

July 31, 2026

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Sent via email

Dear Brian Millar:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the International Park of Commerce Phase 2 Project (Project), State Clearinghouse No. 2023040001. The Project is located in an unincorporated area of San Joaquin County (County), which serves as the lead agency for California Environmental Quality Act (CEQA) purposes.

The Project proposes the development of approximately 5.36 million square feet of warehouse distribution, manufacturing, and light industrial uses on 284 acres of existing agricultural land.¹ According to the DEIR, Project operations are expected to generate approximately 14,698 vehicle trips per weekday. The DEIR assumes that approximately 26% (3,821 daily trips) of these trips would be medium- and heavy-duty truck trips, including an average fleet mix of 13.36% (1,964 daily trips) heavy-heavy diesel trucks and 12.59% (1,850 daily trips) medium-duty trucks.²

CARB submitted a comment letter, which is attached to this letter, on the Notice of Preparation (NOP) for the DEIR released in April 2023. CARB's comments dated April 28, 2023, highlighted the need to prepare a health risk assessment (HRA) for the Project and encouraged the County to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxides (NOx) emissions for all neighboring communities, and to minimize the greenhouse gases that contribute to climate change. Due to the Project's proximity to residences already disproportionately burdened by multiple sources of pollution, CARB's comments on the NOP expressed concerns with the potential cumulative health risks associated with the construction and operation of the Project.

¹ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 1-1. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

² San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 3.3-42 & 3.3-43. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

While CARB acknowledges that the Project's final design incorporates several key emission reduction measures, the County should strive to make the Project as clean as possible to protect public health. The following sections set forth CARB's comments on specific aspects of the DEIR. In summary, CARB urges the County to take the following actions: (1) ensure consistent truck routing between the HRA and DEIR, (2) correct any errors in transport refrigeration units (TRU) emissions calculations, (3) avoid relying on payments to an offsite mitigation fund as a way to address the Project's air quality impacts, (4) implement enforceable mitigation measures, and (5) participate in CARB's California Clean Construction Program (CCC).

The Project Would Significantly Contribute to Existing Pollution Burdens

CARB is concerned that the Project would place a new, large-scale industrial pollution source in proximity to residences and schools. Figure 1 shows the proximity of the Project site and the surrounding industrial uses to these residences and schools, and together with the Project's proposed truck route corridors. As shown in Figure 1, the nearest sensitive receptors to the Project site consist of residences located approximately 200 feet from the Project's eastern boundary, and John C. Kimball High School, located approximately 2,760 feet from the Project's northeastern boundary. Additionally, George Kelly Elementary School is approximately 4,900 feet from the Project site's eastern boundary. Kimball High School is the DEIR's maximally exposed school receptor for high-school-aged children, and the DEIR separately evaluates the residences east of the high school as a receptor group.³ CARB notes that the modeled roadway segments nearest the high school (the 11th Street and Lammers Road segments) are among those to which the health risk assessment assigns no Project truck traffic, as discussed later in this letter. All of this is in an area already affected by the operating International Park of Commerce Phase 1 development, an approximately 1,780-acre industrial specific plan immediately west of the Project site, and near additional planned industrial development.⁴

