November 13, 2026

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Sent via email

Dear Jason Cashman:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Nevada Cement Company LLC Stockton Terminal Modernization Project (Project), State Clearinghouse No. 2024100490. The Project is located within the Port of Stockton (Port), which is the lead agency for California Environmental Quality Act (CEQA) purposes.

CARB submitted a comment letter on the DEIR for the Lehigh Southwest Stockton Terminal project (State Clearinghouse No. 2019100510), a prior proposal to redevelop the same terminal.[1] The DEIR states that the Lehigh Southwest Stockton Terminal Project DEIR "analyzed similar facility upgrades to improve operational efficiency and increase capacity," and evaluates that earlier proposal as Alternative 2 (Berth 2 Improvements Alterative).[2] CARB's letter dated July 3, 2020 (2020 letter), highlighted the need for a health risk assessment (HRA) to quantify the individual and cumulative cancer risks to residences located near the Port, including residents of nearby disadvantaged communities. Furthermore, CARB recommended mitigation measures that would require Tier 4 or cleaner off-road equipment, zero-emission service equipment, and heavy-duty trucks that would be fully zero-emission beginning in 2030. Although the current DEIR includes an HRA, it does not include the zero-emission service equipment and zero-emission truck measures that CARB recommended.

While CARB acknowledges that the DEIR includes mitigation measures to reduce the Project's air quality impacts, such as limiting on-site truck idling, use of cleaner construction equipment, encouraging cleaner trucks and yard equipment, and improving on-site dust collection, the Port should strive to make the Project as clean as possible to protect nearby

[1] Port of Stockton. Lehigh Southwest Stockton Terminal Project Draft Environmental Impact Report. May 2020. Accessible at: *https://ceqanet.lci.ca.gov/2019100510/3*.
[2] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages ES-4 and 307. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

communities that already face significant cumulative health burdens. The following sections set forth CARB's comments on specific aspects of the DEIR. In summary, CARB urges the Port to:

- Evaluate the Project's consistency with the Stockton Community Emissions Reduction Program (Stockton CERP), and engage the Stockton Community Steering Committee (Stockton CSC);
- Reduce emissions from ocean-going vessels (OGV), trucks, cargo handling equipment, and switch locomotives;
- Make the Port's pilot emissions reduction program enforceable mitigation;
- Adopt additional measures to reduce the Project's construction and operational emissions, including participation in CARB's California Clean Construction program; and
- Address concerns regarding the Project's health risk assessment.

Project Description

The Project would modernize an existing bulk cementitious materials receiving and distribution terminal operated by Nevada Cement at 205 Port Road 1 in Stockton. The terminal receives cement and supplementary cementitious materials, such as fly ash and ground granulated blast furnace slag (GGBFS), by vessel and distributes them by truck and rail. The Project would increase Nevada Cement's leasehold from approximately 4.92 acres to approximately 10.98 acres and would include a new ship unloader, a rehabilitation of Berth 3/4, rail improvements, barge loading equipment, a new storage dome, and modifications to the truck and rail loading systems.[3] Construction would occur in two phases, from December 2026 to May 2028 and from January 2030 to May 2031, with a second storage dome constructed during the second phase.[4]

Activity at the terminal would increase substantially. 15 years after start of operations (Year 15), annual vessel calls to the proposed berth would increase from 10 to 53, the number of trucks from 10,833 to 32,500, outbound railcars from 520 to 9,825, and the Project would add 1,429 inbound railcars and 45 barge calls per year.[5] Exports would increase from

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[3] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages ES-1 through ES-4. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[4] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 5. Page 49. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[5] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 4. Page 27; Table 7. Page 53. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

341,003 tons during the baseline period to 2,190,000 tons per year in Year 15, which equals the terminal's permitted export limit of 2.19 million tons per year.[6]

The DEIR concludes that the Project's unmitigated construction emissions in 2027 and operational emissions in Year 15 would exceed the San Joaquin Valley Air Pollution Control District's (SJVAPCD) significance threshold for nitrogen oxides (NOx); operational NOx emissions from vessel transit would exceed the Bay Area Air District's (BAAQMD) significance thresholds; and operational increases in annual PM10, 24-hour PM2.5, and annual PM2.5; and concentrations would exceed SJVAPCD's significant impact levels (SIL).[7] To reduce these impacts, the DEIR includes six mitigation measures (MM-AIR-1 through MM-AIR-6) addressing construction activities and truck idling, construction equipment and haul trucks, operational trucks, yard equipment, and dust collection systems. The DEIR also describes a voluntary pilot emissions reduction program (PP-1) that the Port is developing. After the implementation of these mitigation measures and proposed pilot program, the DEIR concludes that the Project's operational air quality impacts would remain significant and unavoidable.[8]

CARB Urges the Port to Address Exposure in a Disadvantaged Community, Align the Project with the Stockton CERP, and Engage with the Community Steering Committee

CARB is concerned about the Project's potential air quality impacts on the surrounding community. The Project would increase operational emissions of diesel PM, a toxic air contaminant, and the NOx from OGV, harbor craft, heavy-duty trucks, and locomotives near residences that are already significantly and disproportionately burdened by air pollution.[9] The DEIR concludes that the Project's air quality impacts would remain significant and unavoidable even after mitigation, including its conflict with the applicable air quality plan

