

November 26, 2025

Charlotte Yuen  
Planner II  
City of San José  
200 E. Santa Clara St.  
San Jose, CA 95113

RE: Notice of Preparation of a Supplemental Environmental Impact Report for the Additional Digester Facilities Upgrades Project of the San Jose/Santa Clara Water Pollution Control Plant Master Plan

Dear Charlotte Yuen,

Bay Area Air District (Air District) staff have reviewed the Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR) for the Additional Digester Facilities Upgrades Project (Project) and prepared the following comments.

The Project, located in northern Santa Clara County at the San José–Santa Clara Regional Wastewater Facility, proposes to replace existing digesters to improve treatment efficiency and meet current regulatory standards. Four existing digesters and related structures will be demolished and replaced with six upgraded digesters featuring new covers, an upgraded gas mixing system, and associated infrastructure. The Project also includes construction of a new electrical building, two new overflow/stormwater pump stations, and related pipelines. Additionally, the Project includes a new medium-sized Fats, Oils, and Grease (FOG) receiving facility to receive and process FOG materials that are trucked to the Wastewater Facility. This receiving facility will have a concrete off-loading containment area and two FOG storage tanks. Security lighting will be installed at each tank along with odor treatment using activated carbon or similar technology for potential odorous air from the FOG storage tanks.

As the proposed modifications to the Wastewater Facility may impact surrounding communities, the Air District is providing the following recommendations to assist the City of San José in the development of the SEIR.

Environmental Justice Communities:

The Project is located within the community of Alviso, which is designated as a Disadvantaged Community under Senate Bill (SB) 535 (De León, Chapter 830, Statutes of 2012). Given the Project's proximity to Alviso, the Air District recommends implementation of best practices for environmental justice, health, and equity in Project planning and design, as outlined in Chapter 2 of the Air District's 2022 CEQA Guidelines<sup>1</sup>. Consideration and discussion of race, demographics, social determinants of health, and land use history of a potentially impacted community is crucial to a proper and thorough environmental review.

Additionally, the City of San José should complement the identification of environmental justice communities with ground truthing to supplement technical information with local knowledge and lived experiences to help inform the Project design. The Air District encourages the lead agency to implement

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<sup>1</sup> Bay Area Air Quality Management District, 2022 California Environmental Quality Act (CEQA) Guidelines, Chapter 2, Best Practices for Centering Environmental Justice, Health, and Equity.

a robust community engagement strategy to reach surrounding communities including Alviso. This will ensure the Project addresses any environmental justice considerations and human health impacts.

The Air District's 2025 CEQA Guidelines Supplemental<sup>2</sup> provides additional guidance for implementing best practices for centering environmental justice, health, and equity.

#### Air Quality and Greenhouse Gas Emissions:

- **Quantify and Characterize Emissions.** The NOP states that operational impacts are expected to be primarily related to maintenance and assessed qualitatively. Both a qualitative and *quantitative* assessment should be conducted to evaluate operational emissions and related impacts especially as the Project includes significant changes to digester gas production and composition, which may increase ammonia and hydrogen sulfide concentrations and related odors. The SEIR should include a calculation of net increases or decreases in heat input to any on-site combustion devices fueled by digester gas and resulting changes in emissions of criteria and toxic air pollutants and Greenhouse Gases (GHG).
- **Flaring and Energy Use.** The SEIR should address whether the Project may result in increased flaring activity and whether digester upgrades would reduce reliance on natural gas.

#### Air District Resources and Permit Requirements:

- **Air District CEQA Guidelines and Resources.** The Air District's CEQA Guidelines provide guidance for recommended thresholds of significance. Additionally, the CEQA Guidelines include appendices to assist Lead Agencies in evaluating emissions and mitigating impacts. Further, the Air District publishes several tools and resources to assist Lead Agencies in analyzing air quality impacts. These resources can be found on the Air District's CEQA website at <https://www.baaqmd.gov/en/plans-and-climate/california-environmental-quality-act-ceqa>.
- **Air District Permit and Regulations.** Certain aspects of the Project may require a permit from the Air District. Please contact Barry Young, Senior Advanced Projects Advisor, at [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov) to discuss permit requirements. Any applicable permit requirements and Air District regulations, including [Regulation 9, Rule 2: Hydrogen Sulfide](#)<sup>3</sup> should be discussed in the SEIR.

If you have any questions or would like to discuss the Air District's comments further, please contact Hillary Nguyen Pham, Planning and Climate Protection Division ([hnguyenpham@baaqmd.gov](mailto:hnguyenpham@baaqmd.gov)).

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<sup>2</sup> Bay Area Air Quality Management District, 2025 California Environmental Quality Act (CEQA) Guidelines Supplemental, Guidance for Implementing Best Practices for Centering Environmental Justice, Health, and Equity in CEQA [https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/tools/california-environmental-quality-act-guidelines-supplemental\\_april-2025-pdf.pdf?rev=31b9ea743b354b25b67b4cd244d0a322&sc\\_lang=en](https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/tools/california-environmental-quality-act-guidelines-supplemental_april-2025-pdf.pdf?rev=31b9ea743b354b25b67b4cd244d0a322&sc_lang=en)

<sup>3</sup> Bay Area Air Quality Management District. Regulation 9, Rule 2: Hydrogen Sulfide [https://www.baaqmd.gov/~media/dotgov/files/rules/reg-9-rule-2-hydrogen-sulfide/documents/rq0902.pdf?rev=59df4397989444f095ab76ca054e65b7&sc\\_lang=en](https://www.baaqmd.gov/~media/dotgov/files/rules/reg-9-rule-2-hydrogen-sulfide/documents/rq0902.pdf?rev=59df4397989444f095ab76ca054e65b7&sc_lang=en)

Sincerely,

A handwritten signature in dark ink, appearing to be 'Greg Nudd', with a stylized, flowing script.

Greg Nudd, Deputy Executive Officer of Policy  
Bay Area Air District

CC: Vice Chair Vicki Veenker  
Director Margaret Abe-Koga  
Director Otto Lee