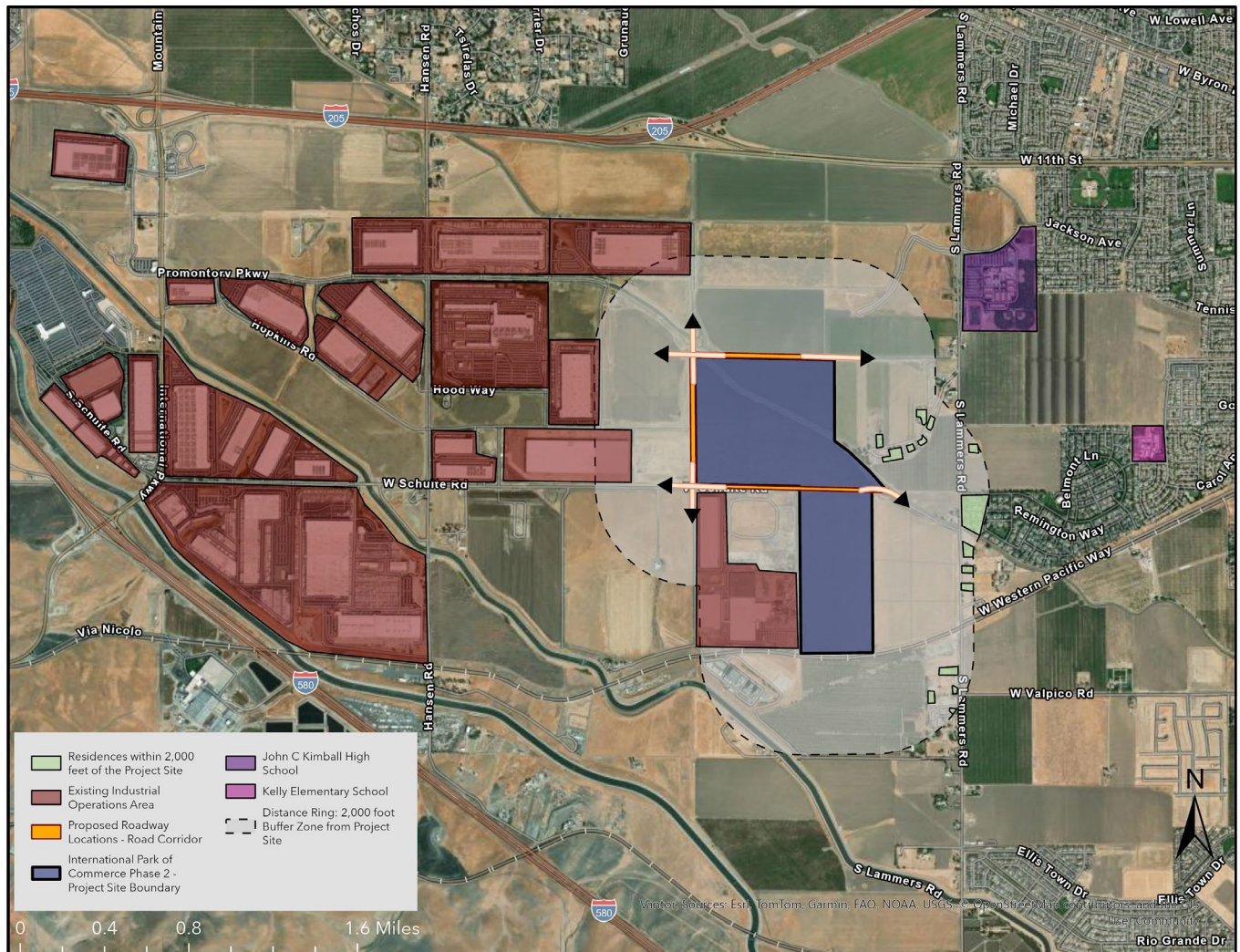
³ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 3.3-23, 3.3-46 and 3.3-47. Accessible at:

<https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

⁴ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 3.3-23 & Figure 22. Accessible at:

<https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

Figure 1: Proximity of the Project Site to Sensitive Receptors with Proposed Road Corridors



The Project's air quality impacts, combined with air quality impacts from existing and future industrial development, would significantly worsen cumulative air quality burdens in the communities surrounding the Project site. The DEIR's own list of related projects (Table 4.4-1) identifies, among others, two industrial buildings totaling approximately 1,812,279 square feet proposed at 16000 West Schulte Road, the same roadway the DEIR designates as a main Project truck route.⁵ The DEIR further identifies the proposed LBA III Industrial Project and the Tracy Biomass plant to the south of the Project site. These uses would add diesel truck and equipment activity in the vicinity of the same residences and schools

⁵ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 3.3-72 & 3.3-78. Table 4.4-1. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

identified above, while the 535-acre Westside Specific Plan to the north and the Mountain House community, planned for 16,105 residential units at buildout, would place additional residents near the combined emissions of these industrial uses.⁶ To this end, CARB is concerned that the operation of the Project would contribute to cumulative air quality impacts in the area.

CARB acknowledges that the census tracts surrounding the Project site do not score within the top 25% of census tracts statewide under CalEnviroScreen 4.0 and are therefore not designated disadvantaged communities; the DEIR reports overall percentiles ranging from 43 to 58 for the surrounding tracts (Table 3.3-36).⁷ The same table, however, shows that the Pollution Burden component of those scores reaches the 86th percentile statewide, within the top 15% of California census tracts, and identifies cardiovascular disease, asthma, and low birth weight among the elevated health characteristics of the communities nearest the site. CalEnviroScreen is a tract-level screening tool that does not capture the proximity-based exposure of a residence 200 feet from the Project boundary or of students attending school near the Project's truck routes. Because of how close people live and go to school to the Project site, the County needs to adopt all feasible mitigation measures, as described in this letter, to avoid adding to the pollution these residents and students already experience.

Inconsistent Trucking Routing Assumptions

The reliability of the HRA for a project of this scale depends on where the truck traffic generated by the project is assumed to travel. CARB's review of the roadway assignments used in the Project's HRA identified assignments that cannot be reconciled with the Project's description and that direct truck traffic away from the roadway fronting the maximally exposed individual resident.

