Thus, if a truck with TRU enter the site, it would be plugged in, thereby avoiding diesel idling emissions.

As stated on page 3.1-15 of the Draft EIR, chronic and carcinogenic health risk was calculated using the standardized equations contained in the California Office of Environmental Health Hazard Assessment's (OEHHA) *Guidance Manual for Preparation of Health Risk Assessments* (2015). The analysis used the mean daily breathing rates for each respective age bin between the third trimester to 30 years. According to OEHHA, the mean daily breathing rates represent the average values for point estimates while the 95th percentiles represent the high-end point estimates from the population at large

and note that either may be used for worker, school, or residential exposures. Further, an update of the analysis to factor the 95th percentile breathing rate would not substantially affect the cancer risk estimates in the Draft EIR and would not affect the determination of less than significant. As shown on page 3.1-31 of the Draft EIR, the estimated increase in maximum cancer rate accounting for mean breathing rates is 3.24 in one million over 70 consecutive years of pollutant exposure. The estimated increase in maximum cancer rate accounting for breathing rates of the 95th percentile is 5.30 in one million over 70 consecutive years of pollutant exposure.

- 1-7.** This comment recommends two additional mitigation measures. The first is the suggestion to require the use of zero-emissions (ZE), near-zero emissions (NZE) on-road vehicles, or at a minimum, 2010 model year or newer engines that meet CARB's 2010 engine emission standards during operation. The second is to limit the amount of heavy-duty trucks allowed to access the site daily. The first mitigation measure is not feasible because the Project applicant has no means of controlling the privately-owned vehicles used by the independent trucking companies that will eventually operate

to/from the facility. In addition, it should be noted that California Code of Regulations (CCR) Title 13 Section 2025 Resolution 08-43 requires that by the year 2023 all trucks registered in California will be required to meet the 2010 or newer emission standards.

The second mitigation measure, requiring daily monitoring of truck numbers and preclusion of trucks from entering the site is also infeasible to impose. For example, it is unclear how a requirement to limit the daily number of trucks allowed at the facility would be enforced. There are also several potential adverse environmental impacts from implementing such a measure, including heavy-duty trucks parking along off-site roadways in the vicinity, resulting in congestion, parking conflicts with area residents, traffic safety impacts, and increased truck movements and idling in residential neighborhoods arising from trucks queuing in the streets or waiting in adjacent neighborhoods for a new day of truck "counts" to begin. It should be noted that mitigation measure AQ-1 (see page 3.1-35) requires 11 individual measures intended to reduce air pollutant emissions and protect sensitive receptors, including the requirement of at least five percent of all vehicle parking spaces shall include EV charging stations.

Concerning the estimated number of daily truck trips, as stated in Response 1-5, the SCAQMD NOP comment letter recommends estimating the Project fleet mix based on 0.64 average daily heavy-duty truck trips per 1,000 square feet of proposed building space. Employing this SCAQMD-recommended metric results in an estimate of 338 heavy-duty truck trips daily ($0.64 \times 528.710 = 338$). However, the analysis contained in the Draft EIR is based on an estimate of 557 heavy-duty truck trips daily, a more conservative estimate by 239 daily heavy-duty trucks than that derived by the SCAQMD-recommended factor.

- 1-8.** The comments regarding compliance with AQMD rules are noted. As noted on page 3.1-11 of the Draft EIR, the Project is subject to SCAQMD rules and regulations in effect at the time of construction. Engineering and Permitting staff will be consulted in advance to determine whether or not any permits, plans, or compliance actions will need to be filed and approved by South Coast AQMD prior to the start of any remaining building demolition, industrial equipment demolition and/or removal, or soil disturbing activities during construction of the Proposed Project.

DEPARTMENT OF TRANSPORTATION

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*Making Conservation
 a California Way of Life.*

May 18, 2020

Marilyn Simpson
 City of Irwindale, Community Development Department
 16102 Arrow Highway, Second Floor
 Irwindale, CA 91706

RE: 13131 Los Angeles Industrial
 Street Project – Draft
 Environmental Impact Report
 (DEIR)
 SCH # 2019080276
 GTS # 07-LA-2018-03225
 LA-605/PM: 22.411

Dear Marilyn Simpson:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-mentioned project's Draft Environmental Impact Report (DEIR). The Proposed Project involves the demolition of the existing on-site buildings and structures for the construction of a 528,710 square feet stand-alone concrete tilt-up warehouse building. The proposed building would be 47.5 feet tall, with architectural features extending up to 53.5 feet tall. The building would feature forklift ramps and roll-up dock doors on the northern and western sides, respectively. The Proposed Project will include 80 trailer parking spaces on the southeast corner of the site, 70 trailer parking spaces along the western end of the site, and 261 standard vehicle parking spaces around the perimeter of the building. Landscaping and a fire lane will be installed around the perimeter of the building. The Project Proponent is pursuing the Project on a speculative basis, meaning that the proposed building's future tenants are not yet identified.

After reviewing the DEIR, Caltrans agrees with the mitigation measures proposed on the I-605 Southbound Ramps/Los Angeles Street and I-605 Northbound Ramps/Los Angeles Street. Caltrans looks forward to working with the developer and Lead Agency in the future to ensure this mitigation is fulfilled.

2-1

As a reminder, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

2-2

Marilyn Simpson
May 18, 2020
Page 2 of 2

We look forward to reviewing this project's Final EIR and will provide additional comments at that time, if warranted. If you have any questions, please contact Reece Allen, the project coordinator, at reece.allen@dot.ca.gov, and refer to GTS # 07-LA-2018-03225.

Sincerely,

A handwritten signature in cursive script that reads "Miya Edmonson".

MIYA EDMONSON
IGR/CEQA Branch Chief
cc: Scott Morgan, State Clearinghouse

Letter 2 Response to Comments

- 2-1.** This comment states that Caltrans supports the mitigation measures provided in the Draft EIR and will work with the developer to ensure that the mitigation measure is fulfilled. The comment does not question the accuracy or adequacy of the Draft EIR. The comment will be provided to City decision makers for their review and consideration.
- 2-2.** This comment recommends limiting large size truck trips to off-peak commute hours. This comment does not state any specific concern regarding the environmental analysis or question regarding the adequacy of the Draft EIR. The comment will be provided to City decision makers for their review and consideration.

May 18, 2020

Marilyn Simpson, AICP
Community Development Manager/City Planner
City of Irwindale, Planning Division
5050 Irwindale Avenue
Irwindale, California 91706
Submitted via email: msimpson@irwindaleca.gov

Dear Marilyn Simpson:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the 13131 Los Angeles Street Industrial Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019080276. The Project includes the demolition of on-site buildings and the development of a single industrial building totaling 528,710 square feet. Once in operation, the Project would introduce 3,210 daily vehicle trips, including 557 daily heavy-duty truck trips, along local roadways. The Project is located within the City of Irwindale (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

CARB submitted comments on the Notice of Preparation (NOP) for the DEIR released in August 2019, which is included as Attachment A of this letter. Those comments highlighted the need for a health risk assessment (HRA) to be prepared for the Project and encouraged the City and applicant to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxides (NO_x) emissions for all neighboring communities, as well as minimize the greenhouse gases that contribute to climate change. Furthermore, CARB's comments emphasized the potential cumulative health impacts should the City allow the construction of the proposed industrial building near communities which score within the top 5 percent of California census tracts on the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen).¹

3-1

CARB has reviewed the DEIR and is concerned about the air quality and health risk impacts that would result should the City approve the Project to build the proposed industrial building. The air quality analysis and HRA prepared for the Project did not account for all diesel PM emission sources and heavy-duty truck trips during on-site grading, and used outdated mobile emission factors. Although the DEIR did include some of CARB's air pollutant emission reductions measures for warehouse facilities, CARB urges the City and applicant to do more to reduce the Project's significant and unavoidable impact on air quality.

3-2

¹ "CalEnviroScreen 3.0." California Office of Environmental Health Hazard Assessment, June 2018, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>.

I. It is Unclear Whether the Proposed Industrial Building Would Include Cold Storage Space

Chapter 2 (Project Description) of the DEIR does not explicitly state that the proposed 528,710 square-foot industrial building would include cold storage space. Warehouses and distribution centers containing cold storage require trucks with transport refrigeration units (TRU) to transport frozen goods to and from the facility.² Based on CARB's research, TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within a facility. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating would be exposed to diesel exhaust emissions that would result in significant cancer risk.

Although the Project's final use is not clearly defined, Chapter 3.1 (Air Quality) of the DEIR seems to suggest that the Project could include cold storage space by including Mitigation Measure AQ-1. This mitigation measure would require the installation of electrical hookups at loading/unloading docks for trucks with TRUs, which implies that trucks with TRUs could be transporting frozen goods to the Project site. CARB is concerned that the air quality impact analysis and HRA prepared for the Project (see Appendix B and Appendix C of the DEIR) did not account for air pollutant emissions and cancer risks from on-site TRUs. According to the Project's HRA, the operation of the Project would expose the nearest residents to cancer risks up to 3.24 in a million. Since diesel PM emissions from TRUs were not considered in the HRA, there is a concern that the health risks presented in the HRA are underestimated.³

CARB urges the applicant and City to revise the DEIR to clearly define the Project's description, so the public can fully understand the potential environmental effects of the Project on their communities.⁴ If the Project will not be used for cold storage, CARB urges the City to include one of the following design measures in the Final Environmental Impact Report (FEIR):

² TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

³ In fact, the California Supreme Court recently addressed this issue in its landmark ruling in *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 (Friant Ranch). In *Friant Ranch*, the Court held that an Environmental Impact Report (EIR) is inadequate if it does not make "a reasonable effort to discuss relevant specifics regarding the connection between two segments of information already contained in the EIR, the general health effects associated with a particular pollutant and the estimated amount of that pollutant the project will likely produce." (*Id.*, at p. 521.) The current version of the IS/MND fails to do this and, as a result, is currently inadequate as a matter of law.

⁴ Project descriptions "must include (a) the precise location and boundaries of the proposed project, (b) a statement of the objectives sought by the proposed project, (c) a general description of the project's technical, economic and environmental characteristics, and (d) a statement briefly describing the intended use of the EIR." (*stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 16.) "This description of the project is an indispensable element of both a valid draft EIR and final EIR." (*Ibid.*) Without explicit acknowledgment in the project description that the proposed project will not include cold storage facilities, the current project description fails to meet the bare minimum of describing the project's technical and environmental characteristics.

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property, unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

If the City does allow TRUs within the Project site, CARB urges the City to model air pollutant emissions from on-site TRUs in the FEIR, as well as include potential cancer risks from on-site TRUs in the Project's HRA. The revised HRA should account for all potential health risks from Project-related diesel PM emission sources such as backup generators, TRUs, heavy-duty truck traffic, and include all the air pollutant reduction measures listed in Mitigation Measure AQ-1 and Section IV of this letter.

II. The DEIR Did Not Model Mobile Air Pollutant Emissions Using CARB's 2017 Emission Factor Model (EMFAC2017)

The Project's air pollutant emissions were modeled using mobile emission factors obtained from CARB's 2014 Emission Factors model (EMFAC2014). Project-related air pollutant emissions from mobile sources should be modeled using CARB's latest EMFAC2017.⁵ One of the many updates made to EMFAC included an update to the model's heavy-duty emission rates and idling emission factors, which results in higher particulate matter (PM) emissions as compared to EMFAC2014. Since EMFAC2017 generally shows higher emissions of particulate matter from trucks than EMFAC2014, the Project's mobile source nitrogen oxides (NO_x) and diesel PM emissions are likely further underestimated. CARB urges the applicant and City to model and report the Project's air pollution emissions from mobile sources using emission factors found in CARB's latest EMFAC2017.

III. The DEIR Did Not Account for Air Pollutant Emissions from Heavy-Duty Trucks During On-site Grading

The DEIR did not account for mobile air pollutant emissions from grading operations during the Project's construction phase. Based on CARB's review of the CalEEMod outputs found in Appendix B (Air Quality and Greenhouse Gas Assessment) of the DEIR, the City and Applicant assumed that no heavy-duty truck trips would be required to import or export soil during the on-site grading. Furthermore, the DEIR does not explicitly state the quantity of soil needed to grade the Project site that would support this assumption. If the Project site cannot be graded using existing on-site soil, the soil will need to be imported into the Project site. If that is the case, a large number of heavy-duty truck trips may be required to transport soil.

⁵ The United States Environmental Protection Agency (U.S. EPA) approved the use of EMFAC2017 for SIP and conformity purposes effective August 15, 2019.

3-3
cont.

3-4

3-5

CARB urges the City and applicant to remodel the Project's construction air pollutant emissions using accurate heavy-duty truck trip estimates. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near construction haul routes could be exposed to diesel exhaust emissions that were not evaluated in the DEIR. The DEIR should clearly state the total number of heavy-duty truck trips expected during Project construction so the public can fully understand the potential environmental effects of the Project on their communities.

3-5
cont.

IV. Recommend Mitigation Measures

Chapter 3.1 (Air Quality) of the DEIR includes a series of emission reduction measures, identified as Mitigation Measure AQ-1, to reduce the Project operational air pollutant emissions. These measures include EV charging stations, electrical hookups for trucks with TRUs at loading/unloading docks, truck idling time restrictions, electric on-site equipment, and locating dock doors and trucking loading spaces away from residences. Although these measures would reduce the Project's operational air pollutant emissions, it was concluded in the DEIR that the Project would result in a significant and unavoidable impact on air quality. Even where impacts will remain significant and unavoidable after mitigation, CEQA requires that all feasible mitigation measures be incorporated (see California Public Resources Code § 21081; 14 CCR § 15126.2(b)). To meet this requirement, CARB urges the City and applicant to add the emission reduction measures listed below to Mitigation Measure AQ-1 in the FEIR.

3-6

- If the Project will include cold storage, include contractual language in tenant lease agreements that requires all TRUs entering the project site be plug-in capable.
- Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero emission beginning in 2030.
- Include contractual language in tenant lease agreements that limits on-site TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted, and the health impacts fully mitigated.

- Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,⁶ Periodic Smoke Inspection Program (PSIP),⁷ and the Statewide Truck and Bus Regulation.⁸
- Include rooftop solar panels for the proposed industrial building to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

3-6
cont.

V. Conclusion

CARB is concerned about the potential public health impacts should the City approve the Project. As discussed above, the DEIR may not have accounted for diesel PM emissions from trucks with TRUs when evaluating the Project's impact on air quality and public health. If the Project will include cold storage space, CARB recommends that the City and applicant revise the Project's air quality analysis and HRA, assuming a conservative percentage of the trucks visiting the Project site are equipped with TRUs and report the findings in the FEIR. Furthermore, the air quality analysis presented in the FEIR should be based on the latest EMFAC2017, account for heavy-duty truck trips during on-site grading, and include all feasible mitigation measures to reduce the Project's significant and unavoidable impact on air quality.

3-7

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the DEIR for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as

⁶ In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://www.arb.ca.gov/cc/hdghg/hdghg.htm>.

⁷ The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>.

⁸ The regulation requires that 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. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

Marilyn Simpson, AICP
May 18, 2020
Page 6

needed. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at (916) 440-8242 or via email at stanley.armstrong@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Richard Boyd". The signature is written in a cursive style with a long horizontal stroke at the end.

Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment

cc: See next page.

Marilyn Simpson, AICP

May 18, 2020

Page 7

cc: State Clearinghouse
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Attachment A

September 12, 2019

Marilyn Simpson
Community Development Manager
Community Development Department
City of Irwindale
16102 Arrow Highway, Second Floor
Irwindale, California 91706

Dear Marilyn Simpson:

Thank you for providing California Air Resources Board (CARB) staff the opportunity to comment on the Notice of Preparation (NOP) for the 13131 Los Angeles Industrial Street Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019080276. The Project consists of the construction and operation of a standalone concrete tilt-up warehouse building totaling approximately 528,710 square feet within in the City of Irwindale (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

CARB staff is concerned about the air pollution and health risk impacts that would result should the City approve the Project to build the proposed warehouse building. Freight facilities, such as warehouse and distribution facilities, can result in high daily volumes of heavy-duty diesel truck traffic and operation of onsite equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.

Existing residences are located east and southeast of the Project site, with the closest residences situated approximately 700 feet from the Project's eastern boundary. In addition to residences, three schools (Walnut Elementary School, Burch Elementary School, and Olive Middle School) are located within one mile of the Project. The communities near the Project are surrounded by existing toxic diesel emission sources, which include existing warehouses and other industrial uses and vehicular traffic along Interstate 605 (I-605). Due to the Project's proximity to residences and schools already disproportionately burdened by multiple sources of pollution, CARB staff is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities

with high exposure burdens, like those in which the Project is located. Diesel emissions generated during the construction and operation of the Project would negatively impact the community, which is already disproportionately impacted by air pollution from existing freight facilities.

