

October 21, 2019

Dawn Rowe
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Dear Dawn Rowe:

Thank you for providing California Air Resources Board (CARB) staff with the opportunity to comment on the Goodman Logistics Center Fontana III (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019039071. The Project consists of the construction and operation of 3 warehouses totaling 1,118,460 square feet; approximately 20 percent of which could house cold storage or refrigerated uses. Once in operation, the Project is projected to introduce an additional 2,018 total vehicle trips daily, including 1,378 daily passenger vehicle trips and 640 daily heavy-duty truck trips. The Project is located in the City of Fontana (City), which is the lead agency for California Environmental Quality Act (CEQA) purposes.

CARB staff has reviewed the DEIR and is concerned about the air pollution impacts that would result should the City approve the Project and the associated land-use change from a residential planned community to general industrial. Freight facilities, such as warehouse and distribution facilities, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts, yard tractors, etc.) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.

I. The Project Would Expose Disadvantaged Communities to Elevated Air Pollution

To accommodate the Project, the City proposes to amend the General Plan Land Use Map to change the land use designations for parcels within the Project site from "Residential Planned Community (R-CP)" to "General Industrial (I-G)." If approved, this change in land use designation will expose nearby disadvantaged communities to elevated air pollution.

Residences are located approximately 125 feet from the Project's southern boundary. In addition to residences, four schools (Sycamore Hills Elementary, Jurupa Vista Elementary, Jurupa Hills High and Citrus High) are located within one mile of the Project. The community is surrounded by existing toxic diesel particulate matter

(diesel PM) emission sources, which include existing warehouses and vehicular traffic along Interstate 10 (I-10). Due to the Project's proximity to residences and schools already disproportionately burdened by multiple sources of air 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 PM 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 and vehicular traffic along I-10.

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 Project is within the top 25 percent for Pollution Burden¹ and is therefore considered a disadvantaged community. Therefore, CARB staff urges the City to ensure that the Project and land-use change do not adversely impact neighboring disadvantaged communities.

II. The DEIR Fails to Adequately Analyze Potential Air Quality Impacts from the Project's Cold Storage Space

Since the future occupants of the warehouse buildings proposed under the Project are unknown, the Project applicant estimates approximately 163,280 square feet of building space could be used for cold storage or refrigerated uses. Trucks and trailers transporting cold or frozen goods to these spaces would be equipped with transport refrigeration units (TRU).² TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where

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

² Transport refrigeration units (TRU) 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.

these TRUs could be operating would be exposed to diesel exhaust emissions that would result in significant cancer risk.

The City failed to model and report air pollutant emissions from TRUs in the DEIR. The air pollutant emission estimates, found in Table 4.2-6 (Peak Operational Emissions Summary) of the DEIR, were modeled using the California Emission Estimator Model (CalEEMod). Although CalEEMod can estimate air pollutant emissions from area (e.g., hearths, architectural coatings, and landscaping, etc.), energy, and mobile sources, the current version of CalEEMod does not account for air pollutant emissions from TRUs. CARB staff urges the applicant and City to model and report the Project's air pollutant emissions from TRUs in the Final Environmental Impact Report (FEIR). Air pollutant emissions from TRUs should reflect CARB's latest emission factors assuming a conservative percentage of the Project's truck fleet is equipped with TRUs, as well as a conservative idling duration for each TRU.

The applicant and City evaluated potential cancer risks from the operation of on-site TRUs in a standalone health risk assessment (HRA) for the Project (see Appendix B2 of the DEIR). CARB staff has reviewed the HRA and has concerns regarding the inappropriate emission factors and idling duration assumptions used to estimate the Project's health impacts. In the HRA, the City and applicant assumed that all TRUs visiting the Project site would be 34-horsepower (hp) units and would not idle longer than 15 minutes. TRUs with a power rating of less than 25 hp have a higher air pollutant emission rate (0.3 grams per brake horsepower-hour [g/bhp-hr]) than those greater than 25 hp (0.02 g/bhp-hr). The data obtained by CARB staff indicates that TRUs can operate for approximately two hours per visit, which is well above the 15-minute duration assumed in the HRA. Unless the City and applicant prohibit TRUs with a power rating of less than 25 hp from accessing the site and restrict idling times to less than 15 minutes, the Project's HRA should be revised. The revised HRA should assume a conservative percentage of the TRUs entering the Project site have a power rating of less than 25 hp and a TRU idling duration legitimized by substantial evidence. If the results of the revised HRA show new significant health impacts, the DEIR should be revised and recirculated for public review.

III. The DEIR Failed to Provide Air Pollutant Emissions after the Implementation of all Feasible Mitigation Measures

CARB staff is concerned about the air quality impact conclusions and overall lack of mitigation found in the DEIR. Without modeling the Project's mitigated operational air pollutant emissions, the DEIR concludes that the Project's operational emissions of NO_x will remain significant and unavoidable. The DEIR states that it is not possible to quantify the vehicle exhaust air pollutant emission reductions that will be achieved from the mitigation measures provided in the DEIR and the City's General Plan Update EIR using CalEEMod. CARB staff disagrees with this assertion. The City can model air pollution emission reductions from MM 4.2-9, MM 4.2-11, and MM-AQ-7 without the use

of CalEEMod. These measures require the Project applicant to install electrical hookups at all loading docks, install rooftop photovoltaic solar arrays, and use non-diesel forklifts within the Project site. Even where impacts will remain significant and unavoidable after mitigation, CEQA nevertheless requires that all feasible mitigation measures be incorporated (see California Public Resources Code § 21081; 14 CCR § 15126.2(b)). Therefore, as required under CEQA, the Project's mitigated air pollutant emissions should be quantified and reported in the FEIR so the public has a better understanding of the potential impacts the Project will have on local air quality.

In addition to the mitigation measures already in the DEIR, CARB staff strongly urges the City to implement the following emission reduction measures.

1. Include language that requires all off-road diesel-powered equipment used during construction and operation of the Project to be equipped with Tier 4 or cleaner engines, except for specialized 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.
2. 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 on-site.
3. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
4. 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.
5. 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.

6. 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

CARB staff 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. 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
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cc: See next page.

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 PM 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>.

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