



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Mitigated Negative Declaration (MND) for the Town & Country Apartments and Townhomes

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 demolish seven commercial buildings totaling 197,874 square feet and build two buildings with 727 residential units totaling 1,264,693 square feet on 12.13 acres (Proposed Project). Based on a review of aerial photographs, SCAQMD staff found that the Proposed Project is located in proximity to State Route 22 (SR-22). Construction is expected to take approximately 32 months to complete¹.

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 activities would be less than significant after incorporating Mitigation Measures 3-1 through 3-3². However, the Lead Agency did not conduct a Health Risk Assessment (HRA) or propose strategies to minimize exposures to diesel particulate matters emitted from vehicles and trucks travelling on SR-22. Detailed comments are included in the attachment. The attachment also includes a discussion on SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities.

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 adoption 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 3-23.

² MND. Table 3.3-4. Page 3-24 and 25.

Monique Schwartz

April 10, 2018

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

ORC180321-01

Control Number

ATTACHMENTHealth Risk Assessment from Mobile 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 populations within close proximity of freeways or other sources of air pollution, 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 and playgrounds, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. Based on a review of the Project Description, SCAQMD staff found that the Proposed Project is located approximately 600 feet south of SR-22, which has an average daily volume of 154,000 vehicles (Post Mile R10.992 at Santa Ana, Main Street)³ including approximately 6,602 diesel-fueled trucks (Post Mile R10.478 at Santa Ana, Joint Routes 5 and 57)⁴.

Diesel particulate matter (DPM) is a toxic air contaminant and a carcinogen. While the Proposed Project is not within 500 feet of the existing freeway, DPM emissions from vehicles and trucks traveling on SR-22 still pose a health concern to residents living at the Proposed Project. To facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead Agency consider the impacts of DPM on people (e.g., residents including seniors and children) who will live at the Proposed Project by performing a HRA⁵ analysis to disclose the potential health risks in the Final MND⁶.

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 2005⁷. This Guidance document provides recommended policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. In addition, guidance on siting incompatible land uses (such as placing homes near rail lines) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. In the Handbook, it is recommended avoiding siting new sensitive

³ California Department of Transportation. 2016 Traffic Volumes on California State Highways. Page 43. Accessed at: http://www.dot.ca.gov/trafficops/census/docs/2016_aadt_volumes.pdf.

⁴ California Department of Transportation. 2016 Daily Truck Traffic. Page 47. Accessed at: http://www.dot.ca.gov/trafficops/census/docs/2016_aadt_truck.pdf

⁵ "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>.

⁶ 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.

⁷ 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>.

land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day⁸.

Limits to Enhanced Filtration Units

3. Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems, sound walls, vegetation barriers, etc. Because of the potential adverse health risks involved with siting sensitive receptors near sources of air pollution, it is essential that any proposed strategy must be carefully evaluated before implementation. In the event that enhanced filtration units are installed at the proposed residential units either as a mitigation measure or project design feature, SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁹, 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 energy costs to the residents. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are outdoor (e.g., on balcony¹⁰ or in common space areas of the project). 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 for the Proposed Project, and to ensure that the enhanced filtration units are enforceable throughout the lifetime of the Proposed Project and that they are effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency provide additional details on future operational and maintenance implementation and monitoring in the Final MND to facilitate a good faith effort at full disclosure. At a minimum, the Final MND should include the following information:
 - Identification of the responsible implementing and enforcement agency such as the Lead Agency for ensuring that enhanced filters are installed at on-site residential units before a permit of occupancy is issued;
 - Disclosure on potential health impacts to prospective residents from living in proximity to freeways and the reduced effectiveness of air filtration system when windows are open and when residents are outdoor (e.g., on balcony or in common space areas of the project);
 - Disclosure on increased energy costs for running the HVAC system to prospective residents;
 - Disclosure on recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units to prospective residents;
 - Ongoing cost sharing strategies, if any, for replacing the enhanced filtration units;
 - Identification of the responsible entity such as Homeowners Association or property management for ensuring filters are replaced on time, if appropriate and feasible;
 - Criteria for assessing progress in installing and replacing the enhanced filtration units; and
 - Process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

⁸ California Air Resources Board. 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. Table 1-1. Page 4.

⁹ 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>.

¹⁰ According to the building designs (Figure 2-9 and Figure 2-10), balconies will be installed at Building A and Building B North Elevation facing SR-22.

SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

5. Since the Proposed Project would include demolition of seven buildings, asbestos may be encountered during demolition. As such, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 1403¹¹ in the Final MND.

¹¹ South Coast Air Quality Management District. Rule 1403. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.