As shown in the roadway emission calculation sheets presented in Appendix C (Air Quality, Health Risk Assessment, and Greenhouse Gas Modeling) of the DEIR,⁸ the analysis assigns 0% of Project truck traffic to the 11th Street, Schulte Road, Lammers Road, and Pavilion Parkway segments, and only 2% to Mountain House while assigning 2% to 10% automobile traffic to those same segments.⁹ Chapter 2.5 (Project Description) of the DEIR, however,

⁶ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page ES-1. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

⁷ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 3.3-84 to 3.3-86. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

⁸ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Appendix C.1. Electronic Pages 751, 754, and 755. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/TwHAIr>

⁹ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Appendix C.1. Electronic Page 753. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/TwHAIr>

states that “Mountain House Parkway, West Schulte Road, proposed Pavilion Parkway, and proposed Promontory Parkway would be designated as the main truck routes to access Project uses”.¹⁰ The DEIR further identifies the Maximum Exposed Individual Receptor (MEIR) for Project buildout as the residential receptor located immediate east of West Lammers Road. The only Project level measure directing trucks away from these roadways is Mitigation Measure AQ-16, which requires only the posting of signage at truck exit driveways.¹¹ Posted signage does not compel compliance, and no monitoring, reporting, or enforcement mechanism accompanies it. The modeled absence of truck traffic on these roadways therefore rests on an assumption that nothing in the Project’s mitigation program can guarantee.

To resolve this inconsistency, CARB recommends that the County take one of the following two actions in the Final Environmental Impact Report (FEIR). First, if trucks will in fact use West Schulte, Pavilion Parkway and other designated truck routes as the Project description states, the County must revise the HRA to assign truck traffic, including trucks equipped with TRU, to those roadways consistent with the traffic assignments in the Project’s traffic impact analysis, and must remodel the resulting cancer risks at all receptors along those routes. Second, in alternative, if the County maintains that trucks will not travel on the Lammers Road, Schulte Road, and Pavilion Parkway segments as the current modeling assumes, the County must adopt an enforceable truck routing plan that makes that assumption binding: the prohibited roadways should be specified in the conditions of approval and in all tenant lease agreements, compliance should be monitored through periodic truck route surveys or reporting to the County, and violations should be subject to defined corrective action. A modeling assumption that determines the exposure of the nearest residents cannot rest on signage alone. Under either approach, the County must disclose in the FEIR the roadway segment locations used in the AERMOD modeling, including the segment drawing referenced in Appendix C, so that the public can evaluate which portions of the roadway network were and were not modeled.

The County May have Underestimated Air Quality Impacts from Transport Refrigeration Units

The Project includes 536,000 square feet of cold storage warehousing. As stated on page 3.3-47 of the DEIR, the County assumed that each heavy-duty truck visiting the cold storage warehouse would be equipped with a TRU, for a total of 1,241 TRUs visiting the site each

¹⁰ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 2-30. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

¹¹ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Page 3.3-57. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

day at full Project buildout, and that each TRU would idle for 3.3 hours per load.¹² In Table 3.3-16 of the DEIR, TRUs visiting the Project site would emit 0.06 tons per year of reactive organic gases (ROG), 0.05 tons per year of NO_x, 0.01 tons per year of carbon monoxide (CO), and 0.00 tons per year of particulate matter less than 10 micrometers (PM₁₀) and particulate matter less than 2.5 micrometers (PM_{2.5}). CARB is concerned that the Project's air pollutant emissions from the operation of onsite TRUs may have been underestimated due to a calculation error.

Based on CARB's review of the TRU air pollutant emission calculations provided on electronic page 662 of Appendix C (Air Quality, Health Risk Assessment, and Greenhouse Gas Technical Appendix) of the DEIR,¹³ the calculation error appears to be the result of the method used to derive a pounds per hour TRU air pollutant emission rate.

The County obtained countywide TRU air pollutant emission rates, total annual TRU operating hours, and the total TRU population for San Joaquin County from CARB's OFFROAD2021 (v1.0.5) emissions inventory.^{14,15} The County then estimated the Project's TRU pounds-per-day emission rate by dividing the annual TRU emissions by both the countywide annual TRU operating hours and the countywide TRU population to derive a pounds-per-hour emission rate, which was used to estimate air pollutant emissions from Project-related TRUs.

However, because OFFROAD2021 reports total annual operating hours for the regional TRU fleet, dividing the annual emissions by both total fleet operating hours and the total TRU population results in an inappropriate double normalization of the emissions. This methodology effectively distributes the fleet-wide emissions across the entire regional TRU population after already accounting for fleet-wide activity, thereby producing an artificially low pounds-per-hour emission factor. As a result, the County's approach underestimates the Project's actual TRU air pollutant emissions.

The effect is shown by the OFFROAD2021 output reproduced in Appendix C. For calendar year 2036, the inventory reports county-wide TRU NO_x emissions of 0.185284 tons per day, a population of 1,066.804 units, and 1,900,356 hours of operation per year. Dividing the daily emissions by the fleet's daily operating hours yields the correct per-unit rate of approximately 3.56×10^{-5} tons of NO_x per TRU-hour, or roughly 32 grams per hour.

