October1, 2025

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Sent via email: clerk@fresno.gov

RE: Environmental Assessment for P21-05778/P21-05870/P23-00149

Members of the Fresno City Council:

The California Air Resources Board (CARB) submits this letter regarding Annexation Application No. P21-05778, Pre-zone Application No. P21-05870, and Development Permit Application No. P23-00149 (Project) and its associated Mitigated Negative Declaration (MND) and Health Risk Assessment (HRA).[1]

The Project would allow the City of Fresno (City) to annex approximately 81 acres from the Kings Rivers Conservation District and the Fresno County Fire Protection District, and rezone approximately 52 acres from Fresno County's AL-20 (Limited Agricultural) district to the City of Fresno's HI (Heavy Industrial) district. The Project would also allow for the construction and operation of a 68,570 square-foot cross-dock facility, an 11,880-square-foot maintenance shop, and a less-than-truckload (LTL) freight facility on an approximately 16-acre site within the annexation area at the southwest corner of East Central and South Cherry Avenues of the City. The development also includes two office buildings that amount to approximately 6,700 square feet, parking for 29 trucks, 150 trailers, and 84 cars, and a diesel fueling station.

Once operational, the Project is expected to generate approximately 126 heavy truck trips per day and 180 passenger vehicle trips per day with a combined average of 306 daily

[1] City of Fresno. P21-05778/P21-05870/P23-00149 Mitigated Negative Declaration. May 22, 2025. Accessible at *https://files.ceqanet.lci.ca.gov/317588-1/attachment/ObkOJJaBILIijAdGvEpz1bDZvdONVxJEuleSrJawxDJ1bhH9E65QmSEHfvelmeOhqPpXzgOkkOGnymk_0*

trips.[2] The operation of the Project will result in increased heavy-duty truck trips both at the Project site and along local roadways; these heavy-duty truck trips will emit toxic diesel particulate matter (diesel PM) and contribute to regional air pollution and global climate change.[3]

Residences are located to the east and southeast of the Project site, with the closest residence located within 150 feet of the Project's southeastern boundary. In addition to residences, three schools, Orange Center Elementary School, West Fresno Elementary School, and West Fresno Middle School, are located within a mile of the Project. See MND Figure 1. These residences and schools are located within the South Central Fresno Community which is a designated disadvantaged community[4] and was selected for the Community Air Protection Program under Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017) because of high cumulative exposure to air pollution.[5] AB 617 requires CARB and air districts to take actions to reduce these exposures and improve air quality. To date, CARB and air districts have invested a cumulative total of 3.7 billion dollars to implement community identified air quality priorities.

To protect the health of the community and nearby sensitive receptors (e.g., residents and school students and staff),[6] CARB urges the Fresno City Council to (1) update the Project's HRA to assess cancer risks to the Orange Center Elementary School, (2) prohibit access to the Project site by trucks with transportation refrigeration units (TRUs), (3) analyze the air quality, health risk, and greenhouse gas impacts of the reasonably foreseeable industrial development within the Project's remaining annexation area, and (4) incorporate all feasible zero-emission technologies into the Project's final design.

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[2] City of Fresno. P21-05778/P21-05870/P23-00149 Mitigated Negative Declaration. May 22, 2025. Table 20. Accessible at *https://files.ceqanet.lci.ca.gov/317588-1/attachment/ObkOJJaBILIijAdGvEpz1bDZvdONVxJEuleSrJawxDJ1bhH9E65QmSEHfvelmeOhqPpXzgOkkOGnymk_0*

[3] With regard to greenhouse gas (GHG) 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 CARB's Scoping Plan issued in 2022, explains that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing GHG below levels of significance. CARB's 2022 Scoping Plan for Achieving Carbon Neutrality, published November 16, 2022, is available at *https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf*

[4] A disadvantaged community is defined as an area disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation. (California Health and Safety Code section 39711, subdivision (a).)

[5] 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.

