



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

May 22, 2018

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Patty Nevins, Director

City of Banning – Community Development Department

99 E. Ramsey Street

Banning, CA 92220

**Mitigated Negative Declaration (MND) for the Proposed
Careage Medical Office Building
(General Plan Amendment 17-2504, Zone Change 17-3503 and Design Review 17-7004)**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to build a 36,174 square-foot medical office building on 3.31 acres (Proposed Project). Based on a review of Figure 2, *Project Vicinity*, and the information in the MND, SCAQMD staff found that the Proposed Project is located approximately 1,000 feet south of Interstate 10 (I-10). Construction is expected to take approximately two years beginning in early to mid-2018 and ending in 2020¹.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operation emissions and compared them to SCAQMD's regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's air quality impacts from construction would be less than significant. However, the Lead Agency did not conduct a health risk assessment in the MND to disclose the potential health risks from being in close proximity to I-10. Please see the attachment for detailed comments.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

¹ MND, Page 12.

Patty Nevins

May 22, 2018

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

LAC180515-03

Control Number

ATTACHMENT

Health Risk Assessment from Mobile Sources and Other Sources of Air Pollution

1. Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD's concern about the potential public health impacts of siting sensitive land uses such as medical uses within a close proximity of freeways, SCAQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. After a review of the MND, it was not clear to SCAQMD staff if any medical services and/or treatment to patients would be provided at the Proposed Project. If so, patients would be exposed to diesel particulate matter (DPM) emissions from vehicles traveling on I-10. DPM is a toxic air contaminant and a carcinogen. While the Proposed Project is located approximately 1,000 feet south of I-10 [farther way from the 500-foot distance that is recommended in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook* for siting new sensitive land uses near freeways and high-traffic roads], health studies have shown that adverse health effects were seen within 1,000 feet and were strongest within 300 feet². To facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead Agency consider the health impacts on people at the Proposed Project by performing a HRA³ analysis to disclose the potential health risks in the Final MND⁴.

Guidance on Siting Sensitive Receptors Near a High-Volume Freeway and Other Sources of Air Pollution

2. SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005⁵. This Guidance document provides recommended policies that local governments can use in their General Plans or other local project planning efforts to prevent or reduce potential air pollution impacts and protect public health. Additional guidance on siting incompatible land uses can be found in the CARB's *Air Quality and Land Use Handbook*, which serves as a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Limits to Enhanced Filtration Units

3. Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Any proposed strategy must be carefully evaluated before implementation. In the

² California Air Resources Board. April 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. Page 19. Accessed at: <https://www.arb.ca.gov/ch/handbook.pdf>.

³ South Coast Air Quality Management District. *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁴ SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

⁵ South Coast Air Quality Management District. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

event that enhanced filtration units are proposed for installation at the Proposed Project either as a mitigation measure or project design feature requirement, SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁶, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased operational costs in energy. It is typically assumed that the filters operate 100 percent of the time while people are indoors, and the environmental analysis does not generally account for the times when people have their windows open or are outdoors. In addition, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to DPM emissions.

Enforceability of Enhanced Filtration Units

4. If enhanced filtration units are installed at the Proposed Project, and to ensure that they are enforceable throughout the lifetime of the Proposed Project as well as effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency provide additional details on ongoing, regular maintenance of filters in the Final MND. To facilitate a good faith effort at full disclosure and provide useful information to future tenants at the Proposed Project, the Final MND should include the following information, at a minimum:
 - Disclose the potential health impacts to prospective tenants from being in a close proximity of I-10 and the reduced effectiveness of air filtration system when windows are open and/or when tenants are outdoor;
 - Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
 - Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected regularly;
 - Provide information to prospective tenants or building management on where the MERV filters can be purchased;
 - Disclose the potential increase in energy costs for running the HVAC system to prospective tenants or building management;
 - Provide recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units to prospective tenants or building management;
 - Identify the responsible entity such as tenants themselves or building management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if tenants should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
 - Identify, provide, and disclose any ongoing cost sharing strategies, if any, for the purchase and replacement of the enhanced filtration units;
 - Set City-wide or Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
 - Develop a City-wide or Project-specific process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

⁶ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see also 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.