



**Santa Barbara County
Air Pollution Control District**

March 30, 2009

Tye Simpson
University of California
Office of Campus Planning & Design
c/o Vision2025
Santa Barbara, CA 93106-1030

**Re: Draft Environmental Impact Report, Recirculated Sections
Vision 2025 – UC Santa Barbara Long Range Development Plan, SCH No. 2007051128**

Dear Mr. Simpson:

The Santa Barbara County Air Pollution Control District (APCD) has reviewed the revised air quality section, as well as the additional climate change/greenhouse gas emissions analysis, associated with the Draft Environmental Impact Report (DEIR) for the above-referenced project. In general, APCD concurs with the findings made in the DEIR with respect to significance under the California Environmental Quality Act (CEQA). However, APCD staff offers the following comments regarding the air quality and climate change analyses and proposed mitigations:

Section 1.0, Introduction and Summary:

- 1. Section 1.4, Summary of Impacts and Mitigation Measures:** The impacts and mitigation measures that are presented in Section 4.2.3, Climate Change, should be added to the Introduction and Executive Summary portions of the EIR.
- 2. Section 1.4, Summary of Impacts and Mitigation Measures, 4.2, Air Quality, Impact AIR-1:** Air quality impacts under this issue area were found to be significant and unavoidable after mitigation was applied. As required by CEQA Guidelines Section 15126.4.a.1., *An EIR shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy.* Mitigation Measure AIR-1B includes a reference to energy efficiency measures for new buildings, but does not address energy efficiency measures for existing buildings and operations to reduce air quality impacts. Mitigation Measure AIR-1B should be revised to include energy conservation measures for existing buildings and operations, and these mitigation measures should be incorporated into UCSB's Long Range Development Plan (LRDP)(CEQA Guidelines Section 15126.4.a.2).
- 3. Section 1.4, Summary of Impacts and Mitigation Measures, Impact AIR-3:** Air quality impacts related to construction activities were found to be less than significant with mitigation incorporated. However, Mitigation Measure AIR-3A does not include a number of regulatory requirements that apply to construction equipment and operations. The following measures

should be incorporated into Mitigation Measure AIR-3A, as they apply to all construction activities that take place under the LRDP:

- a. All portable diesel-fired engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months. For more information about the PERP program, refer to the California Air Resources Board (CARB) website at www.arb.ca.gov/portable/portable.htm.
- b. Portable engines rated at 50 brake-horsepower or greater must meet specific emissions requirements as outlined in the *Air Toxic Control Measure (ATCM) for Diesel Particulate Matter from Portable Engines* (17 CCR § 93116). The ATCM requires cleaner burning engines to be phased in based on their "tier", which is determined by a number of factors. Engines rated as "Tier 0" are phased out beginning January 1, 2010. APCD recommends the use of Tier 1 engines at a minimum, and the use of Tier 2 engines or greater to the maximum extent feasible. For more information, refer to the California Air Resources Board website at <http://www.arb.ca.gov/regact/2007/perp07/froatcm.pdf>.
- c. Fleet owners of mobile construction equipment are subject to the *CARB Regulation for In-use Off-road Diesel Vehicles* (13 CCR Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>.
- d. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible. State law (13 CCR Chapter 10, § 2485) requires (with some exceptions) that drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds:
 - Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location,
 - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area (homes and schools).

4. **Section 1.4, Summary of Impacts and Mitigation Measures, Impact AIR-4:** Mitigation Measure 4C proposes a per-project emission limit over which additional diesel PM and nitrogen oxides (NO_x) mitigations would be required, using Table 4.2-13 of the DEIR (per-project emissions of 2,365 pounds of diesel PM per year). This mitigation measure requires a project-by-project analysis to determine required mitigation, and includes some measures that are already required by state law (items 3 and 7). Measures that are required by state law cannot be

overlooked based on a project-level emissions analysis, as is proposed. Other measures (items 2, 6, 8 and 9) are more flexible and are written in such a way that they can be applied to all projects and modified as appropriate for specific projects. Therefore, APCD staff recommends revising Mitigation Measure 4C by deleting the 2,365 pounds diesel PM/year emissions limit, and requiring the measures for all construction activities. Because the university houses a relatively large population of students, faculty and staff, the mandatory application of all of these measures would more effectively protect public health during construction activities.