Through its authority under Health and Safety Code, section 39711, the California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). Communities that score within the top 25 percent of the census tracts are exposed to higher concentrations of air pollutants and have a higher Pollution Burden.¹ CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. According to CalEnviroScreen, communities near the Project score within the top 5 percent of the census tracts. Therefore, CARB urges the City to ensure that the Project does not adversely impact neighboring disadvantaged communities.

The NOP does not state whether the industrial uses proposed under the Project would include cold storage warehouses. The operation of cold storage warehouses would include trucks with transport refrigeration units (TRU) that emit significantly higher levels of toxic diesel emissions, oxides of nitrogen (NO_x), and greenhouse gases than trucks without TRUs. Since it is unclear whether the Project would include cold storage warehouse space, any modeling done in support of the air quality analysis of the DEIR and associated health risk assessment (HRA) should assume that a conservative percentage of the truck and trailer fleet that would be serving the Project site are equipped with TRUs.

In addition to the health risk associated with operations, construction health risks should be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel emissions from the use of both on-road and off-road diesel equipment. The Office of Environmental Health Hazard Assessment's (OEHHA) guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project site during construction.

¹ Pollution Burden represents the potential exposures to pollutants and the adverse environmental conditions caused by pollution.

Marilyn Simpson
September 12, 2019
Page 3

The HRA prepared in support of the Project should be based on the latest OEHHA guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),² and the South Coast Air Quality Management District's CEQA Air Quality Handbook.³ The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and city planners will have a complete understanding of the potential health impacts that would result from the Project.

To reduce the exposure of toxic diesel emissions in disadvantaged communities already disproportionately impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel and NO_x emission exposure to all neighboring communities, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and applicant to implement the measures listed in Attachment A of this comment letter to reduce the Project's construction and operational air pollution emissions.

CARB staff appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at (916) 440-8242 or via email at stanley.armstrong@arb.ca.gov.

Sincerely,



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment

cc: See next page.

² Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/crnrr/2015guidancemanual.pdf>

³ SCAQMD's 1993 Handbook can be found at <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

Marilyn Simpson
September 12, 2019
Page 4

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Stanley Armstrong
Air Pollution Specialist
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Transportation and Toxics Division

ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

California Air Resources Board (CARB) staff recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommend by CARB staff, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating onsite. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, onsite vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits such that emission reductions achieved equal or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-NO_x standard starting in the year 2022.¹

¹ In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB staff encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model years 2010 and later. CARB's optional low-NO_x emission standard is available at <https://www.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm>.

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB staff is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating onsite.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration and cryogenic transport refrigeration are encouraged and can also be included lease agreements.²
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the Project site be zero-emission.
6. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.
7. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later today, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.

² CARB's Technology Assessment for Transport Refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf.

8. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,³ Periodic Smoke Inspection Program (PSIP),⁴ and the Statewide Truck and Bus Regulation.⁵
9. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while onsite.
10. Include contractual language in tenant lease agreements that limits onsite TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted and the health impacts fully mitigated.
11. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

³ In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at <https://www.arb.ca.gov/cc/hdghg/hdghg.htm>.

⁴ The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>.

⁵ The regulation requires newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

Letter 3 Response to Comments

- 3-1.** CARB's previous comments on the NOP are noted.

The DEIR includes a health risk assessment (HRA) and feasible emission-reduction measures (AQ-1) to minimize exposure to diesel particulate matter (DPM) and NOx. Effective measures to minimize GHG emissions are included (GHG-1). The cumulative effects of criteria pollutant emissions and potential cumulative health risks are addressed in the DEIR Section 3.1 Air Quality, and Appendices B and C.

As described in the Draft EIR, the proposed Project site is located in an area that has long been designated Industrial/Business Park by the City of Irwindale General Plan (2008) and zoned M-2 Heavy Manufacturing. The Project is an allowable use in the City's M-2 zone. But for the need to undergo the City's project design review process for Industrial and Commercial uses, the proposed Project would be considered a by-right use of the site. The most recent previous occupant of the site was a concrete manufacturing business which took advantage of nearby sand and gravel quarries for source material and convenient access to the San Gabriel Freeway (I-605) for heavy duty truck trips. The proposed warehouse building is consistent with the existing pattern of industrial land uses in the surrounding area.

- 3-2.** The comment states that the HRA should include analysis of construction-related impacts. The City has concluded that an HRA regarding construction emissions is not necessary. The nearest sensitive receptors to the Project site are residences located approximately 205 meters (670 feet) to the east at the nearest, as measured from the Project's eastern boundary line. There are a few sensitive receptors located within 1,000 feet of the Project site, the distance considered by the SCAQMD to be an acceptable buffer between sources of pollution and sensitive receptors. Furthermore, the majority of construction-generated emissions would occur at greater distances from the receptors as construction would not occur at a single location within the site. As shown in Table 3.1-8 of the Draft EIR, construction-related emissions would not result in a localized air quality impact. This was determined through an analysis of Project construction activities compared to the SCAQMD's Localized Significance Threshold (LST) protocol. The LST protocol was developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative. The SCAQMD Environmental Justice Enhancement Initiative program seeks to ensure that everyone has the right to equal protection from air pollution. The Environmental Justice Program is divided into three categories, with the LST protocol promulgated under Category I: *Further-Reduced Health Risk*. Thus, the fact that onsite Project construction emissions would be generated at rates below the LSTs demonstrates that the Project would not adversely impact vicinity sensitive receptors. Therefore, it was determined that an HRA for construction emissions was not required.

The air quality analysis contained in the Draft EIR is based, in part, on the latest version of the California Emissions Estimator Model (CalEEMod). CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The model was developed for the California Air Pollution

**13131 Los Angeles Street Industrial Project
Final Environmental Impact Report**

Officers Association (CAPCOA) in collaboration with the SCAQMD and California Air Districts. Default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California Air Districts to account for local requirements and conditions. The default assumptions included in CalEEMod are based on surveys and studies of existing land uses or provided by the air districts, and therefore, are considered appropriate for the assumptions in the analysis. The SCAQMD recommends all projects now evaluate emissions with CalEEMod (<https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-modeling>).

3-3. See Response 1-5 regarding cold storage and TRUs.

As the future specific tenant(s) of the Project are unknown, the CARB-recommended full prohibitions on tenants operating or using TRUs within the site are overly restrictive and unnecessary in light of the enforceable requirement to provide a majority of the loading/unloading docks with electrical hookups for TRUs or APUs.

3-4. The Project's air pollutant emissions were modeled using mobile emission factors contained in the CalEEMod model. As stated in Response 3-2, CalEEMod was developed for CAPCOA in collaboration with the SCAQMD and California Air Districts. Default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California Air Districts to account for local requirements and conditions. The default assumptions included in CalEEMod are based on surveys and studies of existing land uses or provided by the air districts, and therefore, are considered appropriate for the assumptions in the analysis. The SCAQMD recommends all projects now evaluate emissions with CalEEMod (<https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-modeling>). Further, an update of the analysis to employ EMFAC2017 for the calculation of mobile source emissions would not substantially affect the overall conclusions and finding of significant and unavoidable regional NO_x emissions during Project operations, and whether the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard. For instance, the heavy-duty truck emission rates for NO_x, coarse particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}) employed in the modeling conducted for the Draft EIR, are 4.197531, 0.01786, and 0.017087 grams per mile traveled, respectively. The heavy-duty truck emission rates for NO_x, PM₁₀, and PM_{2.5} contained in EMFAC2017 are 4.135137, 0.019663, and 0.018795 grams per mile traveled, respectively. When rounded to the thousandth place, the heavy-duty truck emission rates used in the Draft EIR for NO_x are greater than EMFAC2017 (4.20 vs. 4.14 grams per mile), and the emissions rates from both PM₁₀ and PM_{2.5} are identical (0.02).

3-5. The comment is correct that no heavy-duty truck trips would be required to import or export soil during the on-site grading. Per the earthwork balance calculations identified on Conceptual Grading Plan prepared for the Project (Thienes Engineering, Inc. 2018), grading the Project site would result in 50,201 cubic yards of cut material that would be balanced on the site.

3-6. This comment recommends five additional mitigation measures. Three of these recommended measures have already been incorporated. Specifically, mitigation measure AQ-1 (see page 3.1-35) requires the majority of all loading/unloading docks and trailer spaces to be equipped with electrical hookups for trucks with TRUs or auxiliary power units and requires a legible, durable, weather-proof signs to be placed at truck access gates, loading docks, and truck parking areas that identify

**13131 Los Angeles Street Industrial Project
Final Environmental Impact Report**

applicable anti-idling regulations, including the *Heavy-Duty Vehicle Idling Emission Reduction Program* which prohibits idling of heavy duty trucks for greater than five minutes.

Additionally, mitigation measure GHG-1 (see page 3.4-9) requires the Project to install the maximum possible number of solar energy arrays on the roof of the 528,710-square foot building and/or on the Project site in order to generate solar energy for the facility. Another recommended measure, that would mandate all Project trucks adhere to current air quality regulations including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic Smoke Inspection Program (PSIP), and the Statewide Truck and Bus Regulation, is already state law and thus unnecessary as a mitigation measure.

The last recommended measure requiring all heavy-duty trucks entering the Project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero emission beginning in 2030 is not feasible because the Project applicant has no means of controlling the privately-owned vehicles used by the independent trucking companies that will eventually operate to/from the facility. In addition, it should be noted that California Code of Regulations (CCR) Title 13 Section 2025 Resolution 08-43 requires that by the year 2023 all trucks registered in California will be required to meet the 2010 or newer emission standards.

- 3-7.** CARB's concern with potential public health is noted. Please see Responses 3-1 through 3-6 regarding TRUs, use of EMFAC2017, construction grading truck trips and feasible mitigation measures to reduce significant and unavoidable impacts on air quality.



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Robert C. Ferrante

Chief Engineer and General Manager

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May 18, 2020

Ref. DOC 5688388

Ms. Marilyn Simpson, AICP
Community Development Manager
City of Irwindale
16102 Arrow Highway, Second Floor
Irwindale, CA 91706

Dear Ms. Simpson:

DEIR Response for 13131 Los Angeles Industrial Project

The Los Angeles County Sanitation Districts (Districts) received a Draft Environmental Impact Report (DEIR) for the subject project on April 6, 2020. The proposed project is located within the jurisdictional boundary of District No. 15. We offer the following comment:

- Previous comments submitted by the Districts in correspondence dated September 11, 2019, (copy attached) still apply to the subject project.

All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717 or at araza@lacsd.org.

Very truly yours,

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

Enclosure

cc: L. Smith
A. Schmidt
A. Howard

4-1



Robert C. Ferrante
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September 11, 2019

Ref. DOC 5278491

Ms. Marilyn Simpson
Community Development Manager
City of Irwindale
Community Development Department
16102 Arrow Highway, Second Floor
Irwindale, CA 91706

Dear Ms. Simpson:

NOP Response for 13131 Los Angeles Street Industrial Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Preparation of a Draft Environmental Impact Report (NOP) for the subject project on August 19, 2019. The proposed project is located within the jurisdictional boundaries of District No. 15. We offer the following comments regarding sewerage service:

1. The proposed project may require a Districts' permit for Industrial Wastewater Discharge. Project developers should contact the Districts' Industrial Waste Section at (562) 908-4288, extension 2900, in order to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to http://www.lacsd.org/wastewater/industrial_waste/permit.asp.
2. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts Baldwin Park Trunk Sewer, located in Harlan Avenue at Ramona Parkway. The Districts' 18-inch diameter trunk sewer has a capacity of 4.3 million gallons per day (mgd) and conveyed a peak flow of 3.2 mgd when last measured in 2013.
3. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 58.5 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the Joint Water Pollution Control Plant in the City of Carson.
4. The expected increase in average wastewater flow from the project, described in the notice as a 528,710 square foot concrete tilt-up building in a M-2 zone, is 99,242 gallons per day, after the structure on the project site is demolished. For a copy of the Districts' average wastewater

Ms. Marilyn Simpson

-2-

September 11, 2019

generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the [Table 1, Loadings for Each Class of Land Use](#) link.

5. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System for increasing the strength or quantity of wastewater discharged from connected facilities. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, and click on Connection Fee, Service Charge and More. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, the developer should contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727.

6. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CCA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:dc

cc: L. Smith
A. Schmidt
A. Howard

Letter 4 Response to Comments

- 4-1.** Previous comments provided by the Districts in correspondence dated September 11, 2019 were addressed in the Draft EIR. Information regarding wastewater flow, sewer capacity, fees, facilities, and permitting was incorporated under Section 3.11 Utilities and Service Systems. This comment confirms that all other information regarding the Districts' facilities and sewage service provided in the Draft EIR is accurate. Further, the comment provides contact information for the County Sanitation Districts of Los Angeles County. The comment does not question the accuracy or adequacy of the Draft EIR and no response is required.

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May 18, 2020

Marilyn Simpson
Community Development Manager/City Planner
City of Irwindale, Planning Division
5050 Irwindale Avenue
Irwindale, CA 91706

Re: *13131 Los Angeles Street Industrial Project (SCH Number: 2019080276)*

Dear Ms. Simpson:

On behalf of the Golden State Environmental Justice Alliance (“GSEJA”), we hereby submit comments under the California Environmental Quality Act (“CEQA”) on the Draft Environmental Impact Report (“DEIR”) for the 13131 Los Angeles Street Industrial Project (“Project”).

GSEJA believes that the Project’s air quality, health risk, and greenhouse gas impacts are not adequately evaluated by the DEIR. See the comments of Soil Water Air Protection Enterprise (“SWAPE”) which we are submitting herewith and incorporating by reference.

For the foregoing reasons, GSEJA believes the DEIR is flawed and an amended DEIR must be prepared for the proposed project and recirculated for public review. GSEJA requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance, P.O. Box 79222, Corona, CA 92877.

Sincerely,



Gary Ho
Blum | Collins, LLP



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May 18, 2020

Gary Ho
Blum Collins LLP
707 Wilshire Blvd, Ste. 4880
Los Angeles, CA 90017

Subject: Comments on the 13131 Los Angeles Street Industrial Project (SCH No. 2019080276)

Dear Mr. Ho,

We have reviewed the April 2020 Draft Environmental Impact Report (“DEIR”) for the 13131 Los Angeles Street Industrial Project (“Project”) located in the City of Irwindale (“City”). The Project proposes to demolish three existing buildings totaling 32,501-SF, as well as construct a 528,710-SF industrial warehouse building with 109,330-SF of landscaping, 150 trailer parking spaces, and 261 standard parking spaces on the 24.88-acre Project site.

Our review concludes that the DEIR fails to adequately evaluate the Project’s air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An updated EIR should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the project may have on the surrounding environment.

Air Quality

Failure to Implement All Feasible Mitigation

The DEIR concludes that the NO_x emissions associated with operation of the proposed Project would be significant and unavoidable (p. 3.1-36). Specifically, according to the DEIR,

“[T]he Proposed Project would result in emissions exceeding the SCAQMD regional NO_x threshold during operations. As previously discussed, the predominate source of NO_x emissions would be due to mobile sources, mainly that of heavy-duty trucks. Mobile emission cannot be regulated by the City. Therefore, the Proposed Project would have the potential to cause or affect a violation of the ambient air quality standards” (p. 3.1-26)

However, while we agree that the proposed Project would result in significant air quality impacts, the DEIR's conclusion that these impacts are "significant and unavoidable" is incorrect (p. ES-5, Table ES-1). According to CEQA Guidelines § 15096(g)(2),

"When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment."

As you can see, an impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. However, while the DEIR includes mitigation measure AQ-1, the DEIR fails to implement *all feasible* mitigation (p. 3.1-21 – 3.1-22). Therefore, the DEIR's conclusion that the Project's air quality impacts are significant and unavoidable is unsubstantiated. To reduce the Project's air quality impacts to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled "Feasible Mitigation Measures Available to Reduce Emissions."¹ Until all feasible mitigation is considered and incorporated into the Project's design, the Project's construction and operational criteria air pollutant emissions should not be considered significant and unavoidable.

5-1
cont.

Unsubstantiated Input Parameters Used to Estimate Project Trip Generation

The DEIR's air quality analysis relies upon trip generation estimates calculated in the Traffic Impact Study ("TIS"), provided as appendix J to the DEIR. The TIS calculates the anticipated trip generation values for the proposed Project based on information, such as land use type and size, as well as fleet mix. When reviewing the Project's TIS, we found that several calculation inputs were not consistent with information disclosed in the DEIR. As a result, the DEIR underestimates trip generation and emissions associated with Project activities. An updated EIR should be prepared to include in an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

5-2

Failure to Model All Proposed Land Uses

The TIS relies upon underestimated land use sizes, and as a result, the proposed Project's anticipated trip generation may be underestimated.

