



LRAPA
Lane Regional Air Protection Agency

Response to Comments ISCP-ECommerce-2025 September 23, 2025

LRAPA placed the proposed Indirect Source Construction Permit (ISCP) on public notice for the E-Commerce Facility on July 2, 2025. LRAPA accepted written comments on the proposed permit submitted by 5 p.m. on July 22, 2025. LRAPA received over 300 written comments from individuals and groups of individuals.

LRAPA cannot establish new rules, regulations or laws through the permitting process. The permitting process implements existing rules and LRAPA reviewed and responded to the comments in that context.

[All public comments that were received for this action are a public record and are retained with the public permit review files. For purposes of this summary document, the public comments may have been edited to reduce length or consolidated with similar comments. Public comments that are not related to the proposed permit, such as those comments that are statements of fact or express an opinion, are not presented in this document, and do not require a response from LRAPA.]

Section 1: General Project Comments

Comment 1: *A large majority of the comments received by LRAPA were statements that were either in opposition or in favor of the proposed project.*

Response 1: As noted above, LRAPA is not required to respond to comments that express an opinion. LRAPA appreciates the public concern and interest in this project. None of the comments expressing opinions on the project resulted in changes to the ISCP.

Section 2: Procedural and Administrative Questions

Comment 2: *Is the anonymous application legitimate and allowed?*

Response 2: The ISCP application was not submitted anonymously. Each of the required fields in the ISCP application were completed, including the fields for responsible person to contact, other contact person, and the present legal owners.

Comment 3: *Is this true: have 4 of 18 permits with City of Eugene approved?*

Response 3: LRAPA does not have authority over the City of Eugene's building permit process. This question is best answered by the City of Eugene.

Comment 4: *LRAPA should hold a public hearing or at least hold an informational meeting, and the public comment period should be extended.*

Response 4: The ISCP rules in LRAPA title 20 require the application and permit be placed on public notice for 20 days [LRAPA 20-130(2)(b)]. LRAPA's regulations in title 20 do not contain provisions that provide opportunity for a public hearing request or require that LRAPA hold a public hearing. LRAPA considered all the comments received and made the decision not to extend the comment period or hold a public hearing. Instead, LRAPA has developed a set of materials that are designed to help the public better understand the proposed project, changes implemented in the permit based on public comments, as well as explain the limitations of LRAPA's authority to regulate the activities from it.

Comment 5: *An Environmental Impact Statement (EIS) should be required.*

Response 5: This type of comprehensive analysis is not required under LRAPA's existing rules and regulations for air quality.

Section 3: Emissions and Air Quality Technical Issues

Comment 6: *Numerous commenters cited erroneous information taken from LRAPA's initial public notice that listed emissions of 4 pounds/year of formaldehyde as well as 20 tons/year of particulate matter (PM) and 39 tons/year of volatile organic compounds (VOCs).*

Response 6: The initial LRAPA public notice document for the ISCP mistakenly included emissions tables from an unrelated facility's public notice for a Simple Air Contaminant Discharge Permit (Simple ACDP). Those tables listed the proposed Plant Site Emission Limits (PSELs) for a company that manufactures landscaping materials such as bark and mulch. The tables also included information on the landscaping materials manufacturing source's potential emissions of air toxics including an estimated 4 pounds/year of formaldehyde which the Eugene Weekly reported as 4 tons/year of formaldehyde. LRAPA published a corrected public notice document that removed the PSEL and air toxics tables. The Eugene Weekly subsequently published an updated version of their 7/10/25 story that corrected these errors.

Comment 7: *LRAPA must provide a technical analysis of all pollution that will be emitted by the proposed facility.*

Response 7: When adopted in 1976, LRAPA's Indirect Source Construction Permit (ISCP) regulations under title 20 were part of a strategy and preventive tool requiring evaluation of potential air quality impacts before construction begins. This ensures that increased traffic from new developments won't cause our region to exceed National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO).

The regulations in LRAPA title 20 are limited to a subset of criteria pollutants and do not provide LRAPA the authority to require analyses of air toxics or greenhouse gases. Only carbon monoxide (CO), lead (Pb) [no longer relevant as it has been removed from gasoline], reactive hydrocarbons (VOC), and oxides of nitrogen (NO_x) may be required to be estimated or measured by applicants.

Since the mid-1980s, dramatic improvements in internal combustion engine efficiency have reduced CO emissions so significantly that our region's CO levels have consistently measured at one-fifth or less of

the NAAQS threshold. This sustained improvement led EPA, DEQ, and LRAPA to discontinue CO monitoring in Lane County in 2010.

Under title 20, detailed technical analysis is only required for projects exceeding 1,000 parking spaces for internal combustion vehicles, this includes ground-level ozone (O₃) estimation, which requires complex air dispersion modeling to account for how VOC and NO_x combine with heat and sunlight.

