May 11, 2026

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Sent via email

Dear Lisa Ochsner:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Berths 121-131 Container Terminal Redevelopment Project (Proposed Project) Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR), State Clearinghouse No.2014041050. The Proposed Project is within the jurisdiction of the City of Los Angeles Harbor Department (LAHD), which is the lead agency for California Environmental Quality Act (CEQA) purposes, and the U.S. Army Corps of Engineers (USACE), the federal lead agency for National Environmental Policy Act (NEPA) purposes.

The proposed redevelopment and expanded operation of the Berths 121-131 Container Terminal will result in a substantial increase in heavy-duty truck trips, cargo-handling equipment use, ocean-going vessel (OGV) calls, and rail activity at the Port of Los Angeles (Port). Each of these sources emit toxic diesel particulate matter (diesel PM), and contribute to regional air pollution and global climate change.[1] Sensitive receptors, including residences along North Gaffey Street, are located as close as one-fifth mile west of the project site; the nearest medical facility, Little Company of Mary San Pedro Hospital, is situated approximately 1.5 miles southwest of the terminal.[2] These receptors are located within the Wilmington, Carson, West Long Beach Community which has been designated as a disadvantaged community under Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017).[3] Consequently, CARB is particularly concerned about localized air pollutant

[1] Regarding greenhouse gas (GHG) emissions from this proposed 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, 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*

[2] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Page 3.2-11. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjs*

[3] Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified California Health and Safety Code (HSC) § 40920.6, § 42400, and § 42402, and added § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

exposure, as well as the Proposed Project's regional air quality impacts. To protect the health of vulnerable groups, such as school children and the community at large, LAHD and the terminal operator have an obligation to operate the Berths 121-131 Container Terminal using all feasible zero-emission technologies to mitigate the "significant and unavoidable" air quality impacts identified in the Draft EIS/EIR.

To protect the health of the community and nearby sensitive receptors (e.g., residents, hospitals and school students),[4] CARB urges the Draft EIS/EIR to:

- Provide justification and supporting substantial evidence for the use of a 2019 CEQA baseline.
- Prioritize direct, on-site electrification and emission-reduction infrastructure to mitigate the Proposed Project's significant greenhouse gas impacts.
- Resolve the project's inconsistencies with local air quality plans.
- Transform the terminal into a zero-emission model by mandating enforceable technology requirements across all freight operations to fully mitigate the Proposed Project's air quality impacts.
- Address the inconsistency between its construction hauling methodology and emissions inventory by identifying the specific disposal facility and utilizing correct roundtrip truck travel haul distances.
- Participate in CARB's California Clean Construction Program.

Background

The Proposed Project consists of the redevelopment and long-term operation of the 186-acre marine container terminal at Berths 121-131 in the West Basin of the Port. The terminal at the Proposed Project site was formerly operated by the West Basin Container Terminal Company (WBCTC) under contract to Yang Ming Marine Transport Corporation, which held the site under LAHD Permit No. 787; beginning October 11, 2021, the Berths 121-131 terminal has been operated by Everglades Company Terminal, Inc. under LAHD Permit No. 953.

The Proposed Project seeks a 30-year permit extension and involves substantial changes to infrastructure to accommodate "Ultra-Large Container Vessels" and increase terminal

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

throughput capacity from approximately 353,924 (2019 CEQA Baseline) to over 1.87 million twenty-foot equivalent units (TEUs)[5] per year by 2050.[6]

Physical improvements required to support this increased throughput from 353,924 to over 1.87 million TEUs include: (1) demolishing the existing 1,260-foot wharf at Berths 126-129 and dredging approximately 310,000 cubic yards of sediment to increase berth depth; (2) installing up to ten new rail-mounted, electrically powered wharf cranes; and (3) expanding the West Basin Intermodal Container Transfer Facility (WBICTF) on-dock rail yard by adding three or four new 3,000-linear-foot loading tracks and installing up to seven new electrically powered rail-mounted gantry (RMG) cranes. According to the Draft EIS/EIR Table 2-1 (Project Description) this expansion will result in substantial growth in mobile source activity. Annual one-way heavy-duty truck trips are projected to rise from 0.319 million to 1.602 million by 2050, with peak daily trips increasing from 1,214 to 6,045. Similarly, annual train trips are expected to increase from 141 to 1,607, while peak daily train activity will grow from 0.6 to 4.3 trips.[7]

The Notice of Preparation (NOP) for the Proposed Project was released in April 2014, when it was originally proposed as a larger, two-phase development. Since then, the Port scaled the project back after determining that the full buildout was not economically feasible, eliminating most of the second phase and making the current proposal more consistent with a previously analyzed reduced alternative. The timeline was also pushed back due to prolonged lease negotiations with the site's future terminal operator tenant (Future Tenant); this tenant has not been identified in the Draft EIS/EIR.

The Draft EIS/EIR acknowledges that even with mitigation, the Proposed Project will result in significant and unavoidable air quality impacts. These include mass emissions of NOx, volatile organic compounds (VOCs), and carbon monoxide (CO), as well as significant ambient concentrations of PM10 and NOx.

