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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 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 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 Burden¹ 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 (NO_x) 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 NO_x 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 to 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 walls⁷ 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.

4 Clean Off-Road Equipment Voucher Incentive Project. Accessible at: <https://californiacore.org/how-to-participate/>

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,



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