[6] California Health and Safety Code Section 42705.5, subdivision (a)(5): *leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=42705.5.&lawCode=HSC*

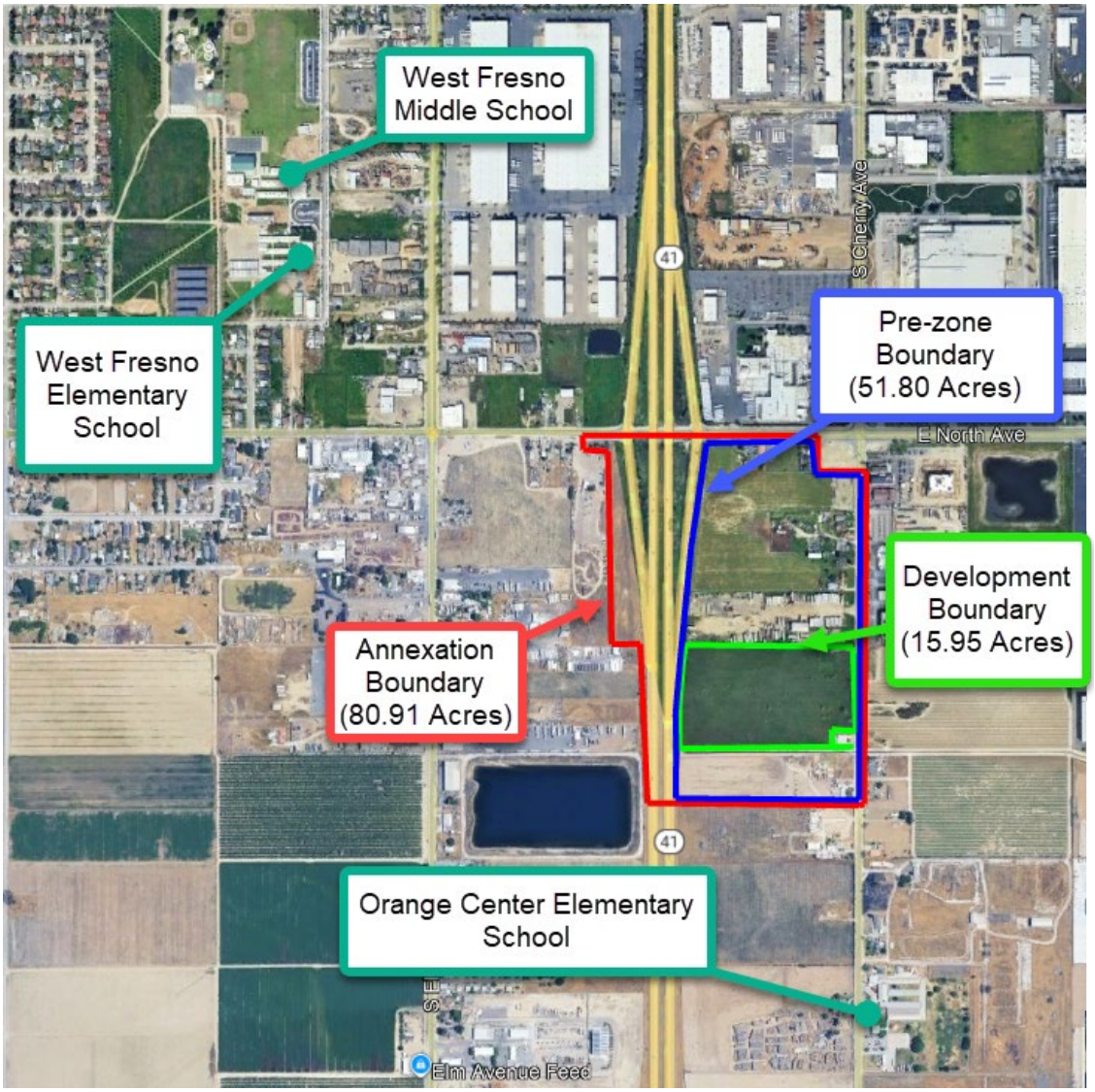

Figure 1. Three schools are within 1 mile of the project site. Orange Center Elementary School is 0.27 miles from Development Boundary.

