



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

August 10, 2020

Julie Wyrick, Planning Division Manager
Gilroy Community Development Department
7351 Rosanna Street
Gilroy, CA 95020-6197

RE: City of Gilroy 2040 General Plan – Draft Environmental Impact Report

Dear Ms. Wyrick,

Bay Area Air Quality Management District (Air District) staff has reviewed the draft Environmental Impact Report (DEIR) for the City of Gilroy’s 2040 General Plan (Plan). As an update to the City’s 2020 General Plan, the Plan will be used by the Gilroy City Council, Planning Commission, and City staff to make decisions with direct or indirect land use implications. It provides a framework for City regulatory measures, administrative procedures, and inter-jurisdictional coordination of planning efforts among officials, City staff, and other government agencies. The Plan includes potential development of up to 6,477 new housing units, a population increase of 19,756 new residents, and 21,434 new jobs.

Air Quality

Vehicle Miles Traveled (VMT)

Air District staff commends the City for its commitment to increasing housing diversity and density, focusing future growth in higher-density residential neighborhoods, and promoting transit-oriented development. However, the DEIR concludes that implementation of the Plan would result in significant and unavoidable air quality impacts due to an increase in vehicle miles traveled (VMT). Air District staff encourages the City to fully evaluate and adopt all feasible mitigation to reduce these significant impacts. Additional feasible mitigation measures to reduce VMT and/or vehicle emissions that we recommend include the following:

- Expanding Policy NCR 3.7 by creating a Transportation Demand Management Program that includes funding for zero-emission transportation projects, including a neighborhood electric vehicle program, community shuttle/van services and car sharing, and enhancement of active transportation incentives, among others,
- Providing the funding and infrastructure for new, and connections to, existing bicycle and pedestrian projects that improve access to transit, employment, and major activity centers,
- Updating the code of ordinances to reduce parking requirements, eliminating parking minimums, and imposing parking maximums,

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- Adopting a Transportation Management Ordinance to require carpool, electric vehicle, and/or vanpool preferential parking spaces close to the major employment areas,
 - Adopting a Safe Routes to School Program that encourages youth to walk or ride bicycles to schools and developing Safe Routes to Transit programs for pedestrians and bicyclists, and
 - Promoting ridesharing and last-mile connections.

Construction Emissions

The DEIR states that implementation of the Plan would be consistent with the Air District's 2017 Clean Air Plan control measures, with the exception of TR22: Construction, Freight and Farming Equipment. Air District staff appreciates the City for including Mitigation Measure AQ-1 to reduce construction emissions by requiring the use of low-emission construction equipment for public and private projects, consistent with the 2017 Clean Air Plan. However, this Mitigation Measure could be strengthened with the following additional considerations:

- Require the use of zero-emission or the highest tier engines commercially available for all construction vehicles and equipment, and
- Where construction-related emissions would exceed the applicable *Thresholds of Significance*, implement *Additional Construction Mitigation Measures* (Table 8-3 in BAAQMD's CEQA Guidelines).

Greenhouse Gas Emissions

According to the DEIR, the Plan would have interim significant and unavoidable greenhouse gas (GHG) emission impacts. Our understanding is that interim impacts means that impacts are interim until the Qualified GHG Reduction Plan is adopted and implemented. In addition to policies included in Appendix C of the DEIR (Gilroy 2040 General Plan Draft Goals, Policies, and Programs), Air District staff recommends implementing the following additional feasible measures to fully mitigate these impacts:

- Amend Mitigation Measure GHG-1 to further enhance Policy NCR 3.14, Prepare a Qualified GHG Reduction Plan, to include the following:
 - Pursue funding through grants and any other appropriate funding mechanisms, in addition to pursuing funding through new development. Potential funding and capacity resources are listed below. Please note that while some funding sources may not currently be available, they should be considered for future phases of the Plan's implementation:
 - California Air Resources Board's list of programs and projects at other State agencies that receive Cap-and-Trade Funds (<https://ww2.arb.ca.gov/our-work/programs/california-climate-investments/cci-funded-programs>),
 - California State Coastal Conservancy's Climate Ready Grant Program for Greenhouse Gas Mitigation and Adaptation Planning (<https://scc.ca.gov/climate-change/climate-ready-program/>), and

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- Climate Corps (<https://www.climatecorps.org/>) and CivicSpark (<https://civicspark.lgc.org/>) fellowship programs for capacity assistance while drafting the Qualified GHG Reduction Plan.
 - Amend Mitigation Measure GHG-2 to include the following:
 - Ensure the Qualified Greenhouse Gas (GHG) Reduction Strategy includes the following as outlined in BAAQMD’s CEQA Guidelines:
 - Baseline inventory of GHG emissions from all sources,
 - Emission reduction targets that are consistent with state goals,
 - Enforceable GHG emission reduction strategies and performance measures,
 - Enforcement and monitoring tools to ensure regular review of progress toward the emissions reduction targets, and
 - Progress reports to the public and responsible agencies and plan revisions as appropriate.Please see BAAQMD’s CEQA Guidelines for further details, and CEQA Guidelines Section 15183.5.
 - Ensure that the Qualified GHG Reduction Strategy aligns with and achieves state targets, including consistency with the most recent draft of the California Air Resources Board’s AB 32 Scoping Plan, the State’s 2030 and 2050 climate goals outlined in SB 32, the State’s Carbon Neutrality by 2045 goal pursuant to Executive Order B-55-18, and SB 100, the 100 Percent Clean Energy Act of 2018.
 - Set a more ambitious target (2 years) for the development of a Qualified GHG Reduction Strategy and include a timeline goal for its implementation.
 - Include a commitment to monitor, measure, and report VMT and vehicle GHG emissions as part of the Qualified GHG Reduction Strategy.

Air District staff for many years has assisted cities and counties in developing local GHG emissions inventories and developing local climate action plans. We would be happy to work with City staff in providing data, policy guidance, or other support.

Environmental Justice

The Plan also includes an Environmental Justice element, which identifies the City’s Equity and Engagement District. As part of the Plan, Policy EJ 3.1 develops an Air Purification Home Retrofit Program that explores the feasibility of a program to help residents retrofit their homes to filter air contaminants and purify the air inside. To further reduce existing and potential future pollution burdens in the Equity and Engagement District, Air District staff recommends the following:

- Expand Policy EJ 3.1 to include schools and community centers—and new development outside the District—with the goal of creating clean air and cooling centers that can serve as multi-benefit and community-level mitigations for air pollution and climate impacts such as urban heat island effects. This recommendation aligns with AB 836, the Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Pilot Program (https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB836).

Additionally, forthcoming work at the Air District on clean air centers could provide opportunities for multi-benefit State and other funding for clean air centers. Clean air centers can also be seen as Resiliency Hubs which would allow for additional resiliency funding opportunities with the State.

- Clearly identify the Equity and Engagement District in a higher resolution map, preferably an online and interactive map, so that street names are visible, and community members can easily interpret the map.
- Develop a land use diagram identifying overlay zones around existing and planned sources of toxic air contaminants and fine particulate matter (PM_{2.5}), including zones at least 500 feet on each side of all freeways and high-volume roadways, as well as identifying potential residential-industrial interfaces. See the Air District's Planning Healthy Places best practices for reducing exposure and emissions from local sources of air pollutants for additional mitigations: <https://www.baaqmd.gov/plans-and-climate/planning-healthy-places>.
- Consider amending Policy EJ 3.3, Noise Attenuation for Existing Development (feasibility of sound walls between Highway 101 and adjacent residential neighborhoods, and Policy LU 3.11 (sound walls designed with visually compatible and scenic attributes). Staff recommends both policies include vegetative buffers to mitigate pollution exposure and provide GHG mitigation co-benefits. For more information on vegetative buffers and other best practices for reducing exposure to local air pollution, see BAAQMD's Planning Healthy Places Guidance Appendix B: https://www.baaqmd.gov/~media/files/planning-and-research/planning-healthy-places/php_may20_2016-pdf.pdf?la=en.
- Involve representative experts in the public health field to review the Environmental Justice element such as the County of Santa Clara Public Health Department.

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 (415) 749-8637 or jfong@baaqmd.gov, or Kelly Malinowski, Senior Environmental Planner, at (415) 749-8673 or kmalinowski@baaqmd.gov.

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