According to the DEIR, "[t]he proposed Project would include 80 trailer parking spaces on the southeast corner of the site, 70 trailer parking spaces along the western end of the site, and 261 standard vehicle parking space around the perimeter of the building" (p. 2-1). Furthermore, the DEIR also states that "[t]he Project would feature 109,330 SF of landscaping" (p. 2-6). However, review of the TIS demonstrates that the analysis failed to include these proposed land uses (see excerpt below) (Appendix J, pp. 1578, Table 5).

5-3

¹ See section titled "Feasible Mitigation Measures Available to Reduce Emissions" on p. 17 of this comment letter. These measures would effectively reduce NO_x emissions.

ITE Code	Land Use	Intensity	Units	Weekday							
				Daily	AM Peak Hour			PM Peak Hour			
				Total	Total	In	Out	Total	In	Out	
Trip Generation Rates¹											
110	General Light Industrial, Total	-	KSF	4.96		0.70			0.63		
140	Manufacturing, Total	-	Employees	2.47	0.37	74%	26%	0.33	39%	61%	
Trip Generation Totals-New Use											
110	General Light Industrial, Total	525.000	KSF	2,604		368			331		
Trip Generation Rates Trucks²											
110	General Light Industrial, 2-axle trucks	-	Proportion ¹	0.08	0.08	38%	63%	0.08	67%	33%	
110	General Light Industrial, 3-axle trucks	-		0.039	0.039	38%	63%	0.039	67%	33%	
110	General Light Industrial, 4+-axle trucks	-		0.095	0.095	38%	63%	0.095	67%	33%	
Truck Trips Non-Factored, Removed											
110	General Light Industrial, 2-axle trucks	525.000	KSF	208	29	11	18	26	17	9	
110	General Light Industrial, 3-axle trucks	525.000	KSF	102	14	5	9	13	9	4	
110	General Light Industrial, 4+-axle trucks	525.000	KSF	247	35	13	22	31	21	10	
Truck Trips-Passenger Car Equivalents, Added											
110	General Light Industrial, 2-axle trucks	525.000	KSF	416	58	22	36	52	35	17	
110	General Light Industrial, 3-axle trucks	525.000	KSF	255	35	13	22	33	22	11	
110	General Light Industrial, 4+-axle trucks	525.000	KSF	741	105	39	66	93	62	31	
Trip Generation Rates-Passenger and Small Commercial Vehicles											
110	General Light Industrial, Total	0.000	KSF	See above	See above	88%	12%	See above	13%	87%	
Passenger Car and Small Commercial Vehicle Trips Subtotal											
110	General Light Industrial, Total	525.000	KSF	2,047	290	255	35	261	34	227	
Gross Project Total		525.000		3,459	488	329	158	439	153	286	
Trip Generation Totals Subtracted for Net Total -Former Use											
140	Manufacturing	101	Employees	249	38	28	10	33	13	20	
Net Project Total		525.000		3,210	450	301	149	406	140	266	

5-3
cont.

As you can see in the excerpt above, no landscaping or parking was included in the TIS. This presents an issue, as the land use type and size features were used to estimate the proposed Project’s anticipated trip generation and emissions. Thus, by failing to include the proposed landscaping land use, the TIS underestimates the Project’s anticipated trip generation and should not be relied upon to determine Project significance.

Incorrect Use of the Fontana Truck Trip Study

The TIS relies upon incorrect fleet mix percentages, and as a result, the proposed Project’s mobile-source emissions may be underestimated.

According to the TIS, “[t]he truck trip percentages (including the breakdown of trucks by number of axles) were taken from a 2003 Truck Trip Generation study conducted by the city of Fontana” (Appendix J, p. 13 and DEIR, p. 3.9-12). In addition, the DEIR’s CalEEMod model includes changes to the default fleet mix values “to match the traffic report” (Appendix B, pp. 431, 462, 538). However, this is incorrect, as the South Coast Air Quality Management District (“SCAQMD”) has determined that the Fontana Study has limited applicability to warehouse projects. As a result, the Fontana Study should not be relied upon to determine the Project’s mobile-source emissions.

5-4

Specifically, SCAQMD staff found the following issues with the Fontana Study:²

² “Warehouse Truck Trip Study Data Results and Usage” Presentation. SCAQMD Mobile Source Committee, July 2014, available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymisc072514.pdf?sfvrsn=2>, p. 10

- The overall trip rate is based on only four warehouses total, which includes two warehouses with zeros. In other words, the results of the Fontana Study were based on only two data points. As is disclosed in the Fontana Study, the daily trip rate was only based on data from a Target warehouse and a TAB warehouse.³
- The Fontana Study does not report any 24-hour daily truck trip rates. According to the Fontana Study, “Trip generation statistics for daily truck trips were not calculated because vehicle classifications counts could not be obtained from the driveway 24-hour counts.”⁴
- The trip rates using the Fontana study are calculated based on a 20 percent truck fleet mix, which is inconsistent with SCAQMD’s recommendation that agencies use a truck fleet mix of 40%.⁵

The DEIR claims to use the fleet mix estimated in the Fontana Truck Trip Study. However, this fleet mix is not consistent with recommendations set forth by the SCAQMD and does not accurately represent the percentage of trucks that are expected to access the site on a daily basis. Rather, SCAQMD recommends that lead agencies assume a truck fleet mix of 40%.⁶ According to *Appendix E: Technical Source Documentation* of the 2013 CalEEMod User’s Guide, “in order to avoid underestimating the number of trucks visiting warehouse facilities,” SCAQMD staff “recommends that lead agencies conservatively assume that an average of 40% of total trips are truck trips $[(0.48*10 + 0.2*4)/(10+4)=0.4]$.”⁷ If Project-specific data is not available, such as detailed trip rates based on a known tenant schedule, this average of 40% provides a reasonably conservative value based on currently available data. Since the future tenant is unknown, the tenant schedule is also not known; therefore, a 40% truck fleet mix should also be assumed.⁸

The SCAQMD has also made similar comments regarding the use of the Fontana Truck Trip Study in other proposed land use development projects subject to CEQA. For example, the SCAQMD commented that the Addendum to the Heartland Specific Plan EIR, located in Beaumont, should have also used a “more typical 40% truck fleet mix” instead of the truck fleet mix utilized by the Addendum to the EIR.⁹ Furthermore, proposed warehouses in the City of Fontana are using the truck fleet mixes recommended by the SCAQMD instead of the Fontana Study. According to the Traffic Impact Analysis prepared by Urban Crossroads for the West Valley Logistics Center,

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³ “Truck Trip Generation Study.” City of Fontana, County of San Bernardino, State of California, August 2003, available at: <http://www.fontana.org/DocumentCenter/Home/View/622>, p. 35

⁴ “Truck Trip Generation Study.” City of Fontana, County of San Bernardino, State of California, August 2003, available at: <http://www.fontana.org/DocumentCenter/Home/View/622>, p. 6

⁵ “CalEEMod User’s Guide, Appendix E.” CAPCOA, July 2013, available at: <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendix-e.pdf>, pp. 15.

⁶ “CalEEMod User’s Guide, Appendix E.” CAPCOA, July 2013, available at: <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendix-e.pdf>, pp. 15.

⁷ “Appendix E Technical Source Documentation.” CalEEMod User’s Guide, July 2013, available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/high-cube-resource-caleemod-appendix-e.pdf?sfvrsn=2>, pp. 15

⁸ “CalEEMod User’s Guide, Appendix E.” CAPCOA, July 2013, available at: <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendix-e.pdf>, pp. 15.

⁹ “Review of the Addendum to the Heartland Specific Plan Certified EIR,” SCAQMD, June 2013, available at: <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2013/june/heartland-specific-plan.pdf>, p. 3

“The SCAQMD is currently recommending the use of the ITE Trip Generation manual in conjunction with their truck mix by axle-type to better quantify trip rates associated with local warehouse and distribution projects, as truck emission represent more than 90 percent of air quality impacts from these projects. This recommended procedure has been utilized for the purposes of this analysis in effort to be consistent with other technical studies being prepared for the Project.”¹⁰

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Therefore, to demonstrate consistency with analyses for other warehouse projects within SCAQMD jurisdiction and the City of Fontana itself, the TIS should have used the truck fleet percentages recommended by the SCAQMD.

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The DEIR’s air quality analysis relies on emissions calculated with CalEEMod.2016.3.2.¹¹ CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (CEQA) requires that such changes be justified by substantial evidence.¹² Once all of the values are inputted into the model, the Project’s construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters were utilized in calculating the Project’s air pollutant emissions and make known which default values were changed as well as provide justification for the values selected.¹³

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Review of the Project’s air modeling demonstrates that the DEIR underestimates emissions associated with Project activities. As previously stated, the DEIR air quality analysis relies on air pollutant emissions calculated using CalEEMod. When reviewing the Project’s CalEEMod output files, provided in the Air Quality Study as Appendix C1a, we found that several model inputs were not consistent with information disclosed in the DEIR. As a result, the Project’s construction and operational emissions are underestimated. An updated EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

¹⁰ “Traffic Impact Analysis, West Valley Logistics Center,” *Urban Crossroads*, October 2017, available at: <https://www.fontana.org/DocumentCenter/View/24049>, p. 100

¹¹ CAPCOA (November 2017) CalEEMod User’s Guide, http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4.

¹² CAPCOA (November 2017) CalEEMod User’s Guide, http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 1, 9.

¹³ CAPCOA (November 2017) CalEEMod User’s Guide, http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, fn 1, p. 11, 12 – 13. A key feature of the CalEEMod program is the “remarks” feature, where the user explains why a default setting was replaced by a “user defined” value. These remarks are included in the report.

Failure to Consider Cold Storage Requirements

Review of the Project's CalEEMod output files demonstrates that the model fails to consider the Project's cold storage requirements. As a result, the Project's operational emissions may be underestimated.

The DEIR indicates that the future tenants of the proposed warehouse are currently unknown. Specifically, the DEIR states,

“[N]o specific tenant(s) have been identified to occupy the proposed building” (p. ES-2).

The DEIR goes on to state,

“[I]t is possible that hazardous materials could be used during the course of daily operations, including the storage and use of refrigerant that may be used on-site (in the vent that cold storage is provided on-site)” (emphasis added) (p. 3.5-9).

Thus, the proposed industrial land use may include refrigerated space (cold storage), and therefore, should be modeled as such in order to conduct the most conservative analysis. However, review of the Project's CalEEMod output files reveals that no amount of warehouse land use was modeled as refrigerated warehouse in the model. Since the DEIR indicates that future tenants may require cold-storage and, as is discussed by the SCAQMD, “CEQA requires the use of ‘conservative analysis’ to afford ‘fullest possible protection of the environment,’”¹⁴ the warehouse building should have been modeled as refrigerated space in order account for the additional emissions that refrigeration requirements may generate.

By modeling the Project's emissions without refrigerated warehouses, the DEIR may underestimate the Project's operational emissions. Refrigerated warehouses release more air pollutants and GHG emissions when compared to unrefrigerated warehouses for three reasons. First, warehouses equipped with cold storage (refrigerators and freezers, for example) are known to consume more energy when compared to warehouses without cold storage.¹⁵ Second, warehouses equipped with cold storage typically require refrigerated trucks, which are known to idle for much longer, even up to an hour, when compared to unrefrigerated hauling trucks.¹⁶ Lastly, according to a July 2014 *Warehouse Truck Trip Study Data Results and Usage* presentation prepared by the SCAQMD, it was found that hauling trucks that require refrigeration result in greater truck trip rates when compared to non-refrigerated hauling

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¹⁴ “Warehouse Truck Trip Study Data Results and Usage” Presentation. SCAQMD Inland Empire Logistics Council, June 2014, available at: http://www.agmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/final-ielc_6-19-2014.pdf?sfvrsn=2

¹⁵ Managing Energy Costs in Warehouses, Business Energy Advisor, available at: <http://bizenergyadvisor.com/warehouses>

¹⁶ “Estimation of Fuel Use by Idling Commercial Trucks,” p. 8, available at: <http://www.transportation.anl.gov/pdfs/TA/373.pdf>

trucks.¹⁷ An updated Project-specific EIR should be prepared to account for the possibility of refrigerated warehouse needs by future tenants.

Failure to Model All Proposed Land Uses

The CalEEMod relies upon underestimated land use sizes, and as a result, the proposed Project’s construction and operational emissions are underestimated.

According to the DEIR, “[t]he proposed Project would include 80 trailer parking spaces on the southeast corner of the site, 70 trailer parking spaces along the western end of the site, and 261 standard vehicle parking space around the perimeter of the building” (p. 2-1). Furthermore, the DEIR also states that “[t]he Project would feature 109,330 SF of landscaping” (p. 2-6). However, review of the Project’s CalEEMod output files demonstrates that the model failed to include these proposed land uses (see excerpt below) (Appendix B, pp. 431, 462, 538).

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Light Industry	528.71	1000sqft	24.88	528,710.00	0

As you can see in the excerpt above, no landscaping or parking was included in the Project’s CalEEMod model. This presents an issue, as the land use type and size features are used throughout CalEEMod to determine default variable and emission factors that go into the model’s calculations.¹⁸ The square footage of a land use is used for certain calculations such as determining the wall space to be painted (i.e., VOC emissions from architectural coatings) and volume that is heated or cooled (i.e., energy impacts). Thus, by failing to include the proposed landscaping and parking land uses, the model may underestimate the Project’s construction and operational emissions and should not be relied upon to determine Project significance.

Unsubstantiated Change to CO₂ Intensity Factor

Review of the Project’s CalEEMod output files demonstrates that the default CO₂ intensity factor was reduced from 702.44 pounds per megawatt hour (“lbs/MWh”) to 511.47 lbs/MWhr (see excerpt below) (Appendix B, pp. 432, 463, 539).

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	CO2IntensityFactor	702.44	511.47

As you can see in the excerpt above, the model’s default CO₂ intensity factor was manually reduced by approximately 27%. As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.¹⁹ According to the “User Entered Comments & Non-Default Data” table, the justification provided for these changes is: “SCE 2017 CO₂ Intensity Factor” (Appendix B, pp. 431, 462,

¹⁷ “Warehouse Truck Trip Study Data Results and Usage” Presentation. SCAQMD Mobile Source Committee, July 2014, available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf?sfvrsn=2>, p. 7, 9

¹⁸ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 18.

¹⁹ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

538). However, review of the DEIR demonstrates that, while the DEIR addresses Southern California Edison’s (“SCE”) Renewable Portfolio Standard (“RPS”) requirements for 2020 and 2030, the DEIR fails to address the SCE’s 2017 intensity factor whatsoever. The only source provided references “SCE 2014,” which would have been included in the 2016 CalEEMod. This unsubstantiated reduction presents an issue, as CalEEMod uses the CO₂ intensity factor to calculate the Project’s emissions.²⁰ Thus, by including an unsubstantiated reduction to the Project’s CO₂ intensity factor, the model may underestimate the Project’s emissions and should not be relied upon to determine Project significance.

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Unsubstantiated Reduction of Indoor Water Use Rate

The Project’s CalEEMod output files include an unsubstantiated reduction to the indoor water use rate expected to occur throughout Project operation. As a result, the proposed Project’s operational emissions are underestimated.

Review of the proposed Project’s CalEEMod output files demonstrate that the indoor water use rate was manually reduced from the default value (see excerpt below) (Appendix B, pp. 433, 464, 540).

Table Name	Column Name	Default Value	New Value
tblWater	IndoorWaterUseRate	122,264,187.50	22,395,735.00

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As you can see in the excerpt above, the indoor water use rate was manually reduced in the model. As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.²¹ Review of the “User Entered Comments & Non-Default Data” table reveals that the justification provided for this change was: “Water use per Section 3.11 of the Draft EIR” (Appendix B, pp. 431, 462, 538). However, review of Section 3.11 of the DEIR demonstrates that this is incorrect. Specifically, according to the DEIR, the anticipated water use for the proposed Project is solely based on the industrial land use. As such, the water use calculations fail to consider the parking water-use requirements. Thus, the model may underestimate the indoor water use rate for the proposed Project and should not be relied upon to determine Project significance.

Unsubstantiated Inclusion of Construction-Related Mitigation Measures

Review of the Project’s CalEEMod output files demonstrates that the following construction-related mitigation measures were included in the model: “Clean Paved Roads,” “Water Exposed Area,” and “Reduce Vehicle Speed on Unpaved Roads” (see excerpt below) (Appendix B, pp. 438, 469, 546).

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

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²⁰ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: CalEEMod.com, p. 17.

²¹ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

As you can see in the excerpt above, the model includes several unsubstantiated construction-related mitigation measures. In addition, the model also includes a 40% reduction due to Clean Paved Roads and a 15 miles per hour (“mph”) reduced vehicle speed on unpaved roads (see excerpt below) (Appendix B, pp. 432, 463, 539).

