Working Group Meeting #5

Cumulative Impacts from Air Toxics for CEQA Projects

South Coast AQMD

March 20, 2024

1:30 p.m. (PDT)

REMOTE MEETING INFORMATION

Join Zoom Webinar Link:
https://scaqmd.zoom.us/j/94556369595

Webinar ID: 945 5636 9595
Dial In: (669) 900 6833

Agenda

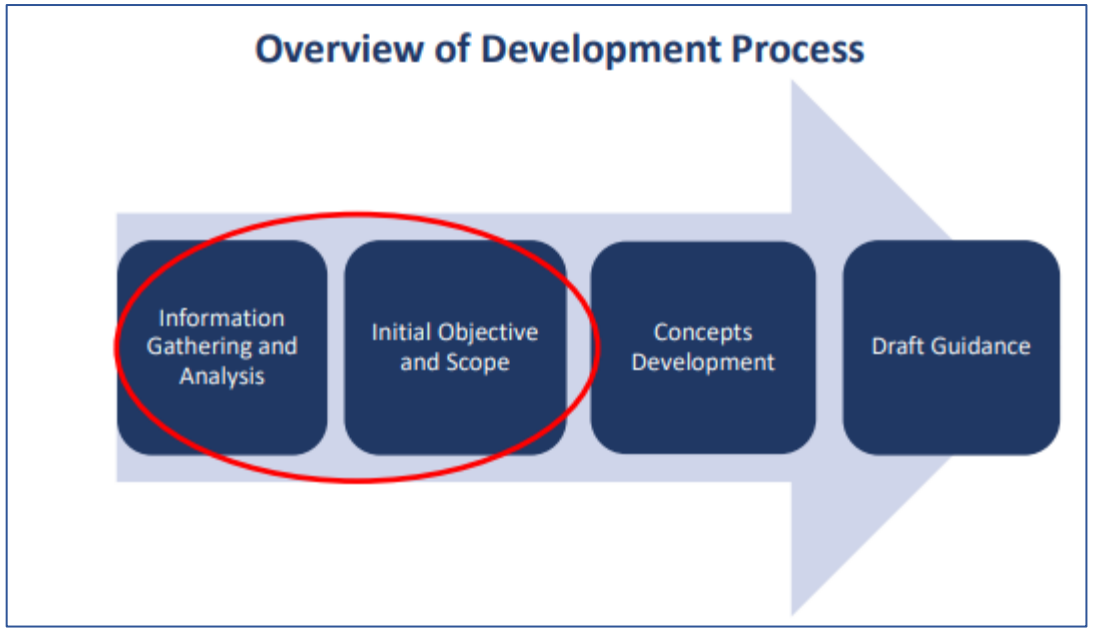
I. Overview of Initial Objective and Previous Working Group Meetings
II. Recent Updates and Recap of Working Group Meeting #4
III. Additional Criteria for Adjusting the Cumulative Threshold
IV. Retrospective Sensitivity Analysis
V. Next Steps
VI. Staff Contacts

Overview of Initial Objective and Previous Working Group Meetings

Initial Objective: Pursuant to the California Environmental Quality Act (CEQA) which requires an analysis of direct, indirect, and cumulative impacts, South Coast AQMD has initiated a public process to develop additional guidance for evaluating cumulative air quality impacts from increased concentrations of air toxics for projects.

Working Group Meeting (WGM) #1 - February 17, 2022

- ✓ Gathered information and shared the initial objective
- ✓ Identified the importance of conducting cumulative impact analysis
- ✓ Recognized the necessity for further guidance on analyzing cumulative impacts of air toxics
- ✓ Initiated a public process to develop a phased qualitative and quantitative approach



WGM #2 - May 26, 2022

- ✓ Shared valuable feedback from stakeholders
- ✓ Based on the stakeholders' feedback, staff presented:
  - Various mapping tools
  - Concept of using a range of distances to define geographic scope
  - Ideas for developing a cumulative significance threshold

Overview of Previous Working Group Meetings (concluded)

WGM #3 - January 24, 2023

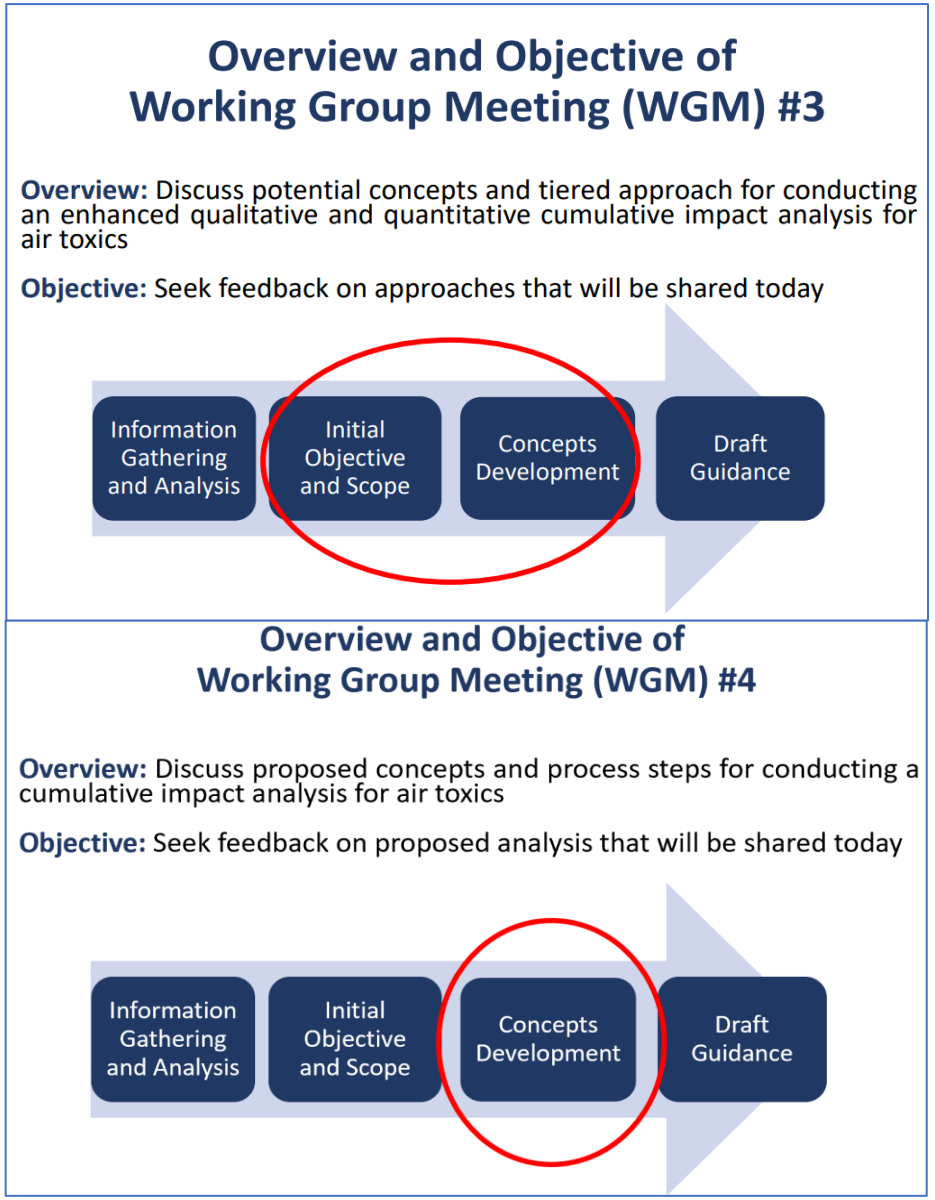
Summarized stakeholder feedback and comments about how to:

- ✓ Define significance threshold for project with cumulatively considerable impacts
- ✓ Evaluate incremental project impacts qualitatively and quantitatively
- ✓ Combine background and incremental impacts

WGM #4 - June 6, 2023

Proposed Process Steps and Tiered Approach for Cumulative Toxic Air Contaminants (TAC) Impacts Analyses:

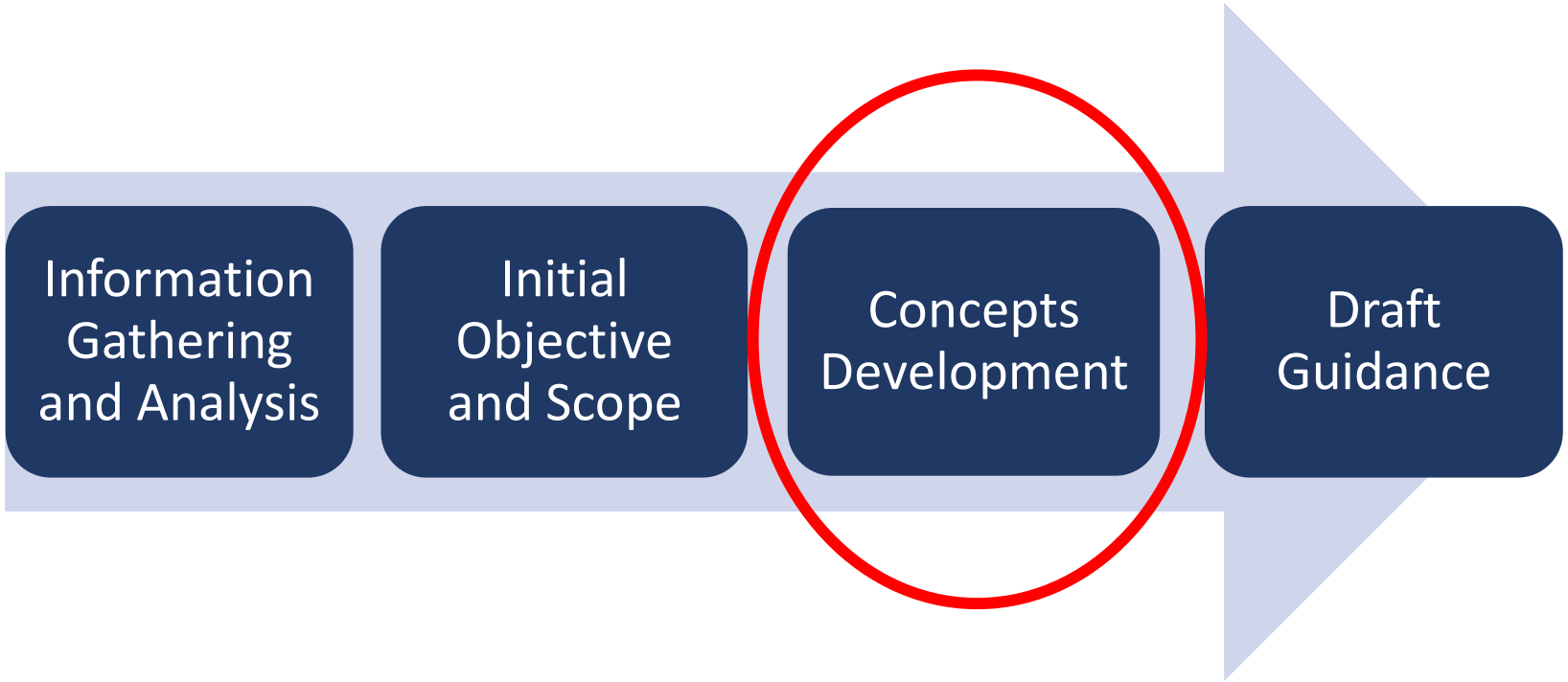
- ✓ Initial objective and scope
- ✓ Policy concepts and strategy
- ✓ Cancer Risk (CR) impacts
- ✓ Discussed proposed concepts and process steps for regional plan level and project level analyses



Overview and Objective for Working Group Meeting #5

Overview: Provide updates on the additional criteria and retrospective sensitivity analysis for conducting a cumulative impact analysis for air toxics

Objective: Seek feedback on the information that will be shared today



Updates From Other Agencies - Existing or Proposed Guidance for Cumulative Impacts

U.S. EPA's Cumulative Impacts Research

(https://www.epa.gov/healthresearch/cumulative-impacts-research)

- Challenges and opportunities for research supporting cumulative impact assessments at the U.S. EPA's Office of Research and Development (February 2024)
- Legal Tools to Advance Environmental Justice - Cumulative Impacts Addendum (January 2023)
- Cumulative Impacts Research Final Report (September 2022)

Bay Area AQMD's 2022 CEQA Guidelines

(https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines)

- Minor updates to Appendix E - Recommended Methods for Screening and Modeling Local Risks and Hazards (August 2023)

CARB, Caltrans, DTSC, Office of Environmental Health Hazard Assessment (OEHHA), and Other Air Districts

- No further updates as of March 2024

Updates From Stakeholders

- **Radical Research LLC**
- **Warehouse CITY v1.18 (Jan. 2024) (**https://radicalresearch.shinyapps.io/WarehouseCITY/)
  - Visualize and quantify the warehouse footprint and environmental impact in Southern California

Excel

Interactive map shows the logistics industry footprint in Los Angeles, Orange, Riverside, and San Bernardino Counties. Zoom in and/or click an area to see specific community impacts. ...ary statistics are estimates based on best available information. Please see Readme tab for more information on methods and data sources.

...gory	Warehouse count	Acreage	Warehouse floor space (Sq.Ft.)	Daily Truck trips	Daily Diesel PM (pounds)	Daily NOx (pounds)	Daily CO2 (metric tons)	Jobs
...ing	182	3,518	84,300,000	56,000	77.5	8,725	2355.2	28,144
...ed and ...oved	47	3,592	86,100,000	58,000	80.2	9,036	2439.3	28,736

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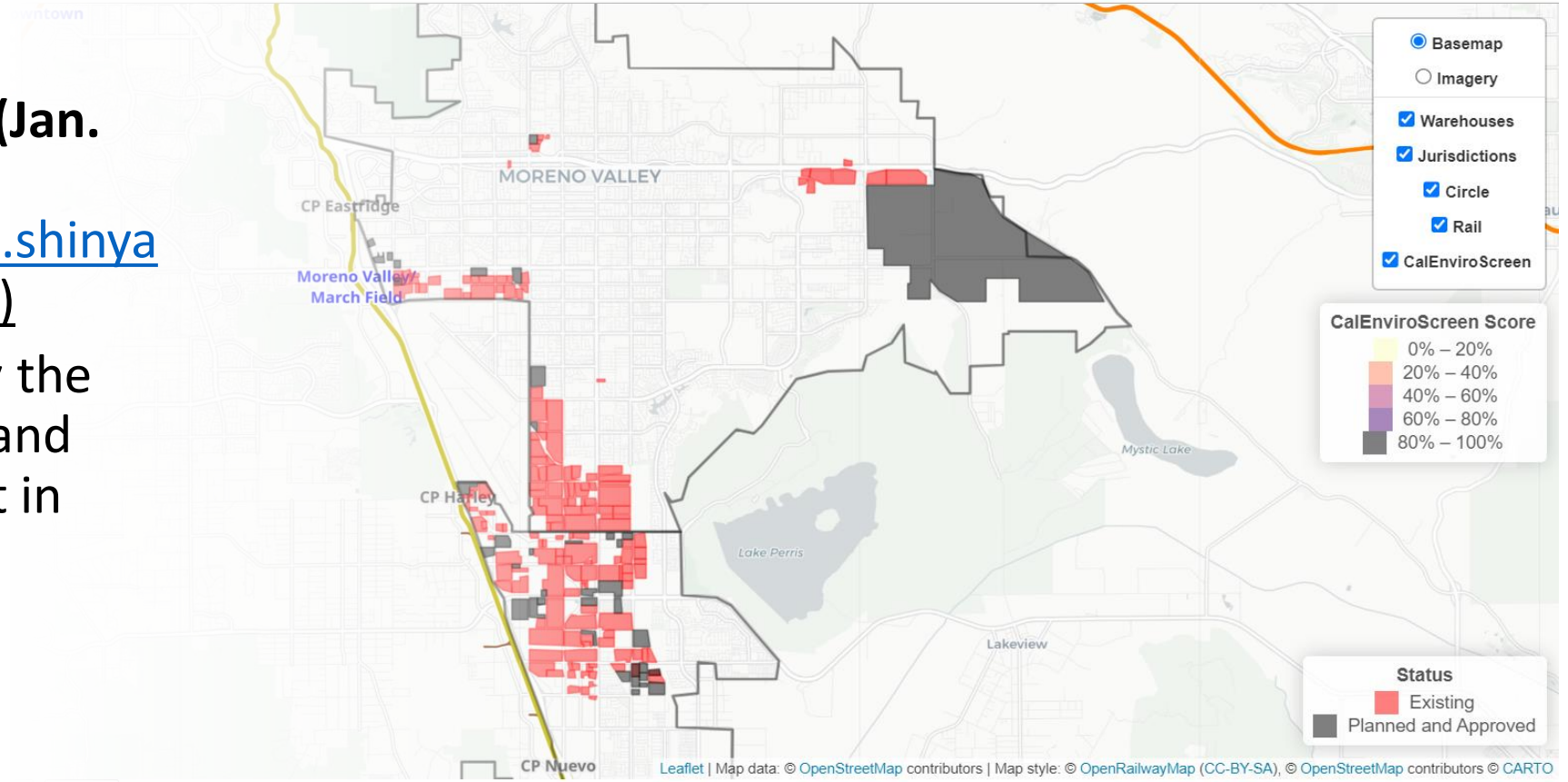


Excel

Recap of WGM #4: Considerations When Developing Policy for Analyzing Cumulative Impacts from Air Toxics

Needs and Reasons

- ✓ Community concerns about high health risk impacts
- ✓ CEQA lawsuit by California Department of Justice (CA DOJ*)
- ✓ Limitations on current CEQA guidance may result in an inadequate analysis
- ✓ Enhance existing thresholds from 2003

Policy Goals

Provide streamlined guidance and resources that:

- ✓ Lead agencies can rely upon for informed decision-making
- ✓ Address CA DOJ concerns
- ✓ Address community concerns and provide useful information
- ✓ Promote equity

Policy NOT Intended To

- ✓ Delay or stop proposed projects
- ✓ Require EIRs for all proposed projects

* People of the State of California v. City of Fontana, San Bernardino Superior Court, Case No. CIVSB2121829

Recap of WGM #4: Consideration of Cancer Risk By Land Use

- ✓ CEQA Requirement – **Cancer Risk (CR)** during project operation (point and non-point sources)
- ✓ Staff predicted potential **CR** impacts for projects would vary based on land use type and size

Low CR impacts

- **Residential:** apartment, condo, mobile home, single family home development project
- **Commercial:** office, bank, government, pharmacy
- **Recreational:** arena, park, restaurant, golf course, health club, hotel, theater
- **Educational:** daycare, school, college, library, church/temple
- **Retail:** auto repair center, grocery store, shopping center/mall

Medium CR impacts

- **Truck yard:** enclosed, parking lot, structure, asphalt/non-asphalt
- **Retail:** gas station, auto body shop, paint shop, dry cleaner
- **Small Industrial projects:** printing, material testing and assembly of data processing equipment
- **Linear projects:** bridge, roadway, freeway (new or improvements)