The following sets forth CARB's comments on specific aspects of the Draft EIS/EIR.

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[5] A TEU (twenty-foot equivalent unit) is a standard, non-physical unit of measurement in shipping and logistics, representing the volume of a 20-foot-long intermodal container. It is used to quantify container ship capacity, port throughput, and cargo volume.

[6] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Table 3.2-23. Page 3.2-80. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjs*

[7] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Table 2-1. Page 2-10. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/vtzeO0*

The Draft EIS/EIR Does Not Provide Justification Based on Substantial Evidence for the Use of a 2019 CEQA Baseline

The Draft EIS/EIR utilizes a 2019 CEQA baseline to evaluate air quality and health risk impacts, which raises concerns about compliance with CEQA. According to Chapter 2 (Project Description), the NOP for the Proposed Project was released in 2014, yet the Draft EIS/EIR was not circulated for public review until March 2026. CEQA Guideline section 15125(a) states that the CEQA baseline typically consists of the physical environmental conditions as they exist at the time the NOP was published.[8] A departure from this norm of using existing conditions as the environmental setting baseline must be justified by substantial evidence that an analysis, based on existing conditions, would tend to be misleading or without informational value to EIR users. (*Neighbors for Smart Rail v. Exposition Metro Line Constr. Auth.* (2013) 57 Cal. 4th 439, 445.) The Draft EIS/EIR utilizes 2019 as the environmental setting baseline, which is five years after NOP publication and seven years prior to the Draft EIS/EIR's release. However, the Draft EIS/EIR fails to provide clear and transparent justification, and supporting substantial evidence, for its choice of environmental setting baseline.

The Draft EIS/EIR lacks substantial evidence to support 2019 as the most appropriate and representative baseline. The Draft EIS/EIR asserts that 2019 is the most representative year for average terminal activity due to the economic disruptions of the COVID-19 pandemic. However, conditions in 2019 predate the implementation of more recent regulatory requirements and fleet turnover that have reduced emissions. By choosing a baseline year from seven years ago, the Draft EIS/EIR does not accurately reflect current environmental conditions and thus will not give the public and decision makers the most accurate picture of the Proposed Project's likely air quality and health risk impacts. (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 325.)

A 2019 CEQA baseline represents higher historical air pollutant emission levels than conditions present in 2026, as it predates the implementation of critical regulations. Since 2019, CARB has adopted several major regulations targeting port-related emissions, including the Ocean-Going Vessels At-Berth Regulation, the Cargo Handling Equipment regulation, the Advanced Clean Fleets regulation for drayage trucks, and amendments to the Commercial Harbor Craft and In-Use Off-Road Diesel regulations. These regulations have reduced emissions from ships, trucks, and terminal equipment operating at ports in California. By utilizing a baseline reflecting higher, and currently out-of-date, air pollutant emission levels, the Draft EIS/EIR provides an inaccurate comparison that fails to fully disclose the magnitude of the Proposed Project's likely emissions when measured against actual existing conditions. A more recent year, such as 2024 or 2025, will better capture

[8] AEP. 2024 CEQA Statue & Guidelines. Page 227. Accessible at: *https://www.califaep.org/docs/2024_CEQA_Statute_and_Guidelines_Handbook.pdf*

existing operations and current air pollutant emission levels at the Proposed Project site. To ensure an adequate disclosure of impacts, the Draft EIS/EIR must provide justification based on substantial evidence for why a more current year like 2024 or 2025 was not utilized as the environmental setting baseline.

The Proposed Greenhouse Gas Mitigation Strategy Improperly Prioritizes Off-site Offsets Over Feasible Onsite Mitigation Measures

According to Section 3.6 of the Draft EIS/EIR (Greenhouse Gas Emissions), the operation of the Proposed Project would result in GHG emissions as high as approximately 115,824 metric tons of carbon dioxide equivalent (CO_2e) per year over the year 2019 baseline, vastly exceeding the South Coast Air Quality Management District's (SCAQMD) significance threshold of 10,000 CO_2e metric tons per year.[9] To reduce the Proposed Project's GHG impact, the Draft EIS/EIR proposes implementation of mitigation measure MM GHG-1, requiring the use of LED lighting, and MM GHG-2, committing the future Tenant to purchase GHG reduction offsets through 2055. After the implementation of these mitigation measures, the Draft EIS/EIR concluded that the continued operation of the Proposed Project would result in a less than significant impact.

MM GHG-2 (GHG Reduction Offsets) does not explain why it relies entirely on off-site carbon offsets without first considering all feasible onsite mitigation measures. Onsite reductions are feasible for this Proposed Project, and present many advantages, including avoiding emissions in the first place, being readily enforceable and verifiable, and delivering substantial air quality co-benefits to nearby communities. Yet the Draft EIS/EIR defaults to offsets as the primary mitigation tool, without considering other feasible GHG reduction mitigation measures.

