



Aug 15, 2011

John Davidson
City of San Jose
200 Santa Clara Avenue
San Jose, CA 95113

Dear Mr. Davidson,

The American Lung Association in California (ALAC) appreciates the opportunity to comment on the Envision San Jose 2040 General Plan Draft Program EIR and to suggest additional policies that should be considered as feasible mitigation measures to meet the city's air pollution and greenhouse gas reduction goals. Such measures will reduce air pollution and greenhouse gases, support reductions in vehicles miles traveled (VMT), and promote a healthier, more sustainable community and future for all San Jose residents.

ALAC commends the City of San Jose for the extensive work on the General Plan Update, and for incorporating many forward thinking policies that promote sustainable, smart growth land use and transportation planning that will lead to healthier residents and reduced rates of chronic disease and premature death. The city is leading the way in its efforts to guide future growth *"in a form which will reduce the need for automobile travel while also promoting transit use, bicycling and walking as alternative means of mobility instead of automobiles."*

We especially appreciate the city's support for the development of a Community Risk Reduction Plan that will reduce air pollution exposures in high impact areas.

However, according to the EIR, vehicle miles traveled (VMT) is projected to increase above current conditions due to job growth and the location of housing. Additionally, the plan is not expected to achieve the City's Green Vision goal of reducing VMT by 40 percent by 2035. Because transportation is a primary source of greenhouse gases in the City of San Jose, it is clear that the city will need to pursue more aggressive transportation policies to reduce VMT and related greenhouse gases.

The American Lung Association in California offers the following recommended changes and additions be considered in the Envision San Jose 2040 General Plan Update as feasible mitigation strategies to help the city meet its goals to reduce air pollution and greenhouse gases. Such policies and actions will also support the implementation of the Community Risk Reduction Plan to ensure that sensitive populations are protected from harmful air pollution.

We are committed to seeing the city's innovative plan be a model for an equitable, sustainable and healthy planning document. As such, we also have suggestions where the City of San Jose can strengthen these policies by replacing "encourage" and "support" with "require" wherever possible.

Reducing Exposure to Air Pollution and Toxic Air Contaminants

We support the development of a Community Risk Reduction Plan (CRRP) that provides special restrictions on and requirements for developments located near busy roadways and freeways, due to the need to reduce health impacts from exposures to air pollution and toxic air contaminants.

We suggest the following recommended changes and additions to existing general plan policies to support mitigation strategies in the Community Risk Reduction Plan as well as policies that improve air quality and reduce greenhouse gases citywide.

MS-4.1 ~~Promote~~ **Require** the use of building materials that maintain healthy indoor air quality in an effort to reduce irritation and exposure to toxins and allergens for building occupants.

MS-4.2 ~~"Encourage~~ **Require** construction and pre-occupancy practices to improve indoor air quality upon occupancy of the structure"

MS-11.1 "Require new residential development projects and projects categorized as sensitive receptors to incorporate effective mitigation into project designs **such as air filtration and locating air intakes away from pollution sources**, or be located an adequate distance from sources of toxic air contaminants (TACs) to avoid significant risks to health and safety."

MS 11.4 ~~"Encourage~~ **Develop policy to facilitate** the use of appropriate air filtration to be installed at existing schools, residences, and other sensitive receptor uses adversely affected by pollution sources."

MS-11.5 ~~"Encourage~~ **Require** the use of pollution absorbing **low pollen** trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses."

MS-11.6 **Add to existing language:** **The appropriate mitigation measures adopted by the CRRP to reduce health risk posed by the proposed development should be identified based on detailed modeling and assessment of local conditions at and surrounding the site, including proximity to freight-related hazards and empirically counted amounts of diesel truck and train traffic moving through the area.**

Action MS-11.8 Require signage at **existing sites where trucks frequent as well** as new projects that generate truck traffic, which remind drivers that the State truck idling law limits truck idling to five minutes.

Action MS-11.9 **Develop policy to limit truck idling to one minute or less in areas near sensitive populations.**

MS-11.5 "Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses, where appropriate and feasible. **Trees will be evaluated for their potential to reduce pollen to help reduce asthma and allergy impacts.**"

Goal MS 12 – Objectionable Odors

Smoke (wood smoke and tobacco) should be included in the definition of “objectionable odors.”