High CR impacts

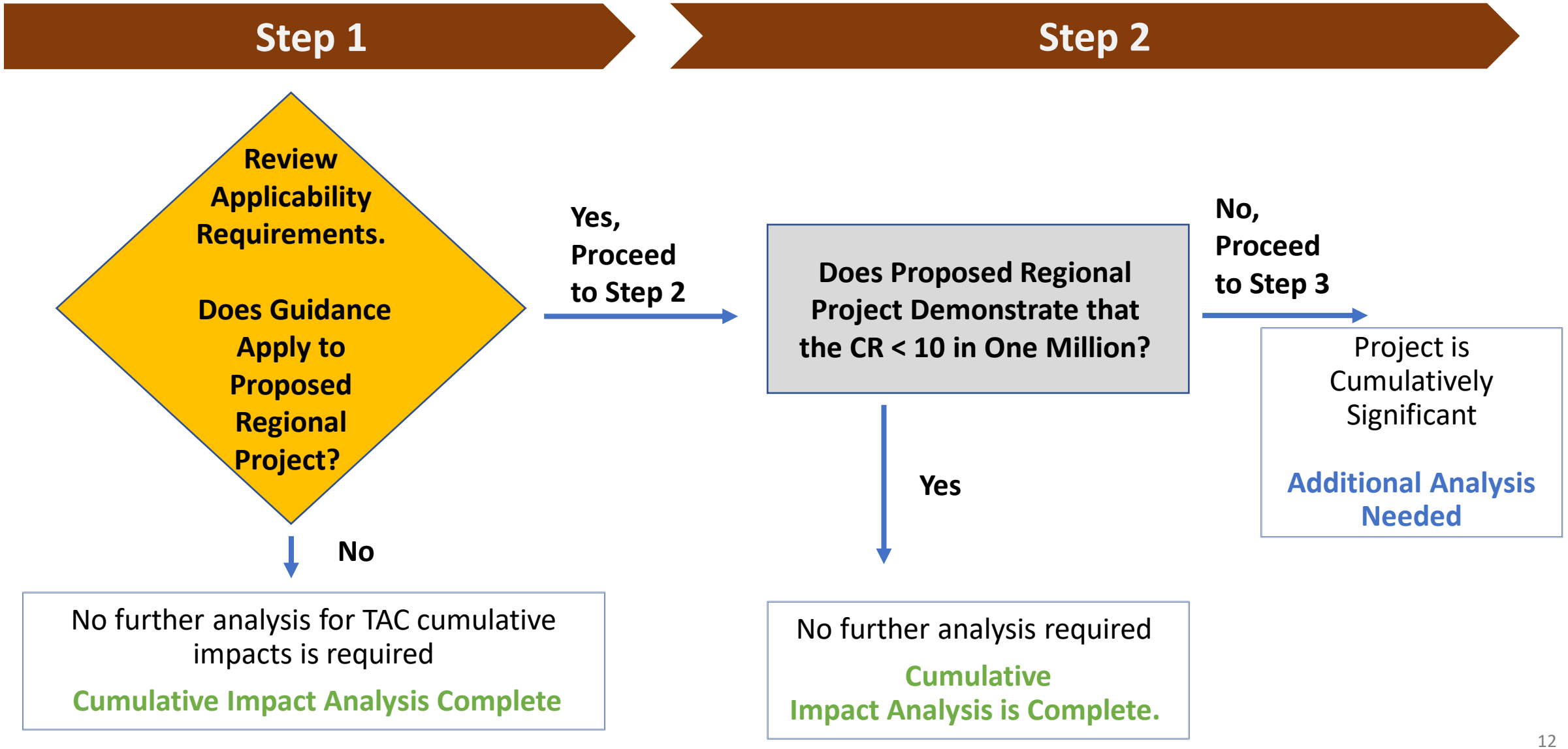
- **Industrial:** warehouse, light, heavy, manufacturing, industrial park
- **Major Transportation projects**: airport, port, railyard, bus/train station
- **Major Planning projects**: Master Plan, General Plan, Specific Plan

Recap of WGM #4: Multi-Layered Approach for Analyzing Cumulative TAC Impacts

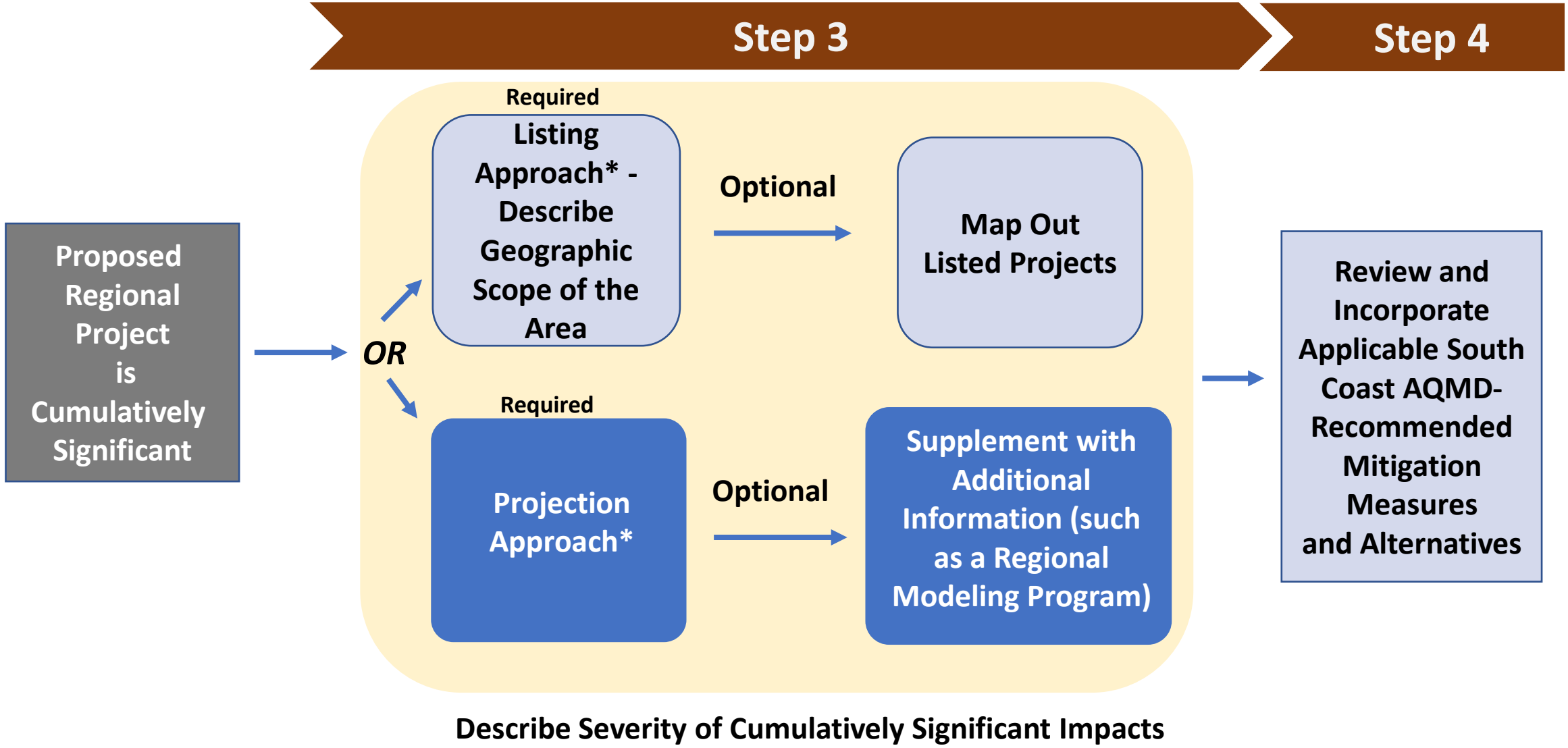
Methods	Description	Strengths	Weaknesses	Incorporated into Proposed Concepts?
Brightline	Clearly defined threshold or standard composed of objective factors	Easy to use/verify	Not flexible	**Yes**
Listing and Projection Summaries	List past/present/future projects producing related impacts OR summarize projections contained in a plan	Informational, logical	May not be sufficient	**Yes, required** (CEQA Guidelines Section 15130(b))
Modeling	Powerful mathematical tool for quantifying cause-and-effect relationship	Science-based, integrate time/space	Need data, can be costly	**Yes, optional for Regional Plans**
Mapping	Overlay mapping from list of projects to help identify geographic impacted areas	Visually address proximity impacts	Difficult to address magnitude of impact	**Yes, optional**
Questionnaires /checklist	Gather wide range of information on multiple actions and resources needed to identify impacts	Flexible, can deal with subjective information	Not quantifiable	**Yes**
Trend Analyses	Assess status of projects in the communities over time	Address accumulation over time	Need a lot of data, difficult to determine threshold	No

Recap of Process for Analyzing Regional Projects

Recap of Process for Analyzing Regional Projects



Recap of Process for Analyzing Regional Projects



*CEQA Guidelines Section 15130(b)

Recap of Process for Project-Level Analysis

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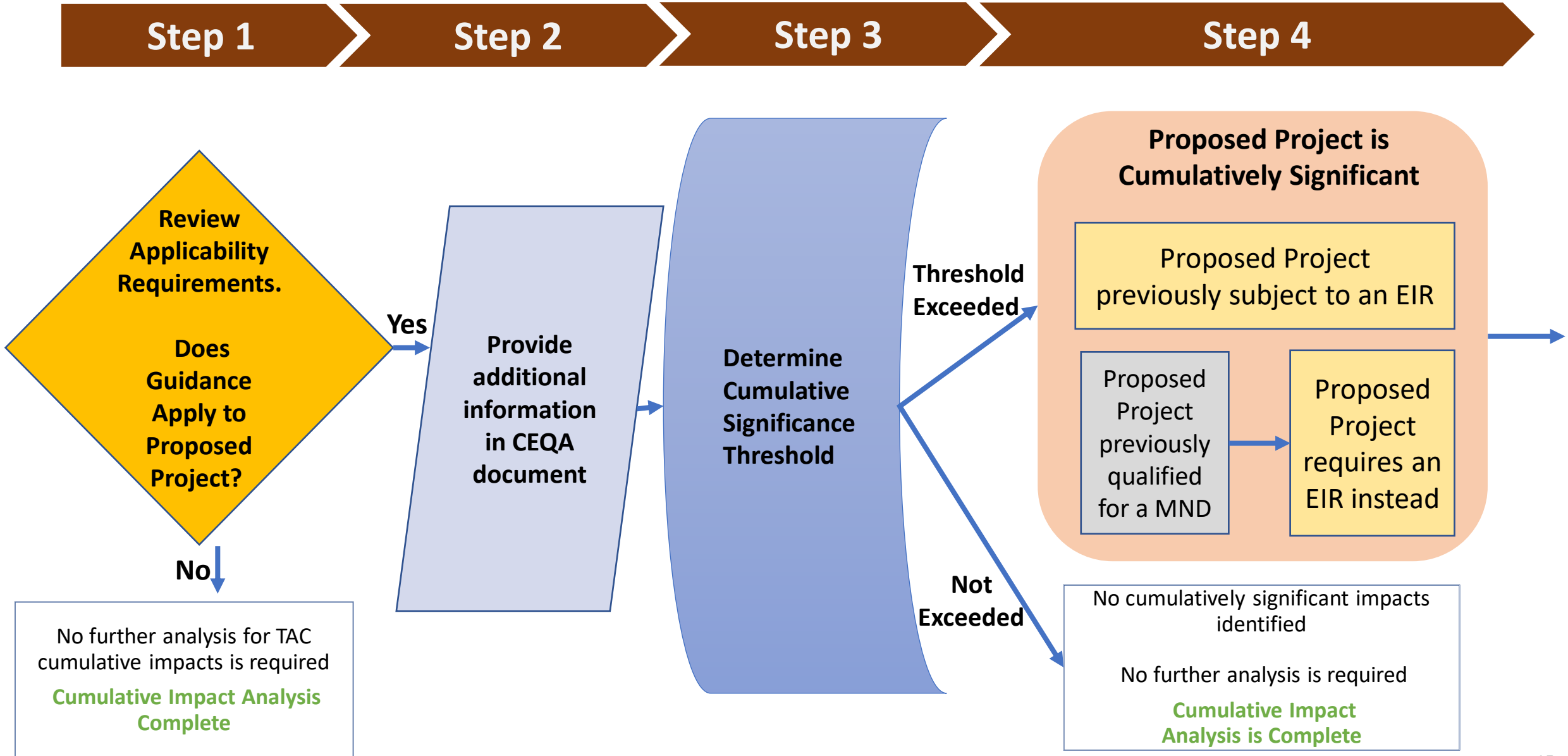
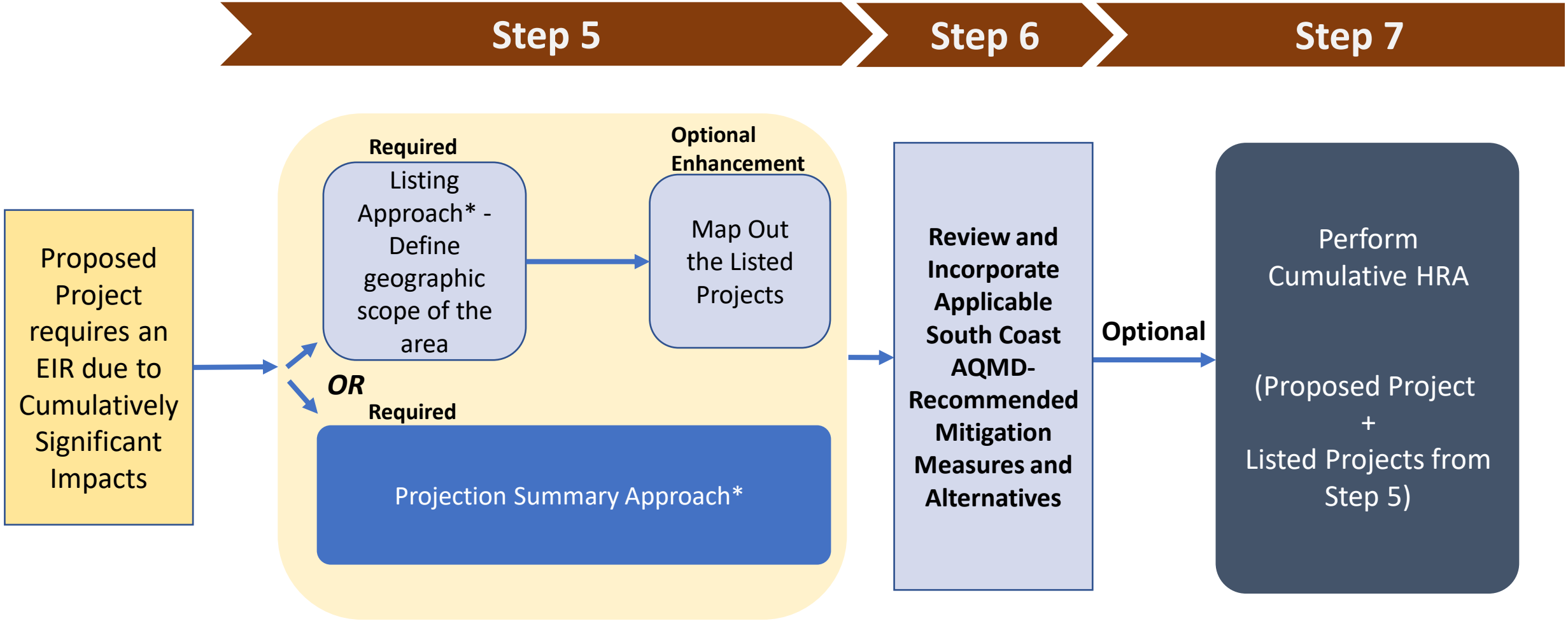


Recap of Process for Project-Level Analysis



*CEQA Guidelines Section 15130(b)

Project-Level Analysis: Step 3 of 7 – Determine Cumulative Significance Threshold

Initial Threshold

Project's Background MATES* Cancer Risk	Proposed Initial Threshold Based on Cancer Risk [cases per million]
Most stringent	A (e.g., 1)
> 90th percentile	B (e.g., 3)
90th to 50th percentile	C (e.g., 5)
50th to 30th percentile	D (e.g., 7)
< 30th percentile	E (e.g., 10)

Additional Criteria to Adjust Stringency

	Additional Criteria
#1	**High Volume Diesel-fueled Mobile Sources** Trucks, trains, etc., at or near the Proposed Project site based on certain distance to sensitive receptors
#2	**Post-2018 Projects with High Volume Diesel –fueled Trucks** Along Proposed Project's truck route†
#3	**Sensitive Receptor Population** Either within AB 617 area or > 80th percentile CalEnviroScreen 4.0 (See next slide)
#4	**Other Considerations** Seeking suggestions

Step 3

Cumulative Significance Threshold

* MATES V is based on 2018 data

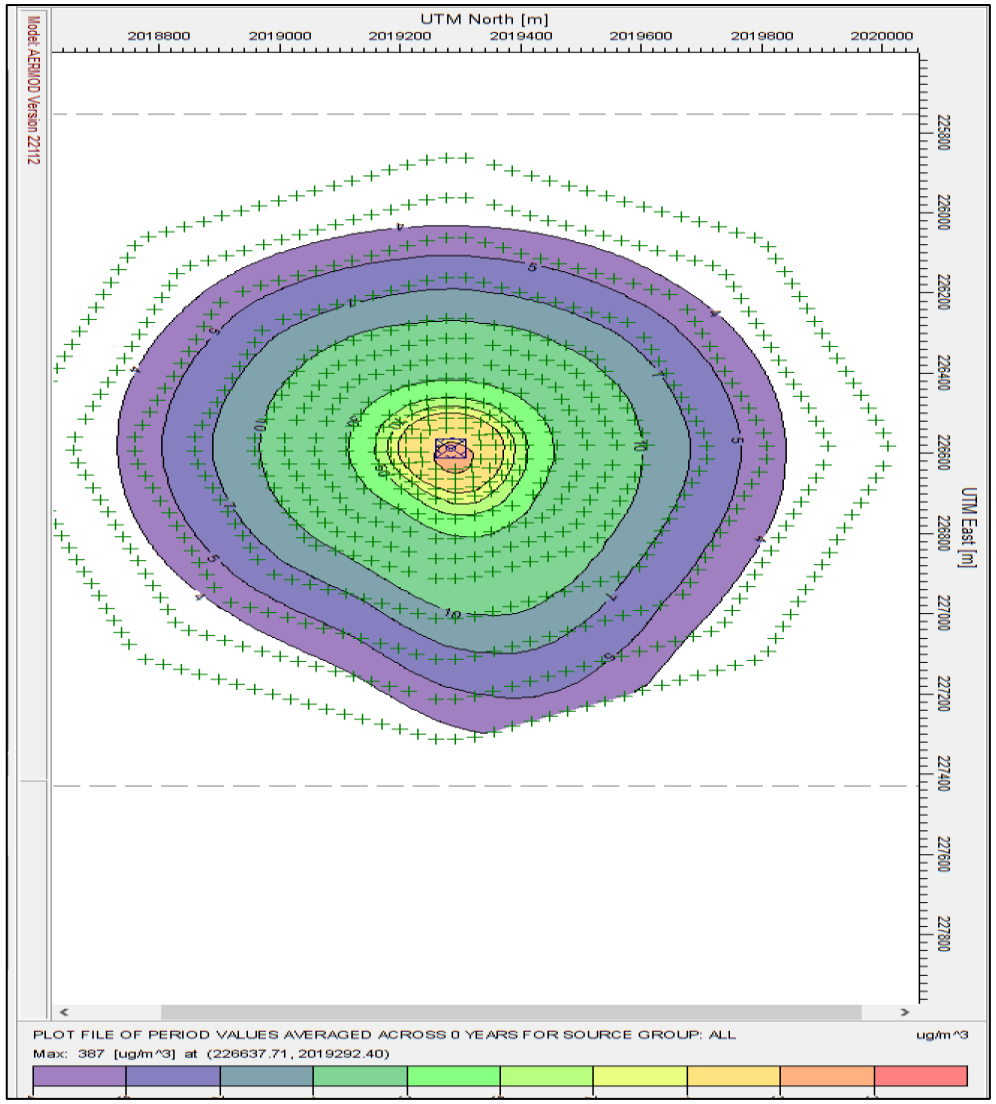
- If one or more additional criterion apply, the initial threshold will be adjusted to the next, more stringent level. For example, the least stringent initial threshold is "E" (10 in one million). If Criterion #1 applies, then the cumulative threshold will adjust to "D" (7 in one million). If Criterion #2 also applies, then the cumulative threshold will adjust to "C" (5 in one million).
- † Truck route is from the Proposed Project site to major freeway, within certain distance to sensitive receptors, add all diesel-fueled trucks from post-2018 projects.