Background

The City released the Mitigated Negative Declaration (MND) for the proposed Project on May 23, 2025. Based on the air quality analysis presented in Section III (Air Quality) of the MND, the MND concludes that the Project would expose nearby residents to diesel PM emissions during the combined construction and operation of the proposed 15.95-acre cross-dock facility, maintenance shop, and LTL freight facility (Development Permit Application No. P23-00149). These emissions are projected to result in a significant cancer risk and a substantial Toxic Air Contaminant (TAC) impact. To mitigate the Project's air quality impact, the MND includes Mitigation Measure AIR-1 that would require the Project applicant to provide the City with documentation showing that all off-road construction equipment over 75 horsepower will use Tier 4 Interim (or better) engines or Level 3 diesel

particulate filters and will maintain and submit detailed equipment and compliance records. Based on its analysis, the MND concludes that with the implementation of proposed mitigation measures, the Project will not have a significant effect on the environment. CARB has reviewed the MND and has the following comments.

The Project Increases Pollution in an Overburdened, Disadvantaged Community and Conflicts with the South Central CERP.

California has committed to address cumulative air quality impacts in communities already facing high pollution burdens—such as the one surrounding the Project—and has adopted legislation to achieve this commitment. AB 617 was signed into law in 2017 and CARB established the Community Air Protection Program to translate AB 617 into action. AB 617 in 2017, along with additional legislation, AB 197 in 2016, and AB 1749 in 2022, requires CARB and air districts to develop and implement emissions reporting, monitoring, and plans to reduce exposures and emissions in the communities that are the most impacted by poor air quality—known as Community Emission Reduction Programs (CERP).

The California Environmental Protection Agency (CalEPA) is responsible for identifying disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria. Using the *California Communities Environmental Health Screening Tool* (CalEnviroScreen 4.0), CalEPA defines disadvantaged communities as those ranking within the top 25% of census tracts most burdened by pollution and socioeconomic stressors. The Project site is located in a census tract with a CalEnviroScreen 4.0 score of 96%, placing it among the most highly impacted areas in the state.

Due to its high cumulative pollution burden, CARB selected the South Central Fresno Community to be a part of the Community Air Protection Program and to write a CERP to reduce air pollution emissions within the community. This Project is within the borders of the *South Central Fresno CERP*[7]. The Project's Initial Study and Mitigated Negative Declaration does not consider the South Central Fresno Community Emission Reduction Program in evaluating whether the proposed Project conflicts with or obstructs implementation of an applicable air quality plan.

South Central Fresno CERP Steering Committee members' primary concern was that "planned industrial development, specifically distribution centers planned for under the City of Fresno South Industrial Priority Area Specific Plan[8], will result in increased exposure to emissions for residents that live near heavy duty trucking corridors and major thoroughfares in the community." The South Central Fresno CERP prioritized reducing emissions from

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[7] San Joaquin Valley Air Pollution Control District, Community Emissions Reduction Program South Central Fresno, 2019. Accessible here: *https://community.valleyair.org/media/kx2gz0h4/01finalscfresnocerp-9-19-19.pdf*

[8]City of Fresno Development and Resource Management, South Industrial Priority Area Specific Plan Accessible here: *https://www.fresno.gov/wp-content/uploads/2023/03/SIPA_doc_v4-pressready-1.pdf*. The plan was updated and renamed as The South Central Specific Plan. Accessible here: *https://www.fresno.gov/wp-content/uploads/2024/11/1_South-Central-Specific-Plan-November-2024.pdf*

"idling heavy duty diesel trucks at distribution centers, warehouses, or other freight facilities where trucks are being loaded or unloaded" and reducing emissions from "diesel powered yard trucks, transport refrigeration units operating at warehouses, distribution centers, or other facilities." To meet these concerns, the CERP includes several incentives projects and funding toward partnership actions that reduce the impact from heavy duty trucks on the community. The CERP includes incentives to help replace heavy-duty trucks with zero and near-zero emission technology and install charging infrastructure for electric trucks. The following incentives that could be applied to the Project include:

