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December 5, 2012

Mr. Kevin J. Gailey, Chief of Planning
Town of Danville
Planning Division
510 La Gonda Way
Danville, CA 94526

Subject: Town of Danville General Plan Update and Sustainability Action Plan

Dear Mr. Gailey,

Bay Area Air Quality Management District (District) staff has reviewed the Town's Draft Environmental Impact Report (DEIR) prepared for the Draft General Plan Update (Plan) and the Sustainability Action Plan (SAP). District staff understands that the Plan is an update to the Town's 1999 General Plan, allowing for an additional 6,400 residents and 1,500 employees by 2030. The SAP was prepared concurrently with the Plan and is designed to help the State reach greenhouse gas (GHG) emission targets while streamlining the development review process.

District staff has the following specific comments on the DEIR, Plan, and SAP.

Air Quality Analysis

District staff commends the Town for its commitment to increasing housing diversity and densities, focusing future growth in the downtown area, and promoting transit oriented development. However, the DEIR concludes that implementation of the Plan would result in significant and unavoidable air quality impacts primarily due to increases in automobile use and associated vehicle miles traveled (VMT). District staff encourages the Town to fully evaluate and adopt all feasible mitigation, as required by CEQA, to reduce these significant impacts. District staff has identified additional feasible mitigation measures to reduce VMT and recommends the following:

- Change the terms "encourage" and "should" to "require" or "shall" in General Plan policies 3.08, 4.02, 4.07, 5.09, 14.04, and 14.08
- Require all employers with 50 or more employees to provide transit subsidies
- Require new development to incorporate design elements that improve non-automotive circulation such as connecting walkways and bicycle paths to homes and public spaces
- Lower parking standards for multi-family projects and unbundle parking costs from rents and leases
- Amend the zoning code to allow for neighborhood serving retail in residential areas

Health Risk Assessment

We recognize several proactive steps being taken to minimize the public's exposure to toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}) from local sources. This included identifying and modeling local concentrations of TACs and

PM_{2.5} at four separate locations slated for future residential development. The Plan also contains several policies to protect public health from TAC and PM_{2.5} exposure such as requiring further site-specific modeling; evaluating new sources of TACs to avoid significant health risks; and installing high efficiency particulate air (HEPA) filtration devices in residential buildings, as necessary. According to the Plan, if site-specific analysis indicates that sensitive receptors will be potentially exposed to significant concentrations of TACs or PM_{2.5}, then the Town will consider alternative land uses that do not include sensitive receptors. District staff supports these policies and recommends amending General Plan Policy 34.04 to specify the best practices that new development with sensitive receptors will implement to minimize exposure. This can include:

- Design the site layout to locate sensitive receptors as far as possible from local sources of TACs and PM_{2.5}
- Locating building air intakes, operable windows, balconies, and public spaces at the furthest point away from local sources of TACs and PM_{2.5}
- Prohibit first floor residential uses
- Planting trees between sensitive receptors and local sources of TACs and PM_{2.5}

In addition, District staff recommends amending General Plan Policy 34.06 to specify requiring HEPA filters with a minimum efficiency reporting value (MERV) of at least 16. The majority of health risks within the Plan area are associated with vehicular emissions from Interstate 680 and MERV16 filters are able to capture the smaller particle size associated with diesel PM.

Greenhouse Gas Emissions

According to the DEIR, the Plan will have significant and unavoidable GHG emission impacts. District staff has identified a number of additional feasible measures that should be implemented in order to fully mitigate this impact. This includes:

- Changing the terms “encourage” and “promote” to “require” or “shall” in all policies and actions related to the Town’s goals of sustainability
- Adopting a citywide green building ordinance beyond that currently required by the CALGreen Code such as reducing indoor water use by 25%, exceeding Title 24 energy efficiency standards by 15%, and institute residential/commercial programs to divert solid waste by 75%
- Establishing policies to support GHG reductions in municipal operations and practices by installing renewable energy systems, retrofitting facilities for improved energy efficiency, offering transit subsidies to Town employees, and incorporating environmentally preferable purchasing procedures for municipal contracts and events
- Providing incentives to promote infill development in the downtown area such as reduced impact fees, lower permitting fees, and streamlined permitting processes

Sustainability Action Plan

The District applauds the Town’s initiative in addressing GHG emissions and supports its efforts in developing the SAP. District staff recognizes that the SAP includes valuable analysis and policies, and represents a significant commitment by the Town. However, the District does not

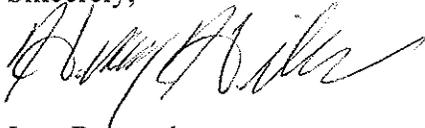
believe that the SAP has yet met the standards for CEQA tiering (§15183.5) for the following reasons:

- There is a lack of technical detail supporting the GHG emission inventories, forecasts, and emission reduction estimates from the SAP's measures. This information is particularly important for understanding emissions from the transportation sector, which is the largest source in the Town. Without this information, District staff and the public is unable to determine if the SAP will enable the Town to meet its GHG reduction target. We recommend the SAP include the assumptions and methodologies used to determine annual VMT as well as those used to estimate GHG reductions from all of the SAP's measures.
- GHG reductions from measures adopted prior to the 2005 base year appear as being counted towards meeting the 2020 target. Including these measures towards meeting the 2020 target would double-count reductions because existing policies are more appropriately reflected in the Town's 2020 BAU forecast.
- District staff strongly encourages the Town to consider additional mandatory measures, as identified in the above comments addressing VMT and GHG emissions. This would also increase the likelihood of the Town meeting its 2020 GHG reduction goal and reduce the Plan's significant GHG impacts at build out in 2035.
- District staff recommends extrapolating the Town's 2020 GHG reduction target out to the Plan's build-out year of 2035 in order to demonstrate that the SAP is on a trajectory to helping the State meet its long-term GHG reduction goals under Executive Order S-3-05.

We commend the Town for its efforts to address the critical issue of climate change through local action. By addressing the issues in this letter, the SAP will better reflect the District's own guidance on the development of climate action plans. In doing so, District staff believes that the SAP would be more likely satisfy CEQA's standards for tiering and fulfill CEQA's requirement to fully evaluate and adopt all feasible mitigation measures to reduce significant GHG impacts from development allowed under the proposed General Plan.

District staff is available to assist the Town in addressing these comments. If you have any questions, please contact Ian Peterson, Environmental Planner, at (415) 749-4783.

Sincerely,



for Jean Roggenkamp
Deputy Air Pollution Control Officer

cc: BAAQMD Chairperson John Gioia
BAAQMD Director David Hudson
BAAQMD Director Mary Piepho
BAAQMD Director Mark Ross