Criterion #1:
High Volume Diesel-Fueled Mobile Sources

Trucks, trains, etc., at or near the Proposed Project site based on certain distance to sensitive receptors

- Calculated Cancer Risk (CR) for 28 Met. Stations using AERMOD (Version 22112)
- CR calculated based on OEHHA 2015 Risk Assessment Guidelines
- CARB's EMFAC 2021 provided emission rates (T7 class 8)
- AERMOD Assumptions
  - Volume Source: 100,000 sq. ft. (Rule 2305)
  - Receptor spacing based on distance from the source
  - Flat terrain and no building downwash
  - Averaging time: Period
- Calculated truck trips that trigger **CR threshold of 100 in a million** from modeled ground–level concentration (ug/m^3)
  - **91 one-way trips/day** (33.14 lb/yr PM2.5)

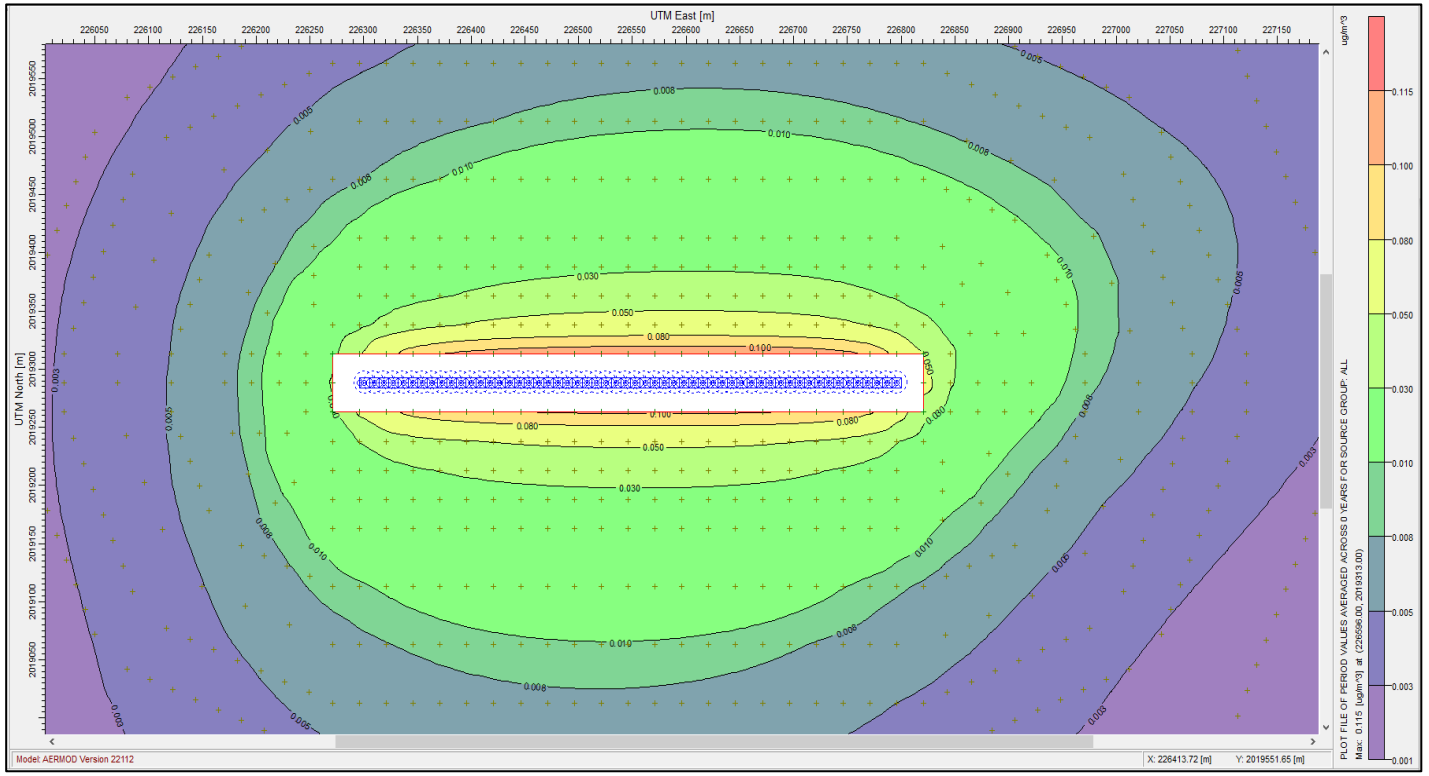
Similar calculations can be made for other diesel-fueled equipment, such as locomotive engines, marine vessels, tugboats, etc.



Criterion #2:
High Volume Diesel-Fueled Trucks Along Route to Freeway

Along Proposed Project's truck route:

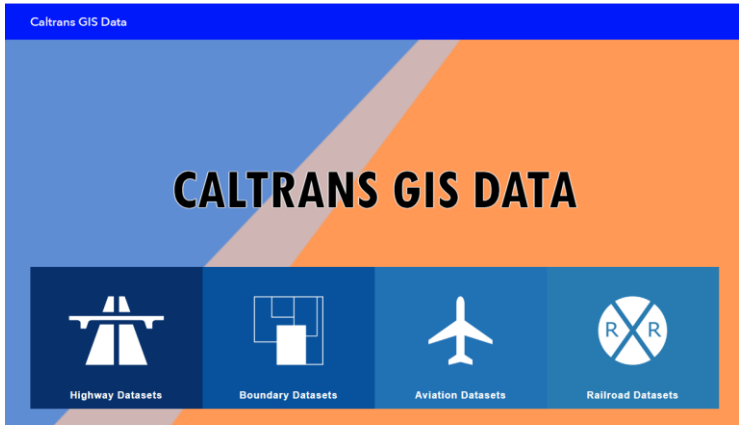
- Calculated CR for 28 Met. Stations using AERMOD
  - Line Source: Truck route from project site to major freeway
  - CR calculated based on OEHHA 2015 Risk Assessment Guidelines
- Calculated truck trips that trigger **CR threshold as 100 in a million** from the calculated ground-level concentration (ug/m^3)
    - **368 one-way trips/day**
      (78.48 lb/yr PM2.5)

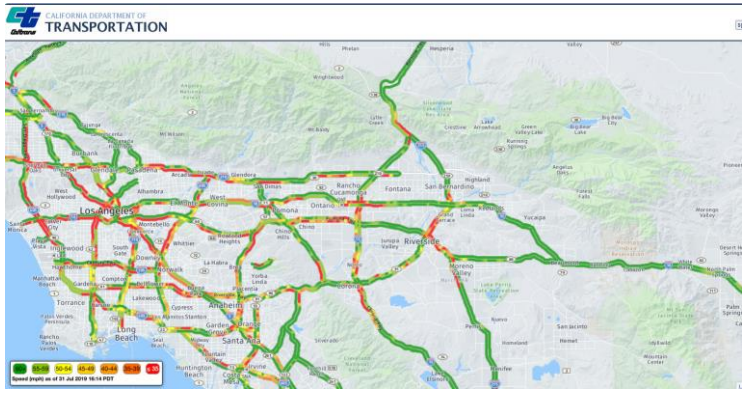


Criterion #2 truck trips (AADT) =
[Most recent Caltrans truck trips + Proposed Project truck trips + Future truck trips (if known) - 2018 Caltrans truck trips]

Truck Traffic Data Resources

- Caltrans Traffic Census Program
  - Truck traffic volumes for freeway on- and off-ramps- Annual Average Daily Traffic (AADT) (https://dot.ca.gov/programs/traffic-operations/census)
  - Highway datasets (Caltrans Home (arcgis.com))
  - Caltrans Performance Measurement System (PeMS)
- Other Traffic Data from City, County, and Other Government Agencies





Criterion #3:
Determine Significance Threshold - Either within AB 617 area or > 80th Percentile CalEnviroScreen 4.0