Additionally, the Draft EIS/EIR only applies the MM GHG-2 offset requirement through the end of the permit term in 2055. This creates a potential mitigation gap if the future Tenant continues operating at the terminal beyond 2055 without a new or extended lease that undergoes a new CEQA process resulting in equivalent or stronger GHG mitigation – which is a large unknown. To avoid a lapse in climate protections and Proposed Project GHG mitigations, the Draft EIS/EIR should explicitly require that the future Tenant continue to purchase and retire GHG offsets for all GHG emissions from any continued operations, indefinitely into the future, until the time there are no GHG emissions left to mitigate (for example, if the terminal transitions fully to zero-emission operations).

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[9] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Page 3.6-49. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/lECNQ-*

MM GHG-2 also allows the future Tenant to fulfill its GHG obligations through yet-undefined "different and additional GHG reduction methods if new technology and/or other feasible measures become available during the term of the Permit", subject only to quantification "by an independent, qualified third-party verifier" and subject to review and approval by LAHD staff. CEQA does not permit mitigation to be deferred to a future program unless specific performance standards are articulated and there is substantial evidence supporting the effectiveness of the program. In this case, there is no assurance that such a program will achieve quantifiable or timely reductions. As discussed throughout this letter, CARB strongly supports GHG reduction measures that involve direct reductions, particularly through increased adoption of zero-emission equipment at the Proposed Project site. However, this proposed measure appears to allow much broader, yet-unspecified alternative GHG reduction approaches that may include claimed GHG reductions that are highly indirect, and that would be subject only to third party quantification under undefined standards and approval by LAHD based on unspecified criteria.

MM GHG-2 further provides a mechanism by which the future Tenant may adjust its offset obligations based on retrospective reporting of actual emissions. This self-reporting process lacks standardized methodologies, transparency, or adequate third-party verification qualifications, and therefore fails to provide specific performance standards or substantial evidence to ensure emissions will be reduced in a reliable and enforceable manner. CEQA requires that mitigation be measurable and enforceable, which is not demonstrated here.

To address these deficiencies, CARB recommends that the Draft EIS/EIR be revised to require all feasible onsite GHG reductions as a first step, including the electrification or zero-emission conversion of cargo-handling equipment, trucks, locomotives, and harbor craft. GHG reduction offsets, if permitted, should be geographically constrained to the South Coast Air Basin to ensure local co-benefits. Any emissions accounting methodology should follow standardized, publicly available protocols and must be verified by an independent third party. The mitigation measure should clearly define the qualifications required for this third party, including demonstrated expertise in GHG accounting, familiarity with CARB-approved emission quantification methodologies, and certification or accreditation by a recognized environmental auditing body. Without such standards, the reliability and transparency of the emission reduction claims cannot be assured as required by CEQA.

Lastly, the Draft EIS/EIR should incorporate applicable strategies from Appendix D of CARB's 2022 Scoping Plan into the Proposed Project, which outlines concrete and achievable GHG mitigation measures for Port and freight operations.[10] Potentially feasible measures consistent with this approach include direct GHG-reduction measures such as accelerated deployment of zero-emission equipment across terminal operations, increased

[10] CARB. 2022 Scoping Plan for Achieving Carbon Neutrality. December 22, 2025. Accessible at *https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf*

use of shore power or zero-emission alternatives at berth, and support for infrastructure that enables electrification. These measures are critical to aligning the Proposed Project with statewide climate targets and environmental justice goals.

The Proposed Project May Not be Consistent with Local Air Quality Plans

CARB is concerned that the Proposed Project may not be consistent with the SCAQMD's 2016 and 2022 Air Quality Management Plans (AQMP).[11,12] The SCAQMD's AQMP is a comprehensive regional strategy for bringing the South Coast Air Basin into compliance with state and federal air quality standards. The 2016 AQMP focuses on achieving ozone and PM2.5 standards through significant reductions in NOx and VOC emissions, while the 2022 AQMP builds on that framework by emphasizing accelerated deployment of zero-emission technologies and additional NOx reductions needed to meet more stringent ozone standards. Upon review of Section 3.1 (Air Quality and Meteorology) of the Draft EIS/EIR, the Proposed Project undermines both the intent and the implementation framework of the AQMP, and as explained below, raises questions as to whether the Proposed Project in fact is consistent with the AQMP.