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	CleanPavedRoadPercentReduction	0	40
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.²² According to the “User Entered Comments & Non-Default Data” table, the justification provided for these changes is: “SCAQMD Rule 403. Percent reductions based on fugitive dust mitigation measures-Table 11-4” (Appendix B, pp. 431, 462, 538). However, review of the DEIR and associated appendices reveal that Table 11-4 is not disclosed. As such, we are unable to verify these percent reductions and the model may underestimate emissions and should not be relied upon to determine Project significance.

Furthermore, the DEIR states that “[c]onstruction activities would be subject to SCAQMD Rule 403, which requires taking reasonable precautions to prevent the emissions of fugitive dust, **such as using water or chemicals, where possible**, for control of dust during the clearing of land and other construction activities” (emphasis added) (p. 3.1-15). Specifically, according to SCAQMD’s Rule 403, Projects can either water unpaved roads 3 times per day, water unpaved roads 1 time per day and limit vehicle speeds to 15 mph, or apply a chemical stabilizer (see excerpt below) (p. 403-21, Table 2).²³

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Table 2 (Continued)

FUGITIVE DUST SOURCE CATEGORY	CONTROL ACTIONS
Unpaved Roads	(4a) Water all roads used for any vehicular traffic at least once per every two hours of active operations [3 times per normal 8 hour work day]; OR
	(4b) Water all roads used for any vehicular traffic once daily and restrict vehicle speeds to 15 miles per hour; OR
	(4c) Apply a chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.

As you can see in the above excerpt, to simply comply with SCAQMD Rule 403, the Project may either water unpaved roads 3 times per day, water unpaved roads 1 time per day and limit vehicle speeds to 15 mph, or apply a chemical stabilizer. Thus, the model includes mitigation measures that it fails to demonstrate a commitment to, and specific emissions reductions that Rule 403 fails to mention

²² CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

²³ “RULE 403. FUGITIVE DUST.” SCAQMD, June 2005, available at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

whatsoever. As such, the model may underestimate emissions and should not be relied upon to determine Project significance.

Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The DEIR concludes that the proposed Project would have a less than significant impact on the health of sensitive receptors near the Project site as a result of a qualitative and LST analysis, without conducting a quantified construction health risk assessment (“HRA”). Furthermore, while the DEIR conducts a quantified HRA for Project operation, it only considers heavy-duty truck emissions.

In regard to the omission of a construction HRA, the DEIR states,

“[E]missions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during construction activities” (p. 3.1-18).

The DEIR goes on to state,

“Therefore, considering the relatively low mass of DPM emissions that would be generated during even the most intense season of construction, the fact that construction would not last as long as the minimum duration of exposure from which to calculate health risk, and the relatively short duration that construction activities (less than two years) would occur, construction-related TAC emissions would not expose sensitive receptors to substantial amounts of air toxics” (p. 3.1-29).

Furthermore, in regard to the DEIR’s operational HRA, the DEIR states,

“[T]he emissions of these pollutants on the peak day of operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during operational activities” (p. 3.1-25).

The DEIR goes on to state,

“[I]mpacts related to cancer risk from heavy trucks would be less than significant at the nearest residences and nearest school. Therefore, impacts related to health risk from the Project would be less than significant” (p. 3.1-32).

However, these justifications and subsequent less than significant impact conclusions are incorrect for several reasons.

First, the use of the LST method to determine the Project’s health risk impacts on nearby, existing sensitive receptors is incorrect. While the LST method assesses the impact of pollutants at a local level, it only evaluates impacts from criteria air pollutants. According to the Final Localized Significance Threshold Methodology document prepared by the SCAQMD, the LST analysis is only applicable to NO_x,

CO, PM₁₀, and PM_{2.5} emissions, which are collectively referred to as criteria air pollutants.²⁴ Because the LST method can only be applied to criteria air pollutants, this method cannot be used to determine whether emissions from DPM, a known human carcinogen, will result in a significant health risk impact to nearby sensitive receptors. As a result, health impacts from exposure to toxic air contaminants (“TACs”), such as diesel particulate matter (“DPM”), were not analyzed, thus leaving a gap within the DEIR’s analysis.

Second, the omission of a quantified construction HRA is inconsistent with the most recent guidance published by the Office of Environmental Health Hazard Assessment (“OEHHA”), the organization responsible for providing guidance on conducting HRAs in California. In February of 2015, OEHHA released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, as referenced by the DEIR (p. 7-2 and Appendix C, p. 14).²⁵ This guidance document describes the types of projects that warrant the preparation of an HRA. Construction of the Project will produce emissions of DPM, a human carcinogen, through the exhaust stacks of construction equipment over a construction period of approximately 20-months (Appendix B, pp. 436, 467). The OEHHA document recommends that all short-term projects lasting at least two months be evaluated for cancer risks to nearby sensitive receptors.²⁶ Therefore, per OEHHA guidelines, we recommend that health risk impacts from Project construction be evaluated by an updated EIR. These recommendations reflect the most recent health risk policy utilized by the DEIR, and as such, we recommend that an updated assessment of health risks to nearby sensitive receptors from Project construction be included in a revised CEQA evaluation for the Project.

Third, by claiming a less than significant impact without conducting a quantified HRA to nearby, existing sensitive receptors as a result of Project construction, the DEIR fails to compare the excess construction-related health risk to the SCAQMD’s specific numeric threshold of 10 in one million.²⁷ Thus, the DEIR cannot conclude less than significant health risk impacts resulting from Project construction without quantifying emissions to compare to the proper threshold.

Fourth, while the DEIR did conduct an HRA for the increased cancer risk due to operational diesel truck trips, the HRA failed to include the Project’s *entire* operational emissions (p. 3.1-30 – 3.1-31). According to the CalEEMod User’s Guide, a Project’s operational emissions include the following sources: on-road mobile vehicle traffic, fugitive dust associated with roads, architectural coating activities, off-road equipment used during operation, landscaping equipment, emergency generators, fire pumps, process boilers, consumer products, parking lot degreasers, fertilizers/pesticides, cleaning supplies, wood stoves

²⁴ “Final Localized Significance Threshold Methodology.” SCAQMD, Revised July 2008, *available at*: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>.

²⁵ “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, *available at*: http://oehha.ca.gov/air/hot_spots/hotspots2015.html

²⁶ “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, *available at*: http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf, p. 8-18

²⁷ “South Coast AQMD Air Quality Significance Thresholds.” SCAQMD, April 2019, *available at*: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>

and hearth usage, electricity usage in buildings, electricity usage from lighting in parking lots and lighting, ventilation and elevators for parking, water usage, and solid waste disposal.²⁸ By only conducting an HRA for the Project's operational *heavy-duty diesel truck traffic*, the model underestimates the Project's operational emissions and excess cancer risk to nearby sensitive receptors. Thus, the DEIR cannot conclude less than significant health risk impacts resulting from Project operation without quantifying emissions and the excess cancer risk to nearby sensitive receptors resulting from the Project's entire operational emissions.

Finally, the DEIR fails to sum the excess cancer risk calculated for each age group for Project construction and operation. This is incorrect and, as a result, the DEIR's evaluation and significance conclusion cannot be relied upon. According to OEHHA guidance, as referenced by the DEIR, "the excess cancer risk is calculated separately for each age grouping and then summed to yield cancer risk at the receptor location."²⁹ However, review of the DEIR demonstrates that, while the HRA calculated the health risk to nearby, existing receptors for diesel truck traffic emissions, the HRA fails to evaluate the cumulative lifetime cancer risk to nearby, existing receptors for each age bin (third trimester, infant, child, and adult) as a result of Project construction *and* operation together, including all aspects of the proposed Project. Therefore, the DEIR should have quantified the Project's *entire* construction and operational health risks, as well as compared the combined construction and operational health risks to the SCAQMD threshold of ten in one million.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR concludes that the proposed Project's greenhouse gas ("GHG") emissions would exceed the SCAQMD numeric bright-line threshold of 10,000 MT CO₂e/year (p. 3.4-6). The DEIR subsequently discusses the Project's consistency with SCAG's 2016—2040 RTP/SCS. Specifically, the DEIR concludes,

"[O]perational-generated emissions would exceed the SCAQMD's numeric bright-line threshold of 10,000 metric tons of CO₂e annually" (p. 3.4-8).

The DEIR goes on to state,

"Even with implementation of CARB and SCAQMD recommendations contained in mitigation measure GHG-1, Project-related heavy-duty truck travel would result in the SCAQMD industrial land use significance threshold to be exceeded. For these reasons, **impacts are significant and unavoidable**" (p. 3.4-9)

Finally, the DEIR claims,

"[T]he Proposed Project is not regionally significant per CEQA Guidelines Section 15206 and as such, it would not conflict with the SCAG RTP/SCS targets, since those targets were established

²⁸ "CalEEMod User's Guide." CAPCOA, November 2017, available at: <http://www.caleemod.com/>, p. 2.

²⁹ "Guidance Manual for preparation of Health Risk Assessments." OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf> p. 8-4

and are applicable on a regional level. The Proposed Project would not conflict with an adopted plan, policy, or regulation pertaining to GHGs. For these reasons, **no impact would occur**" (p. 3.4-12).

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However, this analysis and the subsequent less than significant impact conclusions are incorrect for two reasons.

- (1) The DEIR fails to demonstrate consistency with SCAG’s 2016—2040 RTP/SCS; and
- (2) The DEIR fails to implement all feasible mitigation to reduce Project GHG emissions.

(1) Failure to Demonstrate Consistency with SCAG’s 2016—2040 RTP/SCS

The DEIR attempts to claim that “the Proposed Project would in no way conflict with the stated goals of the RTP/SCS” (p. 3.4-12). However, just because the proposed Project would not conflict with SCAG’s 2016—2040 RTP/SCS goals does not mean that the Project would be consistent with all aspects of the plan, as required by CEQA Guidelines § 15064.4(b)(3). Furthermore, review of SCAG’s 2016—2040 RTP/SCS reveals that the Project is inconsistent with numerous goals and policies of the plan, including but not limited to those listed below:

SCAG 2016 – 2040 RTP/SCS ³⁰	
Measures – Air Quality (transportation control measures TCM)	
Reduce emissions with the use of clean fuels and reducing petroleum dependency.	Here, mitigation measure GHG-1 states that the Project shall “[e]mploy the use of electric or <u>alternatively-fueled</u> sweeper with high-efficiency particulate air (HEPA) filters” (emphasis added) (3.4-9). However, the DEIR fails to address the use of clean fuels elsewhere. In addition, the DEIR references CARB’s 2016 Mobile Source Strategy that reduces petroleum dependency, but fails to mention reducing petroleum dependency at the Project-level or Project site specifically. Furthermore, the DEIR includes mitigation measure AQ-1, which mentions that the Project shall “provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or ‘clean’ vehicles and information” (p. 3.1-22). However, the DEIR fails to require or indicate that the Project will actually include truck retrofits or ‘clean’ vehicles. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.

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³⁰ Southern California Association of Governments (“SCAG”) (Apr. 2016) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, *available at*: https://ww3.arb.ca.gov/cc/scopingplan/2030sp_appb_localaction_final.pdf, p.

<p>Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas</p>	<p>Here, the DEIR states that “[c]onstruction activities would be subject to SCAQMD Rule 403, which requires taking reasonable precautions to prevent the emissions of fugitive dust, such as using water or chemicals, where possible, for control of dust during the clearing of land and other construction activities” (emphasis added) (p. 3.1-15). However, according to SCAQMD’s Rule 403, Projects can <i>either</i> water unpaved roads 3 times per day, water unpaved roads 1 time per day and limit vehicle speeds to 15 mph, <i>or</i> apply a chemical stabilizer, as previously stated (p. 403-21, Table 2).³¹ As discussed in the Air Quality section of this letter, to comply with SCAQMD Rule 403, the Project may <i>either</i> water unpaved roads 3 times per day, water unpaved roads 1 time per day and limit vehicle speeds to 15 mph, <i>or</i> apply a chemical stabilizer. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>As appropriate, require that portable engine-driven equipment units used at the project work site, with the exception of on-road and offroad motor vehicles, obtain ARB Portable Equipment Registration with the state or local district permit.</p>	<p>Here, while the DEIR acknowledges the CARB “Portable Equipment Registration Program (PERP),” the DEIR fails to indicate that the Project will require equipment to obtain registration (Appendix C, p. 7). As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>Measures – Greenhouse Gasses</p>	
<p>Incorporate Best Available Control Technology (BACT) during design, construction and operation of projects to minimize greenhouse gas emissions.</p>	<p>Here, while the DEIR mentions that Rule 403 “requires fugitive dust sources to implement best available control measures,” the DEIR fails to indicate that the Project will incorporate best available control measures for other sources besides dust, including GHG emissions (p. 3.1-11). As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>Use energy and fuel efficient vehicles and equipment.</p>	<p>Here, the DEIR includes mitigation measure AQ-1, which mentions that the Project shall “provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or ‘clean’ vehicles and information” (p. 3.1-22). However, the DEIR fails to require or indicate that the Project will actually include truck retrofits or ‘clean’ vehicles. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>

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cont.

³¹ “RULE 403. FUGITIVE DUST.” SCAQMD, June 2005, available at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf>.

Use the minimum feasible amount of greenhouse gas emitting construction materials that is feasible	Here, the DEIR fails to mention or evaluate the minimum feasible amount of GHG emitting construction materials. While the DEIR includes “the use of light-colored paving and roofing materials” in mitigation measure GHG-1, the DEIR fails to evaluate the feasibility of this measure, or other GHG emitting construction materials (p. 3.4-9). As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.
Incorporate design measures to reduce greenhouse gas emissions from solid waste management through encouraging solid waste recycling and reuse.	Here, the Project fails to mention solid waste management or recycling/reuse whatsoever in the GHG section of the DEIR (p. 3.4-1 – 3.4-13). Furthermore, while the DEIR mentions various state and local recycling programs, including those performed by Athens Services (p. 3.11-10). However, the DEIR fails to mention any measures to be implemented at the Project-level to reduce solid waste and encourage recycling and reuse. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.
Incorporate design measures to reduce energy consumption and increase use of renewable energy	Here, while the DEIR discusses the state’s Renewable Portfolio Standard (“RPS”), the DEIR fails to mention any Project-level measures (p. 3.3-1, 3.3-4). Furthermore, the DEIR fails to mention how the proposed Project will increase the use of renewable energy. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.
Plant shade trees in or near construction projects where feasible.	Here, while the DEIR discusses that the proposed Project will incorporate landscaping, including trees, the DEIR fails to include landscaping in any of its modeling or analysis. As such, we cannot verify that this will actually be implemented, monitored, and enforced on the Project site. In addition, the DEIR fails to mention shade whatsoever, or the trees’ abilities to produce shade. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.
Construct buildings to Leadership in Energy and Environmental Design (LEED) certified standards.	Here, the DEIR fails to mention that the Project will include, or attempt to include, LEED certified standards. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.
Measures – Transportation, Traffic and Safety	
Promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces	Here, the DEIR and associated appendices fail to mention or include ride sharing programs, such as designating parking spaces for high-occupancy

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cont.

<p>to accommodate vans used for ride-sharing, and designating adequate passenger loading and unloading and waiting areas.</p>	<p>vehicles, larger parking spaces for vans used for ride-sharing, and passenger loading, unloading, and waiting areas. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>Encourage bicycling to transit facilities by providing additional bicycle parking, locker facilities, and bike lane access to transit facilities when feasible.</p>	<p>Here, while the DEIR indicates that the proposed Project will include 13 bicycle parking stalls, the DEIR fails to evaluate the feasibility of including more spaces. In addition, the DEIR fails to include or evaluate the feasibility of including locker facilities or bike lane access to transit facilities. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>Encourage the use of public transit systems by</p> <ul style="list-style-type: none"> • enhancing safety and cleanliness on vehicles and in and around stations • providing shuttle service to public transit • offering public transit incentives • providing public education and publicity about public transportation services. 	<p>Here, while the DEIR claims that “[t]he City also strives to maximize productivity of the region’s public transportation system (e.g., bus, bicycle) for residents, visitors, and workers coming into and out of Irwindale,” the DEIR fails to mention the public transit system in relation to the proposed Project or include any Project-level measures. In addition, the DEIR fails to discuss or evaluate the feasibility of safety and cleanliness improvements at stations, shuttle services to public transit, public transit incentives, or public education and publicity about public transportation services. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>Encourage bicycling and walking by</p> <ul style="list-style-type: none"> • incorporating bicycle lanes into street systems in regional transportation plans, new subdivisions, and large developments • creating bicycle lanes and walking paths directed to the location of schools and other logical points of destination • provide adequate bicycle parking • encouraging commercial projects to include facilities on-site to encourage employees to bicycle or walk to work. 	<p>Here, the DEIR fails to mention or include bicycle lanes, walking paths, or on-site facilities to encourage walking and biking to work. The DEIR also fails to discuss logical points of destination near the Project site. Finally, the DEIR fails to discuss the feasibility of including more than the 13 allocated bicycle parking spaces for the Project. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>
<p>Build or fund a major transit stop within or near transit, or transit-oriented development.</p>	<p>Here, the DEIR states that the Project is located approximately 0.14 miles from the nearest bus stop and fails to mention any nearby transit stations. Furthermore, the DEIR fails to indicate that the Project will build or fund a transit stop, or transit-oriented development. As such, the DEIR fails to demonstrate that the Project will be consistent with this measure.</p>

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As the table above indicates, the DEIR fails to provide sufficient information and analysis to demonstrate Project consistency with SCAG’s 2016—2040 RTP/SCS. Thus, we cannot verify that the proposed Project is consistent with the plan, as needed to demonstrate less than significant impacts. As a result, we recommend that an updated EIR include further information and analysis in order to conclude consistency for the proposed Project.

