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May 6, 2020

Meenaxi Raval

Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

RE: Avenues: The World Schools Project – Draft Environmental Impact Report

Dear Ms. Raval,

Bay Area Air Quality Management District (Air District) staff has reviewed the draft Environmental Impact Report (DEIR) for the proposed Avenues: The World Schools Project (Project). The Project would change the zoning designation for an 11.87-acre site in the City of San Jose from Industrial Park to Combined Industrial Commercial to develop a private school serving pre-kindergarten through 12th grade for approximately 2,744 students and 480 faculty and staff. This campus would include adaptive reuse of two existing buildings and new construction, resulting in a total of seven buildings including 128 classrooms, a theater, a gymnasium and aquatic center, administrative space, and a sports field.

School siting warrants particular care. California Education Code §17251 and California Code of Regulations (CCR) Title 5, §14001 - §14012, outline school siting requirements by the California Department of Education. Trucks traveling on public roads often contain hazardous materials. Highway setbacks for schools are recommended to be at least 2,500 feet when explosives are carried and at least 1,500 feet when gasoline, diesel, propane, chlorine, oxygen, pesticides, and other combustible or poisonous gases are transported. The Project site is located less than 500 feet from Interstate 280 and busy roadways. Although the Project is a private school not seeking state funding, it is important to consider these setback recommendations as they are designed to be health protective for school-aged children.

Health Risk Assessment and Toxic Air Contaminant Impacts

Staff reviewed the Project Air Quality and Community Health Risk Assessment (Appendix B). The DEIR concludes that the exposure of sensitive receptors to health risk would be less than significant with mitigation incorporated. However, the modeling methodology concerning exposure of sensitive receptors to pollutant concentrations of toxic air contaminants and PM_{2.5} deviates from practices recommended by the Air District and the State of California's Office of Environmental Health Hazard Assessment. The Air District is concerned that the

potential cancer risk and PM_{2.5} concentrations may be underestimated because the modeling included several discrepancies, including reduced exposure time and frequency.

The Air District's comment letter dated August 1, 2019, regarding the Project's Notice of Preparation stated: "A site-specific analysis is recommended to evaluate the potential and cumulative health impacts due to nearby sources of air pollution, including Interstate 280 and Reed & Graham asphalt facility, which are both within ¼ mile from the fenceline of the Project site." The health risk assessment was missing relevant sources in the analysis, including the boilers and cooling racks onsite as well as the Reed & Graham facility offsite. In addition, while the health risk assessment did analyze Interstate 280, the emissions appear underestimated due to the low volume of diesel trucks and the exclusion of the freeway on-ramp, which is located about 250 feet from the new sports field.

Moreover, because construction is phased over 10-15 years, new sensitive receptors will be part of the Project site while construction continues. Thus, the health risk assessment should disclose the impact of construction and operation to new sensitive receptors at the Project site. Staff recommends that the City revise the air quality and health risk analysis and coordinate with the Air District on the best practices and protocols to ensure the most current methods are used.

Air District Rules and Regulations

Air District staff advises the City to comply with the following rules and regulations.

- **Authority to Construct/Permit to Operate.** The Air District is responsible for the issuance of air quality permits for stationary equipment in the Bay Area and the management of the resulting air emissions. Because the Project includes two backup generators, boilers, and cooling towers, the project applicant will need to apply for an Air District Authority to Construct/Permit to Operate prior to construction. Please contact Barry Young, Senior Advanced Projects Advisor, at byoung@baagmd.gov or (415) 749-4721 to discuss permit requirements.
- **Asbestos Demolition.** The DEIR states that asbestos was found during the Phase I Environmental Site Assessment. Please ensure that the asbestos materials are removed pursuant to Regulation 11, Rule 2 (Asbestos Demolition, Renovation and Manufacturing) work practice and waste disposal requirements prior to disturbance during construction activities. An asbestos survey must be conducted by a Certified Asbestos Consultant (CAC) pursuant to Regulation 11, Rule 2, Section 303.8. A notification for removal of regulated asbestos containing materials, if present, must be made to the Air District 10 working days prior to disturbance. A separate notification for structural demolition must also be made to the Air District 10 working days prior to beginning demolition work. Please contact the Compliance & Enforcement Division's Asbestos group at asbestosjobs@baagmd.gov or (415) 749-4762 to discuss the requirements.

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- **Trackout Requirement.** Air District staff recommends including compliance with Regulation 6, Rule 6 (Prohibition of Trackout) as part of Mitigation Measure AIR-3 to limit particulate matter emissions by controlling trackout of solid materials onto paved public roads.

Air District staff is available to assist the City in addressing these comments. If you have any questions or would like to discuss Air District recommendations further, please contact Josephine Fong, Environmental Planner, at jfong@baaqmd.gov or (415) 749-8637.

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

cc: BAAQMD Director Margaret Abe-Koga
BAAQMD Vice Chair Cindy Chavez
BAAQMD Director Liz Kniss
BAAQMD Chair Rod G. Sinks