¹² TRUs are refrigeration systems, these systems may be powered by integral diesel engines; TRUs protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

¹³ San Joaquin County. International Park of Commerce Phase 2 Project Draft Environmental Impact Report. June 2026. Appendix C.1. Electronic Page 662. Accessible at: <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/TwHAIr>

¹⁴ CARB. OFFROAD2021 Emissions Inventory. Accessible at: <https://offroad.arb.ca.gov/emissions-inventory>

¹⁵ CARB. Appendix H: 2021 Update to Emissions Inventory for Transport Refrigeration Units, July 2021. Accessible at: <https://ww2.arb.ca.gov/sites/default/files/barcu/board/rulemaking/tru2021/apph.pdf>

Appendix C instead reports tons per TRU-hour, or approximately 0.03 grams per hour; a value reproduced only by dividing the county emissions by the fleet's daily operating hours and then by the county population a second time. The reported rate is therefore lower than the correct rate by a factor of approximately 1,067, which is the county TRU population. The same pattern appears in the 2031 calculation, where the reported rate is understated by a factor equal to that year's TRU population.

The emission factors reproduced in Appendix C are drawn from CARB's TRU emissions inventory. That inventory calculates emissions as the product of equipment population, activity, horsepower, load factor, and emission factor, and defines activity as the time the engine is running in hours.¹⁶ Because population and activity are separate terms in that equation, and because the county-level emissions reported by the inventory already reflect the operation of the entire county population, dividing the county emissions by the county population a second time when deriving a per-unit rate is a calculation error rather than a modeling assumption.

The resulting emission rate is not physically achievable for a diesel engine. A rate of 0.03 grams of NO_x per hour is well below a typically idling passenger car and is approximately two orders of magnitude below a representative Tier 4 Final off-road engine operating under load.¹⁷ Appendix C's own fuel consumption data for the same equipment category report 1,329,134 gallons per year against 1,900,356 operating hours, or approximately 0.70 gallons of diesel per operating hour. The reported emission rate corresponds to approximately 0.04 grams of NO_x per gallon of diesel consumed, which is not achievable; the corrected rate corresponds to approximately 46 grams per gallon, which is consistent with an uncontrolled off-road diesel engine. By contrast, the corrected rate of approximately 32 grams of NO_x per hour is consistent with the in-use diesel TRU fleet characterized in CARB's TRU emissions inventory. The same conclusion follows from CARB's published health risk assessment emission factors for TRUs, which range from approximately 0.3 to 2.6 grams of diesel particulate matter per hour per unit depending on calendar year and equipment type¹⁸ – while the diesel particulate matter rates produced by Appendix C calculation are roughly one thousand times lower. No per-unit emission rate published by CARB for any TRU category, in any year, under any regulatory scenario, approaches the rates used in the DEIR.

¹⁶ CARB. Appendix H: 2021 Update to Emissions Inventory for Transport Refrigeration Units, July 2021. Accessible at: <https://ww2.arb.ca.gov/sites/default/files/barcu/board/rulemaking/tru2021/apph.pdf>

¹⁷ CARB. 2025 Emission Factor Update for Off-Road Diesel Engines. July 2025. Accessible at: <https://ww2.arb.ca.gov/sites/default/files/2025-09/Tech%20Doc%20-%202025%20Emission%20Factors%20for%20Offroad%20-%202025%20ADA%20FINAL.pdf>

¹⁸ CARB. Preliminary Health Analyses: Transport Refrigeration Unit Regulation, Public Review Draft, October 18, 2019, Table II.C.1, page 5. Accessible at: https://ww2.arb.ca.gov/sites/default/files/classic/cc/cold-storage/documents/hra_healthanalyses2019.pdf

Applying the corrected emission factors (obtained for each pollutant by dividing the county-wide OFFROAD2021 emissions on page 662 of Appendix C by the fleet's daily operating hours, as described above) to the County's own activity assumptions (1,241 TRUs per day, 3.3 hours of idling per load, 365 days per year) produces the following corrected TRU emissions at full project buildout (calendar year 2036, the year modeled in Table 3.3-16):¹⁹

Pollutant	Reported in the DEIR Table 3.3-16 (tons per year)	Corrected, 2036 buildout (tons per year)	Approximate factor of understatement
<i>NO_x</i>	0.05	53.2	1,067
<i>PM₁₀</i>	0.0005	0.48	1,067
<i>PM_{2.5}</i>	0.0004	0.44	1,067