(2) Failure to Implement All Feasible Mitigation

The DEIR concludes that the proposed Project’s emissions would exceed the SCAQMD numeric bright-line threshold of 10,000 MT CO₂e/year (p. 3.4-8). Thus, the Project implements mitigation measure GHG-1. The DEIR then concludes that emissions would still exceed the SCAQMD threshold and “impacts are significant and unavoidable” (p. 3.4-9). However, while we agree that the Project’s GHG impact would be significant, the DEIR’s assertion that the Project’s GHG impact would be unavoidable and cannot be mitigated further is incorrect. According to CEQA Guidelines § 15096(g)(2),

“When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.”

As you can see, an impact can only be labeled as significant and unavoidable after all available, feasible mitigation measures are considered. Review of the Project’s proposed mitigation measures, however, demonstrates that the DEIR fails to implement all feasible mitigation. Therefore, the DEIR’s conclusion that impacts are significant and unavoidable is unsubstantiated. As a result, additional mitigation measures should be identified and incorporated in an updated EIR in order to reduce the Project’s air quality impacts to the maximum extent possible. Until all feasible mitigation is reviewed and incorporated into the Project’s design, impacts from GHG emissions should not be considered significant and unavoidable.

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project’s air quality and GHG emissions may result in potentially significant impacts. In an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the proposed Project. Feasible mitigation measures can be found in CAPCOA’s *Quantifying Greenhouse Gas Mitigation Measures*.³² Therefore, to reduce the Project’s emissions, consideration of the following measures should be made:

CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures³³
Measures – Energy
Building Energy Use

³² <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

³³ “Quantifying Greenhouse Gas Mitigation Measures.” California Air Pollution Control Officers Association (CAPCOA), August 2010, available at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

<p>BE-1 Exceed Title-24 Building Envelope Energy Efficiency Standards (California Building Standards Code) by X%</p> <p><i>Range of Effectiveness:</i> See document for specific improvement desired.</p>
<p>BE-2 Install Programmable Thermostat Timers</p> <p><i>Range of Effectiveness:</i> Best Management Practice – Influences building energy use for heating and cooling.</p>
<p>BE-3 Obtain Third-party HVAC Commissioning and Verification of Energy Savings (to be grouped with BE-1)</p> <p><i>Range of Effectiveness:</i> Not applicable on its own. This measure enhances the effectiveness of BE-1.</p>
<p>BE-4 Install Energy Efficient Appliances</p> <ul style="list-style-type: none"> • Typical reductions for energy-efficient appliances can be found in the <i>Energy Star and Other Climate Protection Partnerships</i> Annual Reports. <p><i>Range of Effectiveness:</i> Residential 2-4% GHG emissions from electricity use. Grocery Stores: 17-22% of GHG emissions from electricity use. See document for other land use types.</p>
<p>BE-5 Install Energy Efficient Boilers</p> <p><i>Range of Effectiveness:</i> 1.2-18.4% of boiler GHG emissions.</p>
<p>Lighting</p>
<p>LE-1 Install Higher Efficacy Public Street and Area Lighting</p> <p><i>Range of Effectiveness:</i> 16-40% of outdoor lighting.</p>
<p>LE-2 Limit Outdoor Lighting Requirements</p> <p><i>Range of Effectiveness:</i> Best Management Practice, but may be quantified.</p>
<p>LE-3 Replace Traffic Lights with LED Traffic Lights</p> <p><i>Range of Effectiveness:</i> 90% of emissions associated with existing traffic lights.</p>
<p>Alternative Energy Generation</p>
<p>AE-1 Establish Onsite Renewable or Carbon-Neutral Energy Systems – Generic</p> <p><i>Range of Effectiveness:</i> 0-100% of GHG emissions associated with electricity use.</p>
<p>AE-2 Establish Onsite Renewable Energy System – Solar Power</p> <p><i>Range of Effectiveness:</i> 0-100% of GHG emissions associated with electricity use.</p>
<p>AE-3 Establish Onsite Renewable Energy System – Wind Power</p> <p><i>Range of Effectiveness:</i> 0-100% of GHG emissions associated with electricity use.</p>
<p>AE-4 Utilize a Combined Heat and Power System</p> <p><i>Range of Effectiveness:</i> 0-46% of GHG emissions associated with electricity use.</p>
<p>AE-5 Establish Methane Recovery in Landfills</p> <p><i>Range of Effectiveness:</i> 73-77% reduction in GHG emissions from landfills without methane recovery.</p>
<p>AE-6 Establish Methane Recovery in Wastewater Treatment Plants</p> <p><i>Range of Effectiveness:</i> 95-97% reduction in GHG emissions from wastewater treatment plants without recovery.</p>
<p>Measures – Transportation</p>
<p>Land Use/Location</p>
<p>LUT-1 Increase Density</p> <p><i>Range of Effectiveness:</i> 0.8-30% vehicle miles traveled (VMT) reduction and therefore a 0.8-30% reduction in GHG emissions.</p>
<p>LUT-2 Increase Location Efficiency</p> <p><i>Range of Effectiveness:</i> 10% vehicle miles traveled (VMT) reduction and therefore 10-65% reduction in GHG emissions.</p>

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<p>LUT-3 Increase Diversity of Developments</p> <p><i>Range of Effectiveness:</i> 9-30% vehicle miles traveled (VMT) and therefore 9-30% reduction in GHG emissions.</p>
<p>LUT-4 Increase Destination Accessibility</p> <p><i>Range of Effectiveness:</i> 6.7-20% vehicle miles traveled (VMT) reduction and therefore 6.7-20% reduction in GHG emissions.</p>
<p>LUT-5 Increase Transit Accessibility</p> <p><i>Range of Effectiveness:</i> 0.5-24.6% VMT reduction and therefore 0.5-24.6% reduction in GHG emissions.</p>
<p>LUT-6 Integrate Affordable and Below Market Rate Housing</p> <p><i>Range of Effectiveness:</i> 0.04-1.20% vehicle miles traveled (VMT) reduction and therefore 0.04-1.20% reduction in GHG emissions.</p>
<p>LUT-7 Orient Project Toward Non-Auto Corridor</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see LUT-3).</p>
<p>LUT-8 Locate Project near Bike Path/Bike Lane</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see LUT-4).</p>
<p>Neighborhood/Site Enhancements</p>
<p>SDT-1 Provide Pedestrian Network Improvements, such as:</p> <ul style="list-style-type: none"> • Compact, mixed-use communities • Interconnected street network • Narrower roadways and shorter block lengths • Sidewalks • Accessibility to transit and transit shelters • Traffic calming measures and street trees • Parks and public spaces • Minimize pedestrian barriers <p><i>Range of Effectiveness:</i> 0-2% vehicle miles traveled (VMT) reduction and therefore 0-2% reduction in GHG emissions.</p>
<p>SDT-2 Provide Traffic Calming Measures, such as:</p> <ul style="list-style-type: none"> • Marked crosswalks • Count-down signal timers • Curb extensions • Speed tables • Raised crosswalks • Raised intersections • Median islands • Tight corner radii • Roundabouts or mini-circles • On-street parking • Planter strips with trees • Chicanes/chokers <p><i>Range of Effectiveness:</i> 0.25-1% vehicle miles traveled (VMT) reduction and therefore 0.25-1% reduction in GHG emissions.</p>
<p>SDT-3 Implement a Neighborhood Electric Vehicle (NEV) Network.</p> <p><i>Range of Effectiveness:</i> 0.5-12.7% vehicle miles traveled (VMT) reduction since NEVs would result in a mode shift and therefore reduce the traditional vehicle VMT and GHG emissions. Range depends on the available NEV network and support facilities, NEV ownership levels, and the degree of shift from traditional.</p>

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<p>SDT-4 Create Urban Non-Motorized Zones</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see SDT-1).</p>
<p>SDT-5 Incorporate Bike Lane Street Design (on-site)</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see LUT-9).</p>
<p>SDT-6 Provide Bike Parking in Non-Residential Projects</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see LUT-9).</p>
<p>SDT-7 Provide Bike Parking with Multi-Unit Residential Projects</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see SDT-3).</p>
<p>SDT-8 Provide Electric Vehicle Parking</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see SDT-3).</p>
<p>SDT-9 Dedicate Land for Bike Trails</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see LUT-9).</p>
<p>Parking Policy/Pricing</p>
<p>PDT-1 Limit Parking Supply through:</p> <ul style="list-style-type: none"> • Elimination (or reduction) of minimum parking requirements • Creation of maximum parking requirements • Provision of shared parking <p><i>Range of Effectiveness:</i> 5-12.5% vehicle miles traveled (VMT) reduction and therefore 5-12.5% reduction in GHG emissions.</p>
<p>PDT-2 Unbundle Parking Costs from Property Cost</p> <p><i>Range of Effectiveness:</i> 2.6-13% vehicle miles traveled (VMT) reduction and therefore 2.6-13% reduction in GHG emissions.</p>
<p>PDT-3 Implement Market Price Public Parking (On-Street)</p> <p><i>Range of Effectiveness:</i> 2.8-5.5% vehicle miles traveled (VMT) reduction and therefore 2.8-5.5% reduction in GHG emissions.</p>
<p>PDT-4 Require Residential Area Parking Permits</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see PPT-1, PPT-2, and PPT-3).</p>
<p>Commute Trip Reduction Programs</p>
<p>TRT-1 Implement Commute Trip Reduction (CTR) Program – Voluntary</p> <ul style="list-style-type: none"> • Carpooling encouragement • Ride-matching assistance • Preferential carpool parking • Flexible work schedules for carpools • Half time transportation coordinator • Vanpool assistance • Bicycle end-trip facilities (parking, showers and lockers) • New employee orientation of trip reduction and alternative mode options • Event promotions and publications • Flexible work schedule for employees • Transit subsidies • Parking cash-out or priced parking • Shuttles • Emergency ride home

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<p><i>Range of Effectiveness:</i> 1-6.2% commute vehicle miles traveled (VMT) reduction and therefore 1-6.2% reduction in commute trip GHG emissions.</p>
<p>TRT-2 Implement Commute Trip Reduction (CTR) Program – Required Implementation/Monitoring</p> <ul style="list-style-type: none"> • Established performance standards (e.g. trip reduction requirements) • Required implementation • Regular monitoring and reporting <p><i>Range of Effectiveness:</i> 4.2-21% commute vehicle miles traveled (VMT) reduction and therefore 4.2-21% reduction in commute trip GHG emissions.</p>
<p>TRT-3 Provide Ride-Sharing Programs</p> <ul style="list-style-type: none"> • Designate a certain percentage of parking spaces for ride sharing vehicles • Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles • Providing a web site or messaging board for coordinating rides • Permanent transportation management association membership and funding requirement. <p><i>Range of Effectiveness:</i> 1-15% commute vehicle miles traveled (VMT) reduction and therefore 1-15% reduction in commute trip GHG emissions.</p>
<p>TRT-4 Implement Subsidized or Discounted Transit Program</p> <p><i>Range of Effectiveness:</i> 0.3-20% commute vehicle miles traveled (VMT) reduction and therefore a 0.3-20% reduction in commute trip GHG emissions.</p>
<p>TRT-5 Provide Ent of Trip Facilities, including:</p> <ul style="list-style-type: none"> • Showers • Secure bicycle lockers • Changing spaces <p><i>Range of Effectiveness:</i> Grouped strategy (see TRT-1 through TRT-3).</p>
<p>TRT-6 Encourage Telecommuting and Alternative Work Schedules, such as:</p> <ul style="list-style-type: none"> • Staggered starting times • Flexible schedules • Compressed work weeks <p><i>Range of Effectiveness:</i> 0.07-5.5% commute vehicle miles traveled (VMT) reduction and therefore 0.07-5.5% reduction in commute trip GHG emissions.</p>
<p>TRT-7 Implement Commute Trip Reduction Marketing, such as:</p> <ul style="list-style-type: none"> • New employee orientation of trip reduction and alternative mode options • Event promotions • Publications <p><i>Range of Effectiveness:</i> 0.8-4% commute vehicle miles traveled (VMT) reduction and therefore 0.8-4% reduction in commute trip GHG emissions.</p>
<p>TRT-8 Implement Preferential Parking Permit Program</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see TRT-1 through TRT-3).</p>
<p>TRT-9 Implement Car-Sharing Program</p> <p><i>Range of Effectiveness:</i> 0.4-0.7% vehicle miles traveled (VMT) reduction and therefore 0.4-0.7% reduction in GHG emissions.</p>
<p>TRT-10 Implement School Pool Program</p> <p><i>Range of Effectiveness:</i> 7.2-15.8% in school vehicle miles traveled (VMT) reduction and therefore 7.2-15.8% reduction in school trip GHG emissions.</p>
<p>TRT-11 Provide Employer-Sponsored Vanpool/Shuttle</p>

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<p><i>Range of Effectiveness:</i> 0.3-13.4% commute vehicle miles traveled (VMT) reduction and therefore 0.3-13.4% reduction in commute trip GHG emissions.</p>
<p>TRT-12 Implement Bike-Sharing Programs</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see SDT-5 and LUT-9).</p>
<p>TRT-13 Implement School Bus Program</p> <p><i>Range of Effectiveness:</i> 38-63% School VMT reduction and therefore 38-63% reduction in school trip GHG emissions.</p>
<p>TRT-14 Price Workplace Parking, such as:</p> <ul style="list-style-type: none"> • Explicitly charging for parking for its employees; • Implementing above market rate pricing; • Validating parking only for invited guests; • Not providing employee parking and transportation allowances; and • Educating employees about available alternatives. <p><i>Range of Effectiveness:</i> 0.1-19.7% commute vehicle miles traveled (VMT) reduction and therefore 0.1-19.7% reduction in commute trip GHG emissions.</p>
<p>TRT-15 Implement Employee Parking “Cash-Out”</p> <p><i>Range of Effectiveness:</i> 0.06-7.7% commute vehicle miles traveled (VMT) reduction and therefore 0.6-7.7% reduction in commute trip GHG emissions.</p>
<p><i>Transit System Improvements</i></p>
<p>TST-1 Transit System Improvements, including:</p> <ul style="list-style-type: none"> • Grade-separated right-of-way, including bus only lanes (for buses, emergency vehicles, and sometimes taxis), and other Transit Priority measures. Some systems use guideways which automatically steer the bus on portions of the route. • Frequent, high-capacity service • High-quality vehicles that are easy to board, quiet, clean, and comfortable to ride. • Pre-paid fare collection to minimize boarding delays. • Integrated fare systems, allowing free or discounted transfers between routes and modes. • Convenient user information and marketing programs. • High quality bus stations with Transit Oriented Development in nearby areas. • Modal integration, with BRT service coordinated with walking and cycling facilities, taxi services, intercity bus, rail transit, and other transportation services. <p><i>Range of Effectiveness:</i> 0.02-3.2% vehicle miles traveled (VMT) reduction and therefore 0.02-3% reduction in GHG emissions.</p>
<p>TST-2 Implement Transit Access Improvements, such as:</p> <ul style="list-style-type: none"> • Sidewalk/crosswalk safety enhancements • Bus shelter improvements <p><i>Range of Effectiveness:</i> Grouped strategy (see TST-3 and TST-4)</p>
<p>TST-3 Expand Transit Network</p> <p><i>Range of Effectiveness:</i> 0.1-8.2% vehicle miles traveled (VMT) reduction and therefore 0.1-8.2% reduction in GHG emissions.</p>
<p>TST-4 Increase Transit Service Frequency/Speed</p> <p><i>Range of Effectiveness:</i> 0.02-2.5% vehicle miles traveled (VMT) reduction and therefore 0.02-2.5% reduction in GHG emissions.</p>
<p>TST-5 Provide Bike Parking Near Transit</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see TST-3 and TST-4).</p>

