December 11, 2025

Gina Gibson Williams
Planning Manager
County of San Bernardino
385 N. Arrowhead Ave
San Bernardino, CA 92415
Gina.Gibson-Williams@lus.sbcounty.gov

Sent via email

Dear Gina Gibson Williams:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Bloomington Business Park Specific Plan (Project) Recirculated Draft Environmental Impact Report (RDEIR), State Clearinghouse No. 2020120545. The Project is proposed within an unincorporated area of the County of San Bernardino (County), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

The Project would allow for the development of up to 3,235,836 square feet of light industrial and business park uses, including high-cube warehouses and fulfillment centers, on a 213-acre site. The Project also includes a legislative land use amendment to rezone a separate 24-acre "Upzone Site" from Low Density Residential to Medium Density Residential to comply with Senate Bill 330, for the construction of up to 480 dwelling units. The Project is separated into two planning areas. Approximately 141 acres of the Project, designated as Planning Area A, are anticipated to be developed in 2026. The remaining portions of the Project site, designated as Planning Area B, would be developed by the year 2040.

Within Planning Area A, the County proposes two buildout options: Opening Year Development Option 1 and Option 2. Opening Year Development Option 1 would result in the construction of 2,113,640 square feet of fulfillment center and high-cube warehouse uses. Opening Year Development Option 2 would result in the construction of 2,712,040 square feet of fulfillment center and high-cube warehouse uses. Once fully developed in 2040, the Project is expected to generate up to approximately 4,923 daily vehicle trips, including 1,177 daily heavy-duty truck trips, along local roadways.[1]

[1] County of San Bernardino. Bloomington Business Park Specific Plan Revised Draft Environmental Impact Report. Appendix K. Traffic Impact Analysis. Accessible at: *https://ceqanet.lci.ca.gov/2020120545/10/Attachment/dsxOFF*

If approved, the Project will expose nearby communities to elevated levels of air pollution beyond the existing baseline emissions at the Project site. The Project site is surrounded by residential homes, with the closest homes located within 11 feet of the Project's northern boundary. In addition to residences, Walter Zimmerman Elementary School, Sycamore Hills Elementary School, Crestmore Elementary School, Ruth O. Harris Middle School, and Bloomington High School are located within approximately half a mile of the Project site. These residences and schools are already exposed to toxic diesel particulate matter (diesel PM) emissions generated by existing industrial buildings, vehicle traffic along Interstate 10 (I-10), and rail traffic along existing Union Pacific rail lines and the Union Pacific West Colton Rail Yard.

CARB previously commented on the Draft Environmental Report (DEIR) for the Project on December 15, 2021.[2] In that letter, CARB expressed concerns regarding the Project's proximity to sensitive receptors, with residences located as close as 11 feet from the Project's boundary, five schools located nearby, and the cumulative health impacts on a disadvantaged community. Other recommendations were to restrict the operation of transport refrigeration units (TRUs)[3] within the Project area and enforce all possible mitigation measures to minimize the Project's Significant and Unavoidable Impact on Air Quality.

Subsequently, on September 17, 2024, the San Bernardino County Superior Court issued a ruling that set aside the certification of the 2022 Final Environmental Impact Report (FEIR) for the Bloomington Park Specific Plan due to violations of the California Environmental Quality Act (CEQA). The Court found the previous environmental review inadequate in its analysis of air quality, specifically the health risk analysis and zero-emission truck feasibility, greenhouse gas emissions, and the feasibility of renewable energy sources. As a result, the County was required to prepare a Recirculated Draft EIR. CARB acknowledges the County's efforts to address the Superior Court's ruling regarding air quality in this revised document.

Industrial development, such as that proposed under the Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, contributing to regional air pollution and global climate change.[4] Due to the Project's proximity to residences and schools already disproportionately burdened by multiple sources of pollution, CARB's comments below express concerns regarding the RDEIR's analysis of potential cumulative air quality impacts

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[2] CARB. CEQA Comment Letter. Bloomington Business Park Specific Plan. December 15, 2021. Accessible at: *https://www.arb.ca.gov/toxics/ttdceqalist/bloomingtonbusinessparkspecificplan_deir.pdf?_ga=2.181136231.1149186916.1763757540-1293749660.1717697261*

[3] 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.

[4] With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the *Scoping Plan issued in 2022*, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

associated with the operation of the Project, the analysis of health risks to sensitive receptors, and the lack of enforceable zero-emission mitigation measures. To protect the health of these communities, the County and the applicant have an obligation to construct and operate the Project using all feasible zero-emission technologies described in this letter.

The Project Would Significantly Contribute to Existing Pollution Burdens

CARB is concerned by the Project's location, which concentrates a new, large-scale industrial use within an existing low density residential area already facing an abundance of existing, under construction, and planned industrial projects. Section 5.3 (Air Quality) of the RDEIR concluded that the operation of the Project would result in a significant impact on air quality. The Project buildout is estimated to generate significant operational air pollutant emissions, including up to approximately 298.17 pounds per day (lbs./day) of nitrogen oxides (NOx), and 99.04 lbs./day of volatile organic compounds (VOCs), which were found to exceed the
South Coast Air Quality Management's District's (SCAQMD) regional significance thresholds.[5] CARB remains concerned that the Project, combined with existing and future industrial development, would significantly worsen air quality burdens in the communities surrounding the Project site.

The RDEIR's cumulative projects list (Table 4-4) includes the multi-million square-foot West Valley Logistics Center and Goodman Industrial Park, among others, contributing to a dense corridor of logistics operations. The proximity of this concentrated industrial land use to numerous schools is a critical concern. The RDEIR identifies Bloomington High School and Walter Zimmerman Elementary School, located as close as 92 feet and 103 feet, respectively, from the Project's boundary (*Figure 1*).

[5] County of San Bernardino. Bloomington Business Park Specific Plan Revised Draft Environmental Impact Report. Page 5.3-39 and 5.3-40. Table 5.3-11 and Table 5.3-12. Accessible at: *https://ceqanet.lci.ca.gov/2020120545/10/Attachment/Lrxqtc*

