



South Coast Air Quality Management District

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September 21, 2012

Richard D. Cameron
Director of Environmental Planning
Port of Long Beach
925 Harbor Plaza
Long Beach, CA 90802

Dear Mr. Cameron:

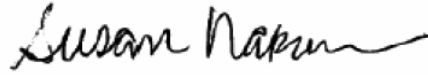
**Review of the Draft Environmental Impact Statement/Report (Draft EIS/EIR)
for the Proposed Eagle Rock Aggregate Terminal Project**

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to comment on the Draft EIS/EIR for the Proposed Eagle Rock Aggregate Terminal Project (proposed Project). The proposed Project involves the development of a sand, gravel, and granite aggregate receiving, storage and distribution terminal located at Pier D in the Port of Long Beach (POLB).

Under the proposed Project, up to 2.75 million tons of aggregate will be processed at the terminal; resulting in 35 ocean-going vessel visits per year and 770 one-way truck trips per day (110,000 trips per year). The Draft EIS/EIR concludes that the proposed Project will generate significant construction and operation air quality impacts. In addition, the Draft EIS/EIR concluded that the proposed Project emissions would contribute to significant impacts of the federal 1-hr NO₂ standard. However, no mitigation measures are proposed which would reduce or eliminate these significant air quality impacts. The SCAQMD staff has concerns with the lack of mitigation and concludes that specific mitigation measures should be included in the Final EIS/EIR. These and other issues are discussed in Attachment A.

Pursuant to Public Resources Code Section 21092.5, please provide written responses to all comments contained herein prior to the adoption of the Final EIS/EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me, at (909) 396-3105, if you have any questions regarding the enclosed comments.

Sincerely,

A handwritten signature in black ink that reads "Susan Nakamura". The signature is fluid and cursive, with a long horizontal flourish at the end.

Susan Nakamura
Planning Manager

SN:EE

ATTACHMENT A

Construction Mitigation

- **Dredging Equipment:** The air quality impacts from construction emissions were determined to be significant for the proposed Project. Specifically, on page 3.1-20, Table 3.1-6 of the Draft EIS/EIR, maximum daily construction emissions were shown to exceed the SCAQMD regional significance threshold for NO_x. In addition, on page 3.1-21, Table 3.1-7 of the Draft EIS/EIR maximum daily construction emissions were shown to exceed SCAQMD localized significance threshold for NO₂.

No mitigation measure to reduce the air quality impacts below significance are contained in the Draft EIS/EIR. The dredging operation is a major contributor to the maximum daily construction impacts. Reduction in emissions from dredging operations is possible by using electric dredging equipment which is available at the Ports. The Port of Long Beach's Green Port Policy requires contractors to use electric dredging equipment during dredging operations. The Draft EIS/EIR contains a statement that there is no nearby infrastructure to power an electric dredger at the project site. It was further stated in the Draft EIS/EIR that to install such a connection would be economically infeasible and potentially create more emissions than would be saved by operating an electric dredger as compared to a diesel-powered dredger. However, no analysis is provided to support this point. The lead agency should investigate the use of portable power operating at Tier 4 emission levels as a means of providing electricity to electric dredging equipment during construction.

- **Tugboats:** The construction of the proposed Project includes the use of a tugboat to move the dredging equipment and accompanying barge back and forth from the construction site. The analysis shows that the tugboat emissions account for over 40 percent of the total NO_x construction emissions (Appendix A-2, pg. 26). No mitigation is proposed for the tugboat operation, and the analysis assumes a tugboat with Tier 1 emission levels. To help reduce the significant impacts from NO_x during construction, the lead agency should require the use of the cleanest tugboats available. Based on the current fleet of tugboats at the Ports, this would require one of the two hybrid tugs operating at the Ports, or if the hybrid tugs are not available, meeting a minimum Tier 2 emission level.
- **On-Road Trucks:** As part of the proposed Project, the lead agency is requiring on-road trucks used during construction to meet the standards of the Ports' Clean Truck Program (CTP). Currently, this requires that trucks meet the EPA 2007 on-road emission standards. To help reduce the significant impacts from NO_x during construction, the lead agency should require the use of the cleanest trucks available. Specifically, trucks used during construction should at a minimum, operate on engines meeting the 2010 U.S. EPA On-Road Emission Standards.

- **Construction Equipment:** As part of the proposed Project, the lead agency is requiring construction equipment to meet EPA's Tier 3 off-road emission standards. Similarly, to on-road trucks used in construction and to help reduce the significant impacts from NO_x during construction, the lead agency should require the use of the cleanest off-road equipment available. Specifically, off-road construction equipment should operate on engines meeting EPA's Tier 4 off-road emission standards.

