



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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**Revised Mitigated Negative Declaration (MND) for the
Proposed McLaughlin Village
(Tentative Tract Map No. 2015-250 (TM 36937), Plot Plan No. 2015-251, and Change of Zone No.
CZ 2015-252)**

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 Revised MND.

SCAQMD Staff's Summary of Project Background

The Lead Agency proposes to subdivide 14.34 acres for development of 126 residential units (Proposed Project). On March 13, 2018, SCAQMD staff submitted the comments¹ on the MND for the Proposed Project. Subsequently, the Lead Agency provided a Revised MND to SCAQMD staff for review. The Revised MND includes updates on Health Risk Assessment for the Proposed Project and extends the public review period from March 14, 2018 to March 28, 2018 and the public hearing date from March 14, 2018 to May 28, 2018.

SCAQMD Staff's Comments

1. In the Revised MND, the Lead Agency found that the exterior cancer risk would be above the SCAQMD's cancer risk of 10 in a million, thereby requiring mitigation measure². The Lead Agency proposed Mitigation Measure AQ-1 to require implementation of minimum efficiency reporting value (MERV) 13 filters³. The Lead Agency recognized that while a MERV 13 filter can remove a substantial number of particulates, including diesel particulate matter (DPM), it does not remove gaseous pollutants⁴. Since filters are usually installed with heating, ventilation, and air-conditioning (HVAC) systems for indoor uses, SCAQMD staff request that the Lead Agency clarify how MERV 13 filters will be installed and used to reduce exterior (outdoor) cancer risk.
2. The Lead Agency found that the Proposed Project's cancer risk impacts would be less than significant because the Proposed Project is not found to be a source of toxic air contaminant (TAC) emissions⁵. After incorporating Mitigation Measure AQ-1, interior cancer risk levels were mitigated to 2.7 in one million below the SCAQMD's 10 in one million threshold of significance for cancer risk. However, outdoor cancer levels to children at residential uses would exceed 10 in one million at approximately 10.78 in one million⁶.

¹ South Coast Air Quality Management District. *Mitigated Negative Declaration (MND) for the Proposed McLaughlin Village (Tentative Tract Map No. 2015-250 (TM 36937), Plot Plan No. 2015-251, and Change of Zone No. CZ 2015-252)*. March 13, 2018.

² Revised MND. Page 26.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.* Page 27.

SCAQMD staff is concerned about the less than significant finding. The 2015 Office of Environmental Health Hazard Assessment (OEHHA) Guidance⁷ acknowledges that children are more susceptible to the exposure to air toxics and has revised the way cancer risks are estimated to take this into account (e.g., increasing the risks for children from cancer causing substances, elevating the breathing rates for children, and adding multi-pathway calculations). The Proposed Project, including both the indoor and outdoor areas, is one project as a whole. Since children at the outdoor areas of the Proposed Project would be exposed to DPM at a level that is above the SCAQMD's 10 in one million threshold for cancer risk, the Lead Agency should provide additional justifications as substantial evidence to support the less than significant finding.

Closing

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the Revised 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.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

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RVC180313-01

Control Number

⁷ 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.