



February 28, 2020

**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

Ms. Cari Anderson
Branch Chief, Freight Transport Branch
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Concept Paper for the Freight Handbook

Dear Ms. Anderson:

Thank you for the opportunity to comment on the Concept Paper. The Bay Area Air Quality Management District (Air District) staff has reviewed the California Air Resources Board's Concept Paper for the Freight Handbook, which was released for public review December 12, 2019. We support this effort and we support the work of CARB staff in preparing the Concept Paper. We also appreciate the opportunity to comment on the document and we hope to offer comments that are constructive and supportive of the goal to reduce emissions from freight. At a high level, our comments are as follows:

- Consider including more clearly defined terms that are key to reducing emissions from relevant sources;
- Treat "new," "expanding," and "existing" as separate scenarios when designing best practices;
- Consider including checklists for best practices by facility type;
- Conduct and include additional research on transition zones;
- Maximize benefits by implementing complementary strategies;
- Develop screening criteria for cumulative impacts;
- Include existing facilities that are magnet sources;
- Clarify how air quality management and local air pollution control districts can assist local communities; and
- Consider freight facilities as part of the overall transportation system

Additionally, we believe that it would be helpful to provide specific comments on relevant portions of Tables 5 and 6 in the document, which we also included in our letter.

The Air District would be glad to offer additional support during next steps, as well, as the Freight Handbook is further developed. The Air District believes both our region and the State at large will benefit from strategies that are effective, strong and implementable in our communities. We encourage leveraging other efforts to address freight issues, including past and current projects that have been undertaken by a variety of stakeholders within the state, such as the Sustainable Freight Action Plan and local government efforts to implement Assembly Bill 617. The Air District looks forward to participating in the development of the Freight Handbook. Please contact Jacob Finkle at (415) 749-8435 or jfinkle@baaqmd.gov with any questions regarding our comments.

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Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



Please find our detailed comments in Attachment A below, titled "Bay Area Air Quality Management District Comments on the Concept Paper for the Freight Handbook."

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

cc: Wayne Nastri, President
California Air Pollution Control Officers Association
1107 Ninth Street, Suite 801
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Attachment A: Bay Area Air Quality Management District Comments on the Concept Paper for the Freight Handbook

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The sections below represent the Air District comments and feedback to the California Air Resources Board (CARB) staff as it develops the Freight Handbook. Air District staff presents general comments on the overall content and structure of the Concept Paper below and later provides specific comments on relevant portions of Tables 5 and 6 of the Concept Paper. Again, our purpose is to provide comments that are helpful to CARB staff in developing the Freight Handbook, and we would be happy to discuss these suggestions further with you.

More Clearly Define “Freight” and “Freight Facility”

The Air District suggests that CARB clarify terms that are important for stakeholders to understand. Including a glossary or a list of definitions at the beginning of the document could provide the necessary context for the Concept Paper. In particular, the Concept Paper would benefit from definitions for “freight” and “freight facility.” The Concept Paper discusses freight from the perspective of all goods movement activities—ports, railroads, highways, and roads—but the practices listed focus on trucks. In defining freight and freight facility, CARB could specify different facility scopes (e.g., a port versus a warehouse versus a grocery store). Zero-emission concepts also would benefit from more detail and clarification (e.g. what does “zero on-site emissions” at a freight facility entail? Are induced emissions considered in the definition?).

Treat “New”, “Expanding”, and “Existing” as Separate Scenarios

The Air District supports the use of different scenarios in the Concept Paper as a helpful way to organize the Freight Handbook. We suggest, though, that completely “new” facilities be addressed separately from “expanding” and “existing” facilities. Currently, strategies for “new” and “expanding” facilities are grouped together in a single scenario. But approaches to truck routing, parking, and accommodating zero emission trucks and equipment will likely be different for a brand-new facility versus one that is just being expanded.

Consider Including Checklists of Best Practices by Facility Type

The Air District recommends that the Freight Handbook include a checklist of best practices, organized by facility type. These could be used similarly to checklists in other environmental decision-making documents, such as the CEQA Appendix G: Environmental Checklist Form.¹ CARB could distinguish freight facilities by type (e.g., warehouse/distribution center, grocery store, airport) and prepare checklists accordingly. This would simplify the analysis process for land use entities.

Recommend Additional Research on Transition Zones

The Air District supports CARB’s effort to establish transition zones between industrial uses and sensitive land uses. However, additional research and data are needed to show that transition zones sufficiently protect human health. In addition to working with community advocates, local decision makers, freight facility owners, operators, and developers to design the technical analysis needed to determine appropriate distances, the Air District suggests that CARB foster (i.e. fund, staff, and coordinate) data collection efforts and scientific studies. Such data could

¹ See California Code of Regulations, Title 14, Appendix G.

support the use of transition areas and justify specific distances necessary to protect public health. This research should also include consideration of zero-emission zone concepts being discussed by CARB staff for its proposed zero-emission heavy-duty truck fleet regulation.

Maximize Benefits by Implementing Complementary Strategies

The Freight Handbook should clarify that transition zones should not be implemented in lieu of best practices. Complementary strategies will maximize benefits. Thus, a combination of as many best practices as feasible should be implemented—both in areas where transition zones are used and in areas where there is limited opportunity to adequately buffer a freight facility.

Develop Screening Criteria for Cumulative Impacts

Additionally, CARB can facilitate the process of creating cumulative screening criteria (Table 5, page 22). The Air District recommends that the Freight Handbook include data, research, and cumulative screening criteria that can be used by both local air districts and local governments. A prime example illustrating the importance of cumulative impacts analysis is seen in the community of West Oakland: residents are exposed to emissions from freight sources at the Port of Oakland, other freight activities not associated with the Port, industrial stationary sources (such as a metal shredding operation and a sewage treatment plant), and significant volumes of freeway traffic. Cumulative screening criteria that consider complex environments with a wide range of pollution sources—like the environment that West Oakland residents experience daily—would be valuable to local air districts and local agencies that seek to develop policies to protect community health.

Include Existing Facilities that are Magnet Sources

Furthermore, the Air District encourages CARB to develop sections or practices specific to other types of facilities, in addition to the section in the Concept Paper that addresses warehouses. This would include providing applicable metrics and checklists that could be used to address impacts from existing facilities that are magnet sources of air pollution (such as grocery stores, factories, cement plants, and petroleum refineries). Many types of facilities currently exist in communities and negatively impact sensitive receptors. Local governments and local air districts would benefit from having readily available tools to reduce those impacts—e.g. to be able to provide recommended practices and supporting data.

Clarify How Air Quality Management and Local Air Pollution Control Districts Can Assist Local Communities

To clarify the scope and possible roles that local air districts can play in reducing emissions addressed in the Concept Paper, the Air District suggests that CARB separate “local governments” from local “air districts” in Tables 5 and 6. Air quality in the Bay Area is affected by land use decisions, especially from localized impacts associated with emissions from mobile sources. The Air District works closely with cities and counties to create programs, write regulations, and evaluate and understand emissions from a variety of air pollution sources. For example, the Air District provided community emissions and exposure modeling and mapping expertise to the City and County of San Francisco to create and update Article 38 of the San Francisco Health Code, which mandates enhanced ventilation in new construction projects in areas that experience poor air quality due to their proximity to roadways. Statewide, local air districts strive to be able to improve local air quality by working in conjunction with land use authorities. This can be challenging, however, because the Air District does not possess land

use authority. Therefore, a separate list, dedicated to roles that local air districts can play in assisting cities and counties in land use planning would be beneficial. This would help keep land use authorities aware of opportunities to utilize Air District expertise.

Consider Freight Facilities as Part of the Overall Transportation System

On a related note, the Air District suggests that CARB consider whether other government agencies, besides the Air District and local government entities, could benefit from the Freight Handbook. For example, CARB could include practices that the California Department of Transportation could utilize when it evaluates roadway and interchange improvements. Similarly, the Air District urges CARB to consider and discuss how relevant agencies (including CARB) might best enforce the practices listed in the Freight Handbook.

Practice-Specific Comments

The tables below include specific comments from the Air District on the practices listed in Tables 5 and 6 of the Concept Paper, along with suggestions regarding the role local air districts may play. The Air District welcomes the opportunity to work with CARB and local entities to implement each practice mentioned in the tables—whether via air pollution modeling and monitoring, providing grant and incentive funding, rulemaking, or assisting cities and counties in drafting ordinances.

Air District Comments on Concept Paper Tables 5 and 6

Table 5. Summary of Potential Practices to Minimize Community Health Impacts from Freight Facilities

Practice (as stated in Concept Paper)	Local Governments and Air Districts (as stated in Concept Paper)	Air District Comment
Broad-based		
Local Freight committee	Convene a local freight committee comprised of community members and freight representatives to solicit input on land use policies that provide a framework for assessing air quality impacts and addressing community exposure from freight facility projects.	The Air District has extensive experience working with industry, business and community stakeholder committees (e.g., the Assembly Bill 617 (“AB 617” West Oakland Steering Committee)). Due to the long timeframes needed to identify and fund projects to improve air quality or reduce emissions, we recommend: 1) leveraging the AB 617 steering committees and community engagement structures in locations where they exist; and 2) involving multiple agencies, industry representatives, and community members in stakeholder groups. We

Practice (as stated in Concept Paper)	Local Governments and Air Districts (as stated in Concept Paper)	Air District Comment
		<p>recommend using these stakeholder groups to develop applications and public support for funding. We also recommend that CARB consider providing resources for these efforts, including funding and staff time, and we encourage CARB to recommend that local planning departments or boards should establish local freight committees because AB 617 activities will not cover all communities impacted by freight facilities. Air District staff caution that such groups can be co-opted to serve the interests of minor constituencies, and that compensation of community members can help to keep residents involved in representing their interests.</p>
Land Use Policies	<p>Develop land use policies for addressing and minimizing community exposure to air pollution from increased development of freight-related projects when updating land use planning documents.</p>	<p>We encourage CARB to use the Freight Handbook as an opportunity to collect data and conduct research that will help Air Districts and local agencies develop land use policies based on the best information available about the health effects of exposure to diesel PM and other air pollutants from freight activities.</p>
Local Ordinances	<p>Update ordinances (i.e., site design standards and operational standards in zoning ordinances) and associated permitting conditions consistent with updated ordinance standards that require freight projects to achieve zero-emission operations.</p>	<p>CARB may want to consider supporting local governments through the creation of model ordinances in conjunction with state agencies such as the Governor's Office of Planning and Research, the California Energy Commission, and others.</p>
Rezone and Remove	Update or adopt an	The Air District recommends

Practice (as stated in Concept Paper)	Local Governments and Air Districts (as stated in Concept Paper)	Air District Comment
Nonconforming Uses	ordinance to phase out freight facilities or operations in close proximity to sensitive receptors when updating the General Plan and zoning code.	that CARB clarify the application of this practice—in particular whether it would apply to a zero emission facility. CARB could also highlight the National City experience, plus Oakland's recent effort to move California Waste Solutions as examples of how to address grandfathered uses once an area is rezoned.
Cumulative Analysis Criteria	Establish screening criteria to evaluate a freight facility's contribution to a cumulatively considerable air quality impact including but not limited to identifying impacted areas, adopting local thresholds of significance, and developing standardized modeling parameters.	CARB should clearly define the term “cumulative impacts” and could consider including examples in the Freight Handbook that may help air districts and local agencies establish these screening criteria. Establishing these criteria could help to streamline the CEQA process.
Priority Project-Specific		
Freight Facility Design	Update or adopt ordinances that require site design and operational standards and associated conditions of approval that require site design features for reducing air pollution and minimizing community exposure during development review.	The Air District recommends that local community members be included in the design process as well. If requested by a local government, the Air District can assist in development review.
Additional Practices and Mitigation		
Rate Structures	Adopt or update conditions of approval that require a rate structure that incentivizes freight facilities to contract with trucking, rail, and marine companies that utilize the lowest emitting transport technologies.	The Air District stresses the importance of considering potential impacts on small businesses, as they could be disproportionately impacted by policies (e.g. small fleet owner-operators in the trucking industry).
Community Benefit Agreements	Support or administer community benefit agreements to address air quality impacts from freight facility projects and	The Air District would like to see more detail for this practice. What would these community benefit agreements entail? Also, the

Practice (as stated in Concept Paper)	Local Governments and Air Districts (as stated in Concept Paper)	Air District Comment
	community exposure to air pollution.	Air District stresses that community members should be involved in developing community benefit agreements.
Advanced Technologies	Require freight facilities to conduct periodic reviews of operations to identify opportunities to upgrade or phase out older equipment, as part of Development Agreements.	CARB should prepare a checklist for local government agencies with land use authority to utilize.
MMRP	Develop mitigation monitoring and reporting programs (MMRPs) to require periodic data and operational information to demonstrate compliance.	CARB should list this practice in a checklist for local government agencies with land use authority.
Public Contracting	Include requirements in public contracting document (i.e., Request for Proposals and Request for Qualifications) to specify that bidders implement practices that reduce air quality impacts and address community exposure to air pollution.	CARB could assist local governments in developing requirements (e.g., utilization of Tier 4 diesel engines). The Air District could assist local governments when called upon.

Table 6. Summary of Potential Practices at Warehouses and Distribution Centers

Practice (as stated in Concept Paper)	Local Governments and Air Districts (as stated in Concept Paper)	Air District staff draft comment
Planning, Review, and Permitting at Warehouses and Distribution Centers		
Development Programs and Agreements	Require owners and operators to contribute or establish Development Agreements that fund projects for reducing community exposure to air pollution from freight.	The Air District can provide technical assistance to local governments on this. The Air District encourages CARB to provide advice for the air districts and local governments to avoid Proposition 26 preemption.
Zero Emission Technology		
Intermodal Facility Transport Activities	Organize a committee to collaborate with warehousing facilities owners and	The Air District suggests clearly identifying opportunities for added value

Practice (as stated in Concept Paper)	Local Governments and Air Districts (as stated in Concept Paper)	Air District staff draft comment
	operators to maximize cargo transport efficiency of cargo handling, and long-haul truck activities.	from this practice, in light of the work that has been done through the Sustainable Freight Action Plan.
Warehouse Facility Design		
Provide Multimodal Commuter Pathways	Condition permit approval of warehouse projects to provide or promote alternative transportation modes for reducing vehicular commuter dependence.	Could CARB provide examples of such pathways for readers of this document to see?
Warehouse Facility Operations		
Coordinate Neighboring Purchasing and Deliveries	Support facility logistics for minimizing duplicative supply deliveries to minimize daily truck visits.	The Air District is supportive of logistics and efficiency-related practices, generally, but requests more detail about this practice specifically. Similar practices were identified in the Sustainable Freight Action Plan, so it would be helpful to understand how this might overlap.