Following the close of public comments, LRAPA noted the need to account for all site vehicle activity in the ISCP application and relayed that to the applicant. In response, the facility revised its application to limit total internal combustion engine vehicles to under 1000, including both the 368 employee parking spaces and fleet delivery vehicles. To achieve this, the applicant committed 25% of their fleet to be electric in year 1 and will increase that total incrementally until 70% is electric by year 10. They are also designating 10% of employee parking exclusively for electric vehicles (EVs) as required under City code, this technical analysis is not required [LRAPA 20 129].

Comment 8: *Screening for CO alone is insufficient. A full emissions estimate for weekday trips, including projections over time, should be required under OAR 340-254-0060. LRAPA should require multi-pollutant trip-based emissions modeling over a 1-, 5-, and 10-year outlook.*

Response 8: See the response to Comment number 7 above. Also, LRAPA's regulations for ISCPs are in title 20 and LRAPA does not implement the DEQ regulations in division 254 that have less-stringent (higher) parking space thresholds for ISCPs.

Comment 9: *Does the ISCP permitting process apply only to PM generated by parking spaces?*

Response 9: The ISCP primarily addresses Carbon Monoxide (CO) emissions in addition to particulate matter (PM) from things like parking lot dust. The ISCP was designed as a preventive tool to evaluate potential air quality impacts before construction begins, ensuring that additional traffic won't cause our region to exceed National Ambient Air Quality Standards (NAAQS) for Carbon Monoxide (CO).

Comment 10: *Does the ISCP regulate PM from delivery trucks?*

Response 10: See the response to Comment number 9 above. An ISCP is not designed to directly regulate particulate matter (PM) from delivery truck engine exhaust.

Comment 11: *I'm concerned the facility will cause our airshed to exceed the NAAQS (National Ambient Air Quality Standards).*

Response 11: LRAPA has no objective reason to suspect this facility will cause a NAAQS exceedance due to carbon monoxide (CO) or other pollutants.

The Eugene-Springfield area is currently in attainment for all NAAQS thresholds. As noted in Response 7, estimating ground level ozone (O₃) based on VOC and NO_x emissions requires complex air dispersion modeling that accounts for the way in which those pollutants may combine in the presence of heat and sunlight to produce ozone and is only required with projects exceeding 1,000 vehicle parking spaces.

Since the mid-1980s, dramatic improvements in internal combustion engine efficiency have reduced CO emissions so significantly that our region's CO levels have consistently measured at one-fifth or less of the NAAQS threshold.

Today DEQ operates two CO monitoring sites in the Portland area, and, even with the large number of combustion engines operating there, those monitoring sites consistently show compliance with the NAAQS for CO. The only exception is when wildfire smoke intrusions occur; only then has a monitoring site recorded exceedances of the NAAQS for CO.

Comment 12: Does LRAPA account for the emissions from diesel trucks and ground level ozone?

Response 12: LRAPA accounts for the emissions from diesel trucks and other mobile sources with internal combustion engines such as passenger cars and trucks. Regarding ground level ozone, please also see the responses to Comments 7 and 11.

Comment 13: Commenters expressed concern about the facility's potential emissions being combined with heat domes, temperature inversions, and wildfire smoke intrusions.

Response 13: The regulations in title 20 and elsewhere do not provide LRAPA with the authority to place additional requirements on the proposed facility's operation of delivery fleet mobile sources and employee mobile sources during these types of events. Some commenters requested the facility be required to curtail mobile source operations during weather events and on days with poor air quality as indicated by the Air Quality Index (AQI).

The AQI is a tool for use by the general public to quickly determine whether there is a health concern for the air quality in their Metropolitan Statistical Area for ground level ozone, particulate pollution, carbon monoxide, sulfur dioxide, and nitrogen dioxide.

LRAPA has no regulatory authority to link the operation of any particular facility to the AQI. LRAPA does have regulatory authority to require source emission reductions under LRAPA Title 51 – Air Pollution Emergencies, but those only apply to industrial “point” sources and do not apply to mobile sources such as those regulated under the ISCP. However, LRAPA conducts outdoor burning and home wood heating advisories that are designed to reduce generation of smoke accumulation, as well as smog or ground level ozone advisories that are designed to reduce ozone accumulation. We acknowledge the concerns raised and remain committed to a balanced approach that prioritizes public health while recognizing the importance of continued economic activity.

Section 4: Vehicle and Traffic Management

Comment 14: LRAPA must not only consider the facility's proposed employee vehicle parking spaces, but also the commercial delivery fleet parking spaces and associated mobile source emissions.