Section 4.2, Air Quality:

5. **Table 4.2-1, Air Quality Standards, Page 4.2-6:** Attainment status for the federal lead standard is listed as “U”, or undefined, as stated in footnote number 3 of the table. This statement is repeated in the second sentence of the first paragraph on Page 4.2-12. Santa Barbara County is considered to be “unclassified” with respect to the revised federal lead standard of 0.15 $\mu\text{g}/\text{m}^3$.
6. **Table 4.2-2, Historic Pollutant Levels, Page 4.2-7:** This table should be updated to include data for more recent years. Data for 2006, 2007, and 2008 are available at the CARB website at www.arb.ca.gov/adam/welcome.html. Also, this table should be revised to include the number of days the state 8-hour ozone standard was exceeded.
7. **Section 4.2.1.5, Regulatory Context, 2007 Clean Air Plan, Page 4.2-11:** The first sentence of the third paragraph in the discussion of the 2007 Clean Air Plan states that “...the region does not meet the state one-hour ozone standard...” Currently, Santa Barbara County is considered in attainment of the state 1-hour ozone standard, but does not meet the state 8-hour ozone standard of 0.070 ppm.
8. **Section 4.2.2.3, LRDP Impacts and Mitigation Measures, LRDP Mitigation AIR-1B, Page 4.2-24:** This mitigation measure should include energy conservation measures for existing buildings and operations, as described in comment number 2 of this letter.
9. **Section 4.2.2.3, LRDP Impacts and Mitigation Measures, LRDP Impact AIR-3, Page 4.3-32:** This section should discuss compliance with the National Emission Standards for Hazardous Air Pollutants – Asbestos (referred to as the Asbestos NESHAP). The Asbestos NESHAP includes notification and removal requirements that apply to demolition and renovation activities occurring at the university.
10. **Section 4.2.2.3, LRDP Impacts and Mitigation Measures, LRDP Impact AIR-3, Page 4.3-33:** The fourth sentence of the second paragraph on this page states that the construction emissions analysis was done assuming SBCAPCD emission reduction measures for fugitive dust and construction equipment would be implemented (diesel particulate filters and diesel oxidation catalysts in all construction equipment). This is inconsistent with Mitigation Measure AIR-4C, which states that mitigation should be applied only when diesel PM emissions exceed 2,365 pounds per year, per construction project. As suggested in comment number 4 of this letter,

APCD staff recommends that Mitigation Measure AIR-4C be applied to all construction projects.

11. **Section 4.2.3.5, Guidance for Evaluating Climate Change Impacts Under CEQA, Page 4.2-55:** Towards the bottom of Page 4.2-55, thresholds of significance for greenhouse gas (GHG) emissions are presented. These thresholds should be presented more prominently. APCD staff suggests that the discussion indicate that these are interim thresholds that have been chosen by the university (CEQA lead agency) as appropriate for the subject project, in the absence of any adopted statewide thresholds of significance. It should be noted that the percent emissions reduction goals of Assembly Bill 32 (AB32), stated as a 30% reduction from "business as usual" (BAU), is a reduction of both existing and proposed operational emissions, not just emissions from new development projects. As such, the AB32 percent reductions call for a much greater reduction in tons per year of GHGs than if they were to apply only to new development projects.

12. **Section 4.2.3.5, Campus Greenhouse Gas Emissions, Page 4.2-59:** The first paragraph following Table 4.2-20 on this page, second sentence, states, "*Nevertheless, the housing proposed for development under the LRDP will result in GHG emissions reductions which are greater than 30% below business as usual. Thus, the project incorporates features that will reduce GHG emissions to levels which are less than the significance threshold.*" As noted in the previous comment (comment number 11 of this letter), the AB32 percent reduction goal of 30% below BAU is a reduction in emissions from existing and proposed operational emissions. In order to be consistent with this threshold, the LRDP should include measures addressing energy efficiency for existing buildings and operations.

In summary, because the LRDP is a document that is intended to guide development at the university over many years, it is important to document the university's commitment to protecting public health and moving toward being a climate-neutral entity. All of the mitigations and proposed policy changes that are presented in the EIR should be incorporated into the LRDP. If you have any questions regarding the above comments, please contact Molly Pearson at (805) 961-8838 (mmp@sbcapcd.org).

Sincerely,



Bobbie Bratz
Public Information and Community Programs Supervisor

cc: TEA Chron File
Project File