[6] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 26 and 308. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[7] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Tables 13, 14, 17, 18, and 22. Pages 90, 92, 95 through 96, and 100. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[8] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 101 through 106. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[9] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 72 through 73; Table 14. Pages 91 through 92. Page 53. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

(Impact AIR-1) and its cumulatively considerable net increase in criteria pollutants (Impact AIR-2).[10]

The Project's census tract is in the top 1% of census tracts in California *most affected by pollution and most vulnerable to its effects*, and that it is in the top 1% statewide for its rate of emergency department visits for asthma and in the top 5% for diesel PM emissions. Residences are located south of the Project, with the closest residences situated approximately 350 feet from the Project site. In addition to residences, Washington Elementary School is located approximately one-third mile southeast of the Project site.[11] Moreover, the Project site is located within the Stockton Community, which has been selected for the Community Air Protection Program under Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statues of 2017).[12] According to the California Office of Environmental Health Hazard Assessment (OEHHA) Communities Environmental Health Screening Tool Version 5.0 (CalEnviroScreen), the Project's census tract (6077000802) scores in the in the 99th percentile and is also designated as a disadvantaged community under Senate Bill (SB) 535 (De León, Chapter 830, Statues of 2012).[13] The same census tract scores in the 99th percentile for asthma and the 96th percentile for diesel particulate matter (diesel PM), among other CalEnviroScreen indicators.[14]

Figure 1 shows the Project site in relation to the surrounding Port of Stockton industrial area, its inclusion within the AB 617 Stockton CERP boundary, and nearby sensitive receptors. The nearest residence is approximately 350 feet from the Project's southern boundary. Washington Elementary School is approximately one-third of a mile southeast of the Project site. Victory Elementary School is approximately half a mile north of the Project site.

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[10] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages ES-7, ES-8, 89 and 105. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

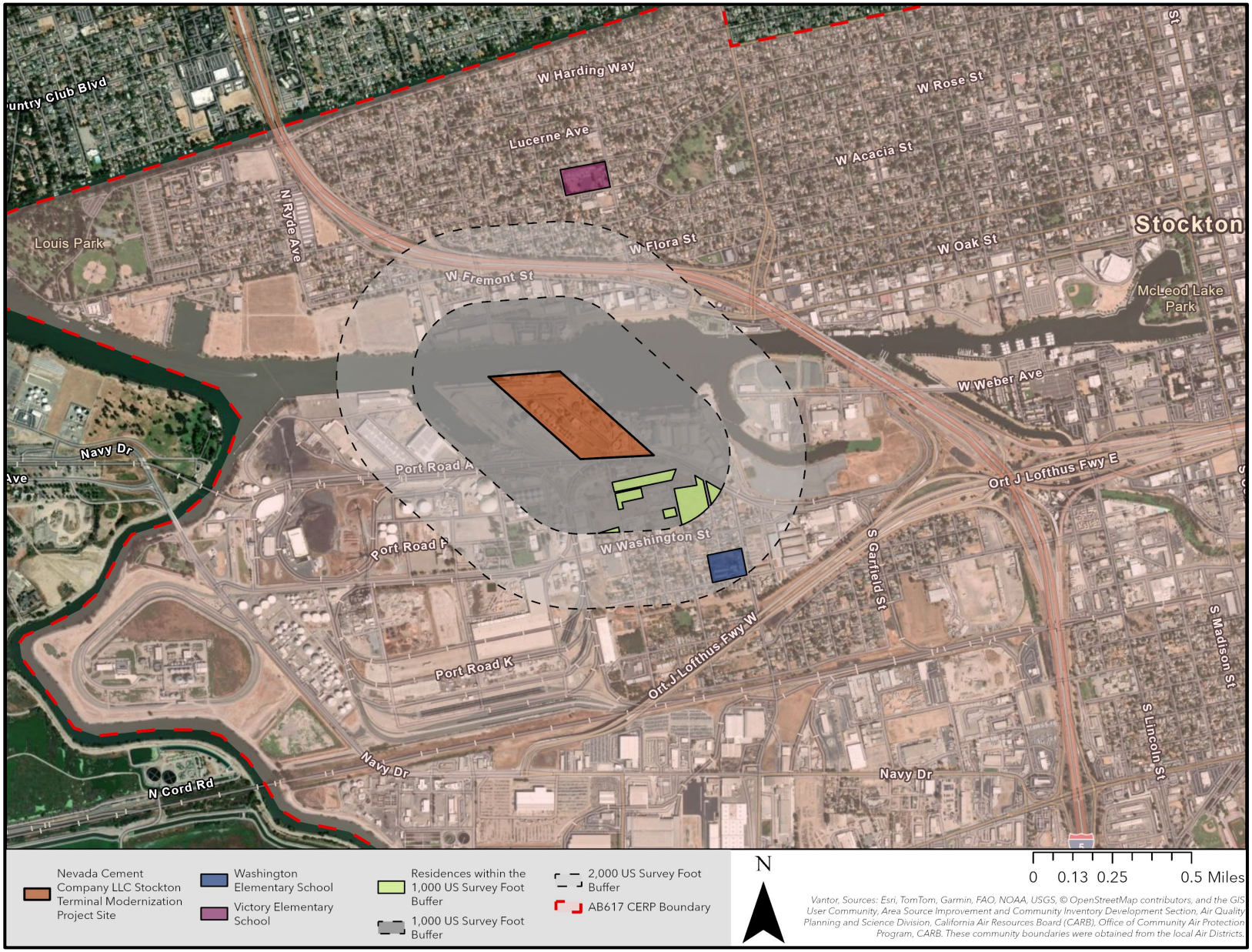
[11] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 107 and 192. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[12] 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. Accessible at: *https://ww2.arb.ca.gov/capp/mdc/bp2/community-air-protection-program-blueprint-20*