Wood smoke pollution

Wood smoke makes up the largest source of PM in the wintertime. The City of San Jose currently has a wood burning ordinance that states: “No person shall create or cause the emission of noxious or offensive odors, **dense smoke**, or any private or public nuisance by burning any solid waste.” Because even small amounts of smoke can create a health hazard, the ordinance should be amended to indicate “**no visible emissions**.” Restrictions on outdoor wood burning devices, such as chimineas, should be considered.

Suggested revision:

Action MS-10.11 Strengthen and enforce the City’s wood-burning appliance ordinance to limit air pollutant emissions from residential and commercial buildings. **No person shall create or cause the emission of noxious or offensive odors or smoke, visible emissions of smoke, or any private or public nuisance by burning any solid waste.** Work with air district to support additional measures to reduce exposures to wood smoke pollution, as outlined in 2010 Clean Air Plan.

Diesel Truck Traffic Exposure Mitigations

The City of San Jose General Plan Update only includes one policy regarding truck circulation, MS-11.3, which does not adequately address all feasible measures to reduce air pollution impacts from diesel truck traffic in neighborhood areas highly impacted by air pollution. By only focusing on projects that generate significant traffic, the policy does not address reviewing existing truck routes throughout the city. Additionally, **Policy TR 6.2 supports maintaining existing truck routes without mention of impacts on sensitive receptors: *Maintain Primary Freight Routes that provide for direct access for goods movement to industrial and employment areas.***

We suggest the following policy and policy changes related to truck circulation and traffic:

MS-11.3 ~~“Truck circulation routes will be reviewed for projects generating significant heavy duty truck traffic to designate truck routes that~~ **Review truck circulation routes and develop alternative routes that decrease exposures in communities most impacted by air pollution to minimize exposure of sensitive receptors to TACs and particulate matter.”**

Policy TF-6.3 ~~Encourage~~ **Require** through truck traffic to use freeways, highways, and County Expressways and encourage trucks having an origin or destination in San Jose to use primary truck routes designated in this General Plan.

Additional Mitigation Measures to Reduce PM

Suggested Policy: Require Best Available Control Technology on construction equipment operating on construction sites within 1,000 feet of schools, childcare, hospitals and

playgrounds. Construction equipment should meet US EPA Tier IV emissions standards or install verified “Level 3” controls that can achieve at least 85 percent reductions in PM.

Suggested Policy: Require best available control technology for on-site generators to reduce emissions.

Suggested Policy: Develop policy to restrict use of gas leaf blowers and lawn mowers. Work with BAAQMD to implement an electric lawn mower/leaf blower exchange program in areas designated as Care Communities.

Suggested Policy: Work with BAAQMD to control emissions from commercial wok cooking and solid fueled cooking devices such as outdoor commercial barbecues and wood fired pizza ovens to reduce localized harmful particle pollution. This policy is included in Further Study Measures as part of the BAAQMD 2010 Clean Air Plan.

Urban Heat Island Mitigation

Health language regarding the effects of urban heat islands and need for additional mitigation measures should be incorporated into the General Plan Update and Community Risk Reduction Plan. A recent Stanford University study found that domes of increased carbon dioxide concentrations – discovered to form above cities more than a decade ago – cause local temperature increases that in turn increase the amounts of local air pollutants, raising concentrations of health-damaging ground-level ozone as well as particles in urban air. Jacobson estimated an increase in premature mortality of 50 to 100 deaths per year in California.

<http://news.stanford.edu/pr/2010/pr-urban-carbon-domes-031610.html>

In addition to adding health language, additional strategies that can reduce the urban heat island should be included in General Plan Policy MS-2.6 as follows:

Policy MS-2.6 ~~Promote~~ **Require roofing design, including green and cool roofs, trees and vegetation, cool pavements and surface treatments that reduce the heat island effect of new and existing developments.**

Transportation Policies to Reduce Vehicle Miles Traveled

Because the projected rates of both VMT and vehicle trip growth in the General Plan are greater than the rate of population growth, the City of San Jose will not meet its goals to reduce vehicle miles traveled. Therefore, we recommend that the existing Tier II Vehicle Miles Traveled Reduction Actions be implemented in Tier I to facilitate the fastest possible transition to mode share shift that incentivizes walking, cycling, transit, car sharing, carpooling and other non single occupant vehicle use. Below are additional recommended language changes in those policies.

