

May 12, 2011

Tom Zlotkowski, Executive Director
Capital SouthEast Connector Joint Powers Authority
10640 Mather Boulevard, Suite 120
Mather, CA 95655

RE: Capital SouthEast Connector Project Draft Program Environmental Impact Report Air Quality Comments (SAC200801218)

Dear Mr. Zlotkowski,

The Capital SouthEast Connector Joint Powers Authority has prepared a Draft Program Environmental Impact Report for the Capital SouthEast Connector Project (SAC200801218). The Sacramento Metropolitan Air Quality Management District (SMAQMD) is directed by Health and Safety code section 40961 to "represent the citizens of the Sacramento district in influencing the decisions of other public and private agencies whose actions may have an adverse impact on air quality." As such, the District is submitting this comment letter regarding emissions that may result from the construction and operation of the project.

Criteria Pollutants: Construction Mitigation

The District, in general, does not recommend the use of Mitigation Measure AQ-2: *Limit Maximum Daily Disturbed Area to 15 Acres* because compliance is difficult to ensure. However, because the project is linear in nature, compliance is more likely with proper controls. Please include language in AQ-2 that would assist contractors working on the project (such as estimated centerline-feet that could be worked) as well as outlining JPA imposed consequences for contractors out of compliance with mitigation. Also, due to the size of the project, the District recommends adding a mitigation measure that implements the District's Enhanced Construction Emission Control Practices to reduce fugitive dust.

Tables 4-10 and 4-12 disclose the estimated maximum pounds of emissions per day within the District. However, the emissions are bifurcated proportionally between Sacramento and El Dorado Counties. Because it is unlikely that each day the work will be proportionally divided between jurisdictions, use the totals from the Roadway Construction Emissions Model when disclosing maximum daily impacts within the Sacramento Metropolitan Air Quality Management District.

To ensure that construction impacts remain less than significant for NO_x, the District recommends adding a mitigation measure which would provide for off-site mitigation in the event NO_x emissions exceed the District's threshold. If mitigation to below the threshold is not achieved through basic and enhanced construction emission control practices to reduce NO_x, any remaining emissions over the threshold would be offset by the JPA through a fee paid to the District who will fund cost-effective projects that reduce NO_x in the project area, to the extent possible, and otherwise within the Sacramento air basin. The fee shall be calculated using the District's current rate of NO_x/ton at the time

of construction in addition to District administration fees. The fee, at the time of this writing, is \$16,400 per ton of NO_x in addition to a 5 percent administration fee.

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. A non-exhaustive list of specific rules that may relate to construction activities or building design is attached.

Criteria Pollutants: Operational Mitigation

Page 4-31 of the Draft Program EIR states that “the traffic data used in [the] analysis account for the transit improvements approved by the JPA, including increased park-and-ride facilities, transit signal priority, and selected transit queue jumps on “high bus” routes.” Section 2.5.3 on page 2-14 identifies these transit services and facilities as installing transit-signal priority equipment and selected transit queue jumps on Bradshaw Road, Rancho Cordova Parkway, and Easton Valley Parkway. All investments are capital (not operational) and “would be developed in coordination with the expansion of local fixed-route bus, express bus, and bus rapid transit services as densities increase along the project corridor...” For the 2035 Metropolitan Transportation Plan Update (MTP 2035) Regional Transit submitted their Tier 2 Network from their TransitAction Plan. This network does not show “high bus” routes on Bradshaw Road, Rancho Cordova Parkway, or Easton Valley Parkway, indicating that even if the Capital Improvements are constructed, there would be no operational emission benefits during the design year of the project (2035). As such, the modeling assumptions for operational emissions are not consistent with projected transit service. Revise table 4-14 using the TransitAction Plan Tier 2 Network and subsequent modeling results.

The project, as proposed, would exceed the SMAQMD operational NO_x emission threshold. However, the PEIR states that “there are no additional feasible mitigation measures that can be employed by the project to reduce NO_x and ROG emissions, as reduction features have already been accounted for in the traffic analysis.” The District respectfully disagrees, as there are several mitigation measures that could be included in the project to reduce NO_x and ROG, potentially below District thresholds. One mitigation measure is to strictly limit access points on the connector, which will reduce congestion and limit development pressures on the urban fringe. For example, the Cordova Hills proposed project adds an access point on the connector, while Cordova Hills Alternative Two limits new connections to the Connector, which would limit local traffic on the project and minimize emissions from congestion. By drafting a clear access protocol and adding it as a mitigation measure, the PEIR can minimize emissions from congestion on the connector.

In addition, the Connector should include a mitigation measure requiring congestion pricing. This would ensure that emissions from congestion are minimized, encourage shorter and fewer trips, and provide a revenue stream to off-set emissions.

Finally, purchasing development rights and easements on outlying lands would minimize growth-induced impacts from increasing vehicular access to this region of the County.

With respect to localized particulate matter impacts, the District applauds the inclusion of AQ-5 and looks forward to seeing a robust planting and buffer regimen in subsequent environmental documents.