[13] Senate Bill 535, De León, K., Chapter 830, Statutes of 2012, modified the California Health and Safety Code, adding § 39711, § 39713, § 39715, § 39721, and § 39723. Accessible at: *https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB535*

[14] CalEnviroScreen, developed by the Office of Environmental Health Hazard Assessment (OEHHA), compares census tracts across California using pollution, health, and socioeconomic data, and a census tracts percentile shows the share of census tracts statewide with lower scores. Accessible at: *CalEnviroScreen 5.0 Web App*

Figure 1: Proximity of the Project Site to Sensitive Receptors



State law directs public agencies to address the disproportionate air pollution burden in disadvantaged communities. Under SB 535, the California Environmental Protection Agency (CalEPA) identifies disadvantaged communities based on geographic socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25% of the census tracts by CalEnviroScreen.[15] SB 1000 (Leyva, Chapter 587, Statutes of 2016) requires cities and counties with disadvantaged communities to include environmental justice policies in their general plans, including policies to reduce pollution exposure and improve air quality.[16] Under AB 617, CARB established the Community Air Protection Program to reduce exposure in these communities with a high cumulative exposure burden.

The Stockton community was selected for the development of both a Community Air Monitoring Plan and a Community Emissions Reduction Program (Stockton CERP) due to its high cumulative exposure burden, the presence of a significant number of sensitive populations (children, elderly, and individuals with pre-existing conditions), and the socioeconomic challenges experienced by its residents. CARB approved the Stockton CERP in July 2021, which describes strategies to achieve emissions and exposure reductions throughout this community, including significantly reducing or eliminating emissions from heavy-duty mobile sources and industrial stationary sources.

The Project is located within the boundaries of the Stockton CERP, which contains strategies that were selected through a public engagement process with the AB 617 Community Steering Committee (which has representation from the Port), SJVAPCD, and CARB. The CERP includes measures addressing a truck reroute study (HD.1), zero- and near-zero-emission heavy-duty trucks (HD.2), heavy-duty electric vehicle charging infrastructure (HD.3), truck idling plug-ins (HD.4), switch locomotives (HD.7), and vegetative barriers (VB.1).[17] However, the DEIR's analysis of consistency with applicable air quality plans (Impact AIR-1) does not evaluate the Project's consistency with the CERP's specific measures.[18] The FEIR should evaluate the Project's consistency with the CERP and

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[15] California Environmental Protection Agency. Final 2026 Designation of Disadvantaged Communities Pursuant to Senate Bill 535. September 2026. Accessible at: *https://calepa.ca.gov/wp-content/uploads/2026/09/2026-Final-Disadvantaged-Communities-Designation-and-Appendix_English_1.pdf*.
[16] Senate Bill 1000, Leyva, C., Chapter 587, Statutes of 2016, amended Government Code section 65302. Accessible at: *https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1000*.
[17] San Joaquin Valley Air Pollution Control District. Stockton Community Emissions Reduction Program (Targets and Measures). March 18, 2021. Accessible at: *https://community.valleyair.org/media/dfjbykqc/stockton-cerp-targets-and-measures.pdf*.
[18] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 87 through 88. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

incorporate additional enforceable measures that support implementation of the CERP's applicable strategies, as discussed throughout this letter.

CARB urges the Port to meaningfully engage with CARB, SJVAPCD, the Stockton CSC, and residents of the nearby disadvantaged communities about the impacts and mitigations for this project. The DEIR notes that the Port is a member of the CSC and "intends to be active in developing strategies to protect public health and the environment."[19] However, CARB is not aware that this Project has been presented to the CSC. CARB urges the Port to present the Project, its proposed mitigation, and its consistency with the CERP to the CSC before releasing the FEIR. The FEIR should describe the outreach conducted, the input received, and how the Port responded to community concerns.

CARB Urges the Port to Reduce Emissions from Ocean-Going Vessels at Berth

The Port should make every effort to reduce air pollution emissions from OGV's serving the Project. According to the DEIR, OGVs serving the Project would emit 17.96 tons per year of NOx in Year 15, approximately 55% of the Project's total operational NOx emissions within the SJVAPCD (32.52 tons per year).[20] Operational vessels would also contribute approximately 10% of the cancer risk at the residential maximally exposed individual (MEI).[21] Despite the magnitude of these emissions, the DEIR does not include any mitigation measure to reduce emissions from vessels.