Population Characteristics

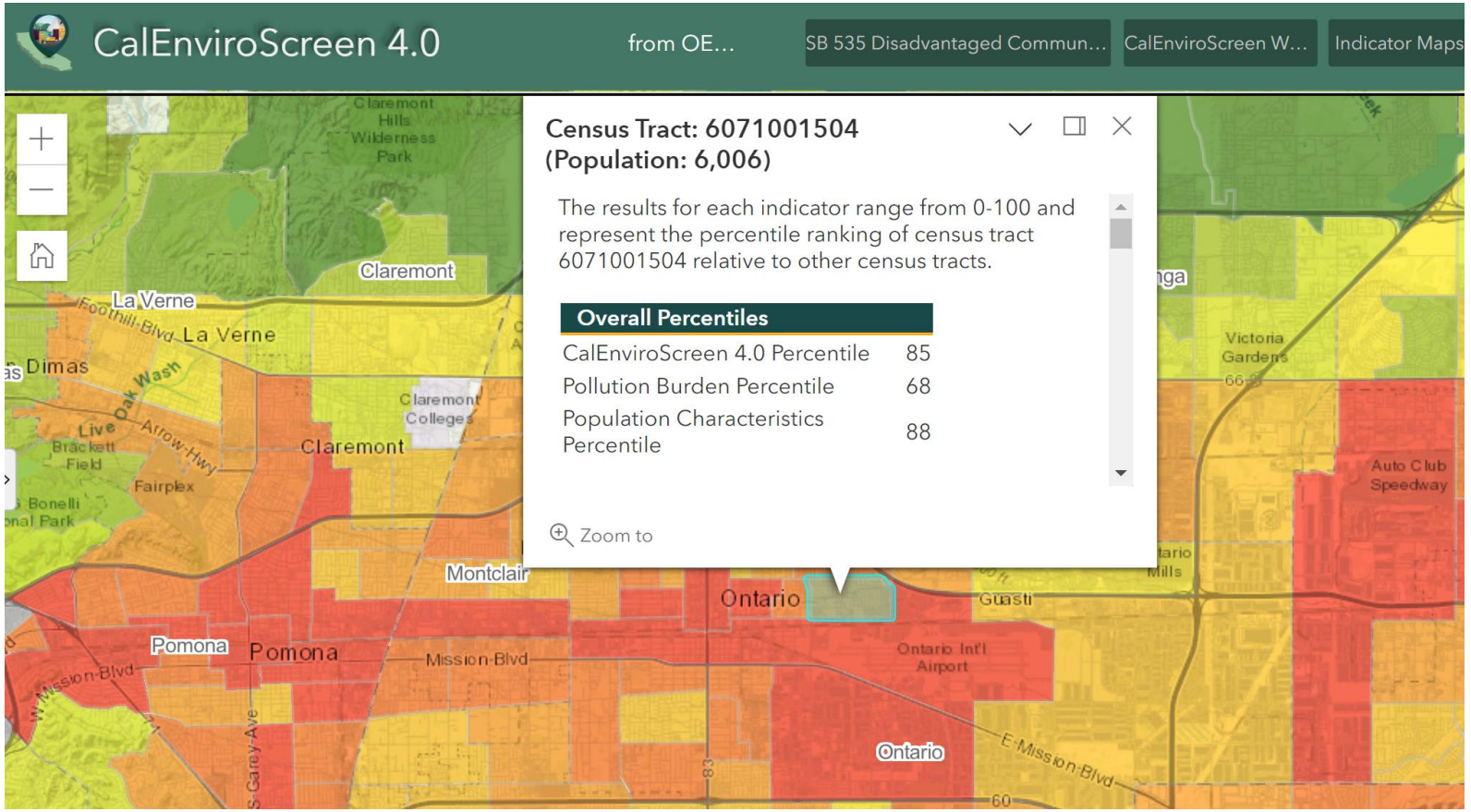
Average of Sensitive Populations and Socioeconomic Factors

Pollution Burden

Average of Exposures and Environmental Effects

Overall score

CalEnviroScreen Score



OEHHA
California Office of Environmental Health Hazard Assessment

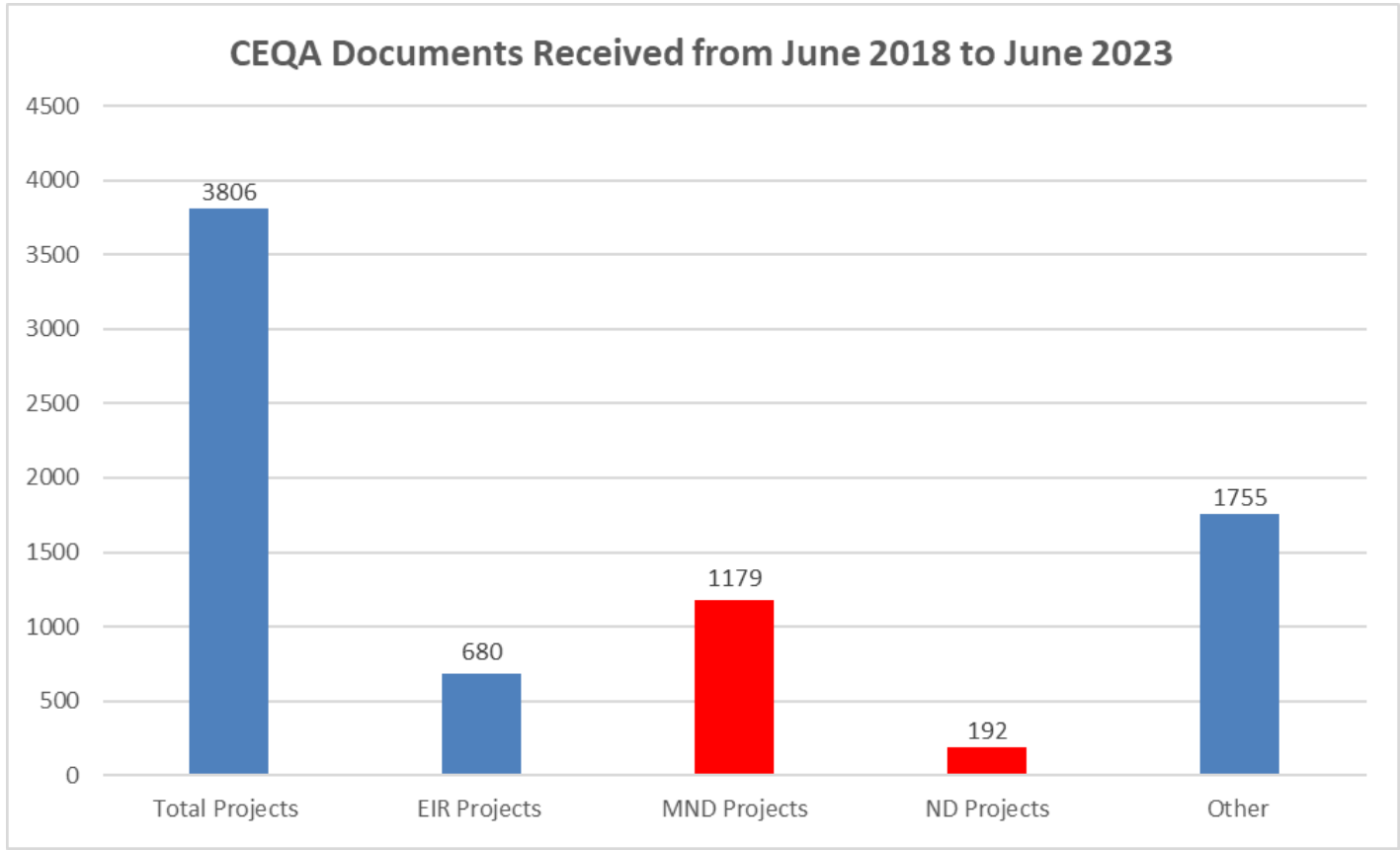
Retrospective Sensitivity Analysis

- **Why:** To estimate the number of projects that would require the preparation of an EIR if new cumulative policy criteria is applied
- **Who:** CEQA-Intergovernmental Review (IGR) team receives environmental documents from cities & counties for review; documents are logged into an internal database
- **How:** Information extracted from internal database identified wide variety of CEQA documents received for projects during the past 5 years from June 2018 to June 2023
- **What:** Internal database categorizes projects by 12 different land use types

1 – Goods Movement	5 – Waste and Water-Related	9 – Medical Facilities
2 – Warehouse & Distribution Centers	6 – Utilities	10 – Retail
3 – Airports	7 – Transportation	11 – General Land Use (Residential)
4 – Industrial & Commercial	8 – Institution	12 – Plans and Regulations

Statistics of CEQA Documents Received

- CEQA documents for 3,806 projects were received from June 2018 to June 2023 (5 years)
- For the retrospective sensitivity analysis, 1,179 MNDs and 192 NDs (red bars) were reviewed to see how they would be impacted by the proposed policy
- 680 projects with EIRs will remain unchanged under the proposed policy
- 1,755 Other category refers to other types of documents (e.g., Public Hearing Notices, Community Updates, etc.) which were excluded from the retrospective analysis



Statistics of MND/ND Projects

Land Use Type	Number of MND Projects from June 2018 to June 2023	Number of ND Projects from June 2018 to June 2023	Study be Conducted with either 1-year or 5-year Lookback Project List?
1 – Goods Movement	6	9	5-year
2 – Warehouse & Distribution Centers	166	4	1-year
3 – Airports	2	2	5-year
4 – Industrial & Commercial	124	29	1-year
5 – Waste and Water-Related	166	8	1-year
6 – Utilities	14	0	5-year
7 – Transportation	78	12	1-year
8 – Institution	127	6	1-year
9 – Medical Facilities	18	1	5-year
10 – Retail	136	13	1-year
11 – General Land Use (Residential)	313	41	1-year
12 – Plans and Regulations	29	67	1-year