CARB further notes that the corrected emissions presented above conservatively retain the DEIR's own 3.3-hour idling assumption, an assumption that is itself not supported by substantial evidence. Page 3.3-47 of the DEIR states that, "Consistent with CARB's recommended parameters, each TRU was assumed to idle for 3.3 hours per load," but the DEIR does not identify the CARB document, table, or parameter from which the 3.3-hour value is drawn, and CARB was not able to locate supporting documentation for this value in Appendix C.²⁰ Unless the County provides evidence substantiating a lower duration, CARB recommends that the health risk assessment assume a four-hour TRU idling duration, consistent with CARB's own health risk assessment for cold storage warehouses, which assumed that each TRU remains on site for approximately four hours: two hours unloading and two hours loading.²¹ The County must either provide substantial evidence supporting the 3.3-hour assumption or remodel the health risk assessment and the operational criteria pollutant inventory using a four-hour TRU idling duration.

To fully evaluate the Project's impact on air quality, the County must correct the TRU emission calculations and recalculate the Project's operational criteria pollutant emissions inventory, and health risk assessment for all criteria pollutants. This should include re-extracting TRU emission factors for all pollutants directly from OFFROAD2021, deriving the

¹⁹ County of San Joaquin. International Park of Commerce Phase 2. Page 3.3-63. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURIrH>

²⁰ County of San Joaquin. International Park of Commerce Phase 2. Page 3.3-47. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURIrH>

²¹ CARB. Preliminary Health Analyses: Transport Refrigeration Unit Regulation, Public Review Draft. October 2019. Section II.G.2, pages 37-38. Accessible at: https://ww2.arb.ca.gov/sites/default/files/classic/cc/cold-storage/documents/hra_healthanalyses2019.pdf

per-unit emission rates using the correct method, disclosing the extraction and calculation methodology, and presenting all corrected results in the FEIR.

The County Should Include More Meaningful Mitigation Measures before Paying into an Offsite Mitigation Fund.

The County concluded in Chapter 3.3 (Air Quality) of the DEIR that the operation of the Project would result in a significant impact on air quality. According to Table 3.3-16 (Operational Criteria Pollutant Emissions (Unmitigated)), the Project would result in a net increase of 29.92 tons per year of ROG, 52.51 tons per year of NO_x, 109.81 tons per year of CO, 59.72 tons per year of PM₁₀, and 16.01 tons per year of PM_{2.5}; these values were found to exceed the San Joaquin Valley Air Pollution Control District's (SJVAPCD) significance thresholds and would result in a significant impact on air quality.

To mitigate the Project's operational air quality impacts, the DEIR included 27 mitigation measures (MM-AQ-1 through MM-AQ-27). These mitigation measures include zero-emission equipment, reduced truck idling, cleaner trucks and TRUs, electric charging infrastructure, and participation in a SJVAPCD Voluntary Emissions Reduction Agreement (VERA). After implementing these measures, the County concluded in the DEIR that the impact on air quality associated with the operation of the Project would be reduced to a less than significant level.

CARB applauds the County for including mitigation measures to support electric onsite equipment, heavy-duty trucks and TRUs, and requiring all trucks with TRUs to be plug-in cable. However, the County should not exclusively rely on paying into an offsite mitigation fund to mitigate the Project's air quality impacts.

Mitigation measure AQ-27 (MM-AQ-27) establishes a phased approach for evaluating and reducing the Project's remaining air quality impacts by requiring updated emissions analyses as future developments are proposed and allowing additional mitigation, including participation in a VERA with the SJVAPCD, if emissions exceed applicable thresholds. As show in Table 3.3-17 (Operational Criteria Emissions (Mitigated)) of the DEIR, the Project's air pollutant emissions would be reduced to the SJVAPCD's significance threshold after the implementation of MM AQ-27, which would result in an emission reduction of 13.21 tons per year of ROG, 36.57 tons per year of NO_x, and 36.93 tons per year of PM₁₀. MM-AQ-27 relies on future emissions analyses and future implementation of mitigation measures to address remaining air quality impacts. This approach creates uncertainty because Project-related emissions may occur before additional mitigation is identified and implemented. The County should require enforceable onsite emission reduction measures that will be implemented at the time of Project operation rather than relying on future evaluations to determine whether additional mitigation is necessary.

While a VERA may provide regional emission reductions, it does not directly reduce emissions generated by Project operations, including heavy-duty truck activity. The County

should not rely on offsite emission reduction fees as the primary method of mitigating the Project's air quality impacts. Instead, the County should prioritize onsite emission reduction measures that directly reduce diesel PM, and NOx emissions generated by the Project. Lastly, the DEIR also states that the Project applicant and SJVAPCD are still engaged in discussions regarding the terms of the VERA and therefore its implementation and effectiveness remain uncertain.²²

To reduce the Project's significant operational NOx and diesel PM impacts, CARB urges the County to include the following measures, either as mitigation measures or enforceable project design features, in the FEIR:

- Include contractual language in tenant lease agreements requiring a transition of heavy-duty trucks entering or operating on the Project site, phased in overtime toward 100% zero-emission trucks. Incentive funds are available through the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) and the Carl Moyer Program and Voucher Incentive Program.^{36, 37}
- Include contractual language in tenant lease agreements requiring future tenants to exclusively use zero-emission light- and medium-duty delivery trucks and vans.

