



South Coast Air Quality Management District

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SENT VIA E-MAIL:

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Notice of Intent to Adopt Mitigated Negative Declaration (MND) for Fairlynn Townhomes Project (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The Riverside County is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the health risk impacts during operation that the Lead Agency should include in the Revised or Final CEQA document.

South Coast AQMD Staff's Summary of Project Information in the Draft EIR

Based on the MND, the Lead Agency proposes construction of 44 residential units on 2.58 acres.¹ The Proposed Project is located at 6821 Fairlynn Boulevard near the northwest corner of Fairlynn Boulevard and Esperanza Road in Yorba Linda.² Based on a review of aerial photographs, South Coast AQMD staff found that the Proposed Project is located within 741 feet west of Imperial Highway, and adjacent to BNSF Railroad Corridor. The Proposed Project's construction would last approximately 18 months, with activities beginning in Jan 2024 and completion expected in May 2025.³

South Coast AQMD Staff's Comments

Health Risk Strategies Reductions

Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agency that approves CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because South Coast AQMD staff is concerned about the potential public health impacts of siting sensitive populations within proximity of sources of air pollution (e.g., freeway, railroad), it is recommended that, prior to approving future development projects, the Lead Agency consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary. Additionally, South Coast AQMD staff suggests that the Lead Agency review the California Air Resources Board (CARB) Air Quality Land Use and Handbook: A

¹ MND, p. 8.

² Ibid.

³ Ibid. p. 23.

Community Health Perspective⁴ as it 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 with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory.⁵

Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with MERV 13 or better. In some cases, MERV 15 or better is recommended, for building design, orientation, location, vegetation barriers, landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters,⁶ a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary, including costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effect unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the MND. 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 in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, the replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the MND. Therefore, any filtration unit's presumed effectiveness and feasibility should be carefully evaluated in more detail before assuming they will sufficiently alleviate exposure to diesel particulate matter emissions.

Conclusion

According 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 the Lead Agency's position is at variance with recommendations raised in the comments, the issues raised in the comments should be addressed in detail, giving reasons why specific comments and suggestions are not accepted. There should be good faith and reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on

⁴ California Air Resources Board (CARB) Air Quality Land Use and Handbook: A Community Health Perspective. Access at:

<https://www.arb.ca.gov/ch/handbook.pdf>.

⁵ CARB's technical advisory can be found at:

<https://www.arb.ca.gov/ch/landuse.htm>

⁶ This study evaluated filters rated MERV 13 or better. Accessed at:

<mailto:http://www.aqmd.gov/docs/defaultsource/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see [2012 Peer Review](#)

Journal article by South Coast AQMD:

<https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>

public disclosure and are not meaningful, informative, or useful to decision-makers and the public who are interested in the Proposed Project.

We appreciate the opportunity to review the Proposed Project. Thank you for considering these comments. 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 Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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Planning, Rule Development & Implementation

SW:SG

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