



25 October 2012

Mr. Neil Thomas Buttermore
Lyon Communities
4901 Birch Street
Newport Beach CA 92660

Subject: Assessment of Toxic Air Contaminant Impacts on the Proposed 450 Montague Residential Development in the City of Milpitas

Dear Mr. Buttermore,

The purpose of this letter is to address the potential toxic air contaminant (TAC) impacts on the proposed multi-family housing development 450 Montague, located at the southeast corner of Montague Expressway at Capitol Avenue in the City of Milpitas. A vicinity map showing the project location is presented in Figure 1.

The project is part of the City of Milpitas 2008 Transit Area Specific Plan (TASP). Policy 5.25 of the TASP was developed as a screening tool to determine if residential developments in the TASP area are potentially impacted by TAC and require further analysis to determine if this impact is significant and requires mitigation. Projects that are compliant with the policy are not considered significantly impacted by TAC.

Policy 5.25: For new residential development that is proposed within 500 feet of active rail lines where vehicles emit diesel exhaust, or roadways where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles per day, will, as part of its CEQA review, include an analysis of toxic air contaminants (which includes primarily diesel particulate matter (DPM)). If the results show that the carcinogenic human health risk exceeds the 10 people in a million standard for carcinogenic human health impacts established by the BAAQMD, the City may require upgraded ventilation systems with high efficiency filters, or other equivalent mechanisms, to minimize exposure of future residents. The above standard shall also apply to other sensitive uses such as schools, daycare facilities, and medical facilities with inpatient services.

Roadways Within 500 feet of the Project Site

Figure 1 shows that there are two major roadways within 500 feet of the project site, Montague Expressway and Capitol Avenue. However, the sum of the traffic volumes on these roadways is less than 100,000 vehicles per day and is projected to remain below this threshold in year 2035. Mr. Steve Chan at The City of Milpitas Traffic Engineering Department provided existing (2012) traffic volumes on the two roadways as they pass the site. The volume along Montague Expressway is 55,000 vehicles per day and the volume on Capitol Avenue is 10,000 vehicles per day. This results in a total existing traffic volume of 65,000 vehicles per day on the roadways within 500 feet of the project site.

The City of Milpitas does not provide future traffic projections. The San Francisco Bay Area 2009 Regional Transportation Plan, Vision 2035 Analysis, Data Summary (Planning Section, Metropolitan Transportation Commission, November 2007) shows that the AM Peak Hour vehicle miles traveled in Santa Clara County are projected to increase 45.6% between 2006 and 2035 in Table F.9. This equates to a 1.35% per year average growth rate. This value provides a reasonable estimate of the future growth of traffic volumes on the roadways in the County. Applying this factor to the existing 2012 traffic volumes provided by the City of Milpitas results in an estimate of the 2035 traffic volumes. The volume on Montague Avenue is projected to be 74,100 vehicles per day and the volume on Capitol Avenue is projected to be 13,500 vehicles per day. This results in a total future (2035) traffic volume of 87,600 vehicles per day on the roadways within 500 feet of the project site. For both the existing conditions and the future conditions, the sum of the traffic volumes on roadways within 500 feet of the project site are less than the 100,000 vehicles per day threshold.

As discussed in the policy, Diesel Particulate Matter is the TAC of greatest concern as it contributes approximately 70 percent of the total increase in cancer risk due to TAC in California. Soon after the determination that DPM was a TAC in 1998, the California Air Resources Board (CARB) developed a Diesel Risk Reduction Program. The goal of that program was to reduce DPM emissions from 1998 levels by 75 percent in 2010 and 85 percent in 2020. One of the primary components of the program is to replace older more polluting diesel fueled vehicles with new vehicles that are much cleaner.

EMFAC2011 is CARB's on-road vehicle emissions model. This model shows that total DPM emissions from on-road vehicles in Santa Clara County are projected to decrease by 54.3% from 2012 levels in 2015, and decrease by 68.8% from 2012 levels in 2020. Around 2025, DPM emissions are projected to reach a minimum, about 70% lower than 2012 levels and then start rising slowly. In 2035, the furthest forecast year in EMFAC2011, total on-road vehicle DPM emissions are projected to be 66.8% lower than 2012 levels. These values reflect both the projected decrease in emission rates from newer vehicles replacing older vehicles as well as the projected increase in activity levels in the future. This clearly shows that while traffic volumes are projected to increase in the future, reductions in vehicle emissions will more than offset this and significantly lower DPM levels will be experienced in the Santa Clara Valley.

Rail Lines within 500 feet of the Project Site

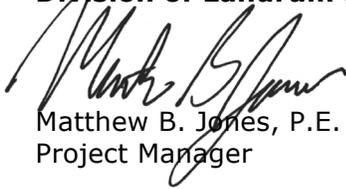
There are two rail lines that are within 500 feet of the project site. The rail line that runs down the center of Capitol Avenue is the Santa Clara Valley Transportation Authority (VTA) Light Rail. This system is not diesel powered and does not generate emissions of TAC in the vicinity of the project site. The rail line located to the northeast of the project, just at the 500-foot border from the project site, currently has two daily Union Pacific Railway freight train passes. However, in the near future this freight line will be removed and replaced with an extension of the BART system which is also electric powered and does not generate emissions of TAC in the vicinity of the project site.. Construction schedule information provided by VTA in June 2012 stated that the trenching for the BART system is slated to begin in early 2013. The diesel fueled freight train trips will cease before the trenching is initiated. The project will open for occupancy after this time. Therefore, the project will not be impacted by DPM Emissions from any rail lines.

There are no roadways with average daily traffic volumes greater than 100,000 vehicles per day within 500 feet of the proposed project. By the time the project is open for occupancy there will be no diesel powered rail operations within 500 feet of the project site. Therefore, based on the criteria presented in Policy 5.25 of the TASP, the project site is not impacted by TAC and no further analysis is required. My professional opinion concurs with this conclusion that the project will not be impacted by TAC.

If you have any questions or need any other information, please do not hesitate to call.

Sincerely,

Mestre Greve Associates
Division of Landrum and Brown

A handwritten signature in black ink, appearing to read "Matthew B. Jones".

Matthew B. Jones, P.E.
Project Manager

Attachments: Figure 1 – Vicinity Map

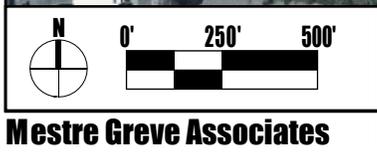


Figure 1
Vicinity Map