The County Must Include Meaningful and Enforceable Mitigation Measures

CARB appreciates that the DEIR includes a number of mitigation measures that reflect CARB's recommendations, including Mitigation Measure AQ-1 requiring Tier 4 Final off-road construction equipment, Mitigation Measure AQ-12 requiring zero-emission forklifts and yard trucks, Mitigation Measure AQ-18 requiring electrical hookups at cold storage docks, and Mitigation Measure AQ-19 requiring TRUs entering the site to be plug-in capable. These measures will help reduce the Project's air quality and health impacts. However, several of the mitigation measures provided in the DEIR are not enforceable because they rely on voluntary actions, informational programs, or undefined levels of participation rather than requiring specific actions that would result in measurable emission reductions. CARB urges the County to strengthen the measures identified below and be revised to include clear performance standards, monitoring requirements, and enforceable compliance mechanisms.

MM-AQ-13 requires owners, operators, and tenants to make a "best effort" to restrict truck idling to a maximum of three minutes. However, the use of "best effort" language does not establish a clear enforceable requirement or provide a measurable standard for determining compliance. The measure should be revised to remove subjective language

²² County of San Joaquin. International Park of Commerce Phase 2. Page 3.3-64. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

and include specific enforcement provisions, such as monitoring, recordkeeping, and documentation requirements, to ensure compliance with the idling restrictions.

MM AQ-21 requires the Project applicant, owners, operators, and tenants to provide employees with transit route and schedule information and to coordinate ridesharing opportunities. However, providing information alone does not ensure employee participation or result in measurable reductions in vehicle trips or emissions. The measure should include specific requirements, such as employee outreach procedures, reporting requirements, or measurable transportation reduction goals, to demonstrate its effectiveness.

MM AQ-25 requires owners, operators, and tenants to establish and promote a rideshare program; however, it does not establish participation targets, implementation requirements, or monitoring procedures. Without measurable performance standards, the effectiveness of the measure cannot be verified, and the anticipated emission reductions may not occur. The County should revise this measure to include specific requirements for program implementation, participation tracking, and reporting.

MM AQ-26 requires the Project Applicant to provide information regarding incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to encourage fleet upgrades. However, participation in these programs is voluntary, and the measure does not require actual fleet improvements or ensure any quantifiable emission reductions. The County should require enforceable emission reduction measures rather than relying solely on voluntary incentive programs.

Overall, MM AQ-13, MM AQ-21, MM AQ-25, and MM AQ-26 do not provide sufficient assurance that the anticipated emission reductions will occur because they lack clear performance standards and enforceable implementation requirements. The County should revise these measures in the FEIR to include measurable compliance criteria, monitoring and reporting requirements, and enforceable obligations.

CARB Urges the County to Participate in CARB's California Clean Construction Program

The DEIR concludes that, with implementation of Mitigation Measure AQ-1, which requires the use of Tier 4 Final construction equipment, the Project's construction emissions would be reduced below the SJVAPCD's regional significance thresholds (Table 3.3-15).²³ Even so, unmitigated construction emissions would exceed the SJVAPCD threshold for NO_x (Table

²³ County of San Joaquin. International Park of Commerce Phase 2. Page 3.3-62. Table 3.3-15. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

3.3-14, page 3.3-61),²⁴ and construction would proceed over a period of approximately ten years,²⁵ during which nearby sensitive receptors, including the maximally exposed individual resident located approximately 200 feet from the Project boundary, and students at John C. Kimball High School and George Kelly Elementary School, would be exposed to diesel particulate matter (Tables 3.3-26 and 3.3-27).²⁶ The construction of the Project would temporarily expose these adjacent residences and schools to harmful air pollution and would contribute to the existing air pollution burden in the surrounding community. To reduce these impacts, CARB urges the County to include a project design feature or mitigation measure in the FEIR requiring participation in CARB's CCC program for the Project.

The CCC program is a voluntary 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 community surrounding the Project. The 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 cell, and other zero-emission construction equipment where those technologies are commercially available, and where not, encourages the use of the cleanest available diesel equipment. CARB maintains a Zero-Emission Equipment List identifying eligible equipment models and provides guidance to awarding bodies on how to integrate clean construction criteria into bid specifications and contract documents.²⁷

The construction of the Project will likely use many of the off-road equipment types identified on the Zero-Emission Equipment List. As presented in Table 3.12-10 (Construction Stage Equipment) of the DEIR, the County assumed in its construction emissions modeling that the Project would require the use of forklifts, rough terrain forklifts, excavators, rubber-tired dozers, graders, cranes, pavers, generators, tractors/loaders/backhoes, and other equipment, several types of which are available as zero-emission on the Zero-Emission Equipment List. CARB notes that the Project already commits to Tier 4 off-road equipment (MM AQ-1); the CCC program represents the next step beyond that commitment toward zero-emission construction.

