



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 Proposed 56-Unit Townhouse Project

South Coast Air Quality Management District (South Coast AQMD) 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.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct 56 residential units on 2.32 acres of vacant land (Proposed Project). The Proposed Project is located at 13811 Valley View Avenue on the southwest corner of Valley View Avenue and Bora Avenue in the City of La Mirada. Based on a review of Figure 3, *Aerial Photo*, in the MND, South Coast AQMD staff found that two existing distribution centers are adjacent, each located within 1,000 feet, of the Proposed Project¹. The Proposed Project will be under construction in 2020 and is anticipated to be operational by 2021².

South Coast AQMD Staff's Summary of the Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's construction and operational air quality impacts would be less than significant³. No air quality mitigation was included⁴. However, the Lead Agency did not include a discussion on the potential long-term health risks to residents who will live at the Proposed Project, which will be located within 1,000 feet of two existing distribution centers. As such, South Coast AQMD staff recommends that the Lead Agency perform a mobile source health risk assessment (HRA) analysis and include strategies to maximize protection against exposures to toxic air contaminants such as diesel particulate matter emitted from heavy-duty, diesel-fueled trucks visiting the distribution centers in the Final MND. Please see the attachment for more information.

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 South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses 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

¹ MND. Figure 3 *Aerial Photo*. Page 4.

² *Ibid*. Page 6.

³ *Ibid*. Section III Air Quality. Pages 34 through 36.

⁴ *Ibid*.

information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:AM

LAC190827-05

Control Number

ATTACHMENT

Health Risk Assessment (HRA) from Mobile Sources and Other Sources of Air Pollution

1. Notwithstanding the court rulings, South Coast AQMD staff recognizes that 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 South Coast AQMD's concern about the potential public health impacts of siting sensitive populations within a close proximity to major sources of air pollution, such as distribution centers, South Coast AQMD 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, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, the Proposed Project will include construction of 56 residential units. Based on a review of Figure 3, *Aerial Photo*, in the MND, South Coast AQMD staff found that two existing distribution centers are adjacent, each located within 1,000 feet, of the Proposed Project. These operations are capable of generating and/or attracting the use of heavy-duty, diesel-fueled trucks that emit diesel particulate matter (DPM). Residents living at the Proposed Project could be exposed DPM, which the California Air Resources Board has identified as a toxic air contaminant based on its carcinogenic effects⁵. Therefore, South Coast AQMD staff recommends that the Lead Agency consider health impacts on future residents living at the Proposed Project by performing a mobile source HRA⁶ analysis to disclose the potential health risks in the Final MND⁷. This will facilitate the purpose and goal of CEQA on public disclosure and enable decision-makers with meaningful information to make an informed decision on project approval. This will also foster informed public participation by providing the public with information that is needed to understand the potential health risks from living in close proximity to existing sources of air pollution.

Guidance on Siting Sensitive Receptors Near Sources of Air Pollution

2. South Coast AQMD 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 South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005⁸. 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 new sensitive land uses near certain distribution centers⁹) can be found in the California Air Resources Board's (CARB) *Air Quality and*

⁵ California Air Resources Board. August 27, 1998. Resolution 98-35. Accessed at: <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>.

⁶ South Coast AQMD. 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/airquality-analysis-handbook/mobile-source-toxics-analysis>.

⁷ South Coast AQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When South Coast AQMD acts as the Lead Agency, South Coast AQMD 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.

⁸ South Coast AQMD. 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>.

⁹ Distribution centers that accommodate more than 100 trucks per day or more than 40 trucks operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week. The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*. Page 4.

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.

Health Risk Reduction Strategies

3. Many strategies are available to reduce exposure, including, but 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. Enhanced filtration units are capable of reducing exposures. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.

Enhanced filtration systems have limitations. In a study that South Coast AQMD conducted to investigate filters¹⁰, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the building tenants. It is typically assumed that the filters operate 100 percent of the time while sensitive receptors are indoors, and the environmental analysis does not generally account for the times when sensitive receptors have windows or doors open or are in common space areas of a project. Moreover, 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 and disclosed to prospective residences prior to assuming that they will sufficiently alleviate exposures to DPM emissions.

4. Because of limitations, to ensure that enhanced filters are enforceable throughout the lifetime of the Proposed Project and effective in reducing exposures to DPM emissions, South Coast AQMD staff recommends that the Lead Agency provide additional details regarding the ongoing, regular maintenance, and monitoring of filters in the Final MND. To facilitate a good-faith effort at full disclosure and provide useful information to future residents who will live at the Proposed Project in proximity to sources of air pollution, at a minimum, the Final MND should include the following information:
 - Disclose the potential health impacts to prospective residents from living in a close proximity to sources of air pollution (e.g., distribution centers, etc.) and the reduced effectiveness of the air filtration system when windows are open and/or when residents are outdoors (e.g., in the common usable open space areas);
 - 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 and maintained regularly;

¹⁰ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

- Disclose the potential increase in energy costs for running the HVAC system to prospective residents;
- Provide information to residents on where the MERV filters can be purchased;
- Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
- Identify the responsible entity such as residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if residents 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 ongoing cost sharing strategies, if any, for replacing the enhanced filtration units;
- Set City-wide or Proposed Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
- Develop a City-wide or Proposed Project-specific process for evaluating the effectiveness of the enhanced filtration units.