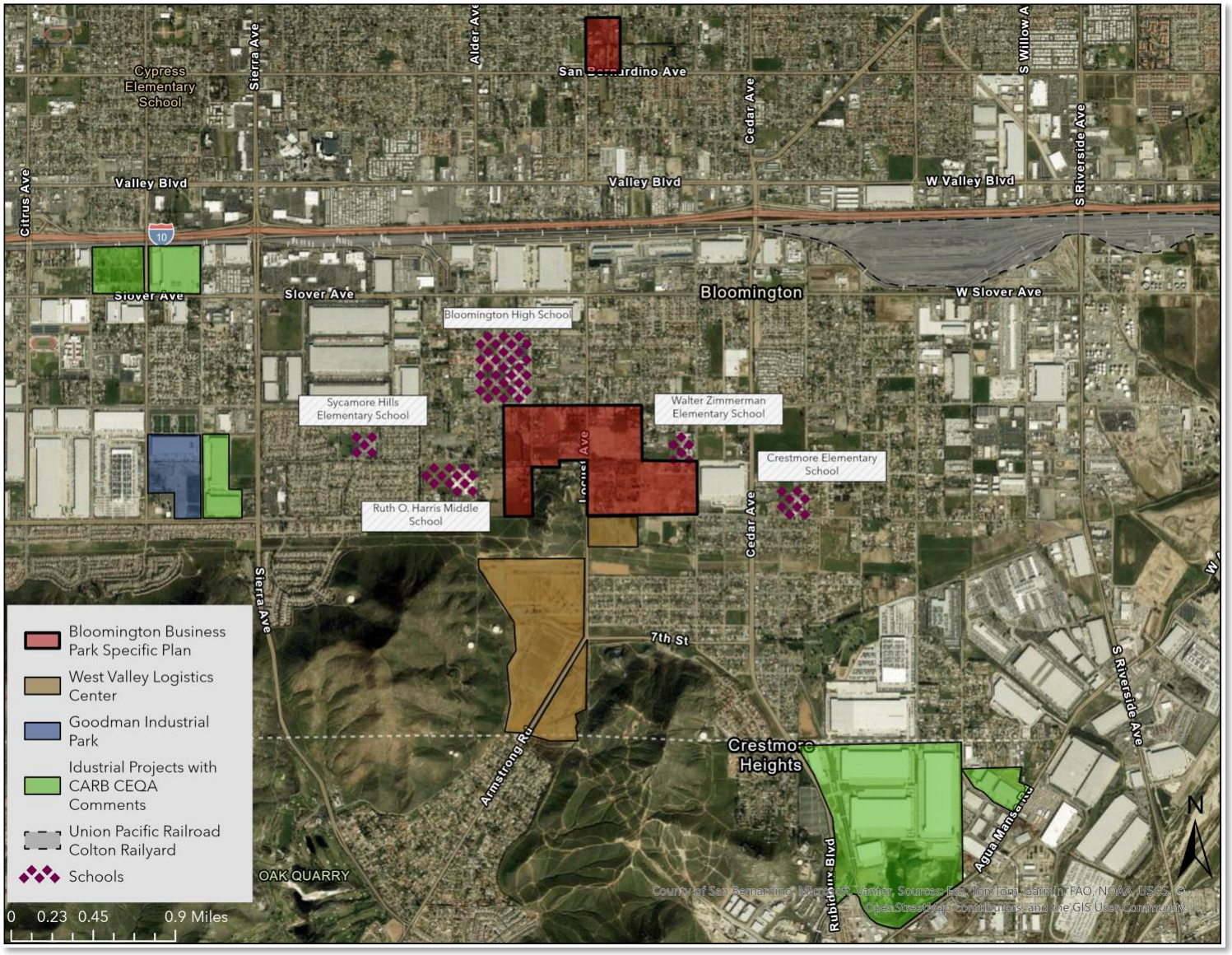


Figure 1: Map of the Bloomington Business Park Specific Plan vicinity. The map identifies the surrounding community, industrial warehouse projects, and the site's proximity to schools.

Section 5.3 (Air Quality) of the RDEIR acknowledges the Project is partially located within an Environmental Justice Focus Area (EJFA) that scores in the 88th percentile for Pollution Burden while the rest of the Project is located in a census tract that scores in the 97th percentile for Pollution Burden.[6] The Project's contribution to local air pollution must be evaluated in the context of the State's environmental justice goals. The State of California has placed additional emphasis on protecting local communities from the harmful effects of

[6] County of San Bernardino. Bloomington Business Park Specific Plan Revised Draft Environmental Impact Report. Page 5.3-21. Table 5.3-4. Accessible at: *https://ceqanet.lci.ca.gov/2020120545/10/Attachment/Lrxqtc*

air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017).[7] 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 PM emissions generated during the construction and operation of the Project would negatively impact neighboring communities, which are already impacted by air pollution from existing industrial buildings, vehicle traffic, and local rail traffic.

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% of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 4.0 (CalEnviroScreen). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tracts containing the residences and schools near the Project are within the top 88th and 97th percentile for Pollution Burden, therefore, the County must ensure that the Project does not adversely impact neighboring disadvantaged communities. [8]

The RDEIR's May Present an Underestimation of Operational Health Risks

The Health Risk Assessment (HRA) prepared for the Project concludes that the operational impact is 'Less than Significant'. The estimated risks for Operation Year – Option 1 (4.58 in one million) and Operational Year – Option 2 (5.78 in one million) are below the SCAQMD's significance threshold of 10 in one million.[9] However, CARB is concerned that the operational cancer risk may be underestimated due to the specific heavy-duty truck idling duration assumption used in the model. The RDEIR's HRA assumes an idling duration of 15 minutes for onsite heavy-duty trucks. This assumption is not supported by substantial evidence. While CARB's Airborne Toxic Control Measure (ATCM) to Limit Diesel-Fueled Commercial Motor Vehicle Idling restricts idling to five minutes, it also includes an exemption for "clean-idle certified" trucks (model year 2008+), which comprise the majority

[7] Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

[8] Pollution Burden represents the potential exposure to pollutants and the adverse environmental conditions caused by pollution.

[9] County of San Bernardino. Bloomington Business Park Specific Plan Revised Draft Environmental Impact Report. Page 5.3-57 and 5.3-58. Accessible at: *https://ceqanet.lci.ca.gov/2020120545/10/Attachment/Lrxqtc*

of the fleet and are permitted to idle for extended periods.[10] The HRA should account for this exemption and provide data to justify why a 15-minute average is appropriate for a high-cube logistics facility where trucks may queue for longer durations.

The RDEIR's Analysis of Zero-Emission Truck Feasibility is Flawed and The County Must Make Their Mitigation Measures Enforceable

The RDEIR asserts that the use of zero-emission heavy-duty trucks is "infeasible" due to limited commercial availability and infrastructure. CARB disagrees with this conclusion, which relies on a snapshot of current market conditions to justify long-term expectations.