²⁴ County of San Joaquin. International Park of Commerce Phase 2. Page 3.3-61. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

²⁵ County of San Joaquin. International Park of Commerce Phase 2. Page 2-26. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

²⁶ County of San Joaquin. International Park of Commerce Phase 2. Page 3.3-72 to 3.3-75. Accessible at <https://ceqanet.lci.ca.gov/2023040001/2/Attachment/hURLrH>

²⁷ California Clean Construction Program. Accessible at: [California Clean Construction Zero-Emission Equipment List](#) / [California Air Resources Board](#).

In addition to participating in the CCC program, CARB urges the County to include the following recommended emission reduction strategies as enforceable project design features or mitigation measures in the FEIR:

- Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
- In construction contracts, require all off-road diesel-powered equipment used during construction to be equipped with Tier 4 Final engines with a diesel particulate filter or cleaner engines, except for specialized construction equipment for which such engines are not available. Information on finding Tier 4 final equipment with diesel particulate filter is available on CARB's website.²⁸
- In construction contracts, require that all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during construction be battery powered.
- In construction contracts, require all heavy-duty trucks entering the construction site during the grading and building construction phases to be zero-emission where feasible; if zero-emission trucks are not feasible, trucks must be model year 2017 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-NOx standard.²⁹

Conclusion

CARB recognizes the County and Project applicant for incorporating mitigation measures that support zero-emission technologies, including electric truck and TRU infrastructure, plug-in-capable TRU requirements, and zero-emission onsite equipment. However, CARB remains concerned that the DEIR does not adequately address the Project's air quality and public health impacts. The Project's air quality and HRA may have underestimated the Project's operational air quality and health risk impacts due to inconsistent truck routing assumptions, and potential errors in TRU emission calculations. The DEIR should not rely on voluntary actions or lack enforceable standards to mitigate the Project's air quality impacts.

²⁸ Optional Tier 4 Final + Diesel Particulate Filter Equipment. Accessible at [Optional Tier 4 Final + Diesel Particulate Filter Equipment](#) | California Air Resources Board.

²⁹ 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>

The County should prioritize enforceable onsite measures that provide direct emission reductions at Project startup, including requirements to phase in zero-emission heavy-duty trucks and equipment as they become commercially available.

CARB appreciates the opportunity to comment on the DEIR for the Project. Given the breadth and scope of projects subject to CEQA review throughout California that have air quality 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 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 FEIR. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at stanley.armstrong@arb.ca.gov.

Sincerely,

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

Matthew O'Donnell, Chief, Risk Reduction Branch

cc: California State Clearinghouse
state.clearinghouse@lci.ca.gov

Patia Siong, Supervising Air Quality Specialist, San Joaquin Valley Air Pollution Control District
Patia.Siong@valleyair.org

Jacob Torrez, Air Quality Specialist, San Joaquin Valley Air Pollution Control District
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Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

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

April 28, 2023

Robby Thacker
Contract Planner
Community Development Department
County of San Joaquin
1810 East Hazelton Avenue
Stockton, California 95205
rthacker@sjgov.org

Dear Robby Thacker:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the International Park of Commerce Phase 2 Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2023040001. The Project consists of a General Plan Amendment, Zone Reclassification, and Specific Plan to establish a new industrial and warehousing development with 5.3 million square feet of building space on approximately 284 acres of land. The Project site is located within an unincorporated area of San Joaquin County (County), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Industrial development, such as the proposed Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.¹ The Project will expose nearby communities to elevated levels of air pollution. Residences are located east of the Project site with the closest residence located within 600 feet from the Project's western boundary. In addition to residences, the John C. Kimball High School and Kelly Elementary School are located within a mile of the Project site. These communities are surrounded by existing toxic diesel PM emission sources, which include heavy-duty truck traffic serving existing industrial buildings, vehicular traffic along Interstate 205 (I-205) and Business Route 205 (I-205 Bus). Due to the Project's proximity to residences and schools already burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

¹ With regard to greenhouse gas emissions from this 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 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Operation

Since the Project is near a community that is already burdened by multiple air pollution sources, CARB urges the County and applicant to prepare a health risk assessment (HRA) for the Project. The HRA should account for all potential operational health risks from Project-related diesel particulate matter (diesel PM) emission sources, including, but not limited to, back-up generators, on-site diesel-powered equipment, locomotives, and heavy-duty trucks. The HRA should also determine if the operation of the Project in conjunction with past, present, and reasonably foreseeable future projects or activities would result in a cumulative cancer risk impact on nearby residences. To reduce diesel PM exposure and associated cancer risks, CARB urges the County and applicant to include all the air pollution reduction measures listed in Attachment A.