Response 14: As noted in response 7, LRAPA agrees that all parking spaces for mobile sources at the proposed facility must be considered when comparing parking spaces for mobile sources to the parking space thresholds in LRAPA title 20; this includes all parking spaces for mobile sources in the delivery vehicle fleet. Based on LRAPA discussions with the applicant, the source has agreed to minimum EV

commitments in their delivery vehicle fleet and that requirement has been added as a permit condition in the ISCP.

Comment 15: *LRAPA should require use of electric vehicles (EVs).*

Response 15: LRAPA is requiring minimum EV commitments in the delivery vehicle fleet. That requirement has been added as a permit condition in the ISCP.

Comment 16: *Vehicle smog checks should be a requirement of the ISCP.*

Response 16: LRAPA does not have a vehicle inspection program (VIP). Unlike some other areas of the state, the Eugene-Springfield area consistently meets the national standards for ground level ozone and did not need to create a VIP to attain those standards. A VIP program is not necessary for the area to maintain compliance with the national standards for ground level ozone.

Comment 17: *What is the number of new deliveries resulting specifically from this facility versus what happens currently with existing service providers? Will this new warehouse result in a more or less efficient fleet than existing ones? Will this facility be using more or less electric vehicles than existing delivery providers?*

Response 17: These overall traffic and commerce delivery related questions are outside the scope of LRAPA's authority and expertise, and LRAPA does not have the ability to answer this question.

Comment 18: *What are the number of employee shifts? Will the parking lot be filled and emptied three times a day with shift workers? Basic transportation demand management (TDM), such as staggered shifts, carpool incentives, or shuttle service, should be conditions of approval.*

Response 18: LRAPA does not know the specific number of employee shifts at the facility, and the LRAPA title 20 regulations do not require employee shift information to be provided to LRAPA. However, the application includes vehicle trip generation estimates for a period of 1AM to 2AM as one of the highest single hours of site trip generation.

Comment 19: *Does LRAPA have truck idling rules?*

Response 19: LRAPA does not regulate mobile emission sources such as cars or diesel trucks. However, the facility must comply with [ORS 825.605](#), which is enforced by the Oregon Department of Transportation. This state law prohibits commercial vehicles from idling their primary engine for more than five minutes in any 60-minute period while on terminal grounds.

Section 5: Land Use and Environmental Impacts

Comment 20: *Numerous commenters asserted that the project would result in a loss of wetlands and that LRAPA should deny the ISCP as a result.*

Response 20: The regulations in LRAPA's title 20 and elsewhere do not provide LRAPA with the authority to deny or withhold an ISCP based on the type of land it will occupy.

Comment 21: *LRAPA must consider the proposed facility's potential impacts on road degradation due to wear and tear of increased vehicular traffic, the associated road maintenance costs, and the overall significant increase in vehicular traffic.*

Response 21: LRAPA's title 20 regulations provide LRAPA the authority to ensure that the mobile source emissions associated with the facility do not cause the area to exceed any National Ambient Air Quality Standards (NAAQS). The other potential impacts listed by the commenter are outside LRAPA's authority. However, the applicant has worked with the Oregon Department of Transportation (ODOT) on traffic-related issues for the project and provided information in the ISCP application that no changes to the Highway 99 cross-section are needed at the proposed access point.

As noted in Responses 7 and 11 above, LRAPA does not believe this project will cause or contribute to an exceedance of any NAAQS. CO modeling conducted for other ISCPs in Oregon with over 1,000 parking spaces has shown that CO concentrations are well below the NAAQS thresholds for each project.

However, the ISCP application includes a finding that Lane Transit District (LTD) provides service to the site by way of bus route #95 which runs on Highway 99. The north bound stop is approximately 600 feet from the site, and the south bound stop is approximately 900 feet from the southeast corner of the property.

Comment 22: *Paving pastureland increases stormwater runoff and heat island effects—both of which indirectly degrade air quality. LRAPA should consider requiring mitigation, such as pervious paving, canopy trees, or bioswales. LRAPA should also acknowledge long-term environmental tradeoffs from land-use change.*

Response 22: LRAPA acknowledges that the changes from the construction of a warehouse and parking lots may lead to the suggested effects, but those are outside the scope of LRAPA's authority.

Section 6: Other Permits and Alignment

Comment 23: *Are other air quality permits required for this facility?*

Response 23: No, the activities at this location do not trigger requirements for additional air permits under LRAPA's jurisdiction such as an Air Contaminant Discharge Permit (ACDP).

Comment 24: *What activities under the ISCP do LRAPA consider sources of air pollutants?*

Response 24: See response 7 for a full breakdown of air pollutants targeted under an ISCP.

Comment 25: *How does this proposed project align with the City of Eugene's Climate Action Plan Goals alignment or GHG emissions? How does the proposed project align with Eugene's Vision Zero plan to reduce vehicle/pedestrian deaths?*

Response 25: These considerations are outside the scope of LRAPA's authority and would be best posed to the City of Eugene.

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