The Draft EIS/EIR does not provide adequate support for its conclusion that the Proposed Project is consistent with the AQMP. The Draft EIS/EIR claims that the Proposed Project is consistent with the AQMP for three main reasons. First, it explains that AQMP control measures are carried out through SCAQMD rules and regulations, so simply complying with those existing requirements is considered enough to show consistency with the AQMP. Second, it points out that the Port's growth projections are already included in the regional planning assumptions used to develop the AQMP. Third, it states that emissions from the Proposed Project are accounted for within the General Conformity budgets in the 2022 AQMP. The Draft EIS/EIR argues that because SCAQMD turns AQMP measures into enforceable rules, following those rules means the Proposed Project would not interfere with AQMP implementation. It also notes that the Port provides cargo forecasts to the Southern California Association of Governments (SCAG) as part of the AQMP planning process, so the emissions associated with increased cargo activity are already built into the AQMP's forecasts and conformity analyses. However, these explanations do not demonstrate actual consistency with AQMP emission reduction objectives as the Proposed

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[11] SCAQMD. 2022 Air Quality Management Plan. December 2, 2022. Accessible at *https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/final-2022-aqmp.pdf?sfvrsn=edcebd61_16*

[12] SCAQMD. 2016 Air Quality Management Plan. March 2017. Accessible at: *https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=f138de61_15*

Project air quality impacts are not sufficiently reduced or mitigated to a less than significant level.

The Proposed Project may be inconsistent with the AQMP, as evidenced by its anticipated air quality impacts and the conclusion reached in the Draft EIS/EIR. The Proposed Project is expected to generate significant increases in air pollutant emissions associated with the proposed improvements to berths 121-131. According to Table 3.2-25 of the Draft EIS/EIR, the Proposed Project's unmitigated increased concentrations of particulate PM10 would exceed the SCAQMD's 24-hour and annual PM10 CEQA significance thresholds.[13] These significant air pollutant concentrations will impact the West Long Beach Community, which has long suffered cumulative health burdens from existing operations at the Port. Furthermore, the Draft EIS/EIR concludes that both the construction and operation phases of the Proposed Project would result in significant air quality impacts, even with proposed mitigation. The AQMP emphasizes the need to reduce emissions in such environmental justice communities, not simply manage their increase within a projected growth model. By expanding throughput and delaying full implementation of zero-emission technologies, the Proposed Project will directly contribute to worsening near-term air quality conditions in the region, including to the West Long Beach Community. These significant air quality impacts demonstrate that the Proposed Project is inconsistent with the AQMP because the Project's construction and operation would result in air pollutant emissions that are not adequately mitigated and would conflict with the AQMP's emission reduction strategies, thereby interfering with the AQMP's ability to achieve and maintain air quality standards.

In terms of mitigation, the Proposed Project falls short of meaningful alignment with the AQMP's control strategy. The 2022 AQMP identifies NOx, VOC, and PM emission reductions from goods movement sources (ocean-going vessels, drayage trucks, locomotives, harbor craft, and cargo-handling equipment) as essential to attaining federal ozone standards.[14] However, mitigation measures MM AQ-1 through MM AQ-10 and LM AQ-1 and LM AQ-2 do not require implementation of zero-emission technologies to address the substantial increases in heavy-duty truck, marine vessel, locomotive traffic from the Proposed Project. Further, the Proposed Project does not demonstrate leadership in the deployment of zero-emission technologies, instead opting for incremental improvements that are insufficient given the magnitude of the already-impaired air quality in the South Coast Air Basin.

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[13] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Table 3.2-25. Page 3.2-86. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjs*

[14] SCAQMD. 2022 Air Quality Management Plan. December 2, 2022. Page 4-25. Accessible at *https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/final-2022-aqmp.pdf?sfvrsn=edcebd61_16*

CARB also does not believe the Proposed Project is consistent with the goals established in the 2017 San Pedro Bay Ports Clean Air Action Plan (CAAP).[15] Although the Draft EIS/EIR asserts consistency with the CAAP, it falls short of meeting the CAAP's fundamental goals. The CAAP establishes targets for achieving 100% zero-emission cargo handling equipment by 2030 and zero-emission drayage trucks by 2035.[16] While the Draft EIS/EIR includes mitigation measures such as MM AQ-9 (Yard Tractor Emission Standards), MM AQ-10 (Cargo-Handling Equipment Emission Standards), and LM AQ-1 (Zero-Emission Cargo Handling Equipment Transition) that would require the eventual use of zero-emission CHE at the Project, it fails to include any binding mitigation or Proposed Project design measures that require a full transition to zero-emission heavy-duty trucks for the Proposed Project. As a result, the Draft EIS/EIR is not aligned with the core emissions reduction objectives of the CAAP. To achieve consistency with CAAP goals, CARB recommends that the Draft EIS/EIR incorporate enforceable measures requiring all trucks serving the terminal to be zero-emission.

Lastly, the Draft EIS/EIR's assertion that the Proposed Project is consistent with the Community Emissions Reduction Plan (CERP) for Wilmington and nearby neighborhoods is questionable.[17] The CERP prioritizes zero-emissions technology and strong enforcement of CARB rules. In contrast, the Proposed Project continues to rely on diesel powered heavy-duty trucks and does not establish clear mechanisms for early deployment of zero-emission technologies. Without enforceable actions tied to community-identified priorities, the Draft EIS/EIR's claims of consistency with the CERP appears not supported by substantial evidence.