HD.1: Incentive Program for Heavy-Duty Truck Replacement with Zero and Near-Zero Emission Technology

HD.2: Incentive Program for Deployment of Clean Yard Trucks, Transport Refrigeration Units (TRUs), and Related Infrastructure

HD.3: Measures to Reduce Idling – Charging Plugs for Trucks

HD.4: Support Planning and Development of Clean Fueling Infrastructure

The MND shows that operation of the Project will further expose the South Central Fresno Community, that is already affected by a high cumulative air quality exposure burden, to further elevated levels of air pollution, including diesel PM and oxides of nitrogen (NOx) generated by heavy-duty diesel trucks serving the site. Specifically, according to Section III (Air Quality) of the MND, Project operations are expected to produce over 5 tons per year of NOx, over 1 ton per year of particulate matter 10 microns or smaller (PM10), and less than 1 ton per year of fine particulate matter 2.5 microns or smaller (PM2.5).[9] While the 5 tons/year of NOx, 1 ton/year of PM10 and PM2.5 emissions from this single project may not individually exceed the San Joaquin Valley Air Pollution Control District's (SJVAPCD) significance thresholds, these Project emissions would nonetheless contribute to significant adverse cumulative air quality impacts that will further overburden this community.

It is imperative to protect the health of people living, working, and attending school in South Central Fresno that the City require the applicant to evaluate the impact of all foreseeable uses for the entire Project area and to ensure that its land use decisions, including its decision on this Project, are consistent with the South Central Fresno Community CERP in its entirety. The City should address the CERP measures and Community Steering Committee concerns in this MND.

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[9] City of Fresno. P21-05778/P21-05870/P23-00149 Mitigated Negative Declaration. May 22, 2025. Table 2. Accessible at *https://files.ceqanet.lci.ca.gov/317588-1/attachment/ObkOJJaBILIijAdGvEpz1bDZvdONVxJEuleSrJawxDJ1bhH9E65QmSEHfvelmeOhqPpXzgOkkOGnymk_0*

The Project's MND and HRA should be Updated to Fully Evaluate the Project's Cancer Risk Impact to the Orange Center Elementary School

Orange Center Elementary School, located just 0.27 miles south of the proposed Project site and immediately adjacent to South Cherry Avenue, is a long-standing educational institution serving a community already burdened by some of the highest levels of air pollution in the state (Figure 1). Children at this school are particularly vulnerable to the harmful effects of existing air pollution, such as diesel PM and NOx, which are known to cause and exacerbate asthma, respiratory illness, and cancer. The operation of the Project, which will generate significant heavy-duty diesel truck traffic each day both 0.27 miles from the school and along South Cherry Avenue, will directly add to these existing adverse impacts, increasing the exposure of students and staff to toxic air contaminants. Because of these potentially adverse significant impacts, CARB is concerned that the Project's cancer risk impact on the Orange Center Elementary School was not adequately assessed in the Project's HRA and MND.

According to Appendix A (Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum) of the MND, the modeling receptor locations used in the Project's HRA only extended to 0.25 miles (1,320 feet) from the Project site boundary.[10] The MND acknowledges that the SJVAPCD considers a sensitive receptor to be a location that houses or attracts children or others who are especially sensitive to the effects of air pollutants, but claims that "the only sensitive receptors within 0.25 miles of the Project are residences." CEQA Guideline 15130, subdivision (b)(3) provides that an EIR's cumulative impacts analysis "should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (*Golden Door Props., LLC v. Cnty. of San Diego* (2020) 50 Cal. App. 5th 467, 556.) Here, the MND did not define the geographic scope nor provide the required explanation. The Orange Center Elementary School is located 0.27 miles (1,426 feet) south of the Project site, meaning the MND did not properly evaluate the proposed Project's individual or cumulative construction and operational cancer risk or TAC impacts to children and staff at the school. This omission is particularly concerning because the Orange Center Elementary School sits directly adjacent to South Cherry Avenue, the roadway expected to carry the majority of the Project's diesel heavy-duty truck traffic. Given the school's proximity to the proposed Project and the vulnerability of its student population, the Project's MND and HRA should have explicitly included Orange Center Elementary School as a sensitive receptor.