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<p>TST-6 Provide Local Shuttles</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see TST-4 and TST-5).</p>
<p>Road Pricing/Management</p>
<p>RPT-1 Implement Area or Cordon Pricing</p> <p><i>Range of Effectiveness:</i> 7.9-22% vehicle miles traveled (VMT) reduction and therefore 7.9-22% reduction in GHG emissions.</p>
<p>RPT-2 Improve Traffic Flow, such as:</p> <ul style="list-style-type: none"> • Signalization improvements to reduce delay; • Incident management to increase response time to breakdowns and collisions; • Intelligent Transportation Systems (ITS) to provide real-time information regarding road conditions and directions; and • Speed management to reduce high free-flow speeds. <p><i>Range of Effectiveness:</i> 0-45% reduction in GHG emissions.</p>
<p>RTP-3 Required Project Contributions to Transportation Infrastructure Improvement Projects</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see RPT-2 and TST-1 through 7).</p>
<p>RTP-4 Install Park-and-Ride Lots</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see RPT-1, TRT-11, TRT-3, and TST-1 through 6).</p>
<p>Vehicles</p>
<p>VT-1 Electrify Loading Docs and/or Require Idling-Reduction Systems</p> <p><i>Range of Effectiveness:</i> 26-71% reduction in TRU idling GHG emissions.</p>
<p>VT-2 Utilize Alternative Fueled Vehicles, such as:</p> <ul style="list-style-type: none"> • Biodiesel (B20) • Liquefied Natural Gas (LNG) • Compressed Natural Gas (CNG) <p><i>Range of Effectiveness:</i> Reduction in GHG emissions varies depending on vehicle type, year, and associated fuel economy.</p>
<p>VT-3 Utilize Electric or Hybrid Vehicles</p> <p><i>Range of Effectiveness:</i> 0.4-20.3% reduction in GHG emissions.</p>
<p>Measures – Water</p>
<p>Water Supply</p>
<p>WSW-1 Use Reclaimed Water</p> <p><i>Range of Effectiveness:</i> Up to 40% in Northern California and up to 81% in Southern California.</p>
<p>WSW-2 Use Gray Water</p> <p><i>Range of Effectiveness:</i> Up to 100% of outdoor water GHG emissions if outdoor water use is replaced completely with graywater.</p>
<p>WSW-3 Use Locally Sourced Water Supply</p> <p><i>Range of Effectiveness:</i> 0-60% for Northern and Central California, 11-75% for Southern California.</p>
<p>Water Use</p>
<p>WUW-1 Install Low-Flow Water Fixtures</p> <p><i>Range of Effectiveness:</i> 20% of GHG emissions associated with indoor Residential water use; 17-31% of GHG emissions associated with Non-Residential indoor water use.</p>
<p>WUW-2 Adopt a Water Conservation strategy</p>

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<p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. It is equal to the Percent Reduction in water commitment.</p>
<p>WUW-3 Design Water-Efficient Landscapes (see California Department of Water Resources Model Water Efficient Landscape Ordinance), such as:</p> <ul style="list-style-type: none"> • Reducing lawn sizes; • Planting vegetation with minimal water needs, such as native species; • Choosing vegetation appropriate for the climate of the project site; • Choosing complimentary plants with similar water needs or which can provide each other with shade and/or water. <p><i>Range of Effectiveness:</i> 0-70% reduction in GHG emissions from outdoor water use.</p>
<p>WUW-4 Use Water-Efficient Landscape Irrigation Systems (“Smart” irrigation control systems)</p> <p><i>Range of Effectiveness:</i> 6.1% reduction in GHG emissions from outdoor water.</p>
<p>WUW-5 Reduce Turf in Landscapes and Lawns</p> <p><i>Range of Effectiveness:</i> Varies and is equal to the percent commitment to turf reduction, assuming no other outdoor water use.</p>
<p>WUW-6 Plant Native or Drought-Resistant Trees and Vegetation</p> <p><i>Range of Effectiveness:</i> Best Management Practice; may be quantified if substantial evidence is available.</p>
<p>Measures – Area Landscaping</p>
<p>Landscaping Equipment</p>
<p>A-1 Prohibit Gas Powered Landscape Equipment</p> <p><i>Range of Effectiveness:</i> Best Management Practice, influences Area GHG emissions from landscape equipment.</p>
<p>A-2 Implement Lawnmower Exchange Program</p> <p><i>Range of Effectiveness:</i> Best Management Practice, influences Area GHG emissions from landscape equipment.</p>
<p>A-3 Electric Yard Equipment Compatibility</p> <p><i>Range of Effectiveness:</i> Best Management Practice, influences Area GHG emissions from landscape equipment. Not applicable on its own. This measure enhances effectiveness of A-1 and A-2.</p>
<p>Measures – Solid Waste</p>
<p>Solid Waste</p>
<p>SW-1 Institute Recycling and Composting Services</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>SW-2 Recycle Demolished Construction Material</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>Measures – Vegetation</p>
<p>Vegetation</p>
<p>V-1 Urban Tree Planting</p> <p><i>Range of Effectiveness:</i> CO₂ reduction varies by number of trees. VOC emissions may increase.</p>
<p>V-2 Create New Vegetated Open Space</p> <p><i>Range of Effectiveness:</i> Varies based on amount and type of land vegetated.</p>
<p>Measures – Construction</p>
<p>Construction</p>
<p>C-1 Use Alternative Fuels for Construction Equipment</p> <p><i>Range of Effectiveness:</i> 0-22% reduction in GHG emissions.</p>

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<p>C-1 Urban Tree Planting</p> <p><i>Range of Effectiveness:</i> CO₂ reduction varies by number of trees. VOC emissions may increase.</p>
<p>C-2 Use Electric and Hybrid Construction Equipment</p> <p><i>Range of Effectiveness:</i> 2.5-80% of GHG emissions from equipment that is electric or hybrid if used 100% of the time.</p>
<p>C-3 Limit Construction Equipment Idling Beyond Regulation Requirements</p> <p><i>Range of Effectiveness:</i> Varies with the amount of Project Idling occurring and the amount reduced.</p>
<p>C-4 Institute a Heavy-Duty Off-Road Vehicle Plan, including:</p> <ul style="list-style-type: none"> • Construction vehicle inventory tracking system; • Requiring hour meters on equipment; • Document the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment; and • Daily logging of the operating hours of the equipment. <p><i>Range of Effectiveness:</i> Not applicable on its own. This measure ensures compliance with other mitigation measures.</p>
<p>C-5 Implement a Construction Vehicle Inventory Tracking System</p> <p><i>Range of Effectiveness:</i> Not applicable on its own. This measure ensures compliance with other mitigation measures.</p>
<p>Measures – Miscellaneous</p>
<p>Miscellaneous</p>
<p>Misc-1 Establish a Carbon Sequestration Project, such as:</p> <ul style="list-style-type: none"> • Geologic sequestration or carbon capture and storage techniques, in which CO₂ from point sources is captured and injected underground; • Terrestrial sequestration in which ecosystems are established or preserved to serve as CO₂ sinks; • Novel techniques involving advanced chemical or biological pathways; or • Technologies yet to be discovered. <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and projects selected. The GHG emissions reduction is subtracted from the overall baseline project emissions inventory.</p>
<p>Misc-2 Establish Off-Site Mitigation</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and projects selected. The GHG emissions reduction is subtracted from the overall baseline project emissions inventory.</p>
<p>Misc-3 Use Local and Sustainable Building Materials</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>Misc-4 Require best Management Practices in Agriculture and Animal Operations</p>
<p>Misc-5 Require Environmentally Responsible Purchasing, such as:</p> <ul style="list-style-type: none"> • Purchasing products with sustainable packaging; • Purchasing post-consumer recycled copier paper, paper towels, and stationary; • Purchasing and stocking communal kitchens with reusable dishes and utensils; • Choosing sustainable cleaning supplies; • Leasing equipment from manufacturers who will recycle the components at their end of life; • Choosing ENERGY STAR appliances and Water Sense-certified water fixtures; • Choosing electronic appliances with built in sleep-mode timers; • Purchasing ‘green power’ (e.g. electricity generated from renewable or hydropower) from the utility; and

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cont.

<ul style="list-style-type: none"> • Choosing locally-made and distributed products. <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>Misc-6 Implement an Innovative Strategy for GHG Mitigation</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>Measures – General Plans</p>
<p>General Plans</p>
<p>GP-1 Fund Incentives for Energy Efficiency, such as:</p> <ul style="list-style-type: none"> • Retrofitting or designing new buildings, parking lots, streets, and public areas with energy-efficient lighting; • Retrofitting or designing new buildings with low-flow water fixtures and high-efficiency appliances; • Retrofitting or purchasing new low-emissions equipment; • Purchasing electric or hybrid vehicles; • Investing in renewable energy systems <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>GP-2 Establish a Local Farmer’s Market</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>GP-3 Establish Community Gardens</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>
<p>GP-4 Plant Urban Shade Trees</p> <p><i>Range of Effectiveness:</i> The reduction in GHG emissions is not quantifiable at this time, therefore this mitigation measure should be implemented as a Best Management Practice. If the study data were updated to account for Title 24 standards, the GHG emissions reductions could be quantified, but would vary based on location, building type, and building size.</p>
<p>GP-5 Implement Strategies to Reduce Urban Heat-Island Effect, such as:</p> <ul style="list-style-type: none"> • Planting urban shade trees; • Installing reflective roofs; and • Using light-colored or high-albedo pavements and surfaces. <p><i>Range of Effectiveness:</i> The reduction in GHG emissions is not quantifiable at this time, therefore this mitigation measure should be implemented as a Best Management Practice. If the study data were updated to account for Title 24 standards, the GHG emissions reductions could be quantified, but would vary based on location, building type, and building size.</p>

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cont.

Furthermore, in an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the proposed Project from NEDC’s *Diesel Emission Controls in Construction Projects*.³⁴ Therefore, to reduce the Project’s emissions, consideration of the following measures should be made:

³⁴ “Diesel Emission Controls in Construction Projects.” Northeast Diesel Collaborative (NEDC), December 2010, available at: <https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf>.

NEDC's Diesel Emission Controls in Construction Projects³⁵

Measures – Diesel Emission Control Technology

- a. Diesel Onroad Vehicles
All diesel nonroad vehicles on site for more than 10 total days must have either (1) engines that meet EPA onroad emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.
- b. Diesel Generators
All diesel generators on site for more than 10 total days must be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.
- c. Diesel Nonroad Construction Equipment
 - i. All nonroad diesel engines on site must be Tier 2 or higher. Tier 0 and Tier 1 engines are not allowed on site
 - ii. All diesel nonroad construction equipment on site for more than 10 total days must have either (1) engines meeting EPA Tier 4 nonroad emission standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM emissions by a minimum of 85% for engines 50hp and greater and by a minimum of 20% for engines less than 50hp.
- d. Upon confirming that the diesel vehicle, construction equipment, or generator has either an engine meeting Tier 4 non road emission standards or emission control technology, as specified above, installed and functioning, the developer will issue a compliance sticker. All diesel vehicles, construction equipment, and generators on site shall display the compliance sticker in a visible, external location as designated by the developer.
- e. Emission control technology shall be operated, maintained, and serviced as recommended by the emission control technology manufacturer.
- f. All diesel vehicles, construction equipment, and generators on site shall be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend³⁶ approved by the original engine manufacturer with sulfur content of 15 ppm or less.

Measures – Idling Requirements

During periods of inactivity, idling of diesel onroad vehicles and nonroad equipment shall be minimized and shall not exceed the time allowed under state and local laws.

Measures – Additional Diesel Requirements

- a. Construction shall not proceed until the contractor submits a certified list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following:
 - i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment.
 - ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation.
 - iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date.

³⁵ "Diesel Emission Controls in Construction Projects." Northeast Diesel Collaborative (NEDC), December 2010, available at: <https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf>.

³⁶ Biodiesel blends are only to be used in conjunction with the technologies which have been verified for use with biodiesel blends and are subject to the following requirements: <http://www.arb.ca.gov/diesel/verdev/reg/biodieselcompliance.pdf>.

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cont.

b. If the contractor subsequently needs to bring on site equipment not on the list, the contractor shall submit written notification within 24 hours that attests the equipment complies with all contract conditions and provide information.
c. All diesel equipment shall comply with all pertinent local, state, and federal regulations relative to exhaust emission controls and safety.
d. The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.
Reporting
a. For each onroad diesel vehicle, nonroad construction equipment, or generator, the contractor shall submit to the developer's representative a report prior to bringing said equipment on site that includes: <ul style="list-style-type: none"> i. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, and engine serial number. ii. The type of emission control technology installed, serial number, make, model, manufacturer, and EPA/CARB verification number/level. iii. The Certification Statement signed and printed on the contractor's letterhead.
b. The contractor shall submit to the developer's representative a monthly report that, for each onroad diesel vehicle, nonroad construction equipment, or generator onsite, includes: <ul style="list-style-type: none"> i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date. ii. Any problems with the equipment or emission controls. iii. Certified copies of fuel deliveries for the time period that identify: <ul style="list-style-type: none"> 1. Source of supply 2. Quantity of fuel 3. Quality of fuel, including sulfur content (percent by weight)

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Finally, in an effort to reduce the Project's emissions, we identified several mitigation measures that are applicable to the proposed Project from the Sacramento Metropolitan Air Quality Management District's ("SMAQMD") *Basic Construction Emission Control Practices (Best Management Practices)* and *Enhanced Exhaust Control Practices*.^{37, 38} Therefore, to reduce the Project's emissions, consideration of the following measures should be made:

SMAQMD's Basic Construction Emission Control Practices³⁹

The following Basic Construction Emissions Control Practices are considered feasible for controlling fugitive dust from a construction site. The practices also serve as best management practices (BMPs), allowing the use of the non-zero particulate matter significance thresholds. Lead agencies should add

³⁷ "Basic Construction Emission Control Practices (Best Management Practices)." Sacramento Metropolitan Air Quality Management District (SMAQMD), July 2019, available at:

<https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf>.

³⁸ "Enhanced Exhaust Control Practices." Sacramento Metropolitan Air Quality Management District (SMAQMD) October 2013, available at:

<http://www.airquality.org/LandUseTransportation/Documents/Ch3EnhancedExhaustControlFINAL10-2013.pdf>.

³⁹ "Basic Construction Emission Control Practices (Best Management Practices)." Sacramento Metropolitan Air Quality Management District (SMAQMD), July 2019, available at:

<https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf>.

<i>these emission control practices as Conditions of Approval (COA) or include in a Mitigation Monitoring and Reporting Program (MMRP).</i>
Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
<i>The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and offroad diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.</i>
Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1].
<i>Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies</i>
Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.
SMAQMD's Enhanced Exhaust Control Practices⁴⁰
<ol style="list-style-type: none"> The project representative shall submit to the lead agency and District a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. <ul style="list-style-type: none"> The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The project representative shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least 4 business days prior to the use of subject heavy-duty off-road equipment. The District's Equipment List Form can be used to submit this information. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.

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cont.

⁴⁰ "Enhanced Exhaust Control Practices." Sacramento Metropolitan Air Quality Management District (SMAQMD) October 2013, available at: <http://www.airquality.org/LandUseTransportation/Documents/Ch3EnhancedExhaustControlFINAL10-2013.pdf>.

<p>2. The project representative shall provide a plan for approval by the lead agency and District demonstrating that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NOX reduction and 45% particulate reduction compared to the most recent California Air Resources Board (ARB) fleet average.</p> <ul style="list-style-type: none"> • This plan shall be submitted in conjunction with the equipment inventory. • Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. • The District’s Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction.
<p>3. The project representative shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour.</p> <ul style="list-style-type: none"> • Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. • Non-compliant equipment will be documented and a summary provided to the lead agency and District monthly. • A visual survey of all in-operation equipment shall be made at least weekly. • A monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.
<p>4. The District and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation shall supersede other District, state or federal rules or regulations.</p>

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cont.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. A revised CEQA evaluation should be prepared to include all feasible mitigation measures, as well as include an updated air quality and GHG analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The revised CEQA evaluation should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project’s significant emissions are reduced to the maximum extent possible.

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

5-16

Sincerely,

A handwritten signature in blue ink that reads "Matt Hagemann". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matt Hagemann, P.G., C.Hg.

A handwritten signature in blue ink that reads "Paul Rosenfeld". The signature is cursive and clearly legible.

Paul E. Rosenfeld, Ph.D.

