



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT  
SINCE 1955

January 26, 2012

Joel Paulson  
Town of Los Gatos  
Community Development Department  
110 E. Main Street  
Los Gatos, CA 95030

Subject: Notice of Preparation of the Draft Environmental Impact Report for  
the North Forty Specific Plan

Dear Mr. Paulson:

Bay Area Air Quality Management District (District) staff has reviewed your agency's Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the North Forty Specific Plan (Plan) located in the Town of Los Gatos (Town). We understand that the Plan includes the development of approximately 44 acres located at the northern extent of the Town, and that the Plan area is adjacent to both State Route 17 and State Route 85. The Plan calls for up to 555 residential units (including multi-family, townhomes, single-family and mixed-use with residences above), up to 420,000 sf of retail/food/entertainment, up to 162,000 sf of office space, and a hotel/conference center with up to 150 rooms. If approved, the Plan would serve to implement the Town's *2020 General Plan* guidance for development within the entire Plan area.

We also understand that the Plan is currently not yet complete, and that the various land-use alternatives are still being analyzed. District staff encourages the City to promote compatible land uses. Housing and other land uses located in close proximity to sources of toxic air contaminants (TAC) and/or particulate matter (PM) should be located at a safe distance from the emission sources to the extent possible. If this is not possible, we recommend the implementation of other strategies to reduce exposure of sensitive land uses as much as possible, such as developing at a future date when risks are expected to decrease due to vehicle fleet turnover; incorporating strategic site design to minimize exposure; or installing air filtration units. In addition, at this stage, the Plan presents an opportunity for addressing air quality on a broader level rather than a project-by-project basis where a single proposed development may not be able to mitigate, by itself, potentially significant impacts. If the Plan contains air quality performance measures, such as those mentioned above, and analyzes any potential air quality impacts in the DEIR, future individual projects that are consistent with the Plan and implement the performance measures can take advantage of tiering or streamlining under CEQA.

The District has the following specific comments on the air quality analysis that should be included in the DEIR.

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### **Toxic Air Contaminants and Particulate Matter**

According to the NOP, the Plan may introduce new sources of TACs and/or PM. The Plan calls for new commercial, office and mixed uses which are often associated with commercial loading zones and loading docks, which generate truck-related diesel particulate emissions. These types of unpermitted sources of TACs and PM could impact nearby existing or future sensitive receptors. In addition, Staff is also concerned about the potential adverse health impacts associated with new sensitive receptors being located in close proximity to existing sources of TACs and/or PM such as State Route 17, State Route 85, other major roadways, and stationary sources.

District staff encourages the Town to use the tools and resources on the District's web site to evaluate the potential local impacts from exposure of TAC and/or PM concentrations to existing and future sensitive receptors within the Plan area, as well as to evaluate the potential impacts from the introduction of new sources of TACs and/or PM. The tools can be downloaded from <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Tools-and-Methodology.aspx>. The analysis in the DEIR should include permitted stationary sources, highways, major roadways, and any active rail lines in or within 1,000 ft. of the Plan boundary. The analysis in the DEIR should also include any new sources of TACs and/or PM, whether permitted or unpermitted. We can provide further assistance in using the tools and in estimating potential adverse impacts from the identified sources. In addition, District staff can assist in the development of mitigation strategies and measures that could be included in the Plan to minimize potential local air quality impacts, as well as help ensure that the Plan can take advantage of tiering under CEQA.

### **Air Quality Analysis**

In addition to the comments above, the District has the following specific comments on the air quality analyses that should be included in the DEIR.

1. The DEIR should discuss the District's attainment status for all criteria pollutants and the implications for the region if these standards are not attained or maintained by statutory deadlines; a discussion of the health effects of air pollution (especially on sensitive receptors); and a discussion of greenhouse gas (GHG) emissions and the potential impacts from climate change in the Bay Area.
2. The DEIR should provide a map that clearly identifies the Plan boundary; existing and future planned sensitive receptors (e.g. residences, schools, day cares, hospitals, and nursing care facilities) and all stationary sources, major roadways, highways, and rail lines within 1,000 feet of the Plan boundary.
3. The District's *CEQA Air Quality Guidelines (May, 2011)* provide guidance on how to evaluate potential construction, operational, and cumulative air quality impacts. A copy can be downloaded from <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>.

4. The DEIR should provide a detailed analysis of the potential effects on local and regional air quality from construction and operations (including permitted and non-permitted stationary and area emissions, and mobile emissions). This analysis should include an estimation of both maximum daily and annual emissions of reactive organic gases (ROG), nitrogen oxides (NOx), greenhouse gases (GHGs), and particulate matter (PM2.5 and PM10) that could result from the proposed land uses. These estimates should be compared to the significance thresholds in the District's *CEQA Air Quality Guidelines*.
5. The DEIR should evaluate the potential health risks from construction and operation activities to existing and future sensitive populations within the Plan area.
6. The DEIR should identify and evaluate measures to reduce criteria pollutants, toxic air contaminants, and GHGs to mitigate potential impacts. These measures should be incorporated into the Plan such that, when implemented on a project-by-project basis, impacts will be below a level of significance. The District's *CEQA Air Quality Guidelines* can assist in identifying and quantifying these measures.

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

Sincerely,



Jean Roggenkamp  
Deputy Air Pollution Control Officer

cc: BAAQMD Director Susan Garner  
BAAQMD Director Ash Kalra  
BAAQMD Director Liz Kniss  
BAAQMD Director Ken Yeager