Further, the roadway volume sources used in the HRA modeling did not extend far enough to capture Project-related diesel truck traffic passing immediately adjacent to the school. By

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[10] City of Fresno. P21-05778/P21-05870/P23-00149 Mitigated Negative Declaration. May 22, 2025. Appendix A. Page 14. Accessible at *https://files.ceqanet.lci.ca.gov/317588-1/attachment/ObkOJJaBILIijAdGvEpz1bDZvdONVxJEuleSrJawxDJ1bhH9E65QmSEHfvelmeOhqPpXzgOkkOGnymk_0*

truncating roadway segments before they reach Orange Center Elementary School, the HRA analysis improperly reduces the potential cancer risk impact that students and staff will face from diesel PM emissions associated with Project operations.

The MND fails to adequately disclose and evaluate the Project's cancer risk impacts to Orange Center Elementary School, a highly sensitive receptor located just beyond the 0.25-mile study boundary used in the HRA. By excluding the school from receptor modeling, truncating roadway segments before they reach the school, and overlooking the fact that the school sits directly adjacent to the primary truck route, the analysis significantly underestimates the air quality risks to students and staff.

The Project Must Prohibit Trucks and Trailers with Transport Refrigeration Units from Operating On-Site

The HRA presented in MND Appendix A (Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum) evaluates cancer risk impacts based on the assumption that the operation of the development proposed under Development Permit Application No. P23-00149 would not include cold storage operations.[11] Consequently, the HRA analysis did not consider potential health risks from trucks and trailers equipped with TRUs serving the Project site. TRUs are significant sources of diesel exhaust emissions when operating near sensitive receptors, such as the Orange Center Elementary School, which here would be directly exposed to elevated levels of diesel pollution; these diesel exhaust exposures could result in significant adverse cancer risk impacts. Despite this, the MND contains no project design features or enforceable restrictions preventing TRU-equipped trucks and trailers from accessing the site. If future tenants employ TRUs, as is likely given that the Project includes a 68,570 square-foot cross-dock facility, an 11,880-square-foot maintenance shop, and a less-than-truckload freight facility, the resulting health risks could be far greater than those disclosed in the MND.

To ensure the HRA's assumptions are legally enforceable and protective of public health, CARB urges the City to include one of the following design measures in the Project's final approval:

- Require contractual language in tenant lease agreements prohibiting tenants from operating diesel-powered TRUs within the Project site; or
- Incorporate 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.

Without such measures, the MND's analysis of health risks is incomplete and unsupported. CARB urges the City to include a measure that prohibits TRU use on-site unless a

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

subsequent, detailed HRA is prepared and all potential health risk impacts are fully mitigated.

The MND Overlooks the Reasonably Foreseeable Environmental Impacts of the Full Annexation Area

The MND fails to evaluate the reasonably foreseeable environmental impacts of the Project's proposed annexation area. Annexation Application No. P21-05778 would allow for the annexation of 80.91 acres into the City from the Kings River Conservation District and the Fresno County Fire Protection District. The proposed Project also includes Pre-zone Application No. P21-05870, which would rezone 51.72 acres from Fresno County's AL-20 (Limited Agricultural) district to the City of Fresno's HI (Heavy Industrial) district. Despite the geographic scope of the proposed Project, the MND only evaluates the air quality impacts of the proposed 15.95-acre regional facility for LTL freight services, as set forth in Development Permit Application No. P23-00149.[12] This improperly narrow analysis overlooks the environmental consequences of rezoning the remaining 35.77 acres of land and annexing the remaining approximately 65 acres of land.