The DEIR states that equipment availability and vessel operations "limit the feasibility" of shore power and exhaust capture and control systems because no vessel bonnet system has been certified by CARB for use on bulk cargo vessels, the vessels that call at the terminal are part of the "tramp fleet" rather than vessels that make repeat visits, and "the berth is not configured with large available backlands to support a terminal-based exhaust gas scrubber system or shore power systems."[22] The DEIR also states that mitigated operational emissions were not quantified because many of the primary emission sources, including OGVs, "are not under direct control of Nevada Cement or the Port." CARB recognizes that, because the

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[19] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 7. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[20] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 14. Page 92. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[21] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Table C4-10. Page 30. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[22] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 104. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

vessels that call at the terminal rarely return, shore power would be difficult to implement here until more bulk vessels are equipped to use it. These challenges do not, however, preclude feasible mitigation, and capture and control is more realistic near-term strategy for vessels that do not make repeat visits. Because CARB's At-Berth Regulation does not require bulk vessels to reduce emissions at berth, project-level mitigation is especially important for this terminal.[23] As the landlord and lead agency, the Port has authority to establish the terms of Nevada Cement's lease, and the DEIR already relies on the lease to implement MM-AIR-1 through MM-AIR-6.[24]

The Port's own Clean Air Plan includes measures to "Conduct technology demonstrations for barge- or land-based systems that eliminate at-berth emissions" (SHIPS-1) and to "Develop an incentive program to encourage the deployment of the cleanest ships to Stockton (SHIPS-2).[25] Furthermore, a land-based capture and control system would not necessarily require terminal backlands if designed and deployed as a separate system.[26] If the Port concludes that measures to reduce emissions from vessels at berth are infeasible, the FEIR should support that conclusion with substantial evidence, including why such measures could not be implemented through Nevada's Cement's lease or the Port's Clean Air Plan.

The Project presents an opportunity to plan for these emission reduction technologies. The Project would rehabilitate Berth 3/4, construct an electrical equipment room on the berth to meet the increased power demands of the new ship unloader, and obtain a new high-capacity electrical service from the local utility.[27] To reduce emissions from vessels at berth, CARB urges the Port to (1) design the Berth 3/4 improvements, including the new electrical service, conduit, and vault space, to accommodate future shore power or capture and control systems, (2) evaluate the feasibility of a barge-based capture and control system for vessels at berth, including how the system would operate when a vessel must be shifted along the berth during cargo operations, and (3) adopt a mitigation measure, implemented through the lease, that commits Nevada Cement to host demonstrations of at-berth emission control technologies under SHIPS-1 and to participate in any cleaner-vessel

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[23] CARB. At Berth Frequently Asked Questions. September 26, 2024. Question 38. Accessible at: *https://community.valleyair.org/media/mlvfrsly/2426-update-on-heavy-duty-projects.pdf.*
[24] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 101 through 103. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[25] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 28. Page 188. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[26] CARB. At Berth Regulation Executive Orders. Accessible at: *https://ww2.arb.ca.gov/berth-regulation-executive-orders*.
[27] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 36 and 48. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

incentive program the Port develops under SHIPS-2. CARB also recommends that the lease require Nevada Cement to prioritize shore power-capable vessels, where available, if shore power is installed at the berth.

CARB Urges the Port to Plan for the Use of Zero-Emission Trucks

The Project would increase truck trips at the terminal from 21,666 to 65,000 one-way trips per year by Year 15.[28] MM-AIR-4 addresses emissions from these trucks, but the DEIR describes this measure inconsistently. Table ES-2 states that "Nevada Cement will require all cargo trucks entering the terminal to be model year 2017 or newer trucks", while Section 3.2 (Air Quality) states that "Nevada Cement will encourage the use of model year 2017 or newer trucks."[29] The FEIR should resolve this inconsistency. Even as a requirement, a model year 2017 standard would provide diminishing benefits as the Project ramps up to full operation in Year 15, particularly as the truck fleet ages and newer, cleaner technologies become increasingly available.

The DEIR dismisses zero-emission trucks, stating that "Although heavy-duty electric trucks are under development, they are not readily available, and it is unknown whether they would be available by 2030."[30] However, battery-electric Class 8 trucks are commercially available and should be considered in the DEIR's evaluation of feasible mitigation. Comprehensive listings of eligible zero-emission truck models are publicly available through the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), which also provides significant purchase incentives.[31] Additional funding may be available through CARB's Carl Moyer Program and Voucher Incentive Program, both of which support early adoption of zero-emission heavy-duty trucks.[32, 33] The Project's truck trips consist of local deliveries within 10 miles and regional deliveries of approximately 80 miles,[34]

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[28] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-1 (Air Quality and Greenhouse Gas Technical Assessment). Table 9. PDF page 23. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/qO8SPs*.
[29] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages ES-16 and 102. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[30] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 105. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[31] Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: *https://californiahvip.org/*.
[32] CARB. Carl Moyer Memorial Air Quality Standards Attainment Program. Accessible at: *https://ww2.arb.ca.gov/our-work/programs/carl-moyer-memorial-air-quality-standards-attainment-program*.
[33] CARB. On-Road Heavy-Duty Voucher Incentive Program. Accessible at: *https://ww2.arb.ca.gov/our-work/programs/road-heavy-duty-voucher-incentive-program*.
[34] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 258. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

distances that are within the range of many currently available zero-emission trucks. Accordingly, the FEIR should evaluate the feasibility of transitioning trucks serving the Project to zero-emission vehicles, considering available vehicle models, driving ranges, and incentive funding.

The Port's Clean Air Plan also includes a measure to, "In partnership with tenants, facilitate the development and implementation of Zero Emissions Truck Transition Plans at each facility to accelerate the introduction of zero-emission trucks" (TRUCKS-7). Although the DEIR states that MM-AIR-4 includes "installation of limited charging infrastructure", the measure, as written, does not require any charging infrastructure.[35] Another measure, MM-GHG-4, states only that "Nevada Cement will evaluate and, where feasible, install electric vehicle charging infrastructure to support zero-emission vehicles."[36] Neither measure establishes a binding requirement or schedule for installing charging infrastructure or transitioning trucks serving the terminal to zero-emission vehicles.