Letter 5 Response to Comments

- 5-1.** All feasible mitigation to reduce air pollutant and GHG emissions has been mandated of the Project in mitigation measures AQ-1 and GHG-1. Mitigation measure AQ-1 (see page 3.1-35) requires 11 individual measures intended to reduce air pollutant emissions and protect sensitive receptors, including the requirements that at least five percent of all vehicle parking spaces include EV charging stations and all service equipment (i.e., forklifts) used within the site be electric or compressed natural gas-powered. Measure AQ-1 also requires the Project to promote and support clean truck fleets by providing information on the CARB Carl Moyer retrofit program. Mitigation measure GHG-1 (see page 3.4-9) requires five individual measures intended to reduce GHG emissions, including the requirement to install the maximum possible number of solar energy arrays on the building roof and/or on the Project site to generate solar energy for the facility, to utilize only Energy Star heating, cooling, and lighting devices and appliances, and to employ the use of electric or alternatively-fueled sweeper with high-efficiency particulate air (HEPA) filters.
- 5-2.** Project emissions were modeled based on the Project plans, estimated number of daily trips and associated fleet mix provided by KOA, and the recommendations provided in the NOP comment letters received from both the SCAQMD and CARB. Emissions were modeled using the "General Light Industrial" land use in the CalEEMod emissions software consistent with the Traffic Impact Assessment, which employed the "General Light Industrial" land use as required by the City to represent the potential worst-case traffic generation use for the site. It is noted that the SCAQMD NOP comment letter recommended estimating the Project fleet mix based on 0.64 average daily heavy-duty truck trips per 1,000 square feet of proposed building space. Employing this SCAQMD-recommended metric results in an estimate of 338 heavy-duty truck trips daily ($0.64 \times 528,710 = 338$). However, the analysis contained in the Draft EIR is based on an estimate of 557 heavy-duty truck trips daily, and thus is more conservative than recommended by the SCAQMD, by an additional 239 daily heavy-duty trucks.
- 5-3.** The comment is incorrect that 80 trailer parking spaces on the southeast corner of the site, 70 trailer parking spaces along the western end of the site, and 261 standard vehicle parking space around the perimeter of the building represent land use types that independently influence the proposed Project's anticipated trip generation and emissions. The emissions modeling contained in the Draft EIR account for the site disturbance of the entire 24.88-acre site during construction, area sources associated with the full 528,710-square foot concrete tilt-up industrial/warehouse building during operations, and operational trip generation rate provide by KOA, which as previously described, account for 239 more heavy-duty truck trips daily than recommended by the SCAQMD.
- The 109,330 square feet of landscaping (DEIR p.6) will be comprised of low maintenance, drought-tolerant trees (London plane, chitalpa, date palm), shrubs and groundcover, and will not result in a significant number of trips. Landscape maintenance trips, and other trips such as utility trips and delivery trips, are captured by the site surveys that are conducted to define ITE Trip Generation rates for industrial land use categories.
- 5-4.** The trip generation analysis summarized in Table 5 of the January 2020 project traffic impact study includes the application of rates for a general light industrial use, which is one of the most conservative industrial land use rates. These rates are higher than those for the potential site

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warehousing use, which may become a majority of the tenant operations once the proposed site building is leased. The rates for a light industrial use are 185 percent higher on a daily basis, 312 percent higher in the AM peak hour, and 232 percent higher in the PM peak hour. The application of passenger car equivalency (PCE) rates for anticipated project truck trips of up to a factor of 3.0 also make the analysis conservative, by multiplying truck trips by factors to account for truck size and lower speeds.

All of the rates applied are from the latest version (10th edition) of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE) and accepted nationally and by the City of Irwindale City Engineer for local traffic studies.

The application of surveyed rates from the Truck Trip Generation Study (jointly authored by the City of Fontana, the County of San Bernardino, and the State of California) is reasonable and appropriate as that study, and the truck rate percentages, were both based upon data collected from similar operations. The Fontana truck study is incorporated into national traffic engineering documentation. It is referenced in both the National Cooperative Highway Research Program (NCHRP) Synthesis 298 report, and the ITE Trip Generation Handbook as an appendix. It is a Southern California and national source for truck trip generation data, for typical industrial uses. It is also accepted by the City and has been applied in many other area traffic studies. The use of this source is therefore appropriate for the project impact analysis.

The comment references Southern California Air Quality Management District (SCAQMD) agency comments on environmental documents, stating that a conservative 40 percent truck percentage of total trips is recommended for similar uses at that of the proposed project. The project traffic study trip generation was based on ITE rates for vehicle trip generation, and truck rates from the Fontana truck study and the NCHRP report. With the application of PCE factors to the project trip generation, total and factored truck trips as analyzed for impacts constitute 40 percent to 41 percent of total project trips, depending on daily and peak periods. Therefore it is determined that the project trip generation analysis is adequate based on its conservative basis for truck trips.

- 5-5.** The comment asserts that several model inputs were not consistent with information disclosed in the Draft EIR. However, no further elaboration as to what model inputs are inconsistent are stated in the comment. No further response is required.
- 5-6.** See Responses 1-5, 1-6, and 3-3 regarding cold storage and TRUs.
- 5-7.** See Response 5-3 regarding parking and landscaping as land use types, and trip generation.
- 5-8.** The source of the Southern California Edison carbon dioxide (CO₂) intensity factor used in the GHG emissions modeling contained in the Draft EIR is as follows:

Edison Electric Institute. 2018. Environmental, Social, and Corporate Governance Sustainability Template – Section 2: Quantitative Information.
- 5-9.** As stated on page 3.11-6 of the Draft EIR, the Project would consume approximately 68.73 acre feet per year according to the Valley County Water District 2013 Water Master Plan. The 68.73 acre feet is the equivalent of 22,395,735 gallons, which is the amount of Project water use accounted for in the GHG emission modeling prepared in the Draft EIR.

- 5-10.** The SCAQMD's CEQA Handbook Table 11-4 is attached for reference.

Regarding the requirements of SCAQMD's Rule 403, the comment depicts a table with Rule 403 control actions specific to the Rule 403 *unpaved roads* source category only. However, Rule 403 contains required control actions to numerous other source categories beyond just unpaved roads on a construction site. The emissions modeling prepared in the Draft EIR accounts for three of the numerous required control actions promulgated by Rule 403. First, the 'Water Exposed Area' reduction applied in the emissions modeling is attributable to the Rule 403 *disturbed surface areas* source category, which applies to the entire disturbed area of a construction site, not just the unpaved roads. This control action requires the application of "... water to all unstabilized disturbed areas 3 times per day." The 'Reduce Vehicle Speeds on Unpaved Roads' reduction applied in the emissions modeling is attributable to the Rule 403 *unpaved roads* source category, and the 'Clean Paved Roads' reduction applied in the emissions modeling is attributable to the Rule 403 *track-out* source category. Therefore, the emissions modeling contained in the Draft EIR appropriately accounts for emissions reduction measures required by Rule 403 and does not apply reductions beyond what the Project is required. Therefore, the Draft EIR did not misapply emission reduction values attributable to SCAQMD Rule 403.

- 5-11.** The comment states that the HRA should include analysis of construction-related impacts. While the 2015 OEHAA guidance does suggest evaluating risks associated with construction projects greater than two months, the SCAQMD is still reviewing how that guidance relates to CEQA projects. In addition, there are other factors in determining the need for an HRA, including the project location, total emissions, and distance to sensitive receptors. The City has concluded that an HRA regarding construction emissions is not necessary. The nearest sensitive receptors to the Project site are residences located approximately 205 meters (670 feet) to the east, as measured from the Project's eastern boundary. There are a few sensitive receptors located within 1,000 feet of the Project site, the distance considered by the SCAQMD to be an acceptable buffer between sources of pollution and sensitive receptors. Furthermore, the majority of construction-generated emissions would occur at greater distances from the receptors as construction would not occur at a single location within the project site.

As shown in Table 3.1-8 of the Draft EIR, construction-related emissions would not result in a localized air quality impact. This was determined through an analysis of Project construction activities compared to the SCAQMD's LST protocol. The LST protocol was developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative. The SCAQMD Environmental Justice Enhancement Initiative program seeks to ensure that everyone has the right to equal protection from air pollution. The Environmental Justice Program is divided into three categories, with the LST protocol promulgated under Category I: *Further-Reduced Health Risk*. Thus, the fact that onsite Project construction emissions would be generated at rates below the LSTs demonstrates that the Project would not adversely impact vicinity sensitive receptors.

The comment is incorrect that because the LST protocol can only be applied to criteria air pollutants, it cannot be used to determine whether emissions from diesel particulate matter (DPM) will result in a significant health risk impact to nearby sensitive receptors. Indeed, the Project's estimated quantity of generated particulate matter (PM) emissions compared against the SCAQMD LST is comprised of

both *fugitive dust* PM and *exhaust* PM that would be generated during construction. Exhaust PM_{2.5} is considered a surrogate for DPM because 1) it is sourced from the exhaust of diesel engines and 2) more than 90 percent of DPM is less than 1 microgram in diameter and therefore is a subset of particulate matter under 2.5 microns in diameter. In the instances that construction related HRAs are prepared, emission rates of exhaust PM_{2.5} are employed to determine the dispersion of pollutants and resultant concentration at vicinity receptors. Thus, the LST protocol of comparing the combined total of fugitive dust and exhaust PM is conservative and an HRA for construction emissions was not required.

The operational HRA in the Draft EIR was prepared consistent with the SCAQMD's Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588). The potential cancer risk from the inhalation of DPM outweighs the potential for all other health impacts, and as a result DPM emitted from Project on-road mobile heavy-duty trucks are the focus of the HRA. Emissions associated with architectural coating activities, landscaping and other equipment, parking lot degreasers, cleaning supplies, solid waste disposal, and fertilizers/pesticides would be insubstantial as these activities would occur intermittently and rarely. Further, the Project does not propose emergency generators, fire pumps, process boilers, elevators for parking, or wood stoves. Lastly, it is unclear how lighting, ventilation, and water usage would result in a potential health risk.

The comment is incorrect that the HRA contained in the Draft EIR fails to sum the excess cancer risk calculated for each age group. A review of the second page of Appendix A of the HRA prepared in the Draft EIR clearly shows the excess cancer risk is calculated separately for each age grouping for breathing rates and exposure durations, and that age sensitivity factors beginning in the third trimester and spanning 70 years are applied. Also note that in its comments on the Draft EIR (Letter 1), SCAQMD has not suggested the Draft EIR failed to sum the excess cancer risk calculated for each age group.

- 5-12.** The comment asserts that the Draft EIR GHG *"analysis and the subsequent less than significant impact conclusions are incorrect"*. However, the Draft EIR determined the Project would have a significant and unavoidable impact in terms of its generation of GHG emissions (see Impact 3.4-1 beginning on page 3.4-7 of the Draft EIR), and would have no impact concerning consistency with the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The comment assertion fails to elaborate or provide evidence as to why the analysis and conclusion are incorrect. No further response is required.
- 5-13.** As stated on page 3.4-5 of the Draft EIR, the 2016 RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The 2016 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. The SCAG region strives toward sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions. Targets for the SCAG region in the 2016 RTP/SCS includes an eight percent per capita reduction in GHG emissions from automobiles and trucks by the end of 2020, an 18 percent reduction by 2035, and a 21 percent

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reduction by 2040 compared with 2005 levels. On June 28, 2016, CARB accepted SCAG's conclusion that the 2016-2040 RTP/SCS, if implemented, would achieve the 2020, 2035, and 2040 emission reduction targets set by CARB for the SCAG region.

As stated on page 3.4-12 of the Draft EIR, the Project would not conflict with the SCAG RTP/SCS targets, which were established and applicable on a regional level. The Proposed Project is consistent with the land use designation and development intensity for the site in the City of Irwindale General Plan, which is referenced by SCAG in order to assist planning for integrated land use and transportation planning in the region. The Project proposes an industrial warehouse use in close proximity to I-605, I-10, and I-210, which are major regional freeway corridors. Further, the I-10 corridor has been identified as a "Major International Trade Highway Route" in the California State Goods Movement Action Plan, and therefore serves to accommodate existing truck trips along the interstate. The Goods Movement Action Plan is a statewide initiative to improve and expand California's goods movement industry and infrastructure in a manner which will increase mobility and relieve traffic congestion as well as reduce GHG emissions. The Plan further identifies I-10 (located 2.2 miles south of the Project site and linked to the Project site by I-605) as a "Priority Corridor" for development towards more efficient goods movement and anticipates that the development of good movement-supporting facilities, such as the industrial warehouse proposed by the Project, will improve the efficiency of overall goods movement throughout the state, and thus, reduce truck-related GHG emissions.

Through mitigation imposed in the Draft EIR, 1) the majority of all loading/unloading docks and trailer spaces shall be equipped with electrical hookups for trucks with TRUs or APUs, 2) CARB anti-idling regulations would be proactively enforced, 3) trucks would be prohibited from queuing outside of the facility, 4) onsite truck travel would be directed away from the closest sensitive receptors, 5) loading/unloading activities would be positioned nearly 1,000 feet from the nearest sensitive receptors, 6) overnight parking in the residential communities to the east would be prohibited and overnight parking within the Project site would be established where trucks can be stored overnight, 7) all service equipment (i.e., forklifts) used within the site would be electric or compressed natural gas-powered and 8) the SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles would be promoted consistent with RTP/SCS transportation emission control strategies.

Additionally, the Project would be constructed with electrical conduits provided to accommodate future electric charging for trucks to plug-in should future technology become available, at least five percent of all vehicle parking spaces shall include EV charging stations, electrical hookups to plug in any onboard auxiliary equipment would be provided for Project trucks, the maximum possible number of solar energy arrays on the building roof and/or on the Project site would be installed to generate solar energy for the facility, light-colored paving and roofing materials would be used, planting of trees in landscaping and parking lots would be maximized, and Energy Star heating, cooling, and lighting devices and appliances would be utilized consistent with RTP/SCS GHG control strategies. Finally, the Project would include provisions for preferential parking for carpoolers and vanpools and employ the use of electric or alternatively-fueled sweeper with high-efficiency particulate air (HEPA) filters consistent with RTP/SCS traffic and safety control strategies.

For these reasons, the Project would not interfere with SCAG's ability to achieve the region's year 2020 and post-2020 mobile source GHG reduction targets outlined in the 2016 RTP/SCS, and the Project would not conflict with the regional emissions reduction goals of the RTP/SCS.

- 5-14.** The comment asserts that the Draft EIR's conclusion that impacts are significant and unavoidable due to a failure to implement all feasible mitigation is unsubstantiated. See Response to Comment 5-15.
- 5-15.** The commentor provides numerous additional measures as a means to reduce the air quality and GHG impacts identified within the Draft EIR. However, no indication as to the effectiveness of the proposed measures in reducing Project impacts is provided, nor is a nexus provided between the proposed measures and their implied environmental benefit with respect to Project impacts. Various other suggested measures proposed by the commentor replicate project components, existing policies/requirements/regulations, and would not constitute an additional mitigation measures per se.

Recommended measures that have already been incorporated in the proposed Project include energy efficiency measures, onsite renewable energy generation, location efficiency, electrifying loading docks, alternative-Recommended measures that have already been incorporated in the proposed Project include energy fueled yard equipment, and tree planting. Other recommended measures are not appropriate for an industrial warehouse project. Examples include implementing school pool program, unbundling parking from property costs, establishing a neighborhood electric vehicle network, replacing traffic signals, and orienting the Project towards a non-auto corridor, to name a few. Draft EIR mitigation measure AQ-1 (see page 3.1-35) requires 11 individual measures to reduce air pollutant emissions and protect sensitive receptors, and mitigation measure GHG-1 (see page 3.4-9) requires five individual measures to effectively reduce GHG emissions. These measures are feasible and would significantly reduce emissions associated with construction and operation of the Project.

In *Santa Clarita Organization for Planning the Environment v. City of Santa Clarita* ("SCOPE") (2011) 197 Cal.App.4th 1042, opponents challenged an EIR, which concluded that the increased GHG emissions associated with Project vehicles and transportation sources would be significant, and that there were no feasible mitigation measures to reduce the impact to a less-than-significant level. The opponents challenged this latter claim, citing a comprehensive list of suggested mitigation measures.

In response, the court ruled that the city was not required to address the feasibility of each of the numerous recommended measures, distinguishing cases where courts faulted an agency for not considering specific, potentially feasible measures (see, e.g., 197 Cal.App.4th at 1055 ("Considering the large number of possible mitigation measures . . . as well as the [opponent's admission] that not all measures would be appropriate for every project, it is unreasonable to impose on the city an obligation to explore each and every one.")). Furthermore, the Court noted that emissions from vehicle exhaust are controlled by the state and federal government, and were therefore outside the control of the project.

The Court's holding is analogous to the current Project, where the new building would be constructed in accordance with California Code of Regulations Title 24 to maximize building efficiency. However,

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the greatest emissions associated with the proposed Project are generated by motor vehicles. As an industrial project, the vast majority of the vehicle trips are generated by trucks. There are no feasible measures to reduce or restrict the number of truck traveling to and from the site to a level where the net increase in operational emissions would not exceed the thresholds of significance recommended by the SCAQMD. Any such measures would be beyond the control of the City and the Project.