The reported and applicable Project acreages vary throughout the MND, creating an unstable Project description that prevents a proper and consistent CEQA analysis. It's difficult to understand the Project scope because the Project applications (regarding Annexation Application No. P21-05778, Pre-zone Application No. P21-05870, and Development Permit Application No. P23-00149) apply to differing acreages throughout the MND, resulting in the MND's failure to analyze the impacts of some of the rezoned and annexed areas. For example, although the MND description states that Annexation No. P21-05778 applies to approximately 80.91 acres, the MND doesn't provide a consistent breakdown on how the other two planning Applications and analyses are applied. Further, Pre-zone Application No. P21-05870 applies to 15.95 acres to be zoned to IH (Heavy Industrial) and 35.77 acres to be zoned to IH/ANX (Heavy Industrial/Annexed Rural Residential Transitional Overlay) for a total of 51.72, but it isn't clear what zone, and related reasonably foreseeable development, would apply to the remaining 29.19 acres that are being annexed. Another apparent conflict with these reported acreages appears in Appendix A, the "Central Transport-Construction and Operations (Passenger Vehicles + Building) Custom Report"; Section 5.6.1 of Appendix A states that earthmoving activities include grading 90 acres, preparing 45 acres of the site, and paving 14.2 acres. These Appendix A acreages are not reflected in the MND and contradict other descriptions of the proposed Project.

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[12] City of Fresno. P21-05778/P21-05870/P23-00149 Mitigated Negative Declaration. May 22, 2025. Appendix A. Page 1. Accessible at *https://files.ceqanet.lci.ca.gov/317588-1/attachment/ObkOJJaBILIijAdGvEpz1bDZvdONVxJEuleSrJawxDJ1bhH9E65QmSEHfvelmeOhqPpXzgOkkOGnymk_0*

CEQA requires that an agency evaluate not only the direct impacts of a project, but also its reasonably foreseeable indirect effects. (Cal. Code Regs, tit. 14, § 15064, subd. (d)(2).) Under CEQA, "impacts" include indirect or secondary effects which are caused by a project and are later in time, but are still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, and related effects on air. (Cal. Code Regs. tit. 14, § 15358.) The difficulty of assessing future impacts of a zoning ordinance shifts the focus to a Project's secondary or indirect effects. (*City of Carmel-By-The-Sea v. Bd. of Supervisors* (1986) 183 Cal. App. 3d 229, 250.)

Annexation of a large site into the City, combined with rezoning from Limited Agricultural Heavy Industrial, creates a strong presumption that additional industrial development is reasonably foreseeable. Unless the City can provide substantial evidence that no future development will occur on the remaining acreage, the MND must evaluate the potential for air quality and other environmental impacts associated with grading, development and industrial use of the entire 80.91-acre site.

The City cannot rely on a narrow project description to avoid full disclosure now of likely impacts. The City must analyze the environmental effects of future expansion if it is a reasonably foreseeable consequence of the initial project. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 396). Courts have consistently held that agencies may not segment a project into smaller pieces to avoid preparing an Environmental Impact Report when cumulative or related impacts may be significant. (*See Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214, 1229). By limiting the MND's air quality analysis to only the 15.95-acre LTL freight services facility, the City is improperly deferring consideration of environmental impacts and undermining CEQA's fundamental purpose of informed decision-making and public disclosure.

To properly disclose the Project's environmental impacts, the City should either: (1) revise the MND to include a full evaluation of the reasonably foreseeable development potential of the entire 80.91-acre annexation area, or (2) prepare an Environmental Impact Report to adequately assess the direct, indirect, and cumulative impacts of the whole project, consistent with CEQA's requirements.

The City Must Do More to Reduce the Project's Impact on Air Quality

In Section III (Air Quality) of the MND, the City determined that combined construction and operational activities from the Project would expose nearby residents to diesel particulate matter (PM) concentrations resulting in cancer risks exceeding the SJVAPCD significance threshold. To address this impact, the City adopted Mitigation Measure AIR-1 (MM AIR-1), which requires the Project applicant to submit documentation demonstrating that all off-road construction equipment over 75 horsepower will be equipped with Tier 4 Interim (or better) engines or fitted with Level 3 diesel particulate filters. The measure also requires the applicant to maintain and submit records verifying equipment compliance. With the

implementation of MM AIR-1, the City concludes that cancer risk impacts to nearby residents would be reduced to below the SJVAPCD's significance threshold and, therefore, determined the Project's air quality impacts to be less than significant under CEQA.