Methodology to Determine if an EIR is Required

- Internal database includes key information regarding a project
  - Project title, description, location, Lead Agency, etc.
  - CEQA document type (e.g., MND or ND)
  - AB 617 communities

Project-Level Analysis: Step 3 of 7 (continued) – Determine Cumulative Significance Threshold

Initial Threshold

Project's Background MATES* Cancer Risk	Proposed Initial Threshold Based on Cancer Risk (cases per million)
Most stringent	A (e.g., 1)
> 90th percentile	B (e.g., 3)
90th to 50th percentile	C (e.g., 5)
50th to 30th percentile	D (e.g., 7)
< 30th percentile	E (e.g., 10)

Additional Criteria to Adjust Stringency

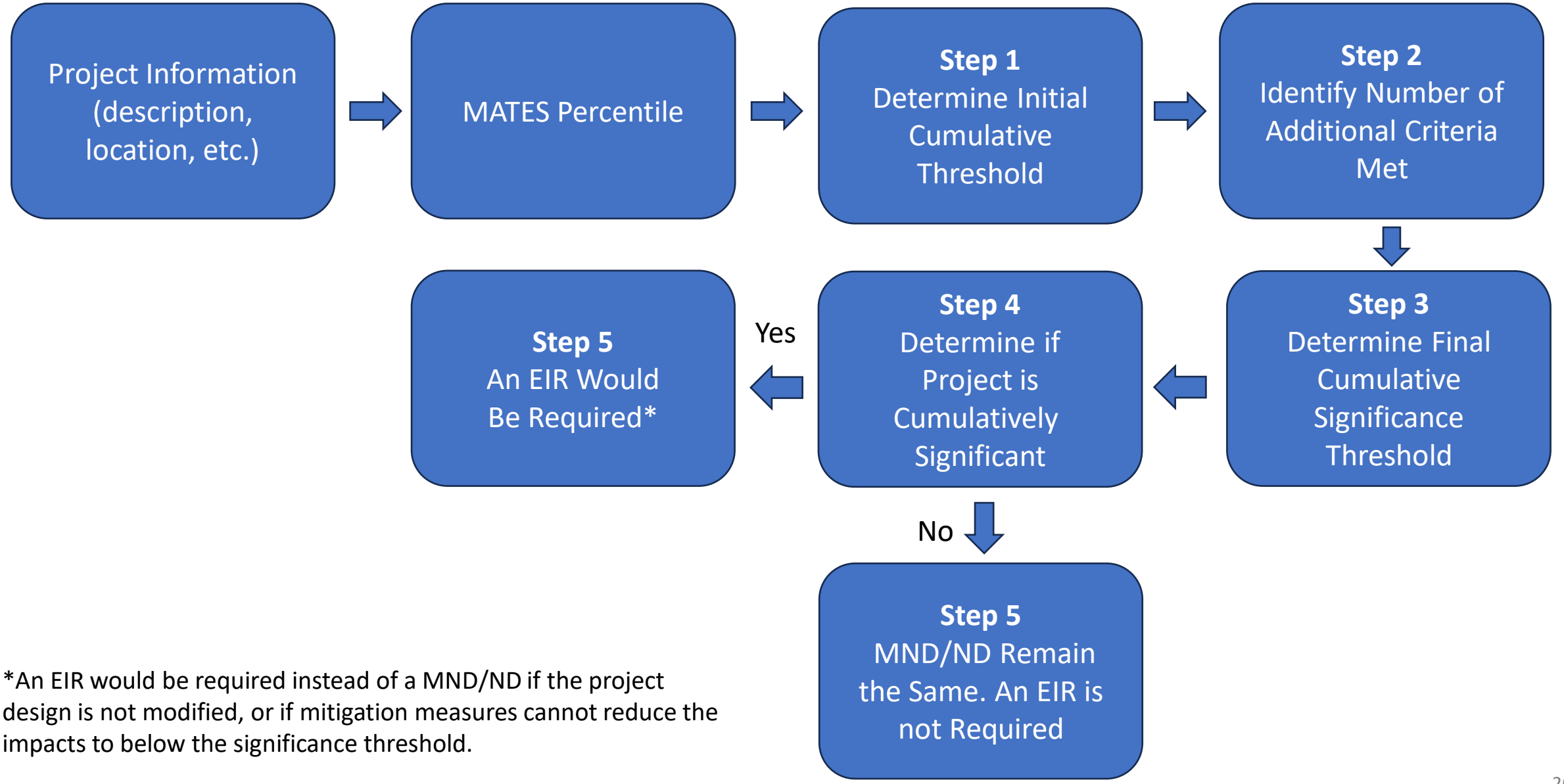
Additional Criteria	
#1	**High Volume Diesel-fueled Mobile Sources** Trucks, trains, etc., at or near the Proposed Project site based on certain distance to sensitive receptors
#2	**Post-2018 Projects with High Volume Diesel –fueled Trucks** Along Proposed Project's truck route†
#3	**Sensitive Receptor Population** Either within AB 617 area or > 80th percentile CalEnviroScreen 4.0 (See next slide)
#4	**Other Considerations** Seeking suggestions

Step 3

Cumulative Significance Threshold

- Process to determine if an EIR is required:
  - **Step 1** - Determine the **Initial Cumulative Threshold** based on MATES percentile
  - **Step 2** - Identify if project triggers any of the following:
    - Criterion #1: Number of one-way truck trips generated (if any)
    - Criterion #2: High Volume Diesel–Fueled Trucks along truck route
    - Criterion #3: CalEnviroScreen 4.0 Percentile or AB 617 communities
  - **Step 3** - Determine the **Final Cumulative Significance Threshold** based on the initial cumulative thresholds in Step 1 and the number of additional criteria met in Step 2
  - **Step 4** - Compare the project's operational CR to the **Final Cumulative Significance Threshold** and determine if project is cumulatively significant
  - **Step 5** – For a cumulatively significant project, an EIR would be required instead of a MND/ND if the project design is not modified, or mitigation cannot fully reduce impacts

Methodology to Determine if an EIR is Required



*An EIR would be required instead of a MND/ND if the project design is not modified, or if mitigation measures cannot reduce the impacts to below the significance threshold.

Results of Retrospective Sensitivity Analysis

Land Use Type	Total Projects Reviewed	How Many Projects Would Require an EIR? (Number/%)	How Many Projects Would Continue to Require a MND/ND? (Number/%)
1 – Goods Movement†	13	2 / 15%	11 / 85%
2 – Warehouses & Distribution Centers*	37	15 / 41%	22 / 59%
3 – Airports†	4	0 / 0%	4 / 100%
4 – Industrial & Commercial*	17	4 / 24%	13 / 76%
5 – Waste and Water-Related*	26	0 / 0%	26 / 100%
6 – Utilities†	10	1 / 10%	9 / 90%

* Land Use with a 1-year project list from June 2022 to June 2023
† Land Use with a 5-year project list from June 2018 to June 2023

Results of Retrospective Sensitivity Analysis

Land Use Type	Total Projects Reviewed	How Many Projects Would Require an EIR? (Number/%)	How Many Projects Would Continue to Require a MND/ND? (Number/%)
7 – Transportation*	10	0 / 0%	10 / 100%
8 – Institution*	26	0 / 0%	26 / 100%
9 – Medical Facilities†	16	1 / 6%	15 / 94%
10 – Retail*	16	1 / 6%	15 / 94%
11 – General Land Use (Residential)*	57	1 / 2%	56 / 98%
12 – Plans and Regulations*	9	0 / 0%	9 / 100%

* Land Use with a 1-year project list from June 2022 to June 2023
† Land Use with a 5-year project list from June 2018 to June 2023

Results of Retrospective Sensitivity Analysis For Warehouses & Distribution Centers Land Use

Out of 37 reviewed projects, 15 projects (41%) would require an EIR to be prepared because:

- Each project has CR ranging between 1 to 7 in one million
- Each project has an Initial Cumulative Threshold, either 3 or 5 in a million based on their MATES V percentile
- Additional criteria are triggered (either 1, 2, or all 3)
- Each project has a new Final Cumulative Significance Threshold, either 1 or 3 in one million
- Each project's operational CR exceeds the Final Cumulative Significance Threshold
- **Each project is cumulatively significant**

Land Use Type	Total Projects Reviewed	How Many Projects Would Require an EIR? (Number/%)	How Many Projects Would Continue to Require an MND/ND? (Number/%)
2 – Warehouse & Distribution Centers*	37	15/ 41%	22 / 59%

Results of Retrospective Sensitivity Analysis For Warehouses & Distribution Centers Land Use – Example 1

Project Description in MND

The project consists of constructing two warehouses totaling 329,100 sq. ft, 81,000 sq. ft of business uses, 76,800 sq. ft of vehicle storage uses, 128,600 sq. ft of self-storage uses, 4,000 sq. ft of service station uses, and 4,650 sq. ft of restaurant uses on 44 acres. Located in AB 617 Eastern Coachella Valley Community.

CR = 5.4 in one million.

