



September 26, 2016

**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

VTA Environmental Programs and Resources Management  
Attn: Lani Ho, Environmental Planner III  
3331 North First Street, Bldg. B-2  
San Jose, CA 95134-1927

Subject: Draft Environmental Impact Report (EIR) for the Mathilda Avenue Improvements at SR 237 and US 101 Project

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Bay Area Air District:



Dear Ms. Ho,

Bay Area Air Quality Management District (Air District) staff appreciates the opportunity to review the Draft EIR for the Mathilda Avenue Improvements at SR 237 and US 101 Project (Project), which is a joint Project between VTA, Caltrans, and the City of Sunnyvale, with Caltrans as the Lead Agency. This Project consists primarily of improvements to the interchanges between Mathilda Avenue and SR 237 and US 101 to relieve traffic congestion. Bicycle improvements along Mathilda Avenue are proposed as part of the project, as well as the creation of a new Class 1 bike path to replace Moffett Park Drive between Bordeaux Drive and Mathilda Avenue.

The Air District commends the project proponents for the incorporation of bicycle improvements in the Project, and particularly for improving bicycle connections in the area. Air quality will be improved by reducing congestion and vehicle miles traveled through increased use of the bicycle facilities.

Air District staff is concerned that the Project's construction emissions of nitrogen oxides (NO<sub>x</sub>) will result in significant short-term air quality impacts, which could have impacts on human health. The Project's estimated daily emissions are calculated to be 96 lb of NO<sub>x</sub>, well over the 54 lb/day NO<sub>x</sub> threshold which is referenced in the DEIR. The San Francisco Bay Area Air Basin is currently a non-attainment area for ground-level ozone, which is formed from ozone precursors including NO<sub>x</sub>. Ground-level ozone is a criteria pollutant under both the Federal and the California Clean Air Acts. In addition, the Federal ozone standard was recently lowered to 70 parts per billion, which will make it more difficult for the Bay Area to attain this health-based standard and which also makes it even more important for projects to reduce emissions when feasible measures exist to do so.

Staff appreciates the information provided in discussions with VTA staff and agrees that each lead agency has the discretion to adopt its own significance thresholds or basis for making a determination of significance, based on substantial evidence. Further, we understand that Caltrans, as lead agency for this project, has applied its Standard Environmental Reference (SER), which gives the internal project development team the responsibility of determining significance

under CEQA. However, the Draft EIR does not identify any basis for determining significance other than the 54 lb/day threshold, which it states is only "for reference."

Air District staff recommends that the Draft EIR explain the rationale for determining that the Project's construction emissions of 96 lb/day of NO<sub>x</sub> is a less than significant effect, and discuss the facts and substantial evidence supporting that determination. CEQA Guidelines Section 15064(f) states that the "decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency." Caltrans' SER places the responsibility for identifying the appropriate basis for a significance determination on the internal project development team, but does not eliminate CEQA's requirement for this determination. Air District staff believes that the Project's Draft EIR does not provide justification or the substantial evidence needed to support a determination that the NO<sub>x</sub> emissions are less than significant.

Further, the Draft EIR states that mitigation measures AQ-1 and AQ-2 "would ensure that air quality impacts from construction activities are less than significant." (p. 2.3-15) However, the Air Quality Study Report prepared for the project does not quantify the reduction in emissions due to these mitigation measures, but only states that they "would help to minimize air quality impacts from construction activities." (p. 52) To determine whether the mitigation measures would, in fact, reduce the emissions to a less than significant level as concluded in the Draft EIR, project emissions need to be quantified with the mitigation measures in place and compared with the Lead Agency's threshold of significance, once that threshold has been identified.

Given the levels of NO<sub>x</sub> that will be produced during construction of this project, Air District staff recommends the following mitigation measure be implemented to reduce significant air quality impacts:

AQ-3: Construction contracts shall require the use of Tier 2 or higher engines and the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type as certified by the California Air Resources Board. For reference, Tier 4 engines automatically meet this requirement.

AQ-4: Idling time shall be limited to no more than two minutes.

Air District staff also recommends that the Project plant additional trees in order to mitigate the loss of greenhouse gas sequestration due to the removal of existing trees. Caltrans, as Lead Agency, has determined pursuant to CEQA Guidelines Section 15145 that "it is too speculative to make a determination regarding the significance of the Project's direct impact and its contribution on the cumulative scale to climate change." However, Caltrans has further stated that the agency "is firmly committed to implementing measures to help reduce the potential effects of the Project." (p. 2.7-10) To accomplish this goal, Air District staff recommends that the number of trees planted in the project area exceed the number of trees being removed in order to further improve carbon sequestration and reduce greenhouse gases, in accordance with State goals. Co-benefits could be achieved by planting trees between SR 237 and the proposed Class 1 bicycle lane, and between the highways and other adjacent land uses in order to filter air and improve air quality for users of the bike lane and adjacent land uses.

Air District staff is available to assist the project proponents in addressing these comments. For more information, or if you have any questions, please contact Karen Kristiansson, Principal Planner, at (415) 749-4753 or via email at [kkristiansson@baaqmd.gov](mailto:kkristiansson@baaqmd.gov).

Sincerely,



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Jean Roggenkamp  
Deputy Executive Officer

cc: Director Cindy Chavez  
Director Liz Kniss  
Director Jan Pepper  
Director Rod G. Sinks  
Caltrans District 4 Director Bijan Sartipi