The RDEIR's Technical Memorandum argues infeasibility by citing that there are "currently only 12 publicly accessible Direct Current (DC) fast charging stations" for heavy-duty trucks in the U.S and Canada.[11] This metric is irrelevant and misleading for a logistics facility. The primary charging model for logistics operations is "behind-the-fence" depot charging, not public charging stations.[12] Therefore, the applicant must proactively plan for and install the necessary charging infrastructure within the Project site to support fleet electrification, rather than relying on the existence of public charging stations. By ignoring the feasibility of installing private charging infrastructure on-site (which the Project's own design could accommodate throughout the 2040 buildout plan), the RDEIR creates a false barrier to implementation.

Moreover, the RDEIR feasibility analysis ignores the availability of zero-emission trucks through California's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP). HVIP maintains a catalog of commercially available medium- and heavy-duty zero-emission vehicles that are eligible for funding.[13] Major manufacturers such as Volvo, Daimler, and BYD are actively delivering Class 8 electric trucks to fleets in California. The RDEIR's reliance on specific production delays of a single manufacturer (Tesla) to characterize the entire market as "infeasible" is inaccurate and ignores the broader availability of eligible vehicles through state incentive programs.[14]

Furthermore, CARB is concerned that the proposed mitigation strategies for mobile sources in Section 5.3 (Air Quality) of the RDEIR rely on a feasibility definition that is financially

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[10] CARB. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. Accessible at: *https://ww2.arb.ca.gov/our-work/programs/atcm-to-limit-vehicle-idling*

[11] County of San Bernardino. Bloomington Business Park Specific Plan Revised Draft Environmental Impact Report. Page 5.3-42. Accessible at: *https://ceqanet.lci.ca.gov/2020120545/10/Attachment/Lrxqtc*

[12] Behind-the-fence depot charging refers to private electric charging infrastructure installed on a company's property for the use of a specific fleet.

[13] California HVIP. HVIP Eligible Vehicles. Accessible at: *https://californiahvip.org/vehiclecatalog/*

[14] County of San Bernardino. Bloomington Business Park Specific Plan Revised Draft Environmental Impact Report. Page 5.3-41. Accessible at: *https://ceqanet.lci.ca.gov/2020120545/10/Attachment/Lrxqtc*

arbitrary and ignores the operational realities of the zero-emission market. Mitigation Measures AQ-19 and AQ-20 require future tenants to use zero-emission heavy-duty and light/medium trucks, but only "once such trucks are widely commercially available."

The RDEIR defines "widely commercially available" as a vehicle that costs "less than 125% the cost" of a comparable diesel truck. This cost cap is arbitrary, unsupported by substantial evidence, and creates an unenforceable mitigation measure. By embedding this specific cost threshold, which only accounts for the initial capital cost, the measure ignores the significantly lower Total Cost of Ownership (TCO) of electric vehicles (due to fuel and maintenance savings). TCO is a financial estimate used to help buyers and owners determine the direct and indirect costs of a product over its entire lifecycle. TCO looks at the complete cost of buying, operating, and maintenance of a product. The cost constraints also fail to account for state incentives within the HVIP, which has a list of available funding, approved network of dealers, and eligible commercially available zero-emission trucks.[15] According to HVIP vehicle specifications, battery electric trucks offer a typical range of 125 to 330 miles, while hydrogen fuel cell trucks can travel 350 to 500 miles. By focusing purely on the upfront purchase price difference, this definition effectively insulates tenants from adopting cleaner technology even when it is operationally feasible and cost-effective over the life of the vehicle. This weakens the mitigation measure's intent to reduce emissions in a highly pollution burdened community. CARB recommends that the County remove the "125% cost" threshold from Mitigation Measures AQ-19 and AQ-20.

The RDEIR Does Not Adequately Restrict Potential Air Quality Impacts from Transport Refrigeration Units

According to Section 3.4 (Project Description), Table 3-2 (Permitted Uses) of the RDEIR, the Project prohibits "cold storage/refrigerated uses." Although the Project would restrict the operation of cold storage uses, CARB is concerned that the proposed high-cube warehouse and fulfillment center may receive visits from trucks and trailers equipped with TRUs, even if the facility is not dedicated to cold storage. TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Nearby residences and other sensitive receptors such as daycare centers, senior care facilities, and schools could therefore be exposed to diesel exhaust, resulting in a significant air quality impact.

