



South Coast Air Quality Management District

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Mitigated Negative Declaration (MND) for the Proposed Education First: International Language Campus 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 a new international language school, which would include the renovation of an existing 68,000-square-foot building to create 50 classrooms, and the construction of 85,500 square feet of residential buildings to accommodate 627 students living on site (Proposed Project). Construction of the Proposed Project is anticipated to occur over 12 months, and will be operational by 2020¹. Upon review of Figure 2: *Location Map* in the MND and aerial photographs, South Coast AQMD staff found that the Proposed Project is located within 500 feet of Interstate 405 (I-405)². As such, sensitive receptors (e.g., students and faculty/staff) will be living in close proximity to an existing freeway.

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 regional construction and operational air quality impacts would be less than significant³. Additionally, since the Proposed Project will site sensitive receptors in close proximity to I-405, sensitive receptors living and/or working at the Proposed Project would be exposed to diesel particulate matter (DPM) from diesel fueled, heavy-duty trucks passing by on I-405. DPM has been identified by the California Air Resources Board as a toxic air contaminant (TAC) based on its carcinogenic effects⁴. To foster informed decision-making and public disclosure on the potential long-term health risk to sensitive receptors who will live and/or work at the Proposed Project, the Lead Agency prepared a mobile source Health Risk Assessment (HRA). The Lead Agency analyzed the potential cancer risk to residential assistants, students under the age of 16, and students over the age of 16, assuming that residential assistants would live at the Proposed Project for 10 years and students, regardless of the age, would live at the Proposed Project for 1 year⁵. Based on this analyses, the Lead Agency found that the Proposed Project would result in cancer risk of 4.4 in one million for residential assistants, 2.9 in one million for students under the age of 16, and 0.4 in one million for students over the

¹ MND. Air Quality. Page 35.

² *Ibid.* Project Description. Page 9.

³ *Ibid.* Air Quality. Pages 32 through 41.

⁴ California Air Resources Board. August 27, 1998. Resolution 98-35. Accessed at: <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>.

⁵ MND. Appendix B: *Health Risk Assessment*. Table 1: *Risk Assessment Results*. Page 19.

age of 16⁶, all of which do not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk⁷.

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

Notwithstanding the court rulings, South Coast AQMD 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 South Coast AQMD's concern about the potential public health impacts of siting sensitive land uses, such as residential uses, within close proximity to high-volume freeways, South Coast AQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

To facilitate stronger collaboration between Lead Agencies and the South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, the South Coast AQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This 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. South Coast AQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on South Coast AQMD's website at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. Guidance⁶ 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.

Health Risk Reduction Strategies

The Proposed Project will site sensitive receptors within 500 feet of I-405, which, in 2016, had 8,348 annual average daily truck trips, with 44% of them being 4- and 5-axle trucks at the intersection of I-405 and State Route 55 (Post Mile 8.74)⁸. Since future students and faculty/staff living and working at the Proposed Project would be exposed to DPM from the mobile sources traveling on I-405 (e.g., diesel fueled, heavy-duty trucks), South Coast AQMD staff recommends that the Lead Agency consider the following health risk reduction strategies when making local planning and land use decisions.

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 units have limitations. In a study that South Coast AQMD conducted to investigate filters⁹, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter.

⁶ *Ibid.*

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 California Department of Transportation. 2016. *Truck Traffic: Annual Average Daily Truck Traffic*. Accessed at: <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/f0017681-2016-aadt-truck-ally.pdf>

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 2012 Peer Review Journal article by South Coast AQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

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 TACs including DPM emissions.

Because of the 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 make the installation of enhanced filtration units a project design feature, mitigation measure, or condition of approval, and provide additional details regarding the ongoing, regular maintenance, and monitoring of filters in the Final MND. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit. To facilitate a good-faith effort at full disclosure and provide useful information to future students and faculty/staff living and/or working at the Proposed Project, at a minimum, the Final MND should include the following information:

- a) Disclose potential health impacts to prospective students, faculty/staff from living and/or working in close proximity to freeways and the reduced effectiveness of air filtration systems when windows are open and/or when sensitive receptors are outdoors (e.g., in the common usable open space areas);
- b) 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;
- c) Identify the responsible implementing and enforcement agency such as the Lead Agency, to ensure that enhanced filtration units are inspected and maintained regularly;
- d) Disclose the potential increase in energy costs for running the HVAC system;
- e) Provide information to the building operator/tenant or the property manager of the Proposed Project on where MERV filters can be purchased;
- f) Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
- g) Identify the responsible entity (e.g. the building operator/tenant or the property manager) for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if the building operator/tenant is 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);
- h) Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units;
- i) Set City-wide or project-specific, campus-wide criteria for assessing progress in installing and replacing the enhanced filtration units; and

- j) Develop a City-wide or project-specific, campus-wide process for evaluating the effectiveness of the enhanced filtration units.

Guidance Regarding Siting New School Facilities

The California Public Resources Code 21151.8 and CEQA Guidelines Section 15186 establish special consultation requirements for school projects, which are meant to ensure that lead agencies consult with other agencies, such as the local air district, in order to carefully examine and disclose the potential health impacts that may result from siting a school within one-fourth mile of facilities that may reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Since the Proposed Project involves construction of a new international language school, the Proposed Project is subject to the consultation requirements. South Coast AQMD staff recommends that the Lead Agency review the respective CEQA Guidelines sections and meet the appropriate CEQA requirements, if applicable. For a search of South Coast AQMD permitted facilities pursuant to California Public Resources Code Section 21151.8 and CEQA Guidelines Section 15186, please fill out the “Grid Search Request Form” that is available at: <http://www.aqmd.gov/docs/default-source/aqmd-forms/Permit/ab3205-request-form.pdf>.

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 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,

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Planning, Rule Development & Area Sources

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