July 12, 2011

Mr. Chris Erias
City of Galt Planning Department
495 Industrial Drive
Galt, CA 95632

Twin Cities Road/Highway 99 Interchange Project Initial Study with Proposed Mitigated Negative Declaration (SAC201001361b)

Dear Mr. Erias:

Thank you for providing the Initial Study with Proposed Mitigated Negative Declaration (IS/MND) for the Twin Cities Road/Highway 99 Interchange Project to the Sacramento Metropolitan Air Quality Management District (SMAQMD) for review. This project includes the construction of two roundabouts at intersections on the east and west sides of Highway 99 along Twin Cities Road. The roundabouts are intended to reduce congestion, thereby increasing vehicle speed, reducing idling time, and reducing operational emissions. The air quality and climate change sections of the IS/MND rely on the August 2010 Air Quality Study Report (AQSR) conducted for the project. Staff comments on the project air quality and climate change analyses follow.

1. The IS/MND states that operational emissions are reduced from the proposed project, but doesn’t provide a summary of operation emissions from the AQSR to support its statements or make a less than significant determination. (pages 36-37)

2. The operational emissions analysis in the AQSR compared the proposed project emissions (criteria and greenhouse gas) in 2023 to the no build scenario in 2023. The recent Sunnyvale court decision¹ requires the analysis to include a comparison of existing conditions to the proposed project, which isn’t included in the IS/MND or the AQSR. “Existing conditions” is usually the project site at the time of the Notice of Preparation or project approval. (pages 36-37)

3. The IS/MND does not provide a summary of construction emissions from the AQSR. SMAQMD recommends at a minimum NOx, PM10 and greenhouse gas emissions be disclosed to provide the basis for making a determination regarding the significance of project construction emissions impacts. (pages 37-38)

¹ Sunnyvale West Neighborhood Association v. City of Sunnyvale City Council (2010) 190 Cal.App.4th 1351
4. The IS/MND does not acknowledge the SMAQMD’s thresholds of significance or directly state operational or construction emissions are significant, less than significant or less than significant with mitigation measures applied. (pages 37-38)

5. SMAQMD recommends adding the following language from its Basic Construction Emission Control Practices to the bullet list of PM10 Mitigation Measures: “Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.” (page 40)

6. Please clarify the relevance of September 18, 2008, as referenced in the bullet list of Ozone Precursor Mitigation Measures regarding permitting portable equipment. (page 40)

7. Ozone Precursor Mitigation Measures include a bullet indicating engine tiers that are acceptable for use in constructing the project. SMAQMD recommends either adding language to this measure stating that “tier 0 engines are prohibited” and that engines meeting tier 1 emission standards “or cleaner” shall be used, or consider replacing this language with the SMAQMD’s Enhanced Exhaust Control Practices (attached) which is an industry standard for construction NOx and PM exhaust control in the Sacramento region. Construction companies are generally familiar with the SMAQMD’s mitigation measures for NOx and PM, which facilitates implementation. (page 40)

8. Ozone Precursor Mitigation Measures include a bullet indicating “diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters...shall be installed on equipment operating on-site.” Since emission control devices don’t exist for all construction equipment, the SMAQMD recommends the mitigation measure be modified to provide more flexibility in implementing this measure. Generally the SMAQMD doesn’t recommend emission control devices for construction projects that appear to be less than significant for construction emissions such as this project (37 pounds/day of NOx emissions were estimated in the AQSR). (page 41)

9. Although the IS/MND reports reductions in operational greenhouse gas emissions from the proposed project and best management practices/mitigation measures are included to reduce greenhouse gas emissions from project construction, the IS/MND fails to make a significance determination with regards to climate change impacts. Failing to make a significance determination is inconsistent with evolving CEQA practice regarding climate change. Lead agencies around the state have been able to provide well-reasoned determinations of significance regarding greenhouse gas emissions from their projects. The California Attorney General responded to this issue in a May 2, 2007 letter to the San Joaquin Council of Governments regarding the 2007 San Joaquin Regional Transportation
Plan. The Attorney General asserted that lead agencies are obligated by CEQA to determine significance regardless of the lack of agency adopted thresholds or guidelines. Additionally, recent environmental documents published by the City of Galt include significance determinations regarding climate change. (pages 37, 62, 77)

10. Multiple references are made to Caltrans’ Climate Action Program and a web link is provided. The Climate Action Program web link doesn’t work, and the program document can’t easily be found on Caltrans’ website. (pages 61, 62)

11. SMAQMD appreciates inclusion of greenhouse gas best management practices/mitigation measures for project construction. Because some of these measures may not be practical for this project, and there may be additional best management practices discovered prior to the time construction begins, the SMAQMD recommends the mitigation be modified to require the construction contractor to prepare a greenhouse gas emission reduction plan in coordination with the City of Galt and the SMAQMD outlining all practical and feasible measures that will be implemented to reduce GHG emissions from project construction. (page 64)

12. All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800.

Please contact me at 916-874-4881 or khuss@airquality.org if you have any questions regarding these comments. I look forward to reviewing the final document.

Sincerely,

Karen Huss
Associate Air Quality Planner/Analyst
Land Use and Mobile Sources Division

Attachment

Cc: Larry Robinson, SMAQMD

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3 Galt Walmart (December 2009), Galt Parks Master Plan (June 2010), Golden Heights Water Treatment Plant (January 2011), and Galt Solar Power Purchase Agreement (April 2011).