To reduce the Project's air quality impacts, CARB urges the Port to replace MM-AIR-4 with an enforceable mitigation measure, implemented through the lease, that (1) establishes a phased schedule for transitioning the trucks serving the terminal to zero-emission, (2) requires on-site charging infrastructure and sufficient electrical capacity to support zero-emission trucks, and (3) in the interim, requires that trucks entering the terminal be model year 2017 or newer and meet CARB's lowest optional low-NOx standard.[37] Such a measure would implement TRUCKS-7 and support the CERP's measures for zero- and near-zero-emission heavy-duty trucks (HD.2) and heavy-duty electric vehicle charging infrastructure (HD.3). As noted above, the 2020 letter recommended that heavy-duty trucks serving the terminal be fully zero-emission beginning in 2030. The FEIR should address this prior recommendation and establish an enforceable transition schedule, rather than defer the transition to zero-emission trucks to an unspecified future date.

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[35] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 28. Pages 102 and 187. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[36] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages ES-19 and 184. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[37] 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*.

CARB Urges the Port to Require Zero-Emission Cargo Handling Equipment

According to Appendix C-4, mobile on-site equipment would contribute approximately 31.8% of the cancer risk at the residential MEI, the second-largest contribution of any source category.[38] The DEIR's emissions analysis assumes that the terminal's forklift and 2 yard mules would be replaced with zero-emission models, stating that the "New forklift is zero-emissions/Li-Ion battery" and "Replacing 2 yard mules with two new Waev Fusion Li-Ion zero-emission carts." Other equipment, including the terminal pickup, which is modeled as a 376-horsepower diesel off-highway tractor, as well as welders, an air compressor, and a skid steer loader, would continue to use diesel engines.[39] Although the DEIR relies on zero-emission forklift and yard mule replacements in its emissions analysis, no mitigation measure requires the forklift or yard mules to be zero-emission. MM-AIR-5 requires only that terminal and yard equipment be "the cleanest available equipment (for future purchases)," with a first preference for zero-emission equipment, and that Nevada Cement ensure supporting infrastructure is available, but it does not establish a specific implementation schedule.[40]

The Port's Clean Air Plan sets a goal to "transition tenant-owned equipment to zero emissions by 2035 or in advance of State regulation, when feasible" (EQUIP-5).[41] Zero-emission cargo handling equipment is commercially available and can be purchased using incentive funding from CARB's Clean Off-Road Equipment Voucher Incentive Project (CORE).[42,43] To reduce the Project's health risk impacts on nearby residents, CARB urges the Port to revise MM-AIR-5 to require, through the lease, that (1) the forklift and yard mules assumed to be zero-emission in the DEIR's analysis be zero-emission when Project operations begin, (2) all other terminal equipment, including the terminal pickup, transition to zero-emission on a schedule consistent with EQUIP-5, and (3) operational charging

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[38] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Table C4-10. Pages 29 through 30. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[39] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-1 (Air Quality and Greenhouse Gas Technical Assessment). Table 28. PDF page 58. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/qO8SPs*.

[40] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 102. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[41] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 28. Page 188. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[42] CARB. Cargo Handling Equipment Commercial Availability List. Accessible at: *https://ww2.arb.ca.gov/our-work/programs/cargo-handling-equipment/zero-emission-che-availability*.

[43] Clean Off-Road Equipment Voucher Incentive Project. Accessible at: *https://californiacore.org/*.

infrastructure with sufficient capacity to serve this equipment be in place when Project operations begin. The 2020 letter similarly recommended requiring all service equipment used within the project site to be zero-emission.

CARB Urges the Port to Plan for the Use of Zero-Emission Switch Locomotives

The Project would substantially increase rail activity at the terminal, with outbound railcars increasing from 520 to 9,825 per year by Year 15.[44] Switch locomotives would contribute approximately 5.3% of the cancer risk at the residential MEI.[45] Appendix C-1 of the DEIR estimates switch locomotive emissions using a fleet-average emission factor based on the Port's 2022 switch locomotive fleet, in which 6 of the 9 switch locomotives were Tier 0 SW1500s, and applies this fleet average to the baseline and all future analysis years.[46] In other words, the analysis assumes that the switch locomotives serving the terminal will not get any cleaner through Year 15, applying the same fleet-average emission factor in future years and accounting for increased emissions primarily through increased rail activity. The DEIR's discussion of rail mitigation focuses on mainline locomotives, concluding that future reductions "would require purchases of new equipment or a move to electrification, which is beyond the scope of one terminal project", and does not separately evaluate mitigation for the switch locomotives serving the terminal. However, the DEIR also states that the Port "has identified electrifying the internal rail switching system", and lists "Electric switch locomotives serving Port tenants" among the initiatives that could be funded through its pilot emissions reduction program.[47]

Battery-electric technology is well suited to many switching applications, and battery-electric switch locomotives are already commercially available and in operation.[48,49] Union Pacific, a

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[44] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 7. Page 53. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[45] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Table C4-10. Page 30. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[46] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-1 (Air Quality and Greenhouse Gas Technical Assessment). Tables 15 through 18. PDF pages 33 through 38. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/qO8SPs*.

[47] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 89 and 104 through 106. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[48] Innovative Rail Technologies. IRT Delivers First Battery-Electric Switcher to Launch Customer. July 26, 2023. Accessible at: *https://innovativerailtech.com/reducing-rail-emissions-in-california/*.