Initial Threshold

Project's Background MATES* Cancer Risk	Proposed Initial Threshold Based on Cancer Risk [cases per million]
Most stringent	A (e.g., 1)
> 90th percentile	B (e.g., 3)
90th to 50th percentile	C (e.g., 5)
50th to 30th percentile	D (e.g., 7)
< 30th percentile	E (e.g., 10)

MATES V Percentile	Initial Cumulative Threshold (Based on MATES V)	Criterion #1 Met?	Criterion #2 Met?	Criterion #3 Met?	Final Cumulative Threshold
63	5	Y	Y	Y	**1**

Criterion #1 is triggered because the threshold is **91 trips/day**

Criterion #2 is triggered because the threshold is **368 trips/day**

Most recent – 2022 Caltrans Annual Average Daily Truck Traffic (AADT)	Proposed Project Truck Trips per Day	2018 Caltrans Truck Numbers (AADT)	Criterion #2 Truck Trips
4,618	528	4,425	721

Results of Retrospective Sensitivity Analysis For Warehouses & Distribution Centers Land Use – Example 2

REVISED

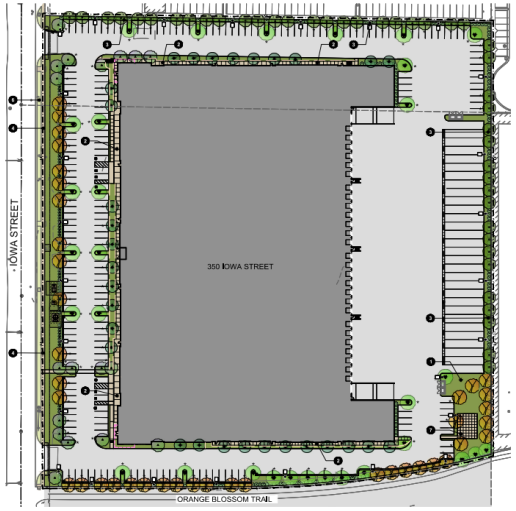
Project Description in MND

The project consists of constructing a 181,100 sq. ft warehouse with 27 loading docks on 9.44 acres.

CR = 0.14 in one million.

Initial Threshold

Project's Background MATES* Cancer Risk	Proposed Initial Threshold Based on Cancer Risk [cases per million]
Most stringent	A (e.g., 1)
> 90th percentile	B (e.g., 3)
90th to 50th percentile	C (e.g., 5)
50th to 30th percentile	D (e.g., 7)
< 30th percentile	E (e.g., 10)



MATES V Percentile	Initial Cumulative Threshold (Based on MATES V)	Criterion 1 Met ?	Criterion 2 Met ?	Criterion 3 Met ?	Final Cumulative Threshold
74	5	Y	Y	N	1

Criterion #1 is triggered because the threshold is **91 trips/day**

Criterion #2 is triggered because the threshold is **368 trips/day**

Most recent - 2022 Caltrans Annual Average Daily Truck Traffic (AADT)	Proposed Project Truck Trips per Day	2018 Caltrans Truck Numbers (AADT)	Criterion #2 Truck Trips
12,709	100	12,283	526

Retrospective Sensitivity Analysis Results For Medical Facilities Land Use

Out of 16 projects reviewed , 1 project which is a medical research facility (6%) would require an EIR to be prepared because:

- Project relies on another plan's CR for its long-term health impact, with a CR = 6.56 in one million
- Project has an Initial Cumulative Threshold of 5 in one million (MATES V percentile is 63%)
- No additional criteria are triggered
- New Final Cumulative Significance Threshold is 5 in one million
- Project's CR exceeds the Final Cumulative Significance Threshold
- **Project is cumulatively significant**

Land Use Type	Total Project Reviewed	How Many Projects Would Require an EIR? (Number/%)	How Many Projects Would Continue to Require an MND/ND? (Number/%)
9 – Medical Facilities†	16	1 / 6%	15 / 94%

Note: An EIR might need to be prepared if the medical facility has multiple emission sources (e.g., I.C. engines, boilers, etc.) contributing to the operational CR.

Retrospective Sensitivity Analysis Results For General Land Use (Residential)

Out of 57 projects reviewed , 1 project (2%) would require an EIR to be prepared because:

- Project includes a gas station (benzene is a TAC), plus the total project CR = 8.3 in one million
- Project has an initial threshold of 5 in one million (MATES V percentile is 73%)
- Project triggers 1 additional criterion
- New Final Cumulative Significance Threshold of 3 in one million
- Project's CR exceeds the Final Cumulative Significance Threshold
- **Project is cumulatively significant**

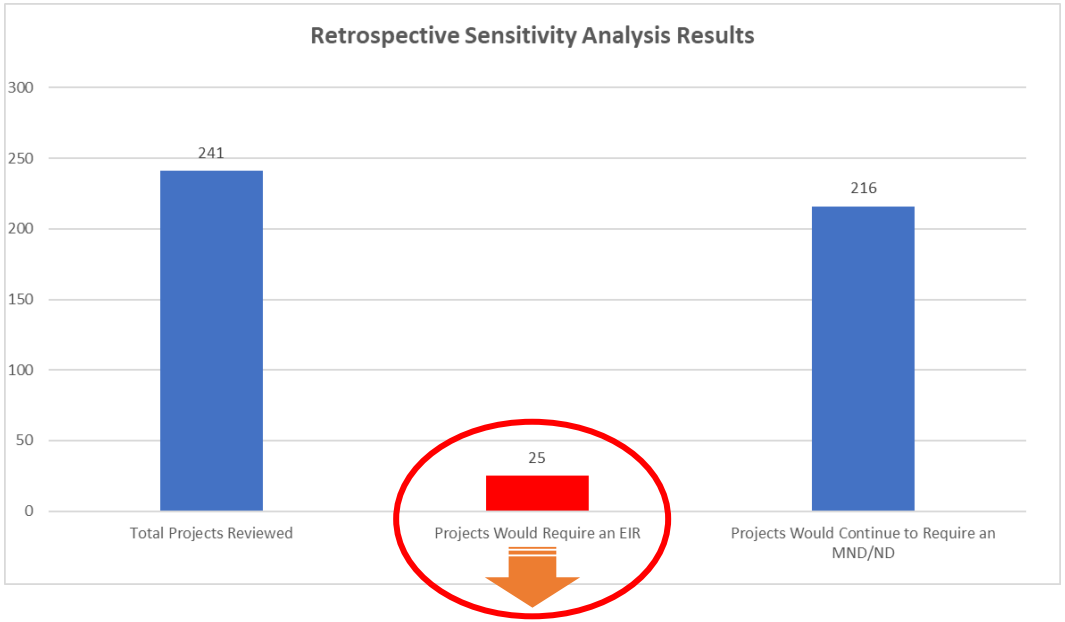
Land Use Type	Total Project Reviewed	How Many Projects Would Require an EIR? (Number/%)	How Many Projects Would Continue to Require an MND/ND? (Number/%)
11 – General Land Use (Residential)*	57	1 / 2%	56 / 98%

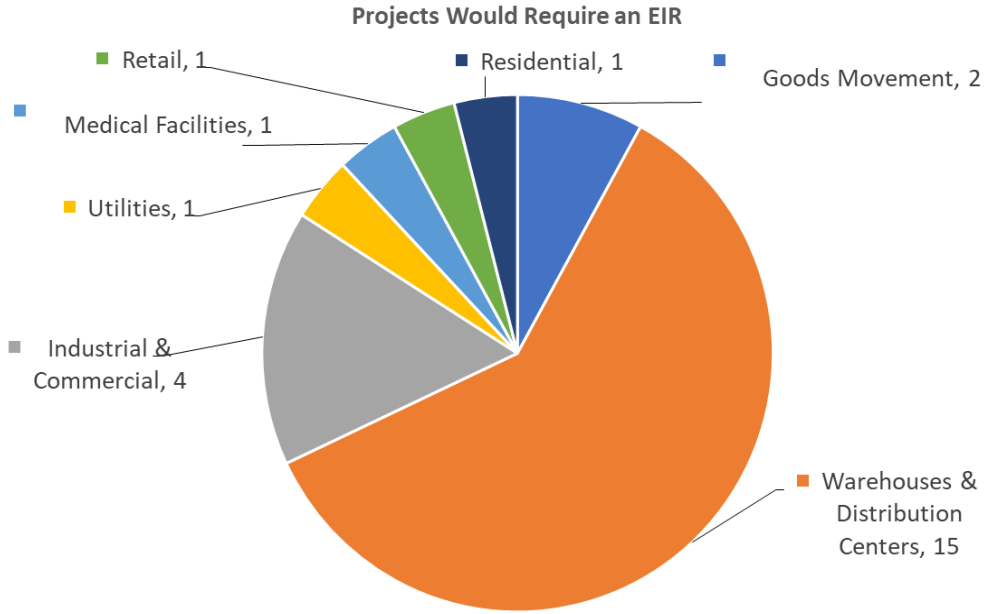
Results of Retrospective Sensitivity Analysis

Results: EIRs would be required for ~10% of the total projects reviewed, with over half attributed to Warehouses and Distribution Centers land use

The retrospective sensitivity analysis provided a pathway which:

- Quantifies percentage of projects that would require an EIR after applying criteria
- Demonstrates no substantial increase in the number of projects that would require the preparation of an EIR
- Supports having a standardized approach for conducting an analysis of cumulative impacts from air toxics





Staff Recommendation and Request for Feedback

- Staff recommends proceeding with developing the guidance document to implement the proposed policy/methodology for analyzing cumulative impacts from air toxics

- Staff is seeking stakeholder feedback on:
  - Proposed cumulative significance thresholds
  - Proposed methodology for conducting the analysis
  - Any other thoughts or concerns for consideration

Next Steps

- Develop/Compile additional mitigation measures and alternatives
- Prepare preliminary draft of proposed guidance
- Continue to hold WGMs and meet with stakeholders
- Provide updates on CEQA Policy Development webpage (available at http://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new))

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Concept – Applicability and Definition

Applicability and definitions will include:

- ✓ Lead agencies and jurisdiction
- ✓ Applicable CEQA document type
- ✓ Exempt and screen-out projects and type of CEQA document
- ✓ Health risk – cancer
- ✓ Project operation and long-term construction
- ✓ Regional plans vs. project-level
- ✓ Geographical impact radius
- ✓ Trucks routes
- ✓ Sensitive receptors and distance to the sources
- ✓ More…