

Chapter 1

Introduction

1.1 Purpose of CEQA

The California Legislature enacted the California Environmental Quality Act (CEQA) in 1970 (Public Resources Code §§21000 et seq.). CEQA requires that public agencies (i.e., local, county, regional, and state government) consider and disclose the environmental effects of their decisions to the public and governmental decision-makers. Further, it mandates that agencies implement feasible mitigation measures or alternatives that would mitigate significant adverse effects on the environment.

Perhaps the best known application of CEQA is the requirement that a public agency prepare an Environmental Impact Report (EIR) whenever a project has the potential to create significant effects on the environment. The purpose of an EIR is “to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided” (PRC §21002.1).

CEQA is intended to address a broad range of environmental issues, including water quality, noise, land use, natural resources, transportation, energy, human health, and air quality. The guidance in this document addresses air quality analyses performed to satisfy CEQA requirements. However, this guidance also has implications for analyses of human health, water quality, risks of upset, and other environmental areas related to air quality.

An all-important tool in the implementation of CEQA is the CEQA Guidelines adopted by the Office of Planning and Research in the Governor’s Office (14 CCR §§15000 et seq.). The CEQA Guidelines apply statewide and govern all environmental impact reviews of projects.

1.2 Purpose of This Guide

The purpose of the El Dorado County Air Pollution Control District (District) CEQA Air Quality Guide is to facilitate the evaluation and review of air quality impacts for projects in El Dorado County that are subject to CEQA.

This is an advisory document intended to provide lead agencies, consultants, and project proponents with uniform procedures for assessing potential air quality impacts of proposed projects and for preparing the air quality section of environmental documents. The Guide should be used when the District is the “lead agency” under CEQA, and also when the District’s role is to participate as a “responsible agency” or “commenting agency” for air quality. The Guide is intended to streamline the CEQA review process for both the lead agency and the District.

This Guide is based on a technical approach that has been jointly developed by five air districts in the Sacramento area: the Sacramento Metropolitan Air Quality Management District, the Yolo-Solano Air Quality Management District, the Feather River Air Quality Management District, the Placer County Air Pollution Control District, and the El Dorado County Air Pollution Control District. The districts jointly prepared the text for a CEQA Guide that has been adapted, in the form of this document, for El Dorado County. This approach will assure that all development projects in the greater Sacramento area are evaluated using similar criteria – which is appropriate given the close economic and development ties between the five counties and the fact that they must address common air pollution problems (especially regional ozone).

This Guide can be applied to an air quality analysis for any project as defined by CEQA. This includes everything from a site-specific development to a general plan.

From a policy perspective, the Guide’s intent is to facilitate and provide consistency in the preparation of analyses that inform decision-makers and the public about the air quality implications of a project. While this intent serves to protect the environment, it also demonstrates to the public that it is being protected. Ultimately, the Guide is designed to promote public dialogue about the air quality implications of a public agency's decisions.

1.3 District’s Role Under CEQA

Under CEQA, the District can have one of three roles, depending on the nature of the project: Lead Agency, Responsible Agency, or Commenting Agency.

The District is considered a **lead agency** when it has principal responsibility to carry out or approve a project. This typically occurs when the District develops rules, regulations, and air quality plans. Pursuant to CEQA, when the District is a lead agency, the District is responsible for coordinating the environmental review of a project with other agencies and the public and determining whether an EIR or Negative Declaration is appropriate. Further, it is responsible for the preparation, consideration, and certification of environmental documentation prior to any decision on the project. When prior environmental documentation from another lead agency is inadequate to act upon, the District may also assume the role of lead agency by preparing an EIR for permits over which it has authority.

The District is a **responsible agency** when it has discretionary approval power over a project but does not have the principal authority to carry out or approve the project. The District is often a responsible agency for development projects that require air pollution permits. In this capacity, the District provides comments to the lead agency on its air quality analysis and mitigation measures, if applicable.¹ To help public agencies

¹ The CEQA Guidelines state that when commenting on Draft EIRs and Negative Declarations, responsible agencies are limited to those project activities within the agency's area of expertise or which are required to be approved by the agency (see 14 CCR §15096(a)(2)(d)).

determine whether air quality permits are required for a project, Figure 1-1, at the end of this chapter, identifies projects that often require air quality permits and those that are typically exempt from permitting. Public agencies can use this as a handout to inform project proponents of potential air quality permit issues.

Finally, the District is considered a **commenting agency** for any project that has the potential to impact air quality and for which it is not a lead or responsible agency.² To this end, the District provides comments to lead agencies that prepare environmental documents. This Guide builds on the District's role as a responsible and commenting agency by providing uniform instructions to lead agencies on assessing air quality impacts and preparing analyses.