[49] Railway Age. Watco Electric Switchers Receive High Marks. Accessible at: *https://www.railwayage.com/freight/short-lines-regionals/watco-electric-switchers-receive-high-marks/*.

Class I railroad, recently took delivery of its first two battery-electric locomotives and will test them in the Greater Los Angeles area in operations that include switching.[50] In 2022, CARB projected that zero-emission passenger, switcher, and industrial locomotives would be commercially available by 2030.[51] These developments demonstrate that zero-emission switch locomotives are a viable mitigation option that the DEIR should evaluate, rather than assuming that the existing fleet's emissions characteristics will remain unchanged throughout the Project's operating life.

According to the DEIR, the Central California Traction Company (CCTC) "provides all switching and local movements within the Port."[52] CCTC has expressed interest in replacing two of its switch locomotives at the Port, which have uncontrolled engines dating from 1956 and 1972, with zero-emission locomotives. On March 4, 2026, the AB 617 Community Steering Committee approved approximately $13 million of CERP funding toward this replacement and the associated charging infrastructure, with estimated lifetime emission reductions of 213.9 tons of NOx, 5.4 tons of PM, and 13.04 tons of volatile organic compounds.[53]

CARB urges the Port to include an enforceable mitigation measure, implemented through the lease and the Port's agreements with its rail service providers, requiring that switching service for the terminal be provided by zero-emission switch locomotives on an enforceable transition schedule. Until zero-emission locomotives are deployed, the measure should require interim emissions reductions through the use of Tier 4 switch locomotives and, where compatible, renewable diesel fuel. Such a measure would support the CERP's switch locomotive measure (HD.7). In CARB staff's experience, utility upgrades needed to charge a fleet of locomotives, such as substation or grid connection upgrades, can take 5 to 10 years to permit and construct. CARB therefore urges the Port to begin planning now, in coordination with CCTC and the local utility, for the electrical infrastructure needed to charge zero-emission switch locomotives at the Port, and to establish a schedule for completing the necessary upgrades and deploying zero-emission locomotives.

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[50] Union Pacific. Charging into the Future: Union Pacific Debuts First Two Battery-Electric Locomotives in Southern California. September 23, 2026. Accessible at: *https://www.up.com/press-releases/growth/battery-electric-locomotives-debut-260923*.
[51] CARB. Public Hearing to Consider the Proposed In-Use Locomotive Regulation, Staff Report: Initial Statement of Reasons. Appendix F. Pages 52 and 57. Accessible at: *https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/locomotive22/appf.pdf*.
[52] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 244. Accessible at: *https://ceqanet.lci.ca.gov/2024100490*.
[53] San Joaquin Valley Air Pollution Control District. Stockton AB 617 Community Steering Committee Meeting. March 4, 2026. Accessible at: *https://www.youtube.com/watch?v=9C30YBlOnuM*.

The Port's Pilot Emissions Reduction Program Should Be Made Enforceable Mitigation

Table ES-2 of the DEIR lists the Port's pilot emissions reduction program (PP-1) among the Project's mitigation measures and states that "This measure is expected to be available for the final EIR."[54] However, Section 3.2 (Air Quality) states that "The pilot program is not a mitigation measure for the proposed project" and that the DEIR "Does not assume or rely on Nevada's Cement's participation, or on any emissions reductions that could result from the program." The DEIR describes the program as "Similar in concept to the SJVAPCD's Voluntary Emissions Reductions Agreement (VERA) program, under which tenants "may provide funds based on a standardized rate tied to emissions," and identifies potential projects, including electric switch locomotives, electric cranes, and electric yard equipment.[55] The DEIR also states that the program "may provide a potential way for Nevada Cement to offset some or all of its residual criteria pollutant emissions."[56] SJVAPCD raised a voluntary emission reduction agreement in its comments on the NOP, and the City of Stockton's General Plan identifies "Entering into Voluntary Emissions Reduction Agreements with the SJVAPCD" among the best practices that new development should implement to reduce air pollutant emissions.[57]

A program that funds surplus emission reductions at or near the Port could reduce that Project's impacts, which the DEIR finds significant and unavoidable. As described in the DEIR, however, participation is optional, the program is still being developed, and no funding rate, timing, or performance standard has been identified. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. (Pub. Resources Code § 21081.6. subd. (b); Cal Code Regs., tit. 14, § 15126.4, subd. (a)(2).) CEQA generally prohibits deferring the formulation of mitigation measures until after project approval. The CEQA Guidelines allow specific details of a mitigation measure to be developed after impractical or infeasible to include them during the environmental review, the agency must (1) commit to the mitigation, (2) adopt specific

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[54] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page ES-17. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[55] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 105 through 106. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[56] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 89. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.
[57] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 6 and 81. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

performance standards the mitigation will achieve, and (3) identify the types of actions that can feasibly achieve those standards. (Cal. Code Regs., tit. 14, § 15126.4, subd. (a)(1)(B).)

