



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Negative Declaration (ND) for the Proposed ZC 17-03, PP 17-02, TT 77198, MND 17-03, and DR 9-17-8380

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

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to subdivide 66,516 square feet for future development of 29 residential units (Proposed Project). Based on a review of Exhibits 1 and 2 in the ND and the aerial photographs, SCAQMD staff found that the Proposed Project is located in proximity to State Route 91 (SR-91).

Mobile Source Health Risk Assessment

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, SCAQMD staff recommends that, prior to approving a project, the Lead Agency consider the impacts of air pollutants on people who will live and work at the project and provide mitigation where necessary.

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. When specific development is reasonably foreseeable as result of the goals and objectives of the Proposed Project, the Lead Agency should identify any potential adverse health risk impacts using its best efforts and a good-faith effort at full disclosure in the CEQA document.

As described above, SCAQMD staff found that the Proposed Project would site sensitive receptors (e.g., 29 residential dwelling units) adjacent to SR-91 (Post Mile R14.618), which has a maximum daily volume of 271,000 total vehicles, including 20,947 diesel fueled trucks¹. Because of the close proximity to the existing freeway, residences at the Proposed Project would likely be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen. DPM emitted from diesel powered engines (such as trucks) has been classified by the state as a toxic air contaminant and a carcinogen. To facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead

¹ Caltrans 2015 Annual Average Daily Truck Traffic on the California State Highway System. Page 111. Accessed at: http://www.dot.ca.gov/trafficops/census/docs/2015_aadt_truck.pdf.

Agency consider the impacts of air pollutants on people who will live and work at the Proposed Project by performing a HRA² to disclose the potential health risks in the Final ND³.

Guidance Regarding Sensitive Receptors Sited Near a High-Volume Freeway or Other Sources of Air Pollution

SCAQMD staff recognizes that there are many factors that 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 (Guidance Document) in 2005. The Guidance Document provides suggested 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. SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. The Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>. In addition, guidance on siting incompatible land uses (such as placing homes near freeways) 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. Guidance⁴ on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

Limits to Enhanced Filtration Units

Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems, sound walls, vegetation barriers, etc.⁵ Because of the potential adverse health risks involved with siting sensitive receptors near a freeway, it is essential that any proposed strategy must be carefully evaluated before implementation. In the event that enhanced filtration units are proposed, the Lead Agency should 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 energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the analysis in a CEQA document does not account for the times when the residents have their windows or doors open or are in common space areas of the project. Furthermore, these filters have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units should therefore be

² 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>.

³ 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.

⁴ In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁵ California Air Resources Board. April 2017. "*Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*". Accessed at <https://www.arb.ca.gov/ch/landuse.htm>. This Technical Advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice.

⁶ This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see the 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures to DPM emissions.

Enforceability of Enhanced Filtration Units

If enhanced filtration units are proposed either as a mitigation measure or a project design feature, 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 ND. At a minimum, the Final ND should discuss the responsible implementing and enforcement agency (or entity); recommended schedules for replacing the enhanced filtration units; ongoing monitoring schedules; ongoing cost sharing strategies, if any, for replacing the enhanced filtration units; disclosure on increased energy costs for running the HVAC system to prospective residents; disclosure on potential health risks from living in proximity to freeways; criteria for assessing progress in installing and replacing the enhanced filtration units; and process for evaluating the effectiveness of the enhanced filtration units.

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the Final ND 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 ND. 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 or to the public who are interested in the Proposed Project.

SCAQMD staff is available to work with the Lead Agency to address any other air quality and health risk questions that may arise. Please contact me at (909) 396-3308, if you have any questions regarding these comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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