Action TR-10.1 ~~Explore development of a program for implementation as part of Tier II,~~
Develop policy to require that parking spaces within new development in areas adjacent to

transit and in all mixed-use projects be unbundled from rent or sale of the dwelling unit or building square footage.

Action TR-10.2 ~~In Tier II, reduce~~ **Adopt policy** to reduce minimum parking requirements citywide.

Action TR-10.3 ~~Encourage participation~~ **Facilitate** car sharing programs ~~for new development in identified growth areas.~~ **throughout the city.**

Action TR 10.4 ~~In Tier II,~~ **Adopt policy to** require that a portion of adjacent on-street and city owned off-street parking spaces be counted towards meeting the zoning code's parking space requirements.

We have the following recommended changes to these general plan transportation policies as feasible measures to further reduce vehicles miles traveled.

TR-1.1 Accommodate and ~~encourage~~ **facilitate the** use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).

TR-1.4 Transportation improvements funded through new development should include needed improvements to all modes, including bicycling, walking and transit. ~~Encourage~~ **Prioritize** investments that reduce vehicle travel demand.

TR-1.8 Actively coordinate with regional transportation, land use planning, and transit agencies to develop a transportation network with complementary land uses that encourage travel by bicycling, walking and transit, and ensure that regional greenhouse gas emissions standards are met. **Prioritize investments in bicycle and pedestrian facilities in low-income communities, which are less likely to have access to a private automobile, and thus more likely to be dependent on walking and bicycling for transportation.**

TR-7.1 Require ~~large~~ employers of **20 or more** to develop TDM programs to reduce the vehicle trips generated by their employees. **(SB 582, supported by the Bay Area Air Quality Management District and Metropolitan Transportation Commission, required employers with twenty or more employees to provide one of three commuter benefits e.g. by administering a program to allow employees to pay for public transit, vanpooling or bicycling expenses with pre-tax dollars.)**

TR-8.3 **Implement policies that** ~~Support using~~ **use** parking supply limitations and pricing as strategies to encourage use of non-automobile modes.

MS-10.5 In order to reduce vehicle miles traveled and traffic congestion, new development within 2,000 feet of an existing or planned transit station will be required to encourage the use of public transit and minimize the dependence on the automobile through the application of site design guidelines, transit incentives, **parking benefit districts, and implementation of car sharing programs.**

Note: Revenues from parking benefit districts can be designated to fund shuttle services, as well as streetscape improvements, such as improved sidewalks, curb ramps and street trees, to improve the safety of the pedestrian environment in the neighborhood.

The American Lung Association in California echoes the concerns made by Greenbelt Alliance and other organizations that the Plan's emphasis on more jobs than homes and significant roadway expansions will negate the balanced transportation goals of Envision 2040. More must be done to make a shift away from auto-dependence. We support the policy and mitigation recommendations by Greenbelt Alliance to enhance the bicycle network, and policies that focus on walking, cycling and supporting transit, including parking reform, parking pricing, parking benefit districts, and parking cash out programs. Additionally, we support policies in the city's planned and identified growth areas that focus first on the city's non-auto transportation system, rather than expanded road capacity.

Other Policies

Low Allergy Tree Planting

The City of San Jose is commended for its ambitious tree-planting program. However, it is critically important that trees be selected for low pollen so they don't worsen asthma, allergies and other lung diseases. We recommend the following language to address pollen.

MS-21.3 Ensure that San José's Community Forest is comprised of species that **are low pollen to reduce allergies**, have low water requirements and are well adapted to the city's Mediterranean climate. Select and plant diverse species to prevent monocultures that are vulnerable to pest invasions. Furthermore, consider the appropriate placement of tree species and their lifespan to ensure the perpetuation of the Community Forest.

Thank you for your consideration of these recommendations to incorporate health protective policies into the General Plan for residents most impacted by air pollution, as well as provide cleaner air and a healthier more sustainable community for all San Jose residents.

For more information, please contact Jenny Bard, Regional Air Quality Director, at 707-527-5864 or by email at jbard@alac.org