To summarize, this comment does not appear to identify any substantive inadequacy within the EIR., Particularly in light of the court's ruling in *SCOPE*, these potential other mitigation measures were not required to be discussed in the Draft EIR. All feasible mitigation measures to reduce operational emissions were adequately addressed within the Draft EIR, and no further response is necessary.

- 5-16.** The comment does not question the accuracy or adequacy of the Draft EIR and no response is required.

MITIGATION MEASURE RESOURCES

The following are methods or techniques that may be applied to various operations or equipment when appropriate to mitigate estimated emissions.

Fugitive Dust Mitigation Measures

- SCAQMD, *CEQA Handbook*, Tables 11-4, page 11-15 and A11-9-A, page A11-77.

Emission Source	Mitigation Measure	Emission Reduction Efficiency	Favorable Factors
Fugitive dust/ Construction	Apply non-toxic chemical soil stabilizers according to manufactures' specifications, to all inactive construction areas (previously graded areas inactive for ten days or more)	30%-65% *	Stabilizers applied in sufficient concentration to provide erosion protection for at least on year
Fugitive dust/ Construction	Replace ground cover in disturbed areas as quickly as possible	15%-49% *	Small, densely planted ground cover
Fugitive dust/ Construction	Enclose, cover, water twice daily, or apply non-toxic soil binders, according to manufactures' specifications, to exposed stockpiles (i.e., gravel, sand, dirt) with five percent or greater soil content	30%-74% *	Automatic water mist or sprinkler systems should be installed in areas with stockpiles
Fugitive dust/ Construction	Water active sites at least twice daily	34%-68% *	Water at sufficient frequency to keep soil moist enough so visible plumes are eliminated
Fugitive dust/ Construction	Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour	Not quantified	
Fugitive dust/ Construction	Monitor for particulate emissions according to District-specified procedures	Not quantified	
Fugitive dust from roads	All trucks hauling, dirt, sand, soil or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with CVC Section 23114, (freeboard means vertical space between the top of the load and top of the trailer)	7%-14% *	Tightly secured covering to truck
Fugitive dust from roads	Sweep streets once a day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water)	25%-60% *	Sweep streets immediately after period of heaviest vehicular track-out activity

Emission Source	Mitigation Measure	Emission Reduction Efficiency	Favorable Factors
Fugitive dust from roads	Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.	40%-70%*	Set up truck washing area on paved access road area so subsequent truck travel on unpaved roads can be eliminated
Fugitive dust from roads	Pave construction roads that have a truck volume of more than 50 daily trips by construction equipment, or 150 total daily trips for all vehicles	92.5% (91% for trucks 94% for passenger vehicles)	
Fugitive dust from roads	Pave construction access roads at least 100 feet onto the site from main road	92.5% (91% for trucks 94% for passenger vehicles)	
Fugitive dust from roads	Pave construction roads that have a daily traffic volume of less than 50 vehicular trips.	92.5% (91% for trucks 94% for passenger vehicles)	
Fugitive dust from roads	Apply water three times daily, or non-toxic stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces	45%-85%*	Use non-toxic chemicals that are formulated for unpaved road surfaces
Fugitive dust from roads	Traffic speeds on all unpaved roads to be reduced to 15 miles per hour or less	40%-70%*	Effective traffic control

* Use the lowest value if better information is not known. If higher than the lowest value is used, please provide the supporting analysis and data in the environmental documentation.

Combustion Emissions Mitigation Measures

Alternative Diesel Fuels

Alternative Diesel Fuel	NOx	PM	HC	Toxics
Aquazole fuel ^a	16%	60%	25% lower than diesel vehicle emission standard	No Increase
Clean Fuels Technology - water emulsified diesel fuel ^b	15%	58%	25% lower than diesel vehicle emission standard	No Increase
O ₂ diesel ethano-diesel fuel (O ₂ Diesel) ^c	1.6%	20%	25% lower than diesel vehicle emission standard	No Increase

a) Air Resources Board, Letter from Dean C. Simeroth to Dr. Phillippe Mulard, August 9, 2002.

b) Air Resources Board, Letter from Dean C. Simeroth to Dan Klaich, September 9, 2003.

c) Air Resources Board, Letter from Dean C. Simeroth to James Peeples, September 23, 2003.

From: Meng Heu <Meng.Heu@OPR.CA.GOV>
Sent: Tuesday, May 19, 2020 1:29 PM
To: Marilyn Simpson <msimpson@IrwindaleCA.gov>
Subject: CEQA Project Closing Letter

The State Clearinghouse would like to inform you that our office will be transitioning from providing a hard copy of acknowledging the close of review period on your project to electronic mail system.

Please visit: <https://ceqanet.opr.ca.gov/2019080276/3> for full details about your project and if any state agencies submitted comments by close of review period (note: any state agencies in bold, submitted comments and are available).

This email acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please email the State Clearinghouse at state.clearinghouse@opr.ca.gov if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Letter 6 Response to Comments

- 6-1.** This letter from the State Clearinghouse confirms that the City has complied with the State Clearinghouse review requirements for Draft EIRs, pursuant to CEQA. The comment does not question the accuracy or adequacy of the Draft EIR and no response is required.

SECTION 4. ERRATA/CHANGES TO THE DRAFT EIR

The Draft Environmental Impact Report is updated to reflect a change in Mitigation Measure GHG-1 on page ES-10 of the Executive Summary:

GHG-1: Prior to the certificate of occupancy issuance, the Project Applicant shall demonstrate to the satisfaction of the City of Irwindale Community Development Department Manager that the following measures would be implemented during Project operations. These measures shall be enforced and maintained through Covenants, Codes, and Restrictions (CC&Rs), or other means acceptable to the City of Irwindale Community Development Department Manager.

- ~~Install solar energy arrays on the building roof and/or on the Project site to generate solar energy for the facility sufficient to meet 20% of the anticipated power usage of a typical shell warehouse facility with ancillary office.~~ Install the maximum possible number of solar energy arrays on the building roof and/or on the Project site to generate solar energy for the facility.
- Employ the use of light-colored (Portland cement concrete) paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.
- Employ the use of electric or alternatively-fueled sweeper with HEPA filters.

SECTION 5. MITIGATION MONITORING AND REPORTING PROGRAM

5.1 Mitigation Monitoring and Reporting Requirements

Public Resources Code (PRC) Section 21081.6 (enacted by the passage of Assembly Bill [AB] 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a Responsible Agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the Lead Agency or a Responsible Agency, prepare and submit a proposed reporting or monitoring program.
- The Lead Agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a draft Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND), a Responsible Agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the Responsible Agency or agency having jurisdiction over natural resources affected by the project, or refer the Lead Agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a Lead Agency by a Responsible Agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources, which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a Responsible Agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the Responsible Agency or agency having jurisdiction over natural resources affected by a project, or the authority of the Lead Agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

5.2 Mitigation Monitoring and Reporting Procedures

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with PRC Section 21081.6. It describes the requirements and procedures to be followed by the City of Irwindale to ensure that all mitigation measures adopted as part of the proposed project will be carried out as described in the Draft EIR. Table 5.1 lists each of the mitigation measures specified in this document and identifies the party or parties responsible for implementation and monitoring of each measure.

Table 5.1. Mitigation Monitoring and Reporting Program

Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
3.1 Air Quality			
<p>AQ-1: Prior to the certificate of occupancy issuance, the Project Applicant shall demonstrate to the satisfaction of the City of Irwindale Community Development Department Manager that the following measures would be implemented during Project operations. These measures shall be enforced and maintained through Covenants, Codes, and Restrictions (CC&Rs), or other means acceptable to the City of Irwindale Community Development Department Manager.</p> <ul style="list-style-type: none"> • The proposed warehouse shall be constructed with electrical conduits provided to each dock door in order to accommodate future electric charging for trucks to plug-in should future technology allowing trucks to operate partially on electricity become available. • At least five percent of all vehicle parking spaces shall include rough-in of electrical conduit for future EV charging stations. Further, provisions for electrical hookups to plug in any onboard auxiliary equipment shall be provided for Project trucks at each dock door location. Electrical panels shall be appropriately sized to allow for future expanded use. • The majority of all loading/unloading docks and trailer spaces shall be equipped with electrical hookups for trucks with transport refrigeration units (TRUs) or auxiliary power units (APUs). Rough-in of electrical conduits for future hookups shall meet this requirement until a tenant utilizes trucks with TRUs or APUs. Once any tenant utilizing trucks with TRUs or APUs starts to operate, electrical hookups shall be provided. • Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) 	<p>City of Irwindale Community Development Department Manager, or designee</p>	<p>Prior to the certificate of occupancy issuance</p>	

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Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
<p>instructions for drivers of diesel trucks to restrict idling to no more than five minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.</p> <ul style="list-style-type: none"> • Locate any check-in points for trucks a minimum of 150 feet inside the Project site to reduce potential for trucks queuing outside of the facility. • All dock doors and truck loading spaces shall be located either on the north side or west side of the building in order to encourage truck traffic within the Project site to be located away from the eastern property line (the property line closest to sensitive receptors) to the extent practical. • The Project site is 205 meters (673 feet) from the nearest sensitive receptors at the nearest residences. Establish a buffer zone of at least 300 meters (800 feet) between truck loading zones/docks and the nearest sensitive receptors to the east. • Restrict overnight parking in the residential communities to the east of the Project. Any lease for the site shall not restrict overnight parking within the Project site where trucks can be stored overnight. • All service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered (propane). • In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. Tenants shall be notified about the availability of: 1) alternatively fueled cargo handling equipment; 2) grant programs for diesel-fueled vehicle engine retrofit and/or replacement; 3) designated truck parking locations in the project vicinity; 4) access to alternative fueling stations proximate to the site that supply compressed natural gas; and 5) the United States Environmental Protection Agency’s SmartWay program. <p>There shall be provisions for preferential parking for carpoolers and vanpools.</p>			

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Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
3.2. Cultural Resources			
<p>CUL-1: Prior to issuance of grading permits, the Applicant shall retain a qualified archaeological monitor and, if interested pending conclusion of the tribal resources consultation, a Native American monitor. Monitoring by a qualified archaeologist should be conducted under the supervision of a Los Angeles County Certified archaeologist and, if interested, by a Native American monitor from one of the Gabrieleño groups recognized by the Native American Heritage Commission (NAHC). The monitor shall be present on the Project site during ground-disturbing activities to monitor rough and finish grading, excavation, and other ground-disturbing activities in any native soils (i.e. non-previously engineered soils). Because no cultural resources were identified on the Project site, archaeological monitors are not required to be present on a full-time basis but shall spot check ground-disturbing activities to ensure that no cultural resources are impacted during construction activities. The precise timing of monitoring activities shall be consistent with the provisions established in the Monitoring Plan.</p> <p>The Monitoring Plan shall be prepared by a qualified archaeologist and shall be reviewed by the Community Development Manager/City Planner, or designee. The Monitoring Plan should include at a minimum: (1) a list of personnel involved in the monitoring activities; (2) a description of how the monitoring shall occur; (3) a description of the frequency of monitoring (e.g., full-time, part-time, spot checking); (4) a description of what resources may be encountered; (5) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a "significant" archaeological site); (6) a description of procedures for halting work on site and notification procedures; and (7) a description of monitoring reporting procedures. If any significant historical resources, archaeological resources, tribal cultural resources, or human remains are found during monitoring, work shall be stopped within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist. If the deposits are culturally significant, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to: leaving the deposits in place, excavation of the</p>	<p>City of Inwindale Community Development Department Manager, or designee</p>	<p>Prior to the issuance of grading permits/During project excavation and grading activities</p>	

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Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
<p>deposit in accordance with a data recovery plan (see CCR Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; and an interpretive display of recovered archaeological materials at a local school, museum, or library.</p> <ul style="list-style-type: none"> ■ Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a monitoring report to the Community Development Manager/City Planner, or designee, and to the South-Central Coastal Information Center summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. 			
<p>CUL-2: If human remains of any kind are found during construction, the requirements of CEQA Guidelines Section 15064.5(e) and Assembly Bill 2641 shall be followed. According to these requirements, all construction activities must cease immediately, and the Los Angeles County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she will notify the NAHC. The NAHC will then identify the MLD to be consulted regarding treatment and/or reburial of the remains. If an MLD cannot be identified, or the MLD fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the Native American human remains and associated grave goods shall be buried with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p>	<p>City of Irwindale Community Development Department Manager/County Coroner</p>	<p>During construction (if human remains are identified)</p>	

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Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
3.4 Greenhouse Gas Emissions			
<p>GHG-1: Prior to the certificate of occupancy issuance, the Project Applicant shall demonstrate to the satisfaction of the City of Irwindale Community Development Department Manager that the following measures would be implemented during Project operations. These measures shall be enforced and maintained through Covenants, Codes, and Restrictions (CC&Rs), or other means acceptable to the City of Irwindale Community Development Department Manager.</p> <ul style="list-style-type: none"> • Install the maximum possible number of solar energy arrays on the building roof and/or on the Project site to generate solar energy for the facility. • Maximize the planting of trees in landscaping and parking lots. • Employ the use of light-colored paving and roofing materials. • Utilize only Energy Star heating, cooling, and lighting devices and appliances. • Employ the use of electric or alternatively-fueled sweeper with high-efficiency particulate air (HEPA) filters. 	<p>City of Irwindale Community Development Department Manager, or designee</p>	<p>Prior to the certificate of occupancy issuance</p>	

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Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
3.5 Hazards and Hazardous Materials			
<p>HAZ-1: If applicable, the Project applicant shall prepare and implement a Hazardous Materials Business Plan (HMBP) in accordance with the requirements of the Los Angeles County Fire Department Health Hazardous Materials Management Division, which is the Certified Unified Program Agency (CUPA) for Los Angeles County. The HMBP shall include a hazardous material inventory, emergency response procedures, training program information, and basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of at the proposed Project site, and procedures for handling and disposing of unanticipated hazardous materials encountered during construction. The HMBP shall include an inventory of the hazardous waste generated on site and would specify procedures for proper disposal. Any accidental release of small quantities of hazardous materials shall be promptly contained and abated in accordance with applicable regulatory requirements and reported to the County Health Hazardous Materials Division. Implementation of the HMBP for the Project would ensure that minor spills or releases of hazardous materials would not pose a significant risk to the public or the environment.</p>	<p>Los Angeles County Fire Department Health Hazardous Materials Management Division</p>	<p>Prior to construction/demolition and during operation</p>	
3.9 Transportation			
<p>TRANS-1: A Construction Traffic Management Plan and Truck Haul Route Program shall be prepared for City Traffic Engineer or designee approval to address how the Project will minimize congestion on streets and freeways during the construction period. The Plan/Program will be made available for review by Caltrans.</p>	<p>City of Irwindale Traffic Engineer, or designee</p>	<p>Prior to the certificate of occupancy issuance</p>	
<p>TRANS-2: The Project shall provide a T-Intersection traffic signal at the main Project driveway on Los Angeles Street. The City Engineer shall make the final determination as to need and timing of the traffic signal based on traffic signal warrants.</p>	<p>City of Irwindale Traffic Engineer, or designee</p>	<p>Prior to the certificate of occupancy issuance</p>	

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Mitigation Measures and Project Design Features	Responsible Party	Timing for Standard Condition or Mitigation Measure	Compliance Verification (Date and Signature Required)
<p>TRANS-3: Project access and internal circulation shall be designed to assure that all tenants of the Project have access to at least one Project driveway at Los Angeles Street and Rivergrade Road for ingress and egress.</p>	<p>City of Irwindale Traffic Engineer, or designee</p>	<p>Prior to the certificate of occupancy issuance</p>	
<p>TRANS-4: Prior to the issuance of building permits, the project applicant shall pay the Project's fair share amount for improvements at two study intersections under future with-Project conditions:</p> <ul style="list-style-type: none"> • I-605 Southbound Ramps/Los Angeles Street • I-605 Northbound Ramps/Los Angeles Street <p>Improvements will include the addition of lanes to the freeway off-ramps at both locations and will require widening of the off-ramp facilities. At the southbound off-ramp location, the recommended mitigation measure is an added left-turn lane at the ramp approach. At the northbound off-ramp location, the recommended mitigation measure is an added right-turn lane at the ramp approach.</p>	<p>City of Irwindale Traffic Engineer, or designee</p>	<p>Prior to the issuance of building permits</p>	
3.10 Tribal Cultural Resources			
<p>Refer to mitigation measures CUL-1 and CUL-2 above.</p>	<p>Refer to mitigation measures CUL-1 and CUL-2 above.</p>	<p>Refer to mitigation measures CUL-1 and CUL-2 above.</p>	