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June 14, 2022

Kara Hawkins, Planner II
City of San Jose
200 E Santa Clara St. T3
San Jose, CA 95113

RE: San Jose Bo Town Mixed Use Project Draft Supplemental Environmental Impact Report (Draft SEIR)

Dear Kara Hawkins,

Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Supplemental Environmental Impact Report (Draft SEIR) for the Bo Town Mixed Use Project (Project). The Project is located in the City of San Jose, at the intersection of E. San Salvador Street and S. Second Street and would redevelop the site with a 30-story mixed-use building with up to 540 residential units and approximately 5490 square feet of ground floor retail space. Parking for the residential units would be provided in a four-level, below-grade parking garage containing 175 parking stalls and 176 bicycle parking spaces.

The Project is in a community that the State of California has identified as disproportionately impacted, disadvantaged and low-income under Senate Bill 1000 and by CalEPA's CalEnviroScreen 4.0. According to the Draft SEIR, the closest sensitive receptors to the Project are the single- and multi-family residences to the south and southeast of the site, approximately 75 feet from the project site. In addition, there is a YWCA Childcare Center located 220 feet northeast of the site.

Air District staff commends the City for their inclusion of increased housing density, and transportation demand management (TDM) incentives to minimize regional vehicle miles traveled and associated emissions from the Project. In addition, the use of green building practices to meet San Jose Reach Standards, as well as LEED Silver Certification, is highly commended.

Construction-Related Impacts

The Air District is concerned by the Project's proximity to sensitive receptors, due to the Project's significant impacts from construction activities. The Draft SEIR states that Project's cumulative construction emissions, along with the construction of the adjacent Valley Title Project, would exceed both the Air District's cancer risk and fine particulate matter (PM_{2.5}) thresholds. Due to these health risk impacts, the Air District recommends that additional mitigation measures be included beyond

Mitigation Measure (MM) AIR 1.1, AIR 2.1, and AIR 2.2 to further mitigate construction-related impacts, and the City should take precautions to ensure mitigation measures protect nearby receptors by:

- Requiring a rigorous Mitigation Monitoring and Reporting Plan that is actively enforced by the City to ensure all air quality mitigation measures are achieved as required.
- Requiring that all air quality mitigation measures proposed below are included as conditions of project approval.

The City should require a site-specific dust control plan that includes measures that go beyond the Air District's Basic Air Quality Construction Measures, including:

- Require the installation of advanced air filtration or the provision of portable air filtration units in nearby residences and at the YWCA Childcare Center before construction begins.
- Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.
- Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days.
- Suspend all excavation, grading, and/or demolition activities when average wind speeds exceed 20 mph.
- Prohibit grading and other dust-generating activities on days with an Air Quality Index forecast of greater than 100 for particulates in the project area.
- Minimizing the amount of excavated material or waste materials stored at the site.
- Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and water appropriately until vegetation is established.

The City should require additional controls to mitigate construction-related exhaust emissions:

- Off-road construction equipment should be zero-emission, where available; the City should require commitments to zero-emission equipment in applicable bid documents, purchase orders, and contracts; successful contractors should demonstrate the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Provide electrical hook ups to the power grid, rather than using diesel-fueled generators, for electric construction tools, such as saws, drills, and compressors, and using electric tools whenever feasible.

Independent Wastewater Treatment Facility Option

The Project proposes to build an on-site wastewater treatment facility to provide wastewater treatment for the Valley Title Project facility located at a site just north of the Project site. Under this Project option, the independent wastewater treatment plant would treat 21,820 gallons per day (gpd) of wastewater. This water would then be recycled and returned to the Project in the form of water for non-potable uses. Wastewater treatment plants are often significant sources of toxic emissions. Though the Air District supports the effort to implement a recycled water project, the Draft SEIR does not adequately describe the wastewater process, biosolids stored, emissions produced, nor discuss the potential odor sources. Air District staff recommends the following additions to MM AIR 2.1 Odor Management Plan (Odor Plan):

- A more robust discussion of the proposed wastewater process, biosolids stored, emissions produced, and the enforcement measures to address any odors from processing wastewater.
- Additional details documenting how the City will enforce the Odor Plan to ensure the proposed management and control strategies are achieved.
- A commitment to an annual evaluation of the overall system performance to identify any trends and opportunities for improvements, and updates the odor management and control strategies, as necessary.

Certain aspects of the wastewater treatment facility may require a permit from the Air District. Please contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or byoung@baaqmd.gov to discuss permit requirements.

We encourage the City 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 Samuel Garcia, Environmental Planner II, at sgarcia@baaqmd.gov.

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

Cc: BAAQMD Director Margaret Abe-Koga
BAAQMD Director Otto Lee
BAAQMD Director Sergio Lopez
BAAQMD Director Rob Rennie