

Mayor
Willard Rodarmel
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John Flourde
Councilmembers
John Gordon
John Murray
William Siegel



CITY of
LEMOORE
CALIFORNIA

Planning
Department

210 Fox Street
Lemoore CA 93245
Phone (559) 924-6740
FAX (559) 924-6743

Item # 7

To: Lemoore City Council
From: Holly Smyth, Planning Director
Date: January 12, 2011
Subject: Public Hearing on Draft General Plan Amendment #2010-02 to amend Chapter 7: Conservation and Open Space Element to incorporate Air Quality components per AB 170

BACKGROUND:

State Assembly Bill 170 (Reyes, 2003) requires cities and counties within the San Joaquin Valley Air Pollution Control District to add air quality concerns to their general plans which requires planning agencies to amend appropriate elements of the general plan to **include data and analysis, goals/policies/objectives, and feasible implementation measures to improve air quality**. The general plan's comprehensive goals, policies and objectives to improve air quality must be consistent with feasible strategies to mitigate project level and cumulative air quality impacts under CEQA. Additionally, policies must integrate land use, transportation, and air quality plans; plan land uses that support multi-modal transportation; reduce congestion and vehicle trips; plan land uses that minimize exposure to toxic emissions from industrial and other sources; reduce particulate emissions and reduce emissions from energy consumption and area sources.

The draft General Plan Amendment document to conform to AB 170 was sent to Planning Commission and City Council back on October 25, 2010 so that everyone might have ample time to review while the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) was reviewing concurrently. The Air District had several modifications that they wanted to include which staff brought to Planning Commission at their November 22, 2010 and December 13, 2010 meetings in addition to some minor grammatical modifications staff discovered during the review period. Copies of the staff reports are available at the following link on the City's website http://www.lemoore.com/planning/plan_com.htm then clicking on the above listed agenda dates.

Planning Commission passed Resolution #2010-09 recommending that the City Council adopt attached General Plan Amendment #2010-02 with the following substantive changes to the initial draft document with the highlighted text being SJVUAPCD language added or excluded and deletion of duplicate policy COS-I-72:

COS-G-15 Achieve effective communication, cooperation, coordination and education in developing and implementing county-wide and regional programs to improve air quality and reduce potential climate change impacts.

The SJVAPCD has developed a school program for schools wishing to add air quality education to their curriculum which includes District speakers, student workbooks and teaching aids. More information on the District's school curriculum can be found on the District website at <http://www.valleyair.org/kids/KidsElemCurr.htm>. Additionally, The SJVAPCD has developed an air quality flag program in which various colored flags serve as a visual communicator of daily air quality indicators and health descriptors which should be added to the City's website.

COS-I-53 Support the efforts of local public and private groups that provide air quality, public health and climate change education and outreach programs.

The SJVUAPCD has a variety of publications available to the public, including compliance assistance bulletins and brochures on the District's grant and incentive and Healthy Air Living programs. For more information on District publications and the availability of reference materials, please contact the District's Outreach and Communication Department staff by phone at (559) 230-6000 or e-mail at public.education@valleyair.org.

COS-I-64 Initiate discussions with the SVJAPCD to develop a program and identify mitigation projects that could utilize expenditure of SJVAPCD Rule 9510 - Indirect Source Review air quality mitigation fees generated by projects within the City to maximize local benefits to air quality and the economy.

Actively work with project sponsors to maximize their participation in Voluntary Emission Reduction Agreements (VERA) with the SJVAPCD that fulfill the requirements of CEQA and Rule 9510 and provide emission reductions at least as large as those required by Rule 9510. The VERA process provides an opportunity for the City to identify local air emission reduction projects and expand the City's active participation in the project selection process. Referral documents sent to the SJVAPCD Central Office in Fresno shall include a project summary detailing the land use designation, project size, proximity to sensitive receptors, existing emission sources, and proponent contact information which can be sent via email to CEQA@valleyair.org. Any comment letters received by the SJVAPCD shall be forwarded to the project proponent.

COS-I-72 Require all access roads, driveways, and parking areas serving new commercial and industrial development be constructed with materials that minimize particulate emissions and are appropriate to the scale and intensity of use.

Recommendation:

Review Exhibit A (incorporating Planning Commission's recommended modifications), open public hearing to take public testimony, make any further modifications to the draft text, and pass the attached draft Resolution #2011-03 adopting General Plan Amendment 2010-02.