

March 28, 2019

Mr. Aron Liang
Senior Planner
Land Use Services Department - Planning
385 North Arrowhead Avenue, First Floor
San Bernardino, California 92415

Dear Mr. Liang:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Slover/Cactus Avenue Warehouse Facility Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019039033. The proposed Project consists of the development of a 257,855 square-foot warehouse facility on 13.27 acres of land located within an unincorporated area of San Bernardino County. The Project will be divided into 247,855 square feet of warehouse space and 10,000 square feet of office space. There will be 104 trailer parking spaces and the warehouse will be accessed through 38 loading dock doors.

CARB is currently engaged in statewide efforts to identify actions that minimize emissions and community health impacts from freight facilities, including warehouse and distribution facilities such as the proposed Project. Warehouse and distribution facilities can result in high daily volumes of heavy-duty diesel truck traffic and operation of onsite equipment (e.g., forklifts, yard tractors, etc.) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change. The Project site is located within close proximity of existing emission sources such as warehouses, the Union Pacific (UP) rail yard, and a major freeway (I-10). There are residential receptors located immediately east, south, and west of the Project site, with the closest residence located approximately ten feet south of the Project's southern boundary. Other sensitive receptors located within one mile of the proposed Project site include Joe Baca Middle School, Ruth Grimes Elementary School, Bloomington Christian School, Crestmore Elementary School, Walter Zimmerman Elementary School, and Bloomington Head Start Preschool.

The State of California has recently 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 proposed Project is located. Diesel emissions generated during the construction and operation of the

Project would negatively impact existing sensitive receptors, which are already disproportionately impacted by air pollution, from existing freight facilities in the community.

The California Environmental Protection Agency (CalEPA) defines a disadvantaged community 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 that are disproportionately burdened by multiple sources of pollution. The census tract containing the proposed Project is within the top 1 percent for Pollution Burden and is directly adjacent to Bloomington, which is a designated disadvantaged community, as defined by CalEPA.

A preliminary air quality report and health risk assessment (HRA) was prepared for the Project and is currently available for public review on the County of San Bernardino's website. CARB staff is concerned that the estimated health risks associated with the operation of the Project are underestimated. According to the project description in the NOP, the conditional use permit would not restrict the Project from including cold storage warehouse space. The operation of cold storage warehouses would include trucks with transport refrigeration units (TRU) that emit significantly higher levels of toxic diesel emissions, oxides of nitrogen (NO_x), and greenhouse gases than trucks without TRUs. Since it is unclear whether the Project would include cold storage warehouse space, the lead agency should revise the air quality technical report and HRA assuming a conservative percentage of the truck and trailer fleet serving the Project are equipped with TRUs.

In addition to the health risk associated with operations, construction health risks should be included in the HRA. Construction of the project would result in short-term diesel emissions from the use of both on-road and off-road diesel equipment required for construction activities. The Office of Environmental Health Hazard Assessment's (OEHHA) guidance recommends assessing cancer risks for construction projects lasting longer than two months.¹ Since Project construction would occur over a twelve-month period and the nearest residence is located ten feet from the Project site, the lead agency should revise the HRA to include health risks for existing residences near the Project site during construction.

The lead agency should require mitigation measures to reduce the Project's construction and operational criteria pollutant and toxics emissions. The Project should utilize all existing and emerging zero-emission technologies that could minimize NO_x and diesel emission exposure to the neighboring community. To that end, the lead

¹ Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program. February 2015.

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agency should apply the recommended air pollution reduction measures for warehouses and distribution centers found in Attachment A of this comment letter.

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

Sincerely,

A handwritten signature in blue ink that reads "Richard Boyd". The signature is written in a cursive style with a long, sweeping underline.

Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment

cc: See next page.

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cc: State Clearinghouse
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ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

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

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment, and providing the necessary infrastructure (e.g. electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating onsite. This includes the physical (e.g. needed footprint), energy, and fueling infrastructure for construction equipment, onsite vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In lieu of Tier 4 engines, equipment can incorporate retrofits such that emission reductions achieved equal or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers, etc.) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during either the grading or building construction phases be model year 2014 or later. Starting in the year 2022, all heavy-duty haul trucks should also meet CARB's lowest optional low-NO_x standard.¹

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

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

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that require tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating onsite.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units (APU). This will eliminate the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate from within the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included lease agreements.²
3. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the site to be electric or powered by compressed natural gas.
4. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering the project site to be model year 2014 or later.
5. Starting in the year 2022, include contractual language in tenant lease agreements that requires all trucks entering the project site to meet CARB's lowest optional low-NO_x standard.

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

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
7. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while onsite.
8. Include contractual language in tenant lease agreements that limits onsite TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted and the health impacts mitigated.
9. To reduce indirect greenhouse gas (GHG) emissions, include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

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

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

⁵ The regulation requires newer heavier trucks and buses must meet 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>.