The Draft EIS/EIR Must Evaluate More Meaningful Feasible Mitigation Measures to Reduce the Proposed Project's Impact on Air Quality

Section 3.1 (Air Quality and Meteorology) of the Draft EIS/EIR concluded that operation of the proposed Berths 121-131 Container Terminal would result in a significant and unavoidable impact on air quality after implementation of mitigation. To reduce the Proposed Project's impact on air quality, the Draft EIS/EIR included ten air quality mitigation

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[15] San Pedro Bay Ports. Final Clean Air Action Plan Update. November 2017. Accessible at: *https://kentico.portoflosangeles.org/getmedia/9d371f7b-9812-4c75-bcfd-23e83a191435/CAAP_2017_Draft_Document-Final*

[16] San Pedro Bay Ports. Final Clean Air Action Plan Update. November 2017. Page 45. Accessible at: *https://kentico.portoflosangeles.org/getmedia/9d371f7b-9812-4c75-bcfd-23e83a191435/CAAP_2017_Draft_Document-Final*

[17] SCAQMD. Community Emissions Reduction Plan Wilmington, Carson, West Long Beach. September 2019. Assessable at: *http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2019/2019-sep6-025c.pdf?sfvrsn=6*

measures (MM AQ-1 through MM AQ-10) and two lease measures (LM AQ-1 and LM AQ-2). MM AQ-1 through MM AQ-7 are aimed at reducing the Proposed Project's construction air quality impacts by requiring the use of Tier 3 tugboats, limiting truck idling and tightening diesel truck standards over time, requiring Tier 4 off-road equipment where feasible, following vessel speed reduction rules, and using an electric dredger. MM AQ-8 through MM AQ-10 are aimed at reducing the Proposed Project's operational air quality impacts by requiring marine vessels to comply with the Vessel Speed Reduction Program (VSRP); yard tractors and other yard equipment, such as forklifts, top-picks, and cranes, are also phased into cleaner technologies with full zero-emission targets by 2035. LM AQ-1 pushes cargo-handling equipment toward zero emissions by 2030, where feasible, and LM AQ-2 gives priority access to zero- and near-zero-emission trucks at the Berths 121-131 Container Terminal. Even after the implementation of these mitigation and lease measures, the Draft EIS/EIR concludes that the Proposed Project would have a significant and unavoidable impact on air quality.

To further reduce the Proposed Project's air quality impacts and make the Berths 121-131 Container Terminal a model for sustainable freight development, CARB urges LAHD to require the use of zero-emission trucks, and the cleanest available switchers, line-haul locomotives, and ocean-going vessels within the terminal.

To further reduce the air quality impacts associated with the use of diesel-powered heavy-duty trucks serving the Proposed Project, LAHD should revise LM AQ-2 to require all drayage trucks serving the Proposed Project site to be zero-emission. Although LM AQ-2, as currently proposed, would help promote the use of zero-emission drayage trucks at the Proposed Project site by developing a priority access system that provides preferential access to zero- and near-zero-emission trucks, it does not provide how the mitigation measure will be enforced nor define what constitutes a "zero to near zero emission truck." Drayage trucks are a major source of diesel PM and NOx, contributing significantly to air quality impacts in nearby communities. According to Table 2-1 (Baseline and Projected Throughput and Activity of the Proposed Project) of the Draft EIS/EIR, the operation of the Proposed Project would result in a net increase of approximately 1.3 million annual one-way truck trips by 2050, even using the flawed the 2019 CEQA baseline level.[18] The air quality analysis prepared for the Proposed Project shows that the operation of heavy-duty trucks constitutes a large percentage of the air pollutant emissions generated during the operation of the Proposed Project. To reduce the Proposed Project's air quality impacts, CARB urges LAHD to modify LM AQ-2 to require zero-emission heavy-duty trucks, including installing on-site infrastructure to support those zero-emission trucks at the Proposed Project.

The Draft EIS/EIR claims that due to "industry structural, technology, and financial constraints" it is not possible to require drayage trucks serving the Proposed Project to

[18] LAHD. Berths 121-131 Container Terminal Redevelopment Project. March 2026. Page 2-5. Table 2-1. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/lm5gGY*

be zero-emission. The Draft EIS/EIR claims that the Proposed Project would eventually be required to use zero-emission trucks through CARB's regulations such as the Advance Clean Fleets Regulation and goals set by the CAAP. The Draft EIS/EIR should not rely on existing regulations to justify failure to analyze feasible mitigation measures to reduce the Proposed Project's air quality impacts to a level of insignificance.

A list of commercially available zero-emission trucks is available through the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Proposed Project (HVIP), a program under California Climate Investments designed to promote the adoption of zero-emission vehicles.[19] 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. Data from the 2013 CALSTART I-710 Proposed Project Key Performance Parameters for Drayage Trucks survey indicates that approximately 81% of drayage trucks serving California's seaports operate on routes under 60 miles.[20] Based on this travel distance, currently available zero-emission trucks would be well-suited to meet the operational needs of the Proposed Project.

Although CARB is encouraged to see that the Proposed Project would include the use of electric RMG cranes to support on-dock rail yard activities, more should be done to reduce air pollutant emissions associated with locomotive freight movement resulting from the Proposed Project. The LAHD should work with rail operators and Pacific Harbor Line (PHL) to incorporate a mitigation measure into the Draft EIS/EIR requiring the use of the cleanest available switcher and line-haul locomotives, including zero-emission technologies as they become commercially viable. According to Table 2-1 (Baseline and Projected Throughput and Activity of the Proposed Project) of the Draft EIS/EIR, the operation of the Proposed Project would result in a net increase of approximately 917 annual train trips by 2050, as compared to the 2019 CEQA baseline level, in addition to requiring on-site diesel-powered switcher locomotives operated by Pacific Harbor Line.[21]

The Draft EIS/EIR claims that it is not within the LAHD's authority to require PHL, owner and operator of the switchers within the Proposed Project site, to transition their locomotive fleet to include more emission controls. Furthermore, the Draft EIS/EIR claims that the LAHD does not have authority over the line-haul locomotives, which are owned and operated by the

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

[20] CALSTART, Performance Parameters for Drayage Trucks Operating at the Ports of Los Angeles and Long Beach, 2013. Accessible at *https://calstart.org/wp-content/uploads/2018/10/I-710-Project_Key-Performance-Parameters-for-Drayage-Trucks.pdf https://calstart.org/wp-content/uploads/2018/10/I-710-Project_Key-Performance-Parameters-for-Drayage-Trucks.pdf*

[21] LAHD. Berths 121-131 Container Terminal Redevelopment Project. March 2026. Page 2-5. Table 2-1. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/lm5gGY*

Class I railroads such as BNSF and Union Pacific (UP).[22] The Draft EIS/EIR goes on to state that air pollutant emissions generated by onsite rail activities would be reduced through CAAP measures that set goals for modernizing switcher and line-haul locomotives; however, the Draft EIS/EIR does not contain any project design or mitigation measures showing how the Proposed Project will be in line with these CAAP goals.

With advancements in battery-electric and hydrogen fuel cell technologies, zero-emission locomotives have the potential to fully support the Proposed Project's operational needs. CARB projects that zero-emission switchers, and industrial locomotives will be commercially available by 2030, and freight line-haul locomotives by 2035.[23] CARB continues to lead and fund demonstration projects aimed at accelerating the deployment of clean freight technologies to reduce pollution associated with freight movement throughout California. Notably, CARB's Zero- and Near Zero-Emission Freight Facilities Program has demonstrated the success of battery-electric locomotives, which could be further developed and applied to the Proposed Project.[24] With proactive planning and continued technological progress, the Proposed Project could be transitioned to zero-emission rail operations. To support this transition, CARB urges LAHD to coordinate with PHL and the Class I railroads to require the transition of switcher and line-haul locomotives serving the Proposed Project to zero-emission technologies.

Although CARB is encouraged to see that the Draft EIS/EIR would require all CHE to transition to zero-emission technologies by 2035 through the implementation of MM AQ-9, MM AQ-10, and LM AQ-1, it should be the goal of the Draft EIS/EIR to transition all CHE to zero-emission technology sooner to protect public health.

MM AQ-9 requires yard tractors to meet low-emission standards within one year of the permit becoming effective and to fully transition to zero-emission equipment by 2035. MM AQ-10 sets similar requirements for other yard equipment, including forklifts, top-picks, and rubber-tired gantry cranes. In the near term, MM AQ-10 requires cleaner, Tier 4-equivalent or better performance, and for certain equipment to be zero-emission within one year or by 2035 depending on the equipment type. Overall, both measures are aimed at steadily phasing out diesel-powered yard equipment in favor of zero-emission

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[22] LAHD. Berths 121-131 Container Terminal Redevelopment Project. March 2026. Page 3.2-54. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjshttps://ceqanet.lci.ca.gov/2014041050/2/Attachment/lm5gGY*

[23] CARB. Public Hearing to consider the Proposed In-Use Locomotive Regulation Staff Report: Initial Statement of Reasons. Appendix F. Page 52, 57. Accessible at: *https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/locomotive22/appf.pdf*

[24] California Air Resources Board (CARB), 2020. CARB's Zero and Near Zero-emission Freight Facility Program. Accessible at *https://ww2.arb.ca.gov/news/carb-announces-more-200-million-new-funding-clean-freight-transportation#:~:text=The%20goal%20of%20CARB's%20Zero,commercialization%20of%20these%20technologies%20statewide*

alternatives by 2035. The zero-emission transition deadlines provide in MM AQ-9 and MM AQ-10 should begin at the start of the Proposed Project's operations.

The Draft EIS/EIR should provide more robust justification for its claim that LAHD lacks the authority to require OGVs visiting the Berths 121-131 Container Terminal to use the cleanest available technologies. Section 3.1 (Air Quality and Meteorology) of the Draft EIS/EIR states that "[t]he Port does not have the authority to impose any specific emissions reduction technology on OGVs as they are internationally flagged vessels subject only to IMO regulations."[25] While LAHD may not have direct regulatory authority over OGVs, the new terminal operator does have the ability to set environmental standards for its own fleet. CARB encourages LAHD to adopt a mitigation measure that requires all ships owned and operated by the new future Tenant calling at the terminal to utilize the cleanest available technologies, thereby advancing the Port's emission reduction goals.

The Draft EIS/EIR Underestimates Construction Air Pollutant Emissions by Using Inconsistent Truck Travel Distances and Fails to Identify the Debris Disposal Facility

CARB staff are concerned that the Draft EIS/EIR may have underestimated the Proposed Project's construction air quality impacts by relying on truck hauling distances not supported by substantial evidence. Section 3.2 (Air Quality and Meteorology) of the Draft EIS/EIR assumes that approximately 260,000 cubic yards (cy) of dredged material will be transported to an approved inland disposal facility resulting in 108 daily heavy-duty truck trips during the construction of the Proposed Project.[26,27] However, the Draft EIS/EIR does not provide the specific location of the approved inland disposal facilities, but rather, assumes off-site one-way heavy-duty truck travel distances to be either 10 miles or 32.5 miles when estimating the Proposed Project construction air quality impacts, depending on the specific construction phase.

According to Appendix A1 of the Draft EIS/EIR, it was assumed that heavy-duty trucks would travel a 10-mile roundtrip distance (5 miles one-way) to dispose dredged material to an approved inland disposal facility during the "1,2, b - Dredging and upland disposal"

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[25] LAHD. Berths 121-131 Container Terminal Redevelopment Project. March 2026. Page 3.2-53. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjshttps://ceqanet.lci.ca.gov/2014041050/2/Attachment/lm5gGY*

[26] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Page 3.2-55. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjs*

[27] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Appendix A1. Page A1- 56. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/hMzBYJ*

construction phase.[28] To verify the feasibility of this assumption, CARB staff performed an independent evaluation of regional disposal infrastructure near the Port. Our research identified no approved inland disposal facilities within a 5-mile radius of the Port capable of accepting the volume of dredged sediment described in the Draft EIS/EIR.

Table 1 below contrasts the Appendix's modeling assumptions with the actual logistical requirements of the nearest and most likely facilities identified by CARB staff. The locations of the nearest disposal facilities to the Port are illustrated in Figure 1. As shown in Figure 1, the Savage Canyon Disposal Facility and Sunshine Canyon Disposal Facility appear to be the closest known disposal facilities to the Port with a travel distance of approximate 58- and 100-mile roundtrip from the Port, respectively.

[28] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Appendix A1. Page A1- 47. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/hMzBYJ*

Figure 1: Regional map displaying the relative locations of the Savage Canyon and Sunshine Canyon construction debris disposal facilities in relation to the Proposed Project.
Source: Regional Location of Anticipated Disposal Facilities Relative to the Berths 121-131 Project Site. Google Maps, May 2025. Google.com.

As shown in Table 1, the actual distances to viable disposal facilities are between 5 and 10 times greater than the distance assumed in the Draft EIS/EIR's construction air quality impact analysis. Consequently, CARB staff is concerned that the Draft EIS/EIR may have substantially underestimated the Proposed Project's peak daily air pollutant emissions, including diesel PM and NOx. Given that construction NOx emissions are already identified as significant, LAHD must revise the Draft EIS/EIR's air quality analysis to reflect the maximum roundtrip distances or provide substantial evidence supporting the assumed 10- or 32.5-mile modeling figure associated with inland disposal to accurately disclose the Proposed Project's regional air quality impacts.

Table 1: Comparison of Modeled vs. Actual Haul Distances

Disposal Facility[1]	Approximate Actual One-Way Distance	Approximate Actual Roundtrip Distance	Underestimation Factor of the Assumed Tavel Distance in the Draft EIS/EIR[2]
Savage Canyon (Nearest)	29 miles	58 miles	**5.8x**
Sunshine Canyon (Most Likely)	50 miles	100 miles	**10x**

1 Nearest disposal facilities to the Proposed Project were obtained through Google Maps.
2 The air quality analysis for the Draft EIS/EIR assumes a 5-mile one-way travel and a 10-mile round trip distance to the nearest in-land disposal facility.

Finally, the Draft EIS/EIR provides an inadequate project description by failing to identify the specific approved inland disposal facility intended for use by the Proposed Project. CEQA requires that an environmental analysis be based on specific facts and substantial evidence rather than speculative assumptions (CEQA Guideline §15384). By failing to identify a designated facility, the Draft EIS/EIR lacks a valid basis for the travel distance assumptions used to model air quality impacts. The Draft EIS/EIR should be revised to identify the disposal facility, quantify emissions based on the actual haul route to that facility, and evaluate potential air quality impacts.

CARB Urges LADH to Participate in CARB's California Clean Construction Program

Chapter 3.2 (Air Quality and Meteorology) of the Draft EIS/EIR concludes that the construction of the Proposed Project would result in a significant and unavoidable impact on regional air quality. Tables 3.2-12 (Peak Daily Construction Emissions) and 3.2-22 (Peak Daily Operational Emissions) of the Draft EIS/EIR present NOx emissions for Project construction and operation with emission levels above the SCAQMD significance thresholds, even with mitigation.[29]

Since the emissions of NOx emitted during the construction of the Proposed Project would exceed the SCAQMD's significance thresholds, CEQA requires the Draft EIS/EIR to analyze all feasible mitigation measures to reduce air quality impacts to a level of insignificance. The construction of the Proposed Project would expose nearby residences and sensitive

[29] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Page 3.2-56 and 74. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/C6oEjs*

receptors to harmful air pollution and would contribute to the existing significant air pollution burden in the West Long Beach Community. To mitigate these impacts, CARB urges LAHD to include a lease measure in the FEIR requiring participation in CARB's California Clean Construction (CCC) program.

The CCC program is an initiative administered by CARB to accelerate the deployment of zero-emission and advanced clean off-road construction equipment across California. The program was developed as part of CARB's broader strategy to meet State Implementation Plan commitments and improve air quality in communities disproportionately burdened by diesel pollution, such as the West Long Beach Community. The CCC program serves as a voluntary framework that recognizes and encourages fleets to go beyond existing regulations, such as CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation. The program prioritizes the use of battery-electric, hydrogen fuel cells, and other zero-emission construction equipment where those technologies are commercially available, and where not, encourages the use of the cleanest available diesel equipment.

Appendix A1 (Air Quality Regulations/Methodology and Air Quality and GHG Emissions) of the Draft EIS/EIR, states that all off-road equipment was assumed to be diesel fueled.[30] Moreover, the "construction emission inventory" lists the use of trenchers, tractors/loaders/backhoes, rollers, forklifts, and generator sets, all of which can be provided as zero-emission in the Zero-Emission Equipment List.[31] CARB maintains a Zero-Emission Equipment List identifying eligible equipment models, and it provides guidance to awarding bodies on how to integrate clean construction criteria into bid specifications and contract documents.[32]

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[30] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Appendix A1. Page A1-21. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/hMzBYJ*

[31] Port of Los Angeles. Berths 121-131 Container Terminal Redevelopment Project Draft Environmental Impact Report. March 2026. Appendix A1. Page A1-41 to -64. Accessible at: *https://ceqanet.lci.ca.gov/2014041050/2/Attachment/hMzBYJ*

[32] California Clean Construction Program. Accessible at: *https://ww2.arb.ca.gov/california-clean-construction-zero-emission-equipment-list*

To participate in the CCC program and earn project recognition, the Proposed Project would be required to use zero-emission:

- Aerial lifts (scissor and personnel)
- Compact/mini excavators (up to 15,000 pounds operating weight)
- Compact/mini track and wheel loaders (up to 15,000 pounds operating weight)
- Dumpers/buggies
- Forklifts (up to 5,000 pounds lift capacity)
- Light carts/towers/stands
- Power generation systems, Battery Energy Storage Systems, and hybrid gensets
    - On project diesel generators are only allowed if incorporated into hybrid genset systems (as defined in the program section titled Definitions)
- Tampers/mini-compacters/mini-rollers
- Walk-behind concrete saws

Conclusion

As discussed above, CARB is concerned about the air quality impacts of the Proposed Project as presented in the Draft EIS/EIR, particularly given that the proposed redevelopment will enable a five-fold increase in terminal throughput, reaching over 1.87 million TEUs annually, with significant and unavoidable impacts on regional and localized air quality.

The use of a 2019 CEQA baseline, despite the Proposed Project's environmental review beginning with a 2014 NOP, requires further justification to ensure the air quality health risks to nearby disadvantaged communities are not understated. The FEIR should be revised to provide a more robust justification for the CEQA baseline selection, prioritize strictly enforceable on-site emission reductions, and accelerate the deployment of zero-emission technologies. Enhancing the mitigation measures to include mandates for zero-emission yard equipment and drayage trucks is essential for the Proposed Project to align with the South Coast's AQMP, CAAP, and West Long Beach Community CERP. Furthermore, the Proposed Project should strive for consistency with CARB's 2022 Scoping Plan by incorporating all feasible direct on-site greenhouse gas reduction measures.

The continued operation of the Proposed Project presents LAHD with a valuable opportunity to lead by example and demonstrate what is possible for the future of sustainable goods movement. By transforming the Proposed Project into a model zero-emission freight facility, LAHD and the future Tenant can show that it is possible to

support economic growth while protecting public health and reducing environmental impacts on surrounding communities.

CARB appreciates the opportunity to comment on the Draft EIS/EIR for the Proposed Project. Given the breadth and scope of Proposed Projects subject to CEQA review throughout California that have air quality and GHG impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a Proposed Project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to 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 submit comments.

CARB staff can provide assistance with zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your list of selected State agencies that will receive the Final Environmental Impact Report (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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