To meet these requirements, CARB urges the Port to convert PP-1 into an enforceable mitigation measure, implemented through the lease, that (1) requires Nevada Cement to fund quantified and verifiable surplus emission reductions sufficient to reduce the Project's net operational NOx emissions below SJVAPCD's significance threshold, (2) specifies the funding rate and the timing of payments, and (3) establishes a mechanism to verify the resulting reductions. The measure should also specify how the reductions will be quantified, demonstrate that they are surplus to reductions otherwise required or expected, and ensure that they are achieved within a defined timeframe. Alternatively, the Port could require Nevada Cement to enter into a VERA with SJVAPCD that provides equivalent, enforceable, and verifiable emission reductions. However, NOx reductions achieved outside the Port area, as could occur under a VERA, would not reduce the Project's diesel PM emissions or the resulting exposure in the Southwest Stockton AB 617 community, where the Project is located. Funded projects should therefore prioritize diesel PM reductions at or near the Port, such as the electric switch locomotives, cranes, and yard equipment that the DEIR identifies. Because reductions funded in the San Joaquin Valley would not reduce emissions within the Bay Area, the FEIR should also identify feasible mitigation measures to reduce the Project's significant NOx emissions within the BAAQMD.

CARB Recommends Additional Measures to Reduce the Project's Construction and Operational Emissions

The DEIR concludes that construction sources would contribute approximately 44% of the cancer risk at the residential MEI, and the Project's unmitigated construction NOx emission would exceed SJVAPCD's significance threshold in 2027.[58] MM-AIR-2 requires Tier-4 engines only for off-road diesel equipment exceeding 50 horsepower and allows exemptions for specialized equipment or "when Tier-4 engines are not available through at least commercial equipment rental facilities in the SJVAB."[59] Much of the equipment modeled for construction is rated at 50 horsepower or less, including 14-horsepower generator sets, 11-horsepower pumps, 37-horsepower air compressors, and 46-horsepower welders and aerial lifts.[60] CARB acknowledges that MM-AIR-2 also states a preference for

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[58] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 13. Page 90; Appendix C-4 (Health Risk Assessment). Page 29. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[59] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 101. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[60] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-2 (CalEEMod Runs). PDF pages 172 through 173. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/rTmuMD*.

zero-emission trucks and directs the contractor to prioritize zero-emission construction equipment. However, these preferences do not establish enforceable requirements for the use of zero-emission equipment.

CARB urges the Port to include a project design feature or mitigation measure in the FEIR requiring Project participation in CARB's California Clean Construction (CCC) program.[61] This voluntary, non-monetary initiative program is 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 cells, and other zero-emission construction equipment where those technologies are commercially available, and where not, encourages the use of the cleanest available diesel equipment. 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. Finally, CARB has identified the program as one that public agencies can reference in requests for bids and that CEQA lead agencies could potentially include as a project mitigation measure.[62]

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

Construction Phase:

- 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.
- 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.

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[61] California Clean Construction Program. Accessible at: *California Clean Construction Zero-Emission Equipment List | California Air Resources Board*.
[62] CARB. California Clean Construction Information Session (email bulletin). April 21, 2025. Accessible at: *https://content.govdelivery.com/accounts/CARB/bulletins/3d87881*.

- In construction contracts, include language requiring the use of renewable diesel (R99 or R100) in all off-road diesel-powered equipment, consistent with the 2022 amendments to the Off-Road Regulation.[63]
    - 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 Final engine.
- 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.[64]
- 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. [65]

Operation Phase:

- Install vegetative barriers or other effective barriers along the Project's southern boundary, between the terminal and nearby residences, consistent with the AB 617 Community Steering Committee's request for vegetative barriers near the Port and Boggs Tract and with the CERP's vegetative barrier measure (VB.1);[66,67]

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[63] CARB. Fact Sheet: Renewable Diesel Fuel Requirements. Accessible at: *https://ww2.arb.ca.gov/resources/fact-sheets/fact-sheet-renewable-diesel-fuel-requirements*

[64] Optional Tier 4 Final + Diesel Particulate Filter Equipment. Accessible at *Optional Tier 4 Final + Diesel Particulate Filter Equipment* | California Air Resources Board.

[65] 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*

[66] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 87 through 88. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[67] CARB. Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies. 2017. Accessible at: *https://ww2.arb.ca.gov/sites/default/files/classic//research/apr/past/13-306.pdf*.

- Require that any emergency generators installed for the Project be zero-emission or powered by non-diesel fuels;
- Require zero-emission or the cleanest available harbor craft for barge operations and vessel assists;
- Require Nevada Cement to use exclusively zero-emission light- and medium-duty trucks and vans at the terminal; and
- Ensure adequate on-site charging and fueling infrastructure (space, electrical capacity, and metering) to support zero-emission trucks and equipment, sized as part of the Project's new high-capacity electrical service.

Concerns Regarding the Project's Health Risk Assessment

The HRA prepared for the Project and presented in Section 3.2 (Air Quality) and Appendix C-4 of the DEIR concludes that construction and operation of the Project would result in a maximum incremental cancer risk of 17.3 chances per million at a residence located approximately 350 feet south-southeast of the Project site, and 12.1 and 6.0 chances per million at the maximally exposed off-site worker and sensitive receptor, respectively.[68] Because the values are below SJVAPCD's significance threshold of 20 chances per million, the DEIR concludes that the Project would not expose sensitive receptors to substantial pollutant concentrations. However, the residential cancer risk is within 2.7 chances per million of the threshold, and some assumptions in the HRA may understate the Project's health risks. CARB urges the Port to address the following issues in the FEIR.

The HRA does not report the modeled diesel PM concentrations at the MEI receptors. Without these concentrations, reviewers cannot verify the reported cancer risks using CARB's Hotspots Analysis and Reporting Program Version 2 (HARP2) Risk Assessment Standalone Tool. The FEIR should report the modeled annual concentrations of diesel PM at the residential, worker, and sensitive receptor MEIs for the Project, baseline, and the increment.