1.4 How to Use This Guide

This Guide is intended for use by the District, other agencies, consultants, and project proponents at the “Initial Study” phase of the CEQA process in determining whether an Environmental Impact Report (EIR) or other document (such as a Negative Declaration) must be prepared. To use this document effectively, the following should be kept in mind:

- **Organization.** This document is organized to reflect the environmental review process for a lead agency. Because each chapter walks through a sequential step in a CEQA air quality analysis, the Guide can be used as a reference resource at any step of the environmental review process.
- **Early consultation.** One purpose of the Guide is to provide information to project proponents about air quality issues early in the planning process. Project proponents and Lead Agencies should contact the District early in the project planning phase about air quality issues and how this Guide should be applied, so that steps can be taken to minimize potential impacts before completing a project's scope or design. See Sections 1.6, 1.7, and 1.8.
- **District support.** The District staff is available to answer questions about the guidance in this document and air quality-related questions at (530) 621-6662.
- **Future updates.** The Guide will be updated periodically as legislative, legal, and technical changes dictate. Updates will be provided in a three-ring binder format for insertion into your current Guide.
- **Checklist.** As an aid for users of this Guide, a Checklist and Flow Chart have been prepared and included as Appendix A.

² CEQA Guidelines §15044 permits any person or entity that is not a responsible agency to comment to a lead agency on any environment impact of a project.

1.5 Relationship to NEPA

Some projects subject to CEQA may also require compliance under federal environmental law, namely the National Environmental Policy Act (NEPA). In such cases, a joint NEPA-CEQA analysis is appropriate. Under certain circumstances, the CEQA Guidelines allow public agencies to use an Environmental Impact Statement (EIS) under NEPA rather than prepare an EIR or Negative Declaration.³ This document, which provides guidance for assessing air quality impacts and preparing environmental documents under CEQA, can also be used to prepare a NEPA or joint CEQA-NEPA analysis, unless noted otherwise.

1.6 Lead Agency Consultation with the District

The District is available for consultation at any time in the project review process, but there are certain times when consultation is required. For example, when the District has discretionary approval authority over a project for which another public agency is serving as Lead Agency, the District must be consulted as a Responsible Agency. When the District does not have approval authority over a project, it is to be consulted as a commenting agency. CEQA requires or provides opportunities for consultation at various times during the environmental review process. CEQA encourages Lead Agencies to consult with any individual or agency that will be concerned with the environmental effects of the project prior to the completion of the Draft EIR or Negative Declaration. This is often done in conjunction with the Notice of Preparation or scoping meeting.

The Lead Agency can proactively address air quality concerns before a project is ever submitted for environmental review by providing information to project proponents during initial consultation at the planning counter. In fact, CEQA Guidelines direct lead agencies to “encourage the (private) project proponent to incorporate environmental considerations into project conceptualization, design, and planning at the earliest feasible time.”⁴

Addressing land use and site design issues while a proposed project is still in the conceptual stage increases opportunities to incorporate mitigation measures and modifications to minimize air quality impacts. By the time a project enters the CEQA process, it is usually more costly and time-consuming to redesign the project to incorporate mitigation measures. Early consultation may be achieved by including a formal step in the jurisdiction’s development review procedures or simply by discussing air quality concerns at the planning counter when a project proponent makes an initial contact regarding a proposed development. Public agencies can use the initial consultation phase to address air quality issues most effectively by becoming familiar with this guidance document, running user-friendly computer programs that perform

³ See PRC §§21083.5, 21083.6, and 21083.7 and CEQA Guidelines §§15220-15228 for more information on combined EIR-EIS projects.

⁴ CEQA Guidelines §15004(b)(2)

screening-level air quality analyses, and using the District as a resource. Regardless of the specific procedures or resources a local jurisdiction employs, the objective should be to incorporate air quality control measures into a project before significant investment (public and private) has been devoted to the project.

1.7 District Rules and Regulations.

The District rules and regulations, including permit requirements, apply to most industrial processes (e.g., manufacturing facilities, cement terminals, food processing), many commercial activities (e.g., print shops, drycleaners, gasoline stations), and other miscellaneous activities (e.g., demolition of buildings containing asbestos and aeration of contaminated soils). See Figure 1.1 at the back of this chapter for a sample listing of activities subject to or exempt from District permit requirements. During early consultation, project proponents and Lead Agency staff should coordinate directly with the District prior to determining the applicability of District permit requirements.

Copies of District rules and regulations may be requested by writing the District at the address shown in Figure 1.1, or by telephoning the District at (530) 621-6662. Copies may also be downloaded from the District's website at <http://co.el-dorado.ca.us/emd/apcd/index.html>.

1.8 Land Use and Design Considerations

Land use decisions are critical to air quality planning because land use patterns greatly influence transportation needs, and motor vehicles are the largest source of air pollution in the District. The location, intensity, and design of land use development projects significantly influence how people travel. For example, land use strategies such as locating moderate or high-density development near transit stations increases opportunities for residents/employees to use transit rather than drive their cars. Similarly, design considerations such as orienting a building entrance towards a sidewalk and/or transit stop increases the attractiveness of walking and transit as an alternative to driving. Some important land use and design elements that help improve air quality include the following:

- Encourage the development of higher density housing and employment centers near transit stations.
- Encourage compact development featuring a mix of uses that locates residences near jobs and services.
- Provide neighborhood retail within or adjacent to large residential developments.
- Provide services, such as restaurants, banks, copy shops, post office, etc., within office parks and other large employment centers.
- Encourage infill development.
- Be sure that the design of streets, sidewalks, and bike paths/routes within a development encourages walking and biking.
- Orient building entrances towards sidewalks and transit stops.
- Provide landscaping to reduce energy demand for cooling.