Greenhouse Gas Analysis & Mitigation

In Table 4-4, the DPEIR discloses the CO₂ operational emissions in the SMAQMD area for the existing conditions (2008) as well as the existing conditions plus two versions of the proposed project. It also discloses the emissions for the proposed project and alternatives in 2025 and 2035, taking into account "development in the study area". Operational emissions attributed to this project range from 14,296 Metric Tons (MT) CO₂ per year (/y) to 57,273 MT CO₂/year. Table 18-2 in the "Cumulative and Growth-Inducing Impacts" chapter restates those emissions, only this time summing the SMAQMD emissions with the El Dorado County emissions. Those restated emissions range from 15,630 MT CO₂ to 48,604 MT CO₂. It's not clear why in some cases the restated emissions would actually be less than those disclosed in Table 14-4. Apparently, it has to do with the fact that in some cases the emissions for some alternatives in the El Dorado portion of the project will actually reduce emissions. Please explain this for the reader.

Relative to the construction-related GHG emissions disclosed in Table 18-1, the District believes those emissions should be amortized and added to the project emissions and clearly disclosed. The most logical place would be in Table 18-2. In that way, the total GHG emissions for the project and its alternatives would be disclosed in one place. Instead, the construction emissions, amortized over 50 years, are added to the emissions underlying Table 13-3 but they're not directly stated. In Table 18-3 the project and alternatives emissions are restated as a percent of various inventories - Sacramento County, ARB state emissions (2006), EPA national emissions (2008) and global emissions (2004). Understandably, the impact of the project and its emissions are framed as a small portion of these other inventories. Because of this presentation, the reader doesn't really know the full operational and construction mass emissions impact of the project and its alternatives. The purpose of CEQA is to clearly disclose impacts to decision makers and other interested parties. We believe that this presentation does not do that.

In addition, these GHG emissions are derived from traffic modeling alone. They do not include any indirect emissions attributable to the electricity demand from the project's lighting and signaling. The District believes that indirect emissions from the project's electricity use should be estimated and included in the project's operational emissions. Without measuring the impact from lighting, there is little incentive for the project to mitigate those emissions by using the most energy efficient lighting fixtures available at the time of construction.

In Chapter 18, "Cumulative and Growth-Inducing Impacts," the impact from the increase of GHG emissions from the project and its alternatives is found to be significant and unavoidable. Two mitigation measures are required of the project, AQ-7 which includes best management practices for construction and AQ-8 which calls for a feasibility study of using trees as mitigation. The District suggests that AQ-7 also include a sentence that reads: *The JPA or local agency will consult with SMAQMD prior to construction about the most current recommended construction best management practices and will adopt those practices.*

Mitigation Measure AQ-8 is titled "Conduct a Carbon Sequestration Study and Cost-Benefit Analysis for Tree Planting as GHG Mitigation to Mitigate GHG Emissions to Net Zero." The District applauds the fact the document seeks to mitigate the GHG emissions to zero which could be done in a variety of ways – both on site and off site. However, MM AQ-8 limits itself only on an on-site strategy. Not only is the scope of mitigation limited, but the language for MM-8 is non-committal and overly permissive. It states *"if future carbon sequestration studies conclude tree planting is appropriate mitigation from both cost*

and GHG reduction standpoints, the JPA or local agency will plant selected evergreen species such as Douglas fir and hemlock/Sitka-spruce to sequester project-generated GHG emissions to net zero, if practicable". It does not require the project proponents to mitigate the GHG impact; it only requires them to conduct a study and ask themselves if this is effective (i.e. cost effective) air quality mitigation. Information is already available about the effectiveness of tree sequestration. ARB has adopted protocols related to forestry which can be useful. The measure, too, does not specify when the mitigation is required. The district believes that the measure should be more directive and require specific timelines for implementation as the project is built.

A very effective on-site mitigation strategy would be the installation of an alternative energy project along the collector. This is a strategy being used on several local and state highways. The project could commit to the mitigation of GHG emissions to zero through the provision of alternative energy.

Another on-site mitigation measure for GHG impacts would be one related to the project's electricity use. That measure should require at least the most energy efficient lights and signals. Excess emissions from this source could be mitigated by the two on-site measures (trees & alternative energy) above.

Finally, the project could explore the use of off-site mitigation. The District plans to have an offsite GHG mitigation program for CEQA purposes. Proponents would pay a fee to the District and the district would find local GHG reducing programs. Also, there are several registries and exchanges which sell GHG offsets. The District believes that local programs would be preferable to proponents and provide stimulus to the local economy.

All of the Greenhouse Gas mitigation is important mitigation and should be added to Table S-1 Summary of Environmental Effects of the Capital SouthEast Connector Project. Currently, under the "Air Quality and Climate Change" section of that table, there are only measures AQ1-AQ4 and no measures related to climate change.

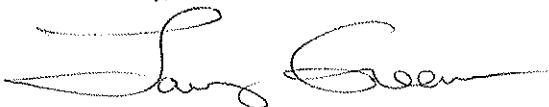
General Comments

The District notes that the document uses the word "accidents" instead of "collisions" when referring to on-road incidents and safety. The District recommends that the latter is utilized as it implies such incidents can be minimized through design, especially those involving pedestrians and cyclists.

The summary table of environmental effects and mitigation measures (Table S-1) does not include AQ-7 or AQ-8. Please update the table to include all environmental effects and mitigation measures.

The District thanks the Capital SouthEast Connector Joint Powers Authority for the opportunity to comment on this project. Questions regarding these comments may be directed to Paul Philley, who can be reached at pphilley@airquality.org or 916-874-4882.

Sincerely,



Larry Greene
Executive Director/APCO
Sacramento Metropolitan AQMD

SMAQMD Rules & Regulations Statement

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

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. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration.

Other general types of uses that require a permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities or any other construction activity to prevent airborne dust from leaving the project site.

Rule 417: Wood Burning Appliances. Effective October 26, 2007, this rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.