Table C4-10 of Appendix C-4 attributes 31.8% of the Project's incremental cancer risk at the residential MEI to mobile on-site equipment during operation.[69] However, Appendix C-1 estimates that diesel PM emissions from on-site mobile equipment would decrease from

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[68] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 24. Page 107; Appendix C-4 (Health Risk Assessment). Page 28. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[69] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Table C4-9. Page 27; Table C4-10. Pages 29 through 30. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

0.0554 per year in the baseline to 0.0129 tons per year in Year 15.[70] The DEIR does not explain how mobile on-site equipment can account for such a substantial share of incremental cancer risk when its estimated annual diesel PM emissions decrease between the baseline and Year 15. The FEIR should explain this apparent inconsistency and report the Project's gross cancer risk, the baseline cancer risk, and the source contributions to each. The FEIR should also present the health risks for the existing baseline, the future baseline, without the Project, and the future year with the Project.

To calculate the Project's incremental cancer risk, the HRA subtracts the baseline risk from the Project's risk, but it starts the two 70-year exposure periods in different years: 2023 for the baseline and 2026 for the Project.[71] The HRA's emission factors change each year in response to existing regulations, which generally lowers emissions over time, and OEHHA's guidance gives the most weight to the first years of exposure.[72] The HRA also states that "The operational emissions during the construction period were assumed to be the same as the baseline emissions during those same years," even though Phase 1 of the Project, including installation and commissioning of the new ship unloader, would be completed by May 2028.[73] The FEIR should align the baseline and Project exposure periods, or explain why different start years are appropriate, and should include any increase in operational emissions that could occur between the completion of Phase 1 and 2031. Aligning the exposure periods would not change the CEQA baseline year or the baseline's 2023 activity levels.

Appendix C-1 estimates truck idling emissions using per-trip idling emission factors from CalEEMod,[74] and the HRA models this idling in the loading lanes, "where trucks form a queue while waiting to enter the loading stations," and at the loading and hatch stations.[75]

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[70] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-1 (Air Quality and Greenhouse Gas Technical Assessment). Table 28. PDF page 58. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/qO8SPs*.

[71] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Page 4. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[72] OEHHA. Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessible at: *https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf*.

[73] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Table 5. Page 49; Appendix C-4 (Health Risk Assessment). Page 4. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[74] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-1 (Air Quality and Greenhouse Gas Technical Assessment). Table 9. PDF page 23. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/qO8SPs*.

[75] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Page 3. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

However, neither appendix identifies the idling duration on which the emission factors are based. Although MM-AIR-3 would limit truck idling on the terminal to two minutes, the HRA does not account for mitigation, so this limit does not show the idling duration the HRA assumed.[76] The DEIR states that "Truck idling times are generally less than five minutes but may vary depending on operational conditions and arrival patterns." The DEIR also states that approximately 80% of daily truck calls occur within the first five shipping hours of the day, from 5:00 a.m. to 10:00 a.m.,[77] a pattern that could result in longer queues and idling times. To fully understand the Project's potential health risk impacts, the FEIR should identify the idling duration assumed in the HRA and support it with substantial evidence, such as terminal gate or queuing data.

Lastly, the DEIR states that "GGBFS may also contain significant amounts of toxic hexavalent chromium and various heavy metals."[78] However, the HRA speciates dust from material loading and conveying using a profile that represents the maximum of SJVAPCD's profiles for cement silos and fly ash silos (Profiles 85 and 86) and does not include a profile representative of GGBFS. Material loading and conveying dust would contribute approximately 6% of the cancer risk at the residential MEI.[79] The FEIR should demonstrate that the speciation profile used in the HRA represents the toxic metal content, including hexavalent chromium, of all materials the terminal would handle, using material-specific data where available.

Conclusion

The modernization of the Nevada Cement terminal offers the Port an opportunity to move toward a zero-emission bulk terminal that could set a standard for future projects at the Port and throughout California. To better protect nearby communities, including residences located approximately 350 feet from the Project site and Washington Elementary School approximately one-third mile away, who have been overburdened with air pollution and negative health effects, the DEIR should include enforceable mitigation measures that

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[76] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 102; Appendix C-4 (Health Risk Assessment). Page 3. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

[77] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Pages 25 and 258. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[78] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Page 190. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/IjW89O*.

[79] Port of Stockton. Nevada Cement Company LLC Stockton Terminal Modernization Project Draft Environmental Impact Report. October 2026. Appendix C-4 (Health Risk Assessment). Table C4-3. Pages 7 through 8; Table C4-10. Page 30. Accessible at: *https://ceqanet.lci.ca.gov/2024100490/2/Attachment/4SO9oN*.

reduce emissions from vessels at berth and provide a clear plan for phasing in zero-emission trucks, cargo handling equipment, and switch locomotives.

The Project should also participate in CARB's California Clean Construction program. In addition, the EIR should make the Port's pilot emissions reduction program enforceable, revise the HRA so that its results can be verified, base its baseline on actual operating conditions, and provide substantial evidence supporting its emission estimates.

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.

CARB appreciates the opportunity to comment on the DEIR for the Project and 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 Alejandro (Alex) Sanchez, Air Pollution Specialist, via email at *alex.sanchez@arb.ca.gov*.

Sincerely,



Matthew O'Donnell, Chief, Risk Reduction Branch

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