Since the Project description provided in the NOP does not explicitly state that the proposed industrial land uses would not be used for cold storage, there is a possibility that trucks and trailers visiting the Project-site would be equipped with TRUs.² TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project-site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating would be exposed to diesel exhaust emissions that would result in a significant cancer risk impact to the nearby community. If the Project would be used for cold storage, CARB urges the County to model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project's HRA. If the Project will not be used for cold storage, CARB urges the County to include one of the following design measures in the DEIR:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project-site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

The HRA prepared in support of the Project should be based on the latest Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),³ and CARB's Hot Spots Analysis and Reporting Program (HARP2 model). The Project's mobile PM emissions used to estimate the Project's cancer risk impacts should be based on CARB's latest 2021

² TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

³ Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

Emission Factors model (EMFAC2021). Mobile emission factors can be easily obtained by running the EMFAC2021 Web Database: <https://arb.ca.gov/emfac/>.

The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and planners will have a complete understanding of the potential health impacts that would result from the Project.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Construction

In addition to the health risks associated with operational diesel PM emissions, health risks associated with construction diesel PM emissions should also be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel PM emissions from the use of both on-road and off-road diesel equipment. The OEHHA guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project-site during construction.

The HRA should account for all diesel PM emission sources related to Project construction, including, but not limited to, off-road mobile equipment, diesel generators, and on-road heavy-duty trucks. As previously stated in Section I of this letter, the cancer risks evaluated in the construction HRA should be based on the latest OEHHA guidance, and CARB's HARP2 model. The cancer risks reported in the HRA should be calculated using the latest emission factors obtained from CARB's latest EMFAC (currently EMFAC 2021) and off-road models.

Conclusion

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and NO_x emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the County and applicant to implement the applicable measures listed in Attachment A of this letter.

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 on which CARB does not substantively submit comments.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Krieger".

Robert Krieger, Branch Chief, Risk Reduction Branch

Attachment

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Patia Siong, Supervising Air Quality Specialist, San Joaquin Valley Air Pollution Control District
patia.siong@valleyair.org

Morgan Capilla, NEPA Reviewer, U.S. Environmental Protection Agency, Air Division, Region 9
capilla.morgan@epa.gov

Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

Attachment A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

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

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved are equal to or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. 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 haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO_x) standard starting in the year 2022.⁴

⁴ In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. The low-NO_x emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>

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

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRUs) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.⁵
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project-site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available and can be purchased using incentive funding from CARB's Clean Off-Road Equipment Voucher Incentive Project (CORE).⁶
6. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be zero-emission vehicles, and be fully zero-emission. A list of commercially available zero-emission trucks can be obtained from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP).⁷ Additional incentive funds can be obtained from the Carl Moyer Program and Voucher Incentive Program.⁸
7. Include contractual language in tenant lease agreements that requires the tenant to be in, and monitor compliance with, all current air quality regulations for on-road trucks

⁵ CARB's technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at:

https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf

⁶ Clean Off-Road Equipment Voucher Incentive Project. Accessible at: <https://californiacore.org/how-to-participate/>

⁷ Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: <https://californiahvip.org/>

⁸ Carl Moyer Program and Voucher Incentive Program. <https://ww2.arb.ca.gov/carl-moyer-program-apply>

including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,⁹ Advanced Clean Trucks Regulation,¹⁰ Periodic Smoke Inspection Program (PSIP),¹¹ and the Statewide Truck and Bus Regulation.¹²

8. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than two minutes while on site.
9. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
10. Include contractual language in tenant lease agreements, requiring the installing of vegetative walls¹³ or other effective barriers that separate loading docks and people living or working nearby.
11. Include contractual language in tenant lease agreements, requiring all emergency generators to be powered by a non-diesel fuel.
12. The project should be constructed to meet CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking, and achieve a certification of compliance with LEED green building standards.

⁹ In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://ww2.arb.ca.gov/our-work/programs/ttghg>

¹⁰ On June 25, 2020, CARB approved the Advanced Clean Trucks Regulation. The regulation requires manufacturers to start the transition from diesel trucks and vans to zero-emission trucks beginning in 2024. The rule is expected to result in about 100,000 electric trucks in California by the end of 2030 and about 300,000 by 2035. CARB is expected to consider a fleet regulation in 2021 that would be compatible with the Advanced Clean Trucks regulation, requiring fleets to purchase a certain percentage of zero-emission trucks and vans for their fleet operations. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>

¹¹ The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>

¹² The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>

¹³ Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf>