



June 23, 2020

**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

Mark A. McLoughlin  
California High-Speed Rail Authority  
100 Paseo de San Antonio, Suite 300  
San Jose, CA 95113

Re: California High-Speed Rail Authority San Jose to Merced Project Section Draft EIR/EIS

**ALAMEDA COUNTY**  
John J. Bauters  
Pauline Russo Cutter  
Scott Haggerty  
Nate Miley

Dear Mr. McLoughlin,

**CONTRA COSTA COUNTY**  
John Gioia  
David Hudson  
Karen Mitchoff  
(Secretary)  
Mark Ross

Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS) for the California High-Speed Rail Authority's (the Authority) San Jose to Merced Project Section (Project). The proposed California High-Speed Rail (HSR) will connect the major population centers of Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego using state-of-the-art, electrically powered, high-speed, steel-wheel-on-steel-rail technology, including contemporary safety, signaling, and automated train-control systems, with trains capable of operating at up to 220 miles per hour over a dedicated track alignment.

**MARIN COUNTY**  
Katie Rice

The Project would construct HSR service between San Jose Diridon Station in downtown San Jose and Merced County, with a Gilroy station either in downtown Gilroy or east of Gilroy. The Project extent is from Scott Boulevard in the City of Santa Clara to Carlucci Road in unincorporated Merced County, a distance of approximately 90 miles.

**NAPA COUNTY**  
Brad Wagenknecht

**SAN FRANCISCO COUNTY**  
VACANT  
Shamann Walton  
Tyrone Jue  
(SF Mayor's Appointee)

**Additional Fugitive Dust and Construction Emission Reduction Measures**

**SAN MATEO COUNTY**  
David J. Canepa  
Carole Groom  
Davina Hurt

The DEIR/EIS anticipates that the fine particulate matter (PM2.5) and particulate matter (PM10) from construction emissions will lead to a significant and unavoidable impact after incorporating all best available on-site control measures (Impact AQ#5). Air District staff recommends incorporating additional measures to further reduce and control fugitive dust in AQ-IAMF#1. Examples of additional measures to be considered include, but are not limited to:

**SANTA CLARA COUNTY**  
Margaret Abe-Koga  
Cindy Chavez  
(Vice Chair)  
Liz Kniss  
Rod G. Sinks  
(Chair)

**SOLANO COUNTY**  
James Spering  
Lori Wilson

**SONOMA COUNTY**  
Teresa Barrett  
Shirlee Zane

- Install dust curtains, plastic tarps or windbreaks, or plant tree windbreaks on the property line on windward and down windward sides of station construction areas, as necessary; and

Jack P. Broadbent  
EXECUTIVE OFFICER/APCO

Connect with the  
Bay Area Air District:



- Establish a hotline for surrounding community members to call and report visible dust problems so that the Authority can promptly fix those problems; post signs around the site with the hotline number and making sure that the number is given to adjacent residents, schools and businesses.

The DEIR/EIS anticipates that nitrogen dioxide (NO<sub>2</sub>) emissions from construction activities will lead to a significant and unavoidable impact after incorporating all best available on-site control measures (Impact AQ#5). However, the Air District believes that additional on-site mitigations will be available during Project construction, scheduled for years 2022 through 2028, and recommends the Authority make a commitment to use only zero-emission on-road and off-road trucks and construction equipment or otherwise use equipment with the best available technology offered at the time of construction. This requirement could include, but is not limited to dump, water, boom, and concrete trucks, and off-road material and equipment hauling equipment.

The Air District also recommends that the Project plug into grid power rather than relying on diesel generators at the construction sites. If grid power is not available, the Authority should require the use of alternatives to diesel power, such as battery storage, fuel cell, and natural gas generators.

### **Health Risk Assessment Methodology**

In the interest of full disclosure, Air District staff recommends that the DEIR/EIS include a breakdown of all sources included in the HRA completed for the project that contribute to cumulative health risks, for example those from the Project (e.g., from generators), nearby permitted facilities, and mobile sources such as SR-87, I-280, SR-82, I-880, I-101, Caltrain, the future BART realignment, PG&E substation, Altamont Corridor Express, Amtrak, new VTA light rail station, San Jose airport and activity on the freight rail line. The Air District can provide technical assistance and support to the Authority to ensure that best available data and methodologies are used in the Health Risk Assessment; please contact Alison Kirk (contact information below) to discuss further.

### **Compliance with Air District Regulations and Permitting Requirements**

The Project may require compliance with Air District Regulation 6, Rule 6: Prohibition of Trackout for construction sites where the total land area covered by construction activities and/or disturbed surfaces at the site are one acre or larger. Due to the long linear nature of the Project, with up to 59 miles of embankment or trench expected, the DEIR/EIS should discuss Regulation 6, Rule 6 as it applies to the Project. To discuss the Project application, please visit <https://www.baaqmd.gov/rules-and-compliance/rules/regulation-6-rule-6-prohibition-of-trackout> and consult with the Compliance and Enforcement section at (415) 749-4795 or [compliance@baaqmd.gov](mailto:compliance@baaqmd.gov).

In addition, the Project may require permits from the Air District for concrete batch plants, generators, and traction power substations. Because the Project also includes an automatic train control system that requires communication towers, the Authority should discuss with the Air District any components of the system that may require permits. To apply for an Authority to Construct/Permit to Operate please visit <https://www.baaqmd.gov/permits/apply-for-a-permit> or

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contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov) to discuss permit requirements.

In closing, we encourage the Authority to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions regarding these comments, please contact Alison Kirk, Principal Environmental Planner, at (415) 749-5169 or [akirk@baaqmd.gov](mailto:akirk@baaqmd.gov).

Sincerely,



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Greg Nudd  
Deputy Air Pollution Control Officer

Cc: Air District Board of Directors