Operational Mitigation

- **On-Road Aggregate Trucks:** The lead agency is requiring on-road trucks used during operations to meet the standards of the Ports' Clean Truck Program (CTP). Currently, this requires that trucks meet the EPA 2007 on-road emission standards. To help reduce the significant impacts from NO_x during operations, the lead agency should require the use of the cleanest trucks available. Specifically, trucks used during construction should at a minimum, operate on engines meeting the 2010 U.S. EPA On-Road Emission Standards.
- **Tugboats:** The operation of the proposed Project includes the use of tugboats to move and position the Panamax bulk loading vessels into and out of the project site. No mitigation is proposed for tugboat operations, and the analysis assumes a tugboat with Tier 1 emission levels. While the analysis shows that the tugboat emissions are not the primary driver contributing to the significance findings for operations, to help reduce the impacts from NO_x emissions during operations, the lead agency should require the use of the cleanest tugboats available. Similar to the proposed mitigation for tugboats used during construction activities, tugboats used during project operations should be hybrid tugs operating at the Ports, or if the hybrid tugs are not available, they should be equipped with engines meeting at a minimum Tier 2 emission levels.
- **Controls at other Marine Terminals:** Enclosures and covers for sand, gravel, and aggregate operations at port terminals are commonly used, and in order to help reduce the air quality impacts, the proposed Project should include effective enclosures and covers on the transfer, conveyance, and storage system. The SCAQMD staff is aware that Eagle Rock operates a similar marine terminal at the Port of Richmond in the San Francisco Bay area. This terminal has totally enclosed ship offloading conveyors, an enclosed storage building and an enclosed dual truck loadout station. Air atomized water sprays are used on all transfer points and the facility is limited to 1.5 million tons per year throughput (as compared to 2.75 million tons per year for the proposed Project). The Richmond facility was subject to CEQA review and issued a final Mitigated Negative Declaration from the City of Richmond in April 2004. Air quality permits were issued by the Bay Area AQMD (A/N 15065) for this project and according to Bay Area AQMD engineers, the enclosure was strictly voluntary.
- **At-Berth Emissions:** The at-berth emissions from the Panamax vessel auxiliary engines are a major contributor to the regional air quality impacts for NO_x and VOC, as well for the significant NO₂ concentration for localized air quality impacts. The Draft EIS/EIR contains documentation on the high cost of providing on-shore power during berthing and unloading operations, and was ruled out as a potential mitigation

measure. However in order to eliminate or reduce the significance of the air quality impacts from at-berth emissions, the lead agency should include a mitigation measure which requires the Advanced Marine Emission Control System (AMECS) be used to control emissions during ship calls for the proposed Project. Since the AMECS is still being tested and demonstrated, the mitigation measure should be contingent upon the availability of the AMECS along with a requirement that the project operator conduct periodic reviews to determine its feasibility and availability for deployment.

Permitting

- **Requirements:** According to the Draft EIS/EIR, the proposed Project will use a land-based conveyance and distribution system to move and transfer sand and aggregate off the delivery ships to the land side storage piles. At first, a semi-portable conveyor system will be used followed by fixed stationary system in Phase 2 of the construction period. The conveying equipment will consist of a loading hopper, transfer belt conveyors and a stacking conveyor. The proposed project will utilize skip loaders to transfer aggregates from open outdoor storage to haul trucks for ultimate use. While the outdoor storage piles and load-out operations do not require permits, the conveying equipment does require permits from the SCAQMD. These permits should be applied for and secured by the project operator prior to operation. It is recommended that the lead agency and operator work with SCAQMD permitting staff to determine the permitting requirements for all equipment to be used for the proposed Project.
- **Regulation XIII:** In addition to the SCAQMD permits, because the proposed Project is a new source, the BACT, offset, and other provisions of Regulation XIII – New Source Review (NSR) apply. On page 3.1-13 the Draft EIS/EIR, the lead agency concludes that the NSR offset requirements of Regulation XIII do not apply to the PM10 component of the aggregate conveyance and transfer system because the PM10 emissions fall below the four tons per year offset threshold. However, the proposed Project must also comply with Rule 1306 (g) which requires that mobile source emission increases or decreases directly associated with the loading and unloading of cargo shall be accumulated “from all ships during loading and unloading of cargo and while at berth where the cargo is loaded or unloaded.” In addition, NSR offsets may mitigate regional significance findings under CEQA. However, NSR offsets may not mitigate significance findings for localized concentrations unless the offsets are generated in the same area as the proposed Project. It is also possible to reduce the amount of NSR offsets required by installing emission reduction controls, such as the AMECS to control at-berth ship emissions. It is recommended that the lead agency and operator work with SCAQMD permitting staff to ensure compliance with all applicable requirements of Regulation XIII for the proposed Project.

Analysis

- **Correction:** The Dredge and total emissions presented in Tables 3.1-6 and 3.1-7 of the Draft EIS/EIR are inconsistent with the detailed analysis tables found in Appendix A-2. It appears that the total daily construction emissions from Appendix 2 (pg. 26, 29) were transferred over to Tables 3.1-6 and 3.1-7 of the Draft EIS/EIR and presented as total dredge emissions. This value was then added to the other

equipment and summed again. This also occurred in the tables on page 1 of Appendix A-2. The lead agency should correct these mistakes in the Final EIS/EIR.