

October 15, 2025

Renee Moilanen  
Director of Environmental Planning  
Environmental Planning Division  
Port of Long Beach  
415 W. Ocean Blvd., 7<sup>th</sup> Floor  
Long Beach, CA 90802  
[ceqa@polb.com](mailto:ceqa@polb.com)

*Sent via email*

Dear Renee Moilanen:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Draft Supplemental Environmental Impact Report (SEIR) for the Pier B On-Dock Rail Support Facility Project (Project), State Clearinghouse No. 2009081079. The Project is located within the Port of Long Beach (Port), which is the lead agency for California Environmental Quality Act (CEQA) purposes.

The Project involves reconfiguring and expanding the existing Pier B rail yard to enable the accommodation of longer trains and to increase the share of containerized cargo transported by on-dock rail rather than by heavy-duty trucks. The Project would expand the rail track capacity at the Pier B rail yard and operational footprint to enable the assembly, staging, and dispatch of trains up to 10,000 feet in length. When operational, the Project site would be designed to handle an average of 17 trains per day.<sup>1</sup> The Project was previously evaluated in a certified 2018 Final Environmental Impact Report (2018 FEIR), which analyzed the project's full buildout and associated environmental impacts under CEQA.

The SEIR was prepared to address adjustments to the Project boundary and to evaluate additional construction activities proposed since certification of the 2018 Final EIR. These modifications include:

- the partial demolition of the historic Berths D52-D54 Transit Shed
- installation of a new 36-inch sewer line along West 12th Street
- relocation of the Control Point (CP) Foote Wye rail track and associated utility infrastructure

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<sup>1</sup> Port of Long Beach. Draft Pier B On-Dock Rail Support Facility Environmental Impact Report. December 2016. Page 1-39. Accessible at <https://thehelm.polb.com/download/392/pier-b-on-dock-rail-support-facility/7112/pier-b-on-dock-rail-support-facility-draft-eir-121416.pdf>

- installation of new water and sewer connections along West Water Street
- permanent closure of several non-public street segments
- restriping of existing pavement and traffic signage
- establishment of temporary construction staging and laydown areas.

Although the Port characterizes these changes as limited in scope, the modifications expand the Project's footprint and introduce new construction activities that may create new or more substantial environmental impacts not evaluated in the 2018 FEIR.

Residences are located to the east of the Project site, with the closest residence located within 950 feet of the Project's northeastern boundary. In addition to residences, three schools, George Washington Middle School, Edison Elementary School, and Cesar Chavez Elementary School, are located within a mile of the Project. These residences and schools are located within boundaries of the Wilmington, Carson, West Long Beach community (WCWLB) which is a designated disadvantaged community<sup>2</sup> and was selected for the Community Air Protection Program under Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017)<sup>3</sup> because of high cumulative exposure to air pollution. AB 617 requires CARB and air districts to take actions to reduce these exposures and improve air quality. To date, CARB and air districts have invested a cumulative total of 3.7 billion dollars to implement community identified air quality priorities.

To protect the health of the community and nearby sensitive receptors (e.g., residents and school students),<sup>4</sup> CARB urges the Port to (1) provide a detailed construction schedule, (2) model the Project's air quality impacts, (3) provide substantial evidence showing that the proposed modifications would not result in direct or indirect operational changes, and (4) incorporate all feasible zero-emission technologies into the Project's final design.

## Background

In December 2016, the Port released the Draft Environmental Impact Report (2016 DEIR) for public review, which was later certified in January 2018. The 2016 DEIR evaluated the potential air quality impacts associated with the construction and operation of the Project. According to Section 3.2 (Air Quality and Health Risk) of the 2016 DEIR, the Port concluded

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<sup>2</sup> A disadvantaged community is defined as an area disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation. (California Health and Safety Code section 39711, subdivision (a).)

<sup>3</sup> Assembly Bill 617, Garcia, C., Chapter 136, Statutes of 2017, modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and § 44391.2.

<sup>4</sup> California Health and Safety Code Section 42705.5, subdivision (a)(5):

[leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=42705.5.&lawCode=HSC](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=42705.5.&lawCode=HSC)

that the construction and operation of the Project would result in a significant and unavoidable impact on air quality.<sup>5</sup>

CARB submitted a comment letter on the 2016 DEIR. CARB's comments, dated March 13, 2017, highlighted the Project's significant and unavoidable air quality impacts and the need for more stringent mitigation measures. CARB urged the Port to require Tier 4 engines for construction equipment and locomotives, rather than the less protective Tier 3 and Tier 2 engines proposed at the time.

Following the certification of the 2016 DEIR, the Port released a Draft Environmental Impact Statement (2020 DEIS) in June 2020.<sup>6</sup> CARB also submitted a comment letter on the 2020 DEIS, which is attached to this letter. In that letter, CARB reiterated concerns about the Project's potential impacts on nearby communities and again encouraged the Port to require cleaner switchers and line-haul locomotives that meet the U.S. EPA's current Tier 4 or future Tier 5 emission standards. CARB also recommended establishing a goal of using zero-emission switchers and line-haul locomotives serving the Project.

## **The Project Will Increase Exposure to Air Pollution in a Disadvantaged Community**

California has committed to address cumulative air quality impacts in communities already facing high pollution burdens—such as the one surrounding the Project and has adopted legislation to achieve this commitment. AB 617 was signed into law in 2017, and CARB established the Community Air Protection Program to translate AB 617 into action. AB 617 in 2017, along with additional legislation, AB 197 in 2016, and AB 1749 in 2022, requires CARB and air districts to develop and implement emissions reporting, monitoring, and plans to reduce exposures and emissions in the communities that are the most impacted by poor air quality—known as Community Emission Reduction Programs (CERPs).

The California Environmental Protection Agency (CalEPA) is responsible for identifying disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria. Using the *California Communities Environmental Health Screening Tool* (CalEnviroScreen 4.0), CalEPA defines disadvantaged communities as those ranking within the top 25% of census tracts most burdened by pollution and socioeconomic stressors. The Project site is located in a census tract with a CalEnviroScreen 4.0 score of 99%, placing it among the most highly impacted areas in the state.

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<sup>5</sup> Port of Long Beach. Draft Pier B On-Dock Rail Support Facility Environmental Impact Report. December 2016. Page ES-32. Accessible at <https://thehelm.polb.com/download/392/pier-b-on-dock-rail-support-facility/7112/pier-b-on-dock-rail-support-facility-draft-eir-121416.pdf>

<sup>6</sup> Maritime Administration. Port of Long Beach Pier B On-Dock Rail Support Facility Project Draft Environmental Impact Statement. June 2020. Accessible at <https://www.regulations.gov/document/MARAD-2019-0109-0007>

Due to its high cumulative pollution burden, CARB selected WCWLB community to be a part of the Community Air Protection Program and to write a CERP to reduce air pollution emissions within the community. This Project is within the borders of Wilmington, West Long Beach, and Carson CERP.<sup>7</sup>

The WCWLB CERP Steering Committee identified its primary concerns as emissions from Refineries, Ports, Neighborhood Truck Traffic, Oil Drilling and Production, and Railyards. To address these concerns, particularly neighborhood truck traffic, the CERP prioritizes reducing emissions from idling heavy-duty diesel trucks and diesel-powered equipment at freight facilities. The CERP includes several incentive projects to reduce the impact of heavy-duty trucks, including incentives to help replace trucks with zero- and near-zero emission technology.

It is imperative to protect the health of people living, working, and attending school in the WCLCB community; the applicant must evaluate the impact of all foreseeable uses for the entire Project area and to ensure that its land use decisions, including its decision on this Project, are consistent with the WCWLB CERP in its entirety.

## The SEIR Lacks a Defined Construction Schedule

While the SEIR concludes that construction-related air quality impacts would be less than significant and similar to those analyzed in the previously certified 2018 FEIR, the analysis lacks sufficient detail to substantiate that conclusion. Specifically, the Port should have included a construction phasing schedule and a comprehensive list of anticipated construction equipment (including quantities, horsepower, and usage hours) for each phase of construction in the SEIR.

Chapter 2 (Projection Description) of the SEIR provides a brief summary of the scope of construction activities that would occur during each of the proposed modifications. However, the Port does not provide details about when each phase of construction would occur or what types of equipment would be used. The only reference to duration is an indefinite mention in Section 4.16 "Utilities and Service Systems," which states that solid waste would be generated for a "temporary period of approximately 12 months."<sup>8</sup> The Office of Environmental Health Hazard Assessment's (OEHHA) guidance recommends assessing cancer risks for construction projects lasting longer than two months.<sup>9</sup> Based on

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<sup>7</sup> South Coast Air Quality Management District, Community Emissions Reduction Plan. 2019. Accessible at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2019/2019-sep6-025c.pdf?sfvrsn=6>

<sup>8</sup> Pier B On-Dock Rail Support Facility Project Draft Supplemental EIR. Port of Long Beach. Section 4.16. Page 67. Accessible at: [https://thehelm.polb.com/download/392/pier-b-on-dock-rail-support-facility/24126/pier\\_b\\_seir\\_complete.pdf](https://thehelm.polb.com/download/392/pier-b-on-dock-rail-support-facility/24126/pier_b_seir_complete.pdf)

<sup>9</sup> Office of Environmental Health Hazard Assessment (OEHHA). *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments*. February 2015. Section 8.2.10 Cancer Risk Evaluation of Short-Term Projects. Page 198. Accessible at: [oehha.ca.gov/sites/default/files/media/downloads/cnr/2015guidancemanual.pdf](http://oehha.ca.gov/sites/default/files/media/downloads/cnr/2015guidancemanual.pdf)

this guidance, the Project's proposed construction duration would exceed the two-month threshold, triggering the need for a detailed Health Risk Assessment (HRA) or at a minimum, an HRA screening-level analysis to determine if a full HRA is necessary.

Without providing a clear construction phasing schedule, it is not possible to independently verify the assertion that the proposed modifications would not substantially increase construction intensity, equipment usage, or duration that would substantially increase the air quality impacts previously analyzed in the 2016 DEIR.

The Port should include a detailed construction phasing schedule in the Final Supplemental Environmental Impact Report (FSEIR) showing the start and end dates for each construction phase, and the number and type of construction equipment used. Inclusion of these details would allow for a more transparent and evidence-based assessment showing that construction activities truly remain within the scope of previously analyzed impacts and that air quality effects would not be more intensive than assumed in the SEIR.

## **The Port Did Not Evaluate the Project's Air Quality Impacts**

In its evaluation of the Project's air quality impacts, the SEIR does not provide a quantified analysis of the air pollutant emissions that will be generated by the newly proposed construction activities. In contrast to the 2016 DEIR, which provided a comprehensive emissions inventory for all construction phases. Section 4.3 (Air Quality) of the SEIR dismisses the new impacts with a single sentence. It concludes that any "nominal increase in construction...are assumed to be offset through use of cleaner equipment."<sup>10</sup> However, an assumption is not a substitute for a detailed emissions analysis. The Project description clearly adds several distinct, multi-faceted construction projects (demolition, microtunneling, utility, and track relocation) that were not previously analyzed. Without a comprehensive emissions inventory comparable to the analysis in the 2016 DEIR, the SEIR fails to adequately disclose the Project's full potential air quality impacts.

The Project would require the use of off-road equipment and heavy-duty trucks to complete the proposed modifications. According to Chapter 2.3 (Modifications to the Project), the proposed modifications require the demolition of approximately 10,377 square feet of a transit shed, microtunneling, trenching, and track reconstruction. All these construction activities would require the use of off-road construction equipment and potentially the use of diesel-powered heavy-duty trucks to transport soil and materials to and from the Project site.

The SEIR also fails to analyze fugitive dust emissions from demolition. The proposed demolition of the Berths D52-D54 Transit Shed, a concrete and steel structure, will generate significant fugitive dust emissions. Furthermore, the SEIR does not address the potential for

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<sup>10</sup> Pier B On-Dock Rail Support Facility Project Draft Supplemental EIR. Port of Long Beach. Section 4.3. Page 58. Accessible at: [https://thehelm.polb.com/download/392/pier-b-on-dock-rail-support-facility/24126/pier\\_b\\_seir\\_complete.pdf](https://thehelm.polb.com/download/392/pier-b-on-dock-rail-support-facility/24126/pier_b_seir_complete.pdf)

asbestos-containing materials within the transit shed; if such materials are present, the project must adhere to South Coast AQMD Rule 1403, which outlines specific notification and control requirements for asbestos during demolition.<sup>11</sup> Fugitive dust is a source of particulate matter 10 microns or less (PM10) and particulate matter 2.5 microns or less (PM2.5); these emissions are not quantified in the SEIR. This omission is another deficiency, as the 2016 DEIR provided detailed calculations for fugitive dust from all grading and construction activities.

Ultimately, the SEIR does not present quantitative emission estimates or a health risk analysis in its air quality section. Instead, it relies on general statements that emissions would be “similar” to those analyzed in the 2016 DEIR. To fully understand the Project’s potential air quality impacts, the Port must model the air pollution emissions emitted during the construction of the proposed modifications and present the results in the FSEIR to provide substantial evidence to show that the new Project’s emissions would not increase the severity of the impacts identified in the 2016 DEIR.

## **The SEIR Fails to Provide Substantial Evidence of No Impact to Project Operations**

The SEIR concludes that the proposed modifications would not result in any changes to the Project’s operational activities. However, this conclusion is not supported by substantial evidence. The modifications involve meaningful alterations to the Project’s infrastructure, such as the relocation of the CP Foote Wye rail tracks and the use of microtunneling for utility installation, that could reasonably result in indirect or future operational changes. These could include adjustments to maintenance schedules, alterations in rail circulation patterns, or potential increases in operational capacity that were not analyzed in the 2016 DEIR.

Absent a detailed, evidence-based analysis, the SEIR’s assertion of no operational impacts remains speculative and does not satisfy CEQA’s requirement that conclusions be supported by substantial evidence in the record. To ensure compliance with CEQA and to allow for informed public review, the Port must provide a clear and detailed explanation in the FSEIR demonstrating how the proposed modifications would not alter Project operations or result in new or more severe operational air quality impacts than those previously analyzed in the 2016 DEIR.

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<sup>11</sup> South Coast Air Quality Management District. Rule 1403: Asbestos Emissions from Demolition/Renovation Activities. Adopted October 6, 1989. Last Amended on October 5, 2007. Accessible at: <https://www.aqmd.gov/home/rules-compliance/compliance/asbestos-demolition-removal/contractor>



## The SEIR Relies on Outdated Mitigation and Must Incorporate All Feasible Measures

Chapter 4.3 (Air Quality) of the SEIR concludes that construction of the proposed modifications would result in less-than-significant air quality impacts. However, this determination is not supported by a quantitative analysis of construction-related emissions. The SEIR does not quantify the Project's anticipated air pollutant emissions associated with construction activities for the proposed modifications, making it impossible to determine whether such emissions would exceed the South Coast Air Quality Management District's (SCAQMD) significance thresholds or result in potentially significant air quality impacts.

Although the SEIR states that construction activities would comply with the mitigation measures identified in the 2016 DEIR, including requirements for on-road trucks to meet 2010 engine emission standards, off-road equipment to meet Tier 4 emission standards, and a five-minute idling limit for on-road trucks, these measures alone do not substitute for a project-specific, quantitative analysis. Without such an analysis, the SEIR's conclusion that construction impacts would be less than significant is not supported by substantial evidence as required under CEQA.

Some of the mitigation measures identified in the 2016 DEIR to reduce the Project's air quality impacts are already required by existing law and therefore do not constitute enforceable mitigation under CEQA. For example, Mitigation Measure AQ-1 (MM AQ-1) requires all on-road heavy-duty trucks with a gross vehicle weight of 19,500 pounds or more to meet the U.S. EPA 2010 on-road heavy-duty diesel engine emission standard. This measure is nearly identical to the CARB's Truck and Bus Regulation, which already mandates that all trucks have 2010 or newer model year engines by January 1, 2023.<sup>12</sup> While compliance with this regulation will reduce mobile-source emissions, it is a legal requirement rather than a project-specific mitigation measure. Similarly, Mitigation Measure AQ-3 limits idling of off-road construction equipment to five minutes when not in use; however, CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling already establishes a five-minute idling restriction statewide.<sup>13</sup> Compliance with existing laws and regulations should not be relied upon exclusively to mitigate the Project's air quality impacts, as CEQA requires mitigation measures that go beyond what is already mandated by law.

To reduce the Project's potential construction air quality impacts, CARB urges the Port to include the following emission reduction measures as either a mitigation measure or a project design measure in the FSEIR:

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<sup>12</sup> CARB. Truck and Bus Regulation. Accessible at: <https://ww2.arb.ca.gov/our-work/programs/truck-and-bus-regulation>

<sup>13</sup> CARB. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. Accessible at: <https://ww2.arb.ca.gov/our-work/programs/atcm-to-limit-vehicle-idling>

- 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-emission and near zero-emission equipment and tools.
- In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during Specific Plan construction be battery powered.
- In construction contracts, include language that requires all heavy-duty trucks entering the construction site during the grading and building construction phases be model year 2014 or later. All heavy-duty trucks should also meet CARB's lowest optional low-oxides of nitrogen (NOx) standard.<sup>14</sup>

Although the Port claims in the SEIR that the proposed modification would not increase rail operations within the Project site, the Port has an opportunity to include additional meaningful mitigation measures in the SEIR to reduce the Project's operational air quality impacts.

The FSEIR should include a mitigation measure requiring the phased adoption of electric drayage trucks serving the Project. Drayage trucks are a major source of diesel PM and NOx, contributing significantly to air quality impacts in nearby communities. To reduce the Project's potential air quality impacts, CARB urges the Port to include either project design features or mitigation measures that facilitate the transition to all zero-emission heavy-duty trucks, including installing on-site infrastructure to support those zero-emission trucks at the Project site. A list of commercially available zero-emission trucks is available through the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), a program under California Climate Investments designed to promote the adoption of zero-emission vehicles.<sup>15</sup>

Furthermore, the FSEIR should incorporate a mitigation measure requiring the use of the cleanest available switcher and line-haul locomotives, including zero-emission technologies as they become commercially viable. With advancements in battery-electric and hydrogen fuel cell technologies, zero-emission locomotives have the potential to fully support the Revised Project's operational needs. CARB projects that zero-emission passenger, switch, and industrial locomotives will be commercially available by 2030, and freight line-haul

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<sup>14</sup> In 2013, CARB adopted optional low-NOx emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NOx emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NOx emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>

<sup>15</sup> Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: <https://californiahvip.org/>



locomotives by 2035.<sup>16</sup> Although trains have previously had lower GHG emissions when compared with trucks, CARB's Truck vs. Train Emissions Analysis found that trucks would emit less GHG emissions as increasing numbers of trucks operate without emissions in California under CARB regulations.<sup>17</sup> Without the use of zero-emission locomotive technologies by BNSF, locomotives will continue to be a dirtier mode of transportation than trucks.

CARB continues to lead and fund demonstration projects aimed at accelerating the deployment of clean freight technologies to reduce pollution associated with goods movement throughout California. Notably, CARB's Zero- and Near Zero-Emission Freight Facilities Program has successfully demonstrated battery-electric locomotives, which could be further developed and applied to the Project.<sup>18</sup> With proactive planning and continued technological progress, the Project could be transitioned to zero-emission rail operations. To support this transition, CARB recommends that the Port consider electrifying key segments of rail corridors serving the Project.

## Conclusion

CARB remains concerned about the Project's potential air quality impact on nearby residents and schools in the WCWLB community. The Port has a critical responsibility to ensure the Project does not further burden residents with toxic air pollution. To fully assess the Project's air quality impacts, the Port must provide a detailed construction phasing schedule, model the Project's air quality impacts, provide substantial evidence showing that the proposed modifications would not result in direct or indirect operational changes, and include a mitigation or design measure in the FSEIR that requires trucks and locomotives serving the Project to be zero-emission.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues for which CARB does not submit substantive comments.

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<sup>16</sup> 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>

<sup>17</sup> CARB. Truck vs. Train Emissions Analysis FAQ. November 12, 2021. Accessible at:

<https://ww2.arb.ca.gov/resources/fact-sheets/truck-vs-train-emissions-analysis-faq>

<sup>18</sup> 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-freighttransportation#:~:text=The%20goal%20of%20CARB's%20Zero,commercialization%20of%20these%20technologies%20statewide>

CARB appreciates the opportunity to comment on the SEIR for the Project and can provide assistance with emission reduction strategies, as needed. Please include CARB on your list of selected State agencies that will receive the FSEIR. If you have questions, please contact Alejandro (Alex) Sanchez, Air Pollution Specialist, via email at [alex.sanchez@arb.ca.gov](mailto:alex.sanchez@arb.ca.gov)

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew O'Donnell".

Matthew O'Donnell, Chief, Risk Reduction Branch

cc: State Clearinghouse  
[state.clearinghouse@lci.ca.gov](mailto:state.clearinghouse@lci.ca.gov)

Sam Wang, Program Supervisor- CEQA IGR, South Coast Air Quality Management District  
[swang1@aqmd.gov](mailto:swang1@aqmd.gov)

Alejandro (Alex) Sanchez, Air Pollution Specialist, Risk Reduction Branch

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch