



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT
SINCE 1955

ALAMEDA COUNTY
Tom Bates
(Chairperson)
Scott Haggerty
Jennifer Hosterman
Nate Miley

CONTRA COSTA COUNTY
John Gioia
(Vice-Chair)
David Hudson
Mark Ross
Gayle B. Uilkema

MARIN COUNTY
Harold C. Brown, Jr.

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
John Avalos
Edwin M. Lee
Eric Mar

SAN MATEO COUNTY
Carole Groom
Carol Klatt

SANTA CLARA COUNTY
Susan Garner
Ash Kalra
(Secretary)
Liz Kniss
Ken Yeager

SOLANO COUNTY
James Sperring

SONOMA COUNTY
Susan Gorin
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

August 19, 2011

Dan Schoenholz
General Plan Project Manager
City of Fremont Planning Division
39550 Liberty Street (PO Box 5006)
Fremont, CA 94537

Subject: City of Fremont Draft General Plan Draft Environmental Impact Report

Dear Mr. Dan Schoenholz:

Bay Area Air Quality Management District (District) staff has reviewed your agency's Draft Environmental Impact Report (DEIR) for the City of Fremont's (City) Draft General Plan (Plan). We understand that the Draft 2010-2035 General Plan will focus development near existing stations and transit corridors, and anticipates the vast majority of population growth to occur in the City's Priority Development Areas (PDAs). We also understand that the type of residential growth in the Plan will differ from the currently predominate use of single family homes, with approximately 2/3 of new households being multi-family and 1/3 being single-family. By the year 2035, the Plan would allow for an additional 45,000 residents, and over 43,000 jobs.

District staff has the following specific comments on the Project's environmental analysis.

Risks and Hazards for New Receptors Analysis

The Risk and Hazard analysis in the DEIR included air dispersion modeling around potential sources of toxic air contaminants (TAC) and fine particulate matter (PM2.5), such as major roadways/freeways, rail lines, and stationary sources. The results indicated that areas within 1,000 feet from these sources could be above the District's significance thresholds for Risk and Hazards. Based on this analysis, the DEIR identified potentially significant impacts to future sensitive receptors from TAC's and PM2.5.

The DEIR included Mitigation AIR-2 to reduce this potentially significant impact below the significance level by recommending that any future proposed development of sensitive receptors "near" these major sources of TACs and PM2.5 "should" conduct air dispersion modeling to determine if any of the measures in Mitigation AIR-2 should be implemented. Mitigation AIR-2 as currently written cannot ensure that significant impacts to future sensitive receptors will not occur. There is no definition for "near" to identify when additional analysis would be needed and the DEIR did not provide any analysis of the effectiveness of the measures in Mitigation AIR-2 to reduce TAC and PM2.5 exposure. There is the potential that some areas within the City would still expose future sensitive

Spare the Air

The Air District is a Certified Green Business

Printed using soy-based inks on 100% post-consumer recycled content paper



receptors to risk levels above the significance thresholds even if all the measures listed in AIR-2 were implemented.

The analysis in the DEIR has not provided any justification to conclude that all future development “near” TAC and PM2.5 sources will be able to mitigate below the significance level. Mitigation AIR-2 measures include site design, phased development, landscape planning/tree plantings, filtration systems and measures addressing physical treatments to stationary sources. While these measures can reduce TAC and PM2.5 impacts, site specific modeling would be needed to determine if these measures would actually reduce the potential impacts below the significance threshold for any given project.

The District recommends that Mitigation AIR-2 be amended to include the following: All proposed development of sensitive receptors located within an area with a greater than 10 in a million cancer risk or a PM2.5 concentration above 0.3 ug/m3 shall conduct air dispersion modeling to determine if the measures in AIR-2, or others, will reduce the impacts below the District’s significance thresholds.

The air dispersion modeling in the DEIR is inconsistent with the District’s Recommended Methods for Screening and Modeling Local Risks Local Risks and Hazards (<http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20Modeling%20Approach.ashx?la=en>). Therefore, we suggest that the City revise the air dispersion modeling to be consistent with our methodology prior to using it to determine if a proposed project is within trigger levels listed above. However, the District’s Risk and Hazard screening tables can be used to determine if a proposed project is within these trigger levels listed above (<http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Tools-and-Methodology.aspx>).

Criteria Air Pollutants Emissions Analysis

According to the DEIR, City-wide vehicle miles traveled (VMT) is projected to increase at a faster rate than the City’s population, resulting in significant and immitigable air quality impacts. The Bay Area is currently in non-attainment for health based state and federal ozone and particulate matter standards. The emissions from increased VMT should be reduced to the maximum extent feasible to ensure that the Plan does not adversely affect attainment of national and state air quality standards. While the District is pleased to see policies in the Plan that address emission reductions from transportation through enhanced public transit, pedestrian/bicycle amenities and transportation demand management programs, we recommend strengthening the policies to be required as conditions of approval for all future development within the City. This can be accomplished by changing words such as “should” to “shall” and “encourage” to “require” within these policies. In addition to the policies included in the Plan, District staff has identified additional feasible measures/policies that should be required as conditions of approval for all subsequent development within the City:

- Unbundle parking costs from rents and leases;
- Carpool parking preferences;
- Electric vehicle charging stations.

Greenhouse-Gas (GHG) Emissions Analysis

District staff understands that the Plan will result in GHG emission levels below the District's plan-level GHG efficiency threshold of 6.6 metric tons per service population by 2020. However, the DEIR finds a significant cumulative impact from GHG emissions beyond 2020 because the projected GHG estimates would exceed the State's GHG emission reduction goals for the year 2035. District staff has identified a number of feasible measures/policies that will reduce the severity of the significant air quality impacts identified in the DEIR and should be adopted with the Plan:

- A time of sale Residential Energy Conservation Ordinance/Commercial Energy Conservation Ordinance (RECO/CECO) with energy efficiency requirement that exceeds Title 24 for existing development;
- Parking strategies such as pricing/eliminating minimum requirements for new development;
- Establish a citywide pricing program for public parking;
- Require preferential parking spaces for ridesharing and low emission vehicles in all new office and commercial construction projects.

District staff is available to assist City staff in addressing these comments. If you have any questions, please contact Jackie Winkel, Environmental Planner, (415) 749-4933.

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

cc: BAAQMD Chairperson Tom Bates
BAAQMD Director Scott Haggerty
BAAQMD Director Jennifer Hosterman
BAAQMD Director Nate Miley