The MND also asserts that the Project would not conflict with the transportation technology actions and strategies outlined in CARB's 2022 Scoping Plan by relying solely on the assumption that vehicles will transition to zero-emission technologies under Governor's Executive Order N-79-20, which establishes a 2035 target for achieving 100% zero-emission vehicle sales.[13] However, the MND fails to include any project-specific design features or mitigation measures that would actively promote the adoption of zero-emission technologies or directly reduce the Project's air quality emissions.

CARB staff urges the City to include a mitigation measure in the MND requiring the phased adoption of zero-emission drayage trucks serving the Project. As previously discussed, the operation of the Project would contribute to significant air pollution impacts to the surrounding community. The air quality analysis prepared for the Project shows the operation of diesel heavy-duty trucks constitutes a large percentage of the air pollutant emissions generated during the operation of the Project. To further reduce the Project's potential air quality impacts, CARB urges the City to include either project design features or mitigation measures that facilitate the transition to all zero-emission heavy-duty trucks, including installing onsite infrastructure to support those zero-emission trucks at the Project site.

A list of commercially available zero-emission trucks is available through the *Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project* (HVIP), a program under California Climate Investments designed to promote the adoption of zero-emission vehicles.[14] 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. The Project's air quality analysis, presented in Appendix A (Air Quality, Health Risk, Greenhouse Gas, and Energy Technical Memorandum) of the MND, assumed heavy-duty trucks serving the Project would travel a distance of 50 miles. Based on this travel distance, currently available zero-emission trucks would be well suited to meet the operational needs of the Project.

Conclusion

CARB is concerned about the significant potential public health impacts should the City approve the proposed Project based on the current MND. While the Project includes a single mitigation measure to reduce air pollutant emissions from construction equipment, substantive concerns remain regarding the proposed Project's likely contribution to

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[13] City of Fresno. P21-05778/P21-05870/P23-00149 Mitigated Negative Declaration. Page 67. Table 16. Accessible at *https://files.ceqanet.lci.ca.gov/317588-1/attachment/ObkOJJaBILIijAdGvEpz1bDZvdONVxJEuleSrJawxDJ1bhH9E65QmSEHfvelmeOhqPpXzgOkkOGnymk_0*

[14] Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: https://californiahvip.org/

significant adverse cumulative air quality burdens already experienced by the South Central Fresno Community, a designated area already disproportionately affected by environmental pollution. The Project's operations will generate additional diesel truck traffic, exposing people in nearby residences and schools, including Orange Center Elementary School, to elevated levels of toxic air pollutants such as diesel PM and NOx, in an area already dominated by heavy industrial land uses and designated truck routes. The Project's proposed MND and current HRA underestimates these impacts by omitting sensitive receptors, such as the Orange Center Elementary School. In addition, the MND does not disclose whether there are any reasonably foreseeable industrial developments within the remaining acres of newly annexed and re-zoned heavy industrial areas that would likely generate further air pollutant impacts on the surrounding communities. To adequately protect vulnerable populations and ensure consistency with AB 617 and the South Central Fresno Community's CERP, CARB strongly urges the City to adopt additional enforceable measures, including prohibiting TRU use on-site and taking steps towards facilitating a transition to zero-emission heavy-duty trucks. Implementing these measures will better safeguard community health.

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 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 MND for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your list of State agencies that will receive future CEQA documents for this Project. If you have questions, please contact Brian Moore, Air Resources Supervisor I, via email at *brian.moore@arb.ca.gov*.

Sincerely,

Deldi Reyes

Deldi Reyes, Director, Office of Community Air Protection

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

Patia Siong, Supervising Air Quality Specialist, San Joaquin Valley Air Pollution Control District
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