- Orient buildings to minimize energy required for heating and cooling.

Local governments and other Lead Agencies are encouraged to consider land use and design measures to reduce auto use and promote energy conservation early in planning and development review processes. By incorporating such measures in local plans and addressing them during initial contacts with project proponents, Lead Agencies greatly increase the likelihood of their implementation. The environmental impacts of development proposals may be lessened and environmental review processes simplified.

The District encourages Lead Agency staff and project proponents to use computer tools that analyze emissions from development projects and assist in developing different designs or alternatives with reduced air quality impacts. Lead Agency staff may contact the District for information or assistance.

Figure 1.1

When do I need to check with the District?

State law requires any facility that has the potential to emit air contaminants to apply for a permit from the District. This list is provided to help you determine whether your project is covered by the District's permit requirement. If your project is listed below, or if you have any question about whether you need a permit, contact the District at the number shown below.

Asphalt Batch Plant	Incinerator
Abrasive Blasting Equipment	Internal Combustion Engine (> 50 bhp)
Aggregate Crushing & Screening Equipment	Kiln
Boilers (>1 MM BTU/hr)	Laboratory Hood
Bulk Material Transfer & Storage Equipment	Landfill
Chrome Plating	Lumber Mill
Circuit Board Manufacturing	Oil Production & Process Equipment
Coating Equipment (>2 lb/day emissions)	Oil Water Separator
Coffee Roaster	Organic Liquid Storage Tank
Cogeneration Facility	Paint Manufacturing
Concrete Batch Plant	Paint Spray Booth
Cooling Tower	Paint Equipment (>2 lbs/day emissions)
Crematories	Pile Driver
Curing & Burnoff Oven	Printed Circuit Board Manufacturing
Degreasing Operation	Process Heaters (> 1 MMBtu/hr)
Dredge	Product Dryer
Dry Cleaning Equipment	Resource Recovery Facility
Dust Collector	Sand and Gravel Crushing and Screening
Emergency Diesel Generator (> 50 bhp)	Semiconductor Wafer Fabrication Equipment
Emission Control Equipment	Soil & Water Cleanup
ETO Sterilizer	Truck Loading & Receiving Equipment/Bulk Materials
Fiberglass Fabrication Operation	Waste Gas Flare
Fumigation Chamber	Waste Water Treatment Plants (WWTP) & Pump Stations with Odor Control
Furnace	Wave Solder/Solder Reflow Machine
Furniture Stripping Operation	Wet Scrubber
Fume Hood	Wood Chipper/Tub Grinder
Gas Turbine (> 3 MMBtu/hr)	Wood Working Facility (if aggregate horsepower of stationary equipment exceeds 50 hp)
Gasoline Dispensing Equipment	
Gasoline Storage Equipment	
Graphic Arts Printing (>2 lbs/day emissions)	

This list is not exhaustive. If you have any doubts or questions about whether you need a permit, please call the District at (530) 621-6662, an engineer will be happy to answer your questions.

*El Dorado
Air Pollution Control District*

2850 Fairlane Court, Bldg. C
Placerville, CA 95667-4100
(530) 621-6662

Figure 1.1 (Continued)

When do I need to check with the District?

Many projects do not require a permit from the District. The following information is provided to help you determine whether your project may be exempt from District permit requirements. The list is not exhaustive. If you have any doubts or questions about whether your project is exempt, please call the District at (530) 621-6662, and an engineer will be happy to answer your questions.

**THE FOLLOWING PROJECTS ARE GENERALLY EXEMPT FROM
REQUIRING A PERMIT ISSUED BY THE AIR DISTRICT:**

1. Small internal combustion engines (50 bhp or smaller)
2. Small gas turbines (3 MMBtu/hr or smaller)
3. Small space heaters and boilers (1 MMBTU/hr or smaller) fired with natural gas or LPG
4. Residential structures
5. Agriculture operations for growing crops or raising animals
6. Some small cooling towers (10,000 gallons per minute or smaller)
7. Some refrigeration, air conditioning, ventilation, and vacuum cleaning systems.
8. Some electric kilns used for plastics or ceramics processing.
9. Storage of low volatility organic liquids, including diesel fuel.
10. Storage of some volatile organic liquids (6,076 gallons or smaller).
11. Storage of liquefied or compressed gases.
12. Unheated solvent dispensing containers (100 gallons or smaller).
13. Some surface coating and preparation operations.
14. Food processing equipment for restaurants, bakeries, etc.
15. Laboratory equipment.
16. Repairs and maintenance.
17. Equipment emitting less than 2 lbs/day of any pollutant without air pollution controls.

Many projects are exempt from permitting requirements, but it is better to be safe than sorry. If you have any questions about whether your project requires a permit from the District, please call (530) 621-6662 and ask to speak to an engineer.

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