To ensure TRUs will not operate within the Project site without first quantifying and mitigating their potential impacts, CARB urges the County to include one of the following design measures in the Final Recirculated Environmental Impact Report (FREIR):

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating diesel-powered TRUs within the Project site; or

[15] CARB. Clean Truck & Bus Vouchers (HVIP). Assessable at: *https://ww2.arb.ca.gov/our-work/programs/clean-truck-bus-vouchers-hvip*

- 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 County and applicant later choose to allow TRUs to operate within the Project site, the County must re-model the Project's air quality impact analysis and HRA to account for potential health risk impacts. To mitigate potential air quality impacts associated with trucks and trailers visiting the Project site, CARB also urges the County to include the following air pollutant emissions reduction measures in the FREIR:

- Include contractual language in tenant lease agreements that require all loading/unloading docks and trailer spaces to be equipped with electrical hookups for trucks with TRUs or auxiliary power units. This requirement will substantially decrease the amount of time that a diesel-powered TRU powered 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 in lease agreements.[16]
- Include contractual language in tenant lease agreements that require all TRUs entering the project site to be plug-in capable.

The County Must Provide More Meaningful Mitigation Measures to Reduce the Project's Significant and Unavoidable Impact on Air Quality

Chapter 5.3 (Air Quality) of the RDEIR concludes that NOx and VOC during the Project's construction and operation would exceed the SCAQMD's significance thresholds. To reduce the Project's impact on air quality, the RDEIR included twenty-four mitigation measures (MM AQ-1 through MM AQ-24). These mitigation strategies include requiring the use of "Super-Compliant" low-VOC paints, mandating cleaner off-road diesel equipment (Tier 4 Final), requiring on-road haul trucks (2014 or newer) during construction, and including enforcement of a 5-minute truck idling limits via signage. We acknowledge the Project's efforts to reduce emissions; however, the RDEIR indicates that operational NOx and VOC impacts will remain significant and unavoidable after mitigation.

To further reduce the Project's significant and unavoidable air quality impacts, CARB urges the County to implement the following emission reduction measures as either project design features or mitigation measures in the FREIR:

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

- 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.
- Implement, and plan accordingly for, the necessary construction infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on-site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
- Include contractual language in tenant lease agreements requiring future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
- Include contractual language in tenant lease agreements requiring all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission as this equipment is widely available and can be purchased using incentive funding from CARB's Clean Off-Road Equipment Voucher Incentive Project (CORE).[17]
- Include contractual language in tenant lease agreements requiring a phased transition of heavy-duty trucks entering or on the project site, culminating in a requirement for 100% zero-emission trucks beginning in 2030. Incentive funds can be obtained from the Carl Moyer Program and Voucher Incentive Project.[18, 19]
- Include contractual language in tenant lease agreements that restrict trucks and support equipment from idling longer than two minutes while on site.
- 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, to support the 100% renewable energy requirement described in Mitigation Measure AQ-23.
- Include contractual language in tenant lease agreements, requiring the installing of vegetative walls or other effective barriers that separate loading docks and people living or working nearby.[20]

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[17] Clean Off-Road Equipment Voucher Incentive Project. Accessible at: *https://ww2.arb.ca.gov/our-work/programs/clean-off-road-equipment-voucher-incentive-project*
[18] Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: *https://californiahvip.org/*
[19] Carl Moyer Program and Voucher Incentive Program. Accessible at: *https://ww2.arb.ca.gov/carl-moyer-program-apply*
[20] Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollution Mitigation Strategies (2017) is available at: *https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf*

Conclusion

CARB is concerned about the potential cumulative air quality and public health impact should the County approve the Project. The Project is close to residences and schools that already suffer from exposure to existing air pollution sources and reside in census tracts that score within the top one percent for pollution burden, according to CalEnviroScreen. These sources include existing industrial facilities, vehicle traffic along the I-10, and local rail traffic. To protect the health of the residents and students within these communities, the County must include legally enforceable design features and mitigation measures that promote the use of zero-emission trucks and onsite equipment and the infrastructure to support those technologies.

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 RDEIR for the Project and can provide assistance with emission reduction strategies, as needed. Please include CARB on your list of selected State agencies that will receive the FREIR. If you have questions, please contact Alejandro (Alex) Sanchez, Air Pollution Specialist, via email at *alex.sanchez@arb.ca.gov*

Sincerely,

Matthew O'Donnell

Matthew O'Donnell, Chief, Risk Reduction Branch

cc: State Clearinghouse
state.clearinghouse@lci.ca.gov

Sam Wang, Program Supervisor- CEQA IGR, South Coast Air Quality Management District
swang1@aqmd.gov

Alejandro (Alex) Sanchez, Air Pollution Specialist, Risk Reduction Branch

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

Attachments

December 15, 2021

Aron Liang, Senior Planner
County of San Bernardino
Land Use Services Department - Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, California 92415-0187
aron.liang@lus.sbcounty.gov

Dear Aron Liang:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Bloomington Business Park Specific Plan (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020120545. The Project is proposed within an unincorporated area of the County of San Bernardino (County), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

The Project would allow for the development of up to 3,235,836 square feet of light industrial and business park uses on a 213-acre site. The Project is separated into two planning areas. Approximately 141 acres of the Project, designated as Planning Area A, are anticipated to be developed in 2022. The reaming portions of the Project site, designated as Planning Area B, would be developed by the year 2040. Within Planning Area A, the County proposes two buildout options: Opening Year Development Option 1 and Option 2. Opening Year Development Option 1 would result in the construction of 2,113,640 square feet of fulfillment center and high-cube warehouse uses. Opening Year Development Option 2 would result in the construction of 2,712,040 square feet of fulfillment center and high-cube warehouse uses. Once fully developed in 2040, the Project is expected to generate up to approximately 6,626 daily vehicle trips, including 1,289 daily heavy-duty truck trips, along local roadways.

If approved, the Project will expose nearby communities to elevated levels of air pollution beyond the existing baseline emissions at the Project site. The Project site is surrounded by residential homes, with the closest homes located within 100 feet of the Project's boundary. In addition to residences, Walter Zimmerman Elementary School, Sycamore Hills Elementary School, Crestmore Elementary School, Ruth O. Harris Middle School, and Bloomington High School are located within approximately half a mile of the Project site. These residences and schools are already exposed to toxic diesel particulate matter (diesel PM) emissions generated by existing industrial buildings, vehicle traffic along Interstate 10 (I-10), and rail traffic along existing Union Pacific rail lines and rail yards.

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 PM emissions generated during the construction and operation of the Project would negatively impact neighboring communities, which are already impacted by air pollution from existing industrial buildings, vehicle traffic, and local rail traffic.

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). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tract containing the residences and schools near the Project is within the top one percent for Pollution Burden[1] and is considered a disadvantaged community; therefore, the County must ensure that the Project does not adversely impact neighboring disadvantaged communities.

Industrial development, such as those proposed under the Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.[2] Due to the Project's proximity to residences and schools already disproportionately burdened by multiple sources of pollution, CARB's comments below express concerns with the potential cumulative air quality impacts associated with the construction and operation of the Project. To protect the health of these communities, County and applicant have an obligation to construct and operate the Project using the zero-emission technologies provided in this letter.

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

2. With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

The Final Environmental Impact Report Should Restrict the Operation of Transport Refrigeration Units within the Project Area

Chapter 3.4.3 (Site Operations) of the DEIR states that the proposed buildings constructed within the Project site are not designed to accommodate any warehouse cold storage or refrigerated uses. Consequently, air pollutant emissions associated with cold storage operation were not included in the DEIR. Should the Project later include cold storage uses, residences near the Project-site could be exposed to significantly higher levels of toxic diesel PM and nitrogen oxides (NO_x), and greenhouse gases than trucks and trailers without TRUs. To ensure TRUs will not operate within the Project site without first quantifying and mitigating their potential impacts, CARB urges the County to include one of the following design measures in the Final Environmental Impact Report (FEIR):

- 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 County and applicant later chooses to allow TRUs to operate within the Project site, the County must re-model the Project's air quality impact analysis and HRA to account for potential health risk impacts. The updated air quality impact analysis and HRA should include the following air pollutant emission reduction measures:

- Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces to 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 in lease agreements.[3]
- Include contractual language in tenant lease agreements that requires all TRUs entering the project site to be plug-in capable

3 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*.

The County Must Include Enforceable Mitigation Measures to Minimize the Project's Significant and Unavoidable Impact on Air Quality

Chapter 5.3 (Air Quality) of the DEIR concludes that nitrogen oxides (NOx) and volatile organic compounds (VOC) emitted during Project construction and operation would exceed the South Coast Air Quality Management District's significance thresholds. To reduce the Project's impact on air quality, the DEIR included 25 design features (PDF AQ-1 through PDF AQ-25) and seven mitigation measures (MM AQ-1 through MM AQ-7). These design features and mitigation measures include requiring the applicant to use on-road heavy-duty haul trucks to be model year 2010 or newer and off-road equipment 50 horsepower or greater to be equipped with Tier 4 engines during Project construction, have all heavy-duty trucks entering or operating on the Project site to be zero-emission beginning in 2030, use zero to near zero-emission onsite equipment, have tenants use zero-emission light- and medium-duty trucks as part of business operations, and construct onsite infrastructure to support onsite electric trucks and equipment. Even after implementing these design features and mitigation measures, the County concludes in the DEIR that the Project's operational emissions of NOx and VOC would remain significant after mitigation.

Although the design features listed in Chapter 5.3 of the DEIR would reduce the Project's air pollutant emissions by implementing zero-emission technologies, CARB Staff are concerned that they lack enforceable language that could provide the applicant with the option of not fully implementing them. For example, PDF AQ-3, PDF AQ-10, and PDF AQ-12 would require the applicant to utilize heavy-duty haul trucks to be model year 2010 or newer during Project construction and zero-emission trucks by 2030 if "such trucks are widely available and economically feasible." In the DEIR, the County leaves it up to the applicant to decide when certain types of equipment are "not commercially available," which makes the design features virtually unenforceable since there is no objective standard for determining what constitutes unavailability. To make the design features listed in the DEIR fully enforceable, the County must require the implementation of these measures through permit conditions, agreements, or other legally binding instruments in the FEIR. In addition to make the existing design measures in the DEIR enforceable, CARB urges the County to include the following mitigation measures in the FEIR o reduce the Project's significant and unavoidable impact on air quality.

- 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.
- Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
- 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 and can be

purchased using incentive funding from CARB's Clean Off-Road Equipment Voucher Incentive Project (CORE).[4]

- 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 2023. A list of commercially available zero-emission trucks can be obtained from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP).[5] Additional incentive funds can be obtained from the Carl Moyer Program and Voucher Incentive Program.[6]
- Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than two minutes while on site.
- Include contractual language in tenant lease agreements, requiring the installing of vegetative walls[7] or other effective barriers that separate loading docks and people living or working nearby.

Conclusion

CARB is concerned about the potential cumulative air quality and public health impact should the County approve the Project. The Project is located within close proximity to residences and schools that already suffer from exposure to existing air pollution sources and reside in census tracts that score within the top one percent for pollution burden, according to CalEnviroScreen. These sources include existing industrial facilities, vehicle traffic along the I-10, and local rail traffic. To protect the health of the residences and students within these communities, the County must include legally enforceable design features and mitigation measures that promote the use of zero-emission trucks and onsite equipment and the infrastructure to support those technologies.

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.

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4 Clean Off-Road Equipment Voucher Incentive Project. Accessible at: *https://californiacore.org/how-toparticipate/*

5 Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: *https://californiahvip.org/*

6 Carl Moyer Program and Voucher Incentive Program. *https://ww2.arb.ca.gov/carl-moyer-program-apply*

7 Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: *https://ww2.arb.ca.gov/sites/default/files/classic//research/apr/past/13-306.pdf*

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 needed. Please include CARB on your list of selected State agencies that will receive the FEIR. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at *stanley.armstrong@arb.ca.gov*.

Sincerely,

Robert Krieger, Branch Chief, Risk Reduction Branch

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Yassi Kavezade, Organizer, Sierra Club
yassi.kavezade@sierraclub.org

Lijin Sun, Program Supervisor, CEQA Intergovernmental Review, South Coast Air Quality Management District
lsun@aqmd.gov

Morgan Capilla, NEPA Reviewer, U.S. Environmental Protection Agency, Air Division, Region 9
capilla.morgan@epa.gov

Taylor Thomas, Research and Policy Analyst, East Yard Communities for